

NATIONAL PRESIDENT'S REPORT DECEMBER 2015 – MARCH 2016

Dear Sisters and Brothers:

The first months of the new year have provided me the opportunity to travel across the country meeting our leaders, members and staff at conferences, staff meetings and the first two Division conventions of 2016.

These months have also provided us with more insight into the priorities of the federal Liberal government. They have kept their commitment to repeal anti-labour legislation, introducing Bill C-4 which will reverse the provisions enacted with C-377 and C-525, and we commended their action. However, they are continuing the former government's drive to pursue international trade. In addition to signing the Trans-Pacific Partnership (TPP) in Australia at the beginning of February, they announced later that month that they will proceed with ratification and implementation of the Comprehensive Economic and Trade Agreement (CETA). We continue to work with the Trade Justice Network to build opposition to the Liberal's trade agenda.

The All Committees' Meeting at the beginning in March was a great success, with more than 200 members and staff in attendance. I was able to spend a bit of time with each of our Committees, Working Groups, Task Force and Council, and listened to them discuss their workplans and priorities. Watching our members interact and report out on the final day of the meetings, it was obvious that our committees had been able to develop a solid bond in their short time together. I look forward to seeing the results of their planning and dedication in the coming year.

Also in early March I attended the North America Subregion meeting of Public Services International led by Candace Owley of the American Teachers' Federation and Robyn Benson of Public Service Alliance of Canada (PSAC), and of course General Secretary Rosa Pavanelli. Discussions focused on our collective response to developments on trade (including CETA, TPP and Trade in Services Agreement - TiSA), trends in privatization of public services around the world, tax fairness campaigns, and labour rights and legal challenges. CUPE researcher, Brother Kevin Skerrett presented on the challenge of pension funds investing in P3s.

Planning is underway for our second National Sector Conference, being held October 17-20 in Winnipeg, which will include a focus on organizing within each sector. The Sector Council co-chair list is appended to this report.

In late 2012, Officers of Local 558 Edmundston Police moved money out of the local union's bank account and subsequently led a successful decertification drive. The local was placed under administration and the former Officers of Local 558 refused to turn over the assets to the administrator. CUPE on behalf of Local 558 filed a civil suit. The lower courts ruled that the former Officers of Local 558 owed a fiduciary duty to the local union and that they had no authority to take any money from Local 558 for their new Association. The former Officers filed an appeal.

The Court of Appeal of New Brunswick in a unanimous decision upheld the lower court decision and ruled that chartered organizations are subordinate to the CUPE Constitution and the national union. In their decision the court ruled that there is no ambiguity in the CUPE Constitution – upon dissolution – Officers of a Local Union must remit the funds to the National Union to hold as set out in Article 13.2(b). The Court also ruled that the Officers of the Local Union owe a fiduciary responsibility to the Local.

We were all shocked and saddened to hear of Brother Mike McNeil's sudden death on March 12 in Port Hawkesbury, Nova Scotia. Mike had just completed a tour of Nova Scotia, meeting with CUPE members at each stop.

I spoke with his wife Darlene that day, and offered our assistance as well as our sincere condolences to her, their three children and his extended family.

Brother Fleury and I also spoke with the CUPE Nova Scotia Executive Board following Mike's death. We know his passing is a blow to our union in Nova Scotia, and that he will be missed by his union sisters and brothers across Nova Scotia.

Though Mike had not been a member of the NEB for long, most of us knew him through his years of leadership at CUPE Nova Scotia, where he had served ten years as Vice President before taking over as President in November. This is a tremendous loss for CUPE and for the labour movement.

1. Collective Bargaining / Strikes / Lockouts

There was only one dispute involving job action remained outstanding in the last reporting period.

CUPE 429 – City of Montréal (Quebec)

Members of Local 429 started rotating strikes on January 25 to back contract demands. The rotating strikes were suspended on February 26, 2016 in order to present the recommendations of the conciliator to the members. Issues in dispute are insurance benefits, flexible schedules, pensions and contracting-out. The local ratified an agreement on March 14. Details of the agreement will be released at a later date.

PROVINCE	LOCAL	EMPLOYER	# OF MEMBERS	STRIKE BEGAN	DURATION (days)
Quebec	429	City of Montréal	8,000	Jan. 25, 2016 (rotating)	32 days

Ontario School Board Coordinating Committee (OSBCC)

In December, I previously reported that the Central Memorandum of Settlement had been ratified. Meanwhile many school board local unions continue to negotiate local issues. While many local unions are successful at the bargaining table coming to agreement with individual school boards, others are encountering serious difficulties where strikes are potential. So far close to 70 local issues memorandums have been ratified leaving approximately another 40 to negotiate.

CUPE Locals 79 and 416 – City of Toronto (Ontario)

Our two local unions whose members are directly employed at the City of Toronto have just come through some very difficult rounds of bargaining. The tactics employed by Mayor Tory in this round of bargaining were no different than those employed by the previous mayor in 2012. Despite these regressive tactics both locals were able to achieve deals with the City. Local 416 ratified by a margin of 88%. At time of writing, Local 79 had not yet conducted their ratification process.

Contrary to reported media stories neither local has given up their job security protection. As this provision has been subject to negotiations at each and every previous round of bargaining it will continue to be the subject of bargaining. Whether it is in the form of a Letter of Understanding that expires at each round bargaining or in the main body with a sunset date the provision requires bargaining each and every time.

CUPE Local 5021 – Manitoba Liquor and Lotteries (Manitoba)

Members of CUPE Local 5021 at Manitoba Liquor and Lotteries have ratified a new collective agreement that sees overall improvements to wages and benefits, and significant moves towards settling wage harmonization plans relating to the merger of Liquor and Lotteries in 2014.

In addition to general wage increases, improvements to vacation entitlement for new employees, hours of work, flex benefits and increases to Discretionary Leave Time allowances, the new contract adds language to protect members from personal harassment (bullying).

CUPE Local 401 – Vancouver Island Regional Library (British Columbia)

Representing members at 39 branches in 37 communities across Vancouver Island, members of Local 401 recently ratified a five-year deal. The deal gives members a 2% wage increase in each year, benefit improvements and language that addresses members' concerns.

2. Regional Services Division Updates

Atlantic

The recent municipal budget in St. John's was not good news. Locals 1289 (inside) and 569 (outside) have concerns about several aspects: the city is going in a direction that is going to hurt residents and employees. They are pursuing privatization of public services, while at the same time reducing the municipal workforce through attrition. Both locals are also concerned with workload issues that will come about due to some recent early retirements.

In Nova Scotia, Bill 148 was passed in the legislature in the wee hours of December 18, 2015 by the Liberal majority government. The McNeil government has now passed six pieces of anti-worker legislation in just over two years. The so-called *Public Service Sustainability Act* affects some 75,000 public employees, including CUPE members in acute care. It is intended to establish working conditions for over four years, with no wage increases in 2014 and 2015. It also forces a significant concession to the retirement allowances. This bill is in direct violation of collective bargaining rights as protected under the Canadian Charter.

It is with this background that bargaining will commence for the Health Care bargaining council who are in the process of merging over 50 collective agreements into a provincial model.

Maritimes

CUPE New Brunswick and the New Brunswick Council of Municipal Employees joined their voices in opposition to Finance Minister Melanson's promise to change provincial binding arbitration law for essential services employees. The government could get on a slippery slope by tipping the balance in favour of employers.

After being in strike position since December, Local 1783 members, Fredericton transit workers, have accepted the final offer from the employer in February and concluded a collective agreement.

The Edmundston employees, members of Local 60, also accepted the final offers made by their employer, by a vote of 80% on December 10, where they had been without a labour contract since December 31, 2014.

The Government of New Brunswick and Local 1418 have signed a new collective agreement for about 1,200 employees. They include social workers; probation and parole officers; human resource development officers; recreation and culture program officers; and human rights officers.

We should take note that Daniel Légère, General Vice-President, New Brunswick, was recently identified by *Acadie Nouvelle* as being one of the 20 most influential New Brunswick francophones in the region.

A meeting of all the Presidents took place in Prince Edward Island at the end of January in which I had the opportunity to participate. A notable gesture of solidarity was made at the time vis-à-vis the striking Canadian Blood Services employees, who work in Prince Edward Island. Financial support and CUPE's solidarity are imperative, because these striking NSUPE members don't have a strike fund and their labour dispute has been dragging on now for nearly six months.

Quebec

The Common Front negotiations in the public and parapublic sectors were concluded in December, with satisfactory agreements for our members who ultimately ratified them in January and February. This was a difficult round of bargaining, vis-à-vis a Government that was advocating austerity policies not only for the purposes of balancing its budget, but also in order to introduce income tax reductions in the near future. Thanks to a vigorous mobilization and a few days on strike, the Unions succeeded in stopping the Government's colossal demands from becoming a reality, and thus negotiated a new acceptable salary structure, which will be coming into effect in 2019.

In the municipal sector, notwithstanding the spectre of legislation promised by the Government of Quebec that would enable employers to unilaterally decree the working conditions of municipal employees, negotiations are paying off. In Montréal, the members of Local 429 have engaged in rotating strikes, and on the eve of a one-day general strike scheduled for March 1, the parties agreed to submit the recommendations made by the conciliator in the dossier for approval to their respective governing bodies. Members voted in favour of these recommendations and ratified a new collective agreement of 7 years, expiring at the end of 2018.

A vast campaign against the government project, known as the “fiscal agreement” with the municipalities, is currently under way, in cooperation with the Quebec Federation of Labour (QFL). CUPE is affirming that genuine collective bargaining has to take place between equals, and not under the threat of a possible decree of working conditions by the employer.

We also avoided a strike at Rio Tinto, where the members of the new Local 9875 reached an agreement in principle just before Christmas. This agreement will help preserve good jobs in the Saguenay region.

Ontario

I was pleased to attend and speak at a two conferences in Ontario. My attendance at the Ontario School Board Coordinating Conference and the Ontario Universities Coordinating Committee Conference gave me the opportunity to meet workers and members who are critical to our education system at all levels of Ontario’s education system.

I also spent some time on a couple of occasions meeting with members of Local 79 and Local 416 bargaining committees to express our National Union support in two very difficult rounds of bargaining. I was also pleased to be joined by Brother Fleury at a rally and some of the Officers of the Ontario Division at another rally.

Toronto Library Workers, members of Local 4948 are also in bargaining with their employer and are also bargaining for good jobs with stability, decent pay and benefits. I would encourage everyone to go to their website which provides so much information. Please see www.ourpubliclibrary.to.

Members of Local 82 and 543 in the City of Windsor are engaged yet again in a dispute with the City over contracting out. By the very narrowest of margins Windsor City Council defeated a motion to contract out custodial jobs at the City. Three months later a faction of this council wants to reconsider its earlier decision. This is not about better service it is about cheap labour and that drive to the bottom. The Windsor Star not necessarily friends of CUPE has this to say in a article posted March 3rd, “The city negotiated this pay, but now some have

decided it's too much, so they want to eliminate the jobs. Councillors are picking on these employees because they can. Police here get never-ending raises based on their peers in more prosperous cities with higher costs of living regardless of whether Windsor can afford it. It's not the city's fault. That's the arbitration system. Still, none of this seems fair." None of this bodes well for negotiations scheduled in the fall.

Sister Sue McIntyre an RPN and member of Local 139 at the North Bay Regional Hospital had her employment terminated when she spoke out on violence against health care staff at a recent OCHU RPN Conference. Health care workers and others have shown an unprecedented level of support for Sue culminating in a very large rally in North Bay on February 29th attended by so many workers from across the province.

OCHU is demanding that the Ontario government bring in legislation to protect health care workers against violence. Other requests are the criminalization of such violence, the right to refuse unsafe work and laying charges against administrators who are complicit in creating an environment that encourages violence.

Manitoba

In January, I was fortunate to attend the Provincial Health Care Council (PHCC) conference in Winnipeg. The Council spent two days revamping their structure, function and bylaws, based on a thorough review conducted by Brother Eugene Kostyra. The new structure will strengthen the Council as they move towards collective bargaining with what is likely to be a far less friendly provincial government.

I was proud to join Manitoba labour leaders in recognizing Brother Mike Davidson on the occasion of his retirement from the role of President of Local 500. I also met with several local union presidents on that visit, and toured both the regional and division offices in Winnipeg.

Local 2348, representing Midwives, continue to seek wage fairness though bargaining; their comparatively low wages are making it difficult to recruit and retain midwives, and the growing demand for midwifery services cannot be met by the existing staff complement. Last week our members voted to reject the employer's latest offer; they remain in conciliation.

Our members and staff in Manitoba remain focussed on the provincial election scheduled for April 19. While polling trends show the Progressive Conservatives well out in front and poised to win government, the latest public domain poll released shows the NDP surging in Winnipeg which holds the majority of the population and seats.

Saskatchewan

Saskatchewan is in the midst of a provincial election, set for April 4. Our members and staff here are supporting 5 candidates who are CUPE members, as well as the partner of a national representative. It was a pleasure to meet NDP Leader Cam Broten and two of our members who are seeking election when I was in Saskatoon for the Division Convention at the beginning of March. Polling points to a third government for the Saskatchewan Party and Premier Brad Wall, although as in Manitoba the rural/urban dynamics give the NDP a fighting chance and the latest poll shows increased support for the NDP.

Brad Wall continues his assault on the public health care system; having passed legislation allowing private MRIs last November they are now opening the door to private clinics that will pay individuals for plasma donations. CUPE Saskatchewan continues to lead the fight against these moves to privatize healthcare. I met with leadership of the Health Care Council while at convention; they are already focused on the next round of bargaining, set for 2017. Privatization is also a theme in the education sector, with the first P3 schools set to open later this year.

Legislative changes that remove supervisory employees from the scope of existing bargaining units are coming into effect this spring. Staff are developing a strategy to fight this at the Labour Relations Board where we cannot reach agreement with the employer.

Alberta

Albertans have been hit hard by the low oil prices and as result all of our locals face major challenges. Those locals who previously signed long term agreements should weather this storm provided employers do not embrace austerity with a move to cutting and privatizing services. Other locals who have not yet engaged in bargaining are encouraged to do so as soon as possible, The oil industry is so volatile that further cuts to prices could occur.

Overall collective agreement wage increases averaged almost 2% in 2015. Since the drop in oil revenues we have noticed a corresponding trend downwards in wage increases.

While in Alberta to attend to staff meeting, I had the opportunity to attend the Alberta Division's All Presidents meeting. I found this to be quite enlightening as delegates reported on contract negotiations and other matters affecting their members. We are all burdened right across the country with austerity measures that only affect working people. The issues faced by CUPE members in Alberta are no different than those faced by CUPE members in PEI or elsewhere in the country.

British Columbia

Members from municipal and library locals in the Metro Vancouver and surrounding areas met for two days to discuss coordinated bargaining strategies, issues and develop new skills. Most locals are preparing to get to the table and others are in the very preliminary stages of bargaining with employers. Bargainers from more than 20 locals participated. In addition to discussing common concerns, the participants agreed on strategies for mobilization including clear bargaining messages.

On April 1st members in the Community Social Services (CSS) sector covered by the Community Living collective agreement will receive compensation comparability increase bringing them closer in line with CSS workers in Community Health. The increase will be 2.5 %. Discussion with the employer association will continue to determine exact wage increases for members under the compensation comparability study for 2017 and 2018. In addition, all members will receive 0.45% economic stability dividend.

Local 50 recently concluded a first collective agreement for RCMP support staff in Langley. The two-year deal provides increases of 1.5% and 2%.

The budget brought down by the British Columbia Liberal government does nothing for working women and men in the province. The British Columbia economy is outperforming all other provinces yet the government refuses to re-invest in public services for all residents to share in. Increasing the school property taxes and bringing amendments forward on the medical Services Plan will hurt the average worker.

Hospital Employees Union (HEU)

In December, I reported that we were in a dispute with United Steel Workers (USW) over 900 members at The Vancouver Coastal and Providence Health Care Authorities. The birth of HEU some 76 years ago happened at Vancouver General which is involved in this dispute. The British Columbia Labour Board subsequently ruled that the USW collective agreement for 30 employees was not a bar to HEU applying for certification. As a result, the ballots were counted and HEU was granted bargaining rights. USW subsequently withdrew the raiding complaint against CUPE.

A decision by the Interior Health Authority (IHA) to contract out hospital laundry services will result in more than 100 workers who will lose their jobs in five communities. Laundry services in the principle sites – Kelowna, Kamloops, Nelson, Penticton and Vernon – will be privatized, services in six smaller communities will remain in-house. They are Golden, Ashcroft, Princeton, 100 Mile House, Lillooet and Williams Lake. Simon Fraser University economist, Marvin Shaffer concluded that IHA failed to establish a valid business case for

privatizing hospital laundry services, following his review of IHA internal documents obtained through the Freedom of Information process

3. Organizing Report

During the period of December 1, 2015 to February 29, 2016 CUPE organized 1,091 new members in 9 bargaining units. The largest unit organized was in British Columbia where HEU were successful in keeping 900 members at Vancouver Coastal Health Authority and Providence Health Care. We welcome all of our new members into the CUPE family.

Across the country we organized 900 members in acute care, 60 members in long term care facilities and 131 members in municipalities.

We are currently involved in 59 active campaigns that if successful would bring 5,290 new members into CUPE. At Labour Boards across the country we have 8 projects representing 473 new members waiting for certification votes to be conducted. There are 5 restructuring projects on-going that will result in representation votes affecting 1,573 CUPE members.

Staff are actively mapping the full regional picture of organizing potential, capacity, priorities, resources needed and chances of success. These results will then become the foundation for a comprehensive strategic regional organizing plan that sets out priorities, resources available, tactics and concrete achievable targets. It will provide for both short and long term planning. Members and activists will have their first view of these results at the National Sector Conference to be held in Winnipeg in mid-October.

4. In Memoriam/Personal

Messages of condolences

I offer my sincere condolences to the families of the following CUPE members, staff and retirees who have lost a loved one in this reporting period.

- Brother Elwin “Sonny” Kalynchuck Member of CUPE Local 474
- Brother Leonard Sarnosky Member of CUPE Local 941
- Brother Thierry Leroux Member of CUPE Local 5153
- Brother Claude Davidson Member of CUPE Local 3333
- Sister Linda Hildebrand Member of CUPE Local 1858
- Sister Margaret Churchward Retiree Barrie Ontario Area Office
- Brother Thomas Osborn Retiree Lethbridge Alberta Area Office
- Brother Pierre Theriault Retiree Quebec Area Office
- Brother Mike McNeil Nova Scotia Division President

- Emerisa Robichaud
Robichaud

Mother of NEB Member, Sister Odette

Retirements


My sincere thanks to each of the following CUPE staff for their many years of dedicated service to our union.

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| • Sister Lois Lamon | Saskatoon Area Office |
| • Sister Cheri Dobbs | Kingston Area Office |
| • Brother Daniel Hamel | Quebec Area Office |
| • Sister Linda Huebscher | Alberta Regional Office |
| • Brother Denis Boudreau | Quebec Regional Office |
| • Brother Denis Plante | Quebec Regional Office |
| • Sister Julie Turmel | National Office |
| • Brother Leonard Fagan | Calgary Area Office |
| • Sister Hugette St. Laurent | Rimouski Area Office |
| • Sister Danielle Savoie | Maritimes Regional Office |

I want to take this opportunity to thank all of the activists, rank and file members and staff who I have been honoured to meet in the last few months, for your warm reception and more importantly for your candid views about your National Union. Those views and suggestions are welcome and will all be considered.

Our work on implementing strategic directions and resolution adopted by convention delegates moves forward.

In solidarity,



MARK HANCOCK
National President

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April 5, 2016 – 9:11 am