



OPSEU IMPACT



Nov. 29, 2001 For all OPSEU members at

the Municipal Property Assessment Corp.

MPAC meeting a great success

Over three dozen energetic MPAC stewards and delegates spent three days at the beginning of November tuning up their grievance skills. The occasion was the biennial OPSEU Broader Public Sector Conference.

After one day of plenary discussion, we spent 2 days dedicated to our grievance issues and preparing for the onset of bargaining our next contract (still a year away but preparation is underway).

A few offices were missing...and we missed them!

Drafters seek reclassification

Recently our drafters have been taking action to organize themselves. They demanded a meeting with CAO Bob Richards to discuss the incredible dangers that the Ontario Parcel Alliance presents to MPAC.

Of course, Richards refused to meet with them and put them off to a lower level official.

The Drafter 2s have grieved for re-classification to Drafter 3.

This will be tested at arbitration.

Way to go, group. You have been unappreciated by MPAC for too long.

What is a redundant employee?

While the language in the protocol is quite specific, some PA2/3 members do not consider themselves redundant.

YOU ARE.

You were told that your jobs will no longer exist after Futures. While management later selected these two groups to be "rolled over" into newly created

Welcome to the first issue of OPSEU IMPACT.

What has impact on MPAC these days? Not good human relations. Not public service. Not quality of service. These senior managers are driven by strange forces. We CAN impact these decisions through our union! The more IMPACT, the better our wages and working conditions will be!

positions without competition, they are still defined as redundant and are eligible for the VEO and course fees.

It begs the question why the two largest groups were rolled over, while others were not. This will all come out at future arbitration hearings, no doubt. It will be interesting to watch management squirming to justify excluding other employees from the same type of roll over.

Futures jobs are not vacancies

We remind you that management can create new jobs. But they cannot declare every new job vacant when there are employees doing the work. We expect that every member who sees their work featured in a new futures job posting will grieve that there is no vacancy.

In the end, we expect that arbitrators will overturn all of the newly awarded Futures jobs and we will face mass confusion. Winners of the competitions may be set aside and the jobs awarded by a process that does not allow management's end run around our contract.

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Management has been warned that we expect this to be the outcome. Simply awarding the new jobs by seniority would mean a much smoother implementation. The result is going to be remarkable similar in our view. There is an easy way, and a hard way. MPAC wants to take the hard way and ensure we are in convulsions throughout 2002 and beyond.



There IS a reason most organizations don't declare the bulk of their employees redundant and waste dollars, energy and goodwill in massive re-hiring strategies. MPAC management seems resolute to find out the hard way that this is a BIG mistake. We are going to ensure they learn their lesson and never try to repeat it.



"We don't do unquestioning obedience or abject devotion."

All employees should be OPSEU

Everyone but genuine managers and those involved in confidential labour relations matters should be in our bargaining unit.

We looked at the postings for new management jobs and found many should be union positions. Of course, the more people in our bargaining unit the stronger our position when it comes to bargaining. We have grieved that the following should be union jobs.

- Communications Co-ordinator
- Public Relations Co-ordinator
- Organizational Development and Training Consultant
- Manager, Elections Information
- Municipal Relations Specialist
- Municipal Relations Representative
- Account Manager, Government Relations
- Account Manager, Business Relations
- Customer Liaison Officer
- FOI Co-ordinator
- Customer Services Specialist
- Customer/Data Quality Specialist
- Valuation Quality Specialist
- Data Processing Quality Specialist
- Internal Auditor
- Quality Services Specialist

Assessors are in demand...elsewhere

Recently a Human Resources director from the City of Calgary was told about MPAC's Futures and that many employees were wondering about their personal future. He quickly offered his card and told us that assessors were wanted, and treated with respect, by his City.

This led us to scan the Internet where we found a good site for those seeking careers in Western Canada; <http://www.assessor.ab.ca/employment.html>

While their jobs are not always on the web, here is the contact link for BC. They have an AWESOME wage and benefits package; http://www.bcassessment.bc.ca/4_corp/4_6car1.html

If anybody wants to share other info, please pass it along and we will distribute it across MPAC.

Retirement seminar

After regular requests from your team, MPAC has told us that they are in the final stages of an agreement to allow our almost-retired members to attend OPS retirement sessions. We await an official announcement on completion.

Update on grievance action

E-mail jokes result in suspension

Three members from Windsor were disciplined for distributing humour through MPAC e-mail. These messages WERE NOT pornographic. The manner in which management conducted themselves was very much overstated for the incident. The members were treated as if there had been a criminal offense, and this contributed to other employees reaction to what is a very minor incident.

The members settled their grievances by accepting the 2 day suspension while receiving a guarantee that this incident could not be used in any upcoming competition.

This is a strong lesson NOT to transmit jokes through MPAC's system. Apparently our motto, *we have fun at work*, does not include computers. We await the discipline handed out for somebody laughing too loudly....

August 16th protocol

We have written to the mediator asking for him to review the implementation of the protocol. The largest issue is the one-sided and arbitrary policy on the Voluntary Exit Option. We expect that management will fail in defending their decisions on this issue. We will update you when Mr. Adams confirms a hearing date.

Travel time, Article 16

A recent award tells us that when a member leaves from home their travel time will not count as overtime. However, if you leave and return to your workplace, that time will be eligible for overtime. We suggest that you leave from the office if you want to be treated like most workers in Ontario. We will be distributing this award to all stewards if you would like to read the entire decision.

Re-qualification for sick time

MPAC had unilaterally put in place a policy that was contained in the OPS contract. The following is an excerpt from the MPAC policy on this point:

(4) *An employee is not entitled to access the short term sickness plan until he or she has completed all of his/her regularly scheduled hours of work within a period of four (4) consecutive weeks.*

(5) *An employee on a sick leave of absence which commences on a regularly scheduled working day in one calendar year and continues to include a regularly scheduled working day in the following calendar year, is not entitled to leave of absence with pay under this policy for more than the number of days provided in (1) and (2) in the two years until he or she has returned to work and again completed the service requirement in (4).*

(6) *An employee who has used the total number of days available under (1) and (2) in a calendar year must complete the service requirement in (4) before he or she is entitled to further leave under this policy in the next calendar year.*

Since the OPS contract contained these provisions, and ours does not, we challenged the policy. MPAC mgmt. said the policy was justified by our letter of understanding that called for the maintenance of similar benefits as the OPS. At the hearing we were told that if this policy was struck down, the employer would argue that we do not get 124 days of extended sick leave per year! Their lawyer based this on his reading of article 25.01 which does not specifically say "in a calendar year" in the second sentence. The employer also threatened to withdraw any other entitlement we enjoyed that was not specifically in the contract.

In the end, we settled for a reduction of the four consecutive weeks to 15 days and an agreement from MPAC that we do get 124 extended sick days in each calendar year. This illustrates another place where we have to bargain more exact language in our next collective agreement. The policies tabled at the hearing will be forwarded to all stewards.

Upcoming hearings:

We have an extensive grievance caseload. It will get much busier in 2002. Here is an overview of the issues scheduled:

Denial of leave with pay, Barrie, Jan. 15

Failure to hold step 2 meetings, many offices, Jan. 30

Dismissal of temporary employee, Feb. 7

Code of Conduct, union, Feb. 15

Policy on no buttons, many offices, April 2

Overtime for Saturday disallowed

A new (to us, anyway) direction from MPAC HR says that if you take a day off without pay you will not be paid overtime for Saturday work in that week. This brings us to the joke of the day: How do you get 12 MPAC HR people into a 94 Cavalier? Answer: Throw in a nickel and stand back. The real answer: file a grievance if you are affected.

Bill Henry is retiring!

Next week someone will be missing from your OPSEU leadership. Bill Henry is taking early retirement and moving to new challenges. Bill has worked for more than 20 years and asked for very little in return for his service. While we wish Bill a happy retirement we will miss his energy and dedication to furthering the working conditions of Property Assessment staff. We will miss you, Bill. Have many happy years of retirement, but do not be surprised if we call you from time to time....

Watch out retirees

Bill tells us that some retirees may not realize:

- they can continue life insurance and should not cancel it until they contact Great West
- they can get a benefits booklet from OPSEU Pension Trust

Excluded employees get a deal

It's fairly standard for union members to use our money and energy to get a deal from the employer and then watch as a better deal is handed out to excluded employees. Not so with MPAC. The Nov. 12 protocol for managers is not nearly as comprehensive as ours. It is also not binding on the employer. A copy is being sent to all stewards for reference.

MPAC/OPSEU Union- Management Committee meets Jan. 17, 2002

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OPSEU Solidarity Reserve Fund Open for Business

by Bill Kuehnbaum, Executive Board Member

The last OPSEU convention set aside \$250 000 to assist members and locals involved in certain workplace battles.

Members can get up to \$5000 from the fund for legal assistance to engage in long term disability lawsuits, criminal defence cost overruns, EI appeals, job protection lawsuits, Criminal Injuries Board claims, defence in "customer" lawsuits and civil suits against employers.

Locals or groups of members can also use the fund to challenge positions taken by Regulated Health boards, to support challenges made in coalition with other groups/unions and to fund representation at inquests and inquiries.

Groups or individuals wishing to use these funds must apply to Tim Hadwen, OPSEU's general counsel at head office. Both OPSEU staff and the Executive Board will be involved in decisions regarding disbursements from the fund.