

August 30, 2004

Ms. Virginia West
Deputy Minister
Ministry of the Environment
12th Floor, 135 St. Clair Ave. West
Toronto, Ontario
M4V 1P5

RE: Compressed Work Week Agreements - Operations Division

Dear Ms. West:

This is further to your memorandum of April 23, 2004 regarding the above noted.

First, I would like to thank you for encouraging the dialogue between representatives of the Divisional Director's Committee and our Team. As you may be aware, those discussions were initiated on May 20, 2004 and culminated in the memorandum we received from the Divisional Directors dated July 8, 2004.

I am please to say that the discussion with the DDC provided clarification and assurance that CWWA's will made available to all staff in the Division, hence the entire membership we represent. This reaffirms your message conveyed at the Regional meetings and also mentioned in your memo to me; that CWWAs are a benefit to staff morale by providing an ability to balance work and home life.

As you indicated in you memo, our team and the many members we represent were optimistic that the discussion with the DDC would have been fruitful in reaching a mutual understanding that would at least coincide with item 12 of the "Compressed Work Week Guiding Principals for Operations Divisions Managers". During our discussions, our team proposed a couple of Memorandum of Understandings (MOU). Unfortunately, the DDC was not prepared to consider our proposals and nor did they show interest in reaching a MOU. In our last proposed MOU, we provided many concessions but strived to have at a minimum CWWAs with One Earned Day Off for every three weeks for those members who were already working under an existing CWWA of equal or more frequent compression cycles. I would be please to share copies of the draft MOUs if you would like to review them.

Unfortunately the DDC categorically indicated they would only allow for One Earned Day Off for every four weeks (1 in 4) in order to meet operational requirements and that they had issues related to work load requirements conflicting with current compression cycles. We requested concrete information that supported these statements. None were presented other than receiving the same philosophical message over and over. Oddly, some managers verbally indicated to our members that in fact there were no workload issues within their units. Again, this is different than what is mentioned in Item 12 of the "Compressed Work Week Guiding Principals for Operations Divisions Managers" and your statement in page 2, paragraph 3, of your April 23rd

memo.

If there are no local workload issues, then why not allow meaningful negotiations at the local level as you stated in page 2, paragraph 4, of your memo. Our team and many members who are being stripped of their current work arrangements feel that the messages you conveyed at the Regional Meetings and expressed in your memo of April 23, 2004; and the statements listed in the Guiding Principal Document conflict with what is actually transpiring.

Although we acknowledge the action plan enumerated in the July 8, 2004 memo from the DDC (signed by Ms. Sikora), we understood that local negotiations for the establishments of new agreements would begin forthwith. As you pointed out in your April 23, 2004 memo, communication to local staff was lacking in clarity. I am of the opinion that this has again occurred since the July 8, 2004 DDC memo. I was approached by some local union representatives that contrary to what is stated in the DDC memo, communications to the local union representatives and local negotiations did not start shortly after July 8, 2004. In fact some local representatives were communicated by their line management with the July 8, 2004 memo as recently as August 21, 2004. I hope that the tardiness in communication does not violate the terms of current CWWA's that are to be terminated on September 1, 2004.

Surprisingly, I was contacted on Monday August 23, 2004 by the Corporate Staff Relations office requesting that I be of assistance in communicating with units that were still in, or had just started the local negotiations of the new CWWA so the September 1, 2004 target date is met. I agreed to assist with communications, however, I find that this needs to be done effectively and should not be steamrolled.

In my recent communications, I was appalled when I learned that members are being coerced to elect their options without being given the right and opportunity to negotiate via their local Union elected representative. Our members are very concerned with this lack of good will being evidenced by some local management. I would hope that this behaviour is not a preview of our upcoming contract negotiations and a disregard of the OPSEU bargaining unit integrity. I would hope that having a new CWWA in place by September 1, 2004 is not contingent on the performance measures for those respective line management officials.


I seek your endorsement that you will continue to support fair and amicable local negotiations in getting appropriate agreements in place, even if the September 1, 2004 target date is not met and especially for those units where communications were late in coming.

I ask for your intervention in this. I wish to let you know that the membership has taken to heart the reassurance from yourself that there would be appropriate local negotiation and discussion. Without your support, it is clear that management in Operations Division will completely fail to provide this consistently across the Division. I would be please to meet and discuss this further at a time that is convenient with you. Our team is schedule to meet on September 23, 2004 with the management team and this item will be on the agenda.. We could meet prior to our MERC meeting.

If you are appreciative of the concerns brought forward in this letter and see the importance in getting this issue resolved for the betterment of staff and the organization, our team would appreciate if you would intervene by having the September 1, 2004 target date postponed. This would allow us to carry further our discussion/meeting and ensure that accurate communication followed by fair local negotiations take place uniformly across the Division.

I look forward in hearing from you

Sincerely,

A handwritten signature in black ink, appearing to read "Rhéal Delaquis". The signature is fluid and cursive, with the first name being more prominent.

Rhéal Delaquis
OPSEU MERC co-Chair

c: OPSEU and Management MERC members
Michael Williams, ADM Operations Division.
Sandra Harper