



Quick Update for November 1st, 2022

Just wanted to get some info out to everyone about the legislation being introduced to intimidate, demoralize and trample on our members and our collective bargaining rights.

Bill 28 introduced by Minister Lecce – aka Captain Skinny Jeans is a train wreck and disaster, just like his own time as Education Minister. For those that enjoy politics and reading legislation for yourself you can find a link to the document here - https://www.ola.org/sites/default/files/node-files/bill/document/pdf/2022/2022-10/b028_e.pdf

This legislation is wrong on every level possible. There isn't one piece of this legislation that makes sense. It strips collective bargaining rights, undermines both human and employment standard rights and screws us over big time when it comes to wages, job security and even our local collective agreement with the HWDSB. **These are just a few reasons why we need to oppose and defy this legislation and not return to work until it is repealed and done away with.**

To be 100% clear with everyone – WE ARE WITHDRAWING OUR SERVICES ON FRIDAY TO PROTEST THIS LEGISLATION AND WILL CONTINUE TO WITHDRAW THEM UNTIL WE REACH A NEGOTIATED SETTLEMENT WITH THE CROWN AND CTA. ALL CUPE 4153 MEMBERS ARE EXPECTED TO BE ON A PROTEST LINE STARTING FRIDAY AND KEEP PROTESTING UNTIL FURTHER NOTICE FROM OSBCU OR OUR LOCAL.

IF YOU ARE NOT ON A PICKET LINE FOR 4 HOURS ON FRIDAY, YOU WILL NOT RECEIVE STRIKE PAY FOR THE DAY.

YOU DO NOT REPORT TO WORK BEFORE OR AFTER YOUR PICKETING SHIFT. YOU DO NOT WORK ANY WEEKEND SCHEDULED OVERTIME. YOU DO NOT RETURN TO THE WORKPLACE UNTIL FURTHER NOTICE.

OSBCU Documents – Last night after a late night virtual meeting with OSBCU leadership, Fred Hahn – CUPE Ontario President as well as CUPE National President Mark Hancock and Secretary Treasurer Candace Rennick, the following documents were supplied to pass along to members to help with understanding this legislation further and to address concerns coming from members already. I will attach the documents along with this update for you to read through. These documents lay out in plain language what the offer by the government means for you – and it's all pretty much a steaming pile of shit from start to finish. The legislation does relatively NOTHING to address the concerns, needs and wants of education workers, students and families in public education across Ontario.

Fines – the legislation gives the government the ability to issue fines for unions & individuals. The fine for the trade union is \$500,000 per day. This would be issued to CUPE National, not our own Local. Individuals can be fined \$4,000 per day. This is where being strategic and smart on our part is important. Keeping our picket lines full with as many people as possible provides safety in numbers. How can an inspector or anyone else determine who on a picket line is a CUPE member, parent or supporter? We will have all kinds of people and groups supporting us in person. If any of our members are issued fines the direction we have received is that the fine is NOT to be paid by any member and the fine passed along to our CUPE National Rep to be paid on their behalf. Members of your Executive or organizers are much more likely to be targeted than anyone else.

Disciplines & Terminations – In complete honesty, I can't say with 100% certainty that the HWDSB will not take action against any of our members for not being in the workplace. I can say with certainty that IF that were to happen, grievances on behalf of members would be filed immediately by our CUPE National Rep and as part of any final and binding collective agreement that we negotiate, all disciplines and terminations associated with the withdrawal of services would be wiped clean as if they didn't exist in the first place.

I can't relay to you the amount of support from our co-workers unions, the Hamilton & District Labor Council, labor groups and individual unions across the city have pledged because this legislation is on the start of what this government wants to do across the province. If they are willing to choose the 'nuclear option' like this with our contracts for 55,000 workers in one swipe – all other organized labor is at risk of being trampled on as well and having collective agreements forced on them. Parent groups are speaking up and taking action. We will likely have many parents joining us with their kids on Friday – many parents have been posting online that even though the HWDSB plans to stay open on Friday, they will keep their kids home in support of our fight. The cracks are starting to show under the media camera lights and if you had a chance to see Skinny Jeans Stephen yesterday, you saw it too. Reporters interrupting him and his lies as he skirted around questions about OSBCU members needing to use food banks. Conservative MPP's are voicing opposition to the legislation knowing that it will cost them votes and support in their ridings.

One of my favorite singers penned these words many years ago and I think they're especially truthful today and I'll leave you with them...."Big-time negotiators, false healers and woman haters Masters of the bluff and masters of the proposition, But the enemy I see wears a cloak of decency...."

This government presents themselves as being decent and doing things for the people. Well, like Bob Dylan said – there's a slow train coming up around the bend....and I think that train is gonna be purple and steam right through Queen's Park.

Cheers,

Blake

What the Legislation Means for You

Today, the Ontario government introduced Bill 28, which if passed would enact the *Keeping Students in Class Act, 2022*. It is one of the most backwards and regressive pieces of legislation used to attack Canadian workers' rights in the past several decades.

Summary

- The legislation would impose new collective agreement terms on all bargaining units.
- It would prohibit central and local strikes and lockouts until 2026.
- It would nullify any tentative or ratified local agreements already reached since August 31, 2022; local bargaining, if this legislation goes through, it done.
- It deploys Section 33 of the Canadian Charter of Rights and Freedoms, the “notwithstanding clause” to overrule potential court challenges.
- It sets out penalties, including fines for participating in job action, including up to \$500,000 per day for trade unions and up to \$4,000 per day for individuals.

Central Impact

- All members' wages will fall further behind inflation over the life of the agreement.
 - Employees in positions where the top grid rate is less than \$25.95 for hourly employees – or a \$43,000 annualized full-time equivalency salary – receive 2.5% per year.
 - All other employees receive 1.5% per year.
- The benefit plan will see increases of 1% per year, plus 4% at the end of the collective agreement.
 - This is their attempt to insulate against criticism that they are limiting benefits.
 - Importantly, these funding increases would leave the plan well short of the needed funds to prevent future cuts.
- Major concessions to sick leave and disability plan.
 - Employees would need to apply to receive the 120 short-term disability at 90%. Short-term disability would only be payable where an employee was absent for 5 consecutive working days or more.
 - Employees who use up their 11 sick days at 100% but are not approved or do not apply for short-term disability, would receive just 5 additional paid days at 50%. Those 5 days would be deducted from their short-term disability entitlement.
- Deteriorating job security with the elimination of the “no trade-offs” clause that prevents employers from cutting disproportionately from a given classification.
 - Protections would expire in August 30, 2026, allowing boards to cut jobs at that time.

Local Impact

- With the elimination of local bargaining for the current round, local terms will be rolled over from previous collective agreements.