

## INSIDE:

Vidéotron Solidarity  
New SUB plans  
PEI's fearless five  
Negotiating for SARS

**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](mailto:research@cupe.ca).

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## Are your wages keeping up with inflation?

When wages don't keep up with the cost of living, it's like taking a wage cut. That's why it is important to negotiate cost-of-living allowance (COLA) clauses in the collective agreement.



The 'cost of living,' also called inflation, is measured by the federal government's Consumer Price Index (CPI). Statistics Canada calculates the CPI based on the prices of items in a 'basket' of goods and services commonly purchased by Canadians. The CPI shifts each month since it records changes in prices.

In recent years, inflation has been relatively low. But by the early part of 2003, it looked as though high inflation might be back to take a bite out of workers' wages. Whether or not this trend continues, it is a good reminder to safeguard members' wage gains with good COLA contract language.

### COLA clauses check inflation

A COLA clause provides for an automatic increase in wage rates if inflation increases more than a specific amount. The contract article is based on the amount of upward change in the CPI each month.

COLA language usually applies to base wage rates, but it can also apply to shift premiums, vacation pay and other leave allowances. Examples include maternity and parental leave, and jury leave.

Some union locals choose to negotiate COLA increases that take effect every three months. This allows for more frequent wage adjustments and protects against lost wages or allowances. COLA clauses need to protect against wages ever being cut by reductions in the CPI, so should clarify that the COLA clause deals only with CPI increases.

**Here's how to calculate if your wages have kept up with inflation.  
This example is based on the years 1998-2002.**

Year	CPI Index (Annual Average, Canada)	Hourly Wage	% Negotiated Change or Increase	Wage In 2002 Dollars (1)	% 'Real' Change (2)
1998	108.6	\$15.00		\$16.44	
2002	119.0	\$16.07	7%	\$16.07	-2.25%

(1) First, find the 1998 wage in 2002 dollars:

- multiply the 1998 wage (\$15.00) by the CPI 2002 (119.0), divided by the CPI 1998 (108.6) equals \$16.44.

(2) Then, find the percentage wage increase between the two years:

- take the newer wage minus the older wage, then divide it by the older wage. For example, \$16.07 subtracted by \$16.44 (equals minus 0.37), then divided by \$16.44 equals minus 2.25 per cent.

**The table shows that even though a combined wage increase of seven per cent was negotiated between 1998 and 2002, rising inflation meant the 'real' wage, or buying power, actually dropped by 2.25 per cent. A COLA clause protects against that kind of drop in 'real wage' levels.**

## Real wages

How do we know if we have lost purchasing power over time due to inflation? The answer lies in calculating what is called a 'real wage.' This is done by comparing our wage increase to the inflation rate.

When wage increases are less than the growth of inflation for a certain time period, we can say that our 'real wages' have declined. This means it costs us a greater portion of our wages to buy the same items. Our purchasing power, or buying power, has declined.

### Here's one example of potential COLA language:

*"In order to protect the living standards of members of the bargaining unit, the employer agrees to increase the wage schedule and other monetary items in the agreement every three months by one per cent for each one per cent or fraction of one per cent increase (and increase only) in the All Items Consumer Price Index for Canada from the commencement date of the Agreement."*

### For more information:

- See the longer COLA and CPI documents on CUPE's web site [www.cupe.ca](http://www.cupe.ca)
- Click on <http://www.statcan.ca/english/Subjects/Cpi/cpi-en.htm>
- E-mail [research@cupe.ca](mailto:research@cupe.ca)
- Write to Research Branch, CUPE National, 21 Florence St., Ottawa, Ontario, K2P 0W6. ■

# Negotiating quarantine clauses in the wake of SARS

## Here is the clause from CUPE 416's contract:

*45.17 Time lost by a paramedic as a result of being quarantined by a certified medical practitioner because of a job related incident shall be treated as a leave of absence with pay for the duration of the quarantine.*

Severe Acute Respiratory Syndrome



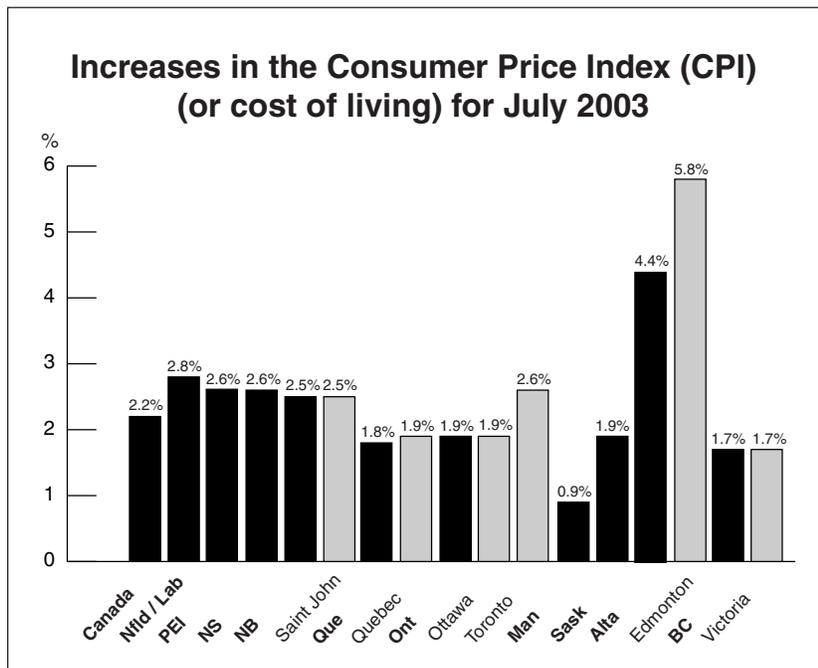
(SARS) has affected health care and other workers in Toronto and elsewhere. In the Toronto area, members needed their lost wages to be recovered by some kind of income replacement program. Instead of relying solely on government funding that may, or may not arrive (or sick leave), another option is for locals to negotiate a quarantine clause into their contract.

A quarantine clause assures that the employer will pay wages and other monetary items if workers are under quarantine. Paramedics from CUPE 416 found a quarantine clause very helpful (see boxed insert). Hundreds of Toronto CUPE paramedics received income replacement from the employer during the SARS crisis without having to use up their sick leave benefits.

## For more information:

- Click on [www.cupe.ca](http://www.cupe.ca).
- E-mail [research@cupe.ca](mailto:research@cupe.ca)
- Write to Research Branch, CUPE National, 21 Florence St., Ottawa, Ontario, K2P 0W6.

## Inflation at 2.2% (July 2003)



Source: Statistics Canada

- This chart shows inflation measured by increases in the Consumer Price Index (CPI). In July 2003, the Canadian cost-of-living was 2.2% higher than a year earlier – the smallest increase since July 2002.
- The CPI for a city is included in the graph where it is higher than the CPI for the province. Members should use the highest CPI numbers to increase their bargaining leverage.
- Shelter and transportation costs were the main factors. Increases in the cost of natural gas, homeowners' replacement and car insurance premiums, tuition fees, and restaurant food also contributed.
- Alberta shows the highest rate of inflation. The province's CPI level was unusually low last year due to payments to northern Alberta natural gas users following the sale of a gas field. Manitoba had the lowest rate of inflation.

# Extraordinary campaign of solidarity: CUPE says “NO” to scabs as members at Vidéotron fight to win

It took a year of hard bargaining, rallies and an outpouring of solidarity, but the 2,200 members of CUPE 1417 and 2815 at Vidéotron, the Quebec cable giant owned by Quebecor, won their struggle against concessions. The settlement means that 664 technician jobs will be protected despite a proposed sale to the firm Entourage (Alentron), and the call centre will stay in Montreal – near a metro or subway. Although the employer wanted to break the union, the two CUPE locals held strong and contract gains such as union leave, remain in their collective agreements.

## Job security and no layoffs

This is a win for the locals’ members since only 270 of 2,200 jobs will be eliminated – without any layoffs. Employees will be eligible to receive 15 to 18 months of salary through a voluntary departure program directed at all employees, not just technicians (see boxed language). There are also new

guidelines for “outsourcing” which replace yearly and monthly monitoring.

## Call centre stays in Montreal

A call centre was to be closed and reopened in an industrial park on the south shore, more than 30 kilometres from its present location in Montreal. The move would have affected more than 500 women workers. The proposed industrial park did not have any public transportation. That meant some women workers would be putting in 14-hour days between work and travel to and from the new job site. Instead, the settlement means that the call centre will stay in Montreal close to a subway station.

## Join the campaign for federal anti-scab legislation

CUPE’s Vidéotron members work in broadcasting and fall



under federal legislation so they had no protection against their employer’s use of scabs. Though Quebec’s labour legislation bans strike-breakers, the federal labour code allows scabs, one of the factors that prolonged the Vidéotron strike. We can work to change this by joining the Canadian Labour Congress (CLC) postcard campaign lobbying for anti-scab legislation to protect those working in federal jurisdictions. To sign on, check the CLC web site at <http://www.clc-ctc.ca/campaigns/c-328/petition-e.pdf>

## For more information:

- CUPE 2815: e-mail [sevl2815@videotron.ca](mailto:sevl2815@videotron.ca) or call (514) 527-1832.
- CUPE 1417: e-mail [loc1417@videotron.ca](mailto:loc1417@videotron.ca) or call (418) 842-5882.
- E-mail [research@cupe.ca](mailto:research@cupe.ca)
- Write to Research Branch, CUPE National, 21 Florence St., Ottawa, Ontario, K2P 0W6. ■

### Example of new contract language:

*Letter of Understanding No. 1 – Job Maintenance*  
3. “As required, the Company may implement voluntary reduction programs... These programs shall first be submitted to the Union and may entail temporary (e.g. training leaves) or permanent (e.g. pre-retirement, voluntary separation) cuts.”



## New compassionate care and parental benefits: negotiating supplementary unemployment benefit (SUB) plans

The federal government is slowly recognizing the need for workers to take care of their

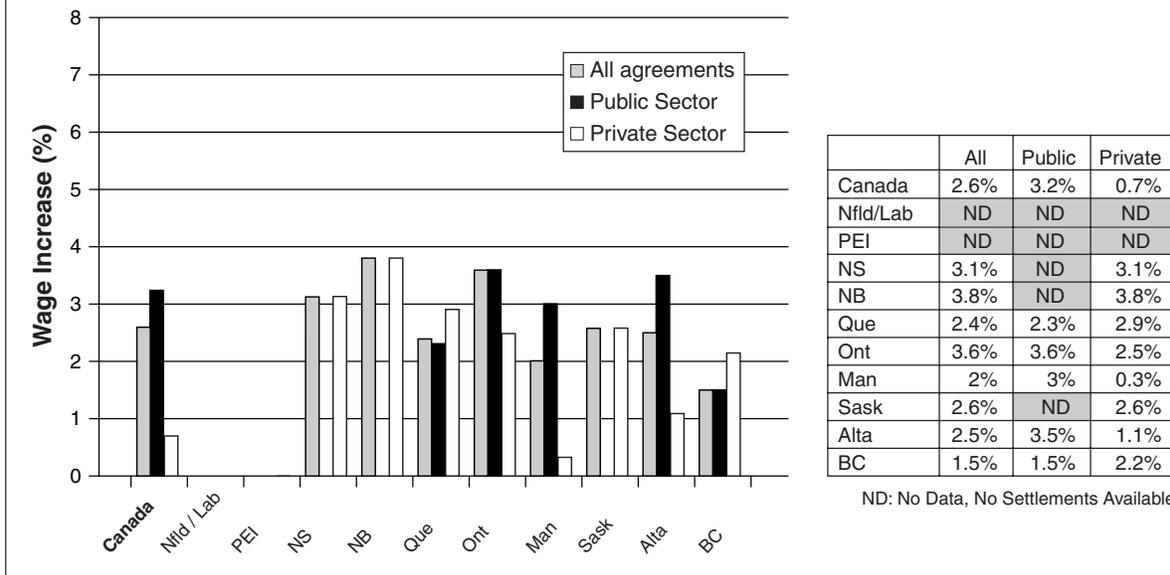
family as well as their job. Working Canadians now have access to two new benefits through the Employment

Insurance (EI) program called Compassionate Care and Parental benefits.

(Continued page 6)

## Wage Settlement Information

**Provincial Wage Settlements Major Agreements, Average Annual Percent Increase, Second Quarter of 2003 (April-June)**



Source: Human Resources Development Canada

- This chart shows major wage settlements and percentage increases for unionized workers in locals with more than 500 members.
- \* In the April to June period, public sector settlements are overall 2.5% higher than the private sector throughout Canada. In Manitoba, Alberta, BC and Ontario, public sector settlements are much higher than private.

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Although an important step forward, these new benefits are not without their faults. The major flaw is the requirement for 600 hours of insurable earnings in order to qualify.

With the increase in part-time and temporary work (30 per cent of CUPE members are part-timers), many members will not qualify for these new benefits. Women will be hit hardest since most work part-time. CUPE and the Canadian Labour Congress (CLC) are actively involved in lobbying the federal government for lower requirement hours and other EI improvements. (Click [www.cupe.ca](http://www.cupe.ca) to get involved.)

## **Compassionate care benefits**

Beginning January 4, 2004, qualifying workers can receive a six-week Compassionate Care benefit in order to look after a member of their family who is very ill. To be eligible workers need:

- 1) 600 insurable hours,
- 2) a medical certificate stating that the ill family member has a "significant risk of death within six months" and that she or he needs one or more family members to provide emotional support, arrange health care, or directly provide health care.

There is a two-week waiting period during which workers do not receive any EI funds even though they are off work.

Two or more family members who meet the requirements can share the Compassionate Care benefit. However even if shared,

the total amount of paid benefit is six weeks (in addition to the first two unpaid weeks). Benefits are payable for ill family members who live outside of Canada. The six weeks of benefits are payable within any 26-week period.

Workers will be able to receive a top-up Supplementary Unemployment Benefit (SUB) from their employer for this leave, similar to other special leaves (e.g. maternity leave) once negotiated. Since provinces

have yet to amend their employment standards legislation to provide for this new benefit, negotiating compassionate care leave language and a SUB plan is important (see box with sample wording). Contract language ensures that employers must allow a leave for this benefit.

## **Parental benefits**

Parental leave is a Special Benefit for biological and adop-

(Continued page 7)

### **Compassionate Care Family Leave – Proposed Language**

Employees shall be granted an unpaid leave of eight (8) weeks to care for a seriously ill family member. During the leave the employee will continue to accumulate all benefits and seniority under this collective agreement. If the employee chooses to make contributions for the period of the leave to the pension or benefits plan, the Employer will pay the Employer's contributions for the same period. On return from leave, employees will be placed in their former position.

During the two (2) week EI waiting period, the Employer will provide payment equal to 97% of the actual weekly rate of pay for the employee's classification, which the employee was receiving on the last day worked, prior to the commencement of the leave. The Employer will also provide for six (6) weeks difference between the payments received from EI and 97% of the actual weekly rate of pay for the employee's classification which the employee was receiving on the last day worked, prior to the commencement of the leave.

The employee may request an extension to the leave, in writing, should circumstances warrant. Approval of an extension shall not be unreasonably denied. During an extended leave the employee shall continue to accrue all benefits and seniority.

### **CUPE 3735 (Borderland School Division, Saskatchewan) recently negotiated the addition of grandparent, aunt or uncle to their compassionate leave language:**

"Article 14.01 Compassionate leave shall be granted to an employee who experiences a sudden serious illness and/or the death of a member of the employee's immediate family.

"Immediate Family" means a spouse, parent, child, sister, brother, grandparent, grandchild, aunt or uncle of an employee or of a spouse." (CUPE 3735 January 1, 2003 – December 31, 2005).

tive parents. Changes to Special Benefits came into effect December 31, 2000, for children born or adopted on or after that date. The most significant change provides for up to 35 weeks of Parental leave benefits. The previous maximum was ten weeks.

Birth mothers may take the full entitlement of two-week waiting period, 15 weeks maternity and 35 weeks parental leave for a total of 52 weeks or one year. The 35-week Parental benefit can be claimed by one parent or shared between both. When the parents share the Parental benefit there is no waiting period for the second parent. Previously both parents each had a two-week waiting period. Parents can now work while receiving Parental benefits. They can earn \$50 per week or up to 25 per cent of their weekly benefits, whichever is greater.

The changes to Special Benefits apply to same-sex partners federally and provincially in BC, Ontario, and Quebec. In other provinces, check the provincial Human Rights Code and Labour Standards Code for other recent changes.

### **For more information:**

- See the longer UI documents on the CUPE web site [www.cupe.ca](http://www.cupe.ca)
- See [www.hrhc-drhc.gc.ca/ae-ei/menu/faq/compassionate\\_care.shtml](http://www.hrhc-drhc.gc.ca/ae-ei/menu/faq/compassionate_care.shtml)
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## **Fearless five break PEI record for longest strike to make major gains at group home**

After hanging tough on the picket line for more than a year, the five fearless CUPE women who work at Southern Kings Group Home in Montague, PEI have a winning collective agreement. The CUPE 3373 members, who work with mentally and physically challenged residents in Montague, PEI, broke the province's longest strike record to make a major breakthrough in a chronically under-funded sector.

The win was supported by unconditional solidarity. Solidarity that included a busload of New Brunswick members, who brought Christmas gifts as well as \$16,800 pledged at the Nova Scotia division convention. The National Strike Fund and an 'adopt-a-striker' program also gave key support.

CUPE 3373 used a variety of tactics to press for an agreement. The members tried to get an annual general meeting of the employer in order to have supporters elected to the volunteer board. They also filed an unfair labour complaint with PEI's labour board and met with the Minister of Labour for special mediation.

A high point came at a rally outside a Toronto fundraising dinner for PEI Premier Pat Binns. President Judy Darcy told protesters that the price of four tables inside the Premier's fundraiser would be enough to settle the strike.



The breakthrough contract takes CUPE 3373 members from their previous starting wage of \$7.22 an hour with no overtime pay or benefits, to a wage increase of between 17 to 31 per cent over three years, depending on whether the member works full or part-time. Before the strike, the members were making 35 per cent less than group home workers 40 kilometres away in Charlottetown. And for the first time, CUPE 3373 members now have health and dental benefits.

Prior to the strike, members worked a 54-hour week but were only paid for 44 hours. They now get time-and-a-half for overtime and statutory holidays (see box).

The local also fought to change the casual status of one worker. That member is now permanent part-time thanks to the solidarity of CUPE 3373, and the many CUPE locals across PEI and Canada that supported this small, but tough group of workers.

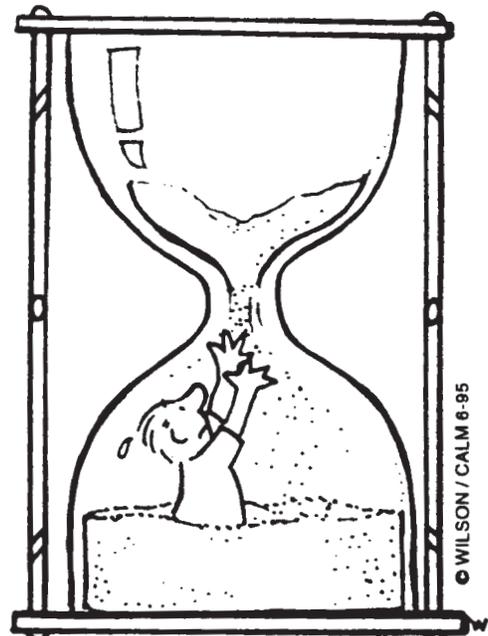
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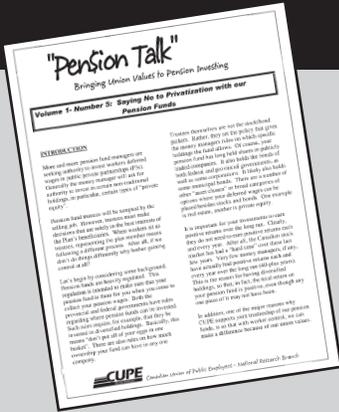
## **CUPE 3373's new overtime contract language is a good model for negotiations for other group homes:**

### **Article 17 – OVERTIME**

- 17:01 (a) *Overtime is defined as hours worked by an employee in excess of one hundred and ninety-two (192) hours at the Group Home in any four (4) week period.*
- (b) *The following will not be considered as hours included in overtime and will be paid at straight time rates or time in lieu:*
- (1) *Client Medical Appointment – local or otherwise;*
  - (2) *Recreational Outings;*
  - (3) *Staff Meetings and Case Conferences;*
  - (4) *Staff Training.*
- (c) *Employees will be given the option of volunteering to work hours in excess of 192 hours in four weeks and receive time in lieu or pay out at straight time. This will never be considered an expectation of the employer and will only be considered if the employee requests in writing.*
- (d) *Compensation for overtime hours worked will be at a rate of time-and-one-half the regular hourly rate.*
- (e) *The Union recognizes the employer's rights to establish appropriate policy to ensure fiscal responsibility in the area of overtime costs. This will include hiring and retaining sufficient casual staff to ensure overtime will be minimized.*
- 17:02 *Time-and-one-half shall apply to all employees called back to work during vacation.*
- 17:03 *Instead of cash payment for overtime, an employee may choose to receive time off at a time mutually agreed upon by the employer and the employee.*
- 17:04 *All staff meetings, training sessions and/or workshops that employees are required by the employer to attend shall be paid at straight time rates.*
- 17:05 *Employees may elect to switch shifts of equal duration with other employees with the approval of the employer; such approval will not be withheld without cause. This will not constitute overtime and compensation will be at the straight-time rate.*



# Looking for bargaining tools?



Go to [cupe.ca](http://cupe.ca) for these new CUPE National publications or contact the branch:

- **CUPE Submission to the Standing Committee on Finance and Economic Affairs – Pre-Budget Consultation, September 2003.**
- **Union Local Checklist for Fighting Privatization and Contracting Out, July 2003.**
- **The 2003 Federal Budget and the New Child Care Agreement: Still Waiting for Social Programs, May 2003.**
- **"Ready-Prepared" Food Systems in Health Care Facilities, June 2003.**
- **"Saying No to Privatization with Our Pension Funds" in Pension Talk, Vol. 1, No. 5, June 2003. ■**

## Bargaining? Check These Out!

- **Statistics to help bargain workload language – Work-Life Compendium 2001: 150 Canadian Statistics on Work, Family & Well-Being,** [www.hrdc-drhc.gc.ca/sp-ps/gap-pas/publications/compendium2001.pdf](http://www.hrdc-drhc.gc.ca/sp-ps/gap-pas/publications/compendium2001.pdf)
- **Unemployment Insurance – Falling Unemployment Insurance Protection for Canada's Unemployed,** [www.clc-ctc.ca](http://www.clc-ctc.ca)
- **Child care – The Union Advantage in Child Care: How Unionization Can Help Recruitment and Retention** by Jamie Kass, Canadian Labour Congress representative on the Child Care Human Resources Sector Council, and Bozica Costigliola, Child Care and Labour Communications Consultant, [www.cupe.ca](http://www.cupe.ca). ■

## Calling all CUPE Sisters and Brothers – Send Us Your Great Bargaining Language!

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](mailto:research@cupe.ca)  
 or fax (613) 237-5508.

