

## 2015 CUPE Manitoba Convention Highlights

CUPE Manitoba welcomed over 100 delegates and guests to its annual convention held on April 8 – 11 in Dauphin.

“We are proud to host this year’s convention in Dauphin,” said Kelly Moist who was re-elected as President of CUPE Manitoba.

“Dauphin has a rich history of progressive movements, from the ground breaking guaranteed wage project, to our union activists today.”

Keynote speakers included Premier Greg Selinger, Member of Parliament Pat Martin, and Mayor of Dauphin, Eric Irwin.

“We’ve seen all across Canada the role CUPE plays in fighting for equality and justice,” said Premier Selinger. “The role of the labour movement in advocating for safe workplaces is fundamental.”

Delegates also heard from CUPE National President Paul Moist, CUPE National Secretary-Treasurer Charles Fleury, CUPE Saskatchewan President Tom Graham and Carolyn Unsworth, 1st Vice-President of the Hospital Employees’ Union in B.C.

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*Todd Halldorson, Public Works Unit (top left) and Cameron Patrick, Water and Waste Unit, (bottom left) speak to a resolution at CUPE Manitoba Convention.*

### Convention Decisions

Setting the direction and work of CUPE Manitoba for the year ahead, delegates debated and passed resolutions including a re-commitment to pushing for a national inquiry on missing and murdered Aboriginal women and girls. Other resolutions included continuing our fight against contracting out and privatization, P3 initiatives and vacancy management.

Delegates also spoke on the importance of political action, emphasizing the need for more member involvement in the upcoming federal and provincial elections.

In other highlights, Phil Dembicki, Community Services Unit and Local 500 Treasurer, was re-elected to the position of CUPE Manitoba Secretary-Treasurer.

CUPE Manitoba was also proud to honour Mike Davidson of Local 500 with the prestigious Jack Rodie award in recognition of his long-standing commitment to the labour movement.

*Source/photos: cupe.mb.ca*



*Former Local 500 member Jack Rodie (left) presents Mike Davidson with activism award at the 2015 CUPE Manitoba Convention.*



## From the President Mike Davidson

*"We know that building a better city is possible through well-funded and adequately resourced public services."*

Since our last edition of the Communicator, the Local has seen a lot of activity on a number of fronts.

### *City of Winnipeg Operating Budget:*

On March 23, City Council adopted its 2015 operating budget. Highlights of the budget include over \$17 million in vacancy management and a \$1 million dollar "innovation capital fund" allocated to the Alternate Service Delivery (ASD) Committee.

The budget also included the elimination of the Park Patrol and Park Ambassadors Program in the Public Works Department.

The Local made presentations in opposition to the budget, and provided a number of recommendations including:

- An immediate end to the vacancy management program;
- That the Park Patrol and Park Ambassadors Program be retained by using the funds allocated to the ASD Committee;
- That City Administration and Council work with Local 500 to look at options for contracting-in of previously outsourced work, such as snow clearing, to ensure accountable and quality public service delivery;
- Eliminate further reductions to the business tax.

We also urged City Council to review CUPE's *Building Better Communities* funding toolkit. We know that building a better city is possible through well-funded and adequately resourced public services.

Copies of the Local's presentations are available from our website or the Local 500 office.

### *Bargaining*

Bargaining with the City of Winnipeg concluded on May 11 with a two-year agreement that provides for a 2% wage increase each year, some benefit enhancements and job security. At the time of writing, the agreement is still awaiting ratification by City Council.

In other areas of our Local, Assiniboine Park Conservancy has ratified a four-year agreement, while our members at Kirkfield-Westwood Community Centre, have agreed to a three-year deal. Both agreements contain yearly wage increases of between 1.5 and 2 per cent.

We are currently in bargaining with the RM of East St. Paul, St. Boniface Museum and Varsity View Community Centre.

In addition to the above, we are also dealing with the day-to-day labour relations issues, WCB appeals and grievance arbitrations. Thank you to our stewards, unit executives and staff for their hard work in representing our members.

In closing, I wish you a safe and enjoyable summer!

In solidarity,

Mike Davidson  
President

## "CUPE Members Can" food drive a huge success!



*Local 500 President Mike Davidson presents donation cheque to Winnipeg Harvest.*

**On June 2, Local 500 held its second ever "CUPE Members Can" Food Drive in support of Winnipeg Harvest. In total, the Local was able to supply over 1,800 pounds of food.**

**"I am very proud of our members who donated food and cash to help those in our community who are struggling with hunger," said Local 500 President, Mike Davidson.**

**Winnipeg Harvest distributes food to more than 60,000 people every month. Over 27,000 are children.**

## Local 500 Table Officers

### *President*

Mike Davidson

### *1<sup>st</sup> Vice President*

Gord Delbridge

### *2<sup>nd</sup> Vice President*

Barb Verschoore

### *Treasurer*

Phil Dembicki

### *Secretary*

Rebecca Scott

### *Warden*

Walter Gretschan



## Arbitrator rules parts of City's Attendance Management Program, violates collective agreement.

Local 500 has won a significant victory in protecting the rights of sick and injured workers under the City of Winnipeg's Attendance Management Program (AMP).

### *Background*

The AMP was developed unilaterally by the City and is not part of the Collective Agreement. Further, CUPE has never agreed to the provisions of the AMP, nor to any of the changes that the City has imposed.

While CUPE did not challenge the City's right to implement a program to monitor and manage the attendance of employees, two grievances were filed by the union on April 11, 2011 and December 12, 2012. It is the union's contention that the AMP is inconsistent with the collective agreement, is unreasonable and is not clear.

Through the grievance procedure, the union took this matter to arbitration.

### *Arbitration*

At the arbitration hearing, CUPE provided evidence that there is widespread confusion among employees involved in the AMP, and argued four main points:

1. That WCB absences should not be included as part of the absenteeism data.
2. That culpable absences (i.e. being absent from the workplace without reasonable justification) should be dealt with only outside of the AMP.
3. That the types of absences which are stipulated in the Leaders Guide as not being included in the 'absenteeism rate' for the purposes of the AMP, should not be included in the employee's Yearly Accumulated Attendance Record (YAAR).
4. That it is unreasonable to insist that certain employees produce a note or certificate from a doctor, explaining an absence dated from the first day of the absence. And that the practice of recording an absence as "unexcused" when a doctor's note is not produced, has a disciplinary consequence which is a breach of the collective agreement.

### *Award*

In the award, released on April 9, 2015, Arbitrator Blair Graham allowed the grievance in part on points 3 and 4. His decision was as follows on the union's four points:

1. He suggests the union should meet with the City in an attempt to persuade them not to include WCB absences for the purposes of AMP. If these discussions are not successful, he comments that the union should deal with it by way of individual grievances, should an employee feel unjustly treated as a result of the city's reliance on a WCB absence.
2. He finds that culpable absences are distinguished from non-culpable and therefore does not order anything in this regard.
3. He declares that the use of any information with respect to attendance and absences for the purposes of the AMP, which information is of the type which is not to be included in the "absenteeism data" (as defined in the Leaders Guide), is improper and inconsistent with the AMP itself, and therefore cannot be used. He also directs the City to stop using YAARS records at Attendance Review or Attendance Management meetings. The City has complied and is no longer doing this.
4. He declares that the two provisions of the AMP relating to medical certificates and proof of illness cannot be applied. Specifically, the requirement of a medical certificate to be dated the first day of an absence, and the requirement for employees to produce medical notes for every absence occurring within a specified six month period (or longer).

This is a win for the Local and will help ensure our members are treated fairly and consistently. If you feel you have been unjustly treated with respect to the AMP, contact your shop steward or national staff representative.

### **Full Arbitration Award Available from Local 500**

If you would like to receive a copy of the full award, please contact the Local 500 office at 204-942-1001 or by email at [union@cupe500.mb.ca](mailto:union@cupe500.mb.ca).

# Canlan Members Honoured for Long Service



Three Local 500 members working at Canlan Ice Sports were honoured in recognition of their long service and commitment to the facility. (L-R): Jamie Fisher - 37 years; Judy Flack - 30 years; Donald Swanson - 35 years. Congratulations to all three members!

## Schedule of Unit Meetings

**Note:** All unit meetings except Riverview Health Centre are held at the Union Centre, 275 Broadway.

### **Civic Services Unit**

**Fourth Monday** of the month (except July and August), 5:30 pm

### **Community Services Unit**

**Fourth Monday** of the month (except July), 5:30 pm (Executive only) 6:00 pm (Members)

### **Public Works Unit**

**Third Wednesday** of the month, 7:00 pm

### **Riverview Health Centre Unit**

**Third Tuesday** of the month (except July & August) 4:00 pm, Day Hospital - Classroom "E"

### **Water & Waste Unit**

**Fourth Monday** of the month (except July and August), 6:00 pm

**Local 500 well represented at the 2015 CUPE Manitoba Provincial Health Care Council (PHCC) Conference held on May 12 & 13, 2015**



(From left) Limson Mestito, Val Sobiak, and Jenna Vandurme, RHC; Local 500 President Mike Davidson, Mylene Holmes, WRHA, Gord Delbridge, 1<sup>st</sup> Vice-President, Local 500 and Eileen Perillo, WRHA.

**2015 Scholarship and Bursaries for Local 500 members and their families.**

**APPLY TODAY!**



## **Application deadline is Tuesday, June 30, 2015**

**THE LOCAL 500 LES BUTTERWORTH SCHOLARSHIP FUND** is inviting applications for its scholarship and bursary awards. This year the fund is offering **one scholarship of \$1,250 and three bursaries of \$750 each.**

The scholarship and bursary fund is open to members in good standing of the Canadian Union of Public Employees, Local 500 and their families. Family is defined as: spouse, children, grandchildren, brother, sister, son-in-law and daughter-in-law. Also eligible are families of disabled, retired or deceased members who were members in good standing at the time of their disability, retirement or death.

**Note:** Previous award winners are not eligible, but **previous applicants can re-apply.**

For more information or to request an application form, please contact the Local 500 office at 204-942-1001 or go to the Local 500 website at [cupe500.mb.ca](http://cupe500.mb.ca).

**4 CALL US: 204 942 1001 VISIT OUR WEBSITE: WWW.CUPE500.MB.CA**