



Upcoming dates:

February 9 to 13, 2016 –
OSBCC Conference

January 11, 2016

Sisters and Brothers,

We hope you all had a relaxing break over the holidays, and that you enter the new year feeling refreshed. We have a number of updates to share.

Charter Challenge

The joint Charter Challenge resulting from Bill 115 – which we are a part of along with other unions in the education sector – was heard in court from December 14th through December 22nd. This was two days longer than originally anticipated, partly because there was a lot of back-and-forth during legal argument. The presiding judge asked a lot of questions of the lawyers, to make sure he understood the points all parties were making. Our lawyers have suggested it's likely to take six months to a year for the decision to be issued.

Local bargaining updates

Forty-four (44) bargaining units have notified us that they've achieved local settlements (with 19 ratifications so far). More settlements are reported each week. We are pleased that some have made progress with our coordinated language proposals, specifically in the areas of violence, supervision, contracting out, job descriptions, pay equity/joint job evaluation, professional fees, and EI rebates.

We'd like to remind you that locals who need to negotiate seniority provisions for members not currently on a seniority list need to do this while you are at the bargaining table. Please do not agree to hold talks about this away from the local table. Please ensure this is part of your bargaining process.

Implementing the new collective agreement: next steps

Tuesday, January 12th, we will meet with the Council of Trustee Associations (CTA) to discuss central contract implementation issues. We want to ensure we integrate the central and local agreements in a consistent manner. Sick leave language is one example of the type of concern we're addressing. For instance, while much of sick leave has been determined centrally, we do not yet know where the language related to the status quo sick leave provisions will appear. Would language maintaining the right to take sick leave as partial days remain in the local agreement? Or will it move to the central part of the collective agreement? We hope to have some answers on how we will integrate these issues and will communicate out to you as soon as we do.

We are aware of one problem with one of the trustee associations (OPSBA) regarding the entitlement to sick leave for our members in long-term supply positions. They have sent out a letter saying it only applies to those who previously had the entitlement. We will clear this up when we meet with the CTA on the January 12th, and we will report back.

Many of you have been asking about the lump sum payout. The lump sum payout should happen on February 15th, or 30 days following your local ratification, whichever falls later. Our position is that the payment will be made on regular wages, overtime, shift premiums and responsibility allowances. Please let us know if your employer has a different take on this. This issue will also be discussed at our meeting on January 12th.

Please note that the job security/protected complement language came into effect when the central agreement was ratified – so it is in effect now. Even if you have not yet completed your local bargaining, this provision applies and must be used before any complement can be reduced. The CUPE local at the Rainbow District Board recently brought this to the attention of the employer when the employer moved to replace retiring custodians with cleaners. The employer backed down.

The process for filing grievances/disputes on centrally-negotiated language is outlined in the central agreement. Should you file a local grievance on central language, it cannot go through the central disputes process. We will be providing information and training related to this at our conference in February.

The new provincial health and safety working group has started to meet, and there will be a report on this at the February conference too.

The central benefits sub-committee of the bargaining committee met recently with representatives of the province and Murray Gold, a labour lawyer who specializes in governance structures, to review the agreement and what needs to be done by when. CUPE has until May 31st to make a decision as to whether to participate in a benefits trust or not. School boards have been asked to provide a great deal of specific data to

the government, which will then be provided to the unions to allow us to verify current benefits and spending levels.

We will be setting up a small working group to work on a common plan design as a starting place. This is an important step in the due diligence process. If we do not have funding for a good benefits plan, we will not be proceeding with discussions related to a trust.

Conference

A reminder to get your registrations in for our conference, which will run from February 9th to February 13th. Please contact WE Travel directly if you have had difficulty getting a room at the Sheraton Parkway North. They have been securing rooms in other hotels in the area.

www.osbcc.ca
www.facebook.com/CUPEeducationworkers
Twitter: @osbcc

AA:gb/cope491