

Realignment Report



news for OPSEU's
CCAC members

ISSUE 3

JANUARY 16, 2007

PSLRTA process begins

What's New?

On January 1, 2007, forty CCACs in Ontario were realigned into fourteen larger CCACs. As a result, employees now work in environments where bargaining units and bargaining agents overlap. The Public Service Labour Relations Act (PSLRTA) directs how this will be sorted out.

The process begins with an Application to the Ontario Labour Relations Board (OLRB). Other affected parties respond and meetings are convened. Ultimately the OLRB will issue an order that will define bargaining units and order votes to determine who will represent the employees in each unit so ordered. Each union who holds bargaining rights for anyone in the newly defined unit will be on the ballot. If 40 per cent of the employees in the new unit were non-union, there will be a "no union" option on the ballot.

An access order will also be issued to allow the unions seeking bargaining rights to contact those employees from whom they are seeking support. Arrangements for the locations and times for balloting will be made.

Once the vote is ordered, the employer will prepare a voters' list for the OLRB and the unions involved in each vote. The parties will have an opportunity to verify the list and propose any necessary challenges.

Watch for OPSEU's PSLRTA Bulletins

We will be walking you through the process with specific details regarding your employer. We want to make sure you are informed, protected, and represented.

Did you Know?

OPSEU was the only union to proceed with the class-action suit on behalf of CCAC employees with respect to their pensions. On May 9, 2005 the judge certified the class, allowing it to go forward to trial.

ONA was invited to participate four years ago and declined. On December 22, 2006 they filed a virtually verbatim copy of our statement of claim and are now seeking to join the process. As a result, they have created a delay causing the courts to postpone our scheduled January dates for discovery.

Are you connected?

- ☞ Make sure your steward has up-to-date contact information for you.
- ☞ Check that your fellow employees are getting information.
- ☞ Watch for meeting notices and plan to attend.
- ☞ Keep track of questions and concerns and pass them to us for factual responses.

Local News

OPSEU is a party to the proceedings in at least six locations. In five of those areas, PSLRTA Applications have been filed with the OLRB. OLRB documents, relevant to your area, are to be posted in your workplace.

LHIN #2 – South West	<i>Application filed.</i>
LHIN #4 – Hamilton Niagara Haldimand Brant	<i>Application filed.</i>
LHIN #9 – Central East	<i>Application filed.</i>
LHIN #11 – Champlain	<i>Application filed.</i>
LHIN #12 – North Simcoe Muskoka	<i>No application filed yet.</i>
LHIN #13 – North East	<i>Application filed.</i>

Got questions? Please contact OPSEU's Organizing Unit:

Toll-Free: 1-888-990-9008

Phone: (905) 712-2779

Fax: (905) 712-2916

www.opseu.org

Your Organizers

Ed Ogibowski (416) 788-9237 (eogibowski@opseu.org)

Connie Huziak (416) 788-9245 (chuziak@opseu.org)

Eileen Wesley (416-788-9348 (ewesley@opseu.org)

Or call:

Lois Boggs, Chair, Sector 17

(905) 317-6678 or 416-557-2853 (lboggs@opseu.org)

Your questions answered



Q. Who represents non-union employees at the OLRB?

The employer. Only unionized employees have an agent working on their behalf at the proceedings.

Q. I have an outstanding grievance. What happens now?

The PSLRTA says:

- The successor employer is bound by the collective agreement as if ..a party to it. So, your present grievance procedure remains in force.
- Once the vote is finished, the grievance provisions contained in the collective agreement to which the winning union is a party apply to all employees in the bargaining unit.
- However, the PSLRTA is silent on what happens to grievances you may have filed with another union before the vote. There is no requirement that a successor union take over and continue your grievance.
- Different unions have different criteria when deciding which grievances they will advance.
- OPSEU will continue to advance ANY outstanding grievances or complaints started under another union, assuming we can obtain the files from the previous bargaining agent.
- OPSEU finances all grievances through a central grievance fund. This means that locals and members do not see their grievances abandoned for lack of funds.
- Only OPSEU members have carriage rights: the decision to advance a grievance is theirs.

*Send your questions and comments to Tracey
Mussett at tmussett@opseu.org*