



CUPE Ontario ***Bargaining Conference***

Coordinated Bargaining Structures in CUPE



COORDINATED BARGAINING STRUCTURES IN CUPE

INTRODUCTION

There are many formal and informal structures in CUPE that have been put in place to promote and facilitate the coordination of collective bargaining between locals of CUPE.

Coordination of bargaining in CUPE can mean anything from the sharing of bargaining information among locals, to centralized bargaining (that is, where local unions representing separately certified bargaining units come together and negotiate a common collective agreement—or parts of a collective agreement—at the same bargaining table).

Some of the coordinated bargaining structures in CUPE are formally chartered organizations under CUPE's National Constitution. Others may not be formally chartered, but nevertheless have formal by-laws governing their operation. Still others are very informal and loose structures that bring groups within CUPE together, for the purposes of bargaining as the need arises.

CUPE LOCAL UNIONS

CUPE's chartered local unions can themselves be a type of coordinated bargaining structure. An increasing number of CUPE local unions hold more than one bargaining unit certificate and negotiate more than one collective agreement. In these cases, the local union itself becomes the vehicle to ensure that the negotiation of these multiple collective agreements is coordinated.

Some local unions negotiate these multiple collective agreements centrally at a single bargaining table. For example, some of CUPE's municipal local unions represent workers in a full-time bargaining unit as well as workers in a part-time bargaining unit and have been able to convince the municipality to negotiate a single collective agreement covering both the full-time and part-time workers. This is a form of central bargaining.

PROVINCIAL UNIONS

CUPE's National Constitution allows for the creation of provincial unions. These unions have the same constitutional status as a local union, but they operate on a province-wide basis. Provincial unions, like local unions, can represent groups of workers who have been certified (by provincial labour boards) into separate and distinct bargaining units. Provincial unions, like local unions, are therefore at times required to negotiate more than one collective agreement, which they might do in a coordinated way, or a centralized way, depending on what kind of bargaining relationship has been established.

PROVINCIAL COUNCILS OF UNIONS

Provincial councils of unions are yet another structure provided for by CUPE's National Constitution. A council of unions may be chartered where provincial labour legislation makes it possible and advisable for local unions to come together "for the sole purpose of certification and collective bargaining". (Section 4.5, National Constitution, emphasis added)

Provincial councils of unions decide their own affiliation fees.

COUNCILS OF UNIONS

Councils of unions, which are similar to provincial councils of unions, are allowed under Section 4.6 of our National Constitution. These councils may be established and chartered for the purpose of collective bargaining when CUPE's National Executive Board decides to do so. The National Executive Board has the authority to determine the jurisdiction of the council, that is, the authority to decide which local unions can belong. However, the Constitution makes affiliation to such a council voluntary.

Virtually all councils of unions chartered by the National Executive Board engage in some form of central bargaining process on behalf of their member local unions. Councils of unions are different than provincial councils of unions in that a council of union can be chartered in the absence of legislation requiring centralized bargaining. For example, the Ontario Council of Hospital Unions is a council of unions rather than a provincial council of unions, because there is no legislation requiring hospital employers to bargain centrally. That is, there is no legislation forcing hospital employers and certified bargaining agents to come together to bargain a common collective agreement at a central bargaining table.

Councils of unions determine their own affiliation fees.

PROVINCIAL OCCUPATIONAL GROUPS

Provincial occupational groups are provided for in CUPE's National Constitution but they are not chartered organizations. These groups are established through CUPE's provincial divisions. However, the structure and by-laws of these groups must be approved by CUPE's National Executive Board. The Constitution states that all local unions that fall within the jurisdiction of a provincial occupational group must be allowed to participate in the group, whether or not they are affiliated to the CUPE provincial division.

CUPE's provincial occupational groups play a role in coordinating collective bargaining. Almost all provincial occupational groups in CUPE have regular bargaining conferences where information is exchanged and CUPE's bargaining priorities are discussed.

Occupational groups also deal with legislative and/or collective bargaining issues of particular concern to the occupation.

INTER-LOCAL UNION BARGAINING STRUCTURES OUTSIDE OF CUPE'S CONSTITUTION

There are many examples in CUPE of informal structures that are in place to facilitate the coordination of collective bargaining between local unions. Some of these informal structures operate at a regional or municipal level bringing together, for example, all local unions that negotiate with employers located in the same geographic region. Some operate within a region on a sectoral basis (e.g. all local unions representing library workers in a particular region might come together to discuss bargaining). Some operate within a particular workplace (for example, all local unions representing workers at a particular university might come together to coordinate bargaining).

Some of these structures are very informal but some are governed by agreed-to rules or by-laws dealing, for example, with such questions as how votes are conducted, who is entitled to attend, affiliation fees, etc.

INTER-UNION BARGAINING STRUCTURES

Again these are structures outside of CUPE's National Constitution and can be formal or informal structures that bring CUPE local unions, bargaining councils, or other chartered organizations together with other unions. Labour councils (chartered by the Canadian Labour Congress) are the most common example of such structures.

