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763 Beach Rd,
Qualicum Beach
V9K 1S2

July 7, 2006

British Columbia Labour Relations Board
Suite 600, Oceanic Plaza,
1066 West Hastings Street,
Vancouver, British Columbia, V6E 3X1

Re: written complaint that the BCGEU has contravened section 12,

To whom it may concern,

I would like to ask for a review of the circumstances leading to my dismissal from BC Stats of the Ministry of Labour and Citizens' Services, Government of British Columbia.

On April 28, 2006, I received notification that I was dismissed for insubordination from the BC Government (dated April 11, 2006) where I had been employed as an analyst with BC Stats for four years and had a clean record until February 15 when I was suspended for three weeks, the last week without pay for a week.

I requested team effectiveness training or mediation, a transfer, or the opportunity to sit on a committee to find ways of addressing problems at the earliest stages. Managements position is that I am the problem and must accept the current working conditions and have offered to pay for me to see a councilor. I do not think that management's offer will address the problems and I would not accept continuing to work in an intimidating and antagonistic work environment. I would very much appreciate that the circumstances leading to my dismissal be reviewed by an arbitrator(s). The following describes several incidences where I feel the BCGEU has not represented me fairly.

I had been asking for help from management and from the union to address the negative work environment I had been subjected to over the last year and a half. I had thought that everyone in the section was going to make an honest effort towards creating a positive work environment; however, the yelling etc., which was supported by the manager, continued to increase in frequency and intensity into the summer of 2005.

In August 2005, I spoke with the Director who told me to "persevere or move on". I asked the manager for work place skills and or team effectiveness training courses for the section but the manager had said this "would this only made things worse." I was eventually excluded from all meetings both formal and informal (the manager and my co-workers would go for coffee breaks together), given more and more of my co-workers menial tasks, with shorter timelines, poor instruction and inadequate tools. I was made to feel that I should quit rather than to work towards creating a positive work environment.

In September 2005, I asked human resources for help in working towards creating a positive work place, one where innovation and creativity were if not encourage, at least not discouraged. I requested with human resources in an attempt to advocate work place skills courses.

In preparation for the meeting with human resources in October 2005, the staff representative, Cathy McCallum had coached me as to what to say including the fact that the manager had threatened me with a formal reprimand in March 2005. However, before the meeting, the manager told her that he had been a shop steward for many years before being excluded and that he had represented the union in discussions with management regarding Article 29. It is my feeling that this influenced the staff representative. The manager said that “my co-workers would not work with me because they had tried and it didn’t work”. Apparently, the reason my co-workers were yelling at me was my fault. When I told of how the manager had threatened me with a formal reprimand (as Cathy McCallum had said to) the manager became irritated and accused me of lying. The meeting was cut short before I could finish my statement and Carol Gore and Cathy McCallum met privately. They came back agreeing that this was not the right approach to deal with this and another approach would be taken. After the meeting Cathy McCallum told me the meeting had been a disaster and that she agreed with the manager that I was “passive aggressive.”

In late October 2005, the shop steward told me that my co-workers were asked to submit letters to the director and cc’ed to the union and that I should do the same. Instead of taking advantage of the team effectiveness training courses it appear that the exercise was meant to discredit me. It is my understanding that both the union and management agreed to this approach. The antagonism only increased and the coffee breaks (the manager and my co-workers would regularly go for coffee breaks together) increased in frequency and duration.

In late November still having not heard anything but with tensions high in the section I raised my concerns again and asked for mediation. Since I had complained of personal harassment, the director advised me to submit a grievance under Article 32.15 on December 2, 2005. The Director found nothing wrong but recognized that there was deep dysfunction and that there may be irreconcilable differences. Nonetheless, I was led to believe that work place skills courses would be made available in early February and that these were distinctly separate from the grievance.

Since there was no concrete commitment to team effectiveness training courses for the section, I wrote up most of the incidences that had occurred over the winter holidays. However, the restrictive nature of the Article 32.15 grievance did not adequately address the antagonism that I had been subjected to. For example, this approach focused on the manager while my co-workers were also involved in making my work environment negative in an attempt to get me to move on. Therefore, I did not include the details of a co-worker yelling at me for turning on (off?) the lights and telling me to “get out of here, go home, and you shouldn’t be doing this kind of work anyway”. Another co-worker who was standing close by looked on in shock but then covered her mouth and started snickering (June 2005). There are other examples but suffice it to say that I was astounded by the unprofessional behavior I met the Population Section of BC Stats.

In January 2006, a different staff representative, Ron Storm called me. He said he had read all the correspondence that I had sent to the BCGEU but that it was all superficial and general. I asked if he had the 32 page document. He found it and asked that I call him back in a few days

after he had a chance to read it. I asked that he call me when he was finished. He said that he did not need me telling him how to do his job and would not work on my case. Nonetheless, I submitted a grievance describing many of the problems in the population section of BCStats along with my attempted solutions to the Deputy Minister on January 30, 2006.

In early February, when the manager returned from vacation, I asked many times about assistance but this was denied. The manager said that there would be “no courses as there was no need”. On February 10, the Director told me that there would be no courses because I had proceeded with the grievance and he would wait for the Deputy Minister’s decision. I offered to drop the grievance in favor of work place skills courses, but the Director said it was “not possible as the union has taken up the cause”.

On February 13, I told the director, manager, with the shop steward present, the importance of courses or mediation, and that the intimidation had been both overt and subtle giving examples. On February 14, I sent an email to the Director saying that it was important that trust be re-built and that to pretend that there was nothing wrong and no need for courses was not helpful, indeed it would only make things worse. On February 15, 2006. I refused to attend a meeting with the manager and a co-worker which had been a source of antagonism towards me. Indeed, the manager had used these meetings as an example of how my co-worker did not want to work with me. This I still do not understand. Also these meetings had been moved ahead by over one month. Because I refused to attend the meeting until something constructive was done, the manager told me to leave the building, leave my computer on, and escorted me out after I had dropped off my entrance key-card. I thought that I had been fired; however shortly after the shop steward came into the locker room to say “good news” I had not been fired and that “the manager did not have the power to fire you”.

At a meeting a week later (February 21, 2006) with management (Director, manager, hr rep,) and the shop steward, I asked for team effectiveness training, to be transferred, mediation, or to sit on a committee to look into ways of addressing potential problems at the earliest opportunity. Management’s position was (and still is) that I am the problem and that I should take advantage of resources available through a families in crisis program. I made it clear again that I would not continue to accept working in an intimidating, antagonistic work environment. I did not nor do not think that the offer from management will address the problems. Management informed me that I would be subject to further discipline including dismissal if I do not accept the current working conditions. I stated that I have had to be preparing to be fired since October 2005 when it became clear that the manager wanted me to quit. On February 28, I received a letter stating that the Deputy Minister had sided with the Director, that I was being suspended for another week (three all together – which could have been put to good use) this time without pay. I was told to return to work and accept the current work conditions. I refused to accept the current working conditions.

The staff representative, Cheryl Jones, has said that I simply left the building without explanation and refused to return to work. However, the shop steward was there.

In March 2006, I sent two letters to the Director, asking that management take responsibility for having created and maintained a negative work environment as the first step towards finding ways to create a positive work environment. I was ordered to attend a meeting the day after receiving a letter from the Director but I did not attend. The shop steward had said that the union would grieve the suspension but that it would take 9 to 12 months to resolve. Since I would be

disciplined further if I did not accept the current working conditions I asked the shop steward if there was any financial assistance available. He called back after speaking to Cheryl Jones. She had said that I had to get back to work and if I did not I would be dismissed for just cause and there would be no financial assistance for me through employment insurance. Since I could not sleep well at night since November and the problems were affecting my family and the section's work and since no help was offered to address the antagonism I refused to return to work until something positive was done. Also, I must say that I felt a great deal of relief not having to go to work in such an antagonistic work place. Unfortunately, the solution from management was ultimately to dismiss me.

On April 11, 2006 I was dismissed for insubordination and for having been disciplinary history (I was suspended for not attending a meeting and not accepting the current work conditions).

I sent a letter (May 1, 2006) asking that the dismissal be grieved. This was done within one week of being notified (April 28, 2006) but the staff representative did not reply. I sent several letters to the staff rep, the BCGEU president, and the Deputy Minister of Labour and Citizens' Services throughout May 2006.

I received two phone calls from the staff rep in mid and late May and received a letter on June 6 (dated May 31, 2006) saying that she had reviewed my letters and that they contained nothing new to support a grievance and also that I had gotten the letters in too late. Cheryl Jones quoted Article 8.3 but neglected to and paragraph 8.3 (b). In either case I sent in a request to dispute the dismissal within thirty days.

Also in her letter she said that in order to proceed, I had until June 7, 2006 to submit a letter from a doctor stating that the reason I was late was due to illness. As well, there were several errors in the letter which revolve around not including my position. Again, my position is that team effectiveness training type courses or better yet, project management courses for the section are necessary. Also, I had offered at every stage to drop the grievance in favor of a positive solution that would include the whole section, not just me. However, managements position is that there is nothing wrong except with me and that I must accept the current conditions and should take advantage of counseling. I do not accept this remedy and would like an arbitrator to rule on the dismissal.

I sent letters to the president of the BCGEU and the Deputy Minister of Labour and Citizens' Services throughout June asking what could be done but received no reply. However, I did receive a cheque for ~\$3800 (gross) on June 16, 2006. I have asked the Deputy Minister of Labour and Citizens' Services (cc'ing the Premier's office) what the money was for but again have received no reply.

I eventually found out through Employment Insurance that I could / should speak to the Labour Relations Board. I would very much like to have my story heard because I do not think that it was fair that I should be dismissed for just cause after having requested work place skills courses for our section after having been subject to antagonism in an effort, I contend, to get me to want to quit.

Also, I found that the antagonism increased when I offered suggestions for solving problems in methods and modeling. One of my jobs was to resolve the difference between the Statistics

Canada population estimates and BCStats estimates. StatCan was very obliging in offering assistance regarding their methods; however, I could not get straight answers from my own section. It was as though I was not suppose to question our procedures.

There are many other examples where my co-workers, who have been doing things the same way for years, have been begrudging towards me for asking questions and/or offering solutions. As well, in order to improve our quality and reduce time spent on manual error prone processes, I had programs written by contractors which were successful but these improvements only seemed to make things worse. I took courses in programming and databases as well as taking books out of the IT library (very helpful) to learn several other languages (.asp, .xml, sql, vb) in the evening so that I could understand and make suggestions to the programmers. Also, I took all the courses available in project management. It is in these courses that I feel the greatest benefit lay for the population section of BCStats as while there will always be storming and norming, the ultimate shared goal is the increased quality with reduced costs and time for the project, not to secure position and pension.

One last course I would like to mention, taken while with the BC government was a consulting course where we were all asked to participate in a test of communication skills. My partner and I finished in one third of the time required while no other group figured it out. When my partner had not done what I asked, I did not think that the problem was hers but rather mine and found another way to explain the task. I have always been open to learning and would very much like to participate in the work place skills program and the team effectiveness training courses as mentioned.

Also, there was a distinct hierarch imposed on the section by the new manager who had been an employee in the section for over twenty years where I was to be placed firmly on the bottom and treated as though I was not to think, speak, or ask questions about methods and modeling, but simply to do what I was told. As I mentioned, I was excluded from all meetings both formal and informal. The manager also held the view that the best things were urban and the lowest were local particularly in low density areas where I just happen to come from. The highest ministries were Health and Finance while the lowest were the “dirt ministries” Also, he looked down on the people who claimed to have aboriginal ancestry (the 2001 census showed a substantial increase in the number of people claiming aboriginal ancestry) as they either just saw “Dances with Wolves” or were “looking for a handout”. Perhaps I should not have said that I claimed mixed blood ancestry as my parents (both sides) are mixed bloods.

I can understand that change can be difficult but yelling without having an opportunity to reconcile should not be considered acceptable. I have been astonished, perplexed, dumbfounded, and upset by what has happened. If I had not been treated with such disrespect or if we had been able to benefit from the team effectiveness training courses, I would still be working. I have had a chance to regain my sanity (what little of it there ever was) and my sense of humor (what little of it there ever was) and have learned many important lessons. The main one being that the transition from a compliant complacent work force to an active and involved work force requires support not just in words.

Regardless, instead of dwelling on the past I would like very much to have my job back if steps were taken to help create a positive work environment, eg. project planning and team effectiveness courses. This would have to be more inclusive than just me taking courses on how

to work with others. However, since it appears that there is no interest in having me return to work, I would like others to be warned of what it was like at BCStats population section and to be compensated for having paid for my family to move from Ottawa to take the position as I did not expect that I would be taking a position with an employer that supports the maintenance of an intimidating and antagonistic work place, and to have 'dismissed for just cause' removed from my record.

Thank you for your consideration of my request.

Sincerely,

Warren Munroe

LABOUR RELATIONS CODE

BRITISH COLUMBIA
LABOUR RELATIONS BOARDDUTY OF FAIR REPRESENTATION COMPLAINT
(SECTION 12(1))

PLEASE TYPE OR PRINT CLEARLY. ATTACH EXTRA PAGES IF NECESSARY. SEE INFORMATION BULLETIN NO. 3 AND PRACTICE GUIDELINE NO. ADJ-3.

TIMELINESS: Complainants are required to file Section 12 complaints in a timely manner. If more than 3 to 4 months have passed since the events underlying your complaint occurred, please explain the length of time taken to file the application. An application can be dismissed solely on the basis of being untimely. For more detail refer to Information Bulletin No. 3 and Practice Guideline No. ADJ-3.

COMPLAINANT INFORMATION

Name:

Address:

Postal Code:

Business Telephone Number: Home Telephone Number:

Name of legal or other representative (if any):

Address (if different from above):

Telephone number:

WHO IS YOUR COMPLAINT AGAINST?

Trade Union (or Council of Trade Unions)

Name:

Address:

Postal Code:

Telephone number: Fax:

Representative to be contacted:

WHO IS THE EMPLOYER?

What is the name of the employer?

Name: GOVERNMENT OF BC Ministry of Labour & Citizens Services

Address: PO BOX 9440 Stn Prov Govt, Victoria BC

Postal Code: V8W 9V3

Telephone number: _____ Fax: _____

Representative to be contacted: GORDAN MacATOE (Deputy Minister)

WHAT IS YOUR COMPLAINT ABOUT?

If your complaint involved the filing of a grievance under the collective agreement, please attach a copy and any other documents/correspondence related to it.

The grievance only described part of the problem, it was
misce-workers who did the yelling etc supported by
 What was the outcome of the grievance? the manager
the Deputy Minister sided with the Director Manager.

Have you exhausted your internal remedies (i.e., internal union appeal processes)? yes no
 If no, please explain.
I asked but have received no reply

Have you been terminated or laid off, or lost a substantial amount of work? yes no
 If yes, please explain.
I had been the subject of bullying ^{therefore} asked for team building
courses for our group but this was denied and refused
to attend a meeting which had been a source of hostility and was

HOW DID THE TRADE UNION'S ACTIONS VIOLATE SECTION 12(1)?

Please describe fully the facts upon which you rely in making this complaint. Specifically, what facts do you rely upon to support the allegation that the union has acted in a manner that was arbitrary, discriminatory, or in bad faith in representing you or in referring you to employment? Please attach any relevant correspondence/documents, extra pages to explain your dealings with the union about the matter.

Please see attachment

yelling

I had been the subject of bullying therefore asked for team building courses for our group but this was denied and refused to attend a meeting which had been a source of hostility and was suspended for a week without pay and told to accept the work cond. or I would be discipline further, I refused to accept the work cond. and did return would not return to work until courses would be made available. This was not accepted by management & I was to

I would like to have an arbitrator (or panel) review the reasons why I was suspended, suspended without pay and dismissed. Please see cover letter

REMEDIES

What remedies are you asking the Labour Relations Board to order if the Board finds in favour of the complaint? For example, are you asking the Board to order your grievance to proceed to arbitration?

Grievance to proceed to arbitration & my job back to consist for all section members or to have

my record cleared & compensation for moving my family to take the job

HAVE YOU SOUGHT ASSISTANCE FROM ANY OTHER AGENCY IN THIS MATTER?

Describe any union appeal, statutory complaints or arbitration pending that concern your complaint.

I asked the president of BCGEU what to do next but have heard nothing.

Signature of Complainant or Representative:

W. Warren

Print name:

William Warren Mawrae

Date of signing:

July 3, 2006

COMPLETE AND DELIVER TO:

Registrar
Labour Relations Board
600 - 1066 West Hastings Street
Vancouver, BC V6E 3X1
Tel: 604-660-1300
Fax: 604-660-1892

In addition to this form and attachments, please provide a list of attachments that you are enclosing.

LABOUR RELATIONS BOARD FEES

- APPLICATION/COMPLAINT MUST INCLUDE FEE OF \$100.00
- METHOD OF PAYMENT (CHECK ONE)
CREDIT CARD - MASTER CARD VISA CREDIT CARD NO:
EXPIRY DATE:

SIGNATURE: _____

- CHEQUE
- DEBIT CARD
- CHARGE TO PRE-APPROVED ACCOUNT

- PAYMENT (CHECK ONE)
 - ENCLOSED
 - TO BE SENT WITH ORIGINAL COPY AS APPLICATION/COMPLAINT SENT BY FAX
 - CHARGED TO PRE-APPROVED ACCOUNT

- NOTE: FEE OF \$50.00 MUST ACCOMPANY REPLY TO APPLICATION/COMPLAINT
- NOTE: CREDIT CARD INFORMATION WILL BE DELETED BY THE BOARD PRIOR TO DISTRIBUTING THIS FORM TO THE PARTIES