

## CUPE Bargaining Course

### *Local 905 Offices/Pony Drive*

First, I would like to thank the Union for sending me to the Bargaining course that took place in Newmarket from Wed. Nov. 25 through to Fri. Nov. 27, 2015 (9am to 4pm).

The two instructors (Bev Patchell and Marie Boyd) were extremely well versed in the art of bargaining with lots of great information. Some items touched on over the course duration were:

- Why belong to a Union? Strong voice, strength in numbers; equality and fairness, better wages, support for each other, a bargaining process, access to National dollars, keep members ideas and wants in mind while bargaining.
- Usually, whatever the Union is requesting, Management wants to reduce or take away completely due to costs/efficiencies.
- Watch for precedent-setting small issues that can balloon.
- Employers CAN roll back wages/benefits (allowed by the Labour Relations Act) if it causes hardship to the company.
- AMO (Accredited Management Organization) is teaching municipalities how to privatize everything!
- Before bargaining, Unions can create a committee (check by-laws), training, surveys of members asked, mobilise, include Staff National Rep, create proposals, what were losses staffing-wise, language, Letters of Understanding, Sector-area trends, bargaining committee duties.
- Try to sign off items as you go to make process cleaner
- Do not get engaged in decision making at the table – caucus to discuss with the group. That way, if something is thought of that will make a negative impact down the line, it can be brought forward.
- Always try to provide a united front, even if divided on issues.
- Be ready to table your proposals within 15 working days after “Notice to Bargain” is served to employer. *Note: This has not been achieved – we are now going to be 20 days past notice date – originally served Mon. Nov. 2, 2015*
- A conciliator is a negotiate between parties – DOES NOT make decisions
- A “No Board” can be issued after 17 days of filing. After filing a “No Board”; union can go on strike or a lock-out can occur.
- Locals cannot strike without a strike vote is held. You can only have ONE strike vote under the law (some groups call it “solidarity” vote or “mandate” vote in order to get a feel of the membership if they are wanting to go out on strike).
- When a “No Board” is filed, book a venue for the strike vote and notify members as quickly as possible. Give members a generalisation of wants/needs.
- When stuck on an issue(s), ask yourself – will members strike over this issue?

- Arbitrators ultimately deal with monetary – not scheduling. Employers are moving from WSIB to private carriers; most employers are trying to pay out lump sums on old wages instead of the increased wages.
- Some surveys remain general ie: “High”, “Medium”, “Low” priorities
- When reporting back to members, BE HONEST. You asked for an item, we tabled it, pushed it as far as it could go. Re-visit it at next available negotiations. The instructor noted in her round of bargaining meetings to the membership, she brought her bargaining binder to show how the efforts were made.
- Watch for “weasel words” and “sucker clauses” (ie: may/reasonable/possibly – who determines what is reasonable?).
- Contacting members is critical to setting up information to be passed along.

A lot of role playing (approx. 80% of course) was conducted. Particularly, the group of approximately 12 students were broken into Management and Union sides with each group designating a spokesperson/Nat'l Rep, secretary, etc. Only spokesperson is to speak but notes/hand-signals are allowed (unless clarification of a specific subject is requested; then speaking can be turned over to a specific individual). Each group was given 3 “wants” from the other side. We did wind up having to go to conciliation as we were at a stalemate (this took approximately 1.5 days' worth of 4 bargaining sessions). It was extremely eye-opening, exhausting and formal. Very hard to read the other side in what was being planned.

It was suggested to keep a “tabbed” binder with research, notes, our proposals, their proposals, monetary, non-monetary and housekeeping. Make notes on how each item is agreed to – this could save time down the road if a discrepancy is noted.

During counter-proposals; ask – what is goal? Number and itemize documentation as it may be needed to do paper exchange.

Another great follow-up course the instructors mentioned is the “Strike Aversion” course.

Yours in solidarity,

Marg Lemoine, *Treasurer, CUPE Local 973*