

FPT contract improvements reached with MAG

Lengthy negotiations at the table have finally paid off for Flexible Part Time (FPTs) workers in the provincial court system.

OPSEU, the Ministry of the Attorney General and the Ministry of Government Services have reached agreement in negotiating substantial improvements to the language in the Collective Agreement that affects court workers.

Using the results of last winter's FPT survey as the cornerstone of our negotiating position, members of the Joint Dispute Resolution Committee (JDRC) were able to reach agreement with the employer.

Significant and positive changes were achieved.

Did we get everything that we wanted? No. But we think there are some real improvements here that will see more hours of employment – and more pay in your pockets.

What did we get? The Memorandum of Agreement (MOA) regarding App. 32 / Revitalized Work Force will be available for everyone to review shortly, but in the meantime these are the highlights:

Change in the Annual Hours Categories

Section 2, App. 32 is changed from five (5) categories to two (2).

These two categories are :

- o Category 1: a minimum of 1000 hours per annum
- o Category 2: a minimum of 1500 hours per annum

FPTs currently in the 720 category will be placed in the 1000 category.

FPTs currently in the 1200 and 1400 categories will be able to choose their placement in either the 1000 or 1500 category.

Pay for hours worked

Along with your regular bi-weekly pay based on the minimum weekly hours of your category, you'll also receive payment, at straight time, for hours worked up to 36¼ per week on your bi-weekly pay as opposed to waiting for the year end. These hours will count towards your category.

Overtime

All authorized hours worked in excess of 36 ¼ hours per week will be paid at the time and a half (1½) rate within two months of the pay period in which it was worked. You'll be paid for the hours you work, as you work them. These hours will count towards your category.

Year End reconciliation

The 10% overage language still exists, so once you've completed your annual hours category requirement, additional hours worked will continue to be paid at straight time when you work them. At the end of the year your pay will be reconciled by calculating the number of hours you worked in excess of 110 per cent of your annual hours category, less any hours worked in excess of 36 ¼ per week for which overtime had already been paid. The remaining hours will then be further compensated at 50 per cent of your straight time rate.

This means that for every hour that you worked in excess of 110 per cent of your category hours you will have been paid at the overtime rate – straight time when you worked them and a further payment of half-time at the end of the year.

Holidays pay

We have clarified the language in Art. 73.1.1 – Holiday Payment, and have added Art. 47.2 – Holidays, that takes into account those Holidays that fall on a weekend.

Benefit election and re-election

FPTs will now have the opportunity to opt in or opt out of the benefits provided for in Art. 64 through Art. 78 inclusive. In so doing, FPT's will be accorded the 14% Pay in Lieu, and have the same benefits as unclassified workers. FPTs who opt out of benefits may re-elect to have these benefits:

- o three years after they had opted out
- o or upon appointment to a different annual hours category.

There is no change in premium cost sharing.

Court Service Specialist

The new language will place Court Service Specialists at the highest step in the highest classification that they work as opposed to the blended wage that they were receiving.

Court office work

The employer can now assign court office work to in-court workers to insure their minimum hours category will be met. This practice will not have an adverse effect on full time classified court office staff.

Unclassified workers

After fulsome discussion regarding the use of unclassified staff in-court, the employer has renewed their intent to live up to the language in Appendix 33 of the Collective Agreement with respect to the reduction of the unclassified workforce. Further, the employer acknowledges their intent is not to increase the usage of unclassified staff or to reduce the work of classified workers.

Recovery of deficit hours

The employer will make every reasonable effort to schedule FPTs appropriately. If there is a shortfall in hours, the deficit hours will be recovered in the following year from any hours worked above the employee's weekly threshold.

Reviews

the Parties agree to waive the one-year reviews previously negotiated as part of App. 32 and the subsequent MOS, date Dec. 20, 2005.

Outstanding Disputes and Grievances

The parties agree that all disputes, grievances, etc, contained in App. A of the MOA are fully resolved and withdrawn. Disputes and grievances not listed will continue through the normal grievance process (Art 22).

This has been a long process but we hope the wait was worthwhile. There are several people who need to be recognized for their hard work and determination, notably JDRC members Julie Webber and Paul Myers, whose tireless commitment to the members is evident in the outcome of the MOA.

Also, we would like to recognize local contacts in all the courts across the province. It's a tough job being the person in the middle, but you folks were invaluable in sharing information with the JDRC and the membership. Thank you!

Ratification

This deal is still tentative – it will be put to the FPTs to ratify in the near future. If this agreement is accepted by FPTs most changes will become effective January 1, 2008.

More information will be made available in the near future, including the date of the ratification vote. Check out the FPT webpage on the OPSEU website at:

<http://www.opseu.org/ops/merc/attorneygeneralappendix25.htm>

for information regarding the Agreement and ratification as it becomes available.

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Warren (Smokey) Thomas
President