

Green Bargaining for CUPE Locals

CUPE Locals want to put environmental provisions into their collective agreements. This can improve CUPE members' lives, while benefiting the environment.

Taking a Leadership Role

The Strategic Directions policy adopted at the 2007 National CUPE Convention describes ways CUPE can help meet global green targets. In that document, CUPE committed to "take a leadership role on climate change." Helping Locals develop collective agreement language on climate change and other environmental issues was pointed to in Strategic Directions as an action Locals can take to make CUPE workplaces greener.

Unions have always tried to make living conditions better for workers. Taking on climate change to improve the environmental health of the planet is another way unions – like CUPE – can enhance workers' lives.

Greening the workplace

This document gives examples of green language and shows CUPE Locals key areas to consider for bargaining environmental provisions into their collective agreements.

Greening the workplace makes sense because:

- Cutting back on greenhouse gas emissions helps fight climate change and improves the quality of the air we breathe. It also helps preserve a future for coming generations.
- A green union and workplace will appeal to young workers, who tend to be more environmentally aware and active.
- A green workplace saves money and resources that can be re-invested back into the workplace to improve working conditions.

Bargaining green provisions is a new direction for CUPE. Traditionally, bargaining focuses on wages, hours of work, job security, grievance procedures, workplace democracy and other issues. All of these add value to workers' lives. Green language will do the same. It will also help protect workers from changes that are coming as Canada shifts away from an intense carbon-based economy.

Click on the green language subject area listed below for more information:

- Environmental statement or policy
- Workplace environment committees
- Climate change
- Energy conservation
- Transportation
- Just Transition
- Green cleaning products
- Environmental health
- Non-polluting work

Making a commitment to Green Change

Bargaining green provisions into CUPE collective agreements is just starting but it's really catching on. CUPE's 2007-2009 Strategic Directions document and related resolutions have reflected CUPE members' call for further progress in this area.

Please contact Matthew Firth (mfirth@cupe.ca) for more on green bargaining or if you have new examples of Green Language to submit.

Environmental statement or policy

A good place to start when developing green contract language is with a general environmental statement or policy. This kind of statement can set the tone for greening the workplace. Any statement or policy should call on the workplace to limit its negative impact on the environment/climate as much as possible. For example, the policy can set targets for greenhouse gas reductions and/or limit pollution of the air, water and soil.

CUPE 3012 and the Saskatchewan Council for International Co-operation in Regina adopted an extensive workplace environment policy that commits the employer and workers to:

Improve our quality of life by reducing air pollution and the greenhouse gas emissions that cause global warming. Implementing a Green Policy in the workplace improves health and safety standards while saving money and lowering the costs to the environment and future generations.

This policy includes an Action Plan for sustainable purchasing, energy conservation, waste reduction, green meetings, and green transportation options.

CUPE 2099 and the City of Mount Pearl in Newfoundland and Labrador negotiated the following language:

The Employer and the Union agree that the limiting of environmental pollution is a desirable objective. Therefore, the parties affirm, according to their respective responsibilities, their joint objective to co-operate and promote jointly the objective of a pollution free environment at work and in the community.

Similar language has been adopted by other Newfoundland and Labrador locals, such as CUPE 1349 and the Town of Botwood, and by CUPE 2768 and the Town of Centreville/Wareham/Trinity.

Workplace environment committees

These committees can act as a lever for change on green issues, with input from both workers and management. Workplace environment committees can help make sure that workers participate in how a workplace improves its environmental record, rather than having that direction imposed on workers by management.

Workplace environment committees can take on a broad range of environmental issues, such as:

- Putting in place or extending waste reduction/diversion, recycling and composting programs.
- Energy auditing and conservation programs.
- Green workplace travel programs.
- Reduction of distances travelled by workers in doing their duties.
- Greenhouse gas reduction strategies and practices.

In some CUPE workplaces, committees deal with health, safety and environmental issues under an umbrella committee. For example, CUPE 2058 and the City of Langley, B.C. has this language on the duties of its committee:

Duties of H&S & E Committee

It is understood by the parties that every effort will be made to prevent environmental pollution. It will be the objective that neither the City nor the Union will knowingly or purposely engage in practices which will cause serious damaging effects to the environment.

Members of CUPE 2278 at the University of British Columbia have members of its joint health, safety and environment committee assigned to sit on other workplace committees, some of which address environmental issues, such as the Pollution Control Committee:

It is agreed that employees shall have a representative on any departmental or area safety committee where members of the bargaining unit are employed. In addition, a representative from the bargaining unit will be invited to join the President's Safety, Security and Fire Prevention Committee, the Biohazards Committee, and the Pollution Control Committee.

Here's a further example, from the New Brunswick Union of Public and Private Employees. This example refers to an energy committee set up to look at ways to cut back on greenhouse gas emissions:

Article 2.0: Energy Committee

- 2.1 An Energy Committee shall be established to develop and implement a working plan to reduce carbon emissions from the workplace.*
- 2.2 The Employer shall provide sufficient time for employees to participate in the Energy Committee. Committee members shall be allowed up to 6 hours per month to participate on the Energy Committee. The Committee Champion will be allowed up to 10 hours per month.*
- 2.3 All workplace employees shall receive no less than 2 hours of training per year regarding climate change and solutions.*

Climate change

Climate change is the main environmental issue facing workers today. CUPE Locals can negotiate language that sets greenhouse gas reduction targets as a way to take a leadership role fighting climate change at work. For example, the New Brunswick Union of Public and Private Employees has proposed the following language on carbon reductions:

Article 1.0: Carbon Footprint

- 1.0 Both parties agree to reduce the carbon footprint of the workplace by 3% per year over the duration of this agreement. (Actual goals could vary based on specific circumstances)*
- 1.1 The savings shall be distributed on a 50%-50% basis between the employer and the Union for distribution on further greening processes.*
- 1.2 If the workplace does not achieve annual emissions reductions of 3%, the employer will invest in jointly approved carbon offsets, preferably locally, in order to meet the annual target of 3%.*

Energy conservation

CUPE 4156 members who work for the District School Board of Niagara in Ontario as custodians and maintenance workers formed an environment committee specifically to start an energy conservation program. The CUPE committee later added representation from teachers and board staff.

The energy conservation program developed by CUPE 4156 members helped to save more than five million kilowatt hours of power, which was a cut of about 2,000 tonnes of carbon dioxide emissions since the energy conservation program was put in place. This is a good example of a workplace environment committee taking on an environmental issue and getting results.

Similarly, CUPE 1483 and the Dufferin-Peel Catholic School Board in Ontario agreed to this language promoting energy conservation:

c) Therefore the Union agrees that it will support the Employer in its efforts to eliminate waste; conserve materials, energy and supplies, improve the quality of service; prevent accidents and strengthen goodwill between the Employer, the employees, the academic and administrative staff, the children and the public.

Transportation

Transportation to, from and during work has a huge environmental impact. For example, single-occupancy driving day-in and day-out for work is not a green practice. Likewise, work-related air travel negatively impacts the climate.

There are greener transportation choices available, such as using public transit, bicycling, walking, carpooling, car-sharing, low-emission vehicles and other options. Green collective agreement provisions to support more environmental transportation would cover financial incentives and disincentives and support programs, such as:

- Employer-provided/supported public transit passes.
- Employer-provided/supported shoe allowances for workers who walk to work.
- Employer-provided/supported bicycle lock-up, showering facilities and flexible work schedules for bicycle commuters.
- Grants or loans to employees for bicycle purchases.
- Reimbursement for work-related bicycling kilometrage.
- Car-sharing schemes.
- Financial disincentives, such as employees paying for parking spaces for single-occupancy drivers.
- Employer-purchased legitimate carbon offsets for workers who must travel by air.

UNISON – a British trade union – has been very active in helping to develop Green Staff Travel Plans for its members that build on many of these points.

Just Transition

Some workers may lose their jobs as the economy greens. That's why CUPE called for the federal government to establish and fund a Just Transition program to protect potentially displaced workers in the energy sector when CUPE endorsed the federal government's ratification of the Kyoto Protocol in December 2002. Contract language on Just Transition can protect workers affected by job losses.

The New Brunswick Union of Public and Private Employees created this sample language on Just Transition:

Article 35: Just Transition

- 35.01 Just Transition means the response to the impact on workers caused by the Employer's compliance with greening the workplace where long term planning to reorganize or retrofit production to be sustainable by ensuring energy efficiency.*
- 35.02 When the Employer is considering the introduction of change which substantially changes the duties performed by employees in the Bargaining Unit the Employer agrees to notify the employees and the Union at least four (4) months in advance of such intention.*
- 35.03 If, as a result of a change in energy use, the Employer requires an employee to undertake additional training, the training will be provided to the employee. Such training shall be given during the hours of work whenever possible. Any training due to energy use change shall be at the employer's expense without loss of pay to the employee.*
- 35.04 If, after a reasonable period of training, the employee is unable or unwilling to acquire sufficient competence, the Employer shall make every effort to give preference to this affected employee for a position in that institution for which he/she has the necessary competence and qualifications. Should the energy use change result in the lay-off of an employee, the affected employee shall be laid off in accordance with the lay-off provisions of this agreement.*

Green cleaning products

CUPE Locals have successfully implemented programs to replace toxic cleaners with green cleaning products, particularly in schools.

For example, CUPE 379, representing non-teaching staff in Burnaby, B.C. schools, with the help of British Columbia's Labour Environmental Alliance Society, created a substitution program for cleaning products. The next step with a program like this is to move it from policy to be embedded in collective agreements.

For example, CUPE recently bargained a committee to review current cleaning practices and promote green alternatives as part of its settlement in the Ontario school boards sector. The following green contract language is the result of this settlement:

- *Two CUPE representatives will join the Green Clean Working Group made up of Ministry of Education staff and volunteer boards representing procurement, school board officials and facilities management staff.*
- *The Green Clean initiative's goal is "to minimize or potentially eliminate the use of non-green cleaning products in schools across the province resulting in an improved outdoor ecosystem to support student learning and a healthy workplace environment."*
- *The Green Clean initiative's objective is "to create a comprehensive green clean program for Ontario's school boards that is easy for boards to implement and addresses the information needs of all identified audiences."*
- *The Green Clean Working Group will liaise with the successful candidate of a Request for Proposal for the creation of a comprehensive Green Clean Program, to review the research findings, communications products and the design, implementation and evaluation of green clean programs for schools.*

Environmental health

Many CUPE members work in facilities that may expose them to a wide range of environmental hazards. These hazards can contribute to air, water and soil contamination, while posing health risks to CUPE members.

Contract language that bridges the environmental and human health risks of substances should be developed. Language would address hazards such as:

- Latex
- Asbestos
- Mould
- Glutaraldehyde
- Indoor air quality hazards
- Environmental sensitivities

CUPE and the Saskatchewan Association of Health Organizations adopted this language:

15.12 Communicable and Occupational Diseases

In accordance with The Occupational Health and Safety Act and Regulations, the Employer will adopt safe rules and practices regarding communicable and occupational diseases, caused by exposure at the place of employment.

The Employer(s) agree, where possible, to reduce any contamination at the place of employment by a chemical substance, biological substance or known carcinogen.

CUPE 2081 and Camosun College Student Society in Victoria, B.C. has this language:

18. Health, Safety & Environment

The Employer acknowledges its responsibility to make all reasonable and proper provisions for the maintenance of high standards of health and safety in the workplace, including a properly heated, ventilated and lighted working environment that is as free as possible of pollution.

Non-polluting work

CUPE members should not have to do work that they feel is overly harmful to the environment or breaks environmental laws. Some Locals have negotiated language that protects their members from polluting work. For example, CUPE 116 and the University of British Columbia negotiated this language:

23.06 Pollution Control

It is agreed by the parties concerned that every effort will be made to prevent pollution. Employees will not be required to work in areas or under conditions in which preventable pollution exists.

Similarly, "Whistle Blower Protection" language can include environmental factors, as reflected in this contract language between CUPE 441 and the Board of School Trustees of School District No. 63 (Saanich, B.C.):

37.05 Whistle Blower Protection

No employee shall be dismissed, disciplined or penalized as a result of reporting illegal violations in connection with pollution, WCB regulations, theft or other illegal violations unless it is determined that the employee is in any way involved in the infraction. It is agreed that the union shall advise the employer of any violation it may be aware of prior to reporting any alleged violations, and to afford the employer reasonable opportunity to correct the violation.