



MUNICIPALLY

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2013

SPEAKING



NEWS FOR OPSEU MEMBERS FROM SECTOR 13 - MUNICIPALITIES



BPS Conference

Your BPS Sector Chairs Committee invites you to save the dates, June 21-23 for our next BPS Conference. Locals will be invited to send Delegates, Alternates and Observers to attend the Conference on June 21, 2013 and associated Sector Divisional meetings June 22-23, 2013 at the Sheraton Centre in Toronto.

The 2013 Conference will follow the same format as previous years with an all-day plenary session for attendees on Friday, June 21, followed by separate Sector/Divisional Meetings on Saturday, June 22 and Sunday, June 23.

The Conference Planning Committee is working on developing an exciting selection of speakers and panel discussions to address current issues affecting our Broader Public Sector members.

Keep checking the OPSEU web site for updates and links to registration documents that will be distributed in the spring of 2013.

Delegate Entitlement

Locals are urged to maximize delegate entitlement to ensure the voice of Municipalities is represented and heard!

Entitlement in accordance with Sector by-laws:

Article 6: Delegate Entitlement

6.1 Delegate entitlement for each Unit/Local shall be as follows:

- a) Up to 75 members – Two (2) delegates;
- b) Over 75 members – Three (3) delegates.

(*** A unit/local of 25 members can send 2 delegates; a unit/local of 76 members can send 3 delegates)

6.2 Sector Executive members are automatic delegates and are not part of the delegate count for the Unit/Local.

Bargaining and Common Language

More than ever, we urge all locals/units to come together and get involved to support and learn from each other before we head off to the bargaining table. The BPS Conference is the ideal time to network with other Municipal Locals/Units to share bargaining strategies, gains and regressions. We need to be going to the table as well-equipped as possible to be as successful negotiating with employers who know what is happening in other Municipalities.

In our last newsletter, September 2012, we talked about a “Common Collective Agreement” and provided information on wage settlements for Sector 13 for 2010-2014. We have the Research Department at Head Office completing some CA language comparisons that we will have available for you at the BPS Conference. The intent of this exercise is to demonstrate that there are disparities within the Municipalities that we should attempt to address through Collective Bargaining before that right is taken away from us!

On February 27, 2013, Local 496 scheduled three dates to return to the bargaining table. In the afternoon of the same day, the employer handed the Local President a copy of the following Bill. This should be an interesting conclusion to bargaining:

Mr. Shurman tabled Private Member’s Bill 5: An Act to Freeze Compensation for Two Years in the Public Sector

This Bill went through 1st Reading on February 25, 2013. It then went through 2nd Reading, Debate and was ordered referred to Standing Committee on February 28, 2012

Do we have your attention now? Read the excerpts and get ready.

Bill 5: An Act to Freeze Compensation for Two Years in the Public Sector

Basically, the preamble to the Bill urges the Government to lead by example and to balance the budget on the backs of Public Service Employees. The Act will be enforced until the second anniversary of the day the Act receives Royal Assent, except as permitted by subsection (3) – minimum wage provision.

Excerpts from the Bill:

1. In this Act

- The Act defines “compensation” as all forms of payment, benefits and perquisites paid or provided, directly or indirectly.
- The Act defines “employee”, “employer” and “public sector” as having the same meaning as in subsection 2 (11) of the Public Sector Salary Disclosure Act, 1996;

2. Every employer shall comply with this Act with respect to the employer’s employees

Pay Freeze

3. (1) The rate of pay for an employee employed in a position in the public sector shall not be increased....

Pay Range

(2) The maximum amount within a pay range, if any,...and any steps within the pay range shall not be increased...

Increase in minimum range

(3) If the rate of pay for an employee employed in the public sector falls below the minimum wage established under

Part IX of the Employment Standards Act, 2000, the rate of pay may be increased to match the minimum wage.

Benefits freeze

4. (1) A benefit perquisite or payment provided to an employee...shall not be increased...

(2) Despite subsection (1), no benefit, perquisite or payment shall be provided...even if the benefit, perquisite or payment is authorized under the compensation plan as it existed on the day this Act receives Royal Assent.

1. Length of time in employment
2. An assessment of performance
3. Successful completion of a program or course.....

No new or additional benefits

(3) No new or additional benefits, perquisites or payments,...shall be provided to an employee....

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Welcome to the Legislative Assembly of Ontario

The Ontario Legislature is currently in Session.
The Second Session of the 40th Parliament commenced on February 19th, 2013.

[Current Agenda \(Orders & Notices for April 08, 2013\)](#)

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Overpayment of compensation

5. Compensation paid.....in contravention of section 3 or 4 is a debt due to the employer and the employer may recover it by any remedy or other procedure available to the employer by law, including by setting it off against compensation owing to the employee that the employer has not yet paid to the employee

Conflict with this Act

6. (1) This Act prevails over any provision of compensation plan...if there is a conflict between this Act and the compensation plan, the compensation plan is inoperative to the extent of the conflict.

Same, other laws

(2) This Act prevails over any other Act and over any regulation, by-law or other statutory instrument.

Exception

(3) Nothing in this Act shall be interpreted or applies so as to reduce any right or entitlement under the Human Rights Code, the Pay Equity Act or section 42 or 44 of the Employment Standards Act, 2000.

EXPLANATORY NOTE

The Bill freezes the annual compensation of employees in the public sector for a period of two years.

(See the complete Bill at www.ontla.on.ca)

WORDS FROM THE CHAIR

The Executive has been working diligently to ensure that we have the complete and up to date by-laws for you at the Conference in June. We also plan to have some new and informative educational sessions during our Saturday meeting.

As previously mentioned in the newsletter, we are working with the Research Department at Head Office to have a document of compiled CA language covering certain sections and a comparison completed to indicate who has the best language. This will provide the units something to work with in their respective rounds of bargaining.

The paperwork for the Conference has been sent out so please make sure that you receive your documents and that each local and/or unit is clear on its delegate entitlement. If there are issues or concerns, please do not hesitate to contact me.

Tara

See you at the BPS Conference: June 21 – 23, 2013

SECTOR 13 EXECUTIVE 2011 – 2013

Chair: Tara Langford
Vice-Chair: Peter Pautler
Secretary: Patti Hicks

Treasurer: Pam Schmidt
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