

The Voice

OPSEU 365

January 2010

Contributions about issues that allow us to come together and move forward are especially welcome.

It's your forum, and if there's something we need to know, send a submission to opseu@trentu.ca

This is a forum for discussion and debate. Items published do not necessarily reflect the official stance of the local unless signed by the Executive.

DEMAND SET MEETING

Mark February 24th on your calendar and plan to attend the demand setting meeting at the Lions Club in East City, 347 Burnham Street just over the bridge and off Hunter. Doors open at 6:00 pm. Meeting starts at 6:30pm.

This is where we decide on formal proposals to send to the bargaining team.

This is where the bargaining team will be elected.

Remember, it is only the members in attendance at the meeting who have a vote on any of this. You need to BE THERE to determine what's in your next collective agreement.



C.A.L.M.

**Participate!
When your
issues become
our issues, we
are strong.**

Chief Steward's Notes

It's a good thing for all of us here at Trent that The Voice is back! A big thank you goes out from me to the Communications Committee for the work they've done to resurrect our newsletter.

We have seen tremendous upheaval in our staff complement in the last two years as the University has struggled with declining enrolments and deep budget cuts. I don't think that there was any area of the University that was not affected in some way. Our regular staff members took a bigger hit than full time faculty, as the teaching component cut sessional staff and left vacancies unfilled.

The pain suffered by those whose positions were declared redundant, or whose hours and salary were cut, was felt by all staff at Trent. We learned to look at our work, and our workplace, in a different way. Through the process of helping staff navigate the redeployment process, your Union has matured. An encouraging piece of news is that, with all the staffing cuts and resulting bumping, only one of our members who was displaced through the process left the employ of the University with only notice and severance payments; everyone else who left through displacement was able to take a retirement package.

As we worked through the difficult changes of the last two years, the strengths and weaknesses of our collective agreement became clear to most of us. Article 11, in particular, stands out as one with both notable strengths and lamentable weaknesses.

Within six months of ratifying our last contract, we had a grievance arbitration which tested our contracting out language. It was found wanting. OPSEU retained the services of a respected labour lawyer from Toronto to represent us. The grievor, along with our executive, had a lengthy meeting in Toronto with our counsel and spent a long day at the Holiday Inn as the matter was adjudicated. During these meetings, we heard from our lawyer about the strengths and weaknesses of Article 11.1, our contracting out clause. We will be bringing to the demand set meeting in February a proposal to negotiate stronger contracting out language. Changing this language will give us the ability to fight further "restructuring" involving staff cuts right from the start, rather than concentrating our efforts on helping affected staff members find new jobs.

Conversely, our displacement – bumping – clause saved many jobs for senior staff in our local. In the 2001 round of bargaining, facing the loss of our "no layoff" appendix, your team bargained the current language, enabling displaced staff to bump based solely on seniority and the ability to perform the core responsibilities of the job at an entry level. Prior to 2001, displaced workers were restricted to consideration of the least senior position in each band of our salary scale. With our current bumping language, displaced members with less than two years seniority successfully procured new jobs.

Before our February 24th demand setting meeting, please take some time to reflect on the events of the last two years, and bring your thoughts, ideas, and energy to help in the process of crafting our new collective agreement.

Yours in solidarity,

Doug Brown

Your Staff Representative and Bargaining Agent

Hi Sisters and Brothers,

My name is Twila Marston, and I am your Bargaining Agent as well as your Staff Representative. I work out of the Peterborough Regional Office at 1789 Stenson Blvd. I have been a long time activist and staff member.

As we head into this tumultuous climate of bargaining, each and every one of you will be experiencing your own levels of anxiety. Most commonly the question will be, *are we going on strike?*

Sisters and Brothers, we negotiate to get a fair contract that you say you can live with over the next term and this is why you need to give your input up front.

How do you do this? Please fill out the survey, attend the demand set meeting, support your bargaining team and join in on any campaign that may happen. Your team may ask you for a strike mandate or they may ask you to recommend a tentative deal. It's all up to you but you need to have faith in your elected bargaining team.

I am looking forward to working with all of you in this upcoming round of negotiations and please get involved and support your team

In Solidarity,

Twila Marston



Dear Editor,

I want to let you know that while I appreciate the purpose of The Voice, I have a problem with the fact that the articles "The Ballad of Noel-Levitz" and "What we can learn from Buhtan" have been sent out to the membership without a disclaimer stating that they are not the opinion of the union but rather the opinion of the author. The lack of disclaimer makes it seem that they are a message from the local 365 executive which all OPSEU members should get behind. As this message is unproductive and damaging to the OPSEU members who are working on the service first training initiative, it should be crystal clear that it is not the opinion of the executive, but rather the opinion of one member. In future editions, I would much prefer to see personal opinions listed as just that, letters to the editor or contributions from members, in any publication that is supposed to be for the entire membership. The Voice should be used as an effective tool for keeping OPSEU members informed and making this a better workplace for all the brothers and sisters of local 365.

Thank you,

Melanie Sedge

Thank you, Melanie. This is an important point. Note that the masthead now states: "This is a forum for discussion and debate. Items published do not necessarily reflect the official stance of the local unless signed by the Executive."

Myth: Unions Protect Lazy Workers

No collective agreement makes employers keep workers who are incompetent, lazy or always absent. The union makes sure that dismissals are for "just cause," (real reasons, not personality clashes between supervisors and employees).

This means older employees aren't fired like they used to be because they are considered less useful. There can be no discrimination based on gender because the employer fears somebody will get pregnant. Unions protect jobs.

Wise managers understand and support this. Robert S. Hatfield, a former chairman of Continental Group, one of the world's biggest firms, notes that when he first started in a factory "The whim of the boss could make the difference, and sometimes that meant swallowing a lot of abuse, with no way to talk back... It came home to me then, as never before, that human dignity is very precious....Now when I think of the humanity and dignity that underpins the relationships today of all working people... I know that our unions have a lot to be proud of, because it was the union movement that spearheaded the effort and made it happen."

"Action is the antidote to despair" – J. Baez

PENSION PLAN UPDATE

We are about to negotiate our next contract. This update is to inform members about the status of our pension plan and implications for demand setting.

Pension Plan Management

Trent University has recently completed a transition from ‘active’ to ‘passive’ management of our pension funds. This included a change in the fund manager. One pays more for active management in hopes of achieving better financial returns. Investment performance is closely monitored, and investments are changed as needed to try and improve return. Passive management involves more conservative investments and monitoring/changing investments less often.

Over the past several years our pension has been no further ahead using active management. Financial returns were better than passive, but the difference was about the same as the extra paid for active management. The decision was made to return to passive management, which takes less effort and results in the same financial return.

Pension Plan Solvency

Trent University has to ensure that our pension plan has enough funds to pay everyone what they would be due (be ‘solvent’) in the unlikely event that Trent University were to cease to exist. The Government of Ontario imposes this requirement on all businesses with pension plans to protect pensioners (and future pensioners). Meeting this regulation requires that our pension have more funds than it might normally have because some of these funds would not be needed until far into the future. The recent market downturn and decrease in pension value means meeting this ‘solvency’ is a problem for all businesses, including Trent, which has to report (‘file’) the solvency status of our pension plan to the government on a regular basis. Trent’s last filing was in 2008, right after the market drop had started, and at that time our pension plan was a little short of solvency, so a payment of an annual fee of just over \$800,000 is needed to make up the difference. The first payment used up our stabilization fund. Subsequent payments will likely come from Trent directly.

Ontario universities, including Trent, argue with the government that they should be exempt from solvency requirements because while a business may close at any time (thus the need for extra protection for employee pensions), universities are different and unlikely to go bankrupt. To date the Ontario government has been unwilling to accept any exceptions to their pension solvency requirement.

With solvency payments, our pension is still viable and will continue to do its job of providing an income for retirees. A few recent factors have put stress on our pension plan. First is the recession of the last 12-18 months. While there are signs of recovery, pensions across the world have lost value as investments declined. Our plan lost value with the rest, but the plan’s investment distribution meant it did not dip as far down as the stock market. Since March, our pension value has recovered marginally, but not near to the value before the recession.

Second, our pension plan is now paying out more to retirees but receiving less income from pension contributions. Several members have retired in recent years, partly due to position redundancies and early retirement packages, and partly due to baby boomers reaching retirement age. Simultaneously, the number of people paying into the plan has dropped somewhat, due to aforementioned position redundancies. This means our pension plan cannot support any new or enhanced early retirement plans or other enhancements that would cost money for our next round of bargaining. To further burden our pension plan with the cost of enhanced early retirement plans would be doing a disservice to all members depending on a healthy viable pension plan far into the future.

This does not mean we cannot propose pension improvements that cost money, as long as we pay for them out of our pocket (via increased contributions, for example) or propose improvements that do not cost extra money. Early retirements should not cost the plan money. Money needed for someone to retire early should come from Trent (apart from normal contributions and appropriate penalties calculated by the actuary on pension payments for the member retiring early), NOT from the pension fund.

POINTS TO PONDER FOR DEMAND SETTING FOR THE NEXT CONTRACT

The Trent Early Retirement Program (TERP) should not cost the plan money.

Money needed for someone to retire early should come from Trent, not the pension fund.

We expect the University to propose increasing the amount we pay into our pension.

We currently pay 6.5% of our salary into our plan. The university pays 9.3%.

Expect an increase in both numbers. This would improve our pension plan's financial health. Our contribution rate is low compared to other workplaces: it is not unusual to see contribution rates over 10% (rates have been climbing universally for several years). Before this century, high premiums were less necessary as there were fewer retirees from our unit. Over time, our pension plan is paying out to more people (baby boomers are hitting retirement age), and people are living longer, resulting in longer payouts (faculty agreed to an increase in their pension premiums in their latest agreement [July 2009]).

Appendix X does not need to be in the new contract and (we feel) is not in the interests of the membership overall. The appendix means there is no stated requirement that proposed amendments to the pension plan must be discussed with the Pension Subcommittee in order to be tabled at bargaining. It is wise for the bargaining team to do so, but the membership has never demanded this. We feel this appendix casts a negative light on what should be a positive and open relationship within our work group.

SHOULD I RETIRE NOW? *Everyone's financial situation is different. Only you can decide. Here are a few things to consider.*

What will your monthly retirement income be? You can figure out your retirement income using the

annual pension statements we receive from Trent University, or you can calculate it yourself. Members receive a percentage of their Trent salary based on years of service and time working at Trent (see our current Collective Agreement and the Pension Plan Text for details).

What will your monthly costs be? Break needs into 3 categories: essential expenses, lifestyle expenses, and if you're lucky to have money left over, estate wishes. Remember, some costs will rise and some will fall (you may save on gas because you won't commute to work, but you may spend more on a hobby).

Are there medical reasons for you to stay or go? For some, relief from the mental and physical stress of the work environment is more important than a few more years of work income. For others, a medical condition covered by our benefit plan may be an encouragement to keep working. Remember, it is possible to buy into medical plans on your own so you have complete coverage after you retire, and this should be figured into your monthly costs if necessary.

Will you still have large debts? It is wise to have no debt when retiring if possible. Maybe you have a few years of a mortgage left. Perhaps you need a new car (= a new large debt). Realistically, you won't have the same disposable income to manage the debt. Be sure to factor in any potential debt payments.

Do you have other personal investments? If yes, read on. The Rule of \$20 states that every \$20 of retirement savings generates \$1 of retirement income per year, adjusted for inflation. For example, a person with \$400,000 in registered retirement savings could expect about $(\$400,000/20 =)$ \$20,000 annually from that investment for a period of 30 years. Extra investments could allow you to retire earlier without stressing your budget. Figure any income from your additional investments in your annual income.

If you have questions/concerns, please contact any OPSEU pension committee member:
Jason Allen: jallen@trentu.ca, Craig Kelley: cwkelly@trentu.ca Robert Loney:
rloney@trentu.ca



Watch for Misuse of Temporary Upgrades

Management is misusing temporary upgrades. They are only meant to be used when a member with a lower classification temporarily takes on a significant part of the work of an absent staff member. Temporary upgrades are not meant as a

way to load extra work onto members. When managers give certain members temporary upgrade for years because of workload issues, *not* the absence of another member, this is interference according to our Collective Agreement (Article 4.2 about interference means no side deals can be made that contradict the Collective Agreement). With the workload issues members are facing, we encourage members to re-do their job descriptions where necessary through JJEC and get compensated properly for the extra tasks they are doing. Temporary upgrades were never meant as a substitute for this. When misused, they are a sneaky side-door circumvention of the collective agreement. For example, if a position is reclassified through JJEC, pension contributions go up and a member is compensated properly. Indeed, it is the Executive's position that if some members are getting temporary upgrades solely for workload issues, we should *all* get it, for we have all been impacted by cuts and an increased workload!

We want our members to be compensated fairly and properly for the extra work they are doing where applicable. A temporary upgrade can be taken away as fast as it was given. However, if a position is upgraded through JJEC, it cannot so easily be taken away. Members that are upgraded through JJEC also have their new workload defined so they can refuse extra work without insubordination. This makes things clear and equitable. If work is being downloaded by your manager, you have to be properly compensated. A temporary upgrade is, by definition, *temporary* and occurs "When a staff member is absent and another staff member of lower classification is to be assigned a significant portion of the responsibilities of the absent staff member."

Everyone needs to be treated equally and follow the Collective Agreement.

Side deals divide our membership.

Together we are strong.