



# The Source

The factual report from the OPS Bargaining Teams

Issue 9

February 4, 2005

## Rotation Round Two!

### Managers complain rotation disruptive during 2002 strike

On Feb. 1, 2005, Vice-Chair Christopher Albertyn of the Ontario Labour Relations Board handed down his decision on the rotation of essential and emergency workers in the Central/Unified Bargaining Unit. Rotation only applies during a strike or lockout in the OPS, and this ruling does not impact members in the Corrections Bargaining Unit.

During the current round of essential and emergency service bargaining, the employer took the position that there should be no rotation of those selected to work essential and emergency services during a work stoppage. If a member is selected to perform an essential or emergency function during a labour dispute, they would be required to continue in that position for the duration of the strike or lockout. The employer took this position despite the fact that this matter had been arbitrated in a previous round and past decisions clearly supported the concept of rotating workers through essential and emergency positions.

The union's position was that rotation should occur every two weeks for all employees that would be providing essential and emergency services. In the last round, many essential/emergency workers in the Central/Unified Bargaining Unit only rotated every four weeks.

The argument put forward by the employer was that they conducted a post-strike debriefing of their managers after the last strike and the consistent complaint was the disruptive effect of rotation. Interestingly, the employer fails to recognize that, by their very nature, strikes tend to be disruptive for all involved.

Vice Chair Albertyn agreed with the union's suggestion that the impact of the obligation to provide essential services should have as little impact as possible on the public employee's right to strike and any impact should be as equitable as possible.

The employer countered that equalizing pay across the bargaining unit by having a short rotation cycle would extend the strike or lockout because all of the bargaining unit will be receiving some wages, thus extending their capacity to strike or endure a lockout. To this the Albertyn responded, "This is not a legitimate argument in my view, even if the assumption is correct."

Vice-Chair Albertyn said, "I am not persuaded by either party that the status quo should be altered at this time. Accordingly, I direct that the existing rotations will apply, being a four-week rotation, subject to exceptions previously agreed between the parties and any other exceptions upon which they might agree."

This is the second consecutive round that the employer has challenged the union on the rotation of workers providing essential and emergency services, and subsequently an arbitrator has ruled that essential and emergency worker must be rotated. Maybe now the employer will finally get that no matter how "disruptive" the rotation of essential and emergency workers in the minds of their managers, rotation is here to stay! Unfortunately, it is doubtful that the employer will come to this conclusion for this or any other matter where fairness and equity concerning our members is involved.

**POST and CIRCULATE**

# CO-START - Rip Off?

In 1994, Health and Safety complaints initiated by Correctional Officers at a number of institutions resulted in Ministry of Labour (MOL) orders which forced the Ministry of Correctional Services to train unclassified Correctional Officers in all phases of Correctional Officer training. Up to that time, unclassified Correctional Officers would often work for years (in one case 17 years) without actually receiving all of their mandatory training.

A short time after these orders, the Employer set up the so-called "C.O. START pre-employment training" program. The six-week program costs the students money and they receive no compensation whatsoever during the six-week period.

A Ministry pamphlet states, "to be eligible for employment as a Correctional Officer in the Province of Ontario, all candidates must complete the Ministry's Correctional Officer S.T.A.R.T. (Staff Application, Recruitment and Training) program."

Recently, the government indicated that it did not want any Correctional Officers designated essential (although it wants some to be emergency) should there be a strike or lockout. The government also stated that it will bring in redeployed managers from other ministries to work as Correctional Officers if a strike or lockout happens.

In response to Union demands to know what training these redeployed managers will receive before they work as Correctional Officers, the government filed a document with the Ontario Labour Relations Board. The government says:

"The Government has an obligation to ensure that redeployed workers [managers] are competent to perform all the duties assigned to them...In 1998, the government

developed and delivered a two-day orientation program to a group of management and excluded staff from other ministries in preparation for a potential strike in 1999."

The document also gave reference to what training redeployed managers would receive who would work as Correctional Officers should there be a strike or lockout this year:

"Each redeployed worker [manager] assigned to Adult Correctional Services and Youth Justice Services will be scheduled to receive the two-day site-specific orientation before they report for duty. Wherever possible, redeployed workers will be initially assigned to work in tandem with someone who has correctional experience and they will be required to operate on the principle – 'If you are not sure, ask.'"

The union's position is that the six weeks of training at Bell Cairn and subsequent two to three weeks training/orientation/job shadowing at the institution is mandatory before anyone can work as a Correctional Officer in Ontario. The government says redeployed managers require no training and that two days of orientation is enough to qualify to work as a Correctional Officer.

If the government wins its case and two days orientation is okay, then Ministry bureaucrats Gary Commeford and Deborah Newman have a lot of explaining to do. We're not sure why they would be requiring up to nine weeks of training and orientation for us while their fellow managers from other ministries only require the two days orientation, so we will ask. By the way, these redeployed managers will be making \$80 to \$100 an hour doing our jobs in the event of a strike. Cash-strapped government? We think not.

# The Sunshine Club – fourth edition

The Sunshine Club is the list of public service managers who earn over \$100,000 per year. Here are the names for our fourth edition:

Name	Ministry	Current Position	(Strike Year)	(Non-Strike Year)
			2002 Salary	2003 Salary
<b>Peter Deschamps</b>	Ministry of Finance	Director, Special Invest. Branch	<b>\$171,498</b>	<b>\$105,273</b>
<b>Dorothea Mahoney</b>	Ministry of Health & Long-Term Care	Director, Human Resources Branch	<b>\$136,523</b>	<b>\$106,244</b>
<b>Bonnie Wright</b>	Ministry of Health & Long-Term Care	Asst. Administrator, Patient Care Services	<b>\$143,484</b>	<b>Under 100k</b>
<b>Bonnie Suhr</b>	Ministry of Labour	District Manager, London South	<b>\$108,572</b>	<b>Under 100k</b>
<b>Brenda McCauley</b>	Ministry of Health & Long-Term Care	Senior Manager, Regional Operation	<b>\$121,945</b>	<b>Under 100k</b>

## *In Corrections:*

Name	Current Position	(Strike Year)	(Non-Strike Year)
		2002 Salary	2003 Salary
<b>George McFarlane</b>	Area Manager, Orillia Probation and Parole	<b>\$159,053</b>	<b>Under 100k</b>
<b>Harry Bartz</b>	Deputy Superintendent, Bluewater Youth Centre	<b>\$155,228</b>	<b>Under 100k</b>
<b>Robert Thomas</b>	Superintendent, Hamilton Wentworth Detention Centre	<b>\$179,229</b>	<b>Under 100k</b>
<b>Mary Stewart</b>	Area Manager, Durham East Probation and Parole	<b>\$121,117</b>	<b>Under 100k</b>
<b>Robert Hamblin</b>	Superintendent, Metropolitan Toronto East Detention Centre	<b>\$170,434</b>	<b>Under 100k</b>

## ***This week's team member profiles***

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### **Rheal Delaquis**

Rheal Delaquis is President of Local 453, a composite local that includes members from all bargaining units. Rheal understands the plight of unclassifieds, as 50 per cent of his local's membership is unclassified. He takes great pride in his role on the bargaining team and is thankful for the support and vote of confidence from the members of Region 4. Rheal was recently re-elected as the MERC chair of the Ministry of Environment.

Rheal believes that the union agenda needs to be the voice not only within the walls of the employer, but also in the communities we live in.

“En travaillant ensemble nous allons atteindre notre but et obtenir une convention collective qui touché le besoin de tous les members. Si on veut...on peut!”



### **Dave Graves**

Dave began his career as a Correctional Officer at the Mimico Correctional Centre in 1978. He has worked at the Monteith Correctional Complex, Toronto Youth Assessment Centre and currently works at the Metropolitan Toronto West Detention Centre.

Dave brings to the table a wealth of knowledge. He has served on many of the local executives in his different workplaces. Dave has been vice-chair of the Ministry Employee Relations Committee (MERC) since 1996 and was vice-chair of the Corrections Bargaining Team in 1996 and 2001.

“I am committed to getting a strong collective agreement,” said Dave. “I hope that my experience in bargaining and on the MERC team can help deliver a strong contract.”



## Correction

In the Jan.14, 2005 issue of *The Source*, we mistakenly reported that *William* Ingratta made \$202,011 in 2002 when in fact he only made a paltry \$105,047.

We apologize to *Frank* Ingratta, Deputy Minister from the Ministry of Agriculture and Food who made the \$202,011 in 2002 that was reported.

## Technical difficulties

We apologize for the delay in getting *The Source* out to our readers last week. It was due to technical circumstances beyond our control.

In Solidarity,  
Len, Moira & Beth.

## 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

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### 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

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*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.