

BULLETIN

FASBU BARGAINING BULLETIN

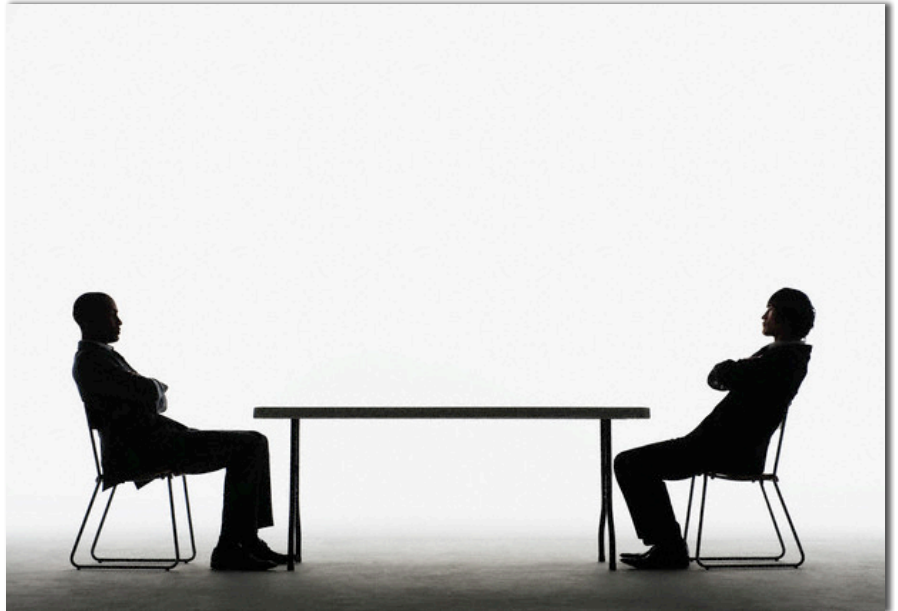
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Susan Srigley
President, NUFA

During the hiatus in negotiations over the last two months members of the Collective Bargaining Committee have issued weekly bulletins outlining the key elements of NUFA's bargaining proposals and the numerous concessions put forth by the Employer. We hope you have found them informative.

Despite not meeting with the Employer at the table during this time, however, there has been some rather intense activity by members of the Executive and the Grievance and Collective Bargaining committees behind the scenes. Sadly, this activity reflects the deteriorating relationship between NUFA and the Employer over the last year. As we head back to the bargaining table next week to discuss specific proposals for a new collective agreement, it remains to be seen whether fences can be mended, or whether the relationship will deteriorate further.

The deteriorating relationship is nowhere more evident than in the number of grievances we have



filed this year. To date, we have filed nine formal grievances; that is about eight or nine more than usual. Normally we resolve grievances informally and we have a long history of doing so amicably.

But as we watched the length of our weekly grievance meetings grow over the past year to nearly 3 hours, we could see how the playing field was changing. We have been forced to file formal grievances as the only means by which we can uphold the integrity of the Collective Agreement. The Employer, for its part, has been consistently denying every

grievance we file. This situation leaves us with two options: 1) accept the denial and violation of the Collective Agreement, effectively rendering it meaningless, or 2) go to mediation or arbitration.

On July 3rd Rob Breton, Sal Renshaw, Angela Fera and I travelled to Toronto for an arbitration hearing, a first in NUFA's history. Why did we do it? Because we aren't willing to choose option 1. Why does it matter to you? Because when we grieve the Employer we are grieving their violations of the Collective Agreement, which are the terms and conditions of *your* employment.

Though costly and time consuming, seeing grievances through to a conclusion, including arbitration, is our only recourse against an Employer bent on riding roughshod over the terms and conditions we have negotiated. We have presented the Employer with proposals to resolve the issue that went to hearing; the ball is now in their court.

In another unprecedented move in our Association's history, this summer NUFA filed a complaint of unfair labour practice with the Ontario Labour Relations Board (OLRB) against the Employer's refusal to share financial information relevant to bargaining. On July 23, I travelled to Toronto with the co-chairs of the FASBU Bargaining Committee, Hilary Earl and Mark Crane for a mediation session with the Employer conducted by the OLRB.

At the end of that mediation session the Employer agreed to share considerably more financial information with us than what was shared at the table. Why did it take us going to the OLRB for mediation with a scheduled hearing for the Employer to give us the information we asked for repeatedly at the table? Both of these experiences, which involved costly lawyers and trips to Toronto for both parties, suggest a challenging road ahead.

Perhaps one of the best ways I can summarize our concern in dealing with the Employer in recent months is by drawing your attention to what might seem like an innocuous sentence we have included in our proposal for language changes to Article 4.1 on Management Rights: *"The Employer will exercise these management rights in a fair, reasonable, and equitable manner."* The two instances from this summer have shown us how far we have to go in order to compel the Employer to play fairly. Will we have to continue working in this manner, or can we get them to agree to this simple principle?

At this critical juncture heading back into bargaining, I would like to remind you that **our power comes from you, our Members**. We look forward to seeing you in the coming weeks and we hope that we can count on your continued support for our collective bargaining committee. You have been remarkable in your attendance at meetings and in support of the bargaining committee so far. Our provincial and national counterparts have been amazed at your tremendous support and we will continue to count on you in the days ahead.

