

BARGAINING BULLETIN #9

August 26, 2011

Management tries bargaining behind our back

Late on Friday the colleges finally did what we expected they might do all along – they tried to circumvent contract talks altogether by bargaining with you directly.

They did so by issuing a press release to the media. They deliberately avoided allowing your team to study their proposals and respond accordingly. Their approach speaks loudly to their disrespect for the negotiating process.

When we visited the colleges' in June, ahead of the strike vote, we firmly suggested to you that this day would arrive. We told you then – and we'll repeat it today – your bargaining team would not bring back an offer to you unless it was one that satisfied your demands.

What the colleges delivered on Friday definitely *does not* meet your demands.

Let's look at their offer:

Wage increase

Wage proposal	What it means	Increase
1 st Year - 1.5% lump sum in the first year	1.5%	1.5%
2 nd Year - 1.5%	The lump sum from the first year would not be part of your 2 nd year salary. You will lose the 1.5% lump sum from the first year, and it will be replaced by this 1.5% increase.	0%
3 rd Year - 1.75%	1.75% increase	1.75%
Total increase over 3 years would be 3.25% over 3 years or an average of 1.083% per year		

Management has repeatedly lectured us on the economy and the fiscal restrictions they allegedly face.

But when we asked management about the surpluses that various colleges enjoy, they told us not to be distracted by those large surpluses (a.k.a. HUGE PILE\$ OF CA\$H).

Time off for the Union Negotiating Committee. At first glance this appears to be a gain. In reality their proposal takes away from your team's ability to prepare for bargaining and restricts the team's ability to visit with you to inform you about bargaining and to discuss your concerns about a strike vote or an offer. They would like you to be kept in the dark about what is happening in bargaining. In other words, they want to use ambush tactics like they used today to inform you about their proposal.

Time off – union representatives. The colleges want to limit your right to union representation by demanding an increase in costs to your local.

Compressed Work Weeks. The colleges continue to hold onto this item -- a right that very few of us would actually see. If you work on the frontline you will not be able to work a compressed work week. The college would also like to extend your workday. Nor is there any mention of protecting the days you actually work and no mention of what the shift schedule could be. We believe the colleges already have this under Article 6.1.4.

Flexible Hours of Work. Management is trying to take away your right to have a say about your work schedule. Currently you can cancel any arrangements for flexible hours of work with two weeks notice. They want to remove that provision so that once we have agreed on flexible work hours those hours can only be changed by the college – regardless of your personal circumstances.

Special Allowance. The colleges want to change the date the allowance is paid to the pay period after Sept 1. This move is an obvious attempt to intimidate the membership during bargaining years and coerce us into accepting contracts that fall short of your demands.

Probationary Period and Part-time Service. In their Aug. 26 release management claims their proposals will not create a two-tier workforce. Their document still contains a demand to increase probationary period for new employees after September 1, 2011 to 12 months instead of six. To add insult to injury, they also want to eliminate any credit you would receive for part-time hours worked prior to full-time employment.

Arbitration. The colleges want to take away some of the discretion arbitrators currently have under the new Colleges Collective Bargaining Act 2008. Currently that discretion allows an arbitrator to rule that a case can proceed even if there are questions about whether the grievance was filed in a timely manner. Removal of that discretion would have significant impact on your grievance rights.

Benefits – Private duty nursing. The colleges want to reduce entitlements for private duty nurses by capping the allowable expense to \$25,000 annually. The amount is currently unlimited.

The Colleges are also making a big deal about our serving them Notice to Strike. What they fail to tell you is that Notice to Strike is required by law and that we provide them with a Notice to Strike no later than five days prior to a potential strike. The colleges would have preferred that we wait until after Aug. 31 thereby ensuring we would not be able to strike on Sept. 1

The colleges claim they want to negotiate. If that is the case why did they not give us time to respond to their proposals? They handed them to us at 12 noon on Aug. 26 and we clearly told them we would get back to them on Monday, Aug.29, our next scheduled bargaining date.

Contrary to management's statement, we do not see this as "working together at the table."

This is little more than an attempt by the colleges to bargain behind our backs.

Your team is committed to delivering a decent contract to you by midnight, Aug. 31. Don't be distracted by management's attempts to circumvent your team and the bargaining process. More than anything, don't let them scare you into accepting an unsatisfactory offer.