



# FRONT *lines*

Information for OPSEU members in the Ontario Public Service • March 23, 2007

## ***OPS job classifications:***

# **OPSEU campaign aims to change CECBA**

Think it's time OPSEU members in the OPS got the right pay for the important work you do? With last month's collapse of the special mediation process set up to deal with more than 8,000 outstanding classification grievances, you are not alone. The failure of mediation has made one thing crystal clear: ***The McGuinty government must change CECBA now!***

That's why OPSEU is launching a campaign to make sure that happens.

In 1995, Mike Harris rewrote the *Crown Employees Collective Bargaining Act* (CECBA). He took away OPS employees' right to send classification grievances to arbitration. So far, the McGuinty Liberals have not given that right back.

Arbitration is central to the grievance process. Without it, there is no way to settle grievances

based on their merits, if the employer and the union can't agree. That is why the OPS classification grievance backlog grew into the thousands. And it is why 15 months of mediation could not fix the problem.

### **An offer we had to refuse**

Under Appendix 34 of the OPS collective agreement, OPSEU's representatives on the Joint Systems Subcommittee (JSSC) spent more than a year working with a mediator to try to resolve the outstanding classification grievances. But the mediator was not an arbitrator. He had no power to impose a settlement. So, there was no way to force the government to come up with a fair settlement.

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## **"The right pay for the real job" – Join the campaign**

It's time Dalton McGuinty fixed what Mike Harris broke. OPS employees deserve to be fairly classified – and fairly paid. That means restoring the right to arbitration for classification grievances. The McGuinty government needs to change CECBA now. You can help make that happen. Here's how:

- Find out more. For a Q&A and campaign updates, go to: <http://www.opseu.org/ops/jssc/index.htm>.
- Attend an information meeting in your region. For details, go to the web address above or contact your OPSEU Executive Board Member.
- Pick up campaign flyers and stickers, and postcards from your steward, local president or OPSEU regional office.
- Sign a "Change CECBA" postcard to Dalton McGuinty and return it to OPSEU.
- E-mail your MPP. To send a standard message, or write your own, go to: <http://www.opseu.org/ops/jssc/sendmppemail.htm>.
- Organize a visit to lobby your MPP. Bring along some coworkers to help get the message across. Tell your MPP you want his or her support – and that you'll be working with OPSEU to make this an election issue.

## **OPSEU campaign to change CECBA (cont'd)**

Instead, the government offered to reclassify just 375 members and pay a lump sum to another 214. In return, they demanded that the union agree to kill the remaining 7,543 grievances. They refused to hear thousands of grievances at all. And if a grievor was reclassified, they refused to guarantee that other members who do the same work would be reclassified, too.

“There is no way we could trade away thousands of valid cases to get a settlement for just seven per cent of the original grievors,” said Moira Cowan, one of two OPSEU members on the JSSC.

On February 9, the OPSEU team pulled the plug on the process.

“We spent 15 months at the JSSC trying to make mediation work, but without access to arbitration the process hit a brick wall,” said Lynda Ferguson, the second OPSEU member representative on the JSSC.

### **Ontario can do better**

Restoring the right to arbitration on classification issues matters for all 45,000 OPSEU members in the OPS, says Eric Morin, OPSEU chair of the Central Enforcement and Renewal Committee (CERC).

“It’s clear that arbitration is the only way current grievors will ever get a fair hearing,” he said.

“And arbitration is doubly important because we are also working with the government to design a new classification system for the whole OPS. If there are problems with the new system, or if members’ jobs change down the road, we will need access to arbitration to fix those problems, too .”

### **Grievance status update**

With the decision to pull out of the JSSC mediation process, members’ classification grievances remain active but unresolved.

OPSEU has posted an open letter to all grievors to the union web site (<http://www.opseu.org/ops/jssc/index.htm>), along with a detailed set of questions and answers on the mediation process and the campaign to change CECBA.

Letters notifying each grievor of the status of his or her individual grievance will be sent out by mail over the next several weeks.

### **Talk to your manager**

While the JSSC process has been suspended without reaching a final settlement, the employer still has the power to reclassify any member, at any time. In fact, on March 13, the employer notified the union that it plans to reclassify or pay lump sums to 152 members covered by tentative settlements signed off at the JSSC between January and October, 2006.

“There is nothing stopping the employer from reclassifying the remaining 7,980 grievors in exactly the same way,” said Morin. “So, we’re encouraging members to contact their managers directly about being reclassified now.”

In the meantime, the union will file a policy grievance over the employer’s failure to deal fairly with ALL outstanding classification grievances, under Appendix 34 of the collective agreement.

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## **How are the Liberals doing so far? OPSEU survey lets you have your say**

What’s happened to the public services you deliver since the McGuinty Liberals were elected? How have the cuts affected your ministry? How has your life at work changed? What should the government do to *really* rebuild public services?

OPSEU wants your input. To have your say, please complete OPSEU’s confidential online survey. Just go to: <http://www.opseu.org/ops/survey2007.htm>. Be sure to submit in your survey response by April 13, 2007.

Your stories and views will help the *Ontario Can Do Better* campaign make public services the central issue in the upcoming provincial election.