



Corrections Vote 2009

Why vote yes?

Your Corrections Bargaining Team reached a tentative agreement with the employer on your new collective agreement on March 1, 2009. Your team unanimously agrees that this is the best agreement that can be bargained without resorting to labour action. This agreement has raised concerns from some members, so the team would like to address them.

Wages

One of our main issues from the employer offer in early January was the fact that the Corrections Bargaining Unit was offered less money than Central / Unified. The tentative agreement has the same basic across the board wage increase as Central / Unified. But with special adjustments Correctional Officers, Youth Workers and Probation Officers will receive **an extra two per cent over the agreement, and that increase occurs in Year 1 of the contract** (in Years 1 and 2 for Probation Officers). **This is one per cent more than the Central / Unified wage offer.**

Article 44 completely protected

The employer's attack on Article 44 (Short Term Sick leave) for correctional officers and youth workers was completely defeated. This was THE issue that stalled negotiations and fueled our strike vote. Members said that removing correctional officers and youth workers from Article 44 was unacceptable, and we achieved that. While the employer has absenteeism targets, correctional officers and youth workers pay is still protected under Article 44.

Absenteeism Target Incentives

As set out on the Table Talk, classified correctional officers and youth workers have an opportunity for lump sum payment incentives if the provincial sick time average falls below the targets set.

If the provincial sick time average for these workers is 144 hours (12 X 12-hour shifts) or less for each year of the four-year agreement, **they will receive total compensation of nearly 25% over the length of the contract** (due to compounding). **This is unheard of in this economic climate.** Even if only the basic targets are met each year, correctional officers and youth workers could total compensation of 17.75% over four years.

Probation Officers' Allowance and Workload

Probation Officers now have the ability to accumulate their allowance days up to a maximum of 21 days, but no more than 14 days can be carried over past Dec. 31 of each year. Probation Officers **previously had NO opportunity to accumulate their days.**

Now, there is also real language committing the parties to address workload.

Unclassified Rollovers

There will be a rollover of 30 unclassified Youth Workers and 220 unclassified Correctional Officers to full-time. The MERC Teams will get to negotiate the timing and locations of these rollovers (the intent is within a year).

The huge victory is the extension of the MCSCS MERC rollover agreement for the life of the collective agreement. This means that after the 220 unclassified Correctional Officers are rolled over, any vacancies that occur after must also be filled by rollover, not competition. **This could result in hundreds of more rollovers for unclassifieds during the life of the contract.**

*NOTE: These 220 rollovers **will** create classified staff overages. Vacancies will only occur after these overages have been dealt with by attrition. Also note the Corrections MERC agreement does not cover Youth Workers.

Surveillance Technology

The union has gained language that will require the employer to notify the union in the event surveillance technology is being used. If the surveillance technology is used to discipline members, the employer must provide the evidence to the union. **This is a large victory, as the employer has indicated they will continue to expand their use of surveillance cameras in facilities.**

Questions

1. What happened to our 50-30 pension plan?

The money that was on the table to pay for that plan (which affected very few of our members) was linked to the employer's Article 44 takeaway. When the employer did not achieve their proposal, they removed that offer from the table.

2. How could you agree to any proposal that reduces our overtime pay?

The bargaining team had to make a difficult decision on how to deal with the employer's position on sick time. The employer was determined to address absenteeism even if it took a strike to achieve it. The team sees this proposal as the best possible way to avoid a strike, and the union will CLOSELY monitor how the employer calculates the sick time being used to define the targets. Besides, if the sick time targets are met, overtime will never be affected. If the targets are not met, you will only see a reduction of

overtime pay (from 1.5X to straight time) **IF you work overtime in the same two-pay-period block as the time you were off sick.**

For example: An officer calls in sick on 12-hour shifts on Monday and Tuesday. That officer then works 12-hour overtime shifts on Wednesday and Thursday. Under the agreement, the officer will be paid for his/her sick time hours on Monday and Tuesday. He/she will then receive 12 hours additional pay on Wednesday and 12 hours additional pay on Thursday, instead of the 18 hours additional pay he/she would have normally received for working overtime on each day. If the officer works overtime on Friday (a 12-hour shift), he/she would receive pay at the normal overtime rate (18 hours).

3. What if you work the overtime first, and then are off sick? Do you lose premium pay on overtime already worked?

Yes. The agreement says that all overtime hours and sick time hours are included and calculated within the two pay period block.

4. How is a two pay period block defined?

It is the actual block of 28 days that defines two pay periods for the purpose of calculating pay.

5. What if I have been off sick, then I'm ordered to work overtime? Do I lose premium pay?

The agreement is silent on this. It is the union's position that any member who is ordered to work overtime would receive premium pay, regardless of any sick time used.

6. Why must the ratification take place this week?

The reason for the accelerated ratification is due to the government's budget process. For the cost of the agreement to be included in the government's March 26 budget, the employer must approve it by Monday, March 9. Therefore, OPSEU must vote on the tentative agreement by the end of this week.

7. Why are only 220 unclassifieds being rolled over in adult Corrections?

It isn't just 220 rollovers. Under the agreement, the 220 rollovers will take place automatically, which will likely create overstaffing in some areas. Once the overages are reduced through normal attrition, any vacancies that occur after that will be filled by rollover as per the extended MERC agreement. This could mean hundreds of more rollovers during the life of the contract.

8. Won't the incentive program pit member against member with respect to those who are off sick?

One of the issues that the MERC teams plan to raise with the employer through the new Joint Attendance Committee is which sick days will be counted towards the yearly average for the incentive plan. The employer has a clear duty to prevent harassment and discrimination in the workplace, and the union will hold them to their responsibilities.

9. What happens if the tentative agreement is rejected?

The team is unanimous in its assessment that this is the best offer we can get from the employer. A rejection of this offer would likely result in a strike, and even then it would still be uncertain whether that would produce a better offer.

10. What is the new Attendance Program the employer plans to put in place? Did the bargaining team negotiate it?

The Attendance Program is not bargained at the table. The MERC teams will have the responsibility to question the employer on whatever new program is put in place.

