

The Review

NEWSPAPER OF THE PROVINCIAL COUNCIL OF SOCIAL AFFAIRS
CANADIAN UNION OF PUBLIC EMPLOYEES / VOLUME 16 N° 2 / OCTOBER 2003

It's up to us

TO LOOK AFTER OUR NEGOTIATION AND WORKING CONDITIONS

Consultation *Analysis and recommendations*

At the beginning of last year, our Union, the Canadian Union of Public Employees, sent a questionnaire to its membership, indicating the changes that the Union wanted to bring to our collective agreement. Since that time, we have also other demands.

Our Provincial Negotiating Committee read and analysed the demands contained in all the questionnaires, which were completed. Some recommendations were made to all our affiliated unions, more specifically at the two symposia attended by executive members of your local union invited to participate.

During this comprehensive process, we also called on our various committees (health and safety, insurance, fight against contracting out and privatisation, etc.) for their input.

Decision

The tentative collective agreement, which is presented to you, is the result of recommendations emerging from these symposia. It will not become our formal tentative collective agreement until it is formally adopted by a majority in general assemblies of our affiliated unions.

This publication covers only a summary of all the demands received. If you had formulated a specific demand on a particular issue, it is highly possible that it is not included in this document. You must get in touch with your local union executive who has a detailed copy of the tentative collective agreement.

Mobilization



**TO NEGOTIATE
WITHOUT
MOBILIZATION OR
TO BELIEVE THAT
SANTA IS COMING,
SAME ILLUSIONS!**

NON-MONETARY CLAUSES

THE IMPORTANCE OF SENIORITY IN GENERAL, AND DURING PERSONNEL ACTION

OVER THE LAST YEARS, EMPLOYERS HAVE FOUND ALL KINDS OF WAYS TO RESTRICT THE IMPORTANCE OF SENIORITY. THE IMPORTANCE OF SENIORITY MUST BE RESTORED PARTICULARLY WHERE PERSONNEL ACTION IS CONCERNED.

Consequently, it is proposed :

- To introduce, in the definition of service or department, the notion of point of distribution of service (in order to limit the management rights of the Employers, who can now transfer staff from a wing or a point of service to another unit as they please).
- That seniority becomes a priority factor again to obtain a position by:
 - Preventing the Employer to use excessive requirements when posting;
 - Forcing the Employer to offer the possibility of additional training when necessary;
 - Allowing an individual benefiting from any type of leave to end it to be able to apply.
- That seniority be upgraded to obtain an assignment by:
 - Improving the provisions relative to orientation/in-service programs so that the greatest possible number of assignments become accessible by seniority to the recall list employees;
 - Considering the employee available for a replacement if he/she can integrate it on the 6th day following the beginning of the replacement;
 - Allowing a part-time casual employee to obtain by seniority a more advantageous assignment in the service where he/she is already assigned;
 - Allowing the part-time regular employee to be considered available for any day when his/her number of hours is lower than that of a regular work day;
 - Increasing the possibilities to allow leaving an assignment without being penalised.

PROTECTION AND DEVELOPMENT OF ACQUIRED RIGHTS

THE DEMANDS INTEGRATED IN THIS SECTION EMANATE FROM SITUATIONS, OFTEN DEPLORABLE, WHICH AFFECTED SEVERAL AMONG YOU, THAT SHOULD BE CORRECTED.

Consequently, it is proposed :

- That an employee may have the right to refuse any transfer within his or her establishment following the application of special measures or bumping, if this transfer is more than 50 kilometres from his or her residence.
- That the Employer assumes any additional cost that an employee must absorb when an accident occurs with his/her own car while on duty.
- That the Employer provides the required legal assistance to any employee, resulting from a legal proceeding stemming from the exercise of his/her normal duties.
- That any transfer of an employee to another Employer cannot generate a pay reduction.

FIGHT AGAINST CONTRACTING OUT, JOB CREATION AND REDUCTION OF JOB UNCERTAINTY

Fight against contracting out

IMPROVE THE PROVISIONS TO PREVENT THE TRANSFER OF OUR JOBS TO THE PRIVATE OR COMMUNITY SECTOR SHOULD NECESSARILY BE ONE OF OUR MAIN PRIORITIES DURING THE NEXT NEGOTIATION. IN FACT, OUR NEW GOVERNMENT NEVER STOPS REPEATING THAT IT PLANS RESORTING TO THE PRIVATE SECTOR FOR A GOOD NUMBER OF SERVICES PRESENTLY OFFERED BY THE PUBLIC SECTOR.

Consequently, it is proposed that :

- The Employer awards no contract as long as employees from the certification unit can do the work. Local Parties to agree on conditions relative to this procedure.
- The Employer cannot proceed to any hour reduction, lay off, dismissal directly or indirectly generated by a contract with a third party.
- The Employer must forward to the Union a copy of the calls for tenders, when applicable.



Job creation, and Reduction of job uncertainty

OVER THE LAST YEARS, MORE AND MORE SMALL POSITIONS WITH ONLY A FEW HOURS OF WORK PER DAY HAVE BEEN DEVELOPED. FURTHERMORE, REPLACEMENTS DURING LEAVES ARE NOT ALWAYS AWARDED IN ACCORDANCE WITH THE POSITION HELD BY THE EMPLOYEES ON LEAVES. AS A RESULT, FOR SOME WORKERS THEIR EXPENSES RELATED TO WORK ARE INCREASING, BUT NOT THEIR INCOME.

Consequently, it is proposed :

- To fill all positions temporarily without an incumbent and this, within the same position title.
- That any part-time position becoming vacant or any newly created position must have, for each day a presence is required, the number of hours provided for a normal work day for this job title.
- That the Employer be obliged to maintain a sufficient number of employees on the recall list.
- That the funds allocated for skill improvement and training provided for in the Collective Agreement be in line with those provided by the law, or 1% of the salary mass.
- That a letter of agreement between the Local Parties must necessarily cover the training and skill improvement activities.

WORK-FAMILY RECONCILIATION

THE RESTRICTING SCHEDULES OF THE HEALTH AND SOCIAL SERVICES NETWORK (7/24, VARIOUS SHIFTS, ETC.) MAKE THE WORK-FAMILY RECONCILIATION QUITE PROBLEMATIC. WE HAVE TO IMPROVE THE WORKING CONDITIONS ASSOCIATED WITH THESE DEMANDING SCHEDULES.

Consequently, it is proposed :

- That the Employer must do the utmost to grant leaves with and during weekends.
- To pay double time for time worked on Xmas and New Year days.
- To pay the weekend premium for time worked on the other statutory holidays.
- That the employee be entitled to at least four (4) consecutive days off, either at Xmas or New Year.

Vacation

- To increase the number of vacation days by one (1) day per year starting on the 15th year of service, to thirty (30) on the 24th year.
- That the apportionment of vacation be established according on all the years of services in the Health and Social Services Network, not based on the years of service with the last Employer.

Bereavement and parental leaves

- To include provisions to take into account new realities such as step-parent families or same sex parent families.
- That the choice of the day the bereavement leave starts belongs to the employee.
- That the bereavement leave is not in calendar days but in working days.

Other leaves

- That the Employer, at the employee's request, may convert into time paid but not worked, the premiums and overtime.
- That it may become possible to obtain a 3-month leave with differed pay.
- To increase from 3 to 5 days the leave for personal reasons during a year.



STRENGTHENING OF DISPOSITIONS RELATIVE TO UNION REPRESENTATION

TO OBTAIN GOOD WORKING CONDITIONS IN A COLLECTIVE AGREEMENT IS ONE THING, TO ENSURE THAT THEY ARE RESPECTED IS ANOTHER. TO BE ABLE TO DEFEND OUR RIGHTS IS FUNDAMENTAL IF WE DO NOT WANT THAT THESE GOOD WORKING CONDITIONS TURN INTO PIOUS HOPE.

Consequently, it is proposed :

- To implement arbitration procedures allowing for the acceleration of grievance settlement.
- To increase to 12 months, from the time the event occurred, the period to register a grievance.
- That the Employer informs and forwards a copy of all motives and facts to the Union for any disciplinary or administrative measure or notice.
- That the Employer be required to establish a serious and impartial enquiry process before proceeding to any disciplinary measure.
- To increase the number of liberation days paid by the Employer for union activities;
- That a liberated day be considered as being a normal workday, whether the employee is required to work or not.

HEALTH INSURANCE, SALARY INSURANCE, HEALTH & SAFETY IN THE WORKPLACE

ALTHOUGH WE ARE WORKING IN THE HEALTH SECTOR, SEVERAL PROVISIONS RELATIVE TO OUR HEALTH MUST BE IMPROVED.

Consequently, it is proposed :

- To include in our collective agreements the conditions in the Law on Health and Safety in the Workplace which were recognised for some other sectors. These conditions provide important means to prevent work accident.
- To recognise moral harassment as a form of violence and as such to agree to eliminate it.
- That the salary insurance benefits represent 80 % of the regular salary during the three first months.
- That the waiting period to receive the salary insurance benefits be 5 days for the full-time employees and 7 days for part-time employees.
- That part-time employees may choose to accumulate sick days rather than to receive the equivalent in social benefits.
- To implement a settlement procedure for disability periods longer than 2 years similar to that existing for disability periods shorter than 2 years i.e., among others :
 - That the employee continues to receive his or her salary insurance benefits for as long as a final decision is taken;
 - That doctor-arbitrator takes this final decision.

CLAUSES WITH FINANCIAL IMPACT

SPECIAL CONDITIONS FOR EMPLOYEES WORKING IN A PROSTHETIC UNIT OR WITH CLIENTS WITH CRANIAL-CEREBRAL TRAUMAS

THE ADDITIONAL CARE REQUIRED BY CLIENTS LIVING IN ESTABLISHMENTS CREATES THE NEED TO IMPROVE THE WORKING CONDITIONS OF THE STAFF WORKING IN THESE ESTABLISHMENTS, AND TO PROVIDE A SPECIFIC TRAINING ADAPTED TO THEIR NEEDS.

Consequently, it is proposed that:

- In establishments providing care to clients,
 - A) having cognitive deficiencies, moods or personality disorders and with dysfunctional behaviours or dementia;
 - B) who have physical, cognitive, emotional, behavioural or socio-professional deficiencies or shortcomings following a cranial-cerebral trauma;
- the working conditions of the staff working with these clients must be similar to those working in a psychiatric unit, i.e. 5 floating days and adapted training.

SPECIAL PROVISIONS FOR REHABILITATION, STRUCTURED ENVIRONMENT AND REPORTING EVALUATION (YOUTH CENTRE)

THE ACCESS TO THESE SPECIAL CONDITIONS FOR THOSE WORKING IN A YOUTH CENTRE IS PRESENTLY VERY LIMITED. MANY WORKERS IN THESE ESTABLISHMENTS ARE LIVING SIMILAR CONDITIONS WITHOUT BENEFITING FROM THE PROVISIONS OF THIS APPENDIX.

Consequently, it is proposed:

- To broaden the access to these provisions of this Appendix to all those having similar conditions as those who are currently entitled.

INSURANCE

Group Insurance

THE EMPLOYER CONTRIBUTION TO OUR GROUP INSURANCE PLANS IS MINIMAL AND MUCH LOWER THAN WHAT IS GENERALLY BEING PAID IN THE PRIVATE SECTOR. IT IS CURRENTLY \$24 PER YEAR FOR INDIVIDUAL COVERAGE AND \$60 PER YEAR FOR FAMILY OR SINGLE PARENT FAMILY COVERAGE.

FOR PART-TIME EMPLOYEES, THESE AMOUNTS ARE REDUCED BY HALF.

Consequently, it is proposed:

- That the Employer share be increased significantly (approximately 50% of the cost) and indexed according to the inflation rate applicable to medication.

Life Insurance

FOR A NUMBER OF YEARS, THE ENTITLEMENT PROVIDED FOR IN THE COLLECTIVE AGREEMENT HAS REMAINED AT THE SAME AMOUNT OR \$6,400. FOR A FULL-TIME EMPLOYEE AND \$3,200. FOR A PART-TIME EMPLOYEE.

Consequently, it is proposed:

- That the life insurance benefits be increased and identical for everyone regardless of the employee status.

PARENTAL RIGHTS

SOME IMPROVEMENTS MUST BE MADE AGAIN, IN ORDER TO FACILITATE THIS COLLECTIVE RESPONSIBILITY.

Consequently, it is proposed:

- That the paternal leave be increased from 5 to 10 days;
- That some modifications be made to our collective agreement in order to conform to the provisions of the law on labour standards.

RETIREMENT

AN ANALYSIS OF THE CONDITION OF THE FUND AS WELL AS COSTS ASSOCIATED WITH VARIOUS IMPROVEMENTS, ARE NOT YET AVAILABLE.

Consequently, it is proposed:

- To report to when all this information is available the choice of improvements that we want to make to our retirement fund.

TRAVELLING ALLOWANCES

THE PARAMETERS CURRENTLY USED BY THE EMPLOYER TO DETERMINE THE RATE TO BE REIMBURSED FOR THE KILOMETRES COVERED BY EMPLOYEES DRIVING THEIR OWN AUTOMOBILE ARE NOT COMPLETE.

Consequently, it is proposed:

- That the parameters used to determine the rate per kilometre driven, allow for the reimbursement of the real costs incurred for the use of a personal automobile.

SALARIES AND PREMIUMS

THE CO-ORDINATION OF OUR DEMANDS WITH THE GREATEST POSSIBLE NUMBER OF UNION ORGANISATIONS IS NOT COMPLETED.

Consequently, it is proposed:

- To postpone later the adoption of our salary demands that must include however the following principles:
 - Protection of the purchasing power associated with inflation
 - Participation to a collective enrichment of the Québec society
 - Partial filling of the salary lag that we have when compared to other Québec salaried employees according to the Quebec Statistics Institute.

CPAS
AU COEUR DE L'ACTION

SCFP
Syndicat canadien de la fonction publique

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President: Marcel Girard
Secretary General: Claude Turcotte

Co-ordinators: Martial Demers, Guy Jolicoeur & Claude Turcotte, Information Committee with the collaboration of Alexandre Boulerice

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