

2017 BARGAINING BULLETIN



Information for OPSEU members in the Liquor Board Employees Division • Issue #10 – April 13, 2017



RALLY DRAWS CROWD TO LCBO HEAD OFFICE

Bringing the “We Own It” message of convention to the streets of downtown Toronto, OPSEU delegates descended on the LCBO head office on Friday, April 7, to show their support for the OPSEU members who work at the LCBO, and to call on management to respect the value of this public asset.

Hundreds of OPSEU members marched through downtown Toronto and along Lake Shore Boulevard, stopping traffic and eventually filling the street in front

of the office with signs that spoke to the bargaining team’s proposals for a better LCBO.

OPSEU President Warren (Smokey) Thomas spoke to the crowd about the important work done by members at the LCBO, and warned management not to underestimate the union’s commitment to getting a better deal for workers.

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STRIKE VOTE
COUNTDOWN

0104
WEEKS DAYS

STRIKE VOTE INFORMATION ONLINE

Information on vote locations, as well as answers to some commonly-asked questions about the strike vote process, have now been posted at www.opseu.org/LBEDbargaining. Please review the information, and confirm, in advance, where and when you will vote. If you have questions that are not covered in the Q&A document, please contact us at LBEDbargaining@opseu.org.

He also reminded management that the true owners of the LCBO remain the people of Ontario.

“The people of Ontario paid to build the LCBO, paid to run the LCBO, and they get to benefit from the profits of the LCBO to put back into public services,” said Thomas.

First Vice-President/Treasurer Eduardo (Eddy) Almeida spoke to workers about the essential role they played in keeping communities safe across the province, saying to members that they “are the line that keeps our public safe, and the line that brings money to the public.”

Almeida promised that if it came to it, OPSEU members at the LCBO would have access to the union’s strike fund, now at more than \$72 million,

to make sure they got the fair deal they deserved.

The crowd also heard from Denise Davis, chair of the LBED bargaining team, who laid out what “A Better LCBO” looked like. In a better LCBO, Davis said “no worker would be forced to work alone; all workers would have schedules that allowed them time with their families; casuals would have meaningful shifts; and workers would have job security in recognition of their loyalty and dedication to the success of the organization.

“The abuse of using temp agency workers to do bargaining unit work needs to stop. If there’s work to be done, the employer should hire these workers on.”

For those who weren’t able to attend, a video of the rally can be seen online at: <https://www.youtube.com/watch?v=cVX2FWOUjic>



Twitter rally calls for action to #SaveTheLCBO



#SaveTheLCBO also helped pay for healthcare. Let's keep the LCBO public, where we all benefit- NOT in private hands! 🍺

Let's keep the @LCBO public. It put 2.4 billion into the province #SaveTheLCBO #onpoli #CANlab @OPSEU



Last year LCBO sales provided 2.4 billion to pay teachers, highways and much more. #SAVETHELCOBO #CANlab #ONpoli @LCBO @OPSEU



OPSEU @OPSEU

Follow

LCBO must choose check-out lines or picket lines. OPSEU members rally outside @LCBO head office to #SaveTheLCBO ow.ly/e14L30aFLkG

LIKES 36

A better LCBO means stopping privatization #savethelcbo #canlab #onpoli #lcbo #OPSEU



Last year LCBO sales provided \$2.4 BILLION to pay for teachers, highways, and seniors' care!! #SaveTheLCBO #CANlab #ONpoli @LCBO @OPSEU



Standing in Solidarity with you! #SaveTheLCBO



Recently my family has needed the services of 2 Ontario hospitals, my daughter attends UWO, my husband travels Ontario roadways #SaveTheLcbo

#SaveTheLCBO #onpoli \$2.4 Billion in sales, why give that up? Pays our teachers, builds our roads..

2.4 BILLION dollars in revenue!! Why give that up?!?! #SavetheLCBO @LCBO @OPSEU

No we definitely should not privatize the @LCBO We need more job security for workers, not less. #SavetheLCBO #onpoli



From the chair

Where are the “facts” in the employer’s “Fact Check”?

The employer continues to bend the facts to fit their version of events. The most recent example of this is their “Fact Check” document on the arbitration award.

Here’s the real story.

Last fall, the division’s chair and vice-chair and the union staff supporting them were given an opportunity to settle the human rights complaint that was filed in 2013. The settlement discussions were encouraged by the Vice Chair of the Human Rights Tribunal assigned to the case, and was designed to resolve the existing issue of gender-based wage discrimination – where casual CSRs were paid less than full-time CSRs for doing equal work. It would mean that all CSRs would be on a single wage grid, and all would be able to reach the top wage.

As part of the terms of the framework settlement that was offered, the union and employer would agree to jointly look at dealing with the fiscal and operational challenges created by the Liberal government’s decision to sell beer and wine in grocery stores. In particular, both sides would agree to discuss Sunday premiums and potential store repatriations/closures.

The alternative to this settlement would have been a potentially lengthy legal process with no guarantee of success. After careful consideration and discussion, the union agreed to this settlement in order to ensure that the wage grid would be addressed. This included agreeing to discuss the issues of Sunday premiums and potential store repatriations/closures. As of this date, the employer had not mentioned any intention of changing the process for Sunday scheduling, or changing the regular work week.

During these discussions, the employer did not make a convincing case for why, when reporting record revenues and profits, and with sales only growing, their fiscal or operational situation required changes to either of these items.

As a result, the union did not agree that these changes were required.

When the main issues in the settlement could not be resolved, they were brought in front of Arbitrator Kaplan. At this time, again, your union bargaining team maintained that changes to the Sunday premium and the rules around agency stores were not needed, or justified, given the financial situation of the LCBO, and that it had the ability to pay its casual staff properly without these changes being made.

When the employer raised new proposals around changing Sunday scheduling practices, we told the employer that this had not been part of the discussion in the fall, and that there was no obligation to consider new items that had not been in the settlement. The employer continued to pursue this, and at every step we responded that it was not something the union would entertain, and that the appropriate place to raise it would be at bargaining.

Unfortunately, the arbitrator chose to ignore the union’s argument and the facts of the employer’s financial situation, and chose to award the LCBO the changes they requested, removing the premium and allowing them the ability to repatriate agency stores (turn them into a public LCBO retail store) and open new ones on a one-to-one basis after each one they repatriate. The arbitrator also went further than the settlement that was agreed to, making Sunday a regular day of work and removing the Letter of Agreement – Sunday Openings, which had laid out the process for filling Sunday shifts should enough staff not volunteer to work that day.

The arbitrator did acknowledge, however, that his award did not take away the right of the parties to negotiate these issues at the bargaining table, including the question of Sunday work.

Your bargaining team continues to believe that what the employer asked for, and what the arbitrator awarded, goes far beyond what was agreed to, and represents an attempt to use the arbitration process

to get around the bargaining table. But regardless of that, the arbitration is now in the past. We are now at the bargaining table, and as the arbitrator agreed, all of these items are subject to the bargaining process. Your team will continue to negotiate for the best contract we can achieve, and all members will have a chance to vote on that contract.

In order to get the best contract possible, however, members need to send the employer a clear signal that they are tired of the LCBO's games, and that the members stand with their bargaining team. Your YES vote during the April 24 and 25 strike vote will give

your bargaining team the leverage it needs at the table to get the best deal possible.

In solidarity,

Denise Davis

Chair, LBED bargaining team

Grading the employer's "Fact Check"

If you're going to call something a fact check, you might want to make sure you get your facts right. Otherwise, your spin is going to fall apart pretty quickly. That's the embarrassing situation the LCBO finds itself in after posting something they claimed would correct the record on the arbitration award.

We thought we'd take a look at what they got right – and what they got wrong. Unfortunately for them, their work just doesn't make the grade. This one gets an F – and that's not an "F" for "Fact."

LCBO
Let's get together.

Fact check: The Arbitration Award

Apr 10, 2017 | Latest News

There's been lots of discussion about the arbitration award. Here's what you need to know:

1. The LCBO and the Union's bargaining committee jointly agreed, in advance, to negotiate and submit to arbitration all of the matters that were named in the award including Sundays, Agency Stores, and the Single Wage Grid.

2. The parties jointly agreed to negotiate a Single Wage Grid for Retail CSRs.

3. Casual employees at the top of the new Single Wage Grid can now earn \$27.53 per hour.

4. This award will lead to tens of millions of dollars in retroactive and future investments in our retail employees.

5. The award deemed Sunday a regular work day, which will give our customers greater access to our stores across the province.

6. The LCBO will post and hire for 200 permanent full time positions.

You can find the minutes of settlement here: https://opseu.org/sites/default/files/mos_-_nov_1_2016.pdf

Might need a different title. - not too many facts here.

Hmmm... have you left off the word "premiums"...

Some were to be negotiated, some were to be discussed.

This was agency store repatriation...not new agency stores.

Only two things you got right!

Ensuring equal pay is not an investment...it's a right.

us greater profit at

new

After under-posting for years...

2/6 **F**

Whose interests are the members of the management bargaining team really looking out for?

In a recent LCBO corporate publication, one article stands out. The article, titled “Wholesaling partnership with grocery expanding,” sends a chilling message about the employer’s true interests. Not only does it seem unconcerned about the risks of grocery store competition, it goes so far as to celebrate the regular meetings that are happening between the LCBO and Loblaws in an effort to ensure the success of the grocery alcohol sales program.

Despite the LCBO’s statements in front of the arbitrator and during bargaining claiming that grocery store alcohol sales represent a challenge to its bottom line, the description of these meetings with Loblaws paints a very different picture. The LCBO is clear that it is devoting significant resources to making sure that grocery stores alcohol sales succeed and, beyond that, are doing what they can

to help the grocery store prepare for even greater product selection.

The LCBO’s efforts to help grocery store’s succeed makes the proposals the management bargaining team have tabled even more disturbing, and raises questions about their view of the future of the LCBO. In this light, proposals calling for no protection from contracting out, more casual instability in shifts, longer work weeks, more agency stores, and more closed lcbo stores, all seem to be designed to move the LCBO away from the successful retail program that brings in significant public revenue, and into a role as merely a wholesale distributor for grocery stores and agency stores.

It raises a concerning question: who is the management bargaining team looking out for – the people of Ontario who own the LCBO, or the Liberal friends and donors who run Loblaws?

Join the Telephone Town Hall on April 19



Next Wednesday, April 19, there will be two telephone townhalls held for LBED members at 10 a.m. and 7:30 p.m. ET with the bargaining team and OPSEU President Warren (Smokey) Thomas. These will give members a chance to hear about the issues at the table from the team, and to ask questions they might have about where things stand, what rights the employer is trying to take away, and how the team is planning to fight for a better LCBO.

All members who have provided a contact number will receive a call in advance to let them know about these calls, and will then receive a call between 10 and 10:10 a.m., and between 7:30 and 7:40 p.m. If you miss the call or don’t receive the call, you can call into the discussion by dialing 1-877-229-8493 and entering ID Code: 112847.

Some regions will also be organizing opportunities for members to gather in one location to join the call together, discuss the issues, and make plans afterwards to mobilize a strong strike vote. Look for details about these information sessions (and other upcoming sessions) under the “Bargaining Events” heading at www.opseu.org/LBEDbargaining.

Meet your bargaining team

The OPSEU bargaining for the Liquor Board Employees Division consists of five members:

Denise Davis,
Chair, Local 378

Colleen MacLeod,
Vice-Chair, Local 5107

Jennifer van Zetten,
Local 162

Robin Reath,
Local 163

Mark Larocque,
Local 499

The bargaining team is assisted by OPSEU Negotiator Jeff Weston, Researcher Steve Crossman, and other assigned staff.

Stay informed!

You can receive this bargaining bulletin (and our regular newsletter, the Echo) directly by e-mail. Just call OPSEU at **1-800-268-7376** or **(416) 443-8888**, and give the operator your name and e-mail address.

You can also watch for updates on the OPSEU website at www.opseu.org/lbedbargaining.

And be sure to attend upcoming bargaining information meetings in your area.



Meet your mobilizers

In collective bargaining, power comes from the support of union members. Experience has shown that employers move at the bargaining table when members take action inside and outside the workplace. To help build that power, OPSEU has booked off 15 mobilizers, elected by LBED members at your Pre-Bargaining Conference in April 2016. These mobilizers, who are your co-workers at the LCBO, are on union leave, starting Monday, February 27. They will be working to build support for your elected bargaining team and the bargaining priorities you selected during demand-setting.

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