

PRESIDENT'S *Summer Message*

by Tom Tomassi

Congratulations on the completion of another academic year.

As you well know, we have fared very well in the KPI survey and I am sure we will do even better next year. This has not been a smooth year by any means, especially when we take into account the difficulty we experienced with Web CT. I sincerely hope that issue is behind us, considering the changes the College has made in that area.

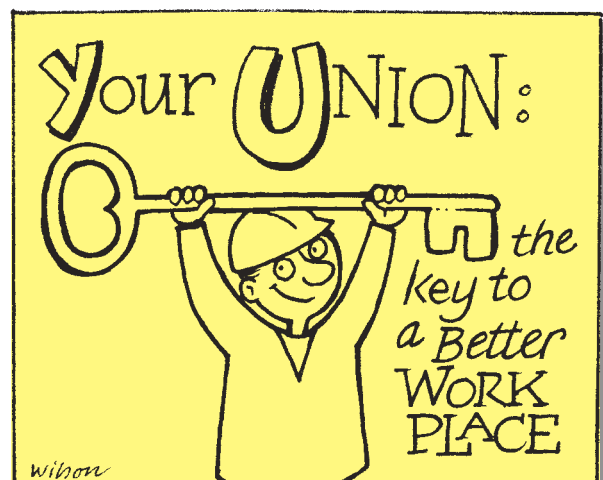
In a couple of months we will begin another academic year. As you all know, our current Collective Agreement expires on August 31, 2012. That means that sometime towards the end of spring or the beginning of summer of 2012, we will begin negotiations for a new Collective Agreement. I would like to believe that we have learned much from our previous round of bargaining and that we will be more successful during this round. In order to be successful in any round of bargaining, it takes commitment, determination and resolve. Although bargaining seems to be far off in the future, time does go by quickly and we need to prepare ourselves accordingly. There will be communication on this issue in early September, as we need to create grass roots demands on what we would like to see incorporated in our next Collective Agreement. Meetings will be held in early to late fall. I urge you all to participate in this process as it affects all of our working conditions. Let's remember that our *working* conditions are our students' *learning* conditions. Since we all want our students to be successful, then our working conditions must be aligned.

I would like to take this opportunity to thank you for your support and wish you and your loved ones a safe and happy summer. I hope to see you all in September.

Cheers, Tom ▼

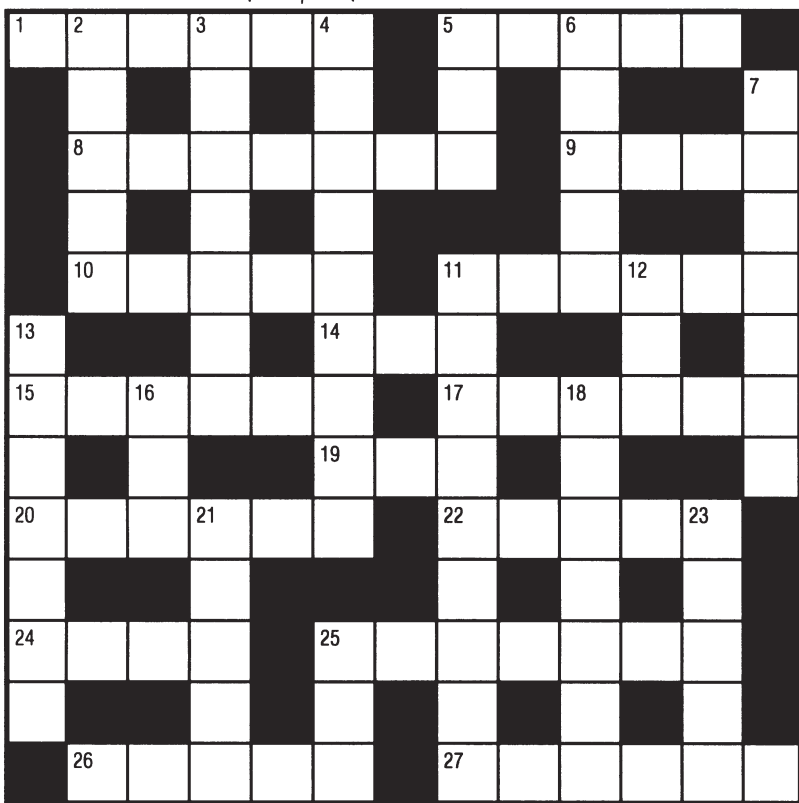
What's Inside

- 1 Summer Message
- 2 Labour Crossword Puzzle
- 3 The Green Corner
- 4 Privacy re: Facebook



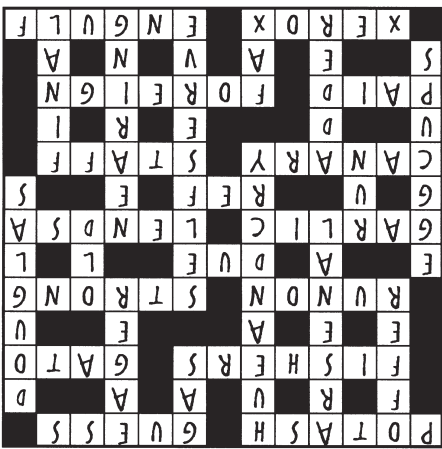
The Labour Crossword #2

by freeperson, UFCW Local 1977 • (CALM)



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Crossword #2 Answers



Please note: As this is a Canadian puzzle, Canadian spellings are used. Some clues follow "cryptic" conventions, others are straightforward.

ACROSS

- 1. Saskatchewan Steelworkers dig it! (6)
- 5. Sort of work that is pure speculation (5)
- 8. Do they work for net profits? (7)
- 9. Cat from Catalonia (4)
- 10. Long sentence for an editor! (3-2)
- 11. The Union makes us thus, according to song (6)
- 14. What you deserve, or add an 'S' to get what your union deserves (3)
- 15. Odiferous bulb obtained from vulgar licensee (6)

- 17. Helps out, — — hand (5,1)
- 19. Ump (3)
- 20. Labour's symbol for April 28 (7)
- 22. Union full-timers, for example (5)
- 24. What you get for what you do (4)
- 25. Kind of body you don't want in your soup! (7)
- 26. UNITE members here are in the reproduction business (5)
- 27. Swallow up, as in flames (6)

DOWN

- 2. See 23-Down.
- 3. Arms cache for British footballers! (7)
- 4. Colourful, tearful hullabaloo? (3,3,3)

- 5. What 20-Across was used to detect (3)
- 6. Feeling beaverish? (5)
- 7. First NDP Leader (7)
- 11. Describing ATMs, gas pumps, and other job-eliminating devices (4-5)
- 12. The 'O' in OAP (3)
- 13. They can hold the soft- and hard-boiled alike (7)
- 16. Stand for office, or get moving! (3)
- 18. Getting closer (7)
- 21. Accountant or snake? (5)
- 23. With 2-Down, could be last word from employer (5,5)
- 25. Kind of message that almost sounds incontrovertible! (3)

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THE GREEN CORNER

UP CYCLING

RECYCLING TAKEN TO ANOTHER LEVEL

by Jill Edmondson

We're all familiar with the concept, and, hopefully by now, the ingrained habit of recycling. However, a relatively newer trend in being eco-friendly is called "upcycling".

The first recorded use of the term upcycling was in 1994 in *Salvo* magazine. In an article on recycling waste materials from demolition projects, one interviewee said: "Recycling, I call it downcycling. They smash bricks, they smash everything. What we need is upcycling where old products are given more value, not less."

This statement captures the main tenet of upcycling, which was further described in a 2002 book called *Cradle to Cradle: Remaking the Way We Make Things*. The authors, William McDonough and Michael Braungart claim the "goal of upcycling is to prevent wasting potentially useful materials by making use of existing ones."

Furniture makers, jewellery designers, artists, and fashionistas have all found ways to incorporate upcycling into their latest product lines.

For instance, Bicycle Design Furniture has a line of chairs, end tables, and coat racks made from discarded bicycles. Whatever can be used is used, from handlebars, to frames to rims. The chair pictured at right is made from wheel rims, and the "upholstery" consists of inflated inner-tubes.

TerraCycle, whose slogan is "Outsmart Waste" uses packages from consumer products—cookie boxes, candy wrappers and beverage pouches—to make a wide range of home, office, and school products, as well as toys and gardening supplies. They offer a knapsack made from Capri Sun drink packages, a kite made from Oreo boxes, and MP3 speakers made from Frito Lay chip bags. TerraCycle gets its garbage from John Q. Public. Participants sign up to collect and donate packages and wrappers, and TerraCycle pays for the shipping. To make the whole TerraCycle concept even more appealing, the company donates a fixed amount of money for each unit of waste they receive. The funds are directed to the school or charity of your choice.

Jewellers have also embraced upcycling. One designer uses discarded Barbie dolls to make earrings (Barbie's hands), bracelets (Barbie's face), and a range of necklaces and rings, using everything from legs to chest to buttocks. Yes, there is a Barbie Bum Bangle.

Who knew?

Other jewellery designers use discarded records, soda cans, camera parts, newspapers, and billiard balls to create stylish and unique accessories.

However good and virtuous this all sounds, upcycling does have some critics. On a larger scale, such as with TerraCycle's products, there is a concern that converting trash into treasure has too high a price in terms of carbon footprints. Shipping raw materials, i.e. garbage,

to TerraCycle's New Jersey head office comes at a cost to the environment. Materials are then shipped to manufacturing centres throughout North America and Asia, and finished products are then sent back to retailers in Canada and the USA. No matter what transportation method is used—be it planes, trains, or trucks—it is not entirely free of environmental impacts and waste.

While upcycling may lessen the accumulation in landfills, turning garbage into goods may not be as green as it seems.



Work Law Privacy in the Era of Facebook

by Mikael Swayze/CUPE

There was a recent brouhaha at York University surrounding Facebook comments made by a teaching assistant (TA) with respect to her students. From the media coverage, we learned that a teacher's assistant in Sociology, frustrated with the level of student writing, posted a status update in which she called her students stupid. The university investigated and the TA apologized.

Was the university right to investigate? Was the TA entitled to consider Facebook to be private?

Here's the situation in law. Generally speaking, an employer does not have the right to police an worker's off duty conduct unless there is a clear and legitimate employer interest at stake. So, generally speaking, a worker can say what they like on Facebook and it's none of the employer's business. However, in this case, the comments could give rise to a reasonable concern that, as a result of the comments, the students might not trust the professional judgment of the TA

In this case, such concerns were not warranted. The students, in fact, showed support for the TA and her judgment. However, the employer's concern was enough to bring about the investigation. There are cases where workers have been discharged and disciplined for comments made on Facebook.

Last year, an arbitrator in the Wasaya Airways LP and ALPA decision upheld the dismissal of worker by Wasaya Airlines for posting allegedly racist (anti-First Nations) material on his Facebook page. Wasaya is a First Nations owned and operated carrier in Northern Ontario.

The arbitrator found that "Because the grievor's Facebook statements do not reflect company values but are disrespectful and impugn the dignity of its First Nations clients, the matter of harm to its reputation is a necessary consideration... The evidence is incomplete as to the total number of indi-

viduals who may have viewed the grievor's Facebook note, or, whether or not access to it was limited in some way by locks on that account. Be that as it may, the medium chosen by the grievor to express his statements lies within the public domain."

The arbitrator applied a general test of discipline involving off-duty conduct and found that the employer's concerns about reputation were "substantial and warranted" and that the conduct had a "real and material" connection to the company. The worker's conduct rendered him unable to perform his duties because the company's senior managers and his supervisors were unwilling to work with him. As a result of these factors, the discharge was upheld.

The law is slightly different with respect to email messages. A recent decision of the Ontario Court of Appeal in a criminal matter (R. v. Cole) involving child pornography on a school laptop used by a teacher resulted in a finding that the teacher had a reasonable expectation of privacy with respect to the email on the computer even though the computer belonged to the employer.

The law is rapidly changing in respect of reasonable expectations of privacy of email. What is clear, however, is that employers do have access to worker email accounts by virtue of owning the system.

What is at issue is the extent to which they may use that access to do surveillance or monitoring of worker activity or an investigation of worker activity. In that regard much turns on the specific industry and any relevant employer policies.

With respect to Facebook and other public or quasi-public forums, users are encouraged to view them as no different than a public billboard. Engaging in activity on your Facebook page that is likely to give rise to employer concern may result in consequences at work. Apply the billboard test and you should be okay.

When it comes to email, we like to think workers have a reasonable expectation of privacy for their electronic communications. But bear in mind how easily electronic communications can be forwarded.

If you have any questions or concerns, contact your union. ▼

Mikael Swayze is a staff representative with CUPE 3902 and CALM Secretary-Treasurer

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