

The Rapaport Report

Volume 1, Number 16

March 2007

In Solidarity with International Women's Day

You don't lead by pointing and telling people some place to go.
You lead by going to that place and making a case.

Ken Kesey

Union Leadership

Later this month, delegates at seven Regional meetings will elect a new Executive Board. On April 20th at Convention, over 900 delegates will elect a new President and a Vice President/Treasurer.

What should we expect from our leaders?
What should leaders expect from themselves?

Here are some of my thoughts.

Listening to everybody – Leaders know that other elected leaders and active members all have something to say. Each voice adds to the quality and the effectiveness of anything that we do.

Establishing a safe environment for a full debate – Leaders make sure that nobody feels threatened or excluded by what they say, how they vote or their circle of friends.

Responsible stewardship – Leaders manage the money and staff of the union responsibly. After all, they are held in trust for the entire membership who pay dues and who rely on the union.

See Leadership on Page 2

Inside This Issue

This is the final issue of *The Rapaport Report* before Convention. There are four guest writers. **Ben Mantle** (page 5) is the Outreach Coordinator of the hotel workers union, UNITE-HERE, Local 75. They have negotiated several spectacular collective agreements in Toronto recently. **Carl Mohan** (page 6) is the Region 5 representative on the Provincial Young Workers Committee. **Patty Rout** (page 6) is the chair of the Health Care Divisional Council and is a Region 3 Executive Board Member. **Maureen Wall** (page 9) is with Local 562, Humber-Academic. She is currently working on the CAAT part-time campaign.

The Executive Board met on March 7/8.



The Rapaport Report is the newsletter of **David Rapaport**, Region 5 Executive Board Member of the Ontario Public Service Employees Union, OPSEU. Contact information is on the back page.

Leadership (continued from page 1)

Communication – Leaders are committed to sharing information because they know that an informed membership is an effective membership.

Representing the union - Leaders must have the skill to speak and negotiate with a wide audience about our issues and our concerns.

Creating a sense of belonging – Leaders know that any steward/leader who represents a member, negotiates a collective agreement, spreads the union word or participates in any union action must be embraced by the union.

Being positive – Leaders believe anything is possible with membership support. We have learned that hundreds of times.

This should be a leader's commitment to the membership. The members pay dues. They take risks. They walk picket lines. They stand up to the employer. The union asks them to take those risks. They have a right to expect high quality leaders. It is like a contract. It is signed in trust.

Every local president, every LEC member, every steward, every health and safety activist, human rights activist, bargaining team member, all give of themselves. They make sacrifices. They give up their spare time on weekends, on evenings. They take time from their families and their personal interests. Why? There are as many different ways to derive satisfaction from the challenging work of a union leader as there are leaders. But all the best leaders have one thing in common: a passion for justice.

e-mail
us your
OPINION!

Executive Board Meeting

5757 Coopers Avenue – Former OLBEU Building

With the merger with the Ontario Liquor Board Employees Union, we received ownership of their building in Mississauga. The Executive Board mandated a committee to investigate its condition and its usefulness. The committee investigated and determined that some renovation work needs to be done. Our organizing department is now working from there. We allocated \$30,000 from the strike fund for renovations. The building is owned by the strike fund.

Successor Rights for Public Servants

The Board heard a presentation from senior staff and legal counsel on the meaning of Bill 158. With the reintroduction of Successor Rights in the Crown Employees Collective Bargaining Act and with more OPS divestments, the challenge for us is when successor rights do apply. Please turn to page 10.

Strike Fund Investments

I sit on a Board sub-committee with **Dave Lundy** and **Smokey Thomas** which invests and monitors our strike fund assets. As reported in earlier issues of *The Rapaport Report* the investments now include equity and bonds.

We should not be investing our strike funds in companies that have bad labour relations with their employees, do environmental damage or have poor human rights records.

The Board adopted those Socially Responsible Investment (SRI) principles for the strike fund assets.

PWC Breakfast at Convention

Every year the Provincial Women's Committee (PWC) hosts a breakfast on the Friday morning of Convention. We amended the Convention budget to include the annual PWC breakfast for a maximum of \$10,000. I always attend and enjoy the breakfast.

HIV/AIDS Education

We voted \$5,000 to the Workers of Colour Caucus to promote HIV/AIDS education internally through OPSEU committees, regional meetings, convention and externally at a Region 5 barbecue prior to Pride Week in June and for a booth at the Caribana Festival in July.

SAROCC Training

I reported in the last issue about the racist and sexist threats in the jail system. OPSEU has taken a leadership and principled role in confronting this. We have established the SAROCC – Systemic and Anti-Racist Organizational Change in Corrections as a comprehensive program for all stakeholders to confront this problem.

I attended a two-day pilot training with the LECs from the four Toronto jails in February. I was proud of the content and the determination to face this issue head on and force the employer to take this matter more seriously. The Executive Board unanimously voted an additional \$115,000 for the SAROCC effort.

Ontario Can Do Better

OPSEU launched this important pre-budget and pre-election campaign. It contains a number of key issues for OPSEU and all working people; such as the \$10 an hour minimum wage campaign, the College part-

time campaign and the MNR campaign. Visit <http://www.ontariocandobetter.ca/>.

Bell Walk for Kids

This aim of this event is to raise \$3 million to help support Canada's only free, bilingual, 24 hour phone and web counseling service. It is staffed by members of Local 515. Visit www.bellwalkforkidshelpphone.ca. The walk is on Sunday, May 6th.



Ottawa Boys and Girls Club Fundraising

We are encouraging locals to donate to this initiative. It is being pushed by **Fern Blais** fillies@sympatico.ca, President of Local 447 in Pembroke through the Ontario Conservation Officers Association. OPSEU central will match donations up to a total of \$3,000.

Fairly-traded coffee

The Sheraton Centre has agreed to serve only fairly-traded coffee at our Convention events.

Special Needs at Convention

The Sheraton Centre no longer offers rooms with refrigerators. OPSEU will be renting a limited number of refrigerators for special needs. Please be sure to fill out the 'personal assistance request form'.

Internal Auditor

We extended the contract of our internal auditor **Sunil Aneja** until September. We have received much helpful advice and direction from Sunil since he has been with us.



"You the one who's been complaining about the noise level?"

JSSC Update – OPS Classification Grievances

In 1995, **Mike Harris** government legislated the end of arbitrations for classification grievances in the OPS. We have been hammering away since. In the 2005 round of bargaining we won language that the Joint System Sub-Committee 'negotiate' resolutions for 8,132 outstanding grievances. About 10% were resolved. The rest are hanging in limbo and the OPS employer refuses to budge.

Last month the OPSEU members walked away from the table. We are investigating a 'Bargaining in Bad Faith' charge. **Lynda Ferguson** and **Moira Cowan** explained to the Board the frustrations that they felt. They will be conducting an all province tour to explain the predicament.

BPS Pension Plan

As reported many times in *The Rapaport Report*, we have been working on the development of a made-in-OPSEU BPS pension plan. We have been making strides and hopefully it will be up and running soon. This is a fairly expensive process as it involves two regulatory bodies and a lot of legal and actuarial juggling, requiring an actuary and a lawyer. We updated the Board on the progress. The Board voted an additional \$62,500 for this effort. This is an important effort as too many of our members in the BPS have inadequate retirement provisions.

Regional Educational Budgets

Each region receives a budget to conduct weekend and other union education for stewards and other leaders. Region 5 usually conducts four weekend educationals. Sometimes a region goes over their budget. The Board voted to reduce the following years regional education budget by the previous year's overrun.

Teleconferencing Committee

We produced a preliminary report which confirmed the necessity of developing these technologies. We referred the matter to the next Executive Board.

Supporting Women in Developing Countries

The PWC wishes to highlight and raise money for women engaged in health issues in developing countries. They wish to sell bracelets made in these countries for fundraising. For this purpose, we lifted the 'Made in Canada' restriction for the OPSEU Women's Conference later this year.

Access to Delegate Lists

At the regional meetings, we elect EBMs and members to the three provincial equity committees; the Provincial Women's Committee, the Provincial Human Rights Committee and the Provincial Young Workers Committee. Now, candidates to the committees as well as candidates for EBM have early access to delegate lists



Thank You OPSEU Victory at Delta Hotels with Unite/Here Local 75

By Ben Mantle

We are pleased to report that, on Tuesday, February 20th, Delta Chelsea workers ratified a new collective agreement with an overwhelming 96% in favour! It was a joyous moment of victory after a hard-fought campaign for Toronto hotel workers. On the very same day, workers from the Delta Toronto Airport West and the Delta Toronto East reached a tentative agreement after nearly 48 hours of consecutive bargaining,

followed by similarly strong ratification votes. None of these great achievements would have been possible without OPSEU standing with us every step of the way.

The new agreements with Delta Hotels achieve the Toronto standard that is now in place at 17 hotels across the city. Highlights of the new agreements include housekeeping workload improvements, a transportation fund, an equal opportunity job training fund, improved wages and benefits, job security, and removal of disciplinary action taken against worker leaders for union activity.

On behalf of all of the Delta workers, let me express our deep gratitude for standing with us through this difficult time. This victory is all of ours and would not have been possible without the outpouring of solidarity that OPSEU demonstrated over the past year. The huge strides made through our Hotel Workers Rising campaign are a testament to what we can achieve when we work together to lift up one another and build a stronger society. The struggle with Delta hotels was pivotal to our movement across the city, and shows the extent of what we can accomplish even when faced with fierce opposition.

Though bargaining with Delta Hotels has concluded, Hotel Workers Rising will continue to organize for higher standards across the city. Many of our contractual achievements will require the ongoing efforts of workers and community leaders in order to realize their full promise. Furthermore, thousands of non-union workers continue to struggle to support themselves and their families. Our movement will continue to work to fulfill its primary goal – lifting one another out of poverty and into the middle class, winning respect and dignity for all hotel workers. We're proud to count you among our brothers and sisters and we celebrate this great victory and continue the movement forward.

Where are the public health labs going?

By Patty Rout

The Provincial Government is looking to create a new agency for public health labs in Ontario. In the recent 2007 Campbell report on SARS, recommendations were made to create an agency around public health labs. Public health labs for many years have been under funded. The Campbell report focused on the lack of staffing and older equipment in the public health labs. **Doctor Low**, who is heading up this plan and Health Minister **George Smitherman** both speak to the need for centre for disease control in Ontario. They plan to setup an agency to resemble this.

Part of the problem is that it is hard to keep people in the OPS when lab technologists within the Ontario Public Service are doing the same or more complicated work as lab technologists in Hospital laboratories. Yet, they make \$5-10 dollars per hour less than their counterparts in the Hospital laboratories which are also represented by OPSEU.

It is difficult to recruit lab technologists as few are entering the training programs. According to CIHI, the largest human resource shortage in health care today is lab technologists. And little is being done to correct this.

We are told the Agency will be at arm's length from the Ministry of Health. There are around 600 workers working in our public health labs. There is no need to remove this agency from the Ontario Public Service where there is better accountability.

Remember Walkerton. For the good of the people in Ontario we must stand firm on this issue and keep the public health laboratories in the OPS.

The Rapaport Report discussed this matter with **Dean Wiley**, President of Local 545, representing 300 health laboratory technologists at the OPS health labs in Toronto. He agrees with **Sister Rout's** points. He believes that health lab technologists have not fared well in the OPS bargaining structure and is looking for restructuring. He also points out that 'arms length' should apply to the Medical Officer of Health and not the labs.

Youth Union Movement

By Carl Mohan

Over the summer of 2006, the Toronto Labour Council implemented a Youth Outreach Project. The goals of the project are to gather information on young workers with regards to work; to create a network of young workers and activists; to develop a union positive message for youth. Young people from both labour and community wanted to be part of this organization. The "Youth Union Movement" was established. Our mission is to build a movement inclusive of labour and community addressing and taking action on youth issues. Our first endorsed campaign is the \$10 Minimum Wage.

Our next meeting is 6 pm on March 14 at 31 Wellesley St. (Light dinner will be served.)

It has been a pleasure serving our Region as the representative to the PYWC. The Region 5 Young Workers Caucus has been involved in providing evening educationals on OPSEU History, OPSEU Structure, Human Rights and Global Solidarity, Health and Safety, Grievances and Myths about Unions.

I will continue as an activist within my local, community and region. Thank you for your support over the last 2 years.

This and That

OPSEU Elections

I shall seek re-election to the Executive Board on March 24th. If successful, I shall seek the office of OPSEU President at Convention.

Let me wish all candidates for office my best wishes.

International Women's Day

I spent March 10th at the annual breakfast at the Steelworkers Hall and at the rally at the University of Toronto. Congratulations to the Region 5 Women's Caucus for promoting these activities, as well as the film evening organized for IWD on Tuesday, March 6th.

The LBED Integration Continues

On March 1st, I spent the day with a group of Liquor Board Employee Division (LBED) local presidents and their division leadership, discussing their proposed division by-laws. They have made great strides. The by-laws will be considered and approved at their divisional meeting in June.

The \$10 Minimum Wage Campaign

OPSEU, the OFL and allies are pressing the provincial government to raise the provincial minimum wage to \$10 an hour. The 2007 increase to \$8 is hardly sufficient. That leaves a full-time worker below the poverty wage. Visit <http://www.amillionreasons.ca/>



See the Blue Jays and Support the Fight Against AIDS/HIV

OPSEU and the Toronto Blue Jays invite members to a Yankees game May 29, proceeds to the Live and Let Live Fund: Get your tickets early on-line. For details, go to <http://www.opseu.org/campaign/fundraiser2007.htm>

The Hershey Chocolate Factory in Smiths Falls

The Hershey Company announced its plan to move this plant to Mexico. Free Trade strikes again and 500 unionized Canadian jobs are imperiled. There is a petition to sign to register your opposition. This move by the Hershey Corporation will devastate the town of Smiths Falls. The area is already threatened with the closure of Rideau Regional Centre. Canadians need to support fellow Canadians to keep jobs in Canada. If you also wish to register your concern go to <http://www.petitiononline.com/hershshf/petition.html>

Bill 171 (The Health Systems Improvement Act)

OPSEU is preparing a submission on Bill 171, the Health Systems Improvement Act. Our submission focuses on the regulation of psychotherapy and its impact on OPSEU members who work as Social workers in a broad spectrum of health and social service settings. For more information visit the Health Professions Advisory Council website at www.hprac.org.

Developmental Services – Lobbying

This BPS sector is addressing their underpaid, under-funding issues head-on. They are using a coordinated bargaining

approach to collective bargaining. In the past month they have been going directly to the MPP's to bring this message of under-funding. That message has been delivered to practically every MPP in the Toronto Area and it is being heard. I tagged along on a few of the lobbies and the message is quite simple. Workers in this sector perform an essential service and that work should be recognized and respected. We calculate that the sector needs an additional \$253 million in funding from Queen's Park. Keep your eyes on the budget later this month.

HPD Scholarship Fund

OPSEU members and their dependents can win a \$750 scholarship towards post secondary schooling in a health profession. The deadline is June 1st. The applicant must write an essay on the public health care system and OPSEU's role for health care workers. We offer seven scholarships, one per region, to students who are entering training for professions within the Hospital Professionals Division, HPD, of which there are more than 150. A list of the professions that we represent can be found in the HPD section of the OPSEU website.

Karaoke Union Songs

The Official Release of 'Karaoke Union Songs' takes place on the evening of Thursday, March 22. It will be held at the Steelworkers Hall at 25 Cecil Street in Toronto.

The CD will have 20 tracks. 10 songs for play on any player, plus 10 Karaoke. Details at <http://www.ppkmusic.com/>.

OPSEU's very own **Marnie Niemi**, benefit specialist and musician extraordinaire is featured. Price is \$20 plus shipping. Order

from PPK, 33 Mill Street, Ajax, Ontario, L1S6J9.

WAL-TOWN: the Film

This film examines and exposes the negative impact that multinational retailers such as Wal-Mart have on Canadian communities. Presented by the United Food and Commercial Workers (UFCW), Wednesday, March 14th, 7PM, Ralph Thornton Centre, 765 Queen St East. Admission is Free!

Area Council and Labour Council

Your local is not alone. OPSEU encourages affiliation to the Greater Toronto Area Council (GTAC) and the Labour Council of Toronto and York Region. Dues are subsidized by head office for both organizations. Both organizations have monthly general membership meetings. They help us keep up-to-date on what's happening in other unions. Contact information is on the back page.



Part-Time College Workers' Membership Drive in High Gear

by Maureen Wall

Did you know that it is illegal for part-time college workers (support staff and faculty) to unionize? Shamefully, Ontario is the only province where part-time college workers are denied this right. Over 50% of faculty and support staff in Ontario colleges work part-time and therefore cannot join the union.

In November 2006, the International Labour Organization (ILO) rebuked the Ontario government for this injustice and directed that it rapidly "take legislative measures . . . to ensure that [these workers] fully enjoy the rights to organize and bargain collectively, as any other workers." The ILO said that **Ontario CAN do better!**

In November 2006, delegates formed OPSECAAT, the Organization of Part-Time and Sessional Employees of Colleges of Applied Arts and Technology.

For the past two months part-time college workers across Ontario have been signing up to join their new association. Along with the membership drive, supported by OPSEU, OPSECAAT is seeking legislative change as the first step to becoming unionized to address the massive inequities experienced by this growing segment of college workers.



OPSECAAT's first Annual General Meeting will be held on April 21, in conjunction with OPSEU Convention. OPSECAAT delegates will join Convention as observers so that they can be formally welcomed by their sisters and brothers in OPSEU.

Do the RIGHTS Thing: Part-time College Workers Cabaret

Co-presented by OPSEU/OPSECAAT as part of the Mayworks Festival Wednesday, May 2, 7:30 pm at The Rivoli, 334 Queen Street West. Free for OPSECAAT members, \$10 all others. Hosted by NOW Activist of the Year and part-time college worker **Anna Willats**, Do the RIGHTS Thing will showcase the creative talents of professional artists who also work part-time at Ontario colleges. Highlights include:

- The smooth rhythms of **Up the Line**, a bluesy acoustic duo of **Robert Davis** and **Reeves Miller**.
- **Maja Ardal** performing a piece from her one-woman hit from Summerworks 2006- "You Fancy Yourself"
- **Susan Allen** and partner **Susiawan** story-telling with their shadow puppetry.
- Visual artists **Margaret Rodgers**, **Genevieve Nolet** and others displaying their fabulous work
- Multi-talented and multi-disciplined artists **Karin Randoja**, **Randi Helmers** and **Rob Clutton** together performing as "**Kavli**".
- And much more

Visit www.collegeworkers.org.

Successor Rights for Crown Employees

This information was presented to the Executive Board at our March meeting.

After a long campaign, successor rights were restored to the Ontario Public Service and Crown agencies on December 20th. Bill 158 corrected an historic wrong committed by the Harris government in 1995.

Crown Employees and their unions now have the same protections from a change in ownership of their employer as other unionized employees. In the event of a transfer of ownership of the business or the institution in which they work, their employment and collective agreement will normally continue uninterrupted. OPSEU will continue to represent them. This will not only protect employees from the impact of divestment, it will serve as a serious disincentive to divestment and privatization.

This all works in tandem with the job security language already in the OPS collective agreement. Appendices 9 and 18 require the Government to make reasonable efforts to secure alternate employment upon certain divestments, provide for bridging of pensions, and pay enhanced severance. These provisions will continue to operate, but only in those circumstances where successor rights *do not* apply. For more information visit http://www.opseu.org/ops/frontlines/frontline_snov032006.htm

With the reintroduction of Successor Rights and with no end in sight to OPS divestments, it will be important for us to administer these new rights to most benefit the membership.

Normally, a divestment will be considered a successorship only if an identifiable operation of the government is transferred to new owners. Many, but not all, forms of “contracting out” of work are not considered subject to the successor rights. If the Crown sells only the assets or equipment to a new company, the rights of employees would not normally flow through to the new employer. On the other hand, if the company or agency acquires the same assets as a going concern, and continues to operate the same kind of activity, the employees and their collective agreement would follow it. The Ontario Labour Relations Board can decide.

There are a number of issues that arise even in the event that the successorship provisions do apply. The purchaser may already have a unionized workforce, or have a workforce that is considerable larger than the divested group of employees. Again, the Labour Board has discretion to hold run-off votes to establish a single bargaining unit, to continue the current form of representation, or, in rare instances, to terminate the bargaining rights.

Finally, as noted, if the successorship provisions do not apply, then the divested employees can fall back on Appendix 9 and Appendix 18 of the OPS collective agreement. This is all particularly relevant now with the threatened closure of the three regional centres for developmental services and the announced divestment of the public health labs.

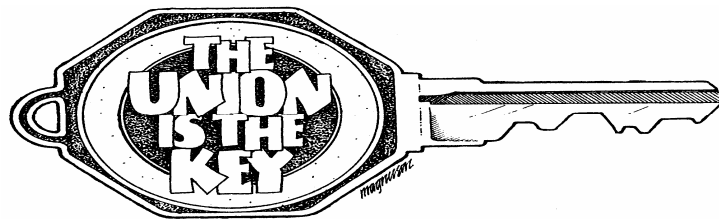
The task for OPSEU is to determine how to use this new legislation to fight privatization and divestment and to preserve members’ rights and jobs. Bill 158 has given us an additional tool for this purpose.

Calendar of Events

Youth Union Movement - Wed, March 14, 6:00 PM, 31 Wellesley
WAL-TOWN, The Film – Wed, March 14, 7:00 PM, 765 Queen Street East
Regional Election Debate (GTAC) – Wed, March 21, 5:30 PM, 31 Wellesley
Regional Elections – March 24, Westin Harbour Castle Hotel
Region 5 Retirees Group – Tue, March 27, 10:30 AM, 31 Wellesley
Region 5 Women’s Caucus – Tue, April 3, 5:30 PM, 31 Wellesley
Labour Council Membership Meeting–Thur, April 5, 7:30, OFL Building, 15 Gervais Dr.
President and VP/Treasurer Debate (GTAC) – Wed, April 11, 5:30 PM, 31 Wellesley
Executive Board Meeting – Wed, April 18, Sheraton Centre, Toronto
OPSEU Convention, April 19-21, Sheraton Centre, Toronto
OPSECAAT Event at Mayworks, May 2, 7:30 PM, 334 Queen Street West
Region 5 Weekend Education – May 25/26
Blue Jays vs NY Yankees, May 29, Sky Dome
OFL Solidarity Works, June 1 – June 3, Contact Carl Mohan for details.

Region 5/OPSEU Contact Information

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Cecil Beckford, OPSEU representative on Labour Council Executive - cecealb@rom.on.ca
Carl Mohan, Region 5 Member, Provincial Young Workers Committee -
preslocal541@hotmail.com
Bob Taylor, President, Greater Toronto Area Council (GTAC) - 416-482-6680
Gloria David, Contact, Region 5 Women’s Caucus - 416-314-6484.
Tony Carneiro, Chair, Region 5 Retirees Group - 416-787-7033
Toronto and York Region Labour Council – 416-441-3663
OPSEU Direct – 416-443-8888
OPSEU web site – www.opseu.org



The Rapaport Report is the newsletter of David Rapaport, Region 5 Executive Board Member of the Ontario Public Service Employees Union, OPSEU. I am responsible for the contents of the newsletter. If you have complaints, comments, praise or criticism, please get in touch with me. I would like to hear from you. I can be reached at drapaport@opseu.org or at 416-651-1659.