



Questions and answers about the union certification vote for part-time support staff at Ontario's community colleges

On Sept. 2, 2009, the Ontario Labour Relations Board ordered that a union certification vote be held to determine if the majority of part-time support staff at Ontario's community colleges want the Ontario Public Service Employees Union to be their agent in collective bargaining with the colleges. This Q&A is designed to answer workers' questions about the vote.

1. What is the Ontario Labour Relations Board?

The Ontario Labour Relations Board (OLRB) is an agency of the Ontario government. It oversees most of the collective bargaining that takes place in Ontario.

2. Why did the OLRB order a vote?

Over the last year or so, the Ontario Public Service Employees Union (OPSEU) asked part-time support staff to sign union membership application cards. Thousands of cards were signed. On July 23, 2009, OPSEU presented these cards to the OLRB. The OLRB was convinced that it was appropriate to hold a vote to determine if a majority of the employees want OPSEU to represent them.

3. Who can vote?

The representation vote is a vote of part-time college support staff. Under the *Colleges Collective Bargaining Act*, this means every support staff worker who works at a college for 24 hours or less per week. It does **not** include any faculty (professors, instructors, counsellors or librarians).

If you are now or if you have been a part-time support staff worker, and you think you may be eligible to vote, you should vote. The Labour Relations Board will settle disputes over eligibility after the vote is complete.

4. What about "Work Study" students? Can they vote?

The law that sets out the rules for this vote is called the *Colleges Collective Bargaining Act* (CCBA). Under the CCBA, students in the Ontario Work Study Plan and all other financial aid programs are included in the bargaining unit for part-time support staff. All students performing support staff work for a college are eligible to vote.

5. What is a bargaining unit?

The term "bargaining unit" refers to the group of workers who bargain together to achieve a common collective agreement.

6. How will the vote be conducted?

The vote will take place from Oct. 5 to Oct. 27, 2009. Here is how it will work:

- Labour Relations Officers of the Ontario Labour Relations Board will supervise the vote and the ballot boxes.
- Officers will travel to college vote locations around the province over a limited period of time.

7. Where can I see a list of vote times, dates, and locations?

The list of vote times, dates, and locations is included in the Appendix to this Q&A.

8. I work part-time at two different colleges. Can I vote twice?

Under the law, part-time support staff at all 24 Ontario community colleges are part of the same bargaining unit. This means that if you have two or more support staff jobs – even if they are at different colleges – you can only vote once.

9. I work at one college campus but there is a vote location much closer to where I live that is more convenient. Can I vote closer to home, or do I have to vote where I work?

Eligible voters may vote at any location anywhere in the province.

10. Why are the voting hours so short?

It's a question of resources. The Labour Relations Board has a very limited number of Labour Relations Officers to supervise votes and do the other work of the Board.

11. Will anyone be able to find out how I voted?

No. The vote will be a secret ballot vote. Neither the union nor the employer will ever know how you voted.

12. What if my name is not on the voters' list?

Due to the high turnover of part-time staff at community colleges, any voters' list used will be incomplete and possibly inaccurate to some degree. If you believe you are eligible to vote, go to a vote location and vote. If you are not on the list, your name will be added. Voter eligibility will be determined after the vote is complete.

13. If the voters' list is incomplete or inaccurate, how can the Labour Relations Board know if the right people have voted?

The Labour Relations Board will use the following process to ensure that the people who vote are those who are eligible to vote:

When you vote, the Labour Relations Officer will place your ballot in an unmarked envelope, seal

the envelope, and place it in a second envelope. Your name, job, and place of work will be written on the second envelope, which will then be dropped in the appropriate ballot box.

When the province-wide vote is complete, the employer and the union will meet to examine each envelope and decide, at the Labour Relations Board, whether the individual who voted is eligible to vote. If he or she is not eligible to vote, his or her vote will be set aside and not counted. If he or she is eligible to vote, his or her envelope will go into the “to-be-counted” pile. Once all the eligible voters have been determined, the Labour Relations Board will open up the outer envelopes and remove the unmarked envelopes. These unmarked envelopes – mixed together – are then opened and the vote is counted.

It is against the law for either the employer or the union to touch any ballot or attempt in any way to find out how any individual voted.

14. What percentage of votes does the union need to be certified as the bargaining agent?

The union must win the support of a majority of eligible voters who vote, i.e., 50 per cent plus one of those voting.

15. When will the votes be counted?

The Labour Relations Board is expected to decide when the votes will be counted after the vote is completed.

16. At the beginning of 2009, there was a union certification vote by part-time faculty at the colleges. What were the results of that vote?

The ballot boxes from that vote have not yet been opened. Lawyers paid by the colleges are arguing, at the Labour Relations Board, that the vote should not be counted. OPSEU is using every legal means to have the votes counted as soon as possible.

17. What is OPSEU?

The Ontario Public Service Employees Union represents about 125,000 Ontarians working for more than 500 employers across the public sector. OPSEU is a leading union in the Ontario Public Service, health care, colleges and school boards, social services, property assessment, at the Liquor Control Board of Ontario, and in many other fields. The union employs over 300 staff with expertise in collective bargaining, grievance-handling, benefits, pensions, education, communications, research, and member services. OPSEU serves members through its head office and through regional offices and membership centres in every corner of Ontario.

18. What experience does OPSEU have in the community college system?

OPSEU has represented full-time employees of the community colleges for over 40 years. The union represents over 9,000 full-time faculty members and some 7,000 full-time college support staff. OPSEU’s deep roots in the college system led to the launch of its latest campaign to win union rights for part-timers and sessionals.

19. If OPSEU becomes the bargaining agent for part-time support staff, when do we start paying union dues?

You do not pay union dues until you have your first collective agreement in place.

20. How much are OPSEU's union dues?

OPSEU union dues are fixed at a rate of 1.375 per cent of gross pay. This money pays for collective bargaining expenses, grievance-handling, union education programs, operating expenses for union locals, and all other union services to members.

21. What is a collective agreement?

A collective agreement is a legally-binding contract that sets out the wages and working conditions for a specified group of workers ("the bargaining unit"). It is negotiated between the workers' union and the workers' employer.

22. If OPSEU becomes the bargaining agent for part-time support staff, what happens next?

OPSEU's goal will be to begin collective bargaining with the colleges as soon as possible. In order to do this, the union will work with part-time support staff members to create a process to democratically elect a province-wide bargaining team to represent members of the bargaining unit.

23. Who can vote in bargaining team elections?

Any union member in the bargaining unit can run for election and vote in bargaining team elections.

24. If OPSEU becomes the bargaining agent for part-time support staff, what will happen to my wages, benefits, job security, and so on?

Once a union files an application for a certification vote and a vote is held, it is illegal for any employer to change the wages and working conditions of any worker in the bargaining unit until a collective agreement is negotiated.

With OPSEU as your bargaining agent, your wages and working conditions will be negotiated between the union and all the colleges under a province-wide collective agreement. Under Ontario law, the employer must negotiate in good faith.

25. Who decides if a collective agreement is acceptable to the workers in the bargaining unit?

The workers do. All collective agreements must be approved by a majority vote of the employees in the bargaining unit.

26. Who decides if workers go on strike?

Strikes are extremely rare, but when they do happen it is ONLY with the authorization of the workers in the bargaining unit. Under Ontario law, every worker in the bargaining unit is eligible to vote for or against strike action.

27. What happens if there are disputes about the interpretation of the collective agreement?

Under Ontario law, every collective agreement must contain a legally-binding mechanism for settling disputes.

28. Will Work Study students lose their jobs if support staff are represented by a union?

The Ontario Work Study Plan is a financial assistance program run by the Ontario government. The government pays 75 per cent of the wages of working students, and the colleges pay 25 per cent. There is no reason to think that either the government or the colleges would eliminate the program just because students and other part-time college workers were unionized.

Unions give their members a voice so they can bargain to protect jobs. It is employers who eliminate them.

29. If part-timers unionize, will tuition fees have to be increased to fund contract improvements for them?

There is no direct link between tuition fees and college wages. The real problem is that Ontario provides the second-lowest level of government funding per college student of any province. (Quebec, by contrast, does not charge tuition fees to Canadian students who live in the province.) By joining OPSEU, part-timers will have a stronger voice and an important tool – collective bargaining – to argue for increased college funding.

30. Why does OPSEU want to represent students?

The union believes that all workers – students and non-students – should have access to the advantages collective bargaining provides. The *Colleges Collective Bargaining Act* places all part-time support staff in the same bargaining unit.

The College Student Alliance, which represents students at many Ontario colleges, believes college students should have the right to unionize. “The CSA supports all workers within the college system, whether they are full- or part-time, and their right to organize and collectively bargain,” CSA spokesperson Tyler Charlebois told a legislative committee last year. “[After seeking a legal opinion] we concluded that students working on campus part-time during the academic year should not be excluded from the collective bargaining act and that they should be placed in a bargaining unit with other support staff workers working part-time on our college campuses.”

31. The Executive Director of Colleges Ontario, Don Sinclair, says that past OPSEU bargaining teams for full-time support staff have tried to eliminate jobs for part-timers. Is this true?

The history of bargaining in the colleges is that the colleges have always tried to drive down wages for the people doing support staff work. Because the colleges have been unable to cut wages for unionized full-time workers, their strategy has been to move the work to non-unionized part-time workers. This has meant **fewer jobs** for full-timers and **unfair discrimination** against part-timers who receive lower wages, no benefits, and no union protection. To keep good jobs in the colleges, OPSEU has worked to keep jobs in the full-time bargaining unit.

At the same time – and Mr. Sinclair fails to mention this – OPSEU has repeatedly called on the colleges to recognize collective bargaining rights for part-timers. The colleges have refused, for the simple reason that they want to keep part-time wages and benefits as low as possible. Now that the *Colleges Collective Bargaining Act* recognizes that part-timers have a right to unionize, part-timers have the ability to negotiate better wages and working conditions on their own.

OPSEU policy commits the union to fighting for “equal pay for equal work” (including equal benefits) for part-timers who do the same jobs as full-timers.

32. Why should I vote YES to having OPSEU as my bargaining agent?

With OPSEU as your bargaining agent, you have a voice in the workplace. By joining together with your co-workers, you have a way to build your negotiating power to improve your wages and working conditions. Plus you’ll have the full support of an experienced, professional organization that is directly accountable to you.

Workers vote to unionize for one main reason – to give themselves a powerful tool to improve their lives, both on and off the job. By working together and speaking with one voice as part of a strong, democratic union, part-timers will have a say in their own future – a future that needs good jobs for all of us.

33. Why is this vote so important?

This vote is really about what kind of future we want to have in Ontario. Do we want a future where most people are scraping by in jobs with sub-standard wages and no benefits, or do we want jobs that allow people to live decently, pay for the things they need, and bring their kids up properly? The answer is obvious. We want good jobs. That’s the future we want for Ontario.

34. Where can I get more information?

The OPSEU web site at www.collegeworkers.org is updated regularly with information about the vote. College staff can also call our hotline at 1-866-811-7274 to be connected to the campaign.



Appendix: Vote times and locations

Part-time college support staff certification vote

The Ontario Labour Relations Board will supervise a vote by part-time college support staff according to the following schedule:

Date	College	Campus	Room	Time(s)
Oct. 5	Algonquin	Ottawa	Room P105, 1385 Woodroffe Ave.	9:00 a.m. – 11:30 a.m. 2:00 p.m. – 4:30 p.m.
Oct. 5	St. Lawrence	Cornwall	River Room, Aultsville Bldg., 2 Belmont St.	8:30 a.m. – 9:30 a.m.
Oct. 5	St. Lawrence	Brockville	Room B105, 2288 Parkdale Ave.	11:30 a.m. – 12:30 p.m.
Oct. 5	St. Lawrence	Kingston	Room 12215, 100 Portsmouth Ave.	3:00 p.m. – 5:00 p.m.
Oct. 5	Confederation	Thunder Bay	Room C244, 1450 Nakina Drive.	8:30 a.m. – 10:30 a.m. 11:30 a.m. – 1:30 p.m. 3:30 p.m. – 5:30 p.m.
Oct. 6	La cité collégiale	Hawkesbury	Salle du conseil, 765, rue Cameron	9:30 a.m. – 10:00 a.m.
Oct. 6	La cité collégiale	Ottawa	Salle C-3040, 801, promenade de l'Aviation	1:00 p.m. – 3:30 p.m.
Oct. 6	St. Lawrence	Kemptville	Meeting Room 2, 285 County Rd. 44	9:00 a.m. – 9:15 a.m.
Oct. 6	Algonquin	Pembroke	Room 323B, 315 Pembroke St. E.	1:45 p.m. – 2:45 p.m.
Oct. 6	Loyalist	Belleville	Room 3N2, 376 Wallbridge-Loyalist Rd.	9:30 a.m. – 11:30 a.m. 1:30 p.m. – 4:30 p.m.
Oct. 6	Confederation	Kenora	Room 106, 900 Golf Course Rd.	9:00 a.m. – 9:30 a.m.
Oct. 6	Confederation	Dryden	Green Room, 100 Casimir Ave.	11:30 a.m. – 12:00 noon
Oct. 6	Confederation	Sioux Lookout	Room 139, 70 Wellington St.	2:00 p.m. – 2:30 p.m.
Oct. 7	Algonquin	Perth	Room 10, 7 Craig St.	9:00 a.m. – 9:30 a.m.
Oct. 7	Loyalist	Bancroft	Room 207, 195 Hastings St. N.	1:30 p.m. – 2:00 p.m.
Oct. 7	Fleming	Haliburton	Room 11, 297 College Dr.	3:30 p.m. – 5:00 p.m.
Oct. 7	Fleming	Peterborough	Room 515, 599 Brealey Dr.	8:30 a.m. – 10:30 a.m. 11:30 a.m. – 1:30 p.m.
Oct. 7	Fleming	Lindsay	Room 294, 200 Albert St.	3:30 p.m. – 5:30 p.m.
Oct. 7	Georgian	Barrie	Room K323, 1 Georgian Dr.	9:30 a.m. – 11:30 a.m. 1:30 p.m. – 4:30 p.m.
Oct. 7	Confederation	Fort Frances	Staff Lounge, 440 McIrvine Rd.	9:00 a.m. – 10:00 a.m.
Oct. 8	Georgian	Orangeville	Room 204, 22 Centennial Rd.	8:30 a.m. – 9:00 a.m.
Oct. 8	Georgian	Owen Sound	Room C618, 1450 Eighth St. E.	11:15 a.m. – 12:15 p.m.
Oct. 8	Georgian	Collingwood	Room 102, 44 Hurontario St.	2:00 p.m. – 2:30 p.m.
Oct. 8	Georgian	Midland	Room 118, 649 Prospect Blvd.	5:00 p.m. – 5:30 p.m.
Oct. 8	Durham	Oshawa	Justice Boardroom (JW 206), 2000 Simcoe St. N.	9:30 a.m. – 12:30 p.m.
Oct. 8	Durham	Whitby	Admin Boardroom (Room 123), 1610 Champlain Ave.	2:30 p.m. – 3:15 p.m.
Oct. 8	Fleming	Cobourg	Room 321, 1005 Elgin St. W.	4:30 p.m. – 5:00 p.m.
Oct. 8	Georgian	Orillia	Main Conference Room, 825 Memorial Ave.	8:30 a.m. – 11:00 a.m.
Oct. 8	Georgian (Kempfenfelt)	Innisfil	Main Lounge Area, 3722 Fairway Rd.	2:00 p.m. – 3:30 p.m.
Oct. 13	Canadore	North Bay	Room C312, 100 College Dr.	11:00 a.m. – 2:00 p.m.
Oct. 13	Boréal	Sturgeon Falls	Salle 721, 96, rue Main	4:00 p.m. – 4:30 p.m.
Oct. 13	Sheridan (Trafalgar)	Oakville	Room C230, 1430 Trafalgar Rd.	9:30 a.m. – 11:30 a.m. 1:30 p.m. – 4:00 p.m.
Oct. 13	St. Clair (Centre for the Arts)	Windsor	Club Room A, 201 Riverside Dr. W.	11:30 a.m. – 2:00 p.m.
Oct. 13	St. Clair	Chatham	Room 200F, 1001 Grand Ave. W.	4:00 p.m. – 4:30 p.m.
Oct. 13	Fanshawe	Woodstock	Chair's Office, 369 Finkle St.	9:00 a.m. – 9:30 a.m.
Oct. 13	Mohawk	Brantford	Room D111, 411 Elgin St.	11:00 a.m. – 12:00 noon
Oct. 13	Mohawk (Applied Health)	Hamilton	Room 201, 1400 Main St. W.	3:00 p.m. – 4:15 p.m.
Oct. 14	Boréal	Sudbury	Salle 1150K, 21, boulevard LaSalle	8:30 a.m. – 9:30 a.m.
Oct. 14	Cambrian	Val Caron	The Lunchroom, Unit 14, 3140 Hwy. 69. N.	10:30 a.m. – 11:00 a.m.
Oct. 14	Cambrian	Espanola	Classroom #3, 91 Tudhope St., Suite 101	1:30 p.m. – 2:00 p.m.
Oct. 14	Mohawk (Fennell)	Hamilton	Room C110 (Staff Lounge), Fennell Ave. & West 5 th St.	9:30 a.m. – 11:30 a.m. 2:30 p.m. – 4:30 p.m.

Oct. 14	St. Clair	Windsor	Room SC165, 2000 Talbot Rd. W.	8:30 a.m. – 10:30 a.m. 11:30 a.m. – 1:30 p.m. 3:30 p.m. – 5:00 p.m.
Oct. 15	Niagara	Welland	Room L21, 300 Woodlawn Rd.	8:30 a.m. – 10:30 a.m. 11:30 a.m. – 2:00 p.m. 3:30 p.m. – 5:30 p.m.
Oct. 15	Fanshawe	St. Thomas	Chair's Office, 120 Bill Martyn Parkway	9:00 a.m. – 10:00 a.m.
Oct. 15	Conestoga	Stratford	Room 50, 130 Youngs St.	1:00 p.m. – 2:00 p.m.
Oct. 15	Conestoga	Waterloo	Room 1D02, 108 University Ave. E.	3:45 p.m. – 4:30 p.m.
Oct. 15	Lambton	Sarnia	Room L211, 1457 London Rd.	10:30 a.m. – 1:30 p.m.
Oct. 15	Sault	Sault Ste. Marie	Staff Lounge, Room E1703, 443 Northern Ave.	9:30 a.m. – 12:00 noon
Oct. 19	Northern/Boréal	New Liskeard	Salle amphithéâtre, 280, rue Armstrong	10:30 a.m. – 11:30 a.m.
Oct. 19	Northern	Kirkland Lake	Boardroom A101, 140 Government Rd. E.	3:30 p.m. – 4:30 p.m.
Oct. 19	Niagara	Niagara-on-the-Lake	Room W213-1, 135 Taylor Rd.	8:30 a.m. – 10:30 a.m. 1:30 p.m. – 3:30 p.m.
Oct. 19	Sheridan	Brampton	Room B216, 7899 McLaughlin Rd.	8:30 a.m. – 10:30 a.m. 1:30 p.m. – 3:30 p.m.
Oct. 19	Fanshawe	London	Room K1020, 1001 Fanshawe College Blvd.	8:30 a.m. – 11:30 a.m. 2:00 p.m. – 4:30 p.m.
Oct. 19	Sheridan (Skills Development)	Oakville	Room B16, 407 Iroquois Shore Rd.	11:30 a.m. – 1:30 p.m.
Oct. 20	Centennial	CCC	Room 220B, 951 Carlaw Ave.	8:30 a.m. – 10:00 a.m.
Oct. 20	Centennial	Ashtonbee	Room E-215, 75 Ashtonbee Rd.	2:00 p.m. – 3:30 p.m.
Oct. 20	Conestoga	Kitchener	Room 3, Learning Resource Centre, 299 Doon Valley Dr.	8:30 a.m. – 10:30 a.m. 1:30 p.m. – 4:00 p.m.
Oct. 20	Humber	Lakeshore	Room F103, Cottage F, 3199 Lake Shore Blvd. W.	8:30 a.m. – 11:30 a.m. 2:00 p.m. – 4:30 p.m.
Oct. 20	Boréal	Hearst	Salle de conférence, 64, 9e rue	10:30 a.m. – 11:30 a.m.
Oct. 21	Seneca	Markham	Room 169, Main Level, 10 Allstate Parkway	9:00 a.m. – 10:30 a.m.
Oct. 21	Seneca	Yorkgate	Room 205, 1 York Gate Blvd.	1:30 p.m. – 2:30 p.m.
Oct. 21	Seneca	Newnham	Room D-2012 (near Student Services Welcome Desk), 1750 Finch Ave. E.	8:30 a.m. – 10:30 a.m. 12:30 p.m. – 2:30 p.m. 3:30 p.m. – 5:30 p.m.
Oct. 21	Seneca	King	Boardroom, Main Level, 13990 Dufferin St.	9:30 a.m. – 11:00 a.m. 1:30 p.m. – 3:30 p.m.
Oct. 21	Northern	Timmins	Boardroom A106, 4715 Highway 101 E.	9:00 a.m. – 11:30 a.m.
Oct. 22	Centennial	HP	Room 418, 755 Morningside Ave.	8:30 a.m. – 10:30 a.m.
Oct. 22	Seneca	York	Room 1130, Library - Seminar Room, 70 The Pond Rd.	1:30 p.m. – 4:30 p.m.
Oct. 22	Centennial	Progress	Room C2-21, 941 Progress Ave.	8:30 a.m. – 10:30 a.m. 12:30 p.m. – 2:00 p.m. 3:30 p.m. – 5:30 p.m.
Oct. 22	George Brown	Casa Loma	Room E-421, 146 Kendal Ave.	8:30 a.m. – 10:30 a.m. 1:30 p.m. – 3:30 p.m.
Oct. 22	Cambrian	Sudbury	Room 4060, 1400 Barrydowne Rd.	8:30 a.m. – 10:30 a.m. 12:30 p.m. – 2:00 p.m. 3:30 p.m. – 5:30 p.m.
Oct. 23	Canadore	Parry Sound	Room 1, 60 James St.	10:30 a.m. – 10:45 a.m.
Oct. 26	Humber	North	Governor's Boardroom (B105), 205 Humber College Blvd.	8:30 a.m. – 12:30 p.m. 1:30 p.m. – 5:30 p.m.
Oct. 27	George Brown	St. James	Room B175, 200 King St. E.	8:30 a.m. – 11:30 a.m. 1:30 p.m. – 4:30 p.m.

College part-times may vote at any vote location in the province. Please note that some vote locations may be subject to change. Watch for official vote notices at your college or visit www.collegeworkers.org before you vote.



Authorized for distribution by Warren (Smokey) Thomas, President
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