

INSIDE:

Wage, equality gains at CUPE
3912 Dalhousie U
Negotiating for equality
Long strike a win for CUPE
4326 women's shelter workers

Tabletalk -
your bargaining resource -
will publish four times a year. Its goal is to give CUPE Local bargaining committees, elected officers and servicing representatives useful information for preparing - and negotiating - bargaining demands. Tabletalk's three-hole punch style makes it easy to keep in reference binders. Feel free to make copies or use the material to fit your members' needs. Comments welcome at research@cupe.ca

Disponible en français

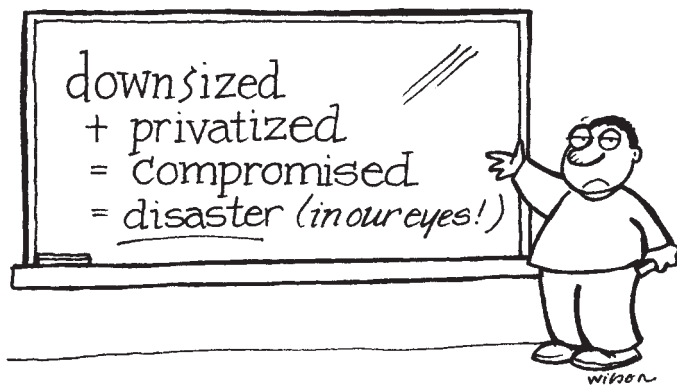
Fighting imposed contracts and concessions: a CUPE plan

CUPE members are experiencing growing pressure from employers and governments to give up hard-earned collective agreement rights. Governments have taken legislative action to impose contracts on unions - destroying our ability to negotiate freely. A lack of bargaining power helps corporations turn the public sector into a source of profit through privatization. The earnings of private companies are maximized, while the public and CUPE members suffer.

CUPE's National Executive Board has adopted a special plan to fight concessions and defend free collective bargaining in response to this critical situation.

Concessions and imposed contracts

In an unprecedented abuse of state power, the British Columbia and Newfoundland/Labrador governments legislated away CUPE members' right to strike and stripped away significant collective agreement provisions. Major contract concessions were also forced on our members at Air Canada, as a result of court-imposed negotiations brought on by bankruptcy protection proceedings.



HEU and the BC government

Since their election in 2001, the Campbell Liberals have used legislation to impose agreements on doctors, nurses and paramedical professionals in BC. The introduction of Bill 37, the Health Sector (Facilities Subsector) Collective Agreement Act, is the first time Campbell's government has imposed wage cuts on a group of workers through legislation.

(Continued page 2)

Bill 37 imposed a two-year contract, with wage cuts and contracting out provisions, on 43,000 hospital and long-term care staff. HEU (Hospital Employees Union, the BC Health Services Division of CUPE) members fought back with an illegal strike for eight days.

On April 30, 20,000 CUPE members walked out to support HEU and 45,000 more union members in BC were ready to walk out on May 3. Although the final imposed contract included concessions, the fightback by union members stopped some of the more drastic take-aways.

CUPE Newfoundland and Labrador

Faced with a regressive government intent on stripping away at least a dozen major provisions in our members' contracts, 20,000 CUPE and NAPE (Newfoundland and Labrador Association of Public and Private Employees) members united to stage a 28-day province-wide strike that exposed the real Danny Williams to the people of the province.

In return for passing back-to-work legislation, Premier Williams and his Tory MLAs will pay the ultimate political price. Public support for the two unions remains higher than support for the provincial government even after a disruptive, month-long strike.

Air Canada

On May 5, Air Canada and Deutsche Bank made a deal to bring Air Canada out of insolvency through the Companies' Creditor Arrangement Act. A key requirement was the implementation of labour concessions set a year earlier in May 2003 negotiations, and the settling, abandoning or compromising of our outstanding claims and grievances.

CUPE began to meet with the company on May 8 to discuss the \$65 million target set for our flight attendants – the largest single concessionary target of any labour group.

We reached an agreement on language in a tentative settlement in late May/early June. Members voted to accept the final package July 8.

A special plan to fight concessions¹

Effective immediately, special measures will be taken to ensure that any group of CUPE members faced with contract concessions, or under attack by government legislation, has the full, mobilized support of CUPE.

A detailed solidarity plan is to be launched in every province, similar to those already well underway in British Columbia, New Brunswick and Quebec.

Regional Directors will work with the provincial divisions to develop a comprehensive plan against contract concessions and attacks on our bargaining rights. There will be ongoing joint monitoring of the plan's implementation. This "fight concessions" plan will set out specific actions and timelines that include:

- strengthening members' resolve and preparedness to fight concessions,
- putting in place an effective coordinated bargaining plan for each specific region, sector or the entire province (as appropriate) so that we can lead bargaining from a position of strength and are able to establish no-concession patterns,
- building solidarity between CUPE local unions and between CUPE and other unions, particularly through solidarity pacts and strike support,
- rapid and effective response mechanisms to deal with crisis bargaining.

Meetings of all local union presidents

Whenever a local union encounters a serious threat of concessions at the bargaining table, CUPE staff (in consultation with the elected structures in the province) will call an emergency meeting of all local union presidents in the area as appropriate, to begin developing a regional strategy to fight the concessions. CUPE district councils will be involved in these meetings where such councils exist.

(Continued page 3)

¹ Adapted from cupe.ca/www/News/cupe_determined_to_r

CUPE Solidarity

Implementation of the national convention decision to win membership support for solidarity pacts between CUPE locals will be accelerated in all provinces where solidarity pacts have not yet been adopted. The positive leadership of CUPE in New Brunswick in building support for a province-wide, CUPE-wide, and labour movement-wide solidarity pact will serve as an example of what can be accomplished.

Solidarity with other unions

The national convention decision to build solidarity pacts between CUPE and other unions in each sector will also be accelerated. To this end, the National Officers will actively seek the assistance of other national union leaders to organize meetings of heads of unions on a sectoral basis (where appropriate) to build a common front.

Political work stoppages

Following the lead of CUPE BC (Community Action Day), SCFP Quebec (through the FTQ), and CUPE New Brunswick, we will fully prepare ourselves for any potential assault on our collective agreements by winning membership agreement to engage in political work stoppages when called upon to do so.

Political action

We will take coordinated direct political action to defeat any government that attacks collective agreement rights and removes existing rights to free collective bargaining.

Campaign to rebuild strong communities

We will support our fight against concessions and the attack on collective bargaining through our ongoing national campaign to rebuild strong communities. Campaign objectives include building political support for major public investment in the work and services performed by CUPE members, building members' pride in the work they do and in our union, and mobilizing against every and all forms of privatization.

Legal struggle

We will defend our rights to collective bargaining through the Canadian legal system, and by organizing international pressure to enforce compliance with international protections established by the International Labour Organization and the United Nations.

For more information, see these web sites:
cupe.ca/updir/Plan_to_fight_concessions_Jun04.doc
heu.org
cupe.bc.ca
nlbargaining.cupe.ca
acomponent.ca ■

CUPE 3912 post secondary education workers at Halifax's Dalhousie U make wage and equality gains



At Dalhousie University, the 930 members of CUPE are walking proud after a one-month strike that achieved significant wage and equality gains. The members were among the lowest paid in

Canada – earning almost \$10/hour less than the national average – while having one of the highest tuitions in the country.

Dalhousie teaching assistants (TAs) and part-time faculty voted down the employer's offer of a two-tier wage structure May 4. The employer wanted undergraduate TAs and marker/demonstrators to receive a lower rate of pay than graduate TAs. The members rejected this unequal offer and continued to strike.

The members kept a strong strike line that included picketing at the provincial legislature. The strike ended May 29, when members voted to accept a three-year deal which runs from

(Continued page 4)

September 3, 2003 to August 31, 2006. The settlement includes wage gains, an equal pay structure and overwork protection.

Wage increases:

- teaching assistants markers/demonstrators: 9.0%, 2.8%, 2.70%, 2.70%
- part-time faculty:
 - 2.77%, 2.70%, 2.63%
 - 5.33%, 5.06%, 4.82% after eight half-credit courses
 - 5%, 4.76%, 4.55% after 20 half-credit courses
- instructors in nursing: 13.85%, 2.70%, 2.70%
- dental hygiene: 2.80%, 2.70%, 2.70%
- physiotherapy & occupational therapy: 2.80% , 2.70%, 2.70%
- music & theatre: 2.80%, 2.70%, 2.70%

Plus:

- retroactivity to September 3, 2003
- scholarship protection
- workload protection for TAs

For more information, go to cupe.ca/www/media/9803 or contact CUPE National rep Peter Baxter at pbaxter@cupe.ca, (902) 455-4180. ■

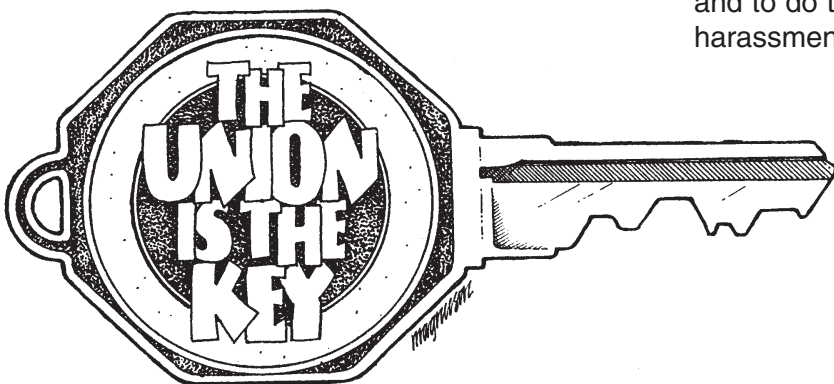
Negotiating for equality

Looking for ways to ensure each member is treated fairly? Negotiating equality language helps to ensure fairness and strengthen solidarity.

CUPE's new *Bargaining Equality: a workplace for all* contains collective agreement language bargained by CUPE locals, useful tips, and a discussion of the main issues. It's a living document that will be continually updated as locals make gains. It will also incorporate changes in legislation which deal with equality issues.

Bargaining equality is an uphill struggle. We have made significant gains in bargaining no discrimination and harassment clauses, and anti-violence language. But, much more needs to be done in the areas of child care, duty to accommodate, transgender issues, maternity/parental leave, compassionate leave, and employment equity.

What is equality language? They are clauses which promote equality within the workplace – for instance, language that allows everyone to have access to fair wages, benefits and pensions and to do their work free from discrimination, harassment, and violence.



(Continued page 5)

Ensuring representation

Employment equity language ensures that CUPE locals and workplaces reflect the diverse population in Canadian society: women, men, people of colour, Aboriginal people, persons with disabilities, gay, lesbian, bisexual, transgender and transsexual members and young members. Language dealing with hiring and training can help promote fair representation. Joint equity committees are one step towards a progressive employment equity policy. Here is one example:

CUPE 500 and the City of Winnipeg

Employment Equity

In accordance with the Letter of Agreement regarding employment equity, the City and the Union agree to cooperate in formulating and implementing a program designed to ensure employment equity for all employees...

Securing child care

Child care collective agreement language helps ensure that members who need child care can receive it. This language could include care of children with disabilities. Clauses may refer to on-site child care, child care subsidies and/or paid leave for child care responsibilities. Here's an example:

CUPE 2316 and Children's Aid Society of Toronto

Where an employee is required to perform unscheduled overtime work of an emergency nature and as a direct result incurs legitimate out-of-pocket expenses arising out of the care of the employee's dependents, the Society will reimburse the employee for such expenses provided they are reasonable and the employee obtains supervisory approval, in writing if required, within two (2) working days following the date on which the expenses were incurred. The Society agrees to meet with the Union during the terms of this Agreement to discuss child care and elder care workplace initiatives that may be mutually agreed upon between the parties, that do not conflict with any terms of the Collective Agreement.

Fighting discrimination, violence and harassment

Discrimination, violence and harassment can affect any member, but especially equality-seeking groups. Eliminating these barriers to equality strengthens our solidarity and enables us to focus on bargaining decent wages and fighting contracting out and privatization. Types of information that can be negotiated into no-discrimination/violence/harassment clauses are listed below.

- “no discrimination” clauses including gender identity, transsexual transition status, HIV/AIDS and criminal record unrelated to the job (or for which a pardon has been granted)
- “no harassment” language including incidents of harassment and violence that occur outside the workplace at conferences, social functions related to work, and in clients' homes
- “healthy, safe and violence-free” workplace clauses

(Continued page 6)

- no-violence and no-discrimination training
- commitment to celebrate the diversity of the workplace and employee appreciation
- Employee Assistance Programs

CUPE 4150 and the Nova Scotia Health Organizations

Article 4 – No Discrimination

4.01 The Employer and the Union agree that all Employees will be protected against discrimination respecting their human rights and employment in all matters including age, race, colour, religion, creed, sex, sexual orientation, pregnancy, physical disability, mental disability, illness or disease, ethnic, national or aboriginal origin, family status, marital status, source of income, political belief, affiliation or activity, membership in a professional association, business or trade association, Employers' organization or Employees' organization, physical appearance, residence, or the association with others similarly protected, or any other prohibition of the Human Rights Act of Nova Scotia.

Accommodating members with special needs

We are all temporarily able-bodied. As we grow older, the likelihood increases that we will develop some form of disability from hearing loss, poor eyesight and back problems to the more debilitating forms of disability such as asthma, heart disease and cancer. Persons with disabilities, and women with disabilities especially, are far more likely than the able-bodied to be unemployed, under-employed, and living in poverty.

Negotiating “duty to accommodate” language helps ensure that those members with disabilities or special needs can continue to work by being accommodated by the employer. For instance, contract language that allows the installation of devices that help workers with back problems to do heavy lifting could be helpful. CUPE 728 and the Board of Trustees of School District No. 36 (Surrey, BC) have negotiated a Letter of Understanding Protocol – Duty to Accommodate.

Promoting work-life balance

Adequate benefit and pension coverage for all workers, whether full-time, part-time or contract helps ensure a proper work-life balance. You may want to negotiate that on layoff, benefits are maintained for a specified period. Flexible hours can help many members. Negotiating transsexual transition leave may be important. Remember to negotiate an inclusive definition of spouse and family to provide for same-sex couples and their children.

Securing maternity and parental leave benefits

Ensure that there is maternity and parental leave language that includes wage top-ups. Also, ensure that there is language that makes it clear that an employee on maternity leave has access to sick leave credits for that portion of the leave which is health-related. Negotiate the right to lighter and non-hazardous work while pregnant.

Make sure benefits, including adoption benefits, are provided to lesbian and gay members.

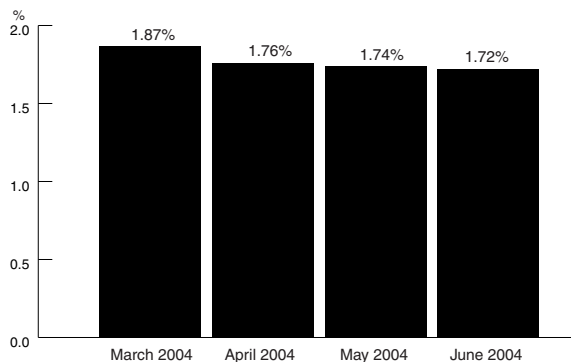
(Continued page 7)

Promoting equal pay

Ensure that women doing work of equal value to men are paid the same. A comprehensive pay equity plan with a gender-neutral job evaluation system or, in a smaller workplace, a simple ranking system, may be useful. Remove increment steps.

For more information about the full document, *Bargaining Equality: a workplace for all*, e-mail equality@cupe.ca or contact: Equality Branch, CUPE, 21 Florence St. Ottawa, ON K2P 0W6
fax: 613-237-5508
phone: 613-237-1590 ■

The Average Consumer Price Index (CPI) increase for Canada for the 12 month period ending:

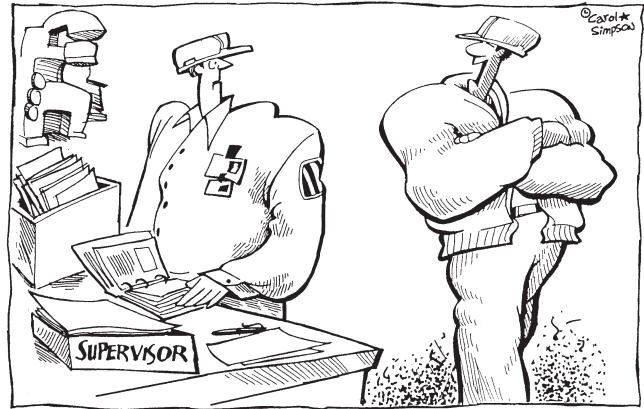


Source: Statistics Canada
www.statcan.ca/english/Release/2003.htm#8
www.statcan.ca/english/Release/2004.htm#7
www.cupe.ca/updir/CPI_by_Month_2003.pdf

A good way to measure the CPI is to look at the 12-month average index as it may explain more accurately how prices have changed over the year. For instance, the average Consumer Price Index for Canada from July 2003 to June 2004 was 1.72%.

For more information on how to calculate the 12-month average CPI, go to cupe.ca/www/CPI/5841, or *Tabletalk* Fall 2003.

Long strike sees win for CUPE 4326 women's shelter workers



"Flexible hours sounds good. Put me down for any shift you're NOT here."

Shelters for abused women are not high on the agenda of most provincial governments. This made the struggle even more difficult for CUPE 4326 members who recently ended a long battle with their employer, Autumn House-Cumberland County Transition House Association in Amherst, Nova Scotia.

After more than 100 days on the picket line, the local was able to win on four main issues:

- maintenance of the "outreach model", where the shelter's services are offered throughout Cumberland County—This is a significant win since the employer wanted to concentrate services in Amherst, which would have hurt many rural women and women in smaller communities.
- defeat of the introduction of 12-hour shifts.
- a 9.3% increase to their base rates that the employer originally had refused to provide. (The new agreement expires in December of this year, which means the parties will be back in collective bargaining in January of 2005.)
- improved job security by defeating the employer's demand to have an unlimited use of volunteers and non-union casual employees.

(Continued page 8)

(Long strike continued from page 7)

How did CUPE 4326 do it?

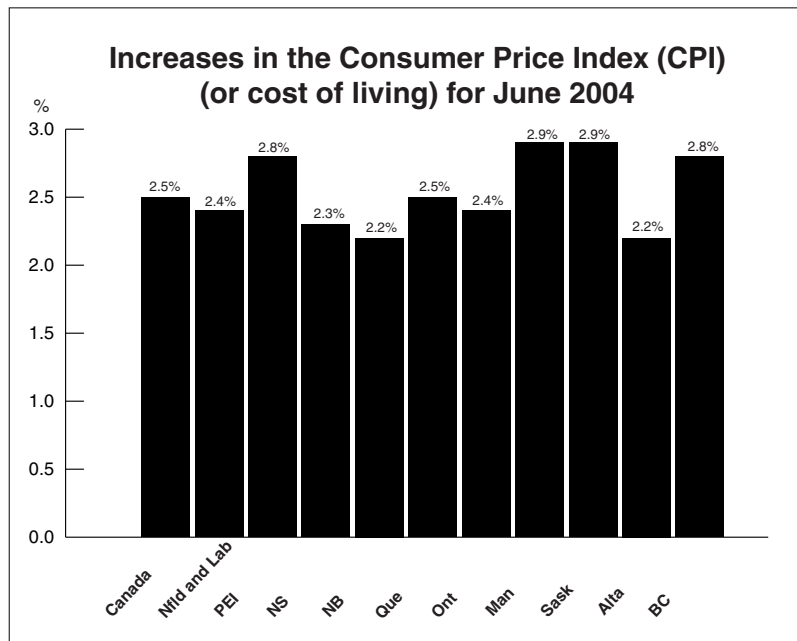
The ten members settled their strike through their sheer will and determination and through the solidarity of other CUPE locals and unions.

CUPE 4326 members received food, money and general support from CUPE National, other CUPE locals, the NS Federation of Labour, Canadian Staff Union (representing many workers employed by CUPE), the Nova Scotia Teachers' Union and many others.

Their strategy included a rally at the local MLA's constituency office. During the Labour Day parade in Halifax, hundreds of signatures were collected on a petition that called for better transition house funding. The sisters also held an information picket in front of Province House. They met with the Ministers of Community Services and Human Resources, the NDP opposition leader, and the leader of the Liberal party, to put pressure on the minority Conservative government.

The local held a press conference with the leader of the Nova Scotia Federation of Labour and President of CUPE NS, Sister Betty Jean Sutherland. A direct e-mail campaign resulted in the employer's board chair receiving hundreds of e-mails supporting the sisters from around the world. A candlelight vigil and march in Amherst with speakers from CUPE NS and the province's Teachers' Union was also held. On the 100th day on the picket

Inflation at 2.5% (June 2004)



Source: Statistics Canada
www.statcan.ca/english/Subjects/Cpi/cpi-en.htm

- This chart shows inflation measured by increases in the Consumer Price Index (CPI). In June, the Canadian cost-of-living was 2.5% higher than a year earlier. From May to June, the CPI rose 0.1%.
- High gas prices were the main factor pushing the cost-of-living increase from 1.6% in April to 2.5% in May and June. On average, gas prices this year were 30.3% higher in May and 24.5% higher in June compared to May and June 2003 (respectively). Gas prices rose 13.6% in April 2004 alone.
- Gas price increases were seen in all provinces, ranging from the highest in PEI (+35.2%) to the lowest in Saskatchewan (+21.7%).

line, the members held a rousing ceremony in the centre of Amherst and sent a letter to Premier John Hamm demanding an end to the dispute.

Now the local plans to lobby the provincial government for more funding. Transition house workers in the province depend on fundraising to pay for their salaries, since the government only provides shelters with 75% of funds. The strikers want to ask

Premier Hamm if he would still be premier if he had to raise his salary through bake sales.

For more information, see:
cupe.ca
cupenovascotia.ca
Or contact CUPE National rep
Terry Goulding at
tgoulding@cupe.ca or
(902) 752-2244. ■

Looking for bargaining tools?

Check out these new CUPE National publications on the web site indicated or contact the Research branch at (613) 237-1590:

- *Overview of Bargaining and Wage Settlements Across Canada* – June 2004, cupe.ca/updir/OVERVIEW_June04.pdf
- *Bargaining Equality: a workplace for all*, cupe.ca/www/equality
- *Why Public Services and Unionized Workplaces Matter for Personal Support Workers* – Evidence shows that Home Support workers are better off working for unionized public agencies, cupe.ca/updir/Home_Care_Forum.pdf
- *Inventory of Major Privatization Initiatives in Canada's Health Care System – 2003 – 2004* – Private, for-profit health care has proliferated, since the First Ministers' Accord on Health Care was signed in January 2003. This inventory lists many of those initiatives including public private partnerships, evidence of two-tier access to services, private for-profit clinics and other threats to sustainable, equitable public health care, cupe.ca/www/updir/innovation_exposed.pdf
- *The P3 PM – Guess What's On the Martin Agenda?* – Now that he's realized his dream of becoming Canada's CEO, Martin's corporate agenda for the country is being revealed, and it can all be summed up with a little acronym that haunts all public sector workers from coast to coast to coast: P3, cupe.ca/www/privatization/9692
- *Kyoto is About Clean Air, Clean Water and Workers Taking Back Our Communities* – Kyoto Protocol, greenhouse gas emissions and global warming. While these terms may be familiar from news reports, it's likely that many CUPE members, like most Canadians, know little about what they really mean. And while some may think these issues are far removed from our communities, workers like Danny Cavanagh think otherwise, cupe.ca/www/Environment/9693
- *The EI/UI Road Map: How to navigate the unemployment insurance system* – Frustrated by the maze of unemployment rules and regulations? Questions about benefits? This guide can help you get what you need. It is designed to help you figure out how to qualify and calculate your benefits. It explains what special benefits are available, the appeals process, and lists unemployment help centres, as well as examples of CUPE victories against the Employment Insurance system, cupe.ca/updir/EI_Roadmap_english.pdf
- *School Board Instructors Win Battle for EI Benefits* – School board instructors who are paid an hourly wage have won an important victory. The Federal Court of Appeal has rejected a move by the Employment Insurance Commission to deny them benefits on the grounds that they are 'teachers' and not eligible for EI during the summer or other lay-off periods, cupe.ca/www/ei/9324
- *Make "Control of Pensions" a Bargaining Priority*, cupe.ca/www/Pensions/8879

Check These Out!

- A new study from the UK-based think tank *Catalyst* reports that private finance initiatives (PFIs, similar to P3s) make money by reducing staff pay and conditions, catalystforum.org.uk/pdf/ppp.pdf
- The National Council on Welfare released its report *Income for Living?* in the spring. In 2003, the federal government instituted a new poverty measurement, MBM (Market Based Measure). This report looks at what the new MBM and the existing commonly-used poverty line, the low income cut-offs or LICO, tell us about the situation of low-income people in four provinces: Quebec, Ontario, Alberta and BC, ncwcnbes.net/htmldocument/reportIFL/IFL_e.pdf
- Canada was reviewed for its failure to live up to international commitments and to bring provincial governments in line with implementation of the fundamental right to Freedom of Association, which is entrenched in our Charter of Rights. Indeed, eight provinces have been cited for violating, in a number of ways, the relevant international convention at the 92nd annual conference of the International Labour Organization (ILO), clc-ctc.ca/web/CLICK/en/june18.html ■



Calling all CUPE Sisters and Brothers – Send Us Your Bargaining Stories!

If you would like to see any contract language or your story featured in *Tabletalk*, please write to:

Heather Farrow
CUPE Research,
21 Florence Street,
Ottawa, ON K2P 0W6,
e-mail research@cupe.ca
Tel (613) 237-1590
or fax (613) 237-5508.



cope 491