

# Fleet Services Update

Members who work in Fleet Services are rightly concerned about the sell off of their jobs to Transervice effective February 1, 2007. CEP has fielded many questions regarding various legal issues.

Many questions can be answered straightforwardly.

Bell has the legal right to sell any part of their business, including Fleet Services. Under our contract, Bell is obliged to ensure that the new employer respects the terms of our collective agreement until we can enter into negotiations at the end of 2007. (We are aware that Transervice has agreed to begin negotiations early, if CEP chooses. If we choose this route, a bargaining committee, including representatives from Fleet services will be elected in advance.)

Transervice must provide equivalent but not necessarily identical benefits and pension plans to the Bell plans outlined in our collective agreement. On the other hand, Transervice is not obliged to continue those other benefits not included in the collective agreement, such as the Employee Savings Plan.

Because employees will be credited with all of their Bell net credited service when they join Transervice, Bell is not required to pay severance pay upon termination.

**But there is one big legal question that is not easily answered: Can Bell sell my employment along with the Fleet Services business, and force me to leave Bell?**

There have been cases in the past, including in CEP workplaces, where employers have attempted to sell their employees along with parts of their business, and then been told by arbitrators that it's not legal. In those cases, arbitrators have decided that employees have the right to remain with their old employer, and exercise the same rights they would have if their jobs were disappearing for other reasons such as lack of work. It should also be noted that in some other situations, arbitrators have agreed with the Company and allowed workers to be forced to move with their jobs.

Every case depends upon the particular language in the collective agreement. To fully determine what route to take will depend to a large extent upon the legal advice that we are currently obtaining from our labour lawyers.

We assure members that before they are asked to sign away their Bell employment, that they will have clear legal direction and leadership from the Union.

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