

#BargainforBetter

Town Hall | Bargaining Update

June 16, 2022

Welcome

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Zoom Meeting Details

- ❑ If you join the meeting via phone, long distance charges may apply
- ❑ Add your full name (first/last) in your video window in advance so we can identify you; a **USW Co-host** may reach out to you to identify you and change your name. If you require assistance, please use the chat line
- ❑ Use the chat line to submit your questions to the Moderator (privately or to everyone)
- ❑ The presentation portion of this meeting will be recorded (not Q&As)
- ❑ We ask that Members use the video feature in Zoom



chat line open

send questions via the chat line
for the Q&A session at the end



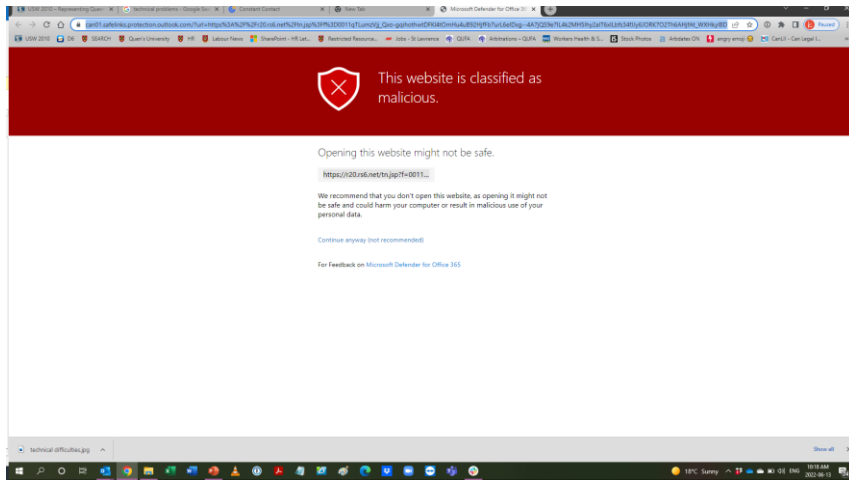
Indigenous Acknowledgement

Aaniin, She:kon, Welcome,

We acknowledge that we gather today as members of United Steelworkers Local 2010, on territory, traditionally shared between the Anishinaabe and Haudenosonee peoples. We acknowledge and respect all treaties and agreements and through actions of reconciliation will ensure our Indigenous Members are recognized and respected within our Collective Agreements. We finally acknowledge the Indigenous Members of USW Local 2010 and their community that still today live, travel and work alongside us.

Miigwech, Nyawen'ko: wa, Thank you





Technical Difficulties

- We are aware of the current issues with the Queen’s email server
- Began June 8th
- After the Bargaining Committee shared the bargaining proposals with Members
- Accessing the Union web site from your Queen’s email address is also problematic
- Please click **“Continue anyway (not recommended)”** - it’s safe!



#BargainforBetter text message list

- Join our #BargainforBetter text message list
- Sign up on our web site at <https://usw2010.ca/> [//usw2010.ca](https://usw2010.ca/)
- Scan QRC on the screen or click on the link in the chat
- The “tapme...” links in the text messages are safe

AGENDA



Introductions

Overview & Conciliation | June 21st & 22nd

Bargaining Process & Timeline

Issues | Proposals | Negotiations

Strike Mandate vote vs. Strike vote

Next Steps

Q&A Session



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Bargaining Committee Composition

The Bargaining Committee composition reflects:

1. **Connie Boisvert**, Acclaimed Committee Member
2. **Briana Broderick**, Vice President, Acclaimed Committee Member, and Co-Chief Spokesperson
3. **Sarah Bunting**, Acclaimed Committee Member
4. **Catherine Landon**, Appointed Committee Member
5. **Kelly Orser**, President, Committee Chair, and Co-Chief Spokesperson
6. **Nathan Vatcher**, Appointed Committee Member

Those assisting the Bargaining Committee are:

1. **Tina McKenna**, Member Services Coordinator and Committee Assistant
2. **John Goldthorp**, USW District 6 Staff Representative
3. **Richard Leblanc**, USW Area Coordinator, District 6 Staff

Details can be found on our website at:

<https://usw2010.ca/bargaining-for-support-staff-2022/>

Local 2010 Members are also supported by the *Canadian National Office Research Department* and the *District 6 Office*.

Details regarding the composition of the Bargaining Committee can be found under Article 9 at:

<https://usw2010.ca/bargaining-for-support-staff-2022/>



OVERVIEW

- Notice to Bargain served to Employer October 2021
- Our Collective Agreement expired December 31, 2021
- Bargaining began in March; 7 full days completed
- When we last met with the Employer, it was clear that we are not close on several key issues that matter to our Members

- Both Parties have agreed to move to the conciliation process and the Ministry of Labour has been contacted
- A Conciliation Officer will join us at the table on June 21 and 22, 2022
- During these meetings, we will attempt to come to a resolution with the Employer on a number of important issues

- The coming weeks will be crucial in determining the outcome of the bargaining process and the strength of a new contract
- We need our Members to be informed of the issues and ready to show their support for the Bargaining Committee to the Employer
- We remain committed to working toward a Collective Agreement that respects the value that **Support Staff** add to the University



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Bargaining Process | 5 Phases

Negotiations

- ✓ ○ A formal intention to negotiate is delivered to the Employer.
- ✓ ○ Union requests collective bargaining information.
- ✓ ○ Union seeks membership input (surveys, etc).
- ✓ ○ Union develops bargaining proposals.
- ✓ ○ The parties meet to discuss and negotiate the new agreement.

What happens when agreement not reached?

Conciliation:

- Either the union or the employer may ask the Ministry of Labour to appoint a conciliation officer who will help them reach an agreement.
- Conciliation is mandatory under the Labour Relations Act before a "no board" report can be issued.

No Board Report

- Either side may call for a "no board" report at any time.
- A "no board" occurs when the conciliation officer informs the Ministry of Labour that the parties cannot reach agreement. The minister can then appoint a conciliation board, but this rarely occurs. Instead a notice is sent to both parties that a conciliation board will not be appointed ("no board" report).

Legal Job Action Position

- 17 days after the no board report is issued, the union is in a legal job action position and the employer is in a lock-out position.
- This does not mean that either one of these will happen, but simply that it is legal for it to happen. Negotiations may also continue.
- Job action may include information pickets, study sessions, rotating walkouts or a complete walkout.

Ratification

- A tentative agreement is presented to the membership for a secret ballot vote
- A majority of members in the unit ratify the agreement.

New Collective Agreement

1. Negotiations

2. Conciliation (what happens when agreement is not reached)

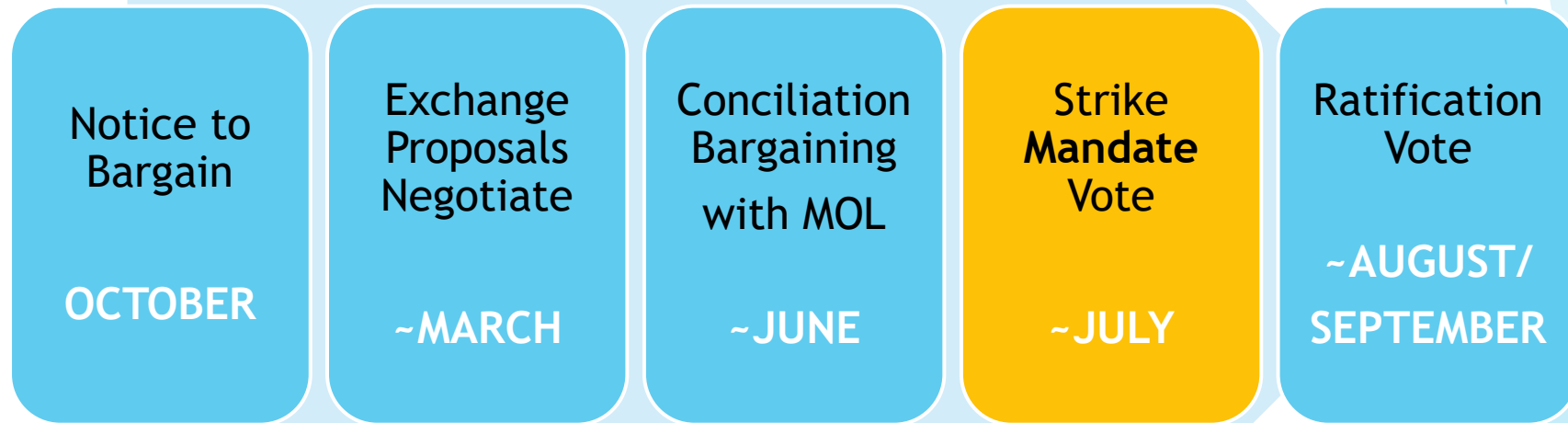
3. No Board Report

4. Legal Job Action (e.g., strike or lockout) position for both the Union and the Employer

5. Ratification

Bargaining Timeline

Typical USW Bargaining Timeline



~ 11 to 12-month process



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Issues & Proposals

- ▶ Posting of Continuing Appointments
- ▶ Recruiting/Career Mobility/Hiring Externals

- ▶ Remote Work Arrangements (RWAs)
- ▶ Contracting out bargaining unit work
- ▶ Casuals

- ▶ Overtime/Lieu time/Flextime

- ▶ Sick Leave Policy
- ▶ Job Re-evaluation and Pay Equity
- ▶ Pension

- ▶ Wage Restraints
 - ▶ Bill 124 and Re-opener Language



Issues & Disputes

Posting of Continuing
Appointments
Recruiting/Career
Mobility/Hiring Externals

- **Continuing & Continuing-Term** Appointments have the majority of entitlements
- These vacated Appointments can be re-posted as Term Appointments (contracts) by Management
- Reduces career mobility for Steelworkers - *less positions with entitlements to apply for*
- Increases external hiring which also saves the Employer - *Step 1 Salary Grid implications*
- Less restrictions on the Employer - *designed to save money for compensation*
- Steelworkers struggle to attain career progression through the ranks
- Employer saves significant money

Issues & Disputes

Remote Work
Arrangements (RWAs)

Contracting out
bargaining unit work

Casuals

- Minimal protection for Steelworkers - ***Employer is pursuing “Space Allocation Adjustments” (long term)***
- If RWA deemed “permanent” Steelworkers may be giving up access to on-campus Office Space, potentially for rest of career
- Employer can/will “terminate” if Steelworkers can no longer work from home
- Steelworkers may be responsible for internet, printer, desk, etc., costs - ***not the Employer; not sure this can be negotiated***
- Employer saves significant money on resources

Issues & Disputes

Remote Work
Arrangements (RWAs)

Contracting out
bargaining unit work

Casuals

- Job Postings now indicate “Remote Work Arrangements are possible”
- USW work is posted as our work, but once the candidate is offered the position, if working remotely, they can be unilaterally removed from the bargaining unit by the Employer
- They are taken out of the bargaining unit and considered non-union, because they are not working “in the City of Kingston”
- We estimate that our Union has already lost several dozen Steelworker positions through the Pandemic alone
- The Employer did not inform the Union of this practice
- Employer saves significant money on personnel & resources - *less employees to vote on wages, working terms & conditions, etc.*

Issues & Disputes

Remote Work
Arrangements (RWAs)

Contracting out
bargaining unit work

Casuals

- Contracting out work/tasks/duties normally performed by Steelworkers to external/non-unionized employees - *Casuals who only work 4 months at a time*
- Contracted-out USW work decreases the size and integrity of the bargaining unit - *numbers can change the “power balance”*
- Compensation parity policies shift - *currently USW sets the bar*
- Less unionized employees mean less workers who can vote on compensation packages - *Employer can solely decide on raises and wages*
- Non-unionized employee group becomes the largest Support Staff Group at Queen’s and has no voice on working terms and conditions - *wages, benefits, workload, complaints, OT/Lieu Time rates, etc.*

Issues & Disputes

Remote Work
Arrangements (RWAs)

Contracting out
bargaining unit work

Casuals

- Current examples of Employer hiring casuals to perform work/tasks/duties normally performed by Steelworkers
- Tier 1 & Tier 2 workforce - *same work being done by workers being paid ~\$15/hr (minimum wage) with no benefits*
- Employer saves significant money and internal equitable compensation practices are lost
- Jobs are not posted, thereby restricting career mobility and progression further for Steelworkers
- It's been our work for over a decade - *do we let Queen's take it or do we fight for it?*

Issues & Disputes

Overtime/Lieu
time/Flexitime

- **Steelworkers do not work for free - *so why are we?***
- Employer is using every loop-hole in Article 20 to circumvent paying Overtime and/or Lieu Time Rates
- Units currently hardest hit:
 - Athletics | International Centre | Residence | Community Housing | Student Wellness Services | Registrar's Office [Awards; Fees & Records; Recruitment] | Smith School of Business | Career Development Unit
- Flexitime (1:1) - ***does not exist in our Collective Agreement; so why are we working for a lesser wage?***
- Employer saves significant money

Issues & Disputes

Wage Restraints

Bill 124 and Re-opener Language

- The Ford Government passed Bill 124, *Protecting a Sustainable Public Sector for Future Generations Act, 2019*, in October 2019
- It is wage-suppression legislation that restricts compensation growth within the public/broader public sectors for all employees - **includes Steelworkers**
- It sets a 3-year moderation period during which there is a wage restraint/cap in each year (1% or less; below the rate of inflation). This also includes benefits and one-time payments.

Issues & Disputes

Wage Restraints

Bill 124 and Re-opener Language

- Bill 124 limits our bargaining rights - *challenging this round of bargaining*
- USW and other unions (Coalition of Ontario Unions) have put forward a legal challenge to this legislation
- To date, Employer is relying on Bill 124 to limit entitlements/gains this round of bargaining - *both monetary and non-monetary*
- Provincial funding allocated on a per-student basis, not wages of employees - *average provincial funding represents 1/3 of university revenue in Ontario*
- Wage increases in university sector will have negligible impact on provincial deficit - *sadly, no meaningful change to Provincial Budget both pre-and-post pandemic*

Issues & Disputes

Wage Restraints
Bill 124 and Re-
opener Language

- **Who is not impacted by Bill 124 at Queen's?**
- Bill 124 does not apply to “designated executives within the meaning of the Broader Public Sector Executive Compensation Act, 2014” - *it applies to employees, not management*
- For personnel at Queen's this means it does not apply to:
 - Senior Leadership,
 - Salary Grades 10-14, or,
 - Grades 8-9 who are excluded from a bargaining unit because they are “deemed a Manager”.
- **No announcement to date from Employer** as to whether they will adopt a “same as you” or “parity” policy - *pay personnel noted above 1% per year for 3 years the same as Steelworkers*

Issues & Disputes

Wage Restraints
Bill 124 and Re-
opener Language

- "Reopener Language with Respect to Compensation Issues" if Bill 124 is rescinded - ***the Employer has indicated that they are not interested in considering any reopener language***

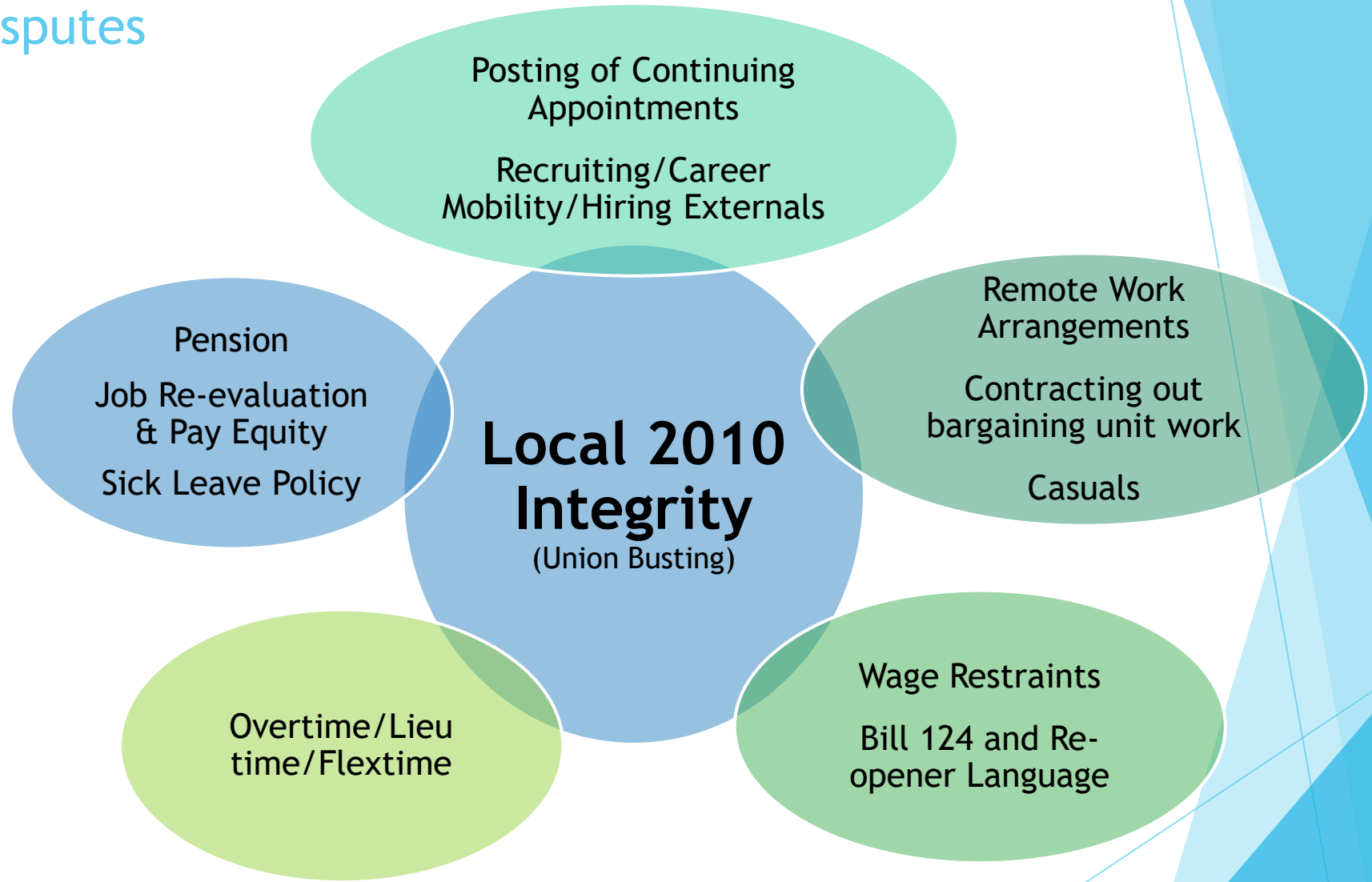
"The University and the Union have negotiated this Collective Agreement under the restrictions imposed by Bill 124. However, the legislation is undergoing a constitutional challenge. The Parties therefore agree to meet to reopen all compensation issues if the legislation is rescinded as a result of the legal challenge. In addition, the Parties agree to meet to reopen all compensation issues if this University is granted an exemption from the application of the legislation or if the relevant parts of the legislation are otherwise rescinded or amended."
- ***"The Employer does not agree"*** has been written on the Queen's counter-proposals received on March 23, April 13, and May 30, 2022
- Employer saves significant money by refusing to consider this language

Issues & Disputes

Pension
Job Re-evaluation
& Pay Equity

- Sick Leave Policy - *challenges with transition to Manulife*
- University Pension Plan Ontario (UPP) negotiated with Employer in 2018
- Job Re-Evaluation language negotiated with Employer in 2018
- Amended Pay Equity Plan negotiated with Employer in 2021
- Union made it very clear to the Employer during these negotiated entitlements for Steelworkers would be included/revised in the Collective Agreement this round of bargaining
- Employer has indicated that they see **no relevance or value** in including these entitlements now in our CA - *the past is the past*

Issues & Disputes



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Strike Mandate vote vs. Strike vote - *typical approach*

Strike Mandate vote | **Vote #1**

- ▶ *aka* Job Action Mandate
- ▶ Full Membership (~1,400) can/should vote
- ▶ A strike mandate vote is the **FIRST** vote held by the Membership
- ▶ Such a mandate is an important tool to encourage the Employer to negotiate a fair Collective Agreement for all Members
- ▶ A successful strike mandate vote does not mean we are going on strike (yet)

Strike vote | **Vote #2**

- ▶ *aka* Ratification Vote
- ▶ Full Membership (~1,400) can/should vote
- ▶ This **SECOND** vote will be done upon Membership review of a final offer (tentative contract) from the Employer
- ▶ Membership can vote to ***accept*** the offer (no strike), ***or reject*** the offer (call a strike)



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Vote if Bargaining Committee calls for a Strike Mandate

Participate in Survey

Share bargaining information with colleagues - unionized & non-unionized





Question & Answers

chat line open

