

Background- Ontario's "Public Sector Compensation Restraint To Protect Public Services Act"

by Robert Loney and Rod MacDonald

You might have noticed in bargaining bulletin #2 (available from our OPSEU Local web site)

mention of the "Public Sector Compensation Restraint To Protect Public Services Act, 2010" (could they have come up with a longer name?), This Act is part of the 2010 Ontario budget here I will take you through some of its details and how it may/may not affect our bargaining unit.

The global recession hit everyone hard, including our province. Before the recession hit Ontario's annual budget was pretty close to balanced, but the recession threw that off track, and in 2010-11 Ontario projects an annual deficit of \$20 billion. With the largest part of Ontario's expenses (55%) being salaries and benefits (in areas such as health care, education, justice, politics and child services), the finance minister wants to try and control this expense.

To that end, the 2010 budget included the 'Compensation Restraint To Protect Public Services Act', which includes several measures, such as a three-year freeze on MPP's salaries, and a two-year compensation plan freeze on non-bargaining political and broader public sector employees. The Act does not officially

apply to employee groups who bargain collectively (like our Local), but it does say Ontario reps will "work with transfer payment partners and bargaining agents to seek agreements of at least two years duration that do

not include net compensation increases". Ontario has stated that it expects unionized government workers to "do their part" and accept collective agreements without increases to wages or benefits.

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NOTE: if clicking on a web link doesn't work, try copying the link and pasting into your web browser.

Ontario likely left unions out to avoid court action based on this ruling. But since they expect the same no salary increase from unions as others covered by the act, it would appear they are interfering in collective bargaining nonetheless. From our Bargaining Bulletin #2, our employer is clearly aware of this, as they have already mentioned this to our bargaining team, as part of the bargaining process.

Under the Act, all collective agreements agreed to as of March 25, 2010 (when the Act came into effect) will be respected. Ontario wants any new agreements bargained between that time and March 31, 2012 to be at least 2 years long, and provide no 'net increase' in compensation for at least 2 years. Compensation includes any benefits, such as wages, health benefits, vacation, and pension benefits.

'No net increase' means agreements must not result in an overall increase in total compensation is negotiated to employees for 2 years. So under the Act it is possible to get an increase in one type of compensation, but it will have to come at the expense of decreasing another, to prevent the total cost from increasing.

Note this does not involve step increases within a band, which are permitted to continue, nor does it include premiums for pension or benefit plans, which are allowed to increase under the Act.

The long-term Ontario budget plan doesn't hold much better news. Ontario's financial plan will take 9 years to return to a balanced budget, and after this Act is no longer in effect (starting in April 2012), Ontario has budgeted only a 1.9% per year increase in total expense growth between 2012 and 2017. Since salaries are a large part of this expense, 1.9% will likely be the target average salary increase they will be looking for.

Of course, this assumes this Ontario budget is applied as planned. Budgets can change a lot in a short time depending on fluctuating economic conditions, the elected government might change, and/or different groups might complain loud enough to make the government change its position.

The OPSEU President provided a written statement in mid-April that OPSEU would fight the wage freeze imposed in the Ontario budget. He describes various groups that seem to have escaped this freeze, such as top managers who get their 'pay for performance' bonuses, while average workers see what is in reality a pay cut, as their salaries are frozen and inflation continues. OPSEU is organizing protests, and there speculation of a lawsuit.

Other Peterborough unions that will be unaffected by the Act include the Trent Faculty Association and the Kawartha Pine Ridge District School Board Elementary Teachers. Both of these groups recently ratified collective agreements that will end around the same time as the legislation expires. This prompts us to ask "Where is the equity in that?" Based simply on the timing of new agreements some union members will be able to maintain or improve their standard of living while others will lag behind. Little wonder there is talk of protests. Other labour leaders (see Toronto Star article link in references) also note that while Canada and Ontario have some of the lowest corporate tax rates in the industrialized world we continue to reduce them and lose billions in tax revenue every year. The most bizarre twist of this tax reduction scenario is that American firms must pay Uncle Sam the difference in tax rates if the foreign rates are lower! Couldn't this money be better spent on hospitals, schools or public transportation?

Queen's University Staff Union has posted some interesting perspectives on this issue. The Ontario Government says it will not be increasing funding to universities to fund larger wage settlements. But the problem here is that Ontario's funding of universities is based solely on student enrolment; there is no influence on funding from salary changes. Whether Trent agrees to pay us 0% or 10% salary increase won't have any affect on Ontario's funding of Trent. Instead, Trent, as an independent entity, gets funding mainly from Ontario and from student tuition, and decides how to spend that money. And it is interesting to note that the Board of Governors approved a 5.4% increase in 'non-instructional staff' expense (our OPSEU

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Local) on April 30, well after the announcement of this Act in March, which is supposed to freeze salaries. Step increases and Trent's share of pension costs account for some of this increase, but unless they plan on hiring a lot of new staff, it seems feasible that there is ample room for a reasonable wage increase to come from that 5.4% increase.

On the surface, it makes sense to try and control spending when one has a large deficit. It is never good to carry large amounts of debt, and Ontario's current debt is the largest ever. The problem with Ontario's solution is that it is placing the majority of the burden of saving money on those in the public sector, by asking them to take what is in reality a pay cut for years, while everyone outside of the public sector has no such limit. The world recession hit everyone hard, not just one group. In fact, part of the recovery from the recession involved giving Canadians tax breaks and money for jobs so they would have more money to spend. Now they ask those that have contributed to the recovery, those who have spent money, to take a pay cut? It seems reasonable to me that if Ontario has a large debt, every Ontario citizen should shoulder some of the responsibility of paying off this debt. And we already have a system to do it... income tax. But the government is reluctant because they want to be re-elected, and have frequently said in the past they will impose no more taxes, and want to avoid criticism.

On July 20 Ontario's Finance Minister, Dwight Duncan, invited union leaders to an open discussion about the issue. But union leaders observed that it was more like a presentation than a consultative process.

Stay tuned for further news on Ontario unions' efforts to fight this act, and how it affects our negotiations.

Of more immediate concern for the members of Local 365 is what WE are prepared to say to our employer. Do we accept pay freezes and the demoralizing possibility of increased workload as Trent attempts to increase enrolment and trim its own budget? As we move closer to ratifying another collective agreement it's crucial you let your Union reps know your perspective. Contact your Steward and bargaining Team and share your thoughts. Our greatest strength is our solidarity.

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Ontario Budget 2010.

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Queen's University Staff Union. **Is Your Compensation Frozen?**

http://www.qusw.ca/files/Staff_compensation_final_0.pdf

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<http://www.trentu.ca/financialservices/budget.php>



Support Staff Contract News at Other Canadian Universities

By Robert Loney

This article briefly reviews some recent and current situations of Canadian University staff groups.

We are not the only ones fighting cutbacks and position cuts. At the University of Calgary staff are "struggling with a heavy workload as the university hasn't replaced some staff positions. More than 200 jobs were eliminated from the U of C last year [2009], including a round of layoffs among support staff." At the University of Alberta, over 400 employees and faculty will leave in 2010, while the number of incoming students remains the same.

The University of PEI is reducing new hiring and overtime, to address what they call a "serious financial challenge" caused (they say) by the elimination of the mandatory retirement. In February 2010 the Human Rights Commission found that UPEI had discriminated against two professors and a support staff member by forcing them to retire at age 65. UPEI had to reinstate the three workers, and are appealing the decision.

Trent isn't the only university changing academic structure. The Faculty of Arts and Science at the University of Toronto is "undergoing sweeping restructuring with the goal of streamlining programs by June, 2011 in order to cut costs." Some believe these changes will remove support staff in various programs, streamline the administration, and limit the number of smaller interdisciplinary programs. The plan is facing mounting opposition from professors and students.

A recent agreement at the University of Winnipeg is somewhat troubling. Staff will see a salary increase of 1.5%, but many support staff have agreed to take up to ten 'furlough' days (unpaid days off). At least the administration froze their own salaries this year, after taking a voluntary 10% reduction in salary last year. Trent administrators and faculty, would you like to give this a try?

Many teaching support staff groups are negotiating new agreements this summer. St. Francis Xavier university support staff are currently bargaining their first contract since joining the Nova Scotia Government and General Employees Union (last October). They were scheduled to return to the table July 19.

The Teaching Support Staff Union (CUPE 338 at Simon Fraser University, B.C.) collective agreement expired April 30. They, along with workers from the University of Victoria, Royal Roads, Thompson Rivers University, and University of Northern BC (all CUPE locals) were each set to negotiate this summer.

Let's look at the five Ontario universities most similar to Trent in size. Support staff at Lakehead (Thunder Bay; COPE Local 96) and Laurentian (Sudbury) are in mid-contract (2009 through 2012). Laurentian's 2009 negotiations were difficult- the union said the university showed a "complete lack of respect". Wilfred Laurier's (Waterloo) staff association contract runs 2008-07 through 2011-06, so they will be negotiating next summer.

University of Windsor support staff are in groups, each represented by a different union. Many of these unions' contracts are up this summer, but in their agreement is a statement that the contract will continue from year to year thereafter, unless either side gives notice in writing that they want to negotiate changes. I could not find any sign of active bargaining.

Brock (St. Catherines) support staff's (Ontario Secondary School Teacher's Federation, district 35) latest agreement expired April 30, and they are in negotiations.

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University of Windsor Human Resources (click unions in left menu): <http://web4.uwindsor.ca/hr>

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Save Your Bucks

By Robert Loney



Ever wonder who is offering the best price on that fridge? Or whether you could get a less expensive long distance calling rate? Here I am to your rescue!

Paying for a home internet connection? Make it work for you! Various organizations and people have posted aids to help consumers get a better deal, and in doing so have probably made retailers and service providers drop their prices a bit as competition heats up! Here I'll provide some useful web sites that can help you save money by becoming a smarter consumer!

First, let's tackle the purchase of goods. There are several sites that compare how much a particular item costs at different retailers. Most allow you to search for a product by specific features (e.g., freezers that are energy star), and some also provide full descriptions and user ratings on items.

<http://www.pricecanada.com>

Computers, electronics, DVDs, Canadian oriented.

<http://www.shopbot.ca/>

A wide range of products, Canadian oriented.

<http://www.shopzilla.com/>

A wide range of products, covering North America.

<http://shopper.cnet.com/>

Electronics, mainly US-based.

<http://www.bizrate.com/>

A wide range of products, mainly US-based.

Often good deals on articles and services appear out of nowhere. A good place to track these is <http://www.redflagdeals.com/>. The searchable site provides information on deals & coupons, and is Canadian-based. You can subscribe to their email-based newsletter.

Next, let's explore some services, starting with long distance call rates and cellphone contract rates. There is a lot of competition in these areas, but many of the plans for both services are quite complicated and hard to compare.

Long distance plans can be compared on the web site <http://www.telecomparisons.com/>. This web site asks you about your long distance calling patterns, and produces a table comparing prices of various long distance calling plans. You can save a lot of money. As an example, a

person making ten 30-minute long distance calls weekly can pay up to \$65 (Bell's normal rates) or as little as \$9 for the same service!

Cell phone plans can be compared using the web site <http://www.cellphones.ca/>, which lists no less than 189 plans available in the Peterborough area! No wonder it is so complicated! Again, the range of costs is considerable.

You can also comparison shop electricity and natural gas contracts. Most people buy these energy products as they use them, paying the rate set by their utility at the time. But you can purchase these products on contract at a fixed price for a fixed duration. A warning here... this involves some speculation about what will happen to energy prices in the future (which no one really knows). If you are interested, visit <http://www.energyshop.com/>, where you can compare energy contracts offered by different suppliers of both natural gas and electricity. The site also provides historical price patterns, and price forecasts (which you should take with a grain of salt!).

If you are in the market to renew or set up a new mortgage, you might find the web site <http://www.canadamortgage.com/> of use. It lists current posted rates from over 30 financial institutions across Canada for various mortgage types and terms. It also provides tools such as a calculator to help you calculate payments.

Most of us have a credit card that charges way too much interest. The web site <http://www.themoneybelt.gc.ca/> offers an interactive tool to help you choose a credit card that suits your needs.

Speaking of overcharging, banks charge way too much for their services. Most banks offer some sort of guide to compare their rates for their various levels of bank accounts. There are also a couple of web-based tools to help you compare different banks' account charges:

<http://www.themoneybelt.gc.ca/>

Offers an interactive tool to compare different bank's accounts.

<http://www.fiscalagents.com/rates/servicepack.shtml>

Offers a monthly service package comparison between banks.

Send in YOUR suggestions for topics or money saving tips!

OPSEU Local 365 Executive, Committees, and Stewards

Names, Trent U. Email Addresses, and Work Units (keep for reference)

OPSEU Local 365 Executive:

President: Rose Dunford (rdunford; Physical Resources)
Vice President: Gerry Mason (gmason; Physical Resources)
Chief Steward: Doug Brown (dbrown, Athletics & Recreation)
Secretary: George Forgarasi (georgefogarasi; Academic Skills Centre)

Local Committees:

Action Committee:	Elizabeth Wilson (ewilson; Bata Library) Inge Lovell (ilovell; Bata Library)	Julie Crook (jcrook; Physical Resources)
Bylaw Committee:	Craig Kelly (cwkelly; Physical Resources) Bruce Shearer (bshearer; Physical Resources)	Rob Ferguson (robferguson; Physical Resources)
Communications Committee:	George Fogarasi (georgefogarasi; Academic Skills) Dana Capell (danacapell; Academic Skills)	Robert Loney (rloney; Environmental and Resource Studies)
Grievance Committee:	Tammy Mulley (tammymulley; Julian Blackburn College)	Jean Kirk (jkirk; Bata Library)
Health & Safety Committee:	John Breukelaar (jbreukelaar; Physics Department) Adele Devlin (adeledevlin; Physical Resources)	Debbie Lietz (dlietz; Biology) Catherine Leahy (cleahy; Financial Services)
Nominating Committee:	Elizabeth Wilson (ewilson; Bata Library) Betty Clark (bclark; Physical Resources)	Nancy Elliott (nancyelliott; Physical Resources)

University Committees:

Joint Job Evaluation Committee (JJEC) (2 year term):	Angela Sikma (angelasikma; Associate Dean of Science) Michelle Sparkes (msparkes; Otonabee College) Ron Fox (rfox; Associate Dean of Science)
Trent University Senate Representative Trustees:	George Fogarasi (georgefogarasi; Academic Skills) Mary Louise Brooks (mbrooks; Financial Services) Angela Sikma (angelasikma; Associate Dean of Science)
Human Rights:	Pat Lynch (plych; Financial Services)
Pension Committee:	Jason Allen (jallen; Animal Care Facility) Robert Loney (rloney; Environmental and Resource Studies) Craig Kelly (cwkelly; Physical Resources) <i>Shadow Member:</i> Catherine Leahy (cleahy; Financial Services)

OPSEU Local 365 Stewards (alphabetical by last name)

Barrett, Marty (martybarrett; Physical Resources)	Earle, Deborah (deborahearle; Concurrent Education)
Breukelaar, John (jbreukelaar; Physics Department)	Elliott, Nancy (nancyelliott; Physical Resources)
Brown, Doug (dbrown, Athletics & Recreation)	Fogarasi, George (georgefogarasi; Academic Skills)
Butler, Patrick (patbutler; Physical Resources)	Fox, Ronald (rfox; Associate Dean of Science)
Clark, Betty (bclark; Physical Resources)	Kirk, Jean (jkirk; Bata Library)
Crowe, Jeannine (jeanninecrowe; Canadian Studies)	Martindale, Jeff (jmartindale; Information Technology)
Dack, Robert (rdack; Information Technology)	Mason, Gerry (gmason; Physical Resources)
Daniels, Sean (sdaniels; Information Technology)	McKay, Dale (dalemckay; Biology)
Devlin, Adele (adeledevlin; Physical Resources)	Wilson, Elizabeth (ewilson; Bata Library)
Dunford, Rosemary (rdunford; Physical Resources)	

Copyright bill a blow to education and research

CAUT Bulletin/CALM

OTTAWA HAS tabled its long-delayed copyright bill, proposing to legalize common practices, such as copying a CD to a computer or an MP3 player for personal use, but proposing to criminalize breaking digital locks.

Bill C-32, will make it legal for Canadians to back up a copy of a CD or DVD, record television shows for later personal viewing and copy or shift content from one device to another. The bill also provides new exceptions to copyright protections, allowing Canadians to use copyrighted material for parody, satire and education.

Although some groups like the Council of Ministers of Education Canada welcomed the new exception for education, critics say the ban on circumvention of digital encryption—any device or technology that prevents copying or use of material—overrides the new rights and exceptions in the bill.

Because there are no meaningful exceptions to this rule, the bill will lock down a vast amount of digital material, effectively preventing its use for research, education and innovation, and curtailing the user rights of Canadians.

“It’s like the government has said, you’re welcome to take out a book in the library whenever you want, but we’ve locked the doors and if you try to get in you’ll be charged with breaking and entering,” said CAUT associate executive director David Robinson.

Michael Geist, Canada Research Chair in Internet and E-Commerce Law at the University of Ottawa, said the issue of digital locks is a major flaw in the bill. “Despite a national copyright consultation that soundly rejected inflexible protections for digital locks on CDs, DVDs, e-books, and other devices, the government has caved to American pressure and brought back rules that mirror those found in the U.S.,” Geist wrote on his blog. “These rules limit more than just copying as they can also block Canadian consumers from even using products they have purchased.”

Geist added the digital lock principle extends to other provisions in the bill, including a requirement that digital copies produced by libraries must be

destroyed within five days of being received by a user and that distance learning course materials be destroyed 30 days after the course concludes.

Under the proposed law, he said, students would be able to share books for educational purposes, but not digital books protected by a lock. And teachers would be legally prohibited from copying and distributing printed material if there is also an electronic version that is digitally locked.

“The foundational principle of the new bill is that anytime a digital lock is used, it trumps virtually all other rights,” Geist said.

Robinson said the government should have introduced a more flexible approach that would have been consistent with international obligations by prohibiting the cracking of digital locks for unlawful purposes only.

“Instead we find ourselves in a situation where the Conservative government is catering to the demands of the American entertainment industry,” he said.

About THE VOICE and Submissions

The Voice is created and distributed by the Communication Committee of OPSEU Local 365.

Contributions about issues that allow us to come together and move forward are especially welcome. Members, this is your forum. Please send your submissions for The VOICE newsletter by mail to Robert Loney (ERS Program) or (preferably) by email to: rloney “at” trentu.ca. All submissions are subject to editing for grammar, spelling, and/or space. As guidance, a one-page article typically has 500-600 words (we’ll accept any size article).

This is a forum for information, discussion and debate. Opinions expressed in The Voice are those of individual members and not necessarily those of the Communication Committee, OPSEU Local 365, or OPSEU unless signed by the Executive.

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