

Bargaining Chips

News for OPSEU
Gaming members

February 2004

First OLGC Contracts In!

It's been a very long haul for OPSEU members at Thunder Bay Charity Casino, Fort Erie Racetrack Slots and Windsor Raceway Slots. It has taken a long time to get collective agreements, and many battles were fought along the way at the Ontario Labour Relations Board and at each of the bargaining tables. Members (Security Officers) at Casino Niagara, which is run by a private operator, got a collective agreement in early 2003. They follow the lead of workers at Casino Windsor, who were the first to unionize a number of years ago.

Are all the contracts the same?

No. Wages and some working conditions before unionization were different at Casino Niagara than those at the OLGC direct-operated sites, and remain so. (For example, they have a RRSP, not a pension plan.)

There are some differences between the OLGC contracts, but essential items are the same. Benefits, wages and bonuses are the same as in other OLGC worksites, with the exception of pension. OPSEU members belong to the OPSEU Pension Trust, which is jointly trustee'd by union and employer representatives. The OPT is still slightly superior to the Public Service Pension Plan (PSPP), your previous plan. (Lobbying from PSPP members to match OPSEU benefits resulted in changes to the PSPP in the spring. So non-union staff at OLGC sites can thank OPSEU members for the improvements to their plan!)

What will it mean to have a contract?

Bargaining teams have achieved the goal which the membership at each site identified as *the* single most important reason to unionize in the sector:

- A legally binding contract covering basic terms and conditions of employment (so that the ground under our feet doesn't keep shifting at the will or whim of the supervisor of the day)
- A means to enforce the contract
- A grievance procedure that starts through informal discussion between supervisor and employee but ends up, if necessary, in outside binding arbitration.

What's the big deal about a legal contract and a grievance procedure?

Many staff have been concerned that the casinos and slots exist in a world unto themselves. Before, there was no way to compel management to produce a result when they said "We'll look into it." We could do nothing if a decision of management was unfair, or arbitrary, because they did not have to be accountable for labour relations decisions they made. Now they will be.

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Please Circulate

First OLGC Contracts In (cont'd)

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Did we achieve all that we wanted?

Absolutely not! Bargaining at Casino Niagara was long and hard, and it didn't get any better at the OLGC sites. The gaming industry is still actively fighting the unionization of its staff. A representative for OLGC management made this perfectly clear at one bargaining table: "We don't want you running around waiving the collective agreement at non-union workers:saying 'Look what we got!'" Improving on the first contracts in the next round of bargaining is related to a couple of things. We'll need to find ways to build solidarity amongst the members in each bargaining unit, and between units. This is easier said than done with the employer constantly stirring the pot! Another factor is the low "union density" in the gaming industry—less than 5% of the workforce is unionized! OLGC and its buddies have a vested interest in bashing the union to try to keep other sites from joining. The only answer to that is: organize!

How can we use the contract?

Make sure you know what's in the contract.

Ask your stewards to arrange contract interpretation sessions (these can be short and frequent rather than one marathon session).

Enforce it. If you think the contract has been broken, talk to a steward. Make a complaint, and if the issue isn't resolved, **file a grievance.**

Keep notes about what *doesn't work or isn't covered* in the collective agreement so you know what to work on in the next set of negotiations. Rome wasn't built in a day, and neither is your bargaining unit and its rights.

Document differential treatment, or "standards" that apply selectively to staff or are flagrantly ignored by supervisors. This information can be important evidence in grievance arbitrations.

Who is still bargaining?

Members at Rideau-Carleton Racetrack Slots have rejected management's offer and are voting on possible strike action Feb. 3 and 4.

Casino Management Sinks to New Depths to Defeat CAW Vote

In November, the non-security staff at Casino Niagara applied for the third time to the Ontario Labour Relations Board for a union vote. OPSEU members in security tried their best to dispel anti-union myths that were circulated during vote week. OPSEU counsel also sent a "cease and desist" letter to Casino Management concerning distortions and misuse of confidential information. Unfortunately, a number of people were scared off by the "whisper campaign", and the union vote was lost.

Occupational Health and Safety

Do you have a certified union representative on the joint Occupational Health and Safety Committee at your gaming site? If you don't, contact your OPSEU staff representative to find out how to go about getting a union rep selected and certified.

For those who do, let's start communicating! Send the name of your representative to Gayle at Head Office (see end of newsletter) and she'll link us up.

Fort Erie Victory Party

In November, Fort Erie members who had fought an attempt to decertify their union celebrated the fact that when the ballots were counted, even more people supported the union than when they certified over a year ago. Congratulations!

Labour Board Issues

Some issues weren't resolved at bargaining. Unfair labour complaints will proceed to hearing for two people at Windsor Raceway Slots and two at Fort Erie.

An unfair labour complaint was filed some time ago against discipline of two employees at Western Fair Racetrack Slots (where people narrowly voted against unionizing). Hearings continue in this case in the spring.

OLGC Still Trying to Break the Union at Thunder Bay

It seems that Security Manager John Shaw just doesn't know when to quit. He has implemented a new schedule that makes normal family life next to impossible for security officers and which doesn't even make sense from a staffing point of view! In fact, it seems designed to punish staff. As this newsletter goes to print, the Casino has advised some officers that they are changing the schedule again—but how remains to be seen. It would seem that management there is also wasting time trying to frustrate the grievance procedure. Shaw was overheard commenting to one of our members that if they thought things would be easier after getting a contract, they had better think again. The membership at Thunder Bay knows what's going on, and it looks like it might be time to let the public know too.

Hazards of Working in a Standing Position

(excerpted from Canadian Centre for Occupational Health and Safety bulletin. For more info, see www.ccohs.ca, contact your OPSEU Staff Rep., or contact Gayle at Organizing if you're not in the union.)

Standing is obviously a natural human posture. However, prolonged and frequent standing causes blood to pool in the legs and feet. It can result in inflammation of the veins, which in turn can progress to chronic varicose veins. Excessive standing also causes various joints to lock, which can lead later to rheumatic diseases. To decrease risks, the worker needs to have enough room to move around and change body position frequently. Foot rails or portable footrests allow body weight to be shifted from one leg to the other. A seat should be provided in all locations, if possible, so that the worker can sit occasionally.

Security Officers should include this in their health and safety audit. (Call your staff rep if you're not sure what this is, or how to do one.) Other employees reading this should definitely visit the website as work that involves both standing and lifting/bending/stretching creates additional hazards and requires additional safeguards.

TO REDUCE ILL EFFECTS OF WORKING IN A STANDING POSITION

- Change working positions frequently.
- Allow workers an adjustment period when they return to work after an absence.
- Wear appropriate footwear
- Make sure concrete floors are covered with the appropriate material for standing work.

Who Ya Gonna Call?

If you're in the union, and you have a problem with:

- **Human Rights**
- **Health & Safety**
- **WSIB**
- **Benefits**
- **Contract Violation**
- **Pension (OLGC)**

Call your steward! If he/she doesn't know the answer, they'll talk to the **President of your Local**. If he/she doesn't know the answer, they'll talk to **the Staff Rep**, who'll talk, if need be, to a **specialist**. Sounds kind of bureaucratic? There is reason behind this madness! Going through the steward is crucial—it builds expertise in the steward body, as the answer comes back down the network; and it lets the stewards—*the most important union officials in an effective bargaining unit*—keep their fingers on the pulse of the membership and their eye on management. This information is crucial for mobilizing, educating, preparing for future rounds of bargaining and so forth.

Quote of the day:

A professional who has to deal with OLGC management confided to one of our members: “You've got a multi-million dollar industry run by individuals with a kindergarten mentality.”

Got a possible newsletter item?

Call or email your Unit Steward or Local President and have them send it to Gayle Lebens or Don Ford at OPSEU (see below) If you aren't in the union yet, call or email 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).

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