



At the Table

Bargaining information for OPSEU members
at the Municipal Property Assessment Corporation
Issue 5 • February 22, 2010

Employer files for conciliation

Talks cave in... because the union **WON'T**

After eleven days at the bargaining table, your Bargaining Team was notified by the employer that they will be filing for conciliation.

What does this mean? Well it should be familiar to MPAC members who have been around awhile. It means talks have ended until a conciliator is appointed by the Office of Conciliation. The conciliator's role is to act as an intermediary between the parties in order to get to a contract.

The conciliator, whoever that is, has their work cut out for them.

Other than some extremely minor progress on a few issues, the two sides are still miles apart. Your Bargaining Team is refusing to cave in on the demands you said were important in the next collective agreement. And the employer is adamant that the union accept

concessions in the contract that will likely have serious ramifications for every MPAC member.

So we will wait until the conciliator arrives. In the meantime, read on to find out what's at stake.



Re-org: The other side of the story

Last Friday, the employer sent out a memo outlining their version of what's involved in the much-anticipated Organizational Review.

The memo appears to paint a very rosy picture indeed. The focus is on a realigned structure, advancement opportunities for staff, and, as the employer stresses, "no job loss."

Not surprisingly, there are a few things the employer doesn't go into a lot of detail on. If you read this memo closely, we're sure you noticed them.

The Plan without a plan

The whole employer re-org plan...isn't. The employer still refers to "proposed models" and "details" that aren't yet confirmed. This boils down to only one thing...whatever the employer is telling you right now is certainly not the whole story. Yet, they still want the union to negotiate a collective agreement without knowing all the information.

Now that we are no longer blocked by the February 19 gag order, what we CAN tell you is that this re-org has been in the "planning" stages for years. Brought to you by the same bright lights that brought you "Futures," there doesn't appear to have been a whole lot of planning at all.

The Bucket List

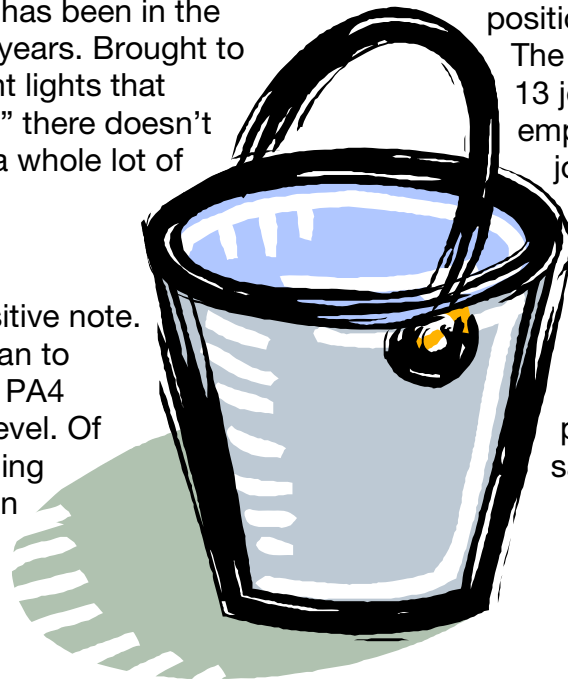
Let's start on a positive note. The employer does plan to combine the PA3 and PA4 positions at the PA4 level. Of course, this is something that staff and the union have been

recommending to the employer for years. But the employer still paid \$500,000 to KPMG to get the exact same advice. The employer says this moves operations from "silos" into "buckets." We aren't sure what that means, other than buckets are easier to empty.

But don't think this was in any way a simple process. No, the employer wanted us to pay a price for doing this. How? Their initial proposal was to put the top rate of pay for the combined positions in between the top rates for PA3s and PA4s. Then, the employer wanted the Bargaining Team to toss in all the outstanding PA3 classification grievances...and they wanted us to do it without telling the grievors. We refused.

No job loss (but maybe not the job you want)

Then comes the elimination of the Property Inspection Analyst positions, an elimination the employer has not provided any rationale for. 41 PIA positions are being eliminated...and the employer only planned on having 28 Parcelization Coordinator positions for those jobs to turn into. The union argued for the remaining 13 jobs, and as a result the employer will offer all PIAs the PC jobs. What the employer doesn't tell you is that if a PIA doesn't want a PC job (and many don't), their only choice is to take a Property Inspector job – at the PA2 level with the resulting \$12,000 a year loss in pay. The union had to fight to save these jobs, because the



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employer had planned to terminate PIAs who didn't want to convert. The employer may say there is no job loss, but that's only because the union stopped it from happening.

Where will all the jobs be?

The employer has said they will now have two core business streams: Residential/Farm Property Valuation and Business Property Valuation. Here's the questions they can't...or won't...answer in writing:

- How many jobs will be in each stream?
- How will employees be assigned into the business streams? Will they have a choice?
- How will employees be transitioned into each stream?
- Will employees be moved from their current sections?

Talking from both sides of the mouth

What has your Bargaining Team extremely concerned is the real conflict between what is in the Isenburg memo and what has happened at the bargaining table. You be the judge:

“No job loss”

The employer says there will be no job loss as a result of the re-org (which is not finalized). YET, a union proposal for a “no job loss guarantee” has been completely refused by the employer. Remember - “No job loss” doesn't mean you keep the same job you have, with the same classification or the same pay...it just means you keep **A** job.

“Grow your career”

Carl Isenburg says it is “particularly important” to him that you have the opportunity to grow within MPAC. It sounds like the employer wants employees to be able to get promotions. YET, the employer

has a demand on the table that would see employees have to do an additional six-month probationary period if they are successful in competing for a posted job. Is that a chance you are ready to take?

“Fine-tuning the framework”

While the employer says there will be no job loss, they also acknowledge that their “plan” isn't final. The employer may want you to believe your job is safe. YET, the employer is refusing a union proposal for a “no lay off” clause in the next collective agreement. “It isn't necessary” they say. But they refuse to put it in writing.

It would appear that the rosy memo may have a few thorns. What we are fairly certain of is this: the employer has used the entire re-org process as a distraction tool from the real bargaining issues. They are playing on employees' fears and uncertainties regarding the re-org, and hoping that maybe employees would be just happy to have a job (or any job) and forget about making gains at the bargaining table.

Your Bargaining Team will NOT be swayed from the real issues.

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Employer will not part with Part-Time

Brace yourselves. This employer will not be swayed on their demand to create part-time positions at MPAC.

Despite Team Chair Ivan Herrington not receiving ONE e-mail from any member interested in giving up their full-time job, the employer still insists that part-time positions must be created.

“All this will give us is Wal-Mart-style property assessment,” Herrington said. “This is a slippery slope that only benefits the employer.”

Ask the employees of the LCBO. Decades ago, part-time positions were introduced as a measure to “fill in gaps” for the full-timers. Today, 60 per cent of their workforce is part-time.

“There is no practical or compelling operational reason to do this,” Herrington said. “The employer is still completely stonewalling us on Compressed Work Week, stating they are a ‘five-day-a-week’ business. Therefore, their only motivation has to be cost savings.”

And costs they **WILL** save. Under the employer’s scheme, part-timers will not receive any benefits, and have a reduced pension. The supposed “promotional opportunities” the employer is crowing about could be part-time positions, and allow the return of retirees or ex-managers into them.

“This is not about what the employer says will happen, it’s about what the language in the contract will allow them to do,” Herrington said. “While the employer is saying that current jobs won’t be converted into part-time, this could affect every future vacancy at MPAC. Everywhere, unions are fighting against part-time work, demanding decent full-time jobs. Now, MPAC wants to create part-timers.”

The union also plans to talk to municipal leaders and ask their thoughts on the kind of service they expect with a part-time

MPAC. “Municipalities are already dissatisfied with the backlogs,” Herrington said. “It sure won’t get better with employees working less hours.”

There is one last thing to consider: there is no guarantee that current full-time jobs may not turn into part-time if the persons holding those positions quit or retire. And if that happens, the number of full-time employees paying into the benefit plan shrinks...so imagine what THAT will do to the cost of premiums. Think about it.

Gains, we have a few...but then again, too few to mention...

But we will mention them anyway. The union has settled some issues at the table. They are:

- Family Day is now officially a holiday in the collective agreement (it became law in 2008).
- For full-time employees, bereavement for parents, spouse and children has been increased from four days to five. Contract employees get three days bereavement for parents, spouse and children, and one day for others. Apparently, the employer believes that contract staff are less bereaved when they lose a loved one.
- Minor improvements for the employer to respond to a grievance, from 30 days down to 20 days.
- Recall rights for laid off employees have been extended from 18 months to 24 months (of course, if there are no layoffs, there should be no issue).

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Here's what you (don't) get

With all the distractions of the re-org and the employer's insistence on part-time jobs, we can't lose sight of the issues we are SUPPOSED to be bargaining. Not that the employer seems interested in anything you told us was important in your next contract.

Benefit improvements

DENIED

The union wants to eliminate the \$3 dollar charge on the drug card and gain improvements to vision care. N-O says the employer. Instead, they want to take away benefits by putting additional limits and reduced caps on paramedical, dental and orthopedics and orthotics.

To illustrate the employer's complete disregard in this area, they gave the union their "benefit costing" proposal just last Thursday morning, a document we have been requesting for months. They then expected the union to wade through all these figures, AND reach a tentative settlement by the next day. **NOT.**

Post-retirement benefits

DENIED

The union wants all employees moved into Group B in Letter of Understanding #4, which will provide lifetime benefits to all Group C employees (who only have benefits until age 65) and all Group A employees in the event their pensions transfer to OMERS. That proposal has received a flat out NO.

Protection for IT Platform members

DENIED

The employer still refuses to make any adjustments to their plan that will potentially see 11 ITA4 positions downgraded to ITA3s. We still believe that the newly-created ITA5 positions will be filled by current IT consultants, and the employer maintains the position that "it may be too late" to train the current ITA4 members to fill the higher-classification jobs

Improvements to the hiring process

DENIED

The employer refuses to bargain language that will eliminate the current "FFF" hiring practice (Family, Friends and Favorites). The employer only wants to commit to "meeting" with the union to discuss issues...the same meetings we have been having for years. Oh, and in exchange for these meetings, the employer wants the union to withdraw its policy grievance on hiring. The employer also won't budge on our demand that would stop them from placing employees in acting assignments without competition...and of course THAT person gets the training and experience to get the full-time job (refer to "FFF" above).

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Overtime improvements

DENIED

The union wants to eliminate the current two-tiered overtime system, which would allow ALL employees to earn overtime after 36 and one-quarter hours. The employer says no.

Compressed Work Week

DENIED

As mentioned earlier, the employer is “not interested whatsoever” in CWW. Unless they get their wish for part-time, in which case members may find their work week severely compressed.

A decent wage increase

DENIED

Last week we told you the employer’s wage offer was woefully low. This week, we can announce that the employer is offering 5.75 per cent! Which sounds good...except it’s over four years.

That’s right...the offer is 1, 1.5, 1.5 and 1.75. And they are insisting on a four-year collective agreement. This wage offer is paltry compared to the wage settlements for other recent public sector contracts.

Now it’s time to show the employer

At the beginning of the newsletter, we said conciliation should be familiar to MPAC members who have been around awhile.

“Bargaining heads for the crunch – Employer files for conciliation.” Déjà vu? It should be. That was the headline from Issue 3 of our bargaining newsletter on February 20, 2006 – almost EXACTLY four years ago.

This time, things are a bit different. **THIS TIME**, the employer is firmly rooted in their takeaways. Negotiating alone will not remove them. What your team needs is strong support...**and a strong strike vote.**

“We are not taking this step lightly,” Team Chair Ivan Herrington said. “We know we will need a very strong strike vote from the members to get the takeaways off the table, and make some gains in our contract.”

Herrington is angry that the employer doesn’t believe the members can deliver.

“The employer said to us that the union is posturing, and that the members won’t give us a strong mandate to back their demands and prevent the takeaways,” Herrington said. “They think so little of the contributions our members make to this organization that the employer feels they can create a part-time workforce, downgrade jobs and rip concessions out of the contract. They think we are going to roll over and die. We are going to prove them 100 per cent wrong.”

The Bargaining Team will be sending out details in the weeks ahead for dates and times for the vote. In the meantime, please continue to voice your support in the workplace.

Tell the employer you aren’t ready to roll over.

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Keep in touch!

To ensure a speedy response to your questions, your leadership team has divided up all MPAC offices in the province. If you have a question or a comment, please contact the bargaining team member responsible for your office. Contact us by e-mail at work or at home, as follows:

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