Speakers' notes—Lobby of Members of the Provincial Parliament (MPPs)

- Hello, my name is YYY and with me today is AAA, BBB, CCC, and DDD.

- Thank you for agreeing to meet with us. We truly appreciate this opportunity.

- More people came to meet with you, but we have asked them to remain outside on the understanding that we would speak on behalf of everyone. We are elected officials who represent hundreds (or, *if true*, thousands) of hospital and long term care workers in the local area. We work as Registered Practical Nurses, Personal Support Workers, Housekeepers, Food Service Workers, Office Workers, Skilled Tradespersons, and many other professions. Many of us are women and many of us work part-time.

- We want to talk to you about protecting our civil rights, specifically our right to bargain with our employers our working conditions.

- Since 1965, hospital and nursing home workers have not had the right to strike in Ontario.

- Instead we must settle collective bargaining disputes through interest arbitration, where an independent arbitrator acceptable to both parties settles the matters in dispute.

- This system sets the working conditions for over 200,000 essential workers in health care, including 70,000 from CUPE.

- Interest arbitration was already changed by the Mike Harris government in the 1990s, when he introduced criteria that clearly favour employers, over employees. For example, the arbitrator must now consider the employer's "ability to pay". They do not have to consider our ability to feed, clothe, and house our families.

- This has tilted the arbitration process somewhat in favour of employers, but we have lived with these changes as the process remains reasonably fair and balanced.

- But now, changes proposed by the outgoing Premier, Dalton McGuinty, and opposition leader, Tim Hudak, will completely undermine free collective bargaining and interest arbitration for essential service workers in health care.

- Premier McGuinty's legislative proposal would give a cabinet committee extraordinary power to unilaterally impose working conditions in the broader public sector.

- His proposed legislation does not set out what conditions will be imposed. That would be left to the sole discretion of the cabinet committee *after* the legislation is passed.

- Different conditions could be imposed on different classes of workers. Agreements that have already been negotiated could be deemed to have met the conditions set by the cabinet committee – or not. No one knows.

- The legislature and ordinary MPPs will have no role determining what conditions are imposed once the legislation is passed. It will all come down to what the cabinet committee decides.

- Binding interest arbitration awards would be set aside if they do not meet the terms established by the cabinet committee.

- The government's discretion over the time it allows for an interest arbitration award would be abolished.

- But at the same time, new requirements for written arbitration decisions would create delays.

- All of this will make it difficult, if not impossible, to attract respected interest arbitrators acceptable to both employers and employees.

- Mr. Hudak's changes to interest arbitration go even further to tilt the balance in favour of employers in interest arbitration.

- With great respect, we believe the proposed changes are unacceptable attacks on our right to bargain with our employers the terms of our work.

- While we do not know what the cabinet committee will impose, we note that the McGuinty government has already imposed a wage freeze and cuts to benefits for school board workers.

- Negotiated settlements acceptable to both parties are the best settlements.

- In health care, arbitration has worked well.

- In the hospital sector, we have been able to negotiate the last four central agreements without going to arbitration. This is because both parties know that if there is not a settlement they will face the existing, reasonably balanced arbitration system. This encourages both parties to find compromise, even if it hurts. Tilting the arbitration process in favour of the employers will undermine this and lead to strife in the workplace. That will not help build productive workplaces.

- The last central hospital arbitration was during the sharp cuts to hospitals and public services by the Mike Harris government. There, the arbitration imposed a two year wage freeze for 30,000 CUPE hospital workers, low wage increases in the other four years covered, and a significant weakening of our employment security and protection from contracting out. We did not like this, but we lived with it.

- Now, new awards in the hospital and long term care sector have also imposed a wage freeze on workers. We may not like it, but this will have a major impact on the awards that will follow.

- CUPE had an economist review freely negotiated collective agreements in both the public and private sectors for the last twenty years. The findings show that wage increases in the health sector are slightly below those that are freely negotiated in both the public and private sectors.

- Our conclusion is that while we often are disappointed in the interest arbitration awards we receive, arbitration is working well in the health care sector. Changing the balance to favour employers will lead to instability in our industrial relations system that will not benefit anyone. Negotiated settlements between employers and employees free of government interference are the best way to resolve disputes.

We would like to ask you three questions:

1] Can we count on you to support free collective bargaining and a balanced interest arbitration system?

- (Someone other than the speakers should record the answer given as accurately as possible.)

2] If legislation is introduced that interferes with free collective bargaining and a balanced interest arbitration system, we believe a full public discussion is needed. Can we count on you to support province-wide legislative committee hearings?

- (Someone other than the speaker should record the answer given as accurately as possible.)

3] If such legislation is introduced can we count on you to move to delete the offending sections of the Bill?

- (Someone other than the speaker should record the answer given as accurately as possible.)

Thank you for your time and consideration. We will consider your views carefully and we hope you will also consider ours. We hope we can meet with you again, if the need arises. Thank you again.

October 2012
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