

NATIONAL PRESIDENT'S REPORT

December 2012 – March 2013

Dear Sisters and Brothers:

This reporting period has again been a very busy one for our union on both the bargaining and the legislative front.

British Columbia and Ontario have been front and center with rotating strikes in British Columbia's community social services sector, and 55,000 Ontario school board workers feeling the full impact of Bill 115, which impacted on their free collective bargaining rights.

In early February, over 1,000 delegates and staff gathered for our first National Bargaining Conference, the largest national union conference in CUPE's 50-year history.

In mid-December, Parliament adopted Bill C-377, which places significant costs on all unions in terms of financial reporting requirements. C-377 is not law until it is passed by the Senate, where we are currently lobbying. CLC affiliates have also agreed to pool our resources and file a single legal challenge on a number of grounds including our belief that the bill violates federal privacy legislation.

There is widespread speculation on Parliament Hill that the Prime Minister is selecting the next MP to front a Canadian version of "Right-to-Work" legislation at the federal sector. The law will apparently offer federal employees the option of a rebate on the portion of their dues used for "political action". This is, in my view, a "line in the sand" issue for our movement, something we have to stand up to and defeat.

Lastly, 2013 is the 50th anniversary of our great union. From just under 60,000 members in September 1963 to over 627,000 today, we have much to be proud of. We truly do stand on the shoulders of the sisters and brothers who struggled and built our union. We will remember these sisters and brothers throughout the year, and pledge to do our part to meet the challenges we face today on behalf of each and every CUPE member we are privileged to represent.

1. Collective Bargaining/Strikes

By far, the most significant struggle we faced this reporting period was that of our 55,000 members in Ontario's public school board sector. Bill 115 destroyed the bargaining rights of CUPE support workers and teachers.

With the clock ticking towards December 31, 2012, after which the Minister of Education acquired the authority to impose the deal agreed to by the Ontario Education and Catholic Teachers Association (OECTA), our members agreed to a two-year deal, a very tough deal, but one in which they achieved job security for the bulk of our membership.

The focus for our union now shifts to pressuring the new Ontario Premier to abandon plans to introduce legislation on the Broader Public Sector (BPS) including regressive changes to the interest arbitration system which affects thousands of Ontario hospital and nursing home workers, among others.

In British Columbia, despite a very busy fall period in which thousands of members achieved settlements, we are still attempting to conclude bargaining with the following groups:

- Simon Fraser University (CUPE Local 3338);
- Community Social Services Sector (2,500 members);
- K-12 Sector (25,000 members);
- Quilchena Golf and Country Club (CUPE Local 4964).

In terms of the rest of the country, almost one-half of our 3,600 collective agreements are open for renewal, so it remains busy right across Canada with varying degrees of austerity the order of the day with all provincial governments.

PROVINCE	LOCAL	EMPLOYER	# OF MEMBERS	STRIKE BEGAN	DURATION
Ontario	3902	University of St. Michael's College	40	Nov. 15, 2012	8 days
British Columbia	4964	Quilchena Golf and Country Club	19	Feb. 4, 2013	ongoing

After eight days on the picket line, the 40 members of CUPE Local 3902 at St. Michael's College reached a collective agreement that will recognize past experience and expedite eligible candidates to qualify for higher classifications. These issues were central to the dispute.

Members of CUPE Local 4964 in Richmond, British Columbia were locked out by the Quilchena Golf and Country Club management on February 4 after only nine days of bargaining. The lockout is for no other reason than for the employer to save money against a deficit in a slow period of activity for the golf course.

2. Federal Scene/Canadian Labour Congress (CLC)

Federal Government

- C-377: As mentioned, the Harper government adopted Bill C-377 in mid-December. While the vehicle of a private member's bill was used, it is crystal clear that the Prime Minister's office drove this bill. Lobbyists such as the Merit Shop Contractors had steady access to Harper's Chief of Staff and a second-line whip was conducted to ensure adoption (a rarely, if ever, used procedure when it comes to private members' bills).

Under the guise of the *Income Tax Act*, the public will gain access to reams of internal union operations (entities taxpayers do not fund), while the citizens are routinely denied access to MPs' or Senators' expenses?

- Right-to-Work: There is widespread speculation Harper will next move on federal employees through introduction of a form of right-to-work legislation which will offer rebates to union members who object to dues being used for political purposes. "Political purposes" will be defined by the Harper government. Most everything we do, from advocating for pay equity to opposing privatization, is "political".

The planned legislation has everything to do with silencing dissent and defunding trade unions over a range of issues including our public advocacy against CETA and in favour of medicare and fair labour legislation.

The CLC Executive Committee has determined that defunding our movement is an attack on our entire trade union movement, one that requires a bold, visible, and unified response.

- Pension Issues:
 - i. In late December 2012, the Supreme Court of Canada ruled that federal public employees were not entitled to a \$28 billion surplus that the former Liberal government extracted from their federal pension plan to pay down the federal deficit.
 - ii. In late January, the Supreme Court ruled in the Indalex Limited case that the bankrupt firm's creditors were entitled to the company's last \$6.75 million, ahead of the firm's retirees.

The ruling, in a bit of a hollow victory for pensioners, also said that a pension plan's entire shortfall, once the plan is wound up, becomes a deemed trust, and as such should rank ahead of almost all of the company's secured creditors.

- Canadian Labour Congress (CLC): A large portion of CUPE's National Executive Board (NEB) attended a special March 2013 meeting of the CLC Canadian Council to outline labour's plan of action to oppose any form of right-to-work legislation in Canada.

The introduction of such laws in the U.S., including in the state of Michigan just before Christmas, has led to the steady erosion of union density in the U.S. to just under 12% overall, and under 6% of the private sector workforce.

- Labour Council Review Task Force: I have been chairing a task force on behalf of the CLC designed to make recommendations on how we can strengthen labour councils and increase affiliate participation.

Our task force has conducted about a dozen public meetings right across Canada and we are currently surveying all 135 labour councils.

I urge all CUPE locals not currently active in their local labour council to consider affiliating. It is incredibly important that we do all we can to forge labour unity at the community level all over Canada.

3. Regional/Service Division Updates

British Columbia

CUPE British Columbia staged a very successful Local Economy Summit in mid-February with about 150 trade unionists, local government officials, mayors, councillors, and small business owners. The conference focused on the Ten Percent Shift and the importance of local economies to Canada's overall economic performance.

Community social services and community living workers continue rotating strike action. Simon Fraser University has been found guilty of bad faith bargaining by the British Columbia Labour Board; CUPE Local 3338 is still attempting to secure a collective agreement.

In early December 2012, Brother Barry O'Neill announced he was retiring and would not re-offer for the position of CUPE British Columbia president. On behalf of our entire union, I salute Brother O'Neill for his strong record as the longest serving CUPE British Columbia president in our union's history.

Alberta

I was pleased to join with Brother Charles in attending an All Presidents Meeting in Calgary in early February. One of the key issues within the province is the survey being conducted by the Local Authorities Pension Plan (LAPP), the plan for thousands of CUPE members in Alberta.

Another key issue in Alberta is the province's fiscal situation with a \$6 billion shortfall due to falling oil revenues. Funding of basic services, such as school boards, is in the news on a daily basis. As are ongoing attacks on public sector wages, most recently by an ill-conceived Fraser Institute study.

Saskatchewan

Both the cities of Regina and Saskatoon are turning to the federal government's P3 Canada Fund to attract federal investment in needed infrastructure renewal (a wastewater treatment plant in Regina, and a new transit/public works yard in Saskatoon). In both instances, CUPE is questioning the secrecy of both projects, along with the federal insistence on P3s to trigger federal investment.

The CUPE Saskatchewan Health Care Council is running TV ads outlining the critical role of support workers in patient care.

CUPE Saskatchewan is working with the Saskatchewan Federation of Labour (SFL) to reply to Bill 85, the merging of some 14 pieces of labour legislation into a single piece of legislation: *The Saskatchewan Employment Act*. The proposed act reduces union rights in dozens of areas, including our right to represent workers who perform supervisory duties.

Manitoba

The results of three separate rural health care votes between CUPE and the MGEU have recently been announced. CUPE won the vote in the South Central Rural Health Region picking up an additional 325 members. In the Interlake Health Region, CUPE lost to the MGEU. We say a sad farewell to 578 CUPE members and many strong CUPE activists. [Western vote results available on March 7.]

CUPE Manitoba has been visible in a number of "Idle No More" events including a teach-in we funded held in Winnipeg in February. CUPE Manitoba has also spoken out in favour of a federal inquiry for the murdered Aboriginal women and girls.

Ontario

Congratulations to CUPE Local 4948, Toronto Public Library workers, who received this year's Media and Communications Award from the Ontario Library Association for their ad in support of public library services.

A very popular TV ad in defence of free collective bargaining rights ran for a two-week period throughout Ontario beginning in late January. The ad results from CUPE National support from the National Fightback Fund for our defence of free collective bargaining rights in Ontario.

Job number one in Ontario at this time is to block the introduction of the so-called “Protecting Public Services Act” and to protect the integrity of Ontario’s interest arbitration system which affects thousands of CUPE health care members.

Quebec

CUPE representative, Sister Lise Simard, was appointed by the Marois government as a full-time representative on the province’s Pay Equity Commission.

CUPE Quebec university workers are involved in preparations for the “Rimouski Summit on Higher Education”. Quebec university workers are calling for a Quebec National University Charter to outline Quebec’s commitment to a post-secondary system, fully public and accessible to all.

Newfoundland and Labrador

CUPE municipal locals in Newfoundland and Labrador are uniting to fight cuts in the TRIO pension plan announced late last year. Members from seven affected locals met to formulate plans to resist cuts to the plan.

Bargaining continues for over two-thirds of our members in Newfoundland and Labrador (health care, school board, and provincial housing corporation employees). Provincial austerity pronouncements have been replied to by CUPE, reminding the province that public employees deserve a share of the province’s newfound prosperity the government so often speaks of.

Nova Scotia

CUPE Local 759 members employed by the Cape Breton Regional Municipality achieved a new multi-year agreement with wage increases and no concessions after a very long and protracted round of bargaining.

Strike votes are commencing with CUPE school board workers driven by restraint funding and numerous challenges being faced within the public education sector. Negotiations also continue for thousands of nursing home workers.

CUPE Nova Scotia is working closely with the Nova Scotia Federation of Labour to meet affiliates and to increase the number of volunteers to ensure re-election of the NDP government in the next election expected in the fall. The Nova Scotia government announced their opposition to any form of privatization of the province’s hospital food services.

New Brunswick

CUPE New Brunswick members remain front and center in opposing the federal cuts to EI benefits which took effect on January 1, 2013. Over 1,500 citizens showed up for a recent demonstration in the Miramichi region.

Members of CUPE Local 963, New Brunswick Liquor Corporation employees, continue to campaign against the closure of two government liquor stores. I was pleased to be able to speak at the New Brunswick Pension Summit held in Fredericton from February 20-21, 2013.

Plans are well under way for the 50th CUPE New Brunswick convention to be held in Fredericton April 10-12, 2013; the convention will include a salute to past union and staff leaders.

Prince Edward Island (PEI)

The main focus in Prince Edward Island for CUPE Prince Edward Island has been pushing the provincial government to speak up on behalf of Islanders to push the federal government to reverse its changes to Employment Insurance. The division has also been active in making the impact of a move to a Harmonized Sales Tax (HST) on workers clear to the government. The HST was implemented by the government on April 1. At the same time, the health sector in Prince Edward Island has been involved in consultations with the provincial Liberal government on its review of provincially funded pensions.

CUPE Prince Edward Island has joined with CUPE New Brunswick in leading our union's response to the Employment Insurance (EI) cuts imposed by the Harper government. Our union supported the unemployed worker from Montague, covered in the national news in January.

Airline Sector

CUPE Local 4055, representing flight attendants at Sunwing, have achieved a tentative first agreement that our union bargaining committee is recommending acceptance of.

A number of our vacation destination carriers are in difficult straits. Air Transat, which has its own internal financial challenges, has recently announced plans to purchase single-aisle Boeing 737s, which will have a significant impact on our members in CanJet who have traditionally provided this small aircraft service to Air Transat.

At Air Canada, three new national officers have been elected, Brother Michel Cournoyer, President; Sister Joyce Nakanishi, Treasurer; and Sister Katherine Kontosthenos, Vice-President. Brother Charles and I have extended our best wishes to this new team at Air Canada.

Hospital Employees' Union (HEU)

The HEU is asking for British Columbia's Privacy Commissioner to launch an investigation into the outsourcing of medical transcription services, citing concerns over patient privacy.

Brother Victor Elkins (HEU president) has been elected as Regional Vice-President (RVP) British Columbia on the National Executive Board. Our thanks to former RVP Brother Ken Robinson and our best wishes to Brother Elkins as he assumes his new duties.

4. Organizing Report

For the period December 1, 2012 to February 28, 2013, CUPE organizers, activists and staff, organized 1,478 new members in 24 bargaining units across the country. CUPE also had 14 applications for certifications in front of various labour boards. If successful in these applications, CUPE membership would grow by up to 6,958 members. Some applications are for new units and others expand current units by adding new employee categories or previously excluded employees.

CUPE also has 54 active organizing campaigns at various stages across the country which has the potential to result in an additional 8,572 members. These campaigns may have either just started during the period or have been carried over from previous periods and are not quite ready for application to a labour board. In some jurisdictions, organizing a unit can take up to two years from start to certification.

Organizing projects across the country can involve defending representation rights as a result of government restructuring or decertification threats or raids by other unions. During the period, staff and activists were involved in a number of representation votes affecting almost 8,500 members. At the same time, CUPE had 22 units facing the threat of raid or decertification. These projects typically are reported over a number of reporting periods.

While we face many organizing challenges in the form of threats to existing units, unorganized public sector workers across the country continue to approach CUPE to be organized as they view CUPE as progressive and best able to meet their needs.

5. CUPE Strategic Meetings/Conferences

CUPE Environment Policy Meeting

About 50 members and staff gathered in Ottawa from January 9-10, 2013 to discuss and debate the components of a CUPE Environment Policy as mandated by a resolution from our 2011 National Convention.

CUPE National Bargaining Conference

As mentioned, over 1,000 members and staff gathered in Ottawa from February 5-8, 2013 for CUPE's first ever National Bargaining Conference as mandated by the Strategic Directions Policy Document adopted at our 2011 National Convention.

Delegates met in plenary sessions which focused on the economy, broad national trends, and an informative panel of international guests. As well, on four separate occasions, delegates met in sectoral and regional caucuses to share experiences and to discuss regional bargaining issues.

Membership feedback included the goal that we "become a movement again" and that we reconnect with CUPE members through having "627,000 conversations" with our members.

The lessons of the conference will make their way into our Union Development Collective Bargaining courses and our staff training.

6. Global Justice/International Solidarity

• Public Services International (PSI)

Our national office's Judy Darcy Boardroom was host to a February meeting of Canadian/Quebec PSI affiliates and a joint meeting with U.S.A. PSI affiliates, the second time we have held such a gathering, which allows for important information sharing and solidarity building.

- On February 13, 2013, our union joined forces with dozens of unions and progressive organizations in Canada and the European Union in signing a "Trans-Atlantic Statement Opposing Excessive Corporate Rights (Investor State Dispute Settlement)" in the E.U.-Canada Comprehensive Economic and Trade Agreement (CETA).

CETA talks are apparently in their final stages and we are continuing to speak out on procurement and intellectual property rights issues.

- On February 11, we wrote the European Federation of Public Service Unions (EPSU) congratulating them on achieving one million E.U. signatures in their "Water is a Human Right" campaign.
- February 18 to 24 were the Mexico Days of Action to protest the numerous violations of trade union rights over the last number of years and coinciding with the recent inauguration of a new president in Mexico. CUPE took part in a Canadian Labour Congress delegation to meet with Mexican embassy staff on February 14 and wrote to new president, Peña Nieto, to demand action on trade union rights.

- Canada's international record continues to decline. According to OECD figures, Canada devoted 0.33% of its Gross National Income (GNI) to foreign aid in 2010, well below the average of OECD nations, which was 0.49%. Canada is in 14th place among 23 donor nations, having fallen from sixth place, where we stood in 1995.

7. Personal/In Memoriam

In Memoriam

Our sincere condolences to the families and local unions of the following members who died on the job:

- Brother Normand Gauthier, a longshoreman and member of CUPE Local 4239, was killed during loading operations at the Port of Matane in Quebec.
- Brother Claude Picard, a linesman for Hydro-Québec and a member of CUPE Local 1500, was killed when the hydro pole he was working on collapsed in a residential development in Saint-Félix-de-Valois.
- Brother Gilbert Prescott, a custodian at École Taché and member of CUPE Local 3754, passed away in his workplace. Brother Prescott was the past president of CUPE Local 3754, Division scolaire franco-manitobaine.

Our sincere condolences as well to the family and many friends of Brother Ken Davidson of CUPE Local 1004 (Vancouver Outside Workers). Brother Davidson was an active global justice member and a past president of CUPE Local 1004 and CUPE British Columbia Executive Board member.

Our condolences as well to the family and friends of Brother Gordon MacDonald who passed away on February 4. Prior to his retirement in 1995, Brother MacDonald worked as a national servicing representative in the London Area Office.

Our sincere condolences were sent to Sister Debbie Gervais-Arbane, a servicing representative in our Edmonton Office, Alberta. Sister Gervais-Arbane's husband was killed in a motor vehicle accident.

Here at National Office, our sincere sympathies to Sister Halinka Brown, a bilingual statistical clerk-typist in the Research, Job Evaluation, Health and Safety Branch, whose husband passed away suddenly of a natural cause on January 24.

Retirements

I offer my sincere thanks, congratulations, and best wishes to the following CUPE staff who have announced their plans to retire.

Brother James (Jim) Costescu – National Office – January 1, 2013
Sister Lillyan Niebuhr – National Office – February 1, 2013
Sister Lise Simard – Quebec Regional Office – February 1, 2013
Sister Wendy Forbes – Ontario Regional Office – March 1, 2013
Brother Alfred (Alf) Hryciw – Alberta Regional Office – March 1, 2013
Sister Suzanne Beaudry – National Office – April 1, 2013
Brother Steven Laforest – Saguenay-Lac-St-Jean Area Office – May 1, 2013
Sister Johanne Martel – Quebec Regional Office – May 1, 2013

8. Conclusion

In closing, as you will have noted, our union is very busy in an increasingly difficult and at times hostile climate for public employees.

This spring, all 10 provincial divisions meet in convention. Our 50th anniversary this year and our provincial conventions will be an opportunity to thank those sisters and brothers who built our union, and to prepare our union for the challenges we face.

Attached to this report, please find the words of one of our founders, Brother Tex Hughes, a 38-year member and former Maritimes Regional Director. His moving words, on the occasion of his retirement, speak to the trade union values we should all aspire to.

To all activists and staff, I offer my sincere thanks for your efforts day in and day out on behalf of the over 627,000 members we are privileged to represent.

In solidarity,

A handwritten signature in black ink that reads "Paul Moist." The signature is written in a cursive, flowing style.

PAUL MOIST
National President

:jvp/ceu

Encl.