

The Voice

OPSEU 365

February 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.

OPSEU LOCAL 365 COMMITTEES

The brothers and sisters who volunteer for our committees work on issues of workplace safety, facilitate the accommodation of medical needs, stand up to bullying managers, run elections, keep the mechanisms of the local moving, cobble together this newsletter, delve into the complex and detailed world of pensions, represent OPSEU in Senate, police the collective agreement and take care of many other "invisible" details. A thousand thanks go out to the people on these committees. If you know any of them, ask them how things are going. Say thanks. All of us benefit from the immense amount of work that goes on behind the scenes.

ACTION COMMITTEE Elizabeth Wilson, Inge Lovell, Julie Crook

COMMUNICATIONS COMMITTEE George Fogarasi, Dana Capell

GRIEVANCE COMMITTEE Pat Lynch, Jean Kirk, Tammy Mulley

HEALTH & SAFETY COMMITTEE Deb Lietz, Adele Devlin, Catherine Leahy, John Breukelaar

NOMINATING COMMITTEE Nancy Elliott, Betty Clark, Elizabeth Wilson

BYLAW COMMITTEE Rob Ferguson, Craig Kelly, Bruce Shearer

JOINT JOB EVALUATION COMMITTEE Angela Sikma, Michelle Sparkes, Ron Fox

SENATE REPRESENTATIVE George Fogarasi

TRUSTEES Mary Louise Brooks, Angela Sikma

HUMAN RIGHTS Pat Lynch

PENSION COMMITTEE Jason Allen, Rob Loney, Craig Kelly

PENSION COMMITTEE SHADOW MEMBER Catherine Leahy

President's Message

Sending out the surveys started the bargaining process. Thank you everyone who took the time to fill them out and get them back to us. We had a great response rate of 187 completed surveys with a wide range of comments and suggestions to guide us into the next phase of bargaining. You gave many wage increase suggestions, important ideas about the language in our collective agreement about contracting out work, as well as excellent points about Long Term Disability issues and many other matters. This gives us a great base to work from at the demand set meeting and give the bargaining team a strong and clear mandate. The next step is to set out our demands as a local and elect a bargaining team February 24th at the Annual General Meeting / Demand Setting Meeting. It is very important to be there. There will be no proxy voting.

On April the first, the local will send a "Notice to Bargain" to the employer. The bargaining team you elect will work, with the help of our Regional Rep Twila Marston, to get the best possible deal. I am excited about having Twila on board. She understands union matters and brings with her an extensive amount of valuable bargaining experience. I would also like to thank the hard working brothers and sisters in the local. Special thanks go to the rest of the Executive team. Doug Brown, Jean Kirk, George Fogarasi and Gerry Mason have worked extremely hard at the issues you bring forward. These are tackled officially through ongoing grievances and meetings with managers and Joint Committee. They are also tackled in meetings with members who have concerns about workload issues, harassment, accommodation, human rights and other areas concerning the fair application of the collective agreement. These are issues relevant to all of us.

Thank you to members for policing the collective agreement, keeping an eye on contract postings, the hiring of students and other important matters. Gratitude and respect go out to the brothers and sisters who support each other in so many ways in the face of unfair practices and harassment. Together we are strong. And thank you to the stewards who are all too often not given the recognition they deserve for their hard work and dedication. Thank you to Deborah Earle, Marty Barrett, Patrick Butler, Betty Clark, Adele Devlin, Nancy Elliot, Robert Dack, Sean Daniels, Jeff Martindale, Elizabeth Wilson, John Breukelaar, Ron Fox, Dale McKay, Jeannine Crowe (and Executive officers who are also stewards). If you don't know who your steward is please contact one of the Executive and we will be more than happy to get you into contact with them.

Make sure you have signed a membership card or let us know of a change of address if you have moved. We will need updated information as we enter bargaining and ultimately come out of it with a signed contract. We need to stay strong, to look forward and not backward, to think of the "we" and not just the "me." We must be united to get the best possible contract. We need to be engaged. We need to be there for each other in good times and in bad, and we need to show the employer that we are strong and united.

In Solidarity,

Rose Dunford

Chief Steward's Notes – February 2010

Another month has passed and several more grievances have been filed, some by members protesting the withholding of a benefit to which they're entitled under our collective agreement and some by the Union to protect the body of work done by members of our bargaining unit. What constitutes our work is defined in the recognition clause, Article 4.1, and the university's obligation to have that work done by our OPSEU staff is delineated in Article 11.1, the contracting out clause. The link between a member leaving the workforce and his or her work continuing to be done by a Union member is Article 18.1, Job Posting, modified somewhat by the wording of Appendix VIII.

There are, however, two distinct classes of employees in our local, regular employees and contract staff. As regular employees, we enjoy annual step increases (at least until we reach the top of our pay band) and membership in an excellent pension plan. An extensive range of insured benefits is available to us, as is paid time off when we need it for a variety of reasons. Contract staff have none of these advantages. Contracted employment is defined in Article 10.1 (c) of our collective agreement. It limits most contracts to 12 months in duration, and clearly states that they are not substitutes for, or alternatives to, real jobs. Further, contracts of more than four months in length must be posted.

Your Union often takes issue with the way Trent handles contracts. We have filed four separate grievances citing violations of Article 10.1(c) this month alone. Managers have used sequential contracts to try to hide the need for a full-time job, claiming the need for "flexibility" but in reality saving salary and benefit money while denying job security to hard-working people. They have used the "four month rule" to give temporary employment to junior members of the bargaining unit without competition, passing over qualified senior members and ignoring our seniority rights. This same rule has been abused for expediency, passing over the need to post a sick leave contract and counting on the good will of the Union to allow them to extend it when the four month limit passes.

While contracts do fill a necessary gap in our staff employment cohort, this language is regularly misused by the administration. We will continue to enforce the language in our contract through the grievance process and strive to tighten it through collective bargaining.

In Solidarity,

Doug Brown

OPSEU Live and Let Live Fund

Since a unanimous vote from delegates at the 2003 OPSEU convention established the Live and Let Live fund, it has helped fund the fight against HIV/AIDS both in Africa and at home. This disease is devastating fabric of many African nations. Parents die from HIV/AIDS, leaving grandparents to raise children (many also infected by the disease). Families, education and health care infrastructures as well as entire economies unravel. African people need help to combat this destruction.

Canada has other challenges. While HIV/AIDS can be managed, there is still no cure. But not all Canadians have access to the expensive drugs required to treat HIV/AIDS. Children and young people especially need preventative programs.

How can you get involved?

Members may make individual contributions to the Fund, or a Local may vote to make an annual donation. Money raised by Locals is matched by OPSEU Central and distributed twice yearly to agencies working directly with HIV/AIDS sufferers. Seventy-five per cent of the money raised goes to African organizations which are carefully selected in partnership with the Stephen Lewis Foundation to support the most suitable projects. Twenty-five per cent of the funds go to worthy Ontario programs.

One community college local won a grievance and had management pay into the Live and Let Live Fund as settlement. Approach colleagues about contributing one cent per month of Local earnings to the Fund. Bring this up at a Local meeting. Be creative! Watch the OPSEU web site for news about province-wide fundraising events.

Workload, LTD and overtime are closely connected issues. If the university had to pay even some of the LTD costs, it might realize the negative impacts associated with increased workload, overtime and the stress resulting from re-structuring on a reduced and stretched workforce left to fill the gap. Time and a half for overtime to a worker who can't get the job done without overtime hours in the first place is no solution.

COUSA and OPSEU LOCAL 365

The Council of Ontario University Staff Associations is an organization which represents non-teaching staff at post-secondary institutions in Ontario. It provides valuable research to its members and advocates on behalf of staff in the larger community.

It was my privilege to attend the COUSA winter conference in Toronto in February on behalf of our local executive. The Friday evening portion of the conference was a round-table where representatives of member organizations reported on their activities and issues of concern. The delegates in attendance represented unions and staff associations from Lakehead, Brock, Queen's, Carleton, McMaster, UOIT, Wilfred Laurier, Waterloo, and Western. Several of these institutions had more than one bargaining unit or staff association.

It was affirming to discover that all over Ontario, from Thunder bay to St. Catharines, from Ottawa to London, there are working people like us facing the same issues we are: layoffs, budget cuts, pension negotiations in a difficult climate, all striving to serve the interests of their members in a challenging environment, a post-secondary system with the lowest funding level in Canada. Listening to their stories, two things became clear to me. The first was that we are already doing a good job as we fight our battles, and the second was that we can learn from the struggles of our fellow organizations at other universities.

The morning of the Saturday was spent partly managing the business of the Council and partly on advocacy work. One delegate tabled a motion to join the Ontario University Education Alliance, an umbrella group whose purpose it is to generate enhanced support for post-secondary education in Ontario. It was recognized that staff don't always share the goals of our partners in this campaign and we can be seen as competing for a piece of a shrinking pie. Substantial discussion ensued on ways to make a positive contribution to the alliance and to emphasize the role of staff in providing an excellent post-secondary experience for students.

Saturday afternoon was spent listening to a presentation by labour economist Hugh Mackenzie as he spoke on the development of pensions and pension regulation over the past forty years and how events in the economic and political spheres affect the health of most public service pension plans. Experiences from around the province in pensions and pension negotiations were shared.

An invitation has been extended to our bargaining unit to join COUSA. The breadth of experience and knowledge in the organization, and the depths of the research and collective agreement language which would come with membership, make compelling arguments for us to join.

Doug Brown

WHOSE PLAN IS THIS ANYWAY?

The Contributory Pension Plan for Employees of Trent University is the official title of our pension plan. It is an excellent pension plan, unreduced by CPP benefits or the OAS. As well, we can retire early under the plan with an unreduced pension if we are 60 years old and have contributed to the plan for 20 years. The plan cannot be amended other than by mutual written consent of the Board of Governors and OPSEU.

Is it our plan to look after? NO. "The University through its Board of Governors shall be the administrator of the Plan." So reads in part Article 16.01(a) of the plan text.

Further, Article 4.06 tells us that "In each Plan Year the University shall contribute to the Pension Fund on a monthly basis: (i) The amount necessary for the proper amortization of all unfunded liabilities and solvency deficiencies (if any); and (ii) The amount equal to the university's current service cost..."

The University administers the plan as they see fit, subject to regulation by the Income Tax Act and the Pension Benefits Act. Our primary obligation as plan members is to pay our pension contributions. The Plan operates according to a set of actuarial assumptions, many of which have a discretionary aspect, although they are subject to scrutiny by the Financial Services Commission of Ontario.

These assumptions have a significant impact on the size of our liabilities and the amount of the current service cost of the Plan. They also have an impact on the amount of money the Plan can provide for indexation. There is no doubt that the recent recession and low interest rates have affected the performance of the plan. Has the plan administrator taken into account the current low interest rates when anticipating returns from the pension fund? Is it being managed in a way to minimize the University's contributions?

The pension benefits we enjoy as members of this plan have come about through the negotiation process, much like our current wage scale. The University knows that to attract and retain excellent staff it has to provide a good compensation package to its employees.

Let the negotiations begin!

Doug Brown