

Oct 19, 2010

My name is Jackie Bodie. I'm a Nortel employee on Long Term disability. I'm 41 years old and was diagnosed with Parkinson's disease 7 years ago, at age 33.

I worked at Nortel's Wireless division in Calgary for 14 years, the last 10 as a hardware design technologist. In 2005, I finally stopped working due to my Parkinson's symptoms - cognitive impairment, difficulties reading and writing and my tremor interfered too much with my ability to accomplish anything.

Myself and 400 other Nortel employees on LTD have throughout the bankruptcy proceedings, been lumped in with the pensioners. I am NOT a pensioner. I am not even close to retirement! I am 41 years old and have 2 young boys – ages 6 and 7 to look after for another 12 years at least. My current concerns have less to do with annuities and more to do with affording school supplies and lunchroom fees. I have no pension with Nortel and I rely on my disability income to raise my family and pay for my medical expenses related to my illness.

I have not had the luxury of 40, 30 or even 20 years to save up a retirement nest egg that I otherwise might have if I were a pensioner in my 70's. I worked for 14 years. That's simply not enough time to save for this scenario that I never anticipated having to face. What savings I have managed to sock away in RRSP's may last me a few years at most. After that, I will have no choice but to rely on social assistance programs for the next 20 years until I reach retirement age and can collect Canada Pension.

The bankruptcy court appointed the same legal counsel to represent both groups despite our obviously different concerns and priorities. A year later and after many decisions concerning my future have been made without my knowledge or consent (self-appointed LTD representative, Feb 8<sup>th</sup> settlement agreement, March 31<sup>st</sup> settlement agreement, scenario 2 proposal for Health & Welfare Trust distribution) that legal counsel recently conceded conflict of interest and recused themselves from any decisions regarding the distribution of Nortel's Health and Welfare Trust.

I don't feel that the disabled employees have even been recognized as a distinct group by any part of the bankruptcy process. It is more apparent to me that we are increasingly being considered a nuisance by our own court-appointed LTD representative and CCAA legal counsel and that we are considered nothing more than a 'speedbump' by Nortel and the Court Monitor judging from the lack of response the disabled employees have been receiving for their questions and concerns throughout the past year.

I believe the fundamental reason that myself and 400 other disabled individuals are in this situation is because Nortel was permitted by Canadian laws to offer its employees a self-insured disability plan. From my disabled perspective, I consider this form of insurance to be toxic because it is worse than no insurance at all. Had I known that bankruptcy would be cause for Nortel's disability insurance to evaporate, I would most certainly have shopped elsewhere for a private disability insurance plan through a legitimate insurance

provider while I was still healthy. Nortel didn't divulge that information because they were not required to. I was already on disability when it was eventually disclosed which doesn't help me. Now, 18 years later, because I have a pre-existing condition, no insurance provider will even consider offering me LTD insurance. Nortel is effectively renegeing on a promise on which I based the security of my future. They are tying my hands so that I cannot look after myself and my family.

Currently, there are 1.1 Million Canadians who are covered by the same form of toxic insurance and who are at risk of finding themselves in the same situation as me. It is not sufficient for Canadian corporations to adopt a "buyer beware" policy when the end consequence means employees and taxpayers are kicked to the curb and forced to depend on social assistance programs for their survival – all for the sake of corporate profit. It is a social travesty that Canadian laws (read: lack of regulation) actually support corporate financial success at the expense of those who contributed to that success.

If nothing else, the mere fact that this practice has been allowed to continue in Canada serves to erode any loyalty between employees and employers. Furthermore, this highlights the inequalities that exist between private sector and public employers and undermines any trust of Canadian workers that government is guarding their best interests. I have not heard of any cases of underfunded government benefit or pension plans. If the inherent risks associated with the practice of underfunding company plans are considered acceptable, then why is Canada one of the few countries that still permit this? And why only in the private sector? My best guess is that it is not so much about corporations deliberately trying to ruin disabled employees as it is about them surreptitiously exploiting antiquated bankruptcy legislation.

This was a rare good day with Parkinson's that allowed me the scarce luxury of a thought process cohesive enough to articulate my opinion on my situation. I write this in hopes that you will recognize the injustice of Canada's bankruptcy processes and laws towards disabled employees and **support Bill S-216**. Approval of this Bill would ensure that disabled individuals cannot simply be abandoned by employers seeking to absolve themselves of financial obligations during a bankruptcy.

It is one thing to default on a loan to a corporate lender but it is something completely different to take away an individual's ability to survive. This is not about money, it's about people. Sick people who need protection from the hungry jaws of corporate greed.

**Please support Bill S-216 and protect 1.1 Million Canadians.** It's the right thing to do.

Thank you,

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