



# THE ECHO

Information for OPSEU members in the Liquor Board Employees Division - Issue 17 - May 2008

## Hands off our work!

They're doing a whole lot of our work, but they don't pay any union dues. Who are they?

Based on a growing number of grievances and anecdotal evidence, they are managers from A and B retail stores. It's time this violation of the collective agreement stopped!

At the Dec. 5, 2007 Provincial Labour Management meeting, LBED gave notice to stop this activity by too many store managers. The look of bewilderment from the management group was especially amusing, given that the regional director from northern Ontario stated flatly that his managers do not perform bargaining unit work.

On Feb.14, the same regional director was handed a notice about his managers doing bargaining unit work.

There are currently three grievances at Stage 3 in the North Bay area alone concerning this issue. The district manager repeated at each of

the Stage 2 meetings that "it has been the long standing practice of A and B store managers to act as working managers and they were not going to stop this practice".

This should make our grievance easier as we now know management has acknowledged this practice. Hopefully an arbitrator will rule that indeed cashiering, stocking shelves, unloading trucks, mopping floors and many other jobs are the exclusive right of union members.

Article 1 of the collective agreement is the Recognition clause, establishing the exclusive authority for the Union to act on behalf of its members. It also provides that all employees, including C & D Store Managers, are members of the bargaining unit, except for management positions and the list of excluded positions in Appendix 1. Therefore, the work that members do is defined as being bargaining unit work. Nowhere does it say that A & B Store Managers can do your work.

Please contact your local steward as soon as possible if you witness managers in the A & B stores doing our bargaining unit work in your work location, or you are aware of this happening.

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**PLEASE POST  
AND CIRCULATE**

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# Update: Agency Stores Campaign

After a flurry of activity last autumn in advance of the provincial election, our campaign to stop the privatization of the LCBO via the creeping spread of agency stores is preparing to resume this summer.

The campaign scored considerable media coverage prior to the October election when several newspapers, radio and television stations began to report on the proliferation of



agency stores in communities where revenue and profit figures show a real LCBO outlet should be operating.

But the LCBO isn't about to put a stop to

these privately-operated retail outlets. Public notices calling for tenders were published in regional papers this spring, including stores in Mount Brydges, Thorndale, and Tiverton where revenues at each location exceeded \$1.1 million in 2005-06 – well above the threshold needed to support a real LCBO store.

Campaign chair Laurie Miller said the time is ripe to redouble OPSEU's campaign to stop the growth of agency stores.

"The LCBO is giving no sign of letting up – and we won't either," said Miller.

The agency store campaign committee next meets June 5 in Toronto to lay out its strategy for the coming months.

***For more background information on the agency stores campaign, please visit:***

***<http://www.opseu.org/lbed/privatization.htm>***

## **... meanwhile, LCBO stonewalls FOI requests on agency stores data**

The LCBO is putting up an aggressive challenge to OPSEU's efforts to access information about agency stores through a Freedom of Information request.

It's been almost one year since OPSEU research staff filed an FOI request to the LCBO. Since then it has been nothing but delay after delay as management fights to keep secret certain agency store information, some of which the LCBO at one time voluntarily disclosed to the Union such as individual agency store sales data. Seems the LCBO didn't like the fact that we put the data on our website and campaigned strongly for the repatriation of some of the larger and more profitable agency stores.

OPSEU is requesting up-to-date agency sales data; challenge and refusal statistics for individual agency stores, and the contract expiry dates for agency stores.

The LCBO cites "third party interests and economic interests" as grounds for refusing to disclose the information. So while this information is available for LCBO outlets it is not publicly available for agency stores, which might make one wonder what they have to hide.

The FOI appeal is now at the adjudication stage before the provincial Information and Privacy Commissioner. An inquiry process should begin by the end of May, wherein the parties make written submissions to the adjudicator.

### ***Get on the list!***

You can receive the Echo directly by fax or e-mail. Just let us know how to reach you.

Give us your secure email address or fax number by calling OPSEUdirect at:

1-800-268-7376 or 416-443-8888.

# LBED out in force at OPSEU Convention 2008



Close to 100 LBED presidents, stewards and other reps representing 42 locals packed a meeting room at last month's annual OPSEU convention in a strong show of support as liquor board employees look forward to a busy year ahead preparing for contract negotiations with the LCBO.

Division executive chair Vanda Klumper told members the past year has been marked by growing strength, best illustrated by the way LBED's committees have organized themselves and have tackled several key issues including equity, grievances, agency stores, health and safety, and education and communications.

She also brought members up-to-date on OPSEU's "perfect storm" scenario whereby the contracts covering more than 90,000 members will expire over the next 12 months. Those contracts cover OPSEU members in the Ontario

Public Service, the Health Professional Division, community college support workers and, of course, LBED's contract with the LCBO which expires on March 31, 2009.

The meeting heard oral reports from several of LBED's standing committees.



**The Echo** is authorized for distribution by:

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**Got a question? Call OPSEUdirect at 1-800-268-7376**