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ONTARIO

WORKERS UNITED
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WORKERS UNITED



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PRESIDENT'S MESSAGE

Hi Brothers and Sisters. It is always a pleasure to address you as the President of Local CUPE 3261. I have spoken to many members, and I keep hearing people asking what the role of the Union is.

Well, Brothers and Sisters, our Union is an organization run by and for workers who have banded together to achieve common goals in key areas such as wages, hours, and working conditions. Our Local Union, through its leadership and its democratically elected bargaining committees, bargains with the employer on behalf of union members (rank and file members) and negotiates a collective agreement with an employer. This may include the

negotiation of wages, hours of work, work rules, complaint procedures, rules governing hiring, firing and promotion of workers, benefits, workplace safety, and policies. Once a tentative agreement is voted on and ratified by the members, the collective agreement is binding on the rank and file members, the employer, and in some cases, on other non-member workers. Let me also say that our Union is only as strong as our members.

This is why as a CUPE 3261 member it is important to be active because only by your involvement can we protect ourselves from being victims of unjust policies of our Em-

ployer or our governments. You should not feel shy about talking to your shop steward or coming to a union meeting to make sure your views are heard. Young members, women, members from ethnic minorities, members with disabilities and gay and lesbian members should not be afraid to get involved. I give you my commitment that I will do my part, but I also ask you to do your part. My office is always open to all members to come in and talk or arrange for me to meet you. In closing I thank you and I look forward to hearing from you so we can make our union stronger together.

Allan James
President CUPE 3261

VICE PRESIDENT'S MESSAGE

This year CUPE celebrated its 50th anniversary. Over the years it has been a constant battle to achieve and defend the benefits gained for our members and the working class. We must remain active in the labour movement to defend jobs, wages, health benefits, pensions, health & safety rights and so forth. People ask "What I can do?". There is much you can do to make a difference. Support your union local, attend rallies, become active, and cast your vote for a political party that supports the working people. Email or write to your area MP or MPP or Councillor and hold them accountable for the rights of all workers. Do not take for granted all that has been gained in the last 50 years. There has been much work, struggle, and sacrifice to obtain what we have earned.

Today workers face attacks on job security, wages, increased workloads, pensions, etc. Meanwhile, CEO's are making ridiculous amounts of money; corporations in Ontario are paying less tax than ever, 11%. Upper management keeps receiving large raises and bonuses. Decent paying working class jobs are constantly being threatened by outsourcing, but at what cost? The cost of eroded services, the cost of laid off employees on EI, the cost of non-union contract workers earning lower wages. This creates an inequitable society, as middle class worker wages are suppressed.

All Canadians must remember the fundamentals that we the people have instilled. A free, democratic, just, and equitable society. Never forget as working class citizens what the Union has achieved. This is a just cause for you, your family, friends, and neighbors.

In Solidarity,
David Vieira
Vice-President CUPE 3261



CUPE at



Proud of our past, ready for the future

This year marks CUPE's 50th anniversary. Over these years, our union has fought for and achieved better wages, benefits and pensions for our 627,000 members. We have fought for stronger communities and a better world. In the strong, proud CUPE we have today, we stand on the shoulders of the women and men who built our union.

Our 50th anniversary comes at a time where CUPE and the trade union movement are facing many challenges. Some of these challenges are the same ones CUPE members faced 50 years ago.

We must face our challenges head on or our gains will be lost. Most importantly we must face these challenges by standing in solidarity with one another. Our cause is just. We are fighting for a fairer economy and a more equal society. A strong CUPE and a strong labour movement are essential in achieving the social justice we seek for all citizens.

In Ontario our union is strong - growing from just 22,174 members in 1963 to 232,187 members in 2013. We will find strength in our numbers.

In our 50th year, take a moment to feel proud of our accomplishments, reflect on what it means to be a trade unionist and to renew your commitment to work for change.

In solidarity,

Paul Moist
National President

CUPE

Charles Fleury
National Secretary-Treasurer

*Building a stronger
Ontario*

Strong and growing

CUPE membership from 1963 to 2012



LOCAL 3261 PART TIME BARGAINING UPDATE

The Collective Agreement for Part Time and Casual members of CUPE Local 3261 employed at the University of Toronto expired June 30, 2010.

As of March 31 2013, this bargaining unit had only 30 Part Time members, and more than 310 "Casual" members. This is compared to the 677 Full Time members and 16 temporary Full Time members.

The Collective Agreement for Full Time members expired on the same date. After months of negotiations, a renewal collective agreement was signed effective September 29, 2011. Among other language changes, the Full Time members approved a collective agreement which provided for the following wage increases:

July 2010 - 1%
 January 2011 - 1.7%
 July 2012 - 1.9%
 July 2103 -2.2%

In part, these wage increases were meant to reflect increases in contributions to the pension plan from 5% to 6.8% for wages below approximately \$50,800. These increases were phased in by increases of 0.45%, 0.60% and 0.75%.

It should have been a relatively simple process of renegotiating a renewal agreement for the Part Time and Casual bargaining unit.

However, because of the Local elections in January 2012, and turnover in the assistance provided by CUPE National Servicing Representatives, and delay in getting dates to meet with the Employer, our proposals were not exchanged with the Employer until July 16, 2012.

As we explained during our October 2012, General Membership Meeting,

the Employer advised the Union on July 16, 2012 that it was not able to provide a wage increase for any employees in the Part Time & Casual bargaining unit due to a "directive" from the Provincial Government which was issued on July 12, 2012.

The Bargaining Committee rejected this position of the Employer in July 2012. None of the proposals that we tabled were discussed or signed off during the July 2012 negotiating dates.

Following our July 2012 meeting with the Employer, one of the members of the bargaining committee obtained a full time job and could no longer be a member. We held elections for new representatives on the Bargaining Committee at the general membership meeting on February 9, 2013. The members of the Committee now include:

- Allan James, President, Local 3261
- Tom Beechinor, Part Time Representative on Executive of Local 3261
- Lydia Vamvouras, Casual Employee at Hart House
- Steven Villada, Casual Employee at Athletics

The Committee has met numerous times to develop new proposals in response to the position of the University of no wage increases. We had a resignation of a Premier, and new leader elected and the possibility of a Spring provincial election and 5 summer by-elections to cause further confusion to our bargaining.

In the meantime, through the Labour Management Committee, the Union was able to require the Employer to pay employees at Hart House the increases in the minimum wage that should have been paid as of March 31, 2010.

Continue on page 6.

*Tom Beechinor, Part
 Time Representative
 on Executive of
 Local 3261*

Phone:

416-946-7620

The Employer had been paying servers \$8.59 or \$8.85 per hour instead of the required amount of \$8.90 per hour. This resulted in significant back pay cheques for members in April, 2013.

Your new proposals were sent to the Employer for review on May 8, 2013. The members of your Bargaining Committee met face to face with the Employer on Tuesday July 23, 2013.

We explained our proposals and answered questions.

The revised proposals we presented to the Employer include language for the following types of changes:

- ⇒ Conversion of Casuals to Regular Part Time if certain threshold hours per week and continuous weeks of employment are met (40% of full time hours over 24 months or 60% of full time hours over 18 months).
- ⇒ Priority opportunities for Part Time employees for additional hours of work and overtime.
- ⇒ Opportunity for “make up” shifts for Casual employees who have to miss scheduled shift due to unforeseen circumstances.
- ⇒ A system of recording hours of work for Casual employees for use in “preferred hiring”.

- ⇒ Priority for qualified Part Time employees for hiring of permanent positions over Casual employees.
- ⇒ Priority for qualified Casual employees for hiring over “off the street” applicants .
- ⇒ Pay for lost hours for absence of 1 shift due to family bereavement for Casual employees.
- ⇒ Proposal for new negotiated pay rates where different between Full Time, Part Time and Casual employees.
- ⇒ Clarification of gratuity policies at Hart House; transportation safety issues for late shifts at Hart House; payment for U of T server training program;
- ⇒ Various language changes which are identical to those for the Full Time collective agreement signed September 29, 2011.

These are not all the proposals we have tabled. If you would like a copy of the complete set of proposals please contact Allan James, President of CUPE Local 3261 at service.workers@utoronto.ca or Phone: (416) 946-7620 or fax your request to Fax: (416) 946-7621

We will be meeting again with the Employer on Tuesday August 27, 2013. We are waiting for the Employer to give us further dates to meet.

Be informed, join us at the membership meeting, and have your say.



GRIEVANCES: PURPOSE AND PROCESS

Each of the CUPE Local 3261 Collective Agreements contains a formal process, called a grievance procedure, to address and challenge the university's adherence to or interpretation of the Collective Agreement. This protects all of your rights as a member of Local 3261.

Many problems may be resolved through the grievance procedure. It is up to each individual member, to inform your shop steward if you feel your rights under the contract have been violated. The shop steward may perceive a violation which you yourself may not have recognized or mentioned, and should let you know if this is so. Your steward is probably a diligent person. Still, in the busi-ness of our day-to-day activities at work we cannot always count on him or her to see everything. So if there is anything you question about something a manager has told you to do, or a way in which you've been treated, make it a point to speak to your steward about this as soon as it's convenient.

Any violation of the Collective Agreement may be grieved. Often it will require a close examination of the contract to determine whether in fact this has occurred. Even a steward cannot always be certain without talking to the President about it, and sometimes the President must obtain legal advice.

The grievance procedure has several steps which are designed to allow both sides to become fully informed of the other's position. The first is whether you have spoken to the steward of your problem and if she or he has advised you. If a grievance could be filed, it is still you who decides whether this will happen.

The time limits are different in each collective agreement. For example, in the Full Time agreement, you have

only fifteen working days from the occurrence of a possible infraction within which to file a grievance. Don't wait until the last minute.

The grievance form will be sent to your department supervisor or manager, with whom you and your steward or other Union representative will later meet to discuss the problem. The grievance may be resolved here or it may proceed to Step 2. Here, the grievance is referred to a higher manager or other authority, and that person must arrange a meeting to consider it to take place within five working days. You have the right to be at this meeting and you should have your steward or other union official with you. The Local President must be informed within five days of this meeting how it has been decided.

If the grievance is not resolved at Step 2 it may go forward to Step 3. Here, the Director of Labour Relations is informed within 5 days that the grievance is being carried forward. You are entitled to be at this meeting, and not only your Steward but the Local President and the National Rep may be there as well. This meeting must be arranged within five days of the time your Step 3 grievance has been submitted. If the grievance isn't resolved right at the meeting, Labour Relations must inform the President within five days.

If the grievance is still not resolved at any of these steps, the Local Executive will be informed of this and must decide whether to take the grievance to mediation and /or arbitration. It is the Executive which must make the decision as to whether this final step will be pursued.

Mediation is a step where the union and the employer each discuss their case with a mediator. The mediator will then give a professional opinion on which party has grounds to win the dispute. At this time the grievance can be settled, but if either party disagrees with the mediators decision / recommendations, the grievance can still proceed to arbitration.

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*If you feel the
collective agreement
has been violated
please contact your
local Union steward
or the union office at*

Phone:

416-946-7620

Arbitration is a forum outside the university where an outside arbitrator will hear the case and make a binding decision. There are time limits to file and respond to mediation or arbitration. These time limits are all listed in the different CUPE Local 3261 collective agreements. The Local does not file a grievance unless it believes there has truly been or may well have been a violation of some part of the Collective Agreement. Much good can come out of a grievance - for example the result may be that you will be awarded a job for which you had applied, or money, or a wrongful discipline may be rescinded. Speak to your steward

or other Local official immediately if there is any issue which needs to be addressed. Most grievances must be issued within fifteen working days of the occurrence of a supposed infraction, and often it will be necessary for your steward to investigate the problem by speaking with others. The sooner you begin this process, the better.

Always keep in mind that you are the first in the line of defense. After you have ensured that your steward is aware of a concern, then the Union Local can begin steps to resolve it.

You may well help others in your unit and your Local as well, because the problem may be first recognized by you but also affect others. Even if you are the only one whose rights are being violated by your employer, you make the union stronger simply by seeing your own rights are protected.

Source: CUPE 3261 members handbook 2003.

Article update by David Vieira
Vice-President CUPE 3261

MAY 2013 RALLY AT THE MINISTRY OF FINANCE IN SUPPORT OF COLLECTIVE BARGAINING RIGHTS



Solidarity, Solidarity, Solidarity.



CUPE 3261 Rudy Won, Health & Safety Officer.



CUPE rally for the rights of workers.



CUPE 3261 David Vieira, Vice President, CUPE 3261 Carlos Rodriguez Larrin, steward.

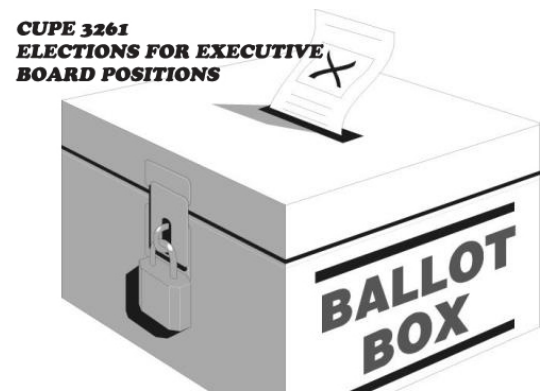
ELECTIONS FOR EXECUTIVE BOARD POSITIONS, OCTOBER 5, 2013. RECORDING SECRETARY AND HEALTH & SAFETY

Candidates for Executive Board positions are expected to have a working knowledge of their respective duties and participate in training appropriate to fulfill their duties within six months of being elected.

CUPE has courses and training for positions. Members must be available for monthly Executive Board meetings normally held during a week day, with approved paid "book off" by the Employer.

Show your interest and enthusiasm by getting involved in our Local Union. 2014 will be an exciting year as almost all of our collective agreements are open for renegotiation.

The two positions are open to anyone from any of the 6 bargaining units CUPE Local 3261 represents: University of Toronto Full Time, University of Toronto Part Time and Casual, University of Toronto Press (Full Time and Part Time at the warehouse) (Full Time and Part Time at Retail operations) and the Faculty Club.



"Don't set your goals by what other people deem important."
— Jaachynna N.E. Agu, *The Prince and the Pauper*

NOTICE OF NOMINATIONS & ELECTION EXECUTIVE POSITION RECORDING SECRETARY, October 5, 2013. General Meeting

The Executive of Local 3261, on behalf of our entire membership, would like to thank Kelly-Anne Clements for her years of service as Recording Secretary. Kelly-Anne announced at the end of the General Membership Meeting on June 22, 2013 she was immediately resigning from her Executive position as Recording-Secretary.

Under our Union By-Laws, the Recording-Secretary position is one of the "table officers" and is elected in "EVEN" numbered years for a two (2) year

term. The Executive, pursuant to the By-Laws, has determined our Union must hold a by-election for the position of Recording-Secretary.

The Executive has determined our Union will OPEN and CLOSE nominations for this position ONLY at the October General Meeting which will be held on Saturday October 5 at 10:00 a.m. at a location to be determined.

We will hold the elections on the same day, rather than delaying the election to the February General Membership

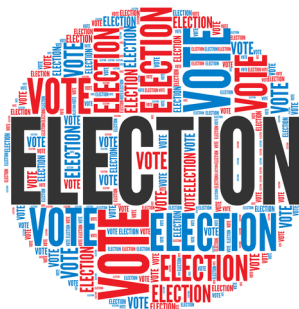
Meeting. The position will continue the two year term, with elections to be held again in October 2014.

Some of the duties of the Recording-Secretary as set out in our Union By-Laws include the following:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meet-

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- ings (including copies of financial reports and Trustee reports) and keep these records available for the Trustees or auditors.
- Record all amendments and/or additions in the bylaws, and send these to the National President for approval.
- Record and answer correspondence and fulfill other administrative duties as directed by the Executive Board.
- Prepare and distribute all notices to members
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.



NOTICE OF ELECTION EXECUTIVE POSITION Occupational Health & Safety, October 5, 2013. General Meeting

Nominations were opened and closed at the General Membership Meeting on June 22, 2013. Elections will be held for this position on October 5, 2013. The Nominated Candidates are Rudy Won and Chuck, UTSC.

Some of the duties of the Health and Safety Officer as set out in our Union By-Laws include the following :

- Recruit, organize and ensure training of the Local's Health & Safety Representatives and maintain a list of these reps posting on Union/Health & Safety boards
- Represent the interests of the Local, regarding Health & Safety and the Workplace Safety and Insurance Act.
- Annually review Health & Safety policies.
- Prepare a written report summarizing accidents, incidents and issues for monthly review.
- Network with the CUPE Ontario Division and CUPE National regarding information and training opportunities.
- Are responsible for ensuring compliance with the Occupational Health and Safety Act and Regulations.
- Are to attend joint Health & Safety Committee meetings representing the Union and fellow employees' best interests.
- Shall provide information to the Executive Board and membership regarding unsafe work practices or environmental problems and information from committee meetings.
- Shall submit terms of reference agendas and minutes for all Joint Health and Safety Committees meetings to the Recording Secretary.

- Serve as Chairperson of the Local's Health & Safety Committee and coordinate Health & Safety activities.
- Have successfully completed the Certified Health & Safety Training, or equivalent.

EXECUTIVE POSITION CHIEF STEWARD

At the General Membership Meeting on June 22, 2013, three persons were nominated for Chief Steward. However, two of those persons declined the nomination. At the end of the meeting, the current Chief Steward, announced his immediate resignation. The Executive of Local 3261, on behalf of our entire membership, would like to thank Rob Eidukaitis for his years of service as Chief Steward. Accordingly, Patty Varvouletos, was accepted by the Executive

Board to commence acting as Chief Steward effective July 24, 2013. She will hold the position for a two year term.

Board to commence acting as Chief Steward effective July 24, 2013. She will hold the position for a two year term.

“Every election is determined by the people who show up.”

— Larry J. Sabato, Pendulum Swing



HEALTH AND SAFETY

Health and Safety Report. April 14, 2013.

Recently, the Ministry of Labour has changed the rules for WSIB claim appeals. In the past, you had 6 months to appeal a claim if your claim was submitted and not accepted. Under the new criteria, you will now have only 90 days to appeal your claim. This is necessary in order to fast track almost 5000 appeals that were previously on the books which created financial hardships for those people having to wait for monetary settlements.

Also, during the last 18 months our CUPE Local has had three critical injury accidents in which a Ministry of Labour inspector has been involved. Critical injuries include broken bones which the MOL has to be involved under the Occupational Health & Safety Act. This relates to trips and falls which seem to be a growing problem in the work place.

There is also information from the Health & Safety conference which I attended in January, 2013 if members desire a copy, reports are available at the Union office.

Recently I've received calls from some of our members on W.S.I.B claims and accommodation and have met with Health & Wellness on these matters. As you know, all this information is confidential.

For the last 23 years I have been Co-Chair of the Health & Safety committee. Our committee has members from different work areas across the campuses. Most members have been on the committee for 10 years. This shows there is a strong commitment to the committee, but some people move on.

As of now I am looking for a permanent replacement for one of our members who is on sick leave. The requirements are high and you must attain Level 1 Health & Safety training. However, the university pays for this according to terms in our collective agreement. A serious commitment is required. If you are interested in the position please contact the union office. It is a great way to get involved.

CUPE 3261 Health and Safety ,
CO-Chair, Rudy Won.

NOTE FOR FILING:

A worker shall file a claim as soon as possible after the accident that gives rise to the claim but in no case shall he or she file a claim more than six months after the accident or in the case of a occupational disease.

Workers Health & Safety Centre

1-888-869-7950

www.whsc.on.ca

Communications committee members are: David Vieira & Chris Amaya. Special thanks to contributors for their articles.

For questions or comments contact the union office at: 416-946-7620

Email: service.workers@utoronto.ca

NEWS AND EVENTS

- CUPE food service workers conference - Toronto October 6, 2013 at the Intercontinental Hotel, 225 Front Street, from 9:00 a.m. to 4:00 p.m. The fee is \$50.00 for affiliated Locals. Cut off date for registration is September 11, 2013. If any members have any question contact President Allan James at 416-946-7620
- Thanks to all members who signed the petition in support of the expansion of the Canadian Pension Plan.
- General Membership meeting will be held October 5th, 2013. Location and Time to be Announced.
- Congratulations to Vice President David Vieira, Treasurer Tuan Vuong, Chief Steward Patty Varvouletos, Part Time Rep Tom Beechinor, Full Time Rep Daniel Rivero, UTP Fernando Ogorek, acclaimed positions, June 22, 2013.
- Faculty Club nominations were open at the June 22nd general membership meeting; position to be filled at the October 5th GM meeting.
- CUPE National Convention will be held Oct 21-25 2013 in Quebec City.

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