

# The Burn Barrel

Formerly the CORRECT VIEW

OPSEU



SEFPO

Strike News from your Corrections Bargaining Team

March 25, 2002

*"Many strokes overthrow the tallest oaks."* – John Lyly, *Euphues: The Anatomy of Wit* (1579)

## The new offer that isn't

Reports from government spin doctors that there is a new improved offer on the bargaining table is news to the members of your Corrections Bargaining Team.

"The information that we have is that the government

has made no change to the offer we received before we went on strike," said Barry Scanlon, chair of the Corrections Bargaining Team. "They have not invited us to return to the table." Stay tuned!



## News from your Regions

### Region 1

#### Members prevent tragedy

Local 128 (Sarnia Jail) has had an eventful 12 days.

Our members responded to a fire in the jail and prevented a possible tragedy. Two COs were taken to hospital and treated for smoke inhalation. Problems resulting from the fire resulted in a work refusal by members under the Occupational Health and Safety Act. Attempts by the local to deal with local management to resolve the issues have not been successful. The picket line remains the "safe place" for our members.

### Region 2

#### Maplehurst work refusal decision

Management delays in investigating work refusals for as long as 10 days has resulted in an order issued by the Ministry of Labour. The order states, "Pursuant to section 43 (4) the employer shall forthwith investigate all further reported work refusals in the presence of the worker and worker's representative. Several investigations of reported work refusals were not investigated forthwith. This order shall be complied with forthwith."

Another order dealt with searches of the institution.

Meanwhile, the Local 234 strike trailer has been

compared to the NASA Space Centre. It is outfitted with all the latest communication equipment and comforts.

### Region 3

#### Employer has no intention of complying

"It is becoming all too obvious that the employer has no intention of complying with the back to work protocol as ordered by OLRB vice-chair David McLean," said Larry Cripps, Corrections Bargaining Team member for Region 3. "The staff at Brookside Youth Centre are still being prevented from returning to work over what amounts to be about two-

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# News from your Regions (cont'd)

hundred dollars worth of protective clothing.”

At Whitby Jail, staff reported for work with the necessary search teams, only to have the employer order staff to violate the Essential Services Agreement. Staff were then suspended when they refused to break the law.

## Region 4

### **Hanging tough**

Members at Local 440 (Brockville Jail) are hanging tough. They are still working according to the Essential Services Agreement, and are proof that the ESA can be made to work. The agreement does require policing, as managers across the province seek to put their own interpretation on what the agreement actually means.

The members at Brockville are doing an excellent job. They are living proof that, despite claims to the contrary, ESAs can work in our favour.

## Region 5

### **Ready and Waiting**

Members from Local 521 (Mimico and Toronto Youth Assessment Centre) have exercised their work refusal rights under the Occupational Health and Safety Act. The reasons for the refusals are site-specific, resulting in no bargaining unit members being inside the walls of these

two facilities.

Local 521 members are awaiting rulings on the refusals and are currently waiting in a safe environment, which happens to be with their fellow members on the sidewalk picket line.

“Our members showed great professionalism on Fri., Mar. 22,” said Dave Graves, vice-chair of the Corrections Bargaining Team. “That night, 22 members from the picket line responded to a management call for assistance regarding an inmate disturbance.”

The members of Local 521 are eagerly anticipating a ruling so they can provide the essential services that they so proudly want to perform.

## Region 6

### **Ban lifted by OLRB**

Local 617 (Sudbury Jail) has attempted to comply with the ESA since day one of the strike. They are also ensuring that their members’ health and safety is maintained. The employer has tried to shut the local down by suspending activist Steve Lauzon, who is their worksite representative, occupational health and safety representative and local vice-president. The employer had banned Steve from touring the jail as a work site representative, and attempted to eliminate his right to picket

with a court injunction.

The court injunction did not limit Steve’s rights to picket, and the OLRB has issued an interim order allowing Steve to conduct his tours as a work site representative.

Management tried, but has failed, to shut down this local. All the employer has succeeded in doing is “pissing off” the members of Local 617 even more.

## Region 7

### **Give us a break!**

At Local 737 (Thunder Bay Jail), almost every essential services worker was suspended with pay for refusing to take their breaks under management conditions.

The employer had staff reporting for duty at 0700 hours and then staff were ordered to take their breaks at 0710. After all was said and done, managers took over the facility on Mar. 21 at 1500 hours.

Local 737 asserted their rights under the OPS Collective Agreement for “Rest Periods” and demanded resolution to the problem. A break protocol was negotiated locally, and staff returned to work at 2300 hours on Sun., Mar. 24.

Morale is extremely high on the line as many picketers were paid to watch wood burn in the fire barrel.

# IMPORTANT!

## Send us the information!

Please send all pertinent information regarding significant local incidents, reprisal complaints, work refusals, illegal lockouts, and health and safety appeals, as well as discipline and/or suspensions, to both:

**Sue Philpott**

Koskie/Minsky – Barristers & Solicitors

Phone: (416) 977-8353 ext. 2104

Fax: (416) 204-2882

and:

**The Corrections Bargaining Team**

Fax: (416) 815-1412

## ESA Questions & Answers

Attention members:

Please call the OPSEU Central Mob Room at 1-877-561-8692 with your questions around Essential Services Agreements and arbitrated awards. Your bargaining team is very busy strategizing and mobilizing the locals and are not always available at the bargaining centre.

Inquiries may be referred to other areas that can deal with specific issues around your questions.

## Your corrections team

**Region 1:**

Jack Hopkins, L. 122

**Region 2:**

Barry Scanlon, L. 230 (chair)

**Region 3:**

Larry Cripps, L. 309

**Region 4:**

Jim Bothwell, L. 467

**Region 5:**

Dave Graves, L. 521

(vice-chair)

**Region 6:**

Rick Dagenais, L. 642

**Region 7:**

Len Mason, L. 737

You can reach the bargaining team at (416) 815-0284, by fax at (416) 815-1412 and by e-mail at

[correctionsteam@opseu.org](mailto:correctionsteam@opseu.org).

***The Burn Barrel is your only accurate source of Corrections information during the strike. If you don't read it here, you can't be sure it's true. Don't rely on gossip and rumours. We will provide the facts.***

*The Burn Barrel will be available by fax, by e-mail, and on the OPSEU web site at [www.opseu.org](http://www.opseu.org). To receive it directly, send your secure fax number to Lesley Williams at (416) 443-1762 or send your e-mail address to [lwilliams@opseu.org](mailto:lwilliams@opseu.org).*

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*The Burn Barrel is authorized for distribution by Barry Scanlon, chair, Corrections team, and Leah Casselman, president.*