

USE OF VOLUNTEERS IN CUPE'S LIBRARY SECTOR

CUPE

1. Introduction

Library workers are increasingly concerned about the use of unpaid volunteers in public, school board, and academic libraries in communities across Canada, and with good reason.

It is estimated that both the Toronto Public and Calgary Public Library systems rely on the use of 3,000 unpaid volunteers each to deliver a variety of programs and services, which far exceeds the number of CUPE library workers at both libraries.

It is evident that employers in the library sector view volunteers as an important source of unpaid labour. Employers use volunteers to avoid creating new, paying jobs. Women workers are most affected since volunteers typically donate their time in female-dominated sectors such as libraries, child care, health care, and social services.

Employers use volunteers because they have an interest in cutting labour costs, especially in an era of public sector restraint. In recent decades, governments across Canada have implemented austerity agendas that have resulted in budget cuts and underfunding, slashed programs and services, wage freezes,

and layoffs. Let's face it – libraries are simply not a top priority to receive government funding! We must keep pressure on governments and employers to provide adequate funding for libraries and all other public sector programs and services.

A reliance on unpaid labour threatens the delivery of vital, public services and workers' job security. Workers and their families are negatively affected as governments attempt to privatize and eliminate services. Using volunteer labour to address gaps in service delivery due to underfunding is not the solution.

In some situations, the employer's decision to rely on volunteers can result in conflicts with the union. For example, in 2016, the Government of Newfoundland and Labrador wanted to replace CUPE library workers with unpaid volunteers in the province's public library system. The plan failed when CUPE members, community groups, and concerned citizens pushed back. Conflicts can also arise when unpaid volunteers perform bargaining unit work or cross picket lines.

There is a misperception that unions are anti-volunteer, which is simply untrue. Volunteers and voluntary organizations make important contributions to libraries

in communities across Canada. In fact, the voluntary sector has been the catalyst for the creation of new public services. CUPE members volunteer countless hours on behalf of the union and make important contributions to bargaining, political action, committee work, social functions, and a host of other union-related duties.

Volunteers are not the problem; rather, it is how employers choose to use unpaid, volunteer labour that can contribute to a negative labour relations climate.

2. Volunteers in Libraries – What do they do?

Unpaid volunteers perform a variety of functions in our public, school board, and academic libraries. Some of the duties that volunteers perform, such as shelving books, could be considered as work of the bargaining unit. Volunteers share early literacy basics and facilitate children’s playtime. They also deliver library materials to those who have health or mobility challenges. Libraries also provide student placements so that young people can gain employment skills and experience.

Other volunteer duties and responsibilities can include:

- Providing career and music coaching
- Teaching language skills
- Providing reading support and homework assistance
- Providing workshops on immigration to the newcomer community
- Providing library tours and greeting patrons
- Assisting with book fairs
- Teaching yoga

The workloads of library workers can be impacted by unpaid, volunteer work. For example, library workers may have to coordinate the work of volunteers, ensure appropriate follow-up, and may have to rectify any errors due to volunteers’ lack of knowledge or accidental mistakes.

The most recent data from Statistics Canada show that 12.7 million Canadians or 44% of people 15 years of age and older perform some form of volunteer work. Volunteers contribute about 1.96 billion hours in unpaid labour, equivalent to about 1 million full-time jobs.

3. What Can CUPE Library Workers and Local Unions Do?

Collective bargaining is the primary tool by which workers, through their local unions, can exert some control over employers' use of volunteers in the workplace. We want to ensure that employers can't cut jobs and services by substituting CUPE library workers with unpaid volunteers. Volunteer work should enhance a service and not replace paid work, and it should be paid if there's an ongoing need. Consider the following suggestions to limit the use of unpaid volunteers when developing a bargaining proposal:

- The use of volunteers will not result in the layoff, or a reduction in hours or pay, of any bargaining unit employee;
- Prohibit the use of persons not in the bargaining unit from performing bargaining unit work;
- Prohibit the use of unpaid volunteers to fill existing and new positions;
- Prohibit the use of unpaid volunteers to backfill for workers on layoff, vacation, or leave;
- The use of unpaid volunteers should be time limited and restricted to a specific duration;
- The employer should discuss with the union before implementation of a new volunteer program;

- The employer should provide to the union on a regular (e.g. quarterly, semi-annual) basis the names of individual volunteers and the tasks they have been assigned;
- The employer should provide paid time during regular work hours for the local to meet with volunteers; and,
- The use of volunteers should be a standing item for discussion at labour-management meetings.

Local unions can monitor the use of unpaid volunteers in preparation for bargaining and grievances, and to bring volunteer work into the bargaining unit and make it paid work. Library workers may want to meet with and explain to volunteers the union's position on the use of unpaid labour in the workplace and the realities of volunteering in a unionized environment. Being proactive can minimize any misunderstandings that may arise and ensure that volunteers don't find themselves in the middle of labour relations disputes.

4. Examples of Collective Agreement Language

Here are examples of CUPE collective agreement language that restricts the use of volunteers in library workplaces. Contact your CUPE Staff Representative if you require additional information.

4.1 Protecting the Work of Bargaining Unit Members

EXAMPLE 1: It is agreed and understood that the use of volunteers shall be limited to the provision of services and the performance of work which would not otherwise be performed or provided by the Library Board. It is further understood, without limiting the generality of the above, that volunteers shall not replace bargaining unit staff due to sick leave, vacation, temporary or any other leaves of absence or perform any other work of the bargaining unit.

EXAMPLE 2: Persons whose jobs are not in the bargaining unit shall not work on any jobs which are included in the bargaining unit, except for purposes of instruction, experimenting or emergencies. Volunteers may be available to the employer from time to time. It is understood that the employer will meet with the union executive prior to involving volunteers in library community initiatives. It is agreed that volunteer work will be for occasions such as fundraising, community initiatives and partnerships. It is agreed that volunteers will not perform bargaining unit work and shall not displace any bargaining unit employee.

EXAMPLE 3: Both the employer and the union recognize that volunteers can and may perform useful functions in assisting the library to meet its objectives. Volunteers will be accepted at the workplace on the following conditions:

- Volunteers shall not be paid by the employer.

THE EMPLOYER AGREES:

- That no employee shall be replaced either temporarily or permanently with a volunteer worker(s).
- That no employee shall be laid off as a result of the employer utilizing the services of volunteer(s).
- That no position shall be excluded from or lost to the bargaining unit as a result of utilization of volunteer(s).
- That the use of volunteers will not adversely affect employment conditions or limit employment opportunities of the bargaining unit.

4.2 Strikes and Lockouts

The use of volunteers shall be suspended during a labour dispute including during a strike or lockout.

4.3 Ongoing Review

During the term of the current Collective Agreement, the Parties may review the Volunteer Program and may refine the provisions of this letter of understanding subject to mutual agreement and ratification by the Parties.

4.4 Management Responsibility

Volunteers are people who voluntarily extend their services to actively support the library, without remuneration.

A designated management employee will be responsible for the Volunteer Program, including but not limited to the recruitment, selection, training and evaluation of volunteers. Supervisors may be required to provide assistance with volunteer orientation to the location specific application of training, in order to facilitate service delivery to the public.

4.5 Volunteer Committee

The Volunteer Committee shall consist of up to four (4) union representatives and up to four (4) employer representatives. Meetings will be held for the purposes of reviewing volunteer programs, projects and volunteer work opportunities.

4.6 Labour-Management Committee

Outstanding matters may be referred for discussion to the Union-Management Committee and either Party may have in attendance such representatives as are necessary for a knowledgeable discussion of the matter at issue.

4.7 Education

An education program will be delivered to the board, staff, and the union on the role of volunteers.

4.8 Employer to Provide Information

EXAMPLE 1: The employer will provide updates a minimum of twice per year or as requested by the union with regard to volunteers in the library.

EXAMPLE 2: The employer shall provide to the local union every six (6) months a list of the volunteers and hours worked by each volunteer for the previous six (6) months.

4.9 Employer to Provide Notice

EXAMPLE 1: In the event the employer wishes to undertake additional volunteer work that impacts the work of the bargaining unit it will be on mutual agreement of the parties.

EXAMPLE 2: The Employer agrees to discuss with the Local Union the utilization of volunteers for special projects prior to the commencement of the project.

4.10 Respectful Workplace

All volunteers have the responsibility to treat other volunteers, staff, contractors and users of the library with dignity and respect and speak up if they experience or witness a person being harassed or bullied, and to report such incidents to the Director. They are also responsible for respecting the confidentiality of anyone involved in a harassment complaint.

4.11 Harassment and Bullying

The right of all persons working in the library to an environment free of all forms of harassment and bullying includes harassment not just from others who work at the library, but also third parties such as guests, visitors, contractors, volunteers (including Board members), and the like.

The Director undertakes to take such reasonable steps as necessary to ensure that all such parties are aware of this article and that it is binding on them. If any library user, volunteer or third-party doing business with the library believes that he or she has been harassed or bullied or is unsure of whether or not a particular type of conduct constitutes harassment or bullying, that person may go to the Library Director for advice and assistance.

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