



*May the joy of Christmas be with you this holiday season
and may you find happiness throughout the coming year*



The Official Publication of
the Telecommunications
Workers Union

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BROADWAY PRINTERS

Union urges Telus: *Get On With It!*

With a full year having passed since the TWU and Telus began the process of bargaining a new contract, and with negotiations often moving at a snail's pace, the Union is hoping that a recent decision by the Canada Industrial Relations Board will break the logjam and motivate the company to get down to serious contract talks.

Prior to the long-awaited CIRB ruling, Decision 143, handed down November 19, the Union had embarked on a tour of all Locals with Telus employees to update members on the progress of talks. Those visits to Locals are ongoing as we go to press at the end of Novem-

ber, with meetings well attended and very informative.

Vice-President Bruce Bell says the Union is pleased the CIRB has handed down its ruling, which clarifies issues relating to size and scope of the bargaining unit and the applicability of our collective agreement, and he says there is no longer any reason, if there ever was a reason, for the company to drag its feet in contract talks.

CIRB Decision 143 expands on and clarifies the Board position outlined in their earlier ruling, Decision 108. In that context, Bell says, members will find the following comment in the Decision 143 very interesting and instructive:

"However, the Board is aware that collective bargaining has not been as productive as the Board had hoped, and as such it is necessary for the Board to act further upon its original decision."

Decision 143 is a three-part decision dealing with, one, the Eastern Build; two, questions of scope and jurisdiction; and three, the TWU collective agreement as it applies to Field Sales and Telesales people in Alberta.

With respect to the Eastern Build, which covers both Telus expansion and acquisitions east of Alberta, the Board ruled in Decision 108 and re-affirms in Decision 143 that there are no geographic restrictions in Canada to the TWU certification. In short, the East is ours.

The Bargaining Committee also notes with satisfaction another comment in the Board's written decision:

"The Board wishes to emphasize the importance of the parties moving forward in their collective bargaining to prepare for the planned and announced expansion of the company."

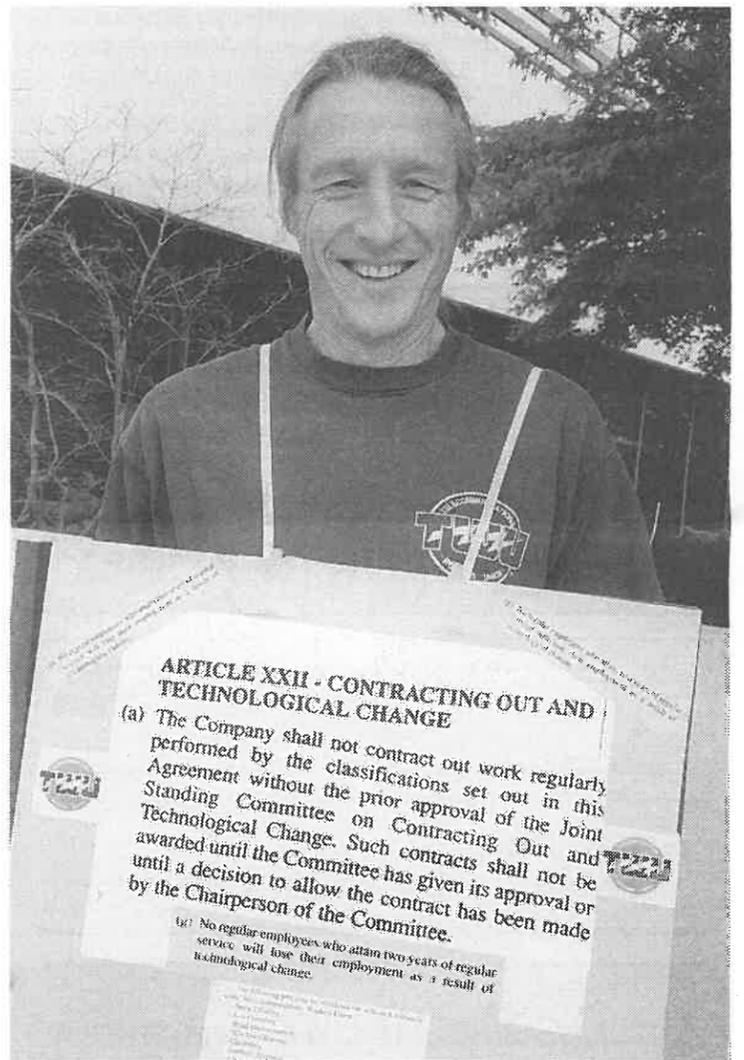
With respect to jurisdiction and scope, that is, the work and classifications covered under our Collective Agreement, the Board ruled there is no change to existing exclusions. There was no imposed expansion, or reduction, of current exclusions by the Board. For now, the employees who were eligible to vote in the merger vote of 2000 are included in the Bargaining Unit. However, meetings will be held soon at which the parties will put forward their positions on the issue. The company will be arguing for narrower scope, and the union will be arguing for broader scope. We do not know at this point how long those CIRB meetings will go on. (It is possible the first meetings will have been held by the time this issue of the Transmitter is printed and mailed.)

On the third issue, the Board ruled that Field Sales and Telesales people in Alberta come under the TWU collective agreement, with some restrictions on specific items. However, an important point for the Union is that this inclusion is retroactive to March 24, 2000.

The Union has argued all along that the Field Sales and Telesales personnel should be included in the TWU Collective Agreement, Bell said. Decision 143 upholds the TWU position: *One Union! One Contract! TWU!*

Bruce Bell said we are still concerned about the company's demands for contract concessions, and he urged members to turn their attention to that question.

Telus wants to negotiate a completely new Collective Agreement, taking away years of contract negotiation history, says Bell. They want to take away or make major changes to clauses like contracting out,



Local 50 delegate Randy Cairns, responding to Telus suggestions that employees come to work in costume on Halloween, dressed up as the Collective Agreement to dramatize the need for serious negotiations, and for support for the contracting out protections in the agreement

transfer expenses, and board and lodging. In fact, he says, the company has brought every contract article to bargaining for changes or deletion, including Letters of Agreement.

"I say to Telus in public, as I have said to them on a number of occasions at the bargaining table, that if the B.C.-Alberta corporate merger is the positive move they claim it is, then why do they seek to take away our members' hard-won contract rights. If the merger was a good thing for the company and the shareholders, and I accept them at their word on that, why not share the benefits with their employees instead of trying to wring concessions out of us."

Summing up the current negotiating process, Bell said Telus has a 12-person bargaining team negotiating for the corporate agenda, while the TWU has a 15-member bargaining committee (six members from Alberta, six members from B.C., and three Officers) negotiating for the workers' interests.

"If there are problems in the workplace while negotiations are going on," Bell concluded, "it is important that members stay informed, take the initiative to deal with those problems, be extra-prepared to police the Collective Agreement, and above all, remain United and rock-solid in support of the Union."

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LETTERS TO THE EDITOR

Retirement thanks

Dear TWU:

I recently retired from TELUS. I want to thank the TWU for making my 35 years there secure and comfortable, by negotiating good wages, benefits, job security and pensions.

Thank you for the \$1000 cheque, pin and lifetime membership. I am very proud to be a lifetime member of this great organization.

At this time I wish the TWU and negotiating team success on reaching a new contract with TELUS. If I can be of any help, please give me a call.

**In solidarity,
Nadaja Peresin, Local 5**

Dear TWU:

I am taking this long overdue opportunity, upon my retirement after 27 years of service, to write a letter of thanks to my Sister and Brothers in the TWU.

In my opinion, the TWU is one of the strongest, most democratic, best run unions in BC, if not in Canada.

In the time I've spent working with all of the paid officers, I have been continually impressed with their dedication to the member; protecting members' rights and freedoms (both above and beyond the demands of the negotiated contracts); protecting members' human rights; the compassion they show to members suffering a medical crisis, or the loss of a loved one.

These kinds of qualities are a rare commodity everywhere else but in the TWU, among both the paid and vol-

unteer officers of our Union.

One of the happiest, and the saddest times for me, as a member of the TWU, was at my retirement party earlier this year. It was a happy occasion because I was with good friends and family (and there were far more than I thought). I was able to personally thank Brother Rod Hiebert, who presented me with a cherished Lifetime Union membership, and Brother Neil Morrison, who presented the much appreciated retirement cheque for \$1000. My heartfelt thanks also goes out to Brother John Johnston, Wes Nakano, Tim Williams, John Gallant, and my wonderful wife, Mari, who put on a great party, complete with thoughtful gifts, and who all gleefully roasted yours truly.

I'll miss being active in our Union, but I know that if everyone works together, the TWU will remain the best!

I would also like to take this opportunity to pass on special thanks to Brother Peter Massy for his help and expertise in my successful appeal to the Canada Pension Plan - Long Term Disability Board. It is my firm belief that without Brother Massy's firm resolve to win the appeal, his hours of work, and dedication to helping a fellow brother in the TWU, my case would have been refused again. In conclusion I would like to say how proud I am to be a member of a Trade Union that has Table Officers who are as dedicated to the membership as is Peter.

**In solidarity,
Leigh McCracken, Local 7**

Sports thanks

Dear TWU:

Thanks for the funds you provided for our Soccer team. The money allowed us to get into an early tournament this season over the Thanksgiving day long weekend. We played in Richmond over the weekend and won all of our games. We won the gold medal after shutting out the Richmond Demons in the final game.

We will be fund raising throughout the year to allow us to enter more tourneys and hopefully they will be as successful as this one. Thanks again for your support!

Langley Lightning U12 Boys

Dear TWU:

On behalf of the players, coaches and their families, I would like to express our sincere thanks for your generous support of our team.

Your sponsorship has enabled the team to purchase new equipment, attend additional training clinics, provide funds for tournament registration, and assist in reducing the players' expenses at the Nationals. These dedicated athletes and their parents work very hard to fundraise the needed dollars to cover the team's expenses but it is a difficult task. They truly appreciate your donation.

**Yours truly,
Don Kuhn**

**Head Coach, Storm Bantam A.
Surrey Metro Fastpitch**

Edmonton Labour Council thanks

Dear TWU:

On behalf of the Edmonton and District Labour Council I wish to convey my sincere appreciation for the generous donation of \$200 for the 12th Annual Labour Day Barbeque for the Unemployed and the Underemployed.

I hope that you enjoyed participating and that you will continue to participate in the future.

**In solidarity,
Jack McMorran
EDLC Labour Day
Barbeque Chairperson**

Dear TWU:

The Executive and membership of the Edmonton & District Labour Council (EDLC) would like to thank you for your generous contribution to our recent Big Splash Open Golf Tournament, which was held on July 28th. Your prizes were very much appreciated and helped make the event a great success.

This year we had players from many different unions and everybody had a great time. The championship trophy was won by a team from the Ironworkers Union Local 805. The event also held fundraising raffles for the Elves Special Needs Centre and raised over \$600 for this worthy organization.

Thank you again for your help with all the best in your future endeavours.

**In solidarity,
Tom Olenuk,
Secretary-Treasurer
Edmonton & District
Labour Council**



British Columbia Transplant Society

Registration to Become an Organ Donor

Print in BLOCK LETTERS using ink

No registration confirmation will be sent. If you wish confirmation, please contact us at 1-800-663-6189

BC Care Card No. (Personal Health No.)

Date of Birth

Sex Male Female

Surname

First Name

Address

City BC

Postal Code

I hereby consent to the following donation after my death: (Please circle ONE number only.)

- All organs or tissues needed for transplant or transplant research or
- All organs and tissues needed for transplant only or
- Any organs/tissues needed for transplant EXCEPT the following:

- Heart Kidneys Cornea
 Lung Pancreas Skin
 Liver Bowel Bone or

4. I do not wish to be a donor.

This completed form constitutes a legally valid consent under the Human Tissue Gift Act and meets the criteria of the BC Freedom of Information and Protection of Privacy Act

Signature of donor: (A parent/guardian must sign if donor is under the age of 19)

Date of Signature:

Scholarship rules changing

As reported in the September Transmitter, the Union is changing the procedure on the awarding of TWU scholarships, although the number and amounts of the scholarships are expected to stay the same.

The change is necessary due to the recent major expansion of the Union into Alberta as a result of the Telus merger, and the expansion across the country.

Under current procedures, the five scholarships (three worth \$750 each and two worth \$1,000 each) are administered by UBC Awards and Financial Aid Department, and are available only to the sons or daughters of members entering a post-secondary institution in B.C. Under the terms of our agreement with UBC, the TWU was unable to change the scholarship conditions to make them available to the new members outside B.C.

The Union is therefore proposing to hand over administration of the scholarships to the Columbia Foundation, which will allow us to change the terms to make them available to all members.

This proposal will be going to convention this coming March for approval. We therefore expect to have details of the new arrangement in the post-convention issue of the Transmitter, to be published in late March or early April.

Scholarships for the 2001-2002 school year have already been awarded, but we anticipate the changes will be in place in time for members to apply for the 2002-2003 scholarships.

For details, check the post-convention Transmitter, or ask your Local convention delegate.

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TWU Website addresses:

TWU Home Page: <http://www.twu-canada.ca>
TW Pension Plan: <http://www.twu-canada.ca/twpp/pptoc/htm>
TW Benefit Plan: <http://www.twu-canada.ca/twpp/bphome/htm>
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The Transmitter

Member of

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CALM Canadian Association of Labour Media
ACPS Association canadienne de la presse syndicale

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All readers are asked to support the following trade union sponsored consumer boycotts. Please do not patronize or purchase any of these goods, services and/or retail outlets:

All Non-Union Postal Outlets
 Dispute with CUPW
Philips Electronic Products, Que.
 CLC/USWA 7812
NORPAC Products
 CLC/PCUN



TWU delegates to BC Federation of Labour convention in Vancouver November 26-28

COTC ruling stands

A judge of the Supreme Court of BC has dismissed an application by Telus seeking to quash a COTC ruling which was favourable to the TWU.

The case involved the Telus request to contract out van equipping, body shop work and coin sorting counting and rolling, and the decision by COTC Chair Stephen Kelleher to deny the Telus request.

Telus claimed in court that the Kelleher decision was patently unreasonable, and that Mr. Kelleher had created a fifth criteria of "unusual circumstances".

However, in early November, Judge Henderson ruled there was no error, let alone a patently unreasonable error, in the Kelleher decision.

Therefore, the judge dismissed the Telus application to quash the COTC decision, and awarded costs to the Union.

Two new certs

The TWU became the bargaining agent for two new groups of workers in September.

The Union's Organizing Department reports that some 35 employees of Viewpoints Research became new members following a certification vote count September 21. The vote was 16-2 in favour of joining the TWU. The company, located in downtown Vancouver, does market research and public opinion polling.

The Union has also organized the employees of Carol's Traffic Control in the Kamloops area. Business agent Ron Williams has negotiated a first contract for the new members at Carol's.

Thanks for organizing tips

The Organizing Department would like to thank all members for their ongoing support. The number of tips that have come in from our members via e-mail, telephone, and our "leads form" in the Transmitter, are much appreciated.

We encourage all members to continue passing on a good word about the TWU to friends and family in the communications sector, and also to continue contacting the Organizing Department with any leads. Once again, thank you for your encouragement.

"What we desire for ourselves, we wish for all".

Organizing cellular focus of UNI Telecom meet

President Rod Hiebert and Vice-President Bruce Bell represented the TWU at the first UNI World Telecom meeting held in Washington November 7-9

Focus of the meeting was the need to organize the multitude of unorganized cellular companies, the World Trade Organization, GATS, regulatory issues and solidarity campaigns.

Prior to the UNI meeting, Hiebert and Bell met with representatives of the Communications Workers of America (CWA), regarding joint organizing projects, organizing cellular companies, and strengthening the relationship between the TWU and CWA.

A recurring theme at the UNI meeting was the dramatic increase in mobility, and the consequent need to focus organizing efforts in that sector. If we do not organize and protect our jurisdiction in telecommunications, we will compromise our ability to secure rights and benefits for telephone workers.

One of the featured speakers, Stephen Carter of Cingular Wireless, predicted that by 2006 there will be 1.7 billion wireless subscribers world-wide, compared to 1.2 billion land-line subscribers.

In the U.S., the three largest mobility providers are Verizon, Cingular and AT&T.

He noted big and ongoing changes in wireless, for example:

- Personalized ring tones;
- Micro payments (for instance, purchase of soft drinks through wireless phones).
- Wireless data services, not voice, will drive the market.
- Text messaging.

Wireless is advancing rapidly for use both at work and in entertainment. He said more than 60 million U.S. workers are using some form of wireless at work, with the biggest growth area in firms with fewer than 100 employees.

He said technology has to change, and standards of technology have to change. Currently standards vary from state to state and even city to city, making a seamless network difficult to achieve.

Cingular is moving to the "third generation", called EDGE. The first generation was

analog voice, and the second was digital, which was cleaner and clearer with less static. The third generation is more robust and can handle data and the increasing volume of wireless calls. Among the features of the third generation:

- Data and voice at the same time.
- Text plus pictures.
- Always connected to the Internet.
- More information on line.

The constant in all this change, he said, is people: customers and employees. Growth is based on people, he said. The wireless companies must deliver what people want — each customer will be a market of one.

The TWU and others such as the CWA have made significant strides in gaining representation for cellular groups but unfortunately in many areas, cellular employees remain unorganized.

Philip Jennings of UNI said UNI will succeed if the sectors work and communicate. UNI has four regional organizations.

CWA organizers Maureen Allard and Dina Warren gave first-hand accounts of how a small 300-member Local of the CWA organized the 2,000-member unit at Cingular. They described how they were able to build organizing committees and through card check to organize with the employer in a neutral position.

One of the highlights was promotion of a National Customer Service Professionals Day. Members were honoured for their hard work and professionalism. Their workers were given complete support and encouragement from all levels of the CWA. It was a great victory.

They were also able to talk to organizers about their successes in organizing Verizon advertising services. Against tough labour laws they are gaining rights for members and moving ahead.

We were also given updates on WTO, GATS, and the sad regulatory environment.

Participants observed a moment of silence for workers who lost their lives in the September 11 terrorist attacks on the World Trade Centre and the Pentagon. Nine CWA members were among the thousands who lost their lives.

Attention: All TWU members

*This process is entirely
confidential*

TWU Organizing Department Inquiry Form

Do you have friends, neighbours or relatives working in non-union jobs who would benefit from belonging to a Union or want more information about how to form a union? If **"yes"** please provide the following information:

Your Name: _____ Your Phone #: _____

Your e-mail: _____

Person you think would benefit from belonging to a Union:

Name: _____

Address: _____

City/Town: _____

Phone (include area code) _____

Current Employer: _____

Nature of Business: _____

E-mail: _____

Thank you for your participation. You have made a difference.

Please forward this information to the TWU via mail, fax, phone or email:

TELECOMMUNICATIONS WORKERS UNION

Organizing Department

5261 Lane Street

Burnaby BC V5H 4A6

Phone: 604-437-8601 ext. 630 (all collect calls will be accepted).

Fax: 604-435-7760

Website: www.twu-canada.ca

E-mail: organizer@twu-canada.ca



TWU delegates to NACU conference in Montreal in early November, and at right, head table at plenary session, including TWU President Rod Hiebert and VP Neil Morrison

'Fighting For Our Rights': NACU workshop

The National Alliance of Communications Unions (NACU) sponsored a conference in Montreal in late October. The TWU was represented by our table officers and members of the negotiating team currently bargaining with TELUS, in all some 20 representatives. One of the conference workshops was entitled "Fighting For Our Rights". A discussion paper which set the stage for the workshop follows:

NACU members have a long history of fighting together against corporate based regulatory and legislative changes. We have on several instances pooled our resources to fight off issues such as the deregulation of our telecommunications industry before the CRTC as well as legislative changes regarding privatization and globalization.

The main issues we face are now related to increase foreign and domestic competition, convergence, technological changes, price cap regulation and an imminent revision of our foreign ownership restrictions in the telecommunications sector.

On the convergence front, corporate and otherwise, we face jurisdictional and bargaining unit issues: our bargaining units are under attack while new and advanced services may be hived off into arms-length subsidiaries.

From a regulatory perspective, price cap regulation is meant to increase "productivity" within the Telcos, but in fact it is really leading to further job cuts and a gradual erosion of quality of services standards.

Mergers and acquisitions have already lead to a single employer applications. Others are probably in the making and could, if existing foreign ownership rules are revised, mean that large American Telcos or other conglomerates will simply take over large segments of our Canadian industry.

Business Agent Hope Cumming, a member of the Bargaining committee, attended the conference and took notes at the Fighting For Our Rights workshop, which she has provided us. Brief excerpts from the notes follow.

Peter Murdoch, CEP VP, spoke on convergence of media, for example, joint ownership of a TV network and newspaper. Specifically, his talk centred on BCE's joint ownership of the CTV network and the Globe and Mail newspaper.

He described convergence as the concentration of ownership,

not technology, a pyramid of wealth and power. The result often leads to one story for both media, and from a labour perspective, can lead to layoffs. We may be headed to "all in a box", where newspapers and TV can be delivered by cable on the internet, with all under one owner. For the viewer, convergence may manifest itself in the form of a print reporter with a camera reporting for both the TV network and print outlet.

He said labour needs to work with the media to combat the trend, both for reasons of variety of voices, as well as quality of ser-

vice, in addition to the job protection question.

He suggested NACU members should also consider the issue from the consumer point of view, for instance, the prospect of higher rates and lower quality of service. Member Unions can put together data through access to members, and put forward our view to the public.

James Kinkaid of CEP spoke on the issue of foreign ownership, and the current move afoot to get the federal government to raise the permitted level of foreign ownership of telecommunications companies, which is currently at the

33% level. He said the issue is important for a number of reasons, and said it is unlikely foreign owners would be interested in investing in rural areas. He also speculated that foreign ownership would result in a massive transfer of jobs across the border. He said a majority of the Canadian public would oppose lifting foreign ownership restrictions, and labour must play an important role in keeping the issue before the public and ensuring that public opposition is maintained. He said NACU must do its part to try to stop the federal government from agreeing to lift the

ownership restrictions. One proposal is to press the CRTC to introduce Quality of Service indices.

Group participants suggested NACU members could be most effective in this battle if the member unions join together for a joint effort at opposition - that what is needed is "strong united clout".

Another issue discussed at the workshop was mergers. Neil Morrison outlined the Telus merger and the resulting merger of the Unions in Alberta and B.C., and Ervan Cronk of AC&TWU updated participants on the Aliant merger in Atlantic Canada.

NACU considers 'winning strategies'

The second annual conference of the National Alliance of Communications Unions (NACU), held in Montreal in late October, was attended by the TWU table officers and members of the bargaining committee.

One of the workshops was entitled "Winning Strategies", and to set the stage for discussions, participants were presented a paper entitled "Long and Short Term Bargaining Strategies". Following is the text of that document

The first NACU Conference was held in April of 2000. A key topic of discussion was bargaining, and how, by working together we can enhance job security, wages benefits, and working conditions for NACU members in all parts of Canada. The NACU Committee on Long and Short Term Strategies comprised of officers of the affiliates met, reviewed recommendations from that Conference and developed a number of strategies that we believe will enhance our bargaining power, help put an end to concessions and yield better collective agreements.

Attacks by major telecommunications companies are coordinated countrywide. We must build a common front if we are to beat back concession demands by the employers and advance our Union agenda. It is important that we build solidarity and common cause on the issues of major importance to our members. Common priority issues such as scope, wages, pensions, contracting out and benefits must be priority items. Every NACU affiliate must make a serious commitment to pursue these selected issues. We must support each other in attaining these issues at the bargaining table or the em-

ployers will continue in their efforts to whipsaw us and drive a concession agenda across Canada attempting to pick us off one at a time. Success may have to be measured over a number of agreements but we must steadily push our agenda forward.

In order to maximize our collective strength across the country we all must make every effort to coordinate expiry dates and bargaining sessions in our various bargaining units.

It is of utmost importance that we give every reasonable effort to support each other especially when an affiliate is under attack. Leaders of NACU Unions are prepared, on request, to attend strategic bargaining sessions of other affiliates during difficult negotiations when employers are rejecting our agenda or trying to dismantle union agreements. Staff and officers from different Unions must be prepared to lend tactical assistance to other parts of the country giving first hand knowledge of problems encountered, tactics used and how effective they were. An injury to one is an injury to all. We must show solidarity because divided we fall.

When a NACU affiliate is forced out on strike or is locked out, it should be incumbent on every other NACU affiliate and local to offer assistance. Each affiliate and each local should be asked to make donations. Each NACU affiliate Union should also be prepared to assist by offering interest free loans to affiliates during these often long, draining lockouts and strikes caused by communications companies.

We must build a common toolbox of on the job tactics. Su-

per service campaigns will build support for us in communities and grind the Company down. They can be expanded to keep scabs super busy running in circles during labour disputes especially if affiliates get involved. Overtime restrictions, bulletin board warfare, shareholder action and Union quality of service committees reporting to the CRTC add tremendous pressures on unfair employers. These actions can and are now being expanded to form national solidarity protests. With these efforts, companies will not be able to whipsaw

us one against the other as we turn the tables on them. Some of these National actions require more thought but we are limited only by our imagination.

NACU Unions must continue to use the collective strength of our 70,000 members in communications to jointly lobby Governments for better labour legislation, against regressive world trade agreements, against relaxing foreign ownership rules, and for good quality of service levels that protect our jobs. We are an awesome force when we are unified and rock solid.

First Nations Summit opposes referendum

The First Nations Summit met in Cranbrook September 20. Following are First Nations Summit's Views on the Province-Wide Referendum on the Treaty Negotiations proposed by the BC government.

Shortly after being elected, Premier Gordon Campbell indicated that the provincial government intended to honour its commitment to hold a province wide referendum on the principles of treaty negotiations in late 2001 or early 2002. The Premier has indicated that the proposed referendum is not about Aboriginal rights or title which are protected under Section 35 of the Constitution.

The Select Standing Committee on Aboriginal Affairs, which is made up entirely of Liberal party MLAs, has been charged with overseeing the development of the referendum question(s). The Committee will be conducting public hearings around the Province during the month of October 2001 and accepting written submissions until November 2, 2001. The Committee will provide its report and recommendations to the Legislative Assembly no later than November 30, 2001.

The First Nations Summit is completely opposed to any referendum on treaty negotiations. A referendum will only create divisions and contention in the province. Further, the moral and legal rights of one group (First Nations) should not be determined by a majority. We cannot emphasize or repeat too many times how divisive the referendum will be.

We have difficulty in seeing the usefulness of such an undertaking when many First Nations have reached the advanced stages of negotiations. We cannot see how First Nations can return to meaningful negotiations while the referendum process is under way.



Lila Hackett, a member of the bargaining team, points out wall display of "Rock Solid anniversary cards" members have sent in to mark one full year (and counting) of trying to bargain a new contract with Telus.

Union news briefs

Crown appeals fatality acquittal

The Crown is appealing a court decision which acquitted TELUS on charges stemming from the death of TWU member Brian McDougall.

TELUS was originally convicted of a breach of a health and safety provision of the Canada Labour Code in the death of McDougall, a BC TEL Lineman who died August 6, 1997, when he came into contact with a power line while working near Vanderhoof. However, TELUS appealed the conviction, and in late August of this year a justice of the BC Supreme Court overturned the conviction.

In October, the Crown announced they are appealing the acquittal to the Appeal Court of BC, seeking to have the conviction against TELUS reinstated.

Union plants are productive

A recent analysis of data collected over eight years by Industry Week shows the unionized plants in the US can be as successful, if not more successful, than non-union plants at achieving bottom-line gains to bolster competitiveness.

The 44 union plants analysed had median per-unit cost reduction of 25 percent over five years versus 21 percent for the non-union plants. The union plants also showed a higher median five-year improvement in value-added per employee, forcing Industry Week to concede, "organized labour isn't necessarily a deterrent to world-class levels of improvement."

Nfld. offshore oil workers unionized

St. John's, Nfld. – Oil workers on the Hibernia oil platform, off the coast of Newfoundland, have become the first ever to become unionized in Canada.

"I hope these are the first of many offshore oil workers – who face hazardous and stressful working conditions on the high seas – to benefit from the protection of a union," said Communications Energy and Paperworkers Union National President Brian Payne, as he announced the precedent – setting victory October 10.

CEP has spent the last four years organizing the 400 workers.

Travel office closure planned

Telus announced in early November they plan to close their B.C. Travel Services office, effective January 1, 2002. The move will affect 13 full-time positions, currently eight regular and five temporary positions.

The Union believes this proposed move by Telus is a violation of the Contracting Out and Technological Change provisions of the Collective Agreement, and the Union will be taking the issue to the COTC committee.

2-tier minimum wage discriminates

By Pendra Wilson
Local 63

The media hasn't fully understood that the two-tier minimal wage proposed by the BC Liberal government isn't just a lower wage for our youth. What is somehow alarmingly omitted from the two-tier minimal wage discussion is that the \$6/\$8 divide can become in its confusion a way to violate immigration workers' human rights.

First of all, our BC Labour Standards language of two-tier minimal wage is subject to misinterpretation. What exactly does First Job/Entry-level workers mean? In Ontario there is no grounds to celebrate the two-level minimal wage except for its simplicity. Ontario's two minimal wage is an economic hourly wage inequality between youth under 18 and all other persons. Also take note that the wage inequality is only 7%, which is 45 cents, while here in BC the wage inequality is a whopping 25% dif-

ference of \$2 an hour. It goes without saying that a worker being paid a reduced hourly wage has a quantitatively lower standard of living.

BC Labour's minimal wage web page reassures employers that "Yes you can advertise for First Job/Entry-level workers." In these difficult economic times thousands of jobs are disappearing in BC, and those segments of the population living at the economic margins, including our new immigration population, will be vulnerable to being violated by first job/entry level low wage. Most workers born in Canada have limited understanding of our employment standards and don't realize when their labour rights have been broken.

Never mind those people who are new to our country. In the year 2000, 37,125 people immigrated to our province. According to BC statistics in the year 2000 most of our immigrant population, 28,176, came from Asia, Mainland China,

India, Taiwan, and Hong Kong.

Already many call centres discriminate with their own version of a two-tier wage system. One wage is for those employees born in Canada and another, even lower wage, is for those born elsewhere. In BC those people are usually from Asia. Many call centres have an unwritten apartheid for Asian immigrants working with born Canadians. This along with a threatening unspoken employer rule not to speak about hourly wages hides the fact that the employers are not practicing equitable policies around wages. BC Human Rights Bill prohibits discrimination in employment on the basis of race, colour and place of origin.

Sorely, those Canadians who are our own country's working poor, living way below the poverty line, get sad compensation from this call-centre type of two-tier wage immigrant discrimination.

Unions have duty to fairly represent

Vanessa Payne
CALM

Because it is the exclusive bargaining agent of all employees in a bargaining unit, a trade union has a legal duty to represent fairly all workers in the unit, whether or not they are members of the union.

Most duty of fair representation complaints are made because a worker does not like the way the union has handled a grievance. While the specific requirements of the duty of fair representation vary from province to province, the duty generally requires a union to deal with grievances in a thoughtful and careful manner.

This does not mean that a union must take every grievance through all the steps or refer all grievances to arbitration. A union has no obligation to take frivolous grievances to arbitration and is entitled to balance the interests of an individual worker against the interests of the members of the bargaining

unit as a whole. However, a union must be fair to the worker, both in the way it processes a grievance and in making the decision to withdraw or proceed to arbitration.

In particular, a union must fully investigate each grievance and consider it in a fair and impartial way. Decisions must be made based on the merits of the grievance and not on the identity of the worker. If a union makes a decision based on personal hostility towards the worker, or plays favourites, the union will likely be found to have violated its duty of fairness.

Similarly, a union cannot treat one group of workers differently from the others unless there is a valid reason. Distinctions based on membership in the union, on political alliances or on grounds prohibited by human rights legislation, such as race, sex or disability, will usually be very difficult to justify.

In deciding whether to proceed to arbitration, a union must consider the seriousness

of worker's complaint. Where critical job interests are at stake – for instance, a firing – the union must have particularly good reasons.

Provided it has investigated the grievance carefully and has made a reasoned decision, a union will not usually be found to have breached its duty of fair representation even if it was wrong in its assessment of the grievance. Nor will a union usually be found to have breached its duty where it makes an honest mistake in handling a grievance.

Each year, only a small number of Canadian workers bring duty of fair representation complaints against their unions and very few of those complaints succeed. Most unions are mindful of their legal duties and do a commendable job in representing all bargaining unit members.

Vanessa Payne practices law with Sack Goldblatt Mitchell in Toronto. For more information on labour law issues, visit the firm's website at www.sgmlaw.com

Days of Pay purchase info

The Telecommunication Workers Pension Plan office has provided information of interest to Plan members who will have worked fewer than 250 days in 2001.

Due to the unavailability of payroll data from Telus, the Pension administration office is unable to notify members who may be eligible to purchase Days of Pay in the year 2001.

To be eligible for a full year of credited service you must have a minimum of 250 Days of Pay in a year. The 250 days includes days worked and days on Leave of Absence due to sick leave, WCB or ill-health.

If you have a shortfall of Days of Pay in a year, you may be entitled to purchase Days of Pay. To be eligible, you must have 36 months of seniority to purchase any shortfall on the 250 days. You cannot purchase more service than was earned in 1999 or 2000.

For more details, and a worksheet, check the TWU website at www.twu-canada.ca

Leave of Absence reminder

The Health and Benefit Trustees remind all B.C. members covered under Parts A, B & C of the TW Benefit Plan that you are required to continue contributions during any unpaid Leave of Absence (LOA) in order to maintain your coverage. That includes maternity leave.

Members should be aware that failure to meet the required contributions could cause your coverage to lapse and you will be required to provide satisfactory medical evidence of insurability before rejoining the Plan. If you suffer from a health problem due to illness or injury, you may not meet that standard, or your acceptance back into the plan may be delayed. Because of this, the trustees encourage all members to ensure their contributions are met while on Leave of Absence.

Your employer will advise you of the payments needed. You can arrange to make the contributions by completing your LOA form requesting continued coverage. Payments can be made in the form of a lump sum or monthly post-dated cheques to your employer. If you are considering taking a Leave of Absence, please contact the TWBP Plan Administrator for further information by calling 604-430-3300. If you are calling from outside the Lower Mainland, please call collect.

Sports team



BC Fed plans fight against provincial cuts

The Officers of the BC Federation of Labour have pledged to develop a united, prolonged and forceful response to the Campbell government's threat to deal a devastating blow to BC's sinking economy through massive cuts to education, health and public services.

"With the economy stalling, the Premier has now frozen health and education spending for three years and promised to cut other government programs by an average of 35 per cent," said Federation President Jim Sinclair. "Yet he's adamant he will deliver at least \$ billion in tax cuts next year to business and BC's wealthiest citizens."

"We have appealed to the Premier to convene a summit conference on the economy, but his response has been confrontational. He has rejected calls for consulta-

tion. He has told laid-off airline workers to go on welfare. We've heard nothing to meet the thousands of forest workers laid off because of the softwood lumber dispute.

"We repeat our call for positive dialogue, but we will not back down from this challenge."

"The economy lost 39,000 jobs in the three months before the terror attacks and countless more since, but this government's response has been to accelerate devastating cuts. We need a strategy to generate jobs in our communities and protect the services that make our province the best place in the world to live."

Sinclair, flanked by the leaders of the Federation's major affiliates, said the Fed is developing a comprehensive action program for debate at the November convention.

Standards changes will hurt non-union workers

Non-union workers will lose overtime pay, limits on their hours of work and protection against arbitrary firing, says B.C. Federation of Labour President Jim Sinclair, if the worst options proposed in the B.C.'s new Employment Standards Review become law.

"Most of the options outlined in this interview are designed to bring Third World working conditions of British Columbia," said Sinclair. "Working families will have to work at their employers' whim, with little or no notice of when they will work, for how long and for how much pay."

The 30-day review announced November 14 by Labour Minister Graham Bruce offers almost no opportunity for meaningful consultation, Sinclair said, and very few

non-union workers will take the risk of speaking out publicly against changes demanded by the BC Business Summit for many years.

"The cut in the minimum wage to \$6 was just the first stage of this assault on the incomes of unorganised workers," Sinclair said. "This is not about making our economy more competitive, it's about driving down the wages and working conditions of literally hundreds of thousands of British Columbians."

"With the cuts now proposed for the Employment Standards Branch, lack of enforcement will wipe out any protection that remains."

Sinclair said the Federation will be making a submission to the Minister.

CLC's Dick Martin passes

CLC/CALM

Former Secretary-Treasurer of the Canadian Labour Congress, Dick Martin, died on October 30.

"The Canadian Labour movement has lost a great fighter and we have lost a friend," said Ken Georgetti, CLC president. "May our gratitude, and the activists all over the world for all that he contributed, help comfort his wife Cathy and his children Margaret, Ross and Jack in this time of great loss."

Martin was referred to as "a diamond in the rough," a man from Northern Manitoba who rose

through the ranks from his days as a miner and member of the United Steelworkers of America, to president of the Manitoba Federation of Labour. In 1984, Martin was elected an executive vice-president of the Canadian Labour Congress and, in 1992, acclaimed as secretary-treasurer.

Martin was instrumental in establishing April 28 as the Day of Mourning for workers killed or injured by their work -- a day that is now observed around the world. He passed away at the age of 57 after a courageous battle against cancer.

NACU submission to WTO

The National Alliance of Communications Unions (NACU) has submitted a paper to the World Trade Organization and the Government of Canada. That paper was included in the kit for the information of participants to the NACU conference in Montreal in late October. We reprint the submission below.

The National Alliance of Communications Unions represents in excess of 70,000 workers in the telecommunications industry in every province across Canada. These are the workers who built and maintain the state of the art world-class Canadian telecommunications system, which is vitally important to the health of the nation in terms of jobs, the economy, universal service, national security and sovereignty. It is important that as Canadians we retain the ability and resolve to ensure that the system continues to be Canadian and continues to work in the interests of all Canadians.

Despite the importance of telecommunications to Canadians, there have been recent structural changes in the industry and a significant erosion of Canadian ownership yielding to increasing ownership and control of giant American-based telecommunications corporations such as Ameritech, GTE and AT&T.

As you are aware, the implications of these buyouts and mega-mergers go far beyond the simple ownership question to the international flight of jobs, national security, sovereignty, foreign control and responsibility. It is a well known fact that all of the East-West communications in Canada can now be transferred south of the border with the ease of a flip of a switch. We raised concerns when AT&T, with 20% ownership and control over Unitel, brought American workers in Canada to install telecommunications equipment while they were laying off Canadian workers. We are also aware that many functions which were previously performed by Canadian workers have been electronically transferred to American workers south of the border.

As Canadians ownership and control are eroded, we are likely to see a huge number of jobs and key control components of the infrastructure migrating from Canada to the U.S. It is important to not that there is more than enough spare capacity in the United States to carry the entire Canadian system without adding one circuit. BCT.Telus, now Telus Inc., may not, according to industry analyst Ian Angus, have to secure a Canadian Fibre Route because they are now able to use their American connections through GTE. With the state of the art technology currently used in telecommunications, clearly most of the jobs can be transferred to anywhere in the world.

Have we given up all our potential growth in telecommunications infrastructure and employ-

ment in the industry? And will Canadians be left with a dying infrastructure and increasing unemployment in this growing strategic industry? Over the next few years, will the Canadian telecommunications market be reduced to three or four American giants whipsawing Canadian consumers?

The Alliance respectfully requests that a review be done of the Bell/Ameritech and GTE/Telus transactions and that any further mergers in Canada involving foreign ownership in telecommunications be subject to substantive public scrutiny and review by Federal regulators and the Justice Department prior to approval.

It must be noted that mergers of this scope within the United States receive tight public scrutiny and that all other acquisitions, mergers, buyouts or sell-offs by the corporations involved in the merger are put on hold pending regulatory approval. One must ask why there is virtually no public scrutiny over these mega-mergers in Canada when the stakes are this critical and will change our definition of Canada as a nation.

The Bell Canada/Ameritech partnership represents a \$5 billion sell-out of Canadian ownership and control to the giant Ameritech. What is even worse is that, given Bell Canada's widely held shares, Ameritech's focused 20% ownership will give them effective control of Bell Canada, the largest telecommunications provider in Canada. It is noteworthy that in the midst of this transaction, Bell Canada has also set up a co-enterprise called Nordia with American based Excel Global Communications in order to offer its Operator services. These sell-offs, coming at a time when the Canadian dollar is at an all time low, represent a fire sale price that will come back to haunt Canadians in future generations. In the future, this sell-off could be compared to the sale of Alaska.

The second largest consortium, formed by the BC TEL/Telus merger, represents a 27% ownership of the giant American corporation GTE. This recent merger did not increase the amount of foreign ownership but substantially increased the amount of foreign control in Alberta. GTE, through the merger, reduced their ownership of BC TEL from 51% to 27%, now complying with the maximum ownership regulation of 33%, but they increased their control in Alberta from 9% to 27%. This share swap may on the surface seem inconsequential, but when it is considered that the second largest shareholder holds a relatively insignificant 4% control it is easy to conclude that it was a very significant loss of control to the American Multinational.

Given the seriousness of this issue, the Alliance was shocked to hear that the Federal Government was even considering a further relaxation of the foreign ownership rules in Telecommunications increasing from 33% to

49%. Such a change would over time ensure that Canadians would lose effective control over many of the decisions that affect their rights to a job, to a high standard of telecommunications, universality, and lose our sovereignty to make future decisions on this critical system.

As convergence between the Telecommunications and Broadcasting sectors intensifies, lowering of foreign ownership restrictions or allowing for effective control of our telecommunication system will also directly impact our Broadcasting sector. Distribution of broadcasting services through wideband Telco facilities and possible investments in Canadian cable companies by large US Telcos, or other media giants will eventually impact on our ability to maintain and promote our existing Canadian content and production policies in this sector. The recently announced \$600M investment in by Microsoft in Rogers Communications Inc. or the AT&T/BT \$1.4B investment in Rogers Cantel are clear examples of how cable distribution companies and wireless telephone companies are becoming takeover targets for huge multinationals.

In summary, the Alliance submits that significant changes are unfolding in the Canadian Telecommunications Industry. Without strict public scrutiny, these changes and the future of Canadian Telecommunications will be decided unilaterally by huge multinational corporations. The National Alliance of Communications Unions is calling on the Federal Government, public interest groups and regulatory tribunals to ensure that:

1. An effective process is developed to ensure that Canadians retain effective and substantial sovereignty and control over our public telecommunications system.

2. The foreign ownership rules are not increase at the current round of World Trade Organization negotiations prior to a public process to determine the public interest.

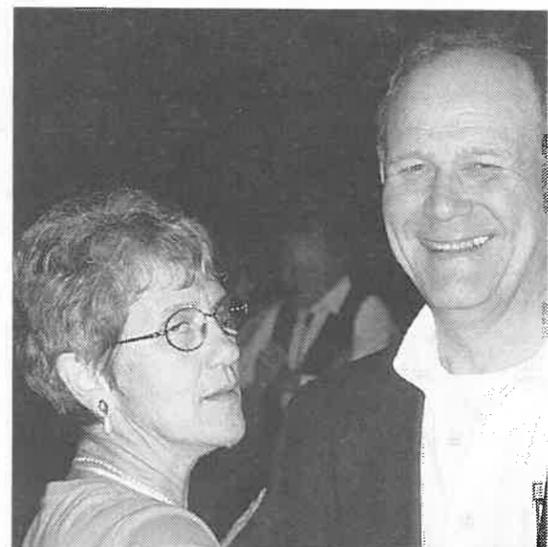
3. A complete and thorough public review process is developed to review the state of telecommunications in Canada and what regulations must be developed to ensure that the Canadian Telecommunications system works in the public interest.

If these issues are not addressed immediately, Canadians will be relinquishing control over Telecommunications and the Information Highway, the fastest growing, high tech sector of the economy. It will become a sector owned by Americans, for Americans and by Americans. We will lose the ability to remain uniquely Canadian. One hundred and twenty thousand workers in the industry and their families will join the Bell Operators whose jobs were sold to an American Corporation threatening a 40% wage cut in a race to the bottom.

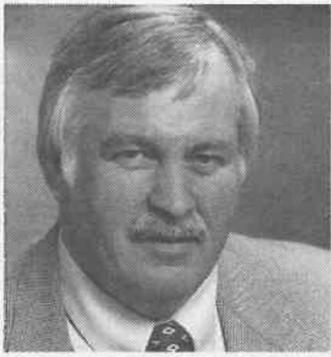
Pensioners Dinner, 2001



Two oldest retired members at dinner, Winnie Wilson and Mr. C.B.R., Frank Helden



President's Report



Rod Hiebert

Over the past month or so, I have participated in a number of meetings with fellow trade unionists from communications unions in Canada, the U.S., and around the world.

We dealt with a variety of issues at each meeting, but I was struck by the similarity of concerns of my fellow unionists at each of the meetings. An increasing focus of attention of labour leaders within the communications sector is the rapid increase in size of the mobility sector, and the need for labour organization in that branch of the industry.

In late October, I headed a delegation of some 20 TWU representatives to a conference of the National Alliance of Communications Unions (NACU) in Montreal. One of the main issues was the rapid growth in cellular, with the threat that poses to job protection and quality of service.

We also dealt at some length with the issue of foreign ownership, and our concern about proposals that the federal government lift the current restrictions on the amount of foreign ownership of telecommunications companies permitted. It is clear that unrestricted foreign ownership of telecom companies, with work flowing unimpeded across the border, would pose a great hazard to our members' rights and indeed members' jobs. We are also concerned it would pose a threat to national security, and universal service at an affordable rate. For those reasons, a majority of the Canadian people are opposed to lifting foreign ownership restrictions in telecommunications. We agreed to a joint effort from NACU members to persuade the government not to change the ownership limits.

The main focus of this conference was Collective Bargaining and how as unions we must work together in solidarity ac-

Telecom Unions focus on need to organize mobility sector workers

tively supporting each other right across Canada.

In early November, Vice-President Bruce Bell and I were in Washington for a meeting with our American colleagues in the CWA, and with the international body of communications unions, UNI, to which I have been selected as a North American representative.

At the UNI meeting, and the earlier briefer meeting with CWA officials, we found a good deal of concern with the huge growth in the mobility sector and the relative lack of unionization of mobility workers in comparison with the higher level of organization in the more traditional sector of the industry.

However, I believe we all recognized the situation as an opportunity as well as a challenge, for it certainly provides room for a great deal of union growth within the communications industry. There was a widespread desire expressed to co-operate in working to organize the mobility sector, and to develop programs to promote such organization.

Everyone present recognized that if we do not organize and protect our jurisdiction in telecommunications, we will compromise our ability to secure rights and benefits for telephone workers.

On another matter, I was pleased that on November 19 the Canada Industrial Relations Board (CIRB) handed down a long-awaited decision on some issues in dispute between the TWU and Telus over the applicability of our collective agreement and the size and scope of the bargaining unit.

The details of the ruling are reported elsewhere in the Transmitter, and were also outlined in a bulletin and hotline message, so I will just note in passing that the three main issues covered in the board decision (Decision 143) were that

with respect to the Eastern Build, there are no geographic restrictions in Canada to the TWU certification; that with some restrictions the field sales and telesales people in Alberta come under the TWU Collective Agreement; and that with respect to work and classifications covered under our Collective Agreement, there is no change to existing exclusions, and meetings will be held soon at which both parties can argue their positions regarding scope and jurisdiction.

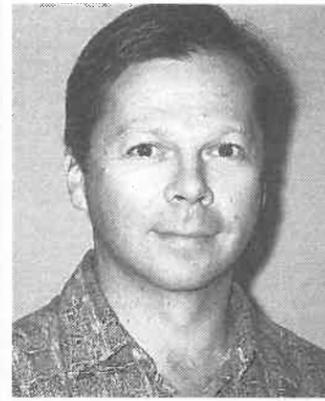
An important immediate aspect of the decision relates to its impact on the bargaining process. I am hopeful that with the Board decision in hand, the parties can now get down to serious bargaining of a new contract for all TWU members working at Telus. That is without doubt the desire of the TWU, and we see no reason for any further foot-dragging by the company.

I would also like to report that I have been asked to serve on the Contracting Out and Technological Change (COTC) Committee. Telus is currently contracting out without regard for the collective agreement or the TWU workers who need their jobs.

While Telus says everyone is happy with the new CEO and his programs, as shown by their Pulse Checks, they are attacking you at your job sites – contracting out your work, reducing jobs and adding more work and more stress to those who remain. If you want to keep your job, and disagree with how the company is currently operating, please write to the TWU office, care of the editor, and let us know what you think.

In conclusion, I would like to take this opportunity on behalf of myself and the entire TWU executive to wish all of our members the very best in the holiday season – a joyous Christmas, and a happy and healthy 2002.

Great Financial Plans



By BILL BILES, CFP
Financial Planner
Van Tel Credit Union

Firstly, I'd like to extend special thanks to Van Tel members and TELUS employees Terri Wallace and John Lerner for hosting my road trip seminars in the beautiful cities of Kelowna and Kamloops. We had enthusiastic turnouts and I really enjoyed meeting everyone at both locations, where we discussed retirement planning, TELUS pension options, and investment portfolio strategies.

Second, I'd like to congratulate the members, employees and boards of our Van Tel Credit Union and of Vancouver Safeway Employees Credit Union. The ballots have been cast and counted and we are merging operations, effective January 1, 2002, to provide even better service to our combined memberships!

Thirdly, I'd like to address the following questions from you, the readership of the Transmitter.

1. *If I retire at age 55 but defer my TELUS pension until age 60, will my monthly payments get larger?* – from J.L.

Answer: No, the monthly payments under your basic defined benefit plans do not increase while being deferred. The monthly pension payment available when you retire does not increase by waiting a few years to take it later unless you continue working and contributing to the plan.

2. *Why should I take my CPP at age 60 if the payments are reduced by up to 30%?* – D.P.

Answer: Early Canada Pension Plan (CPP) payments are reduced by one-half of one percent for every month in advance of your 65th birthday – which works out to 6% per year, or 30% for those applying for CPP to start at the earliest point, age 60. So if you were anticipating a monthly \$775 CPP at age 65, you'd get \$542.50 if you started at age 60 (and you must be effectively retired these extra five years of early monthly payments (totalling \$32,550). You would be almost 77 years of age before the option of waiting to start CPP at age 65 (in order to get the full \$775) represents more total dollars in your pocket than taking the reduced amount at age 60! And that calculation does not take into account the "time value" of money – would you

rather get extra pension dollars from age 60 to 65 or after age 77? Most of us could make better use of the funds today! You can make similar calculations to determine if you'd like to "front-end load" your TELUS pension with CPP, OAS or both (i.e. opt for one of the "level pension" plans).

3. *I was born in 1932 and understand I can't own RRSPs anymore. What should I do?* – from G.P.

Answer: You cannot own your own RRSPs past the end of your 69th year (for those born in 1932 that's this year!), and the federal government would like to cash in your RRSPs immediately and pay tax on all that deferred income, but the smarter plan is to purchase a RRIF or an Annuity with your RRSPs. Both options allow you to realize the income from your registered savings over as long as the rest of your life, if you wish. Give me a call to discuss the tax and income implications of the two retirement income options.

4. *Should my parents buy RESP's for my kids* – from T.A.

Answer: Most parents have considered the "pros and cons" of RESP's. If you determine RESP's suit your situation, having grandparents buy them for your kids solves many problems and creates one. The grandparents can begin passing on some of their accumulated wealth and getting it working toward funding the kids' future educations. The children will still be eligible for the 20% government education grant regardless who contributes to the RESP, and you can concentrate on making RRSP contributions and paying down debt (and feeding, clothing, and housing those same kids), activities with far greater financial payoffs. The only problem may occur if the contributing grandparents pass away before the funds are properly used for education purposes. Technically, the unused RESP contributions can delay completing probate for the grandparent's estates since there are tax implications if the funds are not correctly used and flow back to the contributors – the grandparents. I'd suggest the grandparents give you the money to make the contributions, then you need to stay alive to see the kids graduate. But if it will eventually get the kids out of the house, any form of education funding works for me!

Finally, best wishes for the Holiday Season and have a Happy New Year! Talk to you in 2002.

You can call Bill Biles at (604) 656-6289, email at bibles@vantel.com, or contact a Van Tel Financial Service Representative at (604) 656-6200 or toll free at 1-800-663-1557. Please visit Van Tel's website at www.vantel.com.

