OPSEU Local 420
Academic Employees at Loyalist College

OPSEU SEFPO

Heads up

CANADIAN ASSOCIATION CALM OF LABOUR MEDIA

Brief articles on issues of current importance to our members

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Brief facts

- ⇒ Academic negotiations will get underway on March 30 with the first formal meeting and exchange of bargaining positions.
- ⇒ The union bargaining team offered more than 90 available dates for meetings.
- ⇒ Management bargaining team accepted only 18 dates for meeting.
- ⇒ In the previous round management initially accepted 31 days for meetings.
- ⇒ It took 37 days of face-to-face meetings to conclude the agreement
- ⇒ Six of the seven members of the union team have been on one or more previous teams — 3 have been on 5 previous teams.
- ⇒ Other than the hired negotiator and the Executive Director of the Council, only one management appointee has been on a previous team.
- ⇒ The management team again this year has no college president on it.

No place to have a heart attack

No one has had a heart attack at Loyalist in the last nine months. That's not news; that's just normal. But it recently happened in a classroom at Seneca College!

In January, 2005, Josef Stavrof, a faculty member and the chief steward of Local 560 at Seneca, suffered a fatal coronary while in the middle of a class. His students could do little but watch in horror. Had there been an automatic external defibrillator (AED) on campus, Joe might have been saved.

Faculty at Seneca are demanding and explanation as to why, despite a history of requests by the academic union local, the college failed to install AEDs on campus.

Having no AED on campus is even more deplorable here at Loyalist. On June 24, 2004 our local approved purchasing and donating to the college two AEDs together with emergency response kits (emergency oxygen cylinder, flow regulator, tubing, mask, BBP kits, first aid kit) and a wall mounting case that sounds a loud alarm when the AED is taken out.

The offer was communicated to then President Doug Auld early in the Fall. In his usual way of managing the college, Doug handed off the decision to a committee.

In November the committee met with Bernie Belanger, Local President. Bernie, arriving at the meeting with the intention of finalizing the matter, was surprised to discover the college had a long list of concerns that they insisted must be addressed before the AED's could be accepted. They said were worried about having to train employees to use the AED's, about who should have physical possession of the AED's, and about what their liability would be were

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College Omits Deduction

Since May of 2003 the college has failed to comply with an obligation to deduct, match and remit CAAT Pension contributions from supplementary earnings of some employees classified as support staff .

The employees involved are those who are also engaged as partial-load academic staff. The earnings from which the college failed to withhold pension contributions are their Partial-Load earnings.

The oversight was drawn to the attention of Karen Cullen, Manager of Human Resources, by the academic union local. Ms Cullen says, "we're working on correcting *{the oversight}*, but we're not sure *{yet}* how far back we need to go."

To the (at least) four employees involved, the correction could have a lasting effect as their eventual pension will be based on their best 60 months of earnings.

College fails to honour settlement

When, in December 2004, a vacancy arose in a full-time position in the School of Business, Loyalist College didn't live up to an agreement they made just 3 months earlier to advise the union local of their intentions concerning filling the vacancy.

On September 9, 2004 the union local withdrew 5 grievances concerning the college's failure to post and/or to fill vacancies in full-time academic positions. The grievances arose because the college ignored the requirement in our collective agreement to post vacancies in a timely manner. The college saves money by leaving vacancies unfilled or filling them with sessionals.

In January 2002, the union local successfully argued at arbitration that the college was in breach of its obligation when it failed to post a position that had become vacant in the School of Business. The arbitrator made the obligation very clear to the college and assessed a minor monetary penalty.

Nevertheless, at the next opportunity, the college again failed to honour the collective agreement and allowed three full-time vacancies to go un-posted. Meanwhile they converted two partial-load employees into sessional employees to cover the assignments. This led to the filing of the five grievances.

The grievances were scheduled in front of arbitrator Paula Knopf but, on the morning of the scheduled hearing, a withdrawal was negotiated in exchange for a written promise by the college that they would:

- Advise the union local when they become aware of a resignation or retirement.
- Advise the union local whether or

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Defibrillators in limbo

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the instruments to be used to the detriment of some victim.

We say they should be more worried about their liability if they do not deploy the AEDs! If someone has a heart attack and the victim (or his/her heirs) discovers the college has had a standing offer to pay the cost of two AEDs and has let more than six months go by without accepting you can be sure it will make for interesting litigation!

Just 2 weeks ago, the local asked new President Maureen Piercy what the college is doing about our offer. Ms Piercy says the matter is still undecided and claims that John Rigsby is pursuing their concerns with their lawyers.

The AED's the local is prepared to purchase are the Zoll AED+ (you may have seen one in a recent commercial for Duracell Batteries.) If you want to learn more about the unit and the simplicity of using it, take a look at this link: www.e-circleoflife.com/zoll-products.shtml

The one good thing that has come from the college's procrastination is that the Canadian dollar has grown in value so, since the AED comes from the USA, the units will cost us less.

$45 billion surplus could fix federal-provincial woes and address poverty

CCPA/ CALM

The federal government will have an estimated $45 billion in surplus over the next three years—money that could significantly reduce poverty and lay to rest overheated squabbles over cash transfers to the provinces, says the 2005 Alternative Federal Budget.

This year's AFB, released by the Canadian Centre for Policy Alternatives (CCPA), continues to do what it does best — accurately forecast upcoming surpluses. It also shows how the federal government has the fiscal capacity to increase the Canada Social Transfer (CST) by $13 billion over the next three years.

"It's time to address crumbling federal-provincial-territorial relations and long-neglected social programs," says Ellen Russell, senior economist with the CCPA.

"Investing in the nation's social infrastructure is long overdue. After sitting on eight consecutive years of surplus budgets, with another $45 billion coming down the pike, any other action by this government would be inexcusable," says Russell.

To begin the critical process of rebuilding the federation and repairing fragile federal-provincial relations, the AFB would:

- assure adequate funding for the Canada Social Transfer by increasing its funding by more than $13 billion over the next three years
- build in accountability and transparency by dividing the social transfer into separate social transfer and post-secondary education funds and having a separate envelope for each social item within the CST
- attack poverty in Canada by increasing the Canada Child Tax Benefit, the GST credit, creating a national child care program, enhancing the EI program, creating affordable housing, increasing OAS and GIS benefits and providing significant funds to address the needs of Aboriginal communities.

"The AFB achieves all this while meeting the government's debt/GDP targets, without increasing overall revenues, and by providing a significant boost to the economy," concludes Russell. The AFB, coordi-

Paying down debt: a critical look

By CAROL GOAR

(Opinion from the Toronto Star, Feb 14, 2005)
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Carol Goar

Much as the number crunchers in the federal finance department would like to dismiss Ellen Russell as an irritating left-wing flake, there is a problem. She's a very good forecaster. Her projections of Ottawa's surplus have consistently been closer to the mark than theirs.

The senior research economist at the Canadian Centre for Policy Alternatives has just published a new study that is sure to aggravate them. It is entitled: What Should We Do with the Federal Budget Surplus?

In it, she argues that paying down the federal debt, as Finance Minister Ralph Goodale is poised to do in next week's budget, is not a prudent use of public funds.

Russell relies on the government's own figures to make her case, as she has always done. That shields her from accusations of financial jiggery-pokery.

She notes that Goodale set a goal, in his last budget, of reducing the size of Ottawa's debt, relative to the size of the Canadian economy, to 25 per cent within a decade. It now stands at 41.1 per cent.

Russell then shows, using the finance department's latest fiscal update, that Canada will reach Goodale's goal by 2015 without paying out a cent. Assuming a modest rate of economic growth over the next 10 years, Ottawa $501-billion debt will shrink, as a proportion of the nation's income, to 25 per cent.

If the finance minister earmarks $3 billion a year for debt reduction, as the Liberals have done in their last seven budgets, Ottawa will reach Goodale's 25-per-cent target by 2014 — one year earlier.

This, Russell says, seems like a poor payback for a multi-billion-dollar outlay.

Next, she examines the finance minister's argument that paying down the debt produces substantial interest savings. This freed-up money can be invested in health care, the environment and other priorities.

Finance officials have never quantified the savings so Russell asked for an estimate. She was told that every dollar devoted to debt repayment cuts Ottawa's interest charges by 5.5 cents.

She then compares this 5.5 per cent rate of return with the benefits of two competing options.

According to a 2003 study done for the Ontario government, the rate of return per dollar invested in higher education is 7-to-10 per cent.

According to 1998 study done by two University of Toronto economists, every dollar invested in public child care produces $2-worth of benefits for children, their parents and society.

"When the government trumpets the savings produced by debt repayment, without taking into account the opportunity costs of paying down the debt, it provides a misleading rationale." Russell says.

Third, she looks at Goodale's contention that debt repayment is a responsible course of action for a nation with an aging population.

Russell acknowledges that the impending retirement of the baby-boom generation will place a burden on Canada's health and social services and eat into tax revenues.

But citing figures from Bank of Canada Governor David Dodge, she submits that the impact won't be as great as doomsayers anticipate. Canadians have $1 trillion socked away in tax-sheltered retirement savings. Once they start withdrawing that money, they'll have to pay taxes on it. That will offset a fair portion of their health care and old age security costs.

Moreover, she points out, the coming wave of retirees is going to need medical facilities, accessible housing and trained health-care providers.

"Once the demographic bulge is upon us, it will be too late to establish infrastructure, personnel and programs," Russell says. "Money used for debt repayment would be better spent in enhancing our capacity to meet these future needs."

Finally, she dissects the thesis that Canadians owe it to their children to pay down the debt.

Since 1997, Russell points out, Ottawa has poured $61.4 billion into debt reduction while kids have missed out on early education, universities have deteriorated, cities have become run down, poverty has deepened and smog has worsened.

"Using budget surpluses to repay debt is a highly dubious gesture of intergenerational fairness if today's children are neglected in order to lighten the load of future taxpayers," she contends.

Canada now has the lowest debt burden among the world's leading industrial nations. Using the federal surplus to reduce it further might make Goodale look like a fiscal virtuoso. But Russell offers strong evidence that it doesn't give taxpayers the best bang for their bucks.

Federal "alternative" budget

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nated by the CCPA, incorporates the priorities of a wide range of prominent organizations representing millions of Canadians.
The Alternative Federal Budget 2005: It's Time is available from the CCPA website at www.policyalternatives.ca

Heads UP

OPSEU Local 420
Academic Employees at
Loyalist College

Loyalist College
Room 2N13
Mail to:
P.O. Box 4200
Belleville, ON
K8N 5B9

Phone: 613-969-8989
Fax: 613-969-8989
Email: HeadsUp@opseu420.org

Vacancies not posted

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not they intend to fill the vacancy.

- If the decision is to not fill the vacancy, call a meeting of the Union/College Committee to explain why.

The expectation of the union local when we agreed to this settlement was that we would be apprised, in a timely fashion, of upcoming vacancies and of the college's intentions to post or not to post.

If the college does not intend post a vacancy, the union local is entitled to the college's rationale and consequently becomes better able to determine whether there is a breach of the obligation to post and whether a challenge is in order.

In the current instance, when the School of Business first became aware of the impending vacancy, a decision was made not to post it. Neither that decision nor their rationale was shared with the union local.

Consequently, a union grievance was filed in January, claiming a breach of the earlier settlement and demanding that the college post the vacancy and solicit applications from qualified internal candidates. The college refused to comply and the matter has now been referred to arbitration.

Insisting on the posting of vacancies is of material interest to current partial-load employees and to employees who have been laid-off at this or any other college because they have rights to access vacancies as posted.

We fully expect whoever arbitrates this dispute to declare the college in breach of the agreement. Such a ruling will open the door to us to register the award with the courts and put us in a position to charge individual managers with contempt of court if they do not comply with the agreement in the future.

Tsunami aftermath

What unions are doing

LabourStart/CALM

A website you might find interesting.

With more than 175,000 confirmed dead and millions more facing homelessness and disease, the trade union movement mobilized resources and continues to dig deep for tsunami relief.

LabourStart has created a web page with coverage of the international trade union response

Www.labourstart.org/tsunami

Visit it today

Local 420 on line

Local 420 has hired Kingston Online Services to host our website. The new site will accept up to 4.8GB of traffic annually. Consequently, you should never again get the message that the website is unavailable due to exceeding traffic limits.

Our new address is

www.opseu420.org

At our site you can find:

- Upcoming meeting dates and locations
- Copies of previous editions of Heads Up
- The names and contact information for all officials of the union local.
- Useful information about SWF's
- Links to:
  - ⇒ A PDF copy of the current collective agreement
  - ⇒ The Johnson Insurance deal for Local 420
  - ⇒ The Handbook for our benefit package
  - ⇒ OPSEU's web site

In conjunction with the website, we now have our own email service. Each steward has a unique email address for union correspondence. The address uses the steward's first name and the website name. For instance, our Local President's union mailbox is "Bernie@opseu420.org"

When you need to correspond with a member of the union local executive, we urge you to use your home email service and to address the mail to his/her union mailbox. Avoid using college email as it is recorded and retained on the college computer system; it is not private!