



THE UDDER TRUTH

for OPSEU members working for the Ontario Dairy Herd Improvement Corporation



September 2003

LAYOFF UPDATE

In mid May, the Executive learned of a layoff that happened in mid Ontario from one of the CSR's involved. After speaking with the union rep present at the layoff meeting, we became very concerned as to how the Employer handled the layoff.

Apparently, the circuit that was laid off was not the circuit that had been forecasted to lose the most work. A neighbouring circuit was actually predicted to become a part time circuit. This information was presented to the CSR and the union rep at the meeting. The union rep asked that the layoff be rescinded and to issue the notice of layoff to the circuit that was predicted to become part time.

The Employer refused stating that it would be inefficient. Instead they offered the incumbent CSR to bump the neighbouring CSR that was predicted to lose work and they could make an arrangement that they could stay in their current home, by rearranging herds, but that their "headquarters" would be changed.

As a result, the CSR who actually received the layoff to part time kept a full time circuit by bumping, but it will cost him more to stay full time as he will have to drive to herds partially on his own time as a result of the headquarter change.

The Union filed a policy grievance against the Employer, based on misapplication of Article 10 - Job Security (Layoff and Recall) of the agreement. We also had a problem with the way the workload was calculated, as "Days of work" was a prominent factor for the Employer and we only work with "hours" of work.

The Employer refused to even acknowledge the grievance, so we filed it to Arbitration. With the help of OPSEU staff rep Kerry Gennings and after

receiving the Arbitration notice, the Employer agreed to have a meeting by conference call.

It took 2 hours of discussions back and forth with no give on either side. The Employer felt that they were within their rights and actually believe that they have done the affected employees a favour.

After the meeting, the Union discussed further actions to be taken. It was decided to rescind the grievance without prejudice and recall it from Arbitration.

The problem is that the collective agreement does not state in "black and white" to whom a notice of layoff should be issued. This is not clearly spelled out and an arbitrator very likely wouldn't rule in our favour if we were to pursue this. The existing language allows the Employer to "cherry-pick" whoever they would like to issue the layoff to and thus there is little job security for anyone. The Collective Agreement should identify that the layoff should be issued to the person whose work is being reduced or diminished.

This way we can address this issue at the next round of negotiations and the Employer knows that we are now watching.

Thanks, Jane!

Since about 1996, Jane Kleist has been a dedicated member of the union negotiating team/executive. Now that Jane is about to become a grandmother, she wants to spend more time with her family. Jane has therefore regretfully resigned from the Executive. Jim Booth, who was elected as 1st Alternate at the Provincial Demand Setting, is now a member of the Executive. Jane will continue her duties on the ERC.

Congratulations, Jane, and thanks for a job well done!

EMPLOYEE RELATIONS COMMITTEE REPORT

This past April, your ERC Committee surveyed field staff to find out how you wanted ERA incentives to be paid out.

The Employer suggested that, since we currently have a reconcile process for other incentive payouts, the 75¢/ERA incentive be included in this process. Field reps on the ERC stated that they wanted to be paid every biweekly and for it to show on the pay slips. It was agreed to do a survey of field reps and to abide by the wishes of the majority.

The choices were:

- #1 paid every biweekly and field staff responsible for marking them on the biweekly timesheets.
- #2 absorbed into the biweekly incentive payout and updated every 6 months
- #3 absorbed into the biweekly incentive payout and updated every 3 months.

We were able to contact a total of 85 field staff (about 80%) and the results are:

- #1 paid biweekly: 72 votes
- #2 incentive updated every 6 mths: 9 votes
- #3 incentive updated every 3 mths: 4 votes

We will strive to contact "all" staff involved if there is need for another call to the membership to settle an issue (80% is good but 100% would be ideal).

Thanks to everyone who participated.

Your ERC Committee

Don Littlejones (Chair)
Jane Kleist
Colin Benson
Jim Booth

CONTACTING YOUR EXECUTIVE

You can contact your Executive at stay.informed@sympatico.ca. This e-mail address is managed by Trevor, and he will forward on any mail to the rest of the Executive. The Executive will also use this address to send out any information. When an e-mail is sent out from this address, the sender name is "Udder Truth - Union Info". We have found

that e-mail is a great way of getting information to you, the membership, in a quick and efficient manner.

Also, all elected delegates and alternates - remember that we may also be contacting you in the future to use the phone tree for important issues or decisions that need personal contact with the members.

THANKS TO ALL OF YOU!

In the June 2002 issue of The Udder Truth, the headline read: "Bargaining: It Takes a Big Team!" Your bargaining team asked you for your support and you came through for us! We said that "good communication is a cornerstone to our success" and you proved us right!

We especially would like to thank all of you who agreed to be the link between the team and the membership. Your hard work was vital in mobilizing everyone to support the bargaining team.

Again, thanks to all you for your support!

Your Executive:

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