

Employer demands concessions

Bargaining is a power transaction. With every power transaction, if you are in a position of strength, you are more likely to be successful and deliver on the members' agenda.

Conversely, if your bargaining team does not have the strength of the support of the members then we will be negotiating on the employer's agenda.

The McGuinty Liberals ran their election campaign on the slogan "Choose Change" and the people of the province embraced that. Dalton McGuinty promised that health and education would be priorities and, more importantly, he promised to rebuild public services. While OPSEU continues its commitment to rebuilding public services, McGuinty has failed to deliver on his promise to rebuild the Ontario Public Service.

The employer's proposals clearly demonstrate a tone of "we know what's best for you." The government decided long ago what would be in our next collective agreement, even before your team was able to table the members' bargaining demands.

None of us, including the bargaining teams, thought we would be facing concessions at the table this time. We were wrong. Here are the highlights of the employer take-aways:

- On April 13, the employer posted a notice in all OPS workplaces that 3,698 jobs will be eliminated over the next two years. In addition to that reduction in the workforce,

the government is committed to a further reduction of 2,500-3,000 workers over the next four years for a total of 6,000-7,000 jobs lost.

- The employer has tabled a proposal to increase the level of qualifications needed for a worker to exercise their redeployment rights.
- The employer wants to dismantle the job posting obligations in Article 6 and at the same time allow interns the right to apply for our positions for 12 months following the end of their contracts. Our own unclassified members don't have such a right and are denied the right to grieve an unjust job competition and entry into the classified service.
- The employer wants to hire from a pool of candidates and eliminate the need to post new vacancies.
- The employer wants to eliminate your termination payments.
- The employer wants to eliminate your separation allowance.
- The employer believes their management rights clause allows them the freedom to reorganize your work in whatever manner they deem necessary. That could mean working in another ministry, working in non-OPS workplaces with non-OPS managers supervising you and non-OPS employees working beside you.

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POST and CIRCULATE

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- The employer has said no to a classification system that accurately reflects the work you do and to having a final and binding process to settle disputes. There are currently over 4,000 grievors trapped in the classification grievance backlog and 14,000 members seeking special case adjustments.

Your bargaining team wants to make improvements for unclassifieds. The employer will only discuss unclassified rights if our demands for fair treatment are balanced against the employer's "interests". Considering that, last year, 89 per cent of new hires were unclassifieds it is obvious where the employer's "interests" lie.

That's just the take-aways. As for your demands, **the employer has rejected every one of them.** That means **no** benefit improvements, **no** Factor 80, **no** special cases and **no** monetary improvements in areas such as kilometric rates, vacation leave, meal allowance and shift premiums.

This government thinks the members of the OPS will roll over and take whatever concessions the employer demands. Your bargaining teams need your strong support if we are to be successful in achieving the improvements **you** demanded.

Dissatisfied Unclassified

The issues ignored

By Moira Cowan, Central Bargaining Team, Unclassified Rep.

When trying to define the term "unclassified," it is a very difficult and daunting task. We are the contract employees of the Ontario Public Service (OPS).

Some unclassifieds are hired on a call-in basis, as in our provincial justice system. Part-time unclassifieds make up over half the workforce in the provincial courts, as well as in health care, social services and many other public services. These workers have very few or no scheduled shifts. Being on-call means you must stay at home by the phone or depend on a cell phone or pager if you want to get shifts. Every day they work side by side with classified workers doing the same job, but *this* government does not think the unclassifieds are worthy enough to get benefits, vacation or other incentives that come with being classified.

Seasonal workers, such as those who fight fires

in the northern regions or work in the provincial schools are also categorized as unclassified employees. Year after year, they fulfill contracts of varying durations and then spend the remainder of the year fighting to obtain employment insurance benefits. They do this each and every year because they are devoted to the job they do.

Whatever category an employee falls under, one thing remains the same: an unclassified worker is a highly skilled, dedicated and hardworking employee who wants nothing more than to be recognized and treated as an equal to their fellow classified members.

During this round of bargaining, the employer should have been compelled to meet the demands tabled with respect to the unclassified issues. However, **the employer has refused to address any issues.**

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Important message from the Corrections Bargaining Team

This message is directed to OPSEU local executives and members at all Correctional Institutions, Probation and Probation and Parole Offices, Youth Centres, and Oakridge.

As we move into the most critical part of collective bargaining – where we force the employer to put the best possible deal on the table – it is important to give the employer the message that we are serious.

To assist the team in this phase of bargaining, we request that locals and members begin a withdrawal of goodwill at the workplace. For the first step of this process we ask that:

- a) All Local and Regional ERCs inform the employer that all meetings of these committees shall cease effective May 02, 2005. Health and Safety meetings and inspections must continue.
- b) All bargaining unit members who are in acting management or acting AMAPCEO positions step down from these positions and return to the OPSEU bargaining unit effective May 02, 2005.

Further information will be communicated to locals and members with respect to the further withdrawal of goodwill shortly.

In Solidarity,

The Corrections Bargaining Team

Termination notice information

If you are an unclassified employee, you may be terminated at any time with two weeks notice, or pay in lieu of notice. If you have worked at least three years, or if your notice is part of a mass termination, the *Employment Standards Act* (ESA) may give you more rights.

The ESA provides for at least two weeks written notice if you have worked at least one year. If you have worked for three or more years, you are entitled to at least one weeks' written notice for each year of employment, to a maximum of eight weeks. The ESA says people get 16 weeks notice or pay-in-lieu of notice during a mass termination. This covers mass layoffs of unclassified employees. After 16 weeks, the employer can ask to extend your employment by up to 13 weeks, and can then extend it even further by application to the Employment Standards Branch. You can refuse this work; however, refusing to take the work may disqualify you from Employment Insurance (formerly Unemployment Insurance) benefits. During these extensions, the employer can terminate you at any time without notice.

Dissatisfied (cont'd)

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Equality and fair treatment of unclassified workers is long overdue. It is not too much to ask for. It is time for the employer to change their position. Your bargaining team needs your support to achieve the demands tabled on Jan.19. The employer needs to feel the pressure of that support across the entire OPS. The way of life for unclassifieds is no way for anyone to live. The time for change is now!

The Sunshine Club – 15th edition

The Sunshine Club is the list of public service managers who earn over \$100,000 per year. Here are the names for our 15th edition.

Name	Ministry	Current Position	(Strike Year)	(Non-Strike Year)
			2002 Salary	2003 Salary
Jim Smith	Ministry of Environment	Director, Standards Development	\$155,045	\$ 119,631
Linda MacQueen	Ministry of Community & Social Services	Management Co-Chair of Community & Social Services MERC	\$101,511	Under 100k
Leo Butko	Ministry of Environment	Program Manager, Investigations and Enforcement Branch, North York	\$158,348	Under 100k
Troy Fernandes	Ministry of Environment	Executive Assistant, Corporate Management Div.	\$127,308	Under 100k
Jeffrey Miller	Ministry of Health & Long-Term Care	Human Resources Consultant, Penetanguishene	\$124,355	Under 100k

In Corrections:

Name	Current Position	(Strike Year)	(Non-Strike Year)
		2002 Salary	2003 Salary
Bill Cooney	Regional Director, Adult Community Corrections, Kingston	\$176,009	Under 100k
Walter Breen	Coordinator, Maintenance Services, Toronto West Detention Centre	\$146,822	Under 100k
Brian Melville	Operational Manager, Mimico Correctional Centre	\$140,976	Under 100k
Kimberley Carr	Operational Manager, Stratford Jail	\$120,059	Under 100k
Byron Lod	Probation Manager, Children & Youth Services, Thunder Bay	\$110,016	Under 100k

Spotlight on your work will return next week

AMAPCEO – Dead duck deal

In early April of this year, AMAPCEO (Association of Management, Administrative and Professional Crown Employee of Ontario) reached a tentative settlement with the Ontario Government. The contract settlement, according to the AMAPCEO website, achieved “breakthroughs”.

The so-called “breakthroughs” in this AMAPCEO contract do very little to address the bargaining priorities the Association had set out in March of 2004.

This “deal” is the inevitable result when an association with no resolve and no willingness to stand up to the employer tries to achieve contract improvements. This is not a deal that your OPSEU bargaining teams would sign.

We will not lead by following!

Your OPSEU OPS bargaining teams

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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

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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.