



Cleaning up the OPS

Enforcement campaign aims to convert more consultant and “temp” jobs to public service positions

More and more OPSEU members in the OPS are reporting a huge rise in the number of non-bargaining-unit employees in the workplace these days. Private “fee-for-service” consultants are everywhere – doing bargaining unit work, studying what we do, even telling us what to do. At the other end of the scale, low-paid agency “temps” are working side-by-side with OPSEU members, doing the same job for less pay.

It’s a mess. And it’s time somebody cleaned it up.

This month, OPSEU is launching a major campaign to make sure bargaining-unit work is done by bargaining-unit employees – and only bargaining unit employees. OPSEU member mobilizers will be working with OPS locals to document the problem. And on April 29, we’ll use the information collected as we begin hearings into a major policy grievance at the Grievance Settlement Board (GSB).

If the person working beside you isn’t a public employee....

There are a lot of consequences when non-bargaining-unit employees do bargaining unit work:

- Every vacancy filled by a non-bargaining-unit employee is a vacancy that hasn’t been posted. It might have been your chance at a promotion or transfer.
- OPS employees are often forced to train non-bargaining unit employees. This adds to your workload.
- Private consultants get to rip off Ontario taxpayers by charging two, three or more times what it costs OPSEU members to do the same work.
- Low-paid agency “temps” get exploited. Their agency bosses need profits; they take them out of

temp workers’ wages. Agency workers don’t get benefits, job security protection, or union representation.

The employer says non-bargaining unit employees allow for “flexibility” in staffing, but its flexibility on the employer’s terms only. It’s the kind of flexibility that lets managers hire underpaid, unprotected workers on the one hand – putting downward pressure on your wages – while rewarding their friends in the business world with juicy contracts on the other.

Just how widespread is the problem?

In November 2002, the Ontario Provincial Auditor reported that the province spent \$662 million fee-for-service consultants in 2002 – a huge jump from \$271

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million in 1998. In 2001, the Ontario government spent \$60 million on temporary agency staff – double the \$30 million spent in 1996-97

In a survey of 387 OPS members conducted at the OPS Divisional meetings in November 2002:

- 58 per cent said the employer was using temporary agency and/or fee-for service staff in their workplace; and
- 53 per cent said the number of these non-bargaining-unit employees had increased in the last three years.

The Trillium award: a new grievance win leads the way

OPSEU's push to clean up the OPS comes after a major grievance win last year.

In February 2002, a GSB arbitrator was asked to rule on staffing practices at the Trillium program of the Ministry of Health. In its decision, the GSB said that the collective agreement did not allow the employer to use temporary agency employees to staff its core programs on an ongoing basis.

The GSB ordered the employer to post classified positions and to stop staffing seasonal unclassified positions with agency staff.

Meanwhile, in the rest of the OPS, the employer acted as if the Trillium award didn't exist, so some OPSEU locals filed grievances under Article 6 (posting) or Article 8 (temporary assignment) of the collective agreement. Recently, Information Technology workers at the Ministry of Public Safety and Security in North Bay won their grievance. They'll see 16 positions brought back into the OPS. OPSEU members at the Office of the Public Guardian and Trustee have had similar success.

In October 2002, OPSEU filed an OPS-wide policy grievance relating to "agency employees, fee-for service employees/consultants performing bargaining unit work."

On April 29, the GSB will begin hearing this grievance, known as the "Bargaining Unit Integrity" grievance. So far, examples from 15 different Ministries have been identified; the remedy sought is the posting of the positions.

Join the campaign: here's what to do

We know the employer hasn't stopped filling OPSEU work with agency and/or fee-for-service consultants. We need even more proof than we already have. OPSEU is asking OPS locals to provide examples of where non-bargaining-unit workers are doing bargaining-unit work.

1. Conduct a scan of the workplaces in your local.

Ask your stewards to conduct a workplace scan. Map your workplace so you can identify which jobs are done by OPSEU members and which ones are being done by temporary agency employees or fee-for-service consultants.

2. Ask yourself:

- Is the temporary agency employee or fee-for-service consultant doing a job or an assignment that was previously done by an OPSEU member?
- Is the temporary agency employee or fee-for-service consultant doing a job or an assignment that is long-term, not temporary? Is this work usually done by an OPSEU member?
- Is this a job(s) that you think should be posted as an OPSEU job?

3. Fill out the report-back form.

Send it to OPSEU head office to be a part of the policy grievance. Fax the attached form to 416-448-7462. **Don't fill out a grievance form.** Use this special report back form to ensure you are part of the policy grievance. Please make sure your information gets to OPSEU Head office by **April 25, 2003.**

4. Stay tuned. Watch *Frontlines* for more information.

Together we can achieve our goal – better jobs in the OPS!



A Campaign to Get What We Bargained for

Stewards' survey

Support the Bargaining Unit Integrity grievance –
return this two-page survey by April 25, 2003

Local Number: _____

Local President: _____

Phone number: _____

Steward who completed workplace survey: _____

Phone number: _____

Ministry : _____

Work area surveyed: _____

(name of program or unit name)

Work area address: _____

Please complete the second page of this survey. If you have other information that you think might help the grievance, write it in the space below:

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Temporary agency employees

Name of job classification	Are any positions staffed by temporary agency employees?	How many temporary agency employees are there?	How long have they been there, on average (number of months)?	How many of these jobs were formerly done by an OPSEU member?

Fee-for-service consultants

Name of job classification	Are any positions staffed by fee-for-service consultants?	How many fee-for-service consultants are there?	How long have they been there, on average (number of months)?	How many of these jobs were formerly done by an OPSEU member?