



CUPE LOCAL 391 BARGAINS 2006

BARGAINING FACTS SHEET #1:

BARGAINING 101

1. What is bargaining?

Bargaining is the process of negotiating a collective agreement between the Union and the Employer. Bargaining can take place at different times and take place at different levels of intensity. It can vary from negotiating over a minor issue to negotiating significant changes the collective agreement.

Employees are represented by a group of employees and a representative from CUPE National that forms the bargaining team for the Union. Management also has a group to represent the Employer at the negotiations. At VPL, a Chief Negotiator from the GVRD usually leads the Employer's group.

2. What is a collective agreement?

A Collective Agreement is an agreement in writing between an employer and a union. It contains provisions on the conditions of employment and the rights or duties of the employer, and the union and its members.

3. How does the Bargaining Committee determine what to bring to the bargaining table?

The Bargaining Committee uses several methods to decide which proposals to take to the bargaining table. The bargaining team gathers input from General Membership meetings, Stewards' meetings, member surveys, grievances, consultations with Union committees, and research.

The Bargaining Committee also reviews past proposals from previous rounds of bargaining and consults with other CUPE locals in the region to identify ongoing or common issues. If stronger language on certain issues can be found in another local's collective agreement or proposals, the Union may decide to adopt this language or proposal for their upcoming negotiations.

4. How long of a process is it? What are the steps?

The Bargaining Committee is determined to come to a fair agreement as quickly as possible. Discussing all the issues takes a bit of time, and it is very hard to predict exactly how long bargaining will take. Sometimes proposals can change at the table with lightning speed, while other times it can seem to take forever. In general, these are the steps that are usually are taken during a round of bargaining:

Step 1: The Bargaining Committee is appointed and they begin to gather input from various sources.

Step 2: The Bargaining Committee identifies which issues will be addressed in the upcoming round of bargaining, and then presents a set of general bargaining issues for adoption to the members at a General Membership Meeting for ratification.

Step 3: Once the issues are ratified, the Bargaining Committee notifies the Employer that we are ready to begin bargaining and the team sits down with our CUPE National Representative to finalize the proposals for Collective Bargaining.

Step 4: Union and the Employer meet for the first time. The parties agree upon the bargaining process for this particular round and, finally, proposals from both sides will be exchanged and explained. Our first meeting with the Employer this round is on December 18, 2006.

Step 5: Negotiations continue at several subsequent meetings and exchanges of proposals with the Employer until a tentative agreement is reached.

Step 6: Upon reaching a final agreement, the Union bring the tentative agreement to the membership for approval at another ratification meeting. The details of the tentative agreement are only released at this meeting. Similarly, Management also has their own ratification process.

Step 7: Once both sides have ratified the tentative agreement, the changes are incorporated into the collective agreement.

If bargaining reaches an impasse, the Bargaining Committee or the Employer can apply to go to mediation to help resolve outstanding proposals. If mediation is unsuccessful, the Union can take a strike vote and/or the Employer may decide to lock its employees out.

It is important to remember that the Bargaining Committee will only ask to go to mediation or ask for a strike vote if there are no other options.

5. What kind of power does the union have in bargaining? What can we reasonably expect?

The Bargaining Committee is an autonomous committee whose purpose and mandate is to represent the members of CUPE Local 391 at the bargaining table and negotiate a fair collective agreement. The Bargaining Committee ensures that members are informed of developments at the bargaining table, and has the right to call emergency meetings to discuss bargaining updates and ratification and/or strike votes.

Members can expect that the Bargaining Committee to do everything they can to protect the interests of all CUPE Local 391 members while negotiating the best possible deal with the Employer.

6. Once Bargaining proposals are exchanged between the union and management, how does the bargaining committee decide what to keep on the table, what to drop?

There are many reasons for why a particular proposal may be kept or dropped during the bargaining process. The Bargaining Committee works very hard to keep all issues on the table, however sometimes certain issues may be set aside so that a tentative agreement can be reached. Issues that are strongly supported by the membership, or that the Bargaining Committee feels has a good chance to be included in the final agreement, are usually kept on the table.

If the employer refuses to address proposals strongly supported by the members and bargaining reaches an impasse, the Bargaining Committee may decide to go to mediation or ask the membership for a strike vote.

If a tentative agreement is made, the Bargaining team will bring the tentative agreement to the membership for ratification. If the membership feels that the deal is unsatisfactory or that specific proposals are missing from the final agreement, members have the right to vote against the tentative agreement and direct the Bargaining Committee to return to the bargaining table.

7. How much can the general membership be told while the bargaining committee is in the process of bargaining with management?

During bargaining, there will be continuous updates to keep the members informed on the ongoing negotiations process. For the most up to date information, please visit www.cupe391.ca

8. How much can the members be told after bargaining is completed and we are ready to ratify?

Once a tentative agreement has been made, a full disclosure will be made at the ratification meeting.