



TOGETHER, EVERYTHING IS POSSIBLE

OSBCC Bargaining Update 2012

Issue 15

August 21, 2012

Sisters and Brothers,

The OSBCC Bargaining Committee was elected to represent over 50,000 CUPE school board workers at the Provincial Discussion Table (PDT) with the school board associations and the province of Ontario.

A lot has happened since our last update. On Thursday, August 16, the Minister of Education publically unveiled a proposed draft of legislation which, if implemented, would give the government unprecedented power to impose collective agreements on school board workers in the province of Ontario.

We caution you that this is a proposed draft of legislation which has not been introduced in the legislature, nor passed. Without a majority or the support of an opposition party, the legislation cannot be implemented. It should be clear the legislation could be changed before it is introduced in the House and as it goes through debate.

A few points in the draft document:

- In broad terms, the legislation would apply to support staff as well as teachers.
- It calls for wage restraints for a two year period, while leaving the option for cabinet to impose a third year of restraint.
- It states that a bargaining agent, such as CUPE, could negotiate an agreement **with the government** prior to August 31 as long as it is “substantially similar” to the Ontario English Catholic Teachers Association’s (OECTA) agreement. After August 31, the terms would have to be “substantively identical” to the OECTA agreement.
- If passed, the law would allow the cabinet to order an employee to reimburse the Board for any payment received after September 1 which is not in keeping with the OECTA agreement.
- The Act, if passed, would give the power to cabinet to impose collective agreements, and either prohibit or end strike or lockout activities. All collective agreements ratified by a school board and a bargaining agent would be subject to review by the Minister.

There is much more to the proposed legislation. It is sufficient to say, no matter how inappropriate specific terms in the OECTA deal would be for CUPE and our members, the legislation if passed would give exclusive power to the Minister of Education and Cabinet to ensure the OECTA deal applies to CUPE members.

This represents an unprecedented attack on free collective bargaining in the province of Ontario. We are actively working with our allies to ensure the legislation if introduced in the House does not pass. We are also exploring legal strategies to challenge the legislation if it is passed by MPPs.

As you may have heard the government has recalled the legislature for next Monday, August 27. Government sources have indicated the earliest the law could be voted on would be September 4.

Should any legislation be introduced, we will provide more detailed information on the Bill.

Next steps:

- As the government is not our Employer, we continue to pursue our efforts to get an agreement which works for support staff with representatives of school boards before August 31.
- We will continue with local bargaining under the guidelines previously sent to local Presidents.
- We are actively exploring legal challenges to this process and the proposed legislation.
- We will be supporting candidates in the bi-elections in Kitchener-Waterloo and Vaughan who understand the importance of our work and the right to free collective bargaining. We cannot emphasize enough how important the outcome of these elections are.

There is no question we are heading into a challenging fall but it is equally clear that “Together, everything is possible.” We thank you for your support as we continue to move forward together.

Your Bargaining Committee

:gb/cope491