

May 2, 2002

OPSEU



SEFPO

TableTalk

Bargaining information for OPSEU members
in the Ontario Public Service

Paying the price pays off

Dear sisters and brothers:

On March 13, 2002, 45,000 OPSEU members went on strike. Today, 51 days later, we have a tentative agreement.

Congratulations on all your work to bring us to this day. This agreement reflects the courage and determination of every single OPSEU member who walked the picket line, performed essential and emergency services, or faced down a vicious employer at the bargaining table.

You held firm and supported your teams through bad weather, management harassment, and over 150 picket line injunctions.

You withstood the stress of not knowing how long the strike would last.

You withstood a barrage of management propaganda, paid for at taxpayers' expense.

You withstood the stress of sacrificing over \$26 million per week in lost wages to fight this employer.

I know it has been hard. It has not been in vain.

Right across this province, from Ear Falls to Whitney to Hawkesbury to Windsor, OPSEU members have taken part in a grassroots communications project like this province has never seen.

After 51 days, the Ontario public now has a clearer idea than ever before of the absolutely crucial work that our members do.

We stop poachers.

We supervise pedophiles in the community.

We teach deaf and blind children.

We provide psychiatric care.

We inspect water treatment plants.

We prevent workers from being killed on the job.

We are Ontario's front line of defence – even, and especially, when the attackers are the elected officials who currently call themselves the government of Ontario.

In March, that government was determined to ignore our just and reasonable demands. The Tories also tried to extort a series of vicious concessions. You fought back. You made them listen. I say this is a major victory.

Of course, the final say is yours.

Through demand-setting, the election of your bargaining teams, our strike vote, and during the strike, our progress has been powered by **your** choices, both as an individual and as a member of this amazing union.

The contract summarized on these pages is **your** contract. You have paid a high price for it. In doing so, you have played a part in a historic struggle. This is not just the struggle of Ontario public employees to win better lives and more respect from their employer. This is the struggle of workers everywhere over the centuries.

*Get the full text of the agreement online
at www.opseu.org*

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Does it pay off? You bet it does. Without union struggle, our society would not have the health and social programs it has. It would have a much less equal distribution of wealth. Wages and working conditions for ordinary people would, in general, be worse. More workers would be killed on the job. We wouldn't have such a thing as weekends.

This employer tried to bust our union. Their failure to do so was just as dramatic as the solidarity that produced this agreement.

I am extremely proud of our members today, as I am every day. Each and every OPSEU member who fought for this contract is a hero. I salute you.

In Solidarity,



Leah Casselman
President, Ontario Public Service
Employees Union

Central Collective Agreement

Major issues

This is a partial and general summary only. Refer to the full text of the agreements for exact details which may apply to your particular situation. All agreements are subject to ratification by the Employer and the Union.

The OPSEU Pension Trust – rescued

In the area of pensions, we have fought and won an historic defensive battle.

Public service employees began fighting for control of their pension funds in the 1960s. We achieved it in the early 1990s. In this round, the employer tried to seize control of OPSEU members' share of surpluses in the OPSEU Pension Trust. We stopped them.

In 1999, OPSEU members paid themselves \$667 million in pension plan improvements and contribution holidays. This meant we were able to pay for the extension of Factor 80 with our own money. We were able to pay for bigger pension cheques for surviving spouses. We gave ourselves a contribution holiday that was equal to a four per cent pay raise for three years.

The next "actuarial valuation" – where plan managers formally tally up how much money we have in the Trust – will probably reveal that plan members' share of the next surplus will show another gain. Whatever the exact amount, it will be our money, to spend as we see fit within Trust rules. Without our strike we would have lost it. At current rates, the Fund could be paying OPSEU members about \$140 million a year.

Factor 80 extended, partly

The employer has agreed to extend Factor 80 **for surplus employees only** to the end of the contract, Dec. 31, 2004.

Factor 80 for all employees is extended to Oct. 31, 2002 (as noted above, continued access to surplus funds of the OPSEU Pension Trust may permit the union to extend Factor 80 and make other improvements in the future).

Improvements for unclassified employees

Over 26 per cent of employees in the OPSEU bargaining unit are "unclassified"

employees. The tentative agreement offers the following improvements:

- Unclassified employees will see their pay in lieu of benefits increase to six per cent. That is up from two per cent for full-time unclassified workers. It is a real breakthrough for part-time workers, whose previous pay in lieu of benefits was **zero**.
- The time required for conversion to permanent status will be reduced from 24 months to 18 months on the job.
- Seniority for contract workers in correctional facilities is recognized for purposes of transfer, layoff, and job competitions within individual institutions.

Employer pays full LTIP premium; pay raises for those on LTIP

The employer has agreed to pay 100 per cent of the premium costs for Long Term Income Protection, up from 85 per cent. This change is equivalent to a pay raise of 0.335 per cent for classified OPSEU members.

Workers currently collecting benefits under Long Term Income Protection shall receive benefit increases of 2.95% retroactive to Jan. 1, 2002, 3.0 per cent on Jan. 1, 2003, and 2.5 per cent on Jan. 1, 2004. Over three years, this total amount is equal to the General Wage Increase for all members.

Benefits: some gains, some losses

Benefits were a major battleground at the bargaining table. The union fought hard to improve benefits. The employer was determined to put a lid on costs. The resulting language in the tentative agreement gives employees gains in some important areas but, unfortunately, losses in others.

Gains. Semi-private hospital coverage jumps to \$120 a day, up from \$75. Basic

Life Insurance coverage jumps to 100 per cent of annual salary, up from 75 per cent. Other improvements are in the areas of vision care, dental care, and hearing aids. The amount covered per session with paramedical practitioners, psychologists, and speech therapists increases to \$25, but it is capped at an annual amount.

Losses. The tentative agreement will limit coverage for drugs to only those drugs that require a doctor's prescription. Over-the-counter drugs will no longer be covered. Prescriptions will come with a \$3 deductible in the second year of the contract and a \$5 deductible in the third. Out-of-country coverage is eliminated. Prescription drugs will continue to be reimbursed at a rate of 90 per cent, but prescriptions will be filled with a generic drug, if one exists. If you purchase the brand name drug even though a generic version exists, you will be charged the difference.

Coverage for orthopedic shoes/orthotics is reduced.

The dental plan will now have an annual deductible of \$100. Dental recall is extended from six months to nine, except for children 12 and under. Beginning in the last year of the contract, the fees paid to your dentist will lag behind the Ontario Dental Association fee guide by one year. You will pay any difference. Fluoride treatment for adults is no longer covered.

Term classified: limits on their use

The union has taken a strong position against the use of so-called "term classified" employees. The employer used legislation in June (Bill 25) to create a new class of workers who are neither classified nor unclassified, but somewhere in between. The idea is that people from outside the public service would be attracted to public service jobs by the promise of benefits and longer contracts. This may or may not work. The employer has a fundamental problem attracting

people to the OPS, for the simple reason that classified jobs are not-so-gradually disappearing. It may take the employer a few years to learn that. In the meantime, the tentative agreement does not block the use of term classifieds by the employer, but it does limit them, as follows:

- “With the exception of Term Classified positions which have been converted from unclassified positions and positions arising from work formerly performed by persons retained on a fee-for-service basis, the Employer will employ no more than 700 Term Classified employees within the OPSEU bargaining units at any one time during the term of this collective agreement.”

Posting and filling of vacancies

The tentative agreement makes a number of changes to contract language in Articles 6 and 56 regarding the posting and filling of vacancies. Check the full text of the

Central agreement for details.

Of particular interest is an agreement on creating equal job opportunities for women, aboriginal people, people with disabilities, members of visible minority groups, and francophones, who may face barriers to employment in Ontario. Under the Enhanced Recruitment Initiative Program, the union and the employer work together to improve access to work for designated groups in cases where multiple vacancies occur in a specific bargaining unit job.

General issues

Certain small but important issues were agreed to or are unchanged from the employer’s Feb. 14 offer. See the Feb. 16, 2002 issue of *Table Talk* for details on changes to bereavement leave, kilometric rates, student wage rates, and internships, or check the full text of the Central agreement.

Category Issues

Unified Bargaining Unit

General Wage Increases

Wages for public service employees at the start of 2002 were 12 per cent below what they were at the start of 1994. While we hope to make more forward progress in the next round, we have, in this contract, come very close to restoring our buying power to what it was. General wage improvements for workers in the Unified Bargaining Unit are:

- an increase totalling **8.45 per cent over three years**, plus
- an additional **one per cent per year** for employees at the top of the pay grid. About 70 per cent of classified members, and 22 per cent of unclassified members, are currently at the top rate.

Special cases

Wages in several job classifications have been out of whack for years because of the employer’s refusal to agree to a process for settling classification disputes. As a response, OPSEU members in a total of 92 job classifications put forward “special case” arguments to increase their pay. Not all were successful in this round of bargaining, but many were. **Pay adjustments are retroactive to Jan. 1, 2002, as follows:**

Nurses. The following nurse classes get a 10 per cent raise in each step of the range:

- Nurse, Occupational Health & Safety
- Nurse, Outpatient Clinics
- Nurse 1, 2, 3 Clinic

- Nurse 1, 2, 3 General
- Nurse 1, 2, 3 Nursing Education
- Nurse 1, 2, 3 Public Health
- Nurse 2, 3 Special Schools
- Nursing Home Officer, Dietary
- Residential Health Nurse, Facility for the Developmentally Handicapped

Scientists. Scientist 1, 2, 3, and 4 classes get an eight per cent raise in each step of the range. The Employer shall undertake a review of scientist related class standards. Any potential wage adjustments will be negotiated in the next round of collective bargaining.

Communications Operators.

Communications Operators 1, 2, and 3 get an increase of eight per cent in each step of the range.

Certain employees of the Ontario Clean Water Agency. A set of hourly salary notes will be established for employees who complete and maintain facility operators’ licences. Employees would receive an hourly salary note for each licence acquired and maintained, as follows:

Certification Level	Water Treatment Licence	Water Distribution	Wastewater Treatment	Wastewater Collection	Water Quality Analyst
I	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10
II	\$0.15	\$0.15	\$0.15	\$0.15	\$0.15
III	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20
IV	\$0.25	\$0.25	\$0.25	\$0.25	\$0.25
					\$0.15

Employees shall be compensated for each individual licence acquired and maintained, based on the highest certification level attained for that licence. For example, an employee with a Level I Water Treatment Licence and a Level II Water Distribution Licence would receive an hourly salary note for each, i.e. \$0.10 and \$0.15, for a total of \$0.25.

Conservation Officers. All Resource Technician 4 – Conservation Officers will get a four per cent increase. The employer

will develop and implement a new class of Resource Technician 5 - Conservation Officer, effective January 1, 2002. Top of the salary range for that classification will be \$1136.24.

Transportation Enforcement Officers.

Employees in this class series get a four per cent increase.

Certain Laboratory Technologists and attendants.

Workers in the following classes receive a four per cent increase to each step in the range:

- Technologist 1, 2, and 3 Medical Laboratory (16061, 16063, 16065)
- Technologist 1, 2, 3, and 4 Chemical Laboratory (16051, 16053, 16055, 16057)
- Laboratory Attendant 1 and 2 (15500, 15502)

Classroom Assistants (U0114) and School Aides (U0115). These workers get a four per cent increase in each step of the range.

Shift premium

The shift premium for workers in the Unified Bargaining Unit is increased to 78 cents an hour. It was 52 cents for evenings and 62 cents for nights in the previous agreement.

Schedule Six

Employees on Schedule Six in the Unified Bargaining Unit will receive compensating leave of **one-half an hour** for each hour worked between 36.25 and 48 hours per week on regularly scheduled work days and **one hour** for each hour worked beyond 48 hours per week on regularly scheduled work days.

Callback

Your Unified Category bargaining team made one sacrifice in the drive to a settlement. When employees are contacted by the Employer prior to their shift, but not required to physically attend work, they are

entitled to receive a minimum of four hours' pay at time-and-a-half. Under the existing collective agreement (the one that expired Dec. 31, 2001), the employee would be entitled to the four hours' overtime **each time** the employer called.

The tentative agreement deletes that interpretation. In the tentative agreement, all calls that do not require the employee to physically attend work during the four-hour period are to be treated as a single call-back for pay purposes.

Category Issues

Corrections Bargaining Unit

The Corrections Category bargaining team is unanimous in recommending that members in the Category ratify the Category agreement.

General Wage Increases:

General wage improvements for workers in the Corrections Bargaining Unit are:

- an increase totalling 8.45 per cent over three years, plus
- the creation of a new step on the pay grid for all classifications in the Correctional Bargaining Unit, to be paid at a rate five per cent above the existing top rate. This means that if you've been at the top of the pay grid for at least one year, you get an immediate five per cent raise over and above the 8.45 per cent, retroactive to Jan. 1, 2002.

Special case: Probation Officers

Effective Jan. 1, 2002, the employer shall establish a Probation Officer 3 classification, with a top pay rate of \$1,111.83 per week. In addition, all rates in the salary range for the Probation Officer 1 and 2 classes and the new Probation Officer 3 will receive a **four per cent** pay increase.

New job class: Youth Worker

The employer shall establish a new Youth Worker classification. Youth Workers will receive enhanced training and development.

Callback

The Corrections team agreed to the same language as the Unified table on the issue of callback. Where employees are contacted by the Employer prior to their shift, but not required to physically attend work, they are entitled to receive a minimum of four hours' pay at time-and-a-half. Under the existing collective agreement (the one that expired Dec. 31, 2001), the employee would be entitled to the four hours' overtime **each time the employer called**. The tentative agreement deletes that interpretation. In the tentative agreement, all calls that do not require the employee to physically attend work during the four-hour period are to be treated as a single call-back for pay purposes.

Ministry Employee Relations Committee

Between rounds of bargaining, the Corrections Ministry Employee Relations Committee has been an effective representative for the vast majority of workers in the Corrections Category. In the tentative agreement, the terms of reference for the Corrections MERC become an appendix to the contract, adding an extra level of enforceability to the work of this important committee.

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