

March 2004

OPSEU working hard to include all CBS staff in bargaining unit

OPSEU has spent hours before the Ontario Labour Relations Board (OLRB) in recent months to insure the inclusion of CBS staff in our bargaining unit. But CBS has been reluctant, even at the urging of the Board, to do the right and sensible thing.

On July 23, 2003, the vice-chair of the OLRB, Patrick Kelly, agreed with OPSEU that incumbents in the positions of Technical Support Analyst; Volunteer Recruiter; Coordinator, Volunteer Resources; Donor Services Coordinator; Administrative Assistant, Donor Services; and Administrative Assistant, Lab Manager; were indeed “employees” of CBS.

CBS had maintained that these employees either exercised managerial functions or had access to confidential labour relations information and should be excluded from the bargaining unit. The union challenged this position and the Labour Board agreed with the union.

The board ruled these were “employees” rather than “management.” Despite the Board’s ruling, the employer took that at face value only, and still refused to include those positions in the Bargaining Unit. So OPSEU asked the OLRB to clarify its decision and to direct the employer to “adhere to the spirit and intent” of the decision and the written agreement between the parties. The OLRB said that the only possible way to understand its ruling was the question of inclusion

in the unit. However the Board said it had no jurisdiction to force the employer to comply.

Accordingly, OPSEU filed an unfair labour practice complaint with the OLRB. a union policy grievance has also been filed on the same issue. A meeting with a Labour Relations Officer from OLRB will be held in Ottawa April 16. Staff representative Lester Yearwood and Legal Counsel, Ed Holmes, will attend on behalf of OPSEU.

In another decision, the Board also agreed Quality Systems Associates, previously excluded, should be brought into the bargaining unit. OPSEU is working hard to implement this change, as well.

Picket held in Toronto to protest short-sighted layoff

Local 5103 and members from other CBS units made their views heard on the planned layoffs in Toronto.

The employer’s announcement that ten members with high seniority would be laid off as of March 30 was met with astonishment by the Local. More than 40 picketers were on the streets in the morning of March 25 to convey their displeasure at this situation. Members told the media and the public: CBS would lose 60 person-

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Members needed to help negotiate new Pay Equity Plans

The Ontario Pay Equity Act requires that, if there are changed circumstances, the union and the employer must discuss the changes and incorporate them into a revised Pay Equity Plan. All OPSEU units of Canadian Blood Services are in this situation.

Ann Wallace, OPSEU's Pay Equity Negotiator (Head Office Staff) met in early December with Peter Friesz and Fred Berenbaum, a Pay Equity Officer, to discuss OPSEU's information requirements so we can check whether your Pay Equity Plans are up-to-date. Now that the requested information has finally been received, we have discovered that they are not. Before we schedule future meetings to discuss revisions to the Plans we need your input. We cannot negotiate Pay Equity without member representatives.

OPSEU policy requires that Pay Equity Negotiating Team members must be elected. We wish to negotiate Pay Equity for all three units at a single, common table but legally there must be a Pay Equity Plan for each unit. Therefore we will need a team for each bargaining unit.

Based on the size and geographic dispersion of the units, as well as the preference for an odd number of members on a team, OPSEU staff are recommending the following number of representatives.

The Thunder Bay Plasma Collection Unit, Local 716 - three elected representatives.

The province-wide support unit - five representatives elected as follows:

London, Local 160 - one representative,

Hamilton, Local 210 - one representative

Toronto, Local 5103 - two representatives

Ottawa, Local 477 - one representative

The Technologist bargaining unit, Local 5101 - three elected representatives.

Staff Representatives will be in touch with each local in the near future to help with the

election of your representatives. We anticipate the first meetings with the employer to take place sometime in late April or early May.

Training on being a Pay Equity Team member will be provided to all the elected representatives. The teams will be working with Ann Wallace and Lester Yearwood, the lead Staff Representative provincially for CBS units, to negotiate the necessary amendments to your Pay Equity Plans.

Consider participating in the future Pay Equity negotiations. If you believe in equity, you will want to be part of Pay Equity.

Solidarity with CBS locals across Canada

A CUPE local from Alberta invited CBS unions to a meeting in Calgary, in May. This has been referred to the National Union (NUPGE) for follow-up. This is a positive move towards greater co-ordination and co-operation among the various unions that have to deal with CBS.

CBS employees in Nova Scotia, members of the Nova Scotia Union of Public and Private Employees recently obtained a tentative agreement after a 13-week strike. CBS had used Ontario blood to prolong the Nova Scotia strike, putting a strain on the blood supply in this province. The following letter from their union deals with issues our bargaining units share in dealing with an obstinate employer:

Dear Dr. Sher:

As you know, NSUPE Local 12 members in Halifax and Sydney have recently returned to work after a bitter 13-week strike against CBS. During that time CBS, in our view acted unprofessionally,

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Nova Scotia members in solidarity

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unethically and contrary to the best interests of the citizens of Canada.

We thought, upon our return to work, we would begin a process of building bridges with CBS and we actually started the process. We thought CBS would have learned a lesson. We were wrong. Rather than show good faith, CBS has decided to make an attempt at stealing the raise we negotiated from our members: at least for a period of time. Rather than sign the contract and move on, CBS says there have to be wording changes; changes that were neither discussed nor agreed upon.

Worse, rather than implement the contract while we argue this out, CBS has implemented only those items that benefit CBS, and has refused to implement those items that benefit employees.

NSUPE Local 12 has filed a grievance and will be asking for compensation back to the day members returned to work as well as damages. We thought this was an outrageous show of disrespect for employees of CBS; possibly even worse than the disrespectful actions shown during negotiations and the strike.

What has prompted me to write however, is what can only be described as an obscene attempt to demean and belittle CBS employees all across Canada; an action taken by CBS that can only be interpreted to be your message to all CBS employees that they are considered no more than furniture or tools and will be tossed out in the same way when they no longer serve your purpose.

Getting rid of the clinic assistants and nurses in Toronto is absolutely unconscionable. Here in Halifax, we now understand that you must have had the same thing in mind for us. When we raised the prospect of what could happen if our members were not properly trained as Phlebotomists and then given adequate

experience, your agents said it was “not our intention” to get rid of existing staff. We heard stories about training and experience (or lack of same) in Toronto and raised that with your agents. Again they responded that it was not your “intention” to get rid of staff. They even talked about trying to get the federal government regulations relaxed so that CBS could again do training for present employees. Obviously they were not being entirely truthful. But then, when you operate on the “business model” truth is not the bottom line, is it?

The fact that Toronto CBS spent \$2 million on an American PR outfit is scandalous in itself, and it certainly destroys any economic argument for getting rid of loyal, long-term staff. You do not need a PR outfit Sir! Canadians want to give blood. They always have. They just don't want to give it to a business or to a public service that thinks it's a business, or, for that matter, an organization that thinks it has to run guilt trips on them.

Someone in the top levels of management has taken this organization down a very perilous road; a road that will inevitably lead to privatization and deterioration of Canada's blood service. If that is your aim, you have betrayed the Canadian people and you should immediately tender your resignation. If it is the fault of other senior management in the organization then you should demand their resignations and, if you cannot rid us of them, for the sake of your own integrity, you should resign and expose them.

In the meantime, the least you can do is instruct CBS Toronto to stop its betrayal of CBS employees there.

*Yours truly,
Ron Stockton for Nova Scotia Union of
Public and Private Employees*

Picket in Toronto to protest layoffs

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hours per week; there would be longer wait times for much-needed blood; the oldest and most senior workers would be laid off; the laid-off staff were not being offered training to upgrade their skills.

Local 5103 is asking blood donors, staff, all OPSEU members, and others not only from Ontario, but also from across the country, to write in support of their members.

Layoffs

Ten full time clinic staff and nine RNs will be laid off March 30. The clinic staff, all of them over 55 years of age and older, have combined 238 yrs of service. CBS is going to replace them with 16 new part-time staff instead of offering them training. Other centres across the country operate with only Clinic Assistants, but the Toronto centre has decided not to provide them with any extra

training to make them as operational as the other centres in the country.

The RNs, and hands-on employees like the Clinics Assistants, have been replaced with 22 clinic supervisors. These can't do the hands-on job that our current staff does, but are able and qualified to apologize to donors because they waited two hours to make a blood donation.

CBS should be in business to save lives, but instead uses taxpayers money to increase management resources instead of investing in the front line workers and improving blood donor clinics.

Please write in and help us fight these awful labour practices.

Write to: Graham.Sher@bloodservices.ca and to renee.naiman@Bloodservices.ca

Please send a copy to: mkfenn@bloodservices.ca, and lyearwood@opseu.org.

Meet at Convention

There will be a meeting of CBS delegates and Staff Reps at Convention. It will be held Thursday April 15 at 5:00 p.m., in the Oxford Room.

For more information contact

Local 160 London

President, Katherine Zan

Local 210 Hamilton

President, Brenda Thompson

Local 477 Ottawa

President, Sue Shank

Local 5101, Technologists

President, Steve O'Marra

Local 5103 Toronto Support

President Mirla Alvarado Fenn

Local 716 Thunder Bay

Unit Steward Joanne Bruni

Authorized by Leah Casselman, President