

OPSEU IMPACT

News for MPAC members by the

Feb. 18 2002

George Adams reserves decision

Mediator George Adams convened a 3 hour hearing on Feb. 11. The issues before him were our complaint that the MPAC VEO process was not in accordance with our protocol and MPAC's complaint that the grievances alleging "no vacancy" contradicted the spirit of the protocol. One of the problems with having both of these important issues (each side complaining about the other) is that a mediator immediately tries to make a "deal". Our side was firm in saying that the issues were not connected in any way and one could not be traded off against the other.

Management made much of the fact that 700 identically worded grievances had been filed at the urging of the union. Our side was treated to various readings from union newsletters and email which outlined our continued strategy to stop MPAC's war of terror on our members. Our lawyer's reply was succinct...the union team at MPAC does a good job, and we are not going to apologize for doing our job.

The outcome of the hearing was a reserved decision. Both sides are to have written

submissions in to Mr. Adams by Feb. 25. We await a decision. We are very optimistic that we will see a much broadened VEO process that recognizes the commitment to 250 members accessing the program. We hope that MPAC's request to simply toss out 700 grievances is rejected.

Once again it is clear that MPAC really has no understanding that unhappy workers make for a poor product. While the MPAC track record appears to be a good case study on how NOT to re-organize, there seems to be no lights turning on with senior management.

Arbitration makes gains

Two days with Arbitrator Bill Kaplan resulted in major changes to the Code of Conduct. The most important wins will greatly ease the restrictions on political activity and rights to appeal. The actual agreement and award will be

forwarded when it is received in electronic format.

We also forced changes to the policy on alcohol possession, supremacy of grievance rights; accommodation of members with substance abuse problems and conflict of interest provisions.

Mediation goes nowhere

In August MPAC head office directed line managers to determine which members were planning to attend the August 20 demonstration at AMO.

Our grievance on interfering with union activity was submitted to mediation. MPAC rejected our different ideas on how to improve management/labour relations at MPAC. This issue will now move to arbitration.

Competition process not trusted

Your team continues to respond to many members' distrust and contempt for the current competitions.

The general principles that the process must meet from start to finish are that: applicants must be treated in the same fashion; the collective agreement provisions must be honoured; all tests must be constructed to fairly test skills, ability, qualifications and knowledge.

Some of the questions and our answers to date: I am in a designated French position, can MPAC make me take the test again for this competition? Yes they can.

I took the PA5 test and did not get an interview, but I heard that some managers wrote the test in their offices and were not supervised as I was. Is this true and can I grieve?

It is true, and yes you can grieve if you were denied an interview. It is not at all clear that the tests were a proper benchmark for the factors in the contract. The actual test and how the results were used will only be disclosed as a result of grievances, so see your steward.

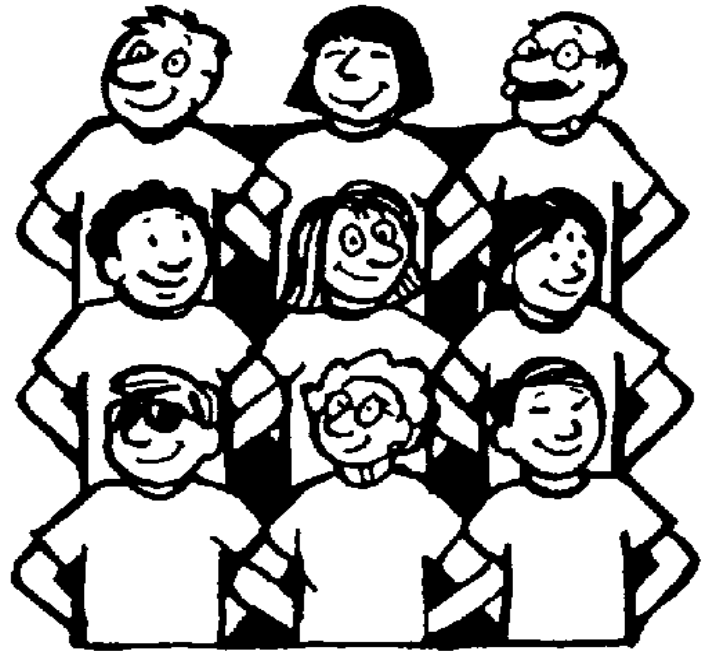
The CSR test for personality/aptitude is a new one to me, is MPAC on firm ground to do this? We are not sure until we see the actual tests and results. For now, it is mandatory to do the test if you want the position. After grievances are filed we will assess the propriety of the test.

I do not want the job, but wonder if I should file a "no vacancy" grievance.

Our advice is only to file this type of grievance if you want the settlement, which is to be awarded the job. This grievance cannot be used to stop MPAC from using their rights to centralize the position.

Re-opening of 80 windows possible

We have agreed in principle with MPAC to enter into a memorandum which would allow employees who have turned down their 80 factor to ask for a surplus notice. Receiving this notice would allow the member to access their pension before the 80 factor expires on March 31. It seems that such a notice would have to be received by the end of March, and that retirement would have to occur within the notice period for layoffs (which is 8 weeks for long service employees). We await MPAC's proposal for our review and will update you as soon as any progress is made.



Will the 80 be extended?

As soon as we mention 80 factor some members will be looking for news on any extension by the OPT. The word remains that the plan is doing its review and if there are surplus funds accrued there is a good chance that the factor would be extended. OPS bargaining and

We all want the best representation

With the various classifications, regions, genders, ages, races etc. it is always difficult to ensure a 4 or 5 member team represents every one equally. We do our best, but recognize we will never satisfy everyone.

Recently the team was asked to appoint a drafter to our OPSEU Union Management Committee. There is no way to do this, and if there was it would just make a bigger problem as every group without a representative would want a member.

the plan evaluation make it impossible to give any assurances on this.

Still on pensions...

If you narrowly miss the 80 factor it may be possible to buy back service you had with the Assessment Division or a municipality or school board.

Contact OMERS if you are interested.

But looking at the concern behind the request is important. It is human nature that when an employer does bad things, people scrutinize their union. Union leaders quickly learn that it is easier for some members to castigate and abuse union leaders rather than managers. After all, union leaders don't assign work or fire people, so they are less threatening than the boss.

So we calmly accept the inevitable abuse. But what members have to understand is that there has been no fundamental discussion at the UMC of this re-organization. Sure management has told us what they are doing and their ostensible reasons. And of course we have told them that the plans are badly flawed. But MPAC has absolutely refused our requests to have drafters sit down

with Richards or to have senior managers meet with the UMC for a real dialogue.

Let's be clear: MPAC IS NOT INTERESTED IN REVIEWING THEIR PLAN WITH UNION MEMBERS.

If and when there are technical discussions that are beyond the capacity of the UMC members, we can bring in a representative member.

At this point, every member should think about representation on the 2003 bargaining team. It is the NEXT contract that will detail how surplus, bumping, classification and seniority will be played out. This team will be elected in September 2002 at our provincial pre-bargaining conference.

Please keep your eye on that ball. It is our collective job to ensure we get the best local and provincial representation as we move into bargaining

Unhappy?

Have you told the Boss?

Address your email to

Peter.Hume@city.ottawa.on.ca

In your email, address it "To the MPAC Board" so it will be copied to all.

Be brief, but be direct in your complaint.

Be personal and let your feelings show.

Make one or two points, they will be getting a lot of mail and you do not need to cover everything.

Don't swear or make threats.

Send a copy to wpresley@sympatico.ca and we will share overall results with the membership.