



The Source

The factual report from the OPS Bargaining Teams

Issue 3

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Essential Services: we don't like them either

There have been many inquiries as to why your bargaining teams are negotiating essential services with the employer. Many members have the misconception that OPSEU supports the provision of essential services during a strike or lockout.

Does the Union Agree with Essential Services?

No! Nevertheless, the Crown Employees Collective Bargaining Act (CECBA) dictates that, "An employer of crown employees and a trade union representing employees who have or are negotiating a collective agreement shall make an essential services agreement." Simply put, if we want to negotiate a new collective agreement, we must negotiate an essential services agreement.

How is an Essential Services Agreement arrived at?

CECBA outlines the bargaining parameters for essential service negotiations. CECBA dictates, "The employer and the trade union shall bargain in good faith and make every reasonable effort to make an essential services agreement." This means that the normal bargaining process is applied to essential services negotiations.

Your bargaining teams will continue to move towards concluding essential services bargaining so that we can start discussions about the real issues.

Right to Strike versus Binding Arbitration

OPSEU's bargaining process changed in the early 1990s when the then NDP government, under the leadership of Bob Rae, changed the Crown Employees Collective Bargaining Act (CECBA) to allow provincial civil servants the right to strike. Since that happened some members have asked, "Why can't we use binding arbitration to settle our contract rather than go on strike?"

As it stands now, we negotiate with the employer until we arrive at a tentative

agreement. Failing that, we come to an impasse and have to withdraw our services in order to convince the employer to continue bargaining. It would require amending CECBA to bargain otherwise. Since we have had the right to strike, we have been forced to use this option twice and we have seen significant improvements to our collective agreement. These improvements happened under a government bent on tearing apart Ontario's public services and destroying OPSEU as a union. We, the members of

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Right to Strike...

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OPSEU, have made significant progress in understanding and engaging in the bargaining process. We are taking control of our negotiating process, our collective agreement and ultimately, our work places.

The next time you are in the workplace and a fellow worker complains about the possibility of having to go on strike and would rather have an Arbitrator make the decision, ask him or her a few simple questions: Why would you want to give up control of your bargaining procedure? Why would you place your wage increase, working conditions and benefits in the hands of a person who may not be all that sympathetic to us and our cause? Why do you want to give up your right to have a say in what your future as a public servant will be?

Under the previous system, we would send our negotiating team to bargain with the employer

and would hear very little. If the employer felt so inclined, an agreement was reached or an arbitrator delivered a decision. There was very little involvement by the front line members in the process. The Arbitrator had the sole power to decide what would go into the collective agreement in the areas where there was disagreement between the parties. The government appointed arbitrators and the arbitrators' decisions were final. There was no vote on accepting or rejecting that decision once it was delivered to the members.

As bargaining teams, we feel that the members having complete control over the bargaining process is preferable to binding arbitration. The gains we have made in the past few rounds go a long way in proving that.

Your OPSEU OPS bargaining teams

Central/Unified team:

Marg Simmons (Chair), Central Enforcement and Renewal Committee
Linda Thibert, OPSEU Region 1
Doug Peebles, Region 2
Kathleen Demareski, Region 3
Rhéal Delaquis, Region 4
Paul Myers, Region 5
Eric Morin (Vice-Chair), Region 6
John Watson, Region 7
Bob Houston, Administrative category
Brian Chauvin, Corrections
Carl Thibodeau, Institutional & Health Care
Sandra Noad, Office Administration
Beth Anich, Office Administration
Ken Fraser, Technical/Operational & Maintenance
Moira Cowan, Unclassified members

Corrections team:

Jack Hopkins, OPSEU Region 1
Barry Scanlon (Chair), Region 2
Glenna Caldwell, Region 3
Robert Curran (Vice-Chair), Region 4
Dave Graves, Region 5
Joe Wright, Region 6
Len Mason, Region 7

The Source is your only accurate source of Central and Corrections bargaining team information. Do not rely on gossip and rumours. We will provide the facts. Your editors are Len Mason, Beth Anich and Moira Cowan. *The Source* is authorized for distribution by Barry Scanlon, chair, Corrections team, Marg Simmons, chair, Central bargaining team and Leah Casselman, president.

This week's team member profiles

Eric Morin

Eric Morin is the Region 6 Rep on the Central/Unified Bargaining Team, and was elected the Vice-Chair for this round of bargaining. Eric believes bargaining is truly a membership-driven process and that communication and participation are two very important ingredients to our eventual success.

OPSEU has provided him with many opportunities and challenges over the past 20 years that have resulted in tremendous personal growth and gratification through his involvement in mobilizing, campaigns and member education. As President of Local 635, every experience has been both rewarding and satisfying for Eric. Participation in any union activities would not have been possible without the love and unconditional support of his family.



Eric looks forward to this round of bargaining with great enthusiasm and anticipation.

Robert Curran

Robert Curran began his career as a Probation and Parole Officer in 1985 at the Ottawa East Probation and Parole Office.

In 1990, Robert decided his local needed a voice and was elected president. That same year, the members of Probation and Parole from across Ontario recognized Robert's enthusiasm and ability and elected him as president of the 'Probation Officers Association of Ontario.' He also sat on the workload committees that were established in the ministry in the mid 1990's.



"I wanted to get a different level of experience in the union and to take part in the evolution of our collective agreement," said Robert. The Corrections Bargaining Team recognized Robert's leadership skills and unanimously elected him as Vice-Chair for this round.