

Vancouver Postal Worker

FACT, FICTION OR RUMOUR?

**Privatization,
Deregulation,
and the
Mandate Review**



Postal Review Raises Questions



Over the next few months, our Conservative federal government is conducting a review that will determine the future of universal, public postal service. This review is pretty much a secret review, and it could be very bad news for rural communities.

The government's review will look at three very basic and important questions: What postal services should people receive? Who should provide them? And, should Canada Post continue to have an exclusive privilege to handle addressed letters or should the letter market be open to competition?

Anyone who thinks that a little competition never hurt anyone might want to take a closer look at how our postal system actually works. Canada Post has an exclusive privilege to handle letters so that it is able to generate enough money to provide affordable postal service to everyone, no matter where they live.

While the exclusive privilege isn't often discussed, most people seem to like what it does. In fact, 91 per cent of respondents to an Angus Reid poll said universal postal service at a uniform rate is one of the really great things about Canada Post.

Unfortunately, our popular and egalitarian one-price-goes-anywhere service could disappear. If the government decides to eliminate our postal service's exclusive privilege as a result of its review, Canada Post would almost certainly face a downward spiral.

Private-sector competitors would focus on profitable areas and services, leaving unprofitable parts to our public postal service. With fewer profits, Canada Post would find it increasingly difficult - and eventually impossible - to provide uniform and affordable service, especially in rural and remote parts of the country.

Even though the Conservative government's review could change the very nature of our postal system, the Tories are not planning on holding public hearings or doing much to publicize their examination of Canada Post.

They have issued a media release asking for submissions by September 2. Their advisory panel is contacting "major stakeholders".

The fact that the government is not holding public hearings and is proceeding at a breakneck pace with its review suggests that it is not really interested in hearing from the real owners and stakeholders of our post office - the public.

It is also disturbing that the chair of the review has written a book titled *The Politics of Postal Transformation*, which recommends that the federal government eliminate the exclusive privilege.

Aside from the obvious, it is disturbing because the few countries that have fully removed their post office's exclusive privilege or monopoly on letters have suffered. They now have fewer jobs, less service and higher postal rates for people and small businesses.

As is, our basic postage rate currently ranks as one of the lowest in the industrial world. Letter mail is secure, cheap, on time 96.1 per cent of the time and delivered to everyone at a single price. In a recent national poll, Canada Post surpassed the CBC and the Supreme Court as the most trusted federal institution in Canada.

This is not to say that our post office is perfect. But it is worth noting that it will be difficult for Canada Post to improve service if the government eliminates the mechanism that funds public postal service - the exclusive privilege.

If you like your secure, trusted, affordable and universal postal service and think the federal government is trying to fix something that isn't broken, contact the Canada Post Strategic Review at 330 Sparks St., Ottawa, ON, K1A 0N5 and speak your mind by September 2.

cont'd Postal Review Raises Questions

You might want to express concerns about post office closures.

Last time the Conservatives were in office, they closed about 1,500 rural post offices before being stopped by public outrage and an election defeat. Don't forget to mention that a speedy review without public hearings is hardly a democratic way to decide the fate of our publicly owned post office.

*Denis Lemelin
National President CUPW*



We Are All Stakeholders

CPC "Strategic" Review

The Vancouver Local of the Canadian Union of Postal Workers is taking this opportunity to make a submission to the CPC Strategic Review.

We are all stakeholders in the future of our public post office. It is of grave concern that the process for the review does not include public hearings; the review fundamentally rejecting out of hand the input of the largest customer base of Canada Post.

If the exclusive privilege on delivering letter mail were removed, higher postal rates would be the result, along with fewer jobs and a decline in service. Great Britain and Sweden are examples of increasing rates due to deregulation. Canada currently has one of the lowest rates in the world for postage. As there are only a few countries that have had experience with postal deregulation over time, it would be smart to see what happens to them before making changes we will regret.

Another means for improving service would be for Canada Post to put the profits that they turn over to the government as dividends, back into the system. Not only has the rural service base been eroded, but the urban services have suffered significantly from contracting out. Door to door service should be a priority for Canada Post given that the level of mail theft is increasing, and it is primarily from group boxes. If deregulation were to be introduced, it would be extremely difficult to assure the public that private delivery companies are able to live up to legislation that requires the security of the mail.

One of the most trusted institutions in our country, the Post Office should focus on keeping it that way by improving service, providing employees with safe, unionized jobs, fair wages and good working conditions.

Robert R. Mulvin
President, CUPW
Vancouver Local

The Postal Worker is published 4 times a year by CUPW, Vancouver Local, 1079 Richards Street, Vancouver BC V6B 3E4 Phone: 604-685-6581
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Canada Post: Getting Modern with the DC-10!



Earlier this year, Air Canada met with Canada Post to discuss potential solutions to its rising costs. According to reports, Air Canada informed Canada Post that it would need to increase its rates to generate an additional

\$15 million per year to offset the increase in its fuel costs (an amount which would represent a 50% increase in air freight costs to Canada Post). In the face of increased freight costs, Canada Post declined to enter into such an agreement.

On August 6, 2008, Canada Post informed the National Union that the proposed increases in Air Canada's freight charges made a business case for the creation of its own air network. Although Canada Post has done business with Air Canada since 1941, its domestic and international contracts with Air Canada will be terminated effective September 13, 2008.

On August 8, 2008, Canada Post informed the local Union that it had leased two DC-10 airplanes from Purolator. When queried, Canada Post stated that Purolator purchased the planes from Aloha Airlines (now defunct). The last DC-10 left the production line in 1988.

Effective as of September 13, 2008, Canada Post will leverage Purolator as its dedicated freighter and the DC-10s will be used for the transport of domestic air freight, travelling back and forth from Hamilton to Winnipeg to Calgary and Vancouver. For international air freight, Canada Post will rely on international carriers. Domestic mail that is not currently handled by Air Canada will be transported by highway services or otherwise maintained status quo, although current highway services schedules may be affected.

The changes to Canada Post's air network will have an effect on locals from Hamilton to Vancouver. Without providing any specifics, Canada Post has indicated that there will be a reduced number of incoming and outgoing flights and a reconfiguration (see reduction) of existing airport pick ups and despatches.

In Vancouver, this likely means that there will be a reduction in the number of MSC shuttle runs and pick-ups. It can be anticipated that Canada Post will soon be restructuring certain MSC schedules to reflect those changes. Although Canada Post is now scrambling to finalize the details of its flight network, it can be anticipated that there will be a reduction in MSC work.

With a reduction in the number of daily arrivals and despatches, VPDC mail operations will also be affected. Canada Post has stated that its current Group 1 staffing complement will be adjusted to cater to the new arrival and despatch times. According to Canada Post, the realignment of its staffing may result in an increase to number of assignments on #1 and #3 shifts, with a corresponding decrease to the number of day shift positions.

Canada Post has not declared a technological change as per Article 29 of the Collective Agreement. Canada Post has also stated that it does not anticipate that there will be any surplus employees as a result of its reconfiguration of staffing complements.

This is the extent of the information that has been provided to the Union. The Union has not yet been provided with any specifics and in upcoming weeks there will be a series of local and national consultations to iron out the details relating to this most recent change in corporate direction. For more information, please speak to your shop steward or any of the officers at the Vancouver Local office.

Ken Mooney
Grievance Officer
CUPW Pacific Region

Universal Postal Service - Behind Closed Doors

The future of Canada's public postal service is currently under review - behind closed doors. Canada Post, which holds the exclusive privilege to deliver first class mail, is currently being reviewed by a panel appointed by Steven Harper's Conservative government to determine, among other things, whether the scope of our existing postal service continues to meet the needs of Canadians.

One of the most prominent of the committee's considerations is the question of whether our postal service should be deregulated and opened to competition. Given the ramifications of this review, it seems only appropriate that Canada Post's stakeholders would be involved in the decision-making process and yet the review has been largely conducted behind closed doors. Why hasn't this review been made public?

Regardless of province, city or town, Canada Post currently provides all Canadians from coast to coast with a universal postal service. The price of a stamp in Dease Lake, BC is exactly the same as in Glace Bay, Nova Scotia. In a recent Angus Reid poll, an overwhelming majority of respondents expressed their approval of Canada Post's uniform postal rates, which are among the most competitive in the world.

Canada Post is able to provide universal postal rates and service because of the profits that are generated from its exclusive privilege to deliver first class letters. Without that exclusive privilege, Canada's universal postal service would stand to be compromised. If fully deregulated, the service of Canada's lucrative urban areas might well present an appealing proposition to American-based corporations such as UPS, but what would be the fate of Canada's rural communities? Without its exclusive privilege, how would Canada Post be able to provide those Canadians who live in rural communities with the same universal postal service?

Canada Post's twelve (12) straight years of profits are proof of its continued viability as a federal undertaking. However, even partial deregulation could have serious ramifications.

The international experience has shown that deregulation by no means offers a guarantee of cheaper rates or better service. It has also led to huge job losses. In Sweden, deregulation almost immediately led to the doubling of the price of a stamp. Two years ago, the British post office was fully deregulated. The result of that deregulation led to a downward spiral of profits and at least 2,500 post office closures. A 2008 independent review of that deregulation found that "there have been no significant benefits from liberalization for smaller businesses and domestic consumers".

Are Canadians in favour of deregulation? Is Canada ready for a two-tier postal system? These are questions that need to be brought forward in an open forum so that all Canadians can have their say.

Ken Mooney
Grievance Officer
CUPW Pacific Region



"We are ready to build a modern post together" - Moya Greene

Local Website!

Check it out! <http://www.cupw-vancouver.org>
Our new e-mail is pubcom@cupw-vancouver.org.

VMPP Evacuation Dispute Settled by Consent Award



On August 14, 2008, the parties signed a Consent Award that resolved the issues arising from a bomb scare that took place at the Vancouver Mail Processing Plant (VMPP) on November 19, 2007. The grievance was filed to address several

unresolved disputes regarding the manner in which Canada Post handled the bomb investigation and the subsequent evacuation.

The facts of this case are as follows:

Shortly before 10 p.m. on the evening of November 19, 2007, a suspicious parcel was identified on the second floor of the VMPP; the parcel was evidently ticking and vibrating. After being brought to the attention of a second floor supervisor, a Health and Safety officer was contacted and a decision was made to evacuate the second floor. Employees in that work area were ushered to the first floor and a police emergency response team was summoned. After being led to the first floor, first and second floor employees were then evacuated on to West Georgia Street. Within minutes, a number of emergency response vehicles arrived, including the police, fire and bomb squad. All traffic was blocked from entering Homer Street.

During this same period, employees on the third, fourth, and fifth floors continued working because they were unaware of the evacuation. However, certain fourth floor employees quickly became aware of the evacuation from security staff and co-workers. These employees approached their superintendent and asked if the lower floors had in fact been evacuated. In response, they were ordered to return to work. They were also told that anyone who attempted to leave the floor would be disciplined. No information was disclosed regarding the suspicious parcel or of the pending bomb investigation.

After ordering employees to return to work, supervisors positioned themselves in front of each exit and physically blocked access to exit stairwells.

Several employees informed their supervisors that they had concerns for their safety and exercised their right of refusal. Management responded by giving each of these employees a direct order to return to work. Instead, the employees left the building.

Canada Post supervisors continued to block fourth floor exit stairwells and withhold disclosure of the pending bomb investigation until approximately 11 p.m. On or about that time, employees were finally instructed to leave the building. Management, however, neglected to instruct employees on the third floor and the fifth floor VES Unit that an evacuation was in process. Those employees continued working and learned of the evacuation from their co-workers. Certain deaf and hard of hearing employees were not informed that a bomb investigation was in progress or of the evacuation. At least one 'buddy' in attendance at work on November 19th was not accessible during the time the evacuation commenced.

To resolve its concerns with the handling of this affair, the Union scheduled a meeting with Marie Robinson and other VMPP management staff. During that meeting, the Union outlined its concerns regarding the handling of the evacuation but within hours of the meeting management responded in bad faith by issuing interview notices to the employees who exercised their right of refusal. Those employees had letters placed on their personal files.

As a result of the ongoing dispute, a subsequent meeting was scheduled with a representative of Human Resources and Skills Development Canada (Labour Canada). During that meeting, which was again attended by VMPP Director Marie Robinson, Canada Post was informed that those employees who had exercised their right of refusal had the right to do so under the circumstances, even in the face of a direct order from supervisory staff. Despite that direction, Canada Post refused to remove the letters that were placed on those employees' personal files.

VMPP Evacuation Dispute Settled by Consent Award

In order to deal with the unresolved disputes, a grievance was filed, citing numerous infractions of the Collective Agreement and the Canada Labour Code. In its statement of grievance, the Union pointed to the following violations:

- After evacuating employees on the second floor, Canada Post waited nearly forty-five (45 minutes) before informing employees on the other floors that a bomb investigation was in progress;
- Canada Post failed to evacuate employees on the third, fourth and fifth floors at a time when it was aware of its concerns with the parcel under investigation;
- Canada Post failed to properly inform employees and their Union representative of a situation that might have endangered their health and safety, as soon as it learned of the situation;
- Canada Post failed to notify deaf employees that a bomb investigation was in progress; Canada Post failed to inform deaf and hard of hearing employees when the VMPP was finally evacuated;
- For a period of approximately thirty (30) minutes, Canada Post supervisors physically blocked fourth floor exits, ordered employees to return to work, and threatened employees who chose to exercise their right of refusal;
- Canada Post improperly allowed or directed employees to continue working despite the fact that some employees had exercised their right of refusal; and
- Canada Post failed to allow a Union representative to participate in the investigation surrounding the circumstances preceding the evacuations that a bomb investigation was in progress.

Canada Post's handling of the November 19th evacuation would not be out of place in a third world sweat shop. As

a Crown Corporation, Canada Post has an obligation to comply with the laws and regulations that were designed to set Canada apart from third world countries. Unfortunately, there are many similarities between the November 19th evacuation and the incident that took place February 1, 2006, when VMPP supervisors put employees at risk by failing to activate the fire alarm despite being aware of a fire (the Corporation's response to the VMPP fire was the subject of a Consent Award dated March 7, 2008). Although in this case the police bomb squad ultimately determined that the suspicious parcel was not a bomb, the obligations spelled out in the Canada Labour Code and Collective Agreement do not allow post office supervisors the discretion of choosing compliance, regardless of their concerns regarding productivity.

Despite the rhetoric contained in Performance Magazine, or the bevy of glossy corporate posters and pamphlets, Canada Post's actions in this case once again spoke louder than words.

As a resolution to the Union's grievance, Canada Post acknowledged the following:

- Canada Post agrees to remove the letters that were placed on the personal files of those employees who exercised their right of refusal;
- Canada Post agrees that it did not properly respond to the circumstances of the evacuation, as set out by the Union in its grievance statement; and
- The parties subsequently brought forward these issues to the LJOSH Committee for its review and recommendations.

The August 14, 2008 Consent Award, as well as the previous Consent Award dated March 7, 2008, may be viewed in full text on the Vancouver Local website at www.cupw-vancouver.org.

Ken Mooney
Grievance Officer
CUPW Pacific Region

Health and Safety - Rights of Temporary Employees

Do temporary employees have the right to refuse unsafe work?

Temporary employees have the right to refuse unsafe work under both the Collective Agreement and the Canada Labour Code. Under the Code, danger is defined as any existing potential hazard or condition or any current or future activity that could reasonably be expected to cause injury or illness.

There are many instances where the right of refusal may be legitimately invoked. In the past, employees have exercised their right of refusal when faced with noxious fumes, smoke, damaged machinery, unrestrained dogs, and abusive customers.

Employees have also exercised their right of refusal during fires, pending bomb investigations, snowstorms, power outages and when operating motor vehicles while in close proximity to picket lines.

A temporary employee may exercise his or her right of refusal under either Article 33.13 of the Collective Agreement or Section 128 of the Canada Labour Code, but not both. To exercise one's right of refusal, it is necessary to inform one's supervisor and union representative that the right of refusal is being invoked.

Upon such notice, Canada Post supervisors must conduct an investigation into the complaint in the presence of a union representative. If the right of refusal is invoked under the Collective Agreement, no other employee may be assigned to the part of the work that is the subject of the investigation while the situation is under review.

An employee may not be disciplined for exercising his/her right to refuse, unless it can be established that the employee, for frivolous reasons, has sought to dishonestly take advantage of this clause.

Don't ever put your health into jeopardy; the right of refusal was created to protect you from harm.

Are temporary employees covered by WorkSafe BC?

Unlike permanent employees, temporary employees do not receive paid sick leave under the Collective Agreement, thus an injury on the job (IOD) can have devastating financial ramifications. However, temporary employees, like indeterminate employees, are entitled to wage loss protection by WorkSafe BC (formerly known as the Workers' Compensation Board).

In the event of a workplace injury, it is critical that a supervisor be informed as soon as possible. If a supervisor is unavailable, a shop steward or health and safety representative or even a co-worker may be notified instead. It is also important to seek appropriate medical attention.

All injuries on duty should be reported, regardless of perceived severity. If an IOD is not reported, an injured temporary employee will be unable to claim wage loss benefits and might instead end up on sick leave without pay. Many employees have learned the hard way that WorkSafe BC claims can be denied because an injury was not reported on a timely basis.

For more information on WorkSafe BC, please do not hesitate to contact any of the full-time officers at the CUPW Vancouver Local office.

Are temporary employees entitled to be accommodated on modified duties?

Temporary employees, like permanent employees, are protected under the Collective Agreement from discrimination on the basis of age, race, creed, colour, national origin, political or religious affiliation, sex, sexual orientation, marital status, family status, and physical or emotional handicap.

In order to avoid a charge of discrimination, Canada Post must accommodate its disabled employees to the point where it is impossible to do so without incurring undue hardship (see *British Columbia (Public Service*

The Return of Canada Post Focus Groups



Employee Relations Union) v. British Columbia Government and Service Employees' Union (B.C.G.S.E.U.) [1999] S.C.J. No. 46). Temporary employees are not excluded from this standard. As of late, Canada Post has taken the position that it will not accommodate temporary employees who require modified duties as a result of illness or injury. While this approach flies in the face of the Canadian Human Rights Code, the Collective Agreement, and various arbitral rulings, Canada Post has nonetheless sent home a number of temporary employees in Vancouver without making any attempt at accommodation. If you find yourself in such a situation, please contact your shop steward immediately.

Ken Mooney
Grievance Officer
Pacific Region

In an Information Book Notice dated July 17, 2008, Canada Post announced the roll out of a program called the "Employee Engagement Council". According to Canada Post, the "Council" was created in response to employees who have expressed their wish to be treated with dignity and respect. Canada Post has defined the function of the Council as a conduit for the assessment of "ideas" and "initiatives", and, if applicable, as a forum by which to initiate "employee engagement activities for implementation".

While the name has changed, the function of these types of programs is quite transparent. At various times in the past, Canada Post has held similar meetings, to purportedly receive ideas and initiatives and to discuss items relating to our working conditions. What has been conspicuously apparent from past meetings is that Canada Post has excluded bargaining unit representatives from consultations that generally involve bargaining unit rights.

In National Policy Grievance N00-95-00026, the Union challenged the Corporation's rights to hold such meetings on the basis that matters such as working conditions properly fall within the jurisdiction of bargaining unit rights. In argument, Canada Post took the position that it has the right to communicate with its employees, convey information relating to its directives, and solicit comments and suggestions. In his ruling Arbitrator Guy Dulude held that the format and content of such meetings constitutes a serious infringement of the rights of the Union and its members in respect of the Union's exclusive mandate to represent its members in matters of working conditions.

There have been other similar arbitral rulings in the past, but Canada Post's current regime apparently seems intent on replicating past disputes.

Ken Mooney

Upcoming Events

General Membership Meeting	Sept. 28
Boot and Glove Allowance	Oct. 1
World day for Decent Work	Oct. 7
Thanksgiving Day	Oct. 13
Fall 5 day Educational (Naramata)	Oct. 21 - 26
Halloween	Oct. 31
Daylight Savings Time Ends	Nov. 2
Remembrance Day	Nov. 11
BC Fed. Convention	Nov. 24 - 28
Fall 3 day Educational (Naramata)	Nov. 29 - Dec. 1
National Day of Mourning for Women	Dec. 6
Winter Solstice	Dec. 21
Christmas Day	Dec. 25
Boxing Day	Dec. 26
New Years Day	Jan. 1, 2009

Struggles Abroad and At Home



BC Vice-president Joey Hartman states in her note to conference participants that the Pacific Northwest Labour History Association was founded in 1968 to increase awareness of workers' history and ongoing fight for rights, and that its members believe the

labour movement must know where it's been to know where it's going.

It was easy to realize through the workshops presented at this year's conference that the issues faced by certain classes of workers, though different today from those of the late 1800s, still share the same common theme. It appears that those who are brought into Canada to do the type of work which is deemed below most of its own citizens are still treated with the same disdain, as they have been historically.

Of the workshops I attended, some spoke about historical perspectives, another on organizing migrant labour in a global economy, and others touched on current issues.

The first one concerns the working conditions faced by seasonal Mexican migrant farm workers. Many berry pickers have been threatened by farm owners for not working fast enough, even though the workers are paid by the weight of their pickings.

In one story, the worker in question was approached by a farm owner who revealed a large knife during his conversation with her, implying violence if she did not speed up her pace. While it's true that BC continues to lose market share in berries to California growers who enjoy much lower production costs, the consensus of the workshop attendees is that threatening migrant farm workers is not helpful in bringing about any positive change in this trend.

In another story, a brother and sister pair worked on the same farm together. Because men and women are housed in separate quarters, the brother was forbidden by the farm owner to visit his sister in her quarters during after work

hours. The male farm owner, however, several times had no hesitation in entering the female quarters (while the workers were inside) without so much as a knock on the door.

The second workshop concerned the working conditions faced by Filipino workers who arrive under the Long-term Caregiver Program. Many of these workers have a Nursing degree at home in order to gain entry into the program, and are promised very good working conditions, an 8-hour workday, with private living quarters.

However, when they are placed into their employer's home, they discover that not only are they required to provide special care to the patient in question (which would be fair), they are also asked to do household chores, other menial jobs, and their workday is closer to 14 hours. Their scale of pay is frequently below what was initially promised by their contractor, and they are not given time off on public holidays.

In one extreme case, the worker was asked to sleep in the same room as the employer and she was continually monitored for her time in the washroom. She was forbidden from using the bathing facilities in the owner's townhouse and instead had to go use the one in the Common Room.

In both cases, the workers are reluctant to file complaints against their employers for fear of being blacklisted by their contractors. After the workshop I asked some of the presenters why it is that workers don't publicize their experiences when they arrive home, so that future prospective workers will be aware of the reality awaiting them.

It turns out that the governments in question derive such a significant amount of revenue from exporting their workers that they go to some lengths to ensure its continuity.

In Mexico, for example, the media is controlled by several rich families who all have ties to the government. In the Philippines, the government's marketing is so attractive and effective that any story to the contrary is almost instantly dismissed as an isolated incident.

Members

The Filipino government receives about US \$350 in various fees from each migrant worker before they even depart and once the worker is abroad, continues to extract money through various consular fees. In 2007, migrant workers infused approximately US \$14.7 billion in remittances to the Filipino economy.

These last two stories can be contrasted with the next one where Canadian workers were left high and dry by an employer who has decided to move its factory offshore.

The GWG denim factory began life in Edmonton in 1911 as a manufacturer of high quality workwear. The women working in GWG were the first unionized factory seamstresses in Alberta, but this did not prevent the company from imposing stiff manufacturing quotas. For example, the person in charge of buttons was required to complete 2700 pairs of jeans in a single shift.

In 1972, GWG became a wholly owned subsidiary of Levi Strauss & Co. of San Francisco. Levi's decision in March 2004 to close the Edmonton plant and move production of Levis and Dockers to Haiti resulted in the loss of 488 jobs in the city.

These stories have provided me with some very profound thoughts of what it means to live in today's global economy. If nothing else, they have certainly served to remind us that workers must exercise their rights to be heard and understood. The global labour pool can be a very fluid entity and to our employers, some of us are no more significant than interchangeable parts, to be easily disposed of in one fell swoop when a cheaper (not necessarily better) labour source can be found elsewhere.

It creates a working environment which further antagonizes the workforce from the management, which makes one question if all the stakeholders (including our own government, no less) believe this is the best way to build a sustainable society.

The struggle continues...
Yung Hsi

In Memory Of Richard Shantler 1951-2008



Richard started with Canada Post in 1974 working in the Vancouver Mail Processing Plant. He was most recently working as a despatcher on the #3 shift at the VMPP. He will be sadly missed by his family, friends, and colleagues.

Newly Appointed Shop Stewards

Pat Bertrand . . . VPDC - MSC
Chris Callaghan . . . RDC - LC
Scott Cox . . . CDC - LC
Gianfranco DiGiovanni . . . CDC - LC
Alyssia Dryer . . . MVDC - LC
Marie Ann Richard . . . Main Office - Wickets