



Congratulations to Liz Fong on her retirement!



COPE Ontario would like to congratulate you on your retirement Liz! We also want to thank you for your contributions, dedication and service to the Office and Professional Employees International Union (OPEIU), the Central Ontario Council (COC), COPE/SEPB National Union, COPE Ontario and COPE Local 343 over all these years.

Your hard work and diligence have greatly benefited our Union and membership. You have witnessed and stood firm with the Union during the best and worst of times. You have been an inspiring mentor to many. Your professionalism and work ethic have encouraged many members to become more active in the Union. We will always be indebted to you for your service and unwavering dedication to COPE in all its forms.

COPE Ontario and all our members will miss your friendship, support and advice. Your retirement is our loss, but a well-deserved respite for you. We have greatly appreciated the many years you gave us and as one of the Union's long serving members, your absence will be greatly felt by all.

We wish you and your family a very happy time in the future. We would like you to know that our very best wishes and thoughts go with you as you begin your retirement. On behalf of COPE Ontario, we wish you many years of happiness and good health to enjoy your well-deserved retirement. All the best Liz, and thank you!

- Maureen O'Halloran, Acting Director



Domestic violence and the workplace

In 2014, Western University and the Canadian Labour Congress conducted a Pan-Canadian survey on domestic violence and the workplace entitled "Can Work be Safe, When Home Isn't?" (1). The survey found that over one-third of the 8,429 survey participants reported personal experience with domestic violence. One-third of those who are experiencing domestic violence indicated that it affected their ability to get to work; over half indicated that it continued at the workplace, and the majority indicated that it impacted their work performance. Over 90% of survey respondents think that domestic violence impacts the workplace.

The survey also identifies the importance of being employed in providing financial security to leave a violent relationship and to escape the isolation of an abusive relationship. (http://www.learningtoendabuse.ca/sites/default/files/DVWork_Survey_Report_2014_EN_0.pdf)

It is estimated that domestic violence costs Canadian employers \$77.9 million dollars annually.

In March 2016, Manitoba became the first province to adopt legislation to provide for leave for workers experiencing domestic violence. The legislation provides for five days of paid leave and up to seventeen weeks of unpaid leave for victims of domestic violence.

On September 27, 2016 Ontario NDP Women's Issues Critic, MPP Peggy Sattler reintroduced her Private Member's Bill, Bill 26, Domestic and Sexual Violence Workplace Leave, Accommodation and Training. Bill 26 provides for ten days of paid leave for survivors of domestic violence to obtain the assistance of services related to the violence. Bill 26 allows for workplace accommodation and requires employers to provide mandatory training on domestic and sexual violence.

The Canadian Labour Congress has developed an education series "Understanding and addressing DV@Work" which is intended to increase our capacity to build awareness about domestic violence and to address DV@Work at individual, workplace and systemic levels. The series will provide for both a two day training programme for union representatives and union leadership, as well as a one hour member awareness presentation.

It is important that we do our part by negotiating language into our collective agreements that provides for paid domestic violence leaves, flexible work arrangements and other protections necessary to provide a safe workplace. We must also lobby governments to include these protections in Employment Standards legislation and provide the necessary information, awareness and support to our membership.

- Patty Clancy, Staff Representative, National Vice-President - Seat Reserved for Women

1. Wathen, C.N., McGregor, J.C.D., MacQuarrie, B.J. with the Canadian Labour Congress (2015). Can Work be Safe, When Home Isn't? Initial Findings of a Pan-Canadian Survey on Domestic Violence and the Workplace, London, ON; Centre for Research & Education on Violence Against Women and Children



Employees don't have to leave their personal style at the door, arbitrators rule

A bearded applicant for a courier job was told he'd have to clip his whiskers if he wanted to work at UPS, whose "strict appearance guidelines" say employees must be "clean shaved and hide visible piercings and tattoos."

Personal appearance issues have become a flashpoint in labour-management issues. Younger workers in particular question whether employers have the right to crush their expression of individual style.

Allan Stokell, the UPS applicant, argued that his beard was an expression of his gender identity and, therefore, UPS infringed his human rights. He told the Toronto Star that if UPS can't accept his facial hair, he doesn't want to work there.

It's just as well he didn't go down the human rights road. The Human Rights Tribunal of Ontario ruled earlier this year that beards are not protected by new gender expression provisions of the human rights code.

Labour arbitrators, on the other hand, have become increasingly sympathetic to workers who challenge employer dress and personal appearance codes. (Some UPS employees are represented by Teamsters Local 938 but a union cannot file a grievance on behalf of an external job applicant). "There is no absolute right in an employer to create an employee in his own image," declared Arbitrator Owen Shime in one famous case.

Employers must show that rules are reasonable and that there is a valid connection between the rule and a business or health and safety concern (long hair may be an issue if workers use equipment with moving parts, for example).

Over the years, various forms of style that were once controversial have subsequently become commonplace – everything from pant suits for women to sideburns for men. Currently, the hot button issue is tattoos. Body art sends many employers around the bend, panicked at possible public reaction.

Arbitrators don't seem to be buying employers' concerns. In one case, Arbitrator Lorne Slotnick considered a new rule brought in by the Ottawa Hospital requiring, among other things, that employees cover up large tattoos while at work. Slotnick gave the no-tattoo rule the thumbs down.

"Anyone who has taken a stroll on a summer day knows that tattoos are no longer confined to sailors, stevedores and strippers," he wrote.

- Glenn Wheeler, Legal Counsel