



# Proposals and analysis

Welcome to this Special Edition of your CAAT Support Bargaining Bulletin.

On June 10 your bargaining team and representatives of the College Employers Council exchanged non-monetary contract proposals. In the interest of maintaining open communications with our members we are publishing this Special Edition so that everyone knows exactly what was exchanged at the bargaining table. This information was previously posted to the OPSEU web site and Facebook

In this Special Edition we have included our 25 contract demands; management's proposed demands and your bargaining team's analysis of those demands.

We hope this summary of the demands from both sides, plus our analysis, will help all members better understand what is in play at the bargaining table.

If you have any comments or questions, please contact us by email at: [caatsbargainingteam2014@opseu.org](mailto:caatsbargainingteam2014@opseu.org)

Your Bargaining Team

# Colleges' goals

## The Colleges' Bargaining Team has established a set of goals for the 2014 round of bargaining:

- Enhance operational flexibility in support of academic delivery and student satisfaction and success
  - Support the Colleges' strategic initiatives by endorsing innovation to optimize productivity
  - Negotiate a collective agreement that allows the Colleges to continue to respond effectively to the changing needs of the student population and the community
  - Demonstrate cooperation and problem solving through open communication with the employees' bargaining agent
  - Negotiate a timely settlement that is reasonable to Support Staff and respects the fiscal and budgetary realities facing the Colleges
  - Recognize the evolving nature of college hours of operations
  - Review the current process for flexible work arrangements
  - Review the current hours off between shifts, changes in shifts and commencement of new shifts
  - Establish opportunities for new college graduates to gain work experience and support college initiatives
  - Review length of probationary period
3. Clarify or remove obsolete language in the collective agreement:
    - Review various provisions containing Video Display Terminals
    - Review Retention of Standard Hours for redundant classifications
    - Review Supplementary List of Arbitrators
  4. Implement 'Green Initiatives' where practicable:
    - Reduce the parties' carbon foot print through technology
    - Review language in the collective agreement to recognize this initiative
  5. Housekeeping Items:
    - Review language in Initiatives/Opportunities Letter of Understanding regarding posting of positions to backfill full time employees placed in I/O positions

These goals will guide the Colleges' bargaining team's deliberations and decision making during negotiations. The Council Management Concepts for Discussion June 10, 2014 2

The following concepts are presented to the Ontario Public Service Employees Union (OPSEU) by the College Employer Council (Council), on behalf of the Colleges of Applied Arts and Technology (Colleges), for discussion:

1. Enhance operational flexibility to support the student experience:

2. Streamline and improve processes to enhance productivity and encourage local discussions:
  - Review information required in OPSEU leave of absence requests
  - Review Initiatives/Opportunities Letter of Understanding
  - Expedite the scheduling of arbitration hearings through local scheduling
  - Consider an 'expedited' arbitration process for all grievances
  - Review the arbitrator's list
  - Review notice period in the event of an Academic work stoppage

**The Council reserves the right to add to or modify these discussion items during the course of bargaining. Monetary items will be discussed after the parties' discussions on non-monetary items.**

## Proposals Presented by: The Ontario Public Service Employees Union on behalf of the Support Staff in the Colleges of Applied Arts and Technology

OPSEU on behalf of the Support Staff employees in the Colleges would like to discuss changes to the Collective Agreement as follows:

### Benefits

- Amend Article 8.1.6 to include coverage for dental implants and dental appliances as category E eligible expenses
- Amend Article 8 to improve the success for members returning to work.
- Amend Article 8.1.10 to increase the maximum amount of coverage for vision care
- Amend the Extended Health Care Plan to increase the reimbursement amount for prescription drugs and vaccines
- Amend the Extended Health Care Plan to increase the combined maximum per person of coverage for paramedical services.
- Amend Article 8.1.1 to allow employees to purchase more than five additional units of supplementary life insurance on a voluntary basis. The employee will pay 100% of premiums after the first five units.
- Amend the Short Term Disability Plan, to allow for full STD benefits to be reinstated on the first full active working day for all members in the new plan year.
- Amend the Survivor Benefits, CAAT Retiree Benefit Plans and current practices to allow survivors, retirees and employees on leave without pay, to pay premiums on a monthly basis.
- Amend the Extended Health Care Plan to recognize Nurse Practitioners as prescribers of prescription drugs and vaccines, eligible for reimbursement.

### Health and safety

- Amend Article 13.2.1.2 to remove the \$20 maximum. Amend Articles 13.2.1.1 and 13.2.1.2 to require the provision of necessary safety devices, including foot ware and prescription safety glasses.

### Job postings

- Amend Article 17.1.1 to consider experience as equivalent to education in job competition
- Amend Article 17.3 to give proper consideration of internal applicants for temporary vacancies

### Job security

- Amend Article 4.3 to increase the frequency and accuracy of part time lists provided
- Amend Articles 15.8, and the Contracting Out Letter of Understanding to provide for no contracting out of our work
- Amend Article 14.6.2 to include that the College provide the Local Union with all data, and to provide wage protection
- Letter of Understanding – Initiatives and Opportunities - remove

I am CAAT  
Support  
photo contest

[facebook.com/CAATsupportstaff](https://facebook.com/CAATsupportstaff)



**Leaves**

- Amend Article 5.2 by increasing Union time off
- Amend Article 12.4 to encompass all leaves in accordance with the provisions of the Employment Standards Act (Ontario)
- Amend Article 12.5 to improve bereavement leave provisions
- Add new Articles under 12 – Leaves – to grant 5 days of personal leave per employee

**Appendix D**

- Amend Appendix D to enhance the ability to be considered for vacancies. Enhance the rights and entitlements to the collective agreement

**Wages**

- A fair and equitable increase in each year in the contract
- Amend Appendix G to allow for their wage to be found on the

## Appendix E grid

**Working conditions**

- Amend Article 18.4.3.1 and Article 18.7.2
- Amend Article 18.4.3.6

The Union reserves the right to add to or modify these proposals during the course of bargaining.

## Union's Analysis of Management's Bargaining Proposals, June 12, 2014

**Management Concept #1: "Enhance Operational Flexibility in Support of Academic Delivery and Student Satisfaction and Success"**

Management Proposals	Union Analysis	Our Proposal
"Recognize the evolving nature of college hours of operations"	Management would like more "flexibility" in scheduling, changing schedules and rotating schedules. Management also wants to remove protection for workers who may face contracting out (Appendix I – Contracting Out Letter).	Our members want to stop any further contracting out of Support Staff work.
"Review the current process for flexible work arrangements"	Currently, if the college wants a more flexible work schedule, such as fewer hours between shifts or compressed work weeks, they need agreement from the effected employee, the Local Union and OPSEU. Management would like to negotiate these flexible schedules directly with employees, with NO union involvement. This could lead to members being pressured into accepting difficult shift schedules. Individual employees are not in a position of equal power with their supervisors, and so individual negotiations cannot be fair for employees. The Union regularly agrees to flexible schedules after ensuring that members understand their rights, and that those rights are protected. OPSEU wants to ensure the union is in a strong position to prevent abuse.	

Management Proposals	Union Analysis	Our Proposal
“Review the current hours off between shifts, changes in shifts and commencement of new shifts”	Members who are forced to rotate between shifts (ie. shift workers), currently are protected by minimum of 15 hours between scheduled shifts. The employee and union can agree with the college to reduce this, but management wants to reduce the minimum hours across the board. There is significant scientific research that links shift work to health issues, including sleeping disorders and chronic illness. In fact, David Suzuki claims that shift work can take, on average, 10 years off a worker’s lifespan. Having more hours between shift changes significantly mitigates these health risks. If the colleges achieve their goal of more “flexible” scheduling of support staff work, shift work may become a reality for more of us.	
“Establish opportunities for new college graduates to gain work experience and support college initiatives”	Management wants to hire interns. These opportunities will be for college graduates and they will be paid similar to Summer Students who earn minimum wage. Jobs will be full-time, for one year and interns will pay union dues. The colleges indicated that no bargaining unit member will be laid off and replaced by an intern. The union is concerned about yet another category of lower paid, temporary workers within the colleges. The language is not strong enough as proposed, to protect support staff work from erosion.	

## Management Concept #2: “Support the Colleges’ Strategic Initiatives by Endorsing Innovation to Optimize Productivity”

Management Proposals	Union Analysis	Our Proposal
“Review information required in OPSEU leave of absence requests”	Management wants more information on letters from OPSEU requesting time off, about what the employee will actually be doing. We have asked questions about how much info this entails.	
“Review Initiatives/ Opportunities Letter of Understanding”	Management wants to increase the maximum terms of I/O positions to 3 years, not 2 years. Currently, the college must have agreement from the Local Union to increase the term to 3 years. This may result in fewer I/O positions becoming permanent.	Support Staff want to remove I/O positions from the Collective Agreement.

Management Proposals	Union Analysis	Our Proposal
“Expedite the scheduling of arbitration hearings through local scheduling”	The colleges want to eliminate the Grievance Scheduling Committee. Presently, this joint committee controls the confidentiality of the arbitrator’s names, ensures that arbitration dates are shared equitably between colleges, and prioritizes the most serious cases first. Arbitrators are drawn from a list that is agreed to in advance by both parties. Council is proposing a new system where they will control arbitration dates, and Colleges and Locals will agree to a date and learn the arbitrator’s name after a date is chosen. Alternately, they want the college and union to be able to choose an arbitrator, even if they are not on the list. The capacity to schedule locally already exists within the Collective Agreement. However, the Union is concerned that stewards at the Local Level do not know individual arbitrators as well as their employers do.	
“Consider an ‘expedited’ arbitration process for all grievances”	The colleges want an “expedited” arbitration process, where the parties agree to use it. This is already possible within our Collective Agreement. Further, they want language forcing the parties to provide all evidence at least one week ahead of the arbitration date.	
“Review the arbitrator’s list”	Both parties will be discussing the Arbitrator list to see if we can agree to additional arbitrators, or remove arbitrators.	
“Review notice period in the event of an Academic work stoppage”	Management wants the ability to lay off all support staff, without notice or bumping, in the event of a Faculty strike or lockout.	
“Review length of probationary period”	Management would like to increase the probation period to one year.	



## Management Concept #3: “Clarify or Remove Obsolete Language in the Collective Agreement”

Management Proposals	Union Analysis	Our Proposal
“Clarify or remove obsolete language in the collective agreement”	The colleges and union have already agreed to 14 proposals to fix redundant language in the Collective Agreement, and to re-order some articles, based on Joint Union-Management committee recommendations.	
“Review Retention of Standard Hours for redundant classifications”	Currently, under Article 6.7.2, the college cannot impose “averaging of hours” on employees hired prior to 1997. They wish to remove this protection so that “averaging of hours” can be imposed on any employee with a special shift. “Averaging of hours” allows the employer to force workers to take “straight time” (not time and a half) off for overtime hours worked.	
“Review Supplementary List of Arbitrators”	The colleges and union have already agreed to remove the “supplementary list of arbitrators” from the Collective Agreement. The colleges and union rarely use that list. We would prefer more arbitrators added to the main list.	

## Management Concept #4: “Implement ‘Green Initiatives’ where Practicable”

Management Proposals	Union Analysis	Our Proposal
“Reduce the parties’ carbon foot print through technology”	The colleges want to stop printing copies of the Collective Agreement, and to make it available in an electronic format, only. Many of our members do not have access to computers, or do not have access to a computer at work. Already, there are complaints about some colleges moving to electronic pay stubs. The Union believes that all members should have their rights readily available in booklet form.	

**Management Concept #5: “Housekeeping Items”**

Management Proposals	Union Analysis	Our Proposal
“Review language in Initiatives/Opportunities Letter of Understanding regarding posting of positions to backfill full time employees placed in I/O positions”	This is a clarification issue. Currently, the language in I/O states that, where a full time bargaining unit member is successful in a competition for an I/O position, they must be replaced by an Appendix D worker. This was not the intent of the language. The college has offered to change the language so that backfill positions must be posted under Article 17.3.1.	Support Staff want to have I/O positions removed from the Collective Agreement.

**In solidarity, the CAAT-S Bargaining Team****Florry Foster**

Chair  
(Local 137, St. Clair)

**Richard Belleau**

Vice Chair  
(Local 731, Confederation)

**Rasho Donchev**

(Local 559, Centennial)

**Dan Brisson**

(Local 672, Boreal)

**Deborah Cooper**

(Local 563, Humber)

**Janice Hagan**

(Local 561, Seneca)

**Kathy Hokum**

(Local 351, Fleming)

**Your 2014 Bargaining Bulletin is authorized for distribution by:**

**Warren (Smokey) Thomas**  
President, OPSEU



**Florry Foster**

Chair, CAAT-Support Bargaining Team

