

Tabletalk – your bargaining resource – is published four times a year to provide 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.

Please email Susan Attenborough at research@cupe.ca with corrections, questions, suggestions, or contributions.

Disponible en français



Toronto Library workers win pay equity!

It took decades of political activism to finally get pay equity addressed at the bargaining table and in legislation. Today, there's good news and bad news on that front.

The good news

Wages are going up at the Toronto Public Library. In June 2008, CUPE Local 416 and the Library signed a pay equity settlement worth \$20 million over five years. The job evaluation process increased wages anywhere from 15 cents to \$4.22 an hour, retroactive to 2004. The lowest wage at the Library is now \$10 an hour (minimum wage in Ontario is \$8.75 per hour), an improvement over the previous poverty level wages paid by the employer.

The bad news

The 2009 Conservative budget quietly ended the Canadian Human Rights Commission (CHRC) complaints process and forced pay equity back to the bargaining table for federal unions. The Harper government wants pay equity subject to the pushes and pulls of negotiations, instead of using the law to force employers to correct pay inequities in the federal public service.

The federal government has had to pay out over **\$4 billion** in retroactive payments to thousands of underpaid female employees in the public service. (A steep bill for those who don't acknowledge there's a problem.) The payments resulted from decades of inequitable treatment in the federal public service, treatment that was challenged by legislation introduced in the 1980s and 90s.

When the legislation failed to provide adequate compensation, women could file a complaint with the

Canadian Human Rights Commission (CHRC). No more. The Conservative government ended that appeal process for federal government employees and successfully blocked pay equity, which, for some reason, was a priority in their budget.

See an excellent analysis at “Beware Conservatives in Pay Equity Clothing” at the Canadian Labour Congress website canadianlabour.ca. ■



Saskatchewan school board workers

Mergers or amalgamations of public services can mean layoffs, increased workloads, and lots of stress. In Saskatchewan, a process of amalgamation for school boards has

been ongoing for several years. From 2006 to 2008, the number of CUPE collective agreements in the K-to-12 sector dropped from 58 to 34 that now cover about 6,400 workers in the sector.

It can be tough to make gains when collective agreements are merged. Employers usually want to bring everyone down to the lowest common denominator. In Saskatchewan, however, school board locals have made significant gains.

- In line with CUPE’s Strategic Directions policy goal to improve benefit coverage, eight of fifteen settlements included improvements to benefits coverage. In four of newly merged agreements (Locals 4754, 4869, 5506, and 5252), uniform benefits were achieved for all members of the former bargaining units.
- Former Locals 3951 and 4765 (Educational Associates and clerical staff) had the number of increment steps reduced and achieved wage parity with caretaker rates.
- Bus drivers whose Local merged into Local 4869 now have a benefit plan where previously they had none. Effective

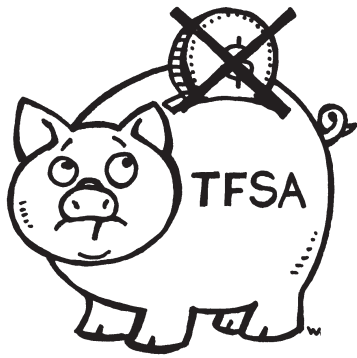
September 1, 2007, they were brought under the Municipal Employees’ Pension Plan (MEPP). The employer paid both the employer and employee contributions to MEPP retroactive to January 1, 2001, at a cost of \$233,662.64.

Speaking of benefits, over the last ten years, Saskatchewan school board locals have made real gains in benefits. The number of locals with Extended Health Care plans grew from five to thirty-one. Locals with one hundred per cent employer-paid Extended Health Care Plans rose from two to thirteen, and twenty locals that did not have a Vision Care plan now have one.

Given the large number of bargaining units and contracts in this sector, the Education Workers’ Steering Committee requested a report to help track bargaining trends and successes on an annual basis. Since then, the researcher has worked with settlement reports and staff representatives to prepare annual reports that track trends and document breakthroughs in the sector. The sector’s long-term goal is to work towards a province-wide agreement for school board workers. These gains made during amalgamation represent real progress towards this goal.

Check out the document “Bargaining Achievements in the Saskatchewan School Board Sector, November 2008” at cupe.ca. For more information on merging locals see “Restructuring and Workload: It’s about cutting jobs ... and bigger workloads” and CUPE’s “Guide to Mergers” at cupe.ca. ■

(With thanks to Cheryl Stadnichuk)



What are TFSAs exactly?

A Tax Free Savings Account (TFSA) is a savings account that allows contributions of up to \$5,000 this year; all withdrawals are tax-free. They are

sold by banks, credit unions and other financial institutions near you!

TFSAs are like RRSPs but different (see below).

The Harper government introduced TFSAs in the February 2008 budget to encourage debt-ridden Canadians to save. That was before the recession. Not everyone can amass savings during a recession. However, employers may now propose TFSAs at the bargaining table to replace pension plans, to fund post-retirement health care benefits, or, as an addition to a benefit plan.

According to a recent poll by Hewitt Associates (human resources consultants), 43 per cent of the 250 employers surveyed say they are likely or highly likely to introduce a TFSA to their benefit plans. Another 45 per cent are unsure or at least haven't ruled it out.

TFSAs as a savings tool appeal to employees with disposable income to invest or to high-income earners who have maxed out their RRSP contributions or have reached the money-purchase limit under the employer's defined contribution pension plan.

If employers introduce TFSAs as a way for employees to pay for benefits, remember that, like Health Spending Accounts, TFSAs pass costs, responsibility, and risk onto employees. For pensions, the Multi-Sector Pension Plan (MSPP) is a better tool. ■

	RRSP	TFSA
Contributions are tax deductible	✓	
Interest earned is tax-sheltered	✓	✓
Unused room can be carried forward	✓	✓
Spouses can contribute	✓	
Withdrawals are tax free		✓
Contributions are allowed after age 71		✓
They can be cashed at any time		✓
Annual contribution maximum	the lower of: 18% of earned income, or \$21,000 for 2009	\$5,000 for the 2009 taxation year



Survey of attitudes to benefits

Every year, sanofi-aventis, one of the world's largest drug manufacturing companies, surveys Canadian employees about their benefit plans. This year,

the survey of a random national sample of 1,500 employees covered by workplace group benefit plans yielded some interesting results:

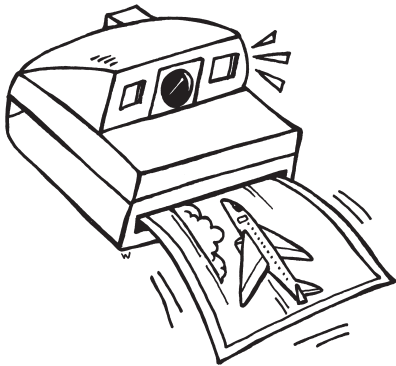
- Workplace stress: Almost 40 per cent of respondents agreed that "workplace stress was so overwhelming that it has made me physically ill at times." That's up from

25 per cent in 2002. More women (44 per cent) reported feeling stress at work than men (33 per cent).

- Flexible benefits: When given a choice, 65 per cent of respondents said they preferred a flexible benefit plan. However, the fact that only 29 per cent of those with flexible benefit plans say they prefer it, speaks volumes about employee satisfaction with flexible benefits. People are initially enthusiastic, but as this survey shows, experience generates dissatisfaction. (For more information see “Flexible Benefits” at cupe.ca)

- Shifting perspectives: More respondents prefer user fees than paying higher premiums to maintain coverage. Unfortunately, this plays into concessions like user fees, co-payments, caps, and deductibles or flexible benefit plans that employers use to pass on costs and risk to employees.

Are our employers influenced by such surveys? It’s hard to tell, but these surveys do offer some insights into a small sample of employee attitudes toward benefits, and some trends in workplace benefit plans. ■



Sector snapshot – Airline Division

The Canadian Airline Flight Attendants Association (CALFAA) first organized the flight attendants at

Trans Canada Airlines (now Air Canada) in 1948. CALFAA merged with CUPE in 1985 to become the Airline Division of CUPE.

Today, CUPE’s Airline Division represents about 9,100 flight attendants at six airlines: Air Canada, Air Transat, CALM Air, Canjet, Cathay Pacific (Toronto and Vancouver bases), and First Air.

The vast majority of these CUPE cabin personnel are located in Ontario, British Columbia, and Quebec, reflecting the structure of their airline employers who conduct their operations from Canada’s three largest airport hubs in Toronto, Vancouver, and Montreal. About ten per cent of the total Airline Division membership is located outside of these three centres.

CUPE’s share of all unionized flight attendants is about 90 per cent today, representing 70 per cent of all flight attendants in Canada.

Over the years, Canada’s air transport sector has been the testing ground for the federal government’s policies of deregulation, privatization, and commercialization. In just twelve years, major components of the once public Canadian air transportation system have been systematically deregulated, privatized, and commercialized. As a result of these initiatives, Transport Canada, once one of the largest federal government departments with some 22,000 employees, shrank in size to about 4,000 employees in the years just before September 11, 2001. The impact on flight attendants means longer work hours and work speed up as well as continued attacks on their regulated staffing levels.

Despite rosy air traffic projections over the next 20 years, there is no guarantee this work will even be done by Canadians. For those who remain in the industry, their wages and working conditions will continue to be under tremendous downward competitive pressure. ■

Source: “Snapshot of CUPE’s Airline Sector,” presented to the National Executive Board, November 2007.



Justice for BC health care workers

Bill 29 was introduced by the Liberals in the BC legislature in 2002; it plundered collective agreements and set the stage for

mass firings and unprecedented privatization of health care services.

The summer 2007 issue of *Tabletalk* reported on the Supreme Court of Canada decision that parts of Bill 29 violated the Charter of Rights and Freedoms, thereby establishing collective bargaining as a constitutionally protected right.

As a result of the Supreme Court ruling, the BC government was forced to negotiate with health care unions in the province. A settlement was reached in November last year.

Over 7,000 workers hurt by the legislation received compensation negotiated by the unions. (The

vast majority of those affected were members of the Hospital Employees' Union, who represent 92 per cent of the claimants.) Payments will range between \$788 and \$17,730 depending on individual circumstances such as length of service, loss of earnings, employment status (full-time or part-time), and other factors. The average payout is about \$9,500 per claimant.

In addition to negotiating \$68 million in financial compensation last January, the unions negotiated a further \$7 million in retraining monies for workers affected by privatization. The unions also won back the right to negotiate on issues like privatization and contracting out.

It took a five-year court battle and some tough negotiations, but finally health care workers received some hard-won justice for the devastation inflicted by the BC government on these workers and the health care system in the province. ■



Pensions to go

One of the major priorities that came out of the last National Convention is the extension of pension coverage to all of our membership. If you are not a member of

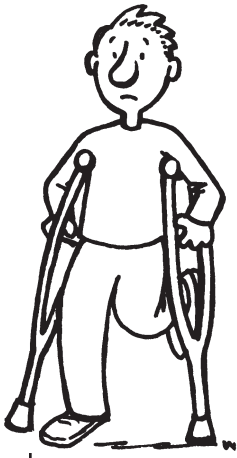
a good, defined benefit pension plan,* the Multi-Sector Pension Plan (MSPP) may be for you.

The MSPP is a multi-employer, defined benefit pension plan available to all CUPE bargaining units (except Quebec) regardless of size. The plan is jointly governed by union trustees appointed by CUPE and the Service Employees International Union (SEIU). Since December 2007, an additional

650 CUPE members in eight locals have pension coverage in a good, defined benefit plan instead of an inferior money purchase plan or registered retirement savings plan. The more than 5,120 CUPE members now in the Plan no longer have to fend for themselves in retirement and can look forward to receiving a lifetime monthly pension income.

For more information on the MSPP, visit mspp.ca or contact your National Servicing Representative. ■

* Defined benefit plan is one in which the benefit is based on a formula and is therefore predictable. For more information on defined benefit plans, see "Comparing Defined Benefit and Money Purchase Pension Plans" at cupe.ca.



Innovative language

It is often a struggle to successfully reintegrate workers after illness or injury. This

language sets out a process for a modified work plan that includes the individual and the union.

CUPE Local 4165 and the South East Kootenay School District No. 5, expiry June 30, 2010

Article 10 Leave of Absence

Section 9 – Accommodation for Disabled Employees (NEW)

a) Any employee covered by this Agreement who becomes incapacitated due to injury or illness which prevents him/her from performing the duties of his/her regular position shall be provided with suitable alternate employment to the point of undue hardship for both the Employer and the Union. If modifications to a job are made within a classification there shall be no reduction in pay, however, if the accommodation involves an employee changing classifications she shall receive the pay for that classification. The employee's pay may come from a variety of sources.

b) The Board and the Union recognize the benefit of enabling a disabled employee to return to suitable work as early as the employee is willing and able. For the purpose of this Article "disabled employee" is defined as an employee who is

unable to perform the full duties of his/her regular job due to occupational or non-occupational accident or illness.

c) For each disabled employee who is able to perform work, the Board, in consultation with the Union, a medical practitioner and the employee, shall cooperatively develop a "Modified Work Plan". The Work Plan will consider the employment needs and abilities of the disabled employee, the work place needs, and the interests of the Union. In the event of a dispute on medical grounds, the matter will be referred to an independent medical authority agreed to by the parties.

d) The underlying principle behind each Modified Work Plan is to create a suitable position by modifying the employee's regular position through changes to both the employee's position and/or to other positions. With due regard to seniority, a reserved vacancy may be considered to facilitate the employee's return to full employment status.

e) It is understood that the Union and Board reserve their right of access to the grievance procedure, up to and including arbitration, should there be disagreement with the application of these Modified Work Plan provisions.



Green bargaining

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." The policy recommended that locals develop collective agreement language on climate change and other environmental issues to make CUPE workplaces greener.

Bargaining green provisions is a new direction for CUPE. Traditionally, we bargain for wages, hours of work, job security, pay equity, workplace democracy and other issues. All of these add value to workers' lives. Green language will do the same. CUPE's online Green Bargaining Guide has examples of green language; check it out at cupe.ca/environment/green-bargaining-guide. ■



Consumer Price Index by province, January 2008 to January 2009

	% increase
Canada	1.1
Newfoundland and Labrador	0.9
Prince Edward Island	-0.1
Nova Scotia	-0.1
New Brunswick	-0.5
Québec	0.5
Ontario	1.4
Manitoba	1.4
Saskatchewan	2.4
Alberta	1.2
British Columbia	1.4

Source: Statistics Canada, *The Daily*, Friday, February 20, 2009

Well, we can't blame gas prices anymore. Gasoline prices in January 2009 were actually 23.5 per cent **lower** than this time last year.

Food prices have increased 7.3 per cent since last January following an identical year-to-year increase in December. Not surprisingly, fresh vegetables pushed prices up.

The auto meltdown continued. The cost of purchasing and leasing passenger vehicles fell 8.2 per cent compared to a year earlier, despite dealer incentives. The plunge was even sharper than the 3.5 per cent year-over-year drop in December.

Alone among the Atlantic provinces, Newfoundland and Labrador posted a .9 per cent increase in consumer prices, partly the

result of a rise in homeowner's replacement costs (the cost of maintaining a housing structure). Newfoundland residents will no doubt welcome the renovation tax credits introduced in the January federal budget.

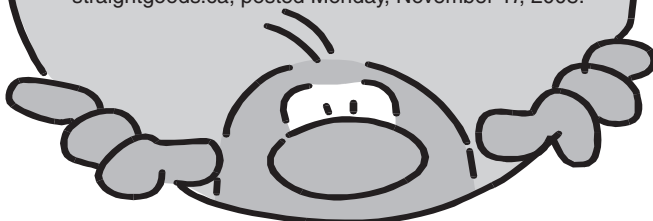
We would expect to see Alberta leading in price increases in Canada, but it was Saskatchewan residents who saw the fastest rise (+2.4 per cent).

Did you notice your car insurance premiums have gone up? According to the stats, we paid 4.1 per cent more this year for passenger vehicle insurance. And, speaking of travel, airline transportation costs went up 4.2 per cent despite steady fuel costs. ■

FACTOID

- 40 per cent of the world's population do not have access to a basic latrine.
- Up to 50 per cent of all girls drop out of school due to absence of latrines.

Source: "Sanitation is the world's most neglected public health crisis," by Dr. Bob Dickson and Blaise Salmon, straightgoods.ca, posted Monday, November 17, 2008.



Current and Upcoming “Key” Negotiations – covering 500 or more employees, January 15, 2009

Federal Jurisdiction

Employer	Union	Employees	Status	Expiry Month
Public Sector				
Government of Canada	Various unions	158,680	arbitration/mediation/ bargaining/tentative agreement	Sep 06-Aug 08
City of Ottawa – OC Transpo	ATU	2,300	work stoppage	Mar 08
Private Sector				
Bell Canada (Ont. and Qc)	CEP	1,430	bargaining	Nov/Dec 08
Maritime Employers Association (Qc)	CUPE	830	bargaining	Dec 08

Provincial and Territorial Jurisdictions

Employer	Union	Employees	Status	Expiry Month
Public Sector				
Ontario Boards of Education	ETFO/OSSTF	100,930	bargaining	Aug 08
Government of Ontario	OPSEU/OPP	52,030	tentative agreement	Dec 08
Saskatchewan Association of Health Organizations	CUPE/SEIU/SGEU	24,800	bargaining	Mar 08
Government of Newfoundland and Labrador	NAPE	14,185	tentative agreement	Mar 08
Regional Health Authorities of Manitoba	CUPE	11,000	tentative agreement	Mar 08
City of Ottawa	CUPE/CIPP	10,140	bargaining	Dec 08
City of Calgary	CUPE/Police	6,780	bargaining	Jan 09
City of Québec	Various unions	4,530	bargaining/arbitration	Dec 06
Government of New Brunswick	Nurses	4,390	tentative agreement	Dec 07
University of Toronto	CUPE	3,400	conciliation	Apr 08
York University	CUPE	3,350	work stoppage	Aug 08
Canadian Red Cross - Community Health Services (Ont.)	SEIU	3,000	tentative agreement	Jul 08
Toronto Hydro	CUPE	2,040	tentative agreement	Jan 09
Halifax Regional Municipality	CUPE/NSUPE	1,130	bargaining	Oct 08

Upcoming Key Negotiations

Employer	Union	Employees	Expiry Month
City of Toronto	CUPE	29,100	Dec 08
City of Edmonton	Various unions	8,400	Dec 08
Ontario Power Generation Inc.	CUPE	6,940	Mar 09
Ontario Hospital Association	OPSEU	6,540	Mar 09
Nova Scotia Association of Health Organizations	CUPE/CAW Canada	5,700	Mar 09

Source: “Strategic Policy, Analysis, and Workplace Information Directorate Labour Program—HRSDC,” January 15, 2009