



OPS BARGAINING QUESTIONS AND ANSWERS

November 28, 2012

Q. What has the government proposed for the next collective agreement?

The government's opening proposal is filled with takeaways, including:

- No wage increase for two years, no progression on the wage grid for two years, new hires to get a lower starting wage.
- No accrual of termination pay beyond Dec. 31, 2012, no termination pay for surplussed employees who accept a position outside the OPS under reasonable efforts, and no termination pay for new hires.
- Sick pay cut from 75 per cent to 66 2/3 per cent, maximum of sick pay you can top up to is cut from 100 per cent to 75 per cent, you can only use vacation credits to top up (currently you can use any credits, including overtime and lieu time).
- After the first 6 days of absence in a calendar year, the next 2 days of absence are without pay. For any subsequent absence, the first 2 days are without pay.
- The annual maximum of \$1,200 for the services of a chiropractor, osteopath, naturopath, podiatrist, physiotherapist and massage therapist – gone. \$25 per visit with an annual maximum of \$1,400 for a speech therapist – gone. Annual maximum of \$1,400 for a psychologist – gone. All these services grouped together with an annual maximum of \$500, a 95 per cent cut to benefits.
- No Surplus Factor 80.
- Time it will take for fixed-term employees to convert to full-time positions lengthened from 18 to 24 months (reversal of a win from the 2002 strike).
- The length of time the employer can hide temporary assignments before it has to post them extended from 6 to 12 months. This means these assignments will not be available to surplussed employees looking for temporary assignments in their six-month notice period.
- The amount of notice the employer has to give you when it changes your shift schedule slashed from 120 hours to 24 hours. (Unified and Corrections)
- Lower thresholds for attendance and bonuses capped at \$500 under the Attendance Support and Management Policy for Correctional Officers and Youth Service Officers. (Corrections)
- The number of Probation Officer compensating days cut from 7 to 5. (Corrections)
- Weekend Shift Premium eliminated. (Corrections)

Q. What has the union tabled for its opening proposals?

We have a real, credible and supportable position for the next contract. The Central/Unified bargaining team has tabled contract language so that any plan to privatize a service (e.g. ServiceOntario) is first subjected to an independent review to ensure there is demonstrable evidence that it will lead to improved services and cost savings. The Central/Unified team has also tabled improved job security provisions, improvements to Fixed-Term, Seasonal and Student language, health and safety, posting and filling of vacancies, improved vacation language and improved benefit language. The Corrections bargaining team has tabled proposals to deal with increased levels of violence in the workplace, use of force/discipline and investigations/indemnification rights, issues of workload (in the community as well as in the institutions), staffing and overcrowding.

Q. How long are the two sides scheduled to bargain?

Both sides have agreed to bargain issues until at least Dec. 14 before a decision is made to either continue to bargain or suspend bargaining and begin negotiating Essential and Emergency Services Agreements (EESAs). Since bargaining is a very fluid process, no dates are set in stone.

It is interesting to note that the government has said it wants the two sides to have a negotiated tentative settlement by Dec. 14. We don't see how a tentative deal is possible by that date with the proposals the government has tabled. The bargaining teams intend to continue bargaining issues as long as progress is being made at the table.

Q. When is the earliest we could go on strike?

There is no set date for a strike to happen. A number of steps have to take place before a strike or lockout could occur.

First, your bargaining teams will have had to try their hardest to negotiate a settlement. The teams will stay at the table for as long as there is any reasonable chance of being able to do this. If the government refuses to remove its harmful proposals off the table and negotiate a fair contract, there are two possible next steps.

Under labour law, the government could table a final offer and members will be required to vote on whether they accept or reject it (the law gives employers one chance to take their offer directly to the members). Alternatively, the union could ask the government for a final offer, and ask the members to reject that. Either rejection gives the bargaining teams a strike vote to help convince the government to remove its takeaways and get down to real bargaining.

If the government's offer is rejected under either of these two scenarios, the union would insist that bargaining on the issues resume. If the government refuses, we would go straight into negotiating EESAs for the worksites where essential and emergency services apply. There is no set time frame to bargain EESAs. They haven't been bargained since 2005. The employer can't legally lock us out and we can't legally go on strike without EESAs being in place.

Q. What should I be doing to prepare?

The best advice is always to hope for the best, but prepare for the worst. If you haven't already, you should start saving a little money each pay period. Also, have a preliminary discussion with your bank about the possibility of postponing the payment of your mortgage for a month or two. When members are prepared, it lessens the pressure the employer can put on the bargaining teams.

Q. What can I do help my bargaining teams?

Keep informed! Go to website at www.choosepublic.org, our Facebook page at facebook.com/OPSBargaining and our Twitter feed at [@OPSCentralTeam](https://twitter.com/OPSCentralTeam) to get the latest news and updates

Send an e-mail to your MPP by going on line at www.choosepublic.org. Ask your MPP to get behind our very reasonable position that no public service should be privatized without a full and open independent review providing evidence that a sell-off or contracting out of a public service will improve services and benefit Ontarians, and that our members deserve safe and secure workplaces.

www.choosepublic.org



facebook.com/OPSBargaining



[@OPSCentralTeam](https://twitter.com/OPSCentralTeam)

