



CUPE Local 391 Bargaining Report

August 28, 2007

Recent media reports and newspaper ads from the City of Vancouver have painted a misleading and inaccurate picture of what is actually happening in bargaining between CUPE Local 391 and the Vancouver Public Library. Your bargaining committee wanted to set the story straight.

This comprehensive report deals with everything that is currently on the bargaining table – what’s agreed and what’s in dispute. It is based on the Library’s Offer for Settlement from August 15 and the Union’s Offer for Settlement from August 17. Keep in mind that not all of these issues will be in the final settlement.

Term

The Union and the Library have agreed to a 5 year agreement, expiring on December 31, 2011. This is the same term agreed to in 12 settlements in the region.

Wage Increase

The Union has proposed the same wage increase as agreed in the 12 settlements in the region: 3% January 1, 2007; 3% January 1, 2008; 3.5% January 1, 2009; 4% January 1, 2010; and 4% January 1, 2011.

Contrary to what the Library is saying in the media, they did not propose the regional wage settlement. They have proposed the same increases for 2007 and 2009; 2% January 1, 2008; 1% September 1, 2008; 4% April 1, 2010; and 4% April 1, 2011.

Part-Time and Auxiliary Issues

49% of our members are Part-Time or Auxiliary Employees. The Union has a number of proposals to make improvements for almost half of our membership. We are proposing:

- to change the definition of Part-Time Employee to include all regularly scheduled hours worked on Sundays as part of regular hours (meaning more members would be eligible for benefits);
- that all Part-Time and Auxiliary hours would be offered to qualified employees by seniority;
- reducing the threshold for benefit entitlement for Part-Time Employees from 20 to 16 hours a week;

- that Part-Time Employees would have the option of receiving paid vacations and public holidays or receiving the current 10% in lieu;
- that Part-Time Employees would participate in the Vancouver Employees Savings Plan;
- that Part-Time and Auxiliary Employees would be paid time and one-half for all hours worked on public holidays.

The Library has not agreed to any of these proposals.

The Library has agreed to the Union proposals that Part-Time Employees who are eligible for sick leave would have access to the family illness and gratuity plan, but only if the Union agrees to the Library's proposal to delete the clause in the contract that allows employees who are out of sick leave to borrow future sick leave credits. The Union is opposing this.

Job Security

The Union has proposed that no Regular or Part-Time Employees will be laid off or have their hours reduced due to contracting out, technological change, or reorganization of work. In addition, any employees displaced would receive retraining. The Library opposes this.

Personnel File

The Union and Library have generally agreed to include a clause in the contract about what material can be placed in employee's files and that negative material will be removed after 4 years. The Library insists that this is linked to the Union's agreement to their proposal regarding filling vacancies (see "Other Library Proposals"). The Union disagrees with this. We also disagree about when the 4 year period would begin. The Union says it should be retroactive (i.e. 4 years from the incident) and the Library says it would start upon ratification (i.e. 4 years from the date of ratification).

Shift Differential

The Union has proposed increasing the shift differential to \$0.85 and that it apply to all employees who work shifts (including Librarians, and Part-Time and Auxiliary Employees). The Library has agreed to increase the premium, but not to expand the application to all employees. Note that 3 settlements in the region increased the premium to \$1.00 and 2 increased it to \$0.85.

First Aid Premium

The Union and the Library agreed to increase the Level 2 first aid premium from \$85 to \$125 a month, and Level 3 from \$100 to \$145.

Vacations

The Union and the Library agreed that new employees would get a pro-rated 15 days in their first calendar year (up from 10).

Deferred Vacation

The Library proposed that only employees with more than 20 or more days vacation (employees with 16 or more years of service and Librarians) could defer vacation. Currently employees with 8 or more years of service and Librarians can defer. The Union made a counter proposal that employees with 8 or more years could defer 10 days and employees with 16 or more years could defer 20 days.

Benefits

The Union proposed the following benefit improvements:

- Practitioners: Increase maximum amounts per calendar year to:
 - Chiropractor and naturopath combined from \$500 to \$750
 - Physiotherapist and massage practitioner combined from \$800 to \$1000
 - Psychologist, social worker and clinical counsellor combined from \$600 to \$1000
- Include coverage for orthotics to cover up to a maximum of \$500 per year.
- Increase vision care coverage to a maximum of \$500 per two years.
- Include laser surgery coverage of \$500 per eye per person.
- Increase coverage for eye exams to \$100 per year.
- Amend the Dental Plan by including composite fillings for all teeth in Plan A.
- The Library will provide medical, extended health, and dental benefits to retirees with more than 10 years of service for 3 months.

The Union told the Library we were “flexible” with our benefit proposal.

The Library’s position is there will be no benefit improvements.

Compassionate Leave

The Union and the Library agreed to remove the discretion the Library had in deciding whether to grant a leave. Now the Library will grant all requests for compassionate leave.

Daily Guarantee

The Union and the Library agreed that Part-Time and Auxiliary Employees can be scheduled up to 6 times a year for staff meetings or training and they will be subject to a minimum 2 hour daily guarantee.

Olympics

The Union proposed that the Library send a letter to the Union guaranteeing no employees would lose pay due to any Olympic related events.

The Library proposed that Partnership Agreement negotiated between CUPE Local 15 and the City of Vancouver would apply to the Library. At this date, there is no agreement between CUPE 15 and the City.

Joint Committees

The Union and the Library agreed to establish 4 joint committees to review various subjects. They are:

- Layoff, Recall and Technological Change
- Ergonomics
- Job Sharing Letter of Understanding
- Classification Appeal Process

There is minor disagreement on reporting back dates for 2 of the committees.

Pay Equity and Job Evaluation

As these are key issues, we're including the exact proposals:

"Effective January 1, 2007, the Employer and the Union agree to increase the rate of pay for all professional Librarian classifications by one (1) pay grade."

This is what CUPE Local 389 and the North Vancouver City Library agree to on August 16, except that the increases are effective January 1, 2008.

"Internal Equity Committee

The Board and the Union agree to establish a Joint Committee to oversee a review of all library classifications in comparison to City of Vancouver classifications. The review will be done using the existing job evaluation procedures and the intent of the parties is to start on the review as soon as possible following ratification of the Memorandum of Agreement and to have the review completed prior to 2007 December 31. Any adjustments to class values will be implemented beginning on 2008 January 01 provided that the implementation cost shall be limited to the equivalent of no more than two percent (2%) of the Library straight-time payroll for the year 2007, and one percent (1%) per year as required on 2009 January 01, 2010 January 01 and 2011 January 01."

"Job Evaluation Plan

Effective the date of ratification of the Memorandum of Agreement, the Employer and the Union agree to add the following new provision:

The Employer and the Union agree to establish a Joint Committee to review the new job evaluation plan being developed jointly by the City of Coquitlam and CUPE Local 386 to determine if the new plan is acceptable to the Employer and the Union.

In the event the Joint Committee is not able to agree to the terms of a new job evaluation plan, the matter shall be referred to a mutually agreed single arbitrator who shall determine what the new plan shall be.

When the new job evaluation plan is implemented, the implementation cost shall be limited to the equivalent of no more than 1% of the Library straight-time payroll per year."

This is what CUPE Local 23 and the Burnaby Public Library agreed to on July 30, with one exception. We have added the paragraph about arbitration.

The Library has proposed the following:

"Special Wage Adjustments and Committee

Effective the date of ratification of the Memorandum of Agreement, the Employer and the Union agree to establish a Joint Committee comprised of three (3) representatives from the bargaining unit and three (3) representatives from the Employer. The initial purpose of the Committee shall be to identify and prioritize issues related to recruitment, retention and internal wage relativities.

Thereafter, the Committee's purpose shall be to reach mutual agreement on the rate adjustments to individual classes listed in Schedule "A" of the Collective Agreement. The work of the Committee shall commence one (1) month following the date of ratification and shall be concluded no later than 2008 June 30, at which time the Committee shall be disbanded. Adjustments mutually agreed upon by 2008 June 30, shall be implemented with retroactive effect to 2007 December 31. There shall be no grievances or appeals arising from allocations so made.

The funds available to the Committee shall be negotiated by the parties as part of the final settlement of the 2007 negotiations and shall be over and above the general increases specified in Item 3 above."

The Union advised the Library that their proposal was unacceptable. There are several problems with it: there's no dispute resolution mechanism, it requires mutual agreement for any adjustment (what if there isn't mutual agreement?), we don't know how much money will be available, and, most importantly, it only looks at "internal wage relativities" not pay equity. We probably have internal wage relativity because we don't have pay equity.

We told the Library that we didn't expect to achieve pay equity in one round of bargaining. What we expect is a significant step toward pay equity. The Union's proposal is a significant step and the Library's proposal is not.

Other Library Proposals

The Library still has a number of other demands for concessions to our contract.

The Library wants to exclude 20 positions from the bargaining unit (turning them into management positions). The Union said we were not going to consider any exclusions as long as the Library had such a long shopping list.

The Library wants to open on Sundays adjacent to public holidays. The Union has said we'd consider this if we got a positive response to pay equity.

The Library wants to change the way they fill vacancies. They want to advertise externally at the same time they post internally and want to be able to hire externally, bypassing qualified internal applicants. The library has linked this to their proposal regarding personnel files. The Union is strongly opposed to this.

The Library wants to change the way they deal with temporary vacancies. They gave the Union 2 options. The first was to allow the Library not to post temporary vacancies if they were less than 1 year. The other option would require the Library to continue to post temporary vacancies longer than 6 months, but allow them not to post any back fill opportunities. The Union is strongly opposed to both options.

The Library wants the Union to increase the amount we reimburse the Library for benefits when officials are doing Union business from 35% to 45%. The Union is strongly opposed to this.

The Library put the Union on notice that it intends to create a new classification called "Shelver" at a rate of pay below the current LA 1 rate sometime during the term of the new contract. Their intention is to replace some vacant LA 1 positions with Shelvers. While the Union can't stop the Library doing this, we advised that we reserve our right to challenge the value attached to the Shelver classification when it is created.

Conclusion

As stated at the beginning, there have been many misleading and inaccurate reports in the media. This is an attempt to provide you a clear picture of the status of bargaining. If you have any questions, please ask a member of your bargaining committee.