



Corrections reaches tentative agreement

Your Corrections Bargaining Team has reached a tentative agreement for the Corrections Bargaining Unit 2009-2012 Collective Agreement.

In the early hours of March 1 the team signed the agreement with the employer, an agreement that the team unanimously recommends to the members.

The team gives full credit to the members of the Corrections Division for their incredible assistance in getting to the tentative contract.

“The bargaining team asked the members for support, and that’s exactly what we got,” said David Kerr, team chair. “The employer knew they weren’t just dealing with the seven members at the bargaining table; they were dealing with all 6,000 members in our division, supported by the entire union.”

Team vice-chair Pete Wright says he’s proud of the backing the team received.

“The employer’s proposal on sick time was the main stumbling block throughout negotiations,” Wright said. “Our members delivered a massive strike vote, and then continued to give us their full support. We couldn’t have reached the agreement without it.”

OPSEU senior negotiator Rob Field believes this agreement will go a long way in promoting a more positive atmosphere in Corrections. “Both the union and the employer came to the table with specific problems that had to be addressed. This agreement shows we can work cooperatively so that all members benefit.”

Team members David Kerr, Pete Wright, Paul Johnstone, Tom O’Neill, Dave Graves, John Mearini and Richard Cunningham salute all members of the Corrections Bargaining Unit, and thank OPSEU staff members and mediator Gerry Lee for their invaluable assistance.

Highlights of the agreement

Wages

All classifications in the Corrections Bargaining Unit will receive general wage increases as follows:

Jan. 1, 2009	1.75 per cent
Jan. 1, 2010	2.00 per cent
Jan. 1, 2011	2.00 per cent
Jan. 1, 2012	2.00 per cent

Special Adjustments

Special adjustments are in addition to the general wage increase and will be applied to the existing wage rates prior to the general wage increases.

Correctional Officers will receive a 2 per cent increase effective Jan. 1, 2009. Youth Workers will also receive a 2 per cent increase effective Jan. 1, 2009.

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Probation Officers will receive a 1 per cent wage increase effective Jan. 1, 2009 and another 1 per cent increase on Jan. 1, 2010.

Recreation Officers, Industrial Officers, Provincial Bailiffs, Trade Instructors, Hairdresser Instructors, Rehabilitation Officers, Correctional Locksmiths and Grounds/Maintenance Workers will receive a 1 per cent increase effective Jan. 1, 2009.

Absenteeism Target Incentives

Key to the tentative agreement was the elimination of the employer's proposal on sick time for correctional officers and youth workers. Under the tentative agreement, classified correctional officers and youth workers will receive lump-sum payments if the provincial sick time average for classified correctional officers and youth workers is less than or equal to the targets set out in the agreement. These targets are:

Target A: 192 hours (16 X 12-hour shifts)

Target B: 176 hours (14.66 X 12-hour shifts)

Target C: 160 hours (13.33 X 12-hour shifts)

Target D: 144 hours (12 X 12-hour shifts)

The plan works as follows:

In the first year of the agreement (Jan. 1, 2009 – Dec. 31, 2009) classified correctional officers and youth workers will receive:

- A 2 per cent lump-sum payment if the provincial sick time average is less than or equal to Target A;
- A 3 per cent lump-sum payment if the provincial sick time average is less than or equal to Target B;
- A 4 per cent lump-sum payment if the provincial sick time average is less than or equal to Target C;
- A 5 per cent lump-sum payment if the provincial sick time average is less than or equal to Target D

NOTE: For the first year, the targets and lump-sum payments are pro-rated to reflect the period from the date of ratification to Dec. 31, 2009.

In the second year of the agreement (Jan. 1, 2010 – Dec. 31, 2010) classified correctional officers and youth workers will receive:

- A 2 per cent lump-sum payment if the provincial sick time average is less than or equal to Target B;
- A 3 per cent lump-sum payment if the provincial sick time average is less than or equal to Target C;
- A 4 per cent lump-sum payment if the provincial sick time average is less than or equal to Target D

In the third year of the agreement (Jan. 1, 2011 – Dec. 31, 2011) classified correctional officers and youth workers will receive:

- A 2 per cent lump-sum payment if the provincial sick time average is less than or equal to Target C;
- A 3 per cent lump-sum payment if the provincial sick time average is less than or equal to Target D

In the fourth year of the agreement (Jan. 1, 2012 – Dec. 31, 2012) classified correctional officers and youth workers will receive:

- A 2 per cent lump-sum payment if the provincial sick time average is less than or equal to Target D

Absenteeism Targets

The second part of the absenteeism targets affects overtime premium payments. Under the agreement, if the average provincial sick time for classified correctional officers and youth workers is less than or equal to:

Year 1 (Jan. 1 – Dec. 31, 2009): 192 hours (16 X 12-hour shifts)

Year 2 (Jan. 1 – Dec. 31, 2010): 176 hours (14.66 X 12-hour shifts)

Year 3 (Jan. 1 – Dec. 31, 2011): 160 hours (13.33 X 12-hour shifts)

Year 4 (Jan. 1 – Dec. 31, 2012): 144 hours (12 X 12-hour shifts)

then overtime premium payments are not affected. NOTE: For Year 1, the target is prorated to reflect the period from the date of ratification to Dec. 31, 2009.

If the average provincial sick time for all classified correctional officers and youth workers *exceeds* the target in any given year, then the ability to work overtime for premium pay for individuals is reduced in proportion to the amount of sick time used by that individual. This is in effect for the next 12 months following the year the target was not met. Here's how it works:

Any sick time used over the course of two pay periods (four weeks) is recorded. If you work overtime in that same period, you will only receive straight time pay for overtime worked until the number of overtime hours worked equals the number of sick time hours taken. Any overtime hours worked in excess of the sick time hours taken will be paid at premium pay.

For example, if a correctional officer takes two 12-hour sick days within the two pay periods, the first two 12-hour shifts worked as overtime will be paid at straight time. The third overtime shift will be paid at premium pay.

Joint Attendance Committee

A Joint Attendance Strategy and Implementation Committee has been established between the employer, the MCSCS MERC, the MCYS MERC and the MGS CERC. This committee will monitor the new attendance plan along with any other issues that the Committee agrees to deal with. The union complained that the employer was not managing the current attendance program. The employer has told the union they intend to change the program, and the committee will monitor the changes as part of their mandate.

Probation Officers' Allowance

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 Officer and Probation and Parole Officer Workload

New language in the agreement confirms that workload issues for Probation Officers and Probation and Parole Officers will be discussed between the employer and the MCSCS and MCYS MERCs.

Unclassified Rollovers

A new Letter of Understanding will result in the rollover of 30 unclassified Youth Workers and 220 unclassified Correctional Officers from unclassified to full-time. The timing and locations of these rollovers will be established at MERC tables. This Letter also extends the MCSCS MERC rollover agreement for the life of the collective agreement.

Unclassified Suspensions

In the event an unclassified member is suspended, that suspension can be with pay based on the averaging of straight-time hours worked over the previous 13 weeks.

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.

Other improvements

The team has also negotiated slight improvements to on-call pay, meal allowances, the recognition clause and posting of shift schedules.

Some takeaways in the agreement

There are some slight takeaways in the tentative contract. In the agreement, members who work on a statutory holiday must also work the scheduled shift immediately prior to and immediately after the holiday in order to receive the compensating 7.5- or 8-hour day off. Members who are ill and provide a medical certificate for the missed shifts will still receive the day in lieu for the statutory holiday. Members who work the holiday will continue to receive premium pay as before. In addition, members can no longer use statutory holiday lieu credits to top up sick leave pay. Vacation and overtime credits can still be used.

Also, overtime will only be offered once non-overtime classified and unclassified staff are used, even if part of the shift becomes overtime.

Ratification votes moving quickly

Ratification votes will occur from March 2-7. Watch the OPSEU website for details.

Read the Full Agreement

Go to www.opseu.org to get the full text of the agreement.

Authorized for distribution:



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