

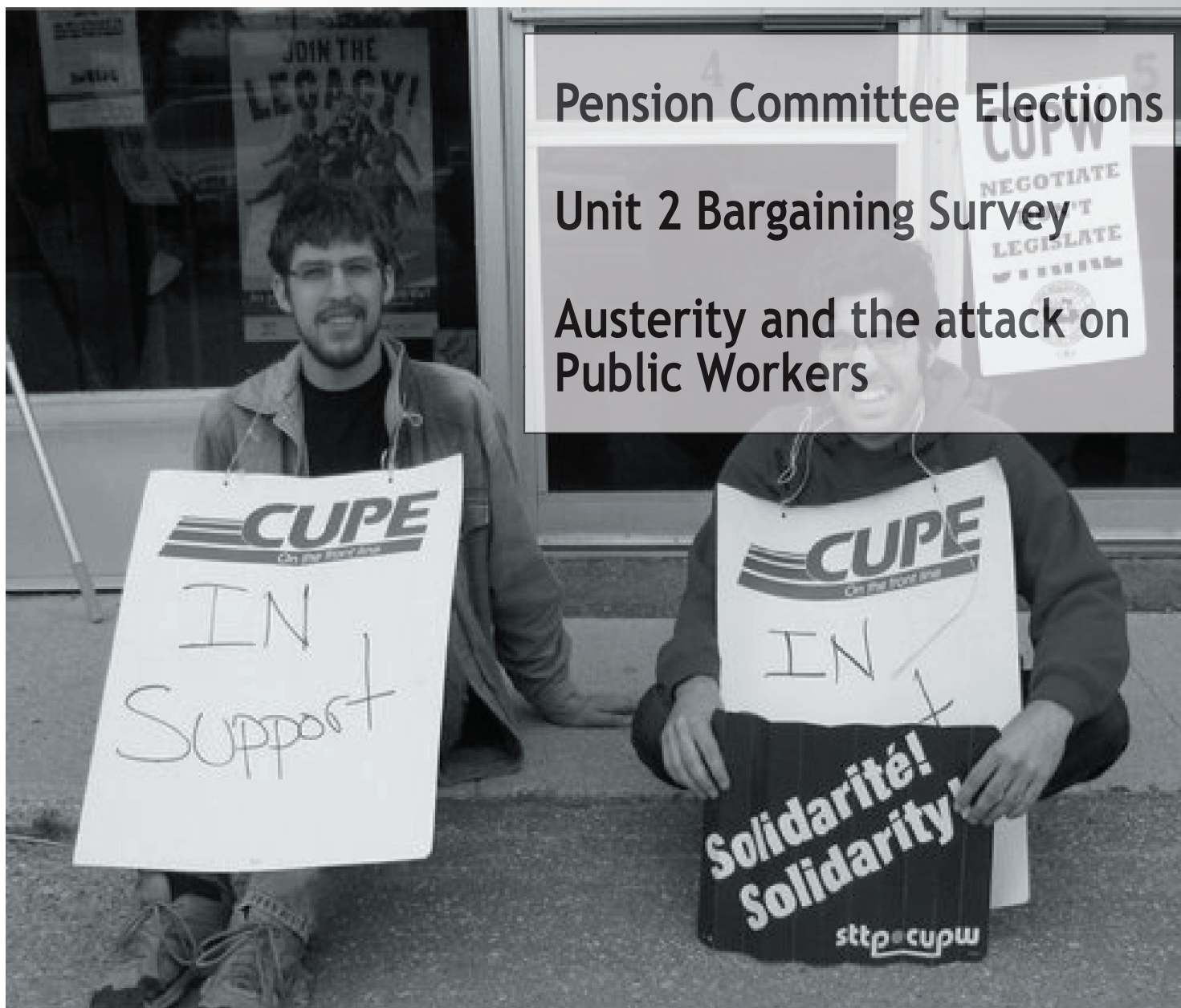
The Spark!

July/Aug 2011



Official Newsletter of CUPE Local3909

Proudly Representing Teaching Assistants, Grader-Markers, Tutors, Librarians, Lab Demonstrators, Seminar Leaders, Student and Sessional Instructors at the University of Manitoba



Pension Committee Elections

Unit 2 Bargaining Survey

Austerity and the attack on
Public Workers

The Spark!



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Welcome

Welcome to all new members of CUPE 3909. This Union Local exists to provide a collective voice during negotiations for the collective agreements that govern your employment and to protect and enforce those collective agreements during the period of your employment. We invite you to call or visit the office if you are seeking information relating to the Local's operations and/or your workplace and membership issues. There are two general membership meetings per year and all our members are encouraged to attend. Our newsletter is designed to keep our members informed of information of interest to CUPE 3909 specifically and the labour movement in general. The Spark is published ten times per year and is sent to you via the listserve or through interdepartmental mail.

Unions are, by nature, participatory and respond to members' demands. For this reason, it is important that you communicate all of your questions, concerns and issues to the office or to the executive. Most importantly, please read your contract and the Collective Agreement for your bargaining group (Unit 1 if you are a Teaching Assistant, Grader/Marker, Tutor, Lab Demonstrator, Seminar Leader, or Student Lecturer; Unit 2 if you are a Sessional Instructor, Sessional/Part Time Librarian, Counsellor, or Music Teacher). If there are points that you do not understand or if you find that during the course of your employment the agreement is violated, please contact the office or email your VP. The Local will help you determine how to proceed.

We Can Help!

- Advice on issues of concern to you as a university employee
- Information and support when you think your rights have been violated
- Investigation and Initiation of formal complaints (grievances) against U of M on your behalf
- Assistance with Employment Insurance Claims
- Referrals to additional sources of help when you have any problem
- Answers to questions about your rights and duties
- Union officers to represent you or accompany you when disagreements arise
- Support for visa students facing bureaucratic hang-ups
- Guidance in dealing with student complaints
- Tips on handling differences with your professor / employment supervisor.

Unit 2 Update

Membership Survey is Out

As mentioned in last month's *Spark*, the Unit 2 bargaining committee has prepared a survey that will enable us to better know our membership and their priorities in collective bargaining. This survey has now been mailed to all Unit 2 members. It can be completed in paper format and mailed to us or completed online. We are asking all Unit 2 members to take a few minutes of their time to fill out the survey as this is a very important tool for the bargaining committee for two reasons. First, we can better represent our members at the bargaining table if we have a fuller understanding of their situation and concerns. Second, receiving a larger number of survey responses demonstrates that we have an active and engaged membership and gives us more power at the bargaining table. In all likelihood this will be a very difficult round of collective bargaining. The University has, in its recent dealings with other unions and with our Unit 1, shown a commitment to enforcing provincially mandated wage freezes and an unwillingness to make any concessions unless threatened by strike vote. While we fully intend to fight for a deal that is fair for our members, we can only do so if we know our membership is informed, united and willing to take the actions necessary to achieve justice within the workplace. This begins by filling out the survey and includes attending bargaining meetings, participating in votes and volunteering to help in whatever capacity may be required. Specific information on how you can help will become available as bargaining proceeds.

Read the *Spark* and check your university email for bargaining updates.

If you have not received a survey and are a Unit 2 member please contact our office

Local News In Brief

Orientation Packages - This fall, CUPE 3909 will provide all members, both old and new with an orientation package. This package will include information on your rights as a worker, the benefits you are entitled to receive and information on your union. The orientation package should arrive in September. The University also issues an orientation package to sessionals that can be found here: http://intranet.umanitoba.ca/academic_support/uts/media/resource_files/Sessional_Jul2011.pdf

Unit 2 Serves Notice - Unit 2 has officially served notice to bargain to the University. We are hoping to begin bargaining as soon as the data from membership surveys is in

REPRESENTATION ON THE PENSION COMMITTEE

Late in April of this year, the University sent out a call for nominations to add an active member to the new Pension Committee which will administer the University of Manitoba Pension Plan (1993). On May 10, with only three nominees, the ballots were mailed out and on June 3, 2011, Guy Beaudry, Financial and Budget Officer for the Clayton H. Riddell Faculty of Environment, Earth and Resources, was elected to represent active members of the Pension Plan. Prior to Mr. Beaudry's election, representatives from CUPE 3909, AESES, CAW, and UMFA met to discuss the situation and it was determined that we should combine our efforts and call for the University to conduct new a nominations and elections process. The manner in which the nominations, and therefore the elections, were conducted was very problematic, but that is not our only concern.

Regulations for the new Pension Committee require that where "a majority of active members are represented by *a union* as defined by the *Labour Relations Act*, the plan or the supporting documents must permit *the union* to appoint a person as a pension committee member" [emphasis added]. The majority of active members of the Pension are unionized but because none of the 7 union groups represents more than 50% of the members, the University is able to allow for just one elected member of the committee whether Union or not.

A further problem that affected CUPE 3909 members, more acutely than any other Union, is the method used by the University to communicate this information to the Pension

contributors. If you are an active, contributing member and you do not recall receiving the nomination forms, election ballots, or the announcement of the new representative it is because all of this important communication was sent to your UM internal mail address on or after April 18. While most Winter Term appointments continue until the end of the month of April, it is not unusual for CUPE 3909 members to be required to return office keys shortly after the last class and few of us have any reason or motivation to make regular checks of our mailboxes. To make matters worse, the initial call for nominations was attached to the back of an announcement regarding the acclamation of the non-active representative to the committee, making it easy for the call for nominations, if received, to be overlooked. In fact, a simple investigation into the matter revealed that not all of the intended recipients of the nomination forms were included in the University's mailout. To date, the University has responded to the concerns raised by CUPE 3909, AESES, CAW, and UMFA, and in August or September there will be a new nominations process and election for an active member representative to the Pension Committee. The Unions have agreed to endorse Cam Morrill, UMFA president, who will provide a labour-minded perspective at the table. The Unions have also determined to pursue the matter of getting a spot for each of the bargaining agents on the Pension Committee with the University and with the Superintendent of Pensions with the Government of Manitoba if necessary. The Unions will argue that in

REPRESENTATION ON THE PENSION COMMITTEE

the past, a Trustees Committee allowed for representatives from all unions to participate in governance of the Pension, the Staff Benefits Committee explicitly provides for representatives from all unions and also that individual unions have representation on other University Pension Committees.

To answer the more practical concerns about the flawed process, the University has suggested that they will be more diligent in educating members about the Pension in the Bulletin and in eMemos. While we appreciate these efforts as useful for full-time, year-round employees, CUPE members do not retain access to their UM email accounts during inactive terms and are less likely to receive internal mail in a timely manner. Therefore, we will also continue to lobby the University to send all Pension material to home addresses, as is done for non-active members. We will also do our best to keep you informed via the newsletter, emails, and the CUPE 3909 website. **In whatever format you receive the nomination/ballot information, please remember that your Union (together with UMFA, CAW, and AESES) is endorsing Cam Morrill in order to have a member on that committee who will take into account the concerns of the majority: Unionized employees who contribute to the Pension.**



**We Want YOU -
To write for the Spark!**

Submit Content to sec.cupe3909@gmail.com
or suggest ideas for a story

Loss of email After Contract Expires

If you would like to continue receiving emails sent to your UM account while you are not actively employed, it is possible for your departments to sponsor your account until you are re-employed. Also, you may forward your UM email account mail to another service.

Contributing to Pension

CUPE 3909 has approximately 115 active members contributing to the pension. If you have not signed up, you must contact the Staff Benefits Office 474-7428 or email at SB-PENSION-ADMIN@ms.umanitoba.ca to request a pension application.

Simon Fraser Student Society Locks out CUPE 3338

Courtesy of CUPE.ca

BURNABY— CUPE local 3338 at Simon Fraser University has been in negotiations for two years to arrive at a fair settlement for the 15 full-time and 5 term/student CUPE staff that support SFU students within the Simon Fraser Student Society.

In what can only be interpreted as an ideological move against the union, the Simon Fraser Student Society Board of Directors, led by new president Jeff McCann, broke off mediation and then served their staff with a 72 hour lockout notice. Local 3338 members that work for the Simon Fraser Student Society were locked out on Sunday, July 10.

CUPE staff who work for the Simon Fraser Student Society spend their days providing services that help students succeed in their studies and on campus. The staff members run vital programs that support and promote a safe and inclusive campus for the entire SFU community. These services include running the SFSS Women's Centre that provides much-needed peer support and crisis referrals. Staff members at the SFSS also oversee Out on Campus and the delivery of programs and services for SFU's lesbian, gay, bisexual, and transgendered students and their allies.

From the SFSS website: "The permanent staff of the SFSS are professionals who have specialized skills related to organizing, non-profit administration, finance and accounting, peer support, graphic design, project management and much more. Several of them have worked for student unions for more than 10 years, some more than 30." For SFU students, this lockout puts events, space, and funding in jeopardy for the campus' many clubs and student unions.

Since the lockout began on July 10, the Simon Fraser Student Society (SFSS) Board of Directors has been busy trying to encourage students to cross pickets lines, do union work and sell off the "saved wages" as free booze and pancakes. CUPE members need to mobilize and tell these student politicians to end their ideological lockout.

Here's how you can help:

- * Like the Facebook page at www.facebook.com/SFUlockout to share messages of support and solidarity with the SFSS staff.

- * Join the conversation on Twitter. Follow www.Twitter.com/CUPESfu for news and important updates.

- * Send a letter to SFU's Peak newspaper at opinions@the-peak.ca.

- * Email the SFSS Board of Directors and copy cupe@sfu.ca. Tell them to end the lockout and get back to the bargaining table.

Editor's note: While this sort of behavior by any student union would be disturbing, it is particularly disappointing to find it occurring at SFU which during the 1960s was dubbed the "Berkeley of the North" and was considered by many the Canadian leader for progressive student activism. Simon Fraser students in the sixties staged protests and sit-ins to, among other issues, gain more access to education for people of colour and working class Canadians. We hope that the current students of SFU who are active in student government will be reminded of the debt they owe to their predecessors and the respect they had for workers.

TAKING IT TO THEIR DOOR

CUPW Members and Supporters Occupy MP's Office to Protest interference in Collective Bargaining Process

Members in Winnipeg joined activists in Edmonton and Vancouver and took our message to the Conservative MP's this week - YOU SUCK!

Members here in Winnipeg occupied the constituency office of Shelly Glover, MP for Saint Boniface and parliamentary secretary for the minister of finance starting at noon on Monday. They were joined by a jubilant group of outside protesters that stayed with them for the duration of the occupation. We also enjoyed the support of members from the Canadian Union of Public Employees, community activists and Copwatch.

occupation ended at 1:30 in the morning on Tuesday when the police moved in and asked that we leave. Everyone in our Union can be proud of these members that conducted themselves very respectfully of the constituency staff. The Winnipeg Police service remarked that they were impressed with our conduct and observed that there was no damage to any property.



Glover was not quite as impressed however. She has now closed her constituency office for the duration of our struggle and blames it on “the disruptive actions of the postal workers”. Perhaps not the brightest thing to say when we know that you will be returning to Winnipeg soon and will be hosting various community events. We may have to visit her often to thank her personally for the draconian legislation that she supported to kill free

From “The Worker’s Struggle with the Modern Post” Blog, a blog run by Winnipeg CUPW activists



(photo credits: Brian Latour)

collective bargaining.

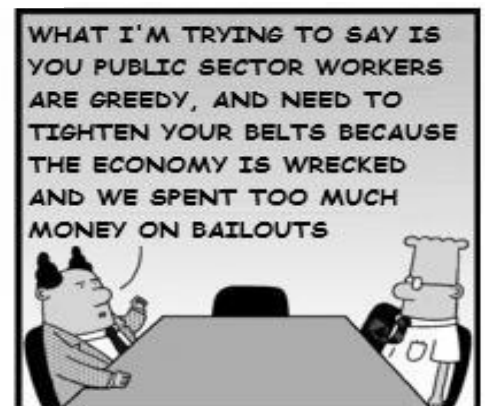
Following the Glover event, other Conservative MP's in the city have closed their offices as well or have limited their office to appointments only. One has to question why you feel a need to hide from postal workers if you believe that what you did was the right thing to do.

We won't forget you!

Members from CUPE locals 3909 and 500 came out to support the postal workers in their sit-in. Glover's office was occupied for over 13 hours, and a couple days later, postal workers protested at the office of MP Steven Fletcher.

Unfortunately, the Harper government passed nasty back to work legislation, which included wage provisions lower than Canada Post's previous offer, and putting many key issues to arbitration. This has a chilling effect on public sector collective bargaining rights, as well as the living standards of young workers who are feeling the effects of two-tier contracts.

Dilbert Detoured By Q. P. Worker



The Attack on Unions has Now Come to Canada

How do we respond?

By Errol Black and Jim Silver Canadian Centre for Policy Alternatives Manitoba Office

Anyone who has been keeping tabs on recent developments in what can accurately be called the assault on trade unions and working people in the U.S., Britain, Ireland, and much of continental Europe, knew that it would eventually come to Canada. Well, it's now here, in Ontario, in the form of Bill 150, which would strip unionized Toronto transit workers of their right to strike, and erode their ability to bargain effectively with their employer.

Bill 150 has significant implications not only for transit workers and the labour movement in Ontario, but also for workers and labour movements everywhere in Canada.

However, before we address this issue, it is important to take stock of recent developments in the U.S., so we can better understand how things could develop here if we do not act energetically and intelligently to turn the tide.

The American Assault On Labour

At the beginning of this year business media, including *The Economist* and *Time Magazine*, were pointing to, and even encouraging, a coming confrontation between the state and public sector unions in the U.S. and elsewhere. Their argument was simple: public sector workers are privileged, living high off the hog on taxpayers' money; while governments are confronted with deficits and growing debts. The solution was obvious: transform public sector workers into supplicants by stripping them of their organizational and collective bargaining rights.

We have since seen a succession of state governments launch legislative agendas to achieve this outcome. Wisconsin led the way. Similar initiatives are now underway in Colorado, Indiana, Iowa, Michigan, New Mexico, Ohio, Oklahoma and Tennessee. Amnesty International reports, in *Human Rights Now*, March 17, 2011, that: "As well as restricting collective bargaining

rights, union activists say that legislators in 37 states have introduced hundreds of anti-union bills. Some affect negotiation of health care benefits, restrict freedom of association, place caps on the minimum wage and deprive workers of the right to strike."

There is no mystery about what's happening in the U.S. This attack on unions is yet another spike in a relentless campaign by business interests and right-wing politicians to eliminate unions and erode workers' rights. This campaign started immediately following the passage of the 1935 National Labor Relations Act (the Wagner Act), which established rule of law in the work place, and the right of workers to join unions and bargain collectively with their employers to establish wages and working conditions. It was led by big and small (through the Chamber of Commerce) business. It has been relentless ever since, and is now a central part of what has been a 40 year effort to shift income, wealth and power from working people and the poor, to the richest 10 percent of income earners.

The success of this campaign is evident in the contrasting union densities in the U.S. and Canada. In 1955, before wide-spread unionization in the public sectors, union density was about 34 percent in both countries; today it is 31.2 percent in Canada, but has plummeted to 13.7 percent in the U.S. The attack on trade unions in the U.S. has been successful, and is now being accelerated.

The labour movement in Wisconsin has responded to the draconian actions of Governor Scott Walker by launching a campaign to block the legislation through mass mobilization of union members, and demonstrations in the streets in the state capital, Madison. While this counter campaign failed to achieve its immediate objective, it has succeeded beyond everyone's wildest expectations in alerting workers throughout the U.S. that right-wing governments backed by business interests are intent on obliterating the many social and economic achievements of organized labour---won, it

The Attack on Unions Has Now Come to Canada (Continued)

is important to remember, at the cost of thousands of deaths and injuries to union activists over the 19th and 20th centuries. Because of these union-led struggles, life has been made better in countless ways for the majority of Americans. The assault on trade unions aims to smash those gains, and to do so, to smash the trade union movement that made such gains possible.

Now Bill 150 is in the Ontario Legislature, symbolizing the arrival in Canada of this latest and potentially most vicious attack on the collective rights of Canadians.

The Implications of Bill 150 In Ontario

Toronto's new Mayor, Rob Ford, has promised to bring public sector unions and workers to heel. He has demanded that the Ontario government eliminate Toronto transit workers' right to strike. The Liberal government of Dalton McGuinty has complied, dropping its pretence of neutrality in industrial relations by adding Bill 150 to its legislative agenda.

Gord Wilson, former President of the Ontario Federation of Labour, issued a warning ("The Right to Strike in Ontario: Time to Get Serious") to the labour movement that this was the beginning of an assault that would snowball: more legislation aimed at undermining labour; escalating demands from employers for concessions and/or union-busting initiatives.

Wilson's warning to trade union leaders and members in Ontario is also a warning to labour movements in other provinces, including Manitoba: take action now, or face what American and now Ontario workers are facing.

What Can Labour Do In Manitoba?

Manitoba Labour went through a milder but still damaging version of this experience in the 1990s when Gary Filmon's Conservative government weakened employment standards legislation, changed the structure of collective bargaining in the public school

system, and amended the Labour Relations Act to, amongst other things, replace a card-based system of certification with a vote-based system and impose limits on the right-to-strike in essential services.

Some of the regressive changes have been partially rolled back by the NDP government elected in 1999. For example, automatic certification now follows a 65 percent sign-up. Also, some new initiatives have been implemented, including: regular increases in the minimum wage; improvements in employment standards; reform of the Construction Industry Wages Act after a decade of neglect; the inclusion of paid workers in agriculture under Employment Standards legislation; and improvements to Workplace Health and Safety and Workers' Compensation.

Manitoba labour has a storied history, having fought tenaciously and effectively, both before and since the famous 1919 Winnipeg and Brandon General Strikes, to secure the right of workers to unionize, to bargain collectively, and to be legally protected from arbitrary measures by management.

As a result of the determined efforts of trade unions and their members---our parents and grandparents; our aunts and uncles and sisters and brothers---trade union members now enjoy better wages, benefits and working conditions, and are protected by the rule of law in workplaces through grievance and arbitration procedures, and have the democratic right to participate in union activities.

What is less well known, even by many union members, is that it is the labour movement, often in collaboration with other progressive organizations, provides the main push for government legislation and programs that benefit all of us. The old union slogan, "What we wish for ourselves, we wish for everyone," symbolizes the central role that organized labour has always played in building better communities and making possible better lives.

The list of such achievements is impressive: child

The Attack on Unions Has Now Come to Canada (Continued)

labour laws, Workers' Compensation, Workplace Health and Safety legislation, minimum wage and employment standards legislation, government pension plans (the Old Age Pension, the Canada Pension Plan,) Medicare, Home Care, and community development programs for municipalities. All of these programs enhance the lives of the vast majority of Canadians by improving conditions in workplaces and communities; and all of these programs provide benefits that are accessible to all of us, irrespective of our socio-economic status. In this way, trade unions have played an essential role in building a Canada that has been more egalitarian than it would have been in their absence. And the evidence is now overwhelming and irrefutable that a more egalitarian society is a healthier society---in every way.

Yet in the past 30 years the neoliberal Right, in Canada and throughout the western world, has been successful in systematically rolling back these gains, and promoting an ever more polarized society, characterized by the flat-lining or worsening of the incomes of 90 percent of Canadians, and the transfer of ever-growing amounts of wealth to the top 10 percent of income earners.

Now the perpetrators of this great injustice want to secure their ill-gotten gains by eroding the rights of trade unions. Why? Because unions have the capacity, if they mobilize their members and work with others who are being disadvantaged by neoliberalism, to halt this regressive trend and put us back on the road to the kind of Canada that all but the wealthiest of us want.

As a Director of Americans for Prosperity, a group backed by the wealthy and extremist Koch brothers, said: "We fight these battles on taxes and regulation, but really what we would like to see is to take the unions out at the knees so they don't have the resources to fight these battles". They know that unions have the capacity to "fight these battles"---battles that are in fact about democracy--- against the greed-inspired initiatives of the wealthy. As Andy Kroll recently wrote, in a piece titled "Return to Wisconsin: The Beginning or the End?": "if

union clout fades away, so too does the spirit of democracy in this country".

This struggle has now come to Canada. Unions and their members in Manitoba and elsewhere in Canada must take heed. It is very likely not an exaggeration to say that the outcome of this struggle---the effort by the Right and their allies to "take unions out at the knees"---will be a major factor in defining the character of 21st century Canada.

It is important, therefore, that we remember two things, and act accordingly. First, trade unions and their members have played an indispensable role in years gone by in securing many of the things that have made Canada a good place to live for most of us. Second, trade unions have been able to do this only when they have mobilized their members and fought hard and intelligently for democratic rights. These rights and related benefits have never been handed to Canadians by the generosity of the wealthy. On the contrary, the wealthy have always opposed the extension of these kinds of union-driven democratic rights, because such rights place limits on what corporations can do in pursuit of ever-greater profits.

Now, after 40 years of neoliberal policies that have produced a massive shift of wealth and power away from working people and into the hands of the corporate few---a shift well-documented by the Canadian Centre for Policy Alternatives---those driving the neoliberal agenda are coming after the unions in a particularly aggressive fashion, in order to secure and expand their gains.

For trade unions, there is no more business as usual. Now is the time to mobilize members and enter a struggle, undertaken, as all great union struggles in the past have been, in the spirit and vision of democracy, freedom, social justice, and economic equality.