

Bargaining Chips

News for
OPSEU
Gaming Members

Fall 2004

Management actions at Casino Niagara jeopardize future United Way campaigns

Last year, OPSEU Local President Jody Hutton spearheaded Casino Niagara Security Department's participation in the 2003 United Way campaign. The officers' contribution was more than 100 per cent higher than that of the previous year. Jody received an award from the casino because of her outstanding efforts. The (monetary) award showed up on her pay stub, but not in her hand! It seems that Jody couldn't receive the award because of a pending grievance the local had filed.

Participation by OPSEU members in United Way fundraising efforts occurs outside of bargaining and enforcing the terms and conditions of employment. To link receipt of an award to the disposition of a grievance is simply wrong. OPSEU members, like activists from other unions, play a major role in charitable fundraising. We hope that the United Way will inform management that their behaviour is reprehensible. This year, Security Officers will contribute to United Way as an OPSEU local, not as part of the casino's campaign.

Unfortunately, this is another excellent example of 1) casino management pettiness and 2) the difference between the high standard the gaming industry pretends it upholds and the actual behaviour of its management. We know of instances in several gaming sites where workers have been disciplined—and even terminated—for “fraud” because they inadvertently signed in on the wrong sheet or at the wrong time. But it's ok for management to issue a statement to Jody for money that they never gave! Shame on casino management!

Windsor Racetrack Slots Unfair Labour Complaint Settled

The union took action at Windsor Racetrack Slots against the discipline of two union members. We complained that OLGC management had violated those sections of the Labour Relations Act that prevent management from arbitrarily changing terms and conditions of employment after certification of the union and that forbid management to take reprisal against workers for union activity. The complaint was settled this spring. Now that a contract is in place, union members at Windsor can file grievances against unjust treatment from management. Some issues have been resolved at early stages of the grievance procedure, others are awaiting arbitration.

Please Circulate

Part-Time *What?*

The number of part-time workers in the gaming industry has steadily increased over the years. “Part-time”, to the Ontario Labour Relations Board, means working less than 24 hours a week. “Part-time”, according to the OLG employee handbook, means extra staffing to cover operational needs during peak periods. But employees in all parts of the gaming industry know that “part-time” often means full-time hours without regular shift assignment.

Gaming’s “Dark Side”

Poor treatment of part-time workers is part of the “dark side” of gaming that the public knows little about. “Part-time” also means incomplete benefit coverage, no sick leave time, and no fair access to full time work. Although workers receive vacation pay, they often find themselves unable to take vacation time. Employees are often forced to juggle two part-time jobs and to give up family time and upgrading initiatives. Getting regular shifts to accommodate another job or school is a privilege, not a right, granted by some supervisors to some employees, some of the time. The shift to increased part-time work results in a high turnover of staff and more profit at the cost of worker’s rights!

OLGC Response to Employee Concerns

Obviously, if an employee works full-time hours for months (years!), they should be given full-time permanent status (unless they are replacing a full-time employee on a fixed-term leave). Instead, in at least one gaming site, management has reacted to staff concerns by vowing to increase the number of part-timers and cut everyone’s shifts back.

Employees Offer Another Solution

The gaming sector can and should offer stable employment and regular shift work to the majority of employees. Hospitals have operated 24-7 for decades and unionized hospital workers have been able to win these demands. There is no reason why it can’t happen in gaming. Employees at newly-unionized work sites where the abuse of “part-time” status is suspected or known make it a priority to analyze the organization of work so that they can negotiate:

- “full-time” jobs where workload and staffing needs warrant this
- regular shifts, where workload and staffing needs can be predicted
- fair access to additional shifts that become available
- fair access to full-time work for part-timers
- fair over-time provisions

“Part-time” shouldn’t mean “second class”

Part-time and full-time workers have a lot in common, as well as needs particular to their status. Working together in the union, a “fair deal” for part-time and full-time workers will **set improved industry standards** within the gaming industry.



Western “Un-Fair”: Complaint Settled

OPSEU filed an unfair labour complaint against OLG for discipline they imposed against two staff after the union vote at Western Fair racetrack slots was lost. A monetary settlement satisfactory to the employees was reached.

Ticket-In-Ticket-Out (TiTo)

One gaming web-site describes TiTo or EZ Pay this way: “EZ Pay technology combines ticket printers with traditional machine hopper pays...Casino operators can program a machine to pay a portion of its payout in coins and the rest as a ticket. That ticket can be...can be reinserted in other EZ Play machines, exchanged for cash at a casino cashier, cashed by casino floor attendants with wireless validation units, or even held by the player for use at a later time. *The system can also be programmed to pay out tickets only, with the hopper as a backup.*”¹

It’s clear from the literature that the main reason to implement this technology is to reduce labour costs.

“Less coin equals less labour...”²

TiTo can have a severe impact on workers within the gaming industry. The positions affected are: Slot Attendants, Cashiers, Bankers, and Count Attendants in impressment. With more gaming sites shifting to TiTo, the increase in actual machine operation has risen over 360% in North America between 2000-2003.³ The reduction in labour amounts to 35-50% of employees whose positions are affected by slot machines.⁴

What is the impact of TiTo in a non-union casino?

At Casino Rama, a non-unionized site, Tito technology was introduced in the spring of 2004 and its implementation was scheduled to be completed by August 2004.

Conflicting Stories

When we first talked to Rama employees on the floor, one said that TiTo was great and that no one was losing their job. Another, part-time worker, said they didn’t know what would be happening to them. So, we started to dig a bit deeper.

We got in touch with workers (off the floor!) who had a lot to say. They reported that Casino management had initially assured staff that jobs would not be lost and efforts would be made to re-absorb workers into the casino.

We were told that a number of employees applied for jobs at the new Niagara Fallsview Casino. This created openings for Rama employees displaced by TiTo to be retrained as dealers.

Part-timers and those who didn’t want to go to table games have fared less well, employees say, and lay-offs started in mid-August. Some Rama staff have said that they had to push management to provide table game

retraining on paid time.

A Contract is Better than a Promise!

The experience of those who lost their jobs shows that without collective power, employees cannot hold the employer to promises that are made. Over 50% of Slot Attendant jobs will be lost, we were told, and the impressments department will be severely impacted.⁵

What can casino workers facing TiTo implementation expect from union representation?

With the representation of a union, workers can negotiate voluntary exit packages, severance pay, and educational retraining programs through collective bargaining. The collective bargaining process offers workers the right to negotiate job security provisions which can protect them from involuntary lay-offs or dismissals due to technological change within their industry.⁶



Protection for Gaming Workers from second-hand smoke

On June 1, 2004, more worksites came under the City of Toronto No Smoking By-Law. Since then, casinos and racetracks are required by law to be “no-smoking”. They are allowed to have designated smoking rooms. These areas must be fully enclosed, must be no greater than 25 % of the customer area and equipped with a City-approved ventilation system. DSRs cannot include a food preparation or liquor dispensing area.

What are employee rights under this By-Law?

According to the law, “employees may refuse to enter a DSR.” This means that you cannot be required to perform your duties while people are smoking. Housekeeping staff will be required to clean the Designated Smoking Rooms. The Ministry of Labour suggests that the smoking room be closed while workers are working. If the employer will not accommodate employee requests for a safe workplace, call an inspector in the Occupational Health and Safety department with the Ministry of Labour (416) 326-7770.

You can file a complaint and request that the inspector visit the site.



What about jurisdictions outside of the City of Toronto?

Many municipalities have passed similar no smoking by-laws. The Liberal provincial government in 2003 expressed a commitment to ban smoking in the province in workplaces and public places. No provincial law has yet been passed.

TiTo (cont'd)

¹ Reprinted from www.gamingfloor.com.

² Jay Thiel, director of slot operations, The Sands, Reno. From Reno-Gazette Journal 6/10/2002. www.rgtonline.com.

³ From IGT Gaming www.igt.com.

⁴ From IGT Gaming www.igt.com.

⁵ Employees we spoke to from Rama cannot be identified because they fear reprisal. We will try to obtain other information about TiTo implementation, in Ontario and elsewhere, in future editions of Bargaining Chips. We welcome input from gaming employees on this and other topics. See the end of this edition for information on how to contact us.

⁶ In the next issue of Bargaining Chips, we'll look at how TiTo has been implemented in unionized sites.

Got a possible newsletter item?

Call or email your Unit Steward or Local President and have them send it to Gayle Lebens at OPSEU (see below) If you aren't in the union yet, call or e-mail Gayle directly. Please note that issues of the newsletter are reviewed by a panel of members and we attempt, to the best of our ability, to verify information while preserving the confidentiality of our contributors (if they so wish).

Gayle Lebens
1-800-268-7376 ext 681
glebens@opseu.org

