

APPA: We are only as strong as our members' participation!

We are taking this occasion, at the beginning of a new school year, to remind everyone that a union's strength is defined by its members. We often hear people saying that the UNION is doing nothing for its members...or... "Why are we paying union fees if things always remain the same?"

There is a saying, in union circles, which states: The General Assembly is Sovereign. This simple statement reflects the proper essence of our union. The truth of the matter is that the union executive can only go forward with the mandates they are given, by its members, during General Assembly meetings. In other words, the union executive's mandate is to implement the decisions that were voted by its members. Although it can bring forward recommendations to its members, it is up to them to

make the final decision on the direction the recommendation will take.



Keeping this in mind, if you are unsatisfied with your working conditions, with your executive, with your health insurance coverage, with whatever, it is up to you to attend our General Assemblies during the school year and make your opinions heard. We cannot change things on our own; we need your suggestions to be brought forth during General Assembly meetings. There are many other ways in which you can participate in your union: become a union delegate for your school or centre; become a member in one of our committees; participate in our yearly social activities, etc. As Ghandi so wisely reminded us, "You must be the change you want to see in society."

Changes in the timeframe of your schedule

At this time of the year, we receive many phone calls from our members about proposed changes, by their school's or center's administrator, in the beginning and ending of their work schedule. They inform us that when they were at the staffing session meetings in June and/or August, they selected a particular post because it was clearly indicated that would start a certain time and end at another specific time. Indeed, in many cases, the specific timeframe was a determining factor in their choice of one post over another one.

The two big questions, commonly asked by our members after they have given us their information, are "Does he/she have a right to do this?" and "What is the union going to do to protect me?"

The short answer to the first question is, "Yes, if their school's or center's administrator respects the conditions stipulated in our collective agreement". As for the second question, the answer is, "The union can intervene, or protect its member, if their immediate superior did not follow the collective agreement's procedures concerning changes in a workers' schedule".

More specifically, these are the conditions, stated in article 8-2.07 of our collective agreement, which your immediate superior must meet in order to make any changes within a 60 minute time period (start or finish) in your overall daily work schedule:

"The work schedules may be adjusted upon a ten (10)-working day notice if the adjustment is within a sixty (60)-minute span before or after the regular workday. A copy of the notice shall be forwarded to the union. The adjustment must also meet the

following conditions:

- an employee's schedule cannot be adjusted more than twice a year;
- an employee must be consulted before the schedule is adjusted and must be informed of the reasons for the decision;
- if only one employee within a work team in the same class of employment must be affected by the adjustment, the employee on that team with the least seniority is required to accept it".

If the shift in your overall daily work schedule exceeds a 60 minute time period, your immediate superior will have to abide by the conditions stated in article 8-2.08 of our collective agreement:

"The work schedules may be altered after written agreement between the union and the board. However, the board may alter the existing schedules if administrative or pedagogical needs make the changes necessary. In this case, the board shall give the union and the employee concerned a written notice of at least thirty (30) days before implementing the new schedules.

Either the employee concerned or the union may, within thirty (30) working days of the sending of the notice, resort to the procedure for settling grievances and arbitration..."

If your immediate superior announces your work schedule timeframe will be changed, without respecting the conditions stated above, you can inform him/her of these articles. If he/she still insists on making the change without respecting these articles, give us a ring and we will look into it.



Psychological Harassment in the workplace: What is it? What can you do when it happens to you?

In recent years, there has been more and more talk about psychological harassment in the workplace. In staff rooms, hallways or around water coolers, we often hear one person whispering to another one about something that happened during the day, only to have the second person reply, "That is psychological harassment, you shouldn't put up with it! You should report it!" Although everyone seems to have their opinion about psychological harassment in the workplace, very few people can actually identify what it is.

"The Act respecting labor standards contains provisions on psychological harassment at work that protect the majority of Québec workers, whether they are full or part time.

A single serious incident of such behavior may constitute psychological harassment if it has the same consequences and if it produces a lasting harmful effect on the employee.

The definition of psychological harassment found in the Act respecting labor standards includes sexual harassment at work and harassment based on any one of the grounds listed in section 10 of the Charter of Human Rights and Freedoms: race, color, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, handicap or the use of a means to palliate this handicap.

WHAT CONSTITUTES PSYCHOLOGICAL HARASSMENT AT WORK

Psychological harassment at work is vexatious behaviour in the form of repeated conduct, verbal comments, actions or gestures:

- that are hostile or unwanted
- that affect the employee's dignity or psychological or physical integrity
- that make the work environment harmful

To establish that the case actually involves psychological harassment, it is necessary to prove the presence of all of the elements of the definition:

CRITERIA

VEXATIOUS BEHAVIOUR

This behavior is humiliating, offensive or abusive for the person on the receiving end. It injures the person's self-esteem and causes him anguish. It exceeds what a reasonable person considers appropriate within the context of his work.

REPETITIVE IN NATURE

Considered on its own, a verbal comment, a gesture or behavior may seem innocent. It is the accumulation or all of these behaviors which may become harassment.

VERBAL COMMENTS, GESTURES OR BEHAVIOURS THAT ARE HOSTILE OR UNWANTED

The comments, gestures or behaviors in question must be considered hostile or unwanted. If they are sexual in nature, they could be considered harassment even if the victim did not clearly express his refusal.

AFFECT THE PERSON'S DIGNITY OR INTEGRITY

Psychological harassment has a negative effect on the person. The victim may feel put down, belittled, and denigrated both at the personal and professional levels. The physical health of the harassed person may also suffer.

HARMFUL WORK ENVIRONMENT

Psychological harassment makes the work environment harmful for the victim. The harassed person may, for example, be isolated from his colleagues due to the hostile verbal comments, gestures or behaviors towards him or concerning him."

If you think you are being harassed, as defined by the Act respecting labor standards, inform your immediate superior (unless he/she is the person doing the harassment) and inform your union. If he/she does not take the appropriate step to rectify the situation, you will have to start documenting proof in order to be able to present your case of psychological harassment to Ms. Christine Dénommée, Director Human Resources EMSB. She is the person responsible for handling psychological harassment cases at the school board. Your union representative can help you organize your file but ultimately, you will have to submit your harassment complaint to the Director Human Resources at the School Board.

Our employer, the EMSB, is responsible to, "provide a workplace free from psychological harassment.

The employer is required to provide his employees with an environment that is free from psychological harassment. However, this is an obligation of means and not of results. In other words, the employer cannot guarantee that there will never be any psychological harassment in his enterprise, but he must:

- prevent any psychological harassment situation through reasonable means
- act to put a stop to any psychological harassment as soon as he is informed of it, by applying the appropriate measures, including the necessary sanctions."

In order to gather the pertinent information for your harassment case, you can log the different events in a journal of a log sheet (see below).

Remember, if you need any help, we are just a phone call away.

Psychological Harassment Log Sheet

Employee's Name : _____ Employee's Number : xxx-xxx-xxx Post : _____ Workplace : _____		Name of person who harassed you.		Name of witness of the event, if any.		Harassment Criteria				
Date	Describe event					VEXATIOUS BEHAVIOUR	REPETITIVE IN NATURE	VERBAL COMMENTS, GESTURES OR BEHAVIOURS THAT ARE HOSTILE OR UNWANTED	AFFECT THE PERSON'S DIGNITY OR INTEGRITY	HARMFUL WORK ENVIRONMENT



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