

President's Report

First, I want to thank my fellow executive members for their effective, passionate, and diligent service to the membership this past year. I honestly could not imagine a greater group of comrades to share the struggle with, and I am completely confident that under their continued leadership the capacity of our local to fight for the rights of student and sessional academic labour at the University of Manitoba will continue to grow stronger. That said this will be my final report to the membership as President of the local.

1. February 13 Rally for Action

On February 13th, six campus unions (CUPE 3909, UMSU, UMFA, CAW, AESES, and CUPE 1482) held an information picket at the Administration Building to voice concerns over actions by the administration supporting corporatization, privatization, contracting-out, diminished collegial governance, and increased workload. Over 500 students and workers attended the event, listening to a series of speakers delivering their grievances to the central administration.

The rally was followed up a few weeks later at a President's Town Hall, where hundreds of people attending wearing pink anti-bullying shirts to highlight the ongoing struggle of U of M caretaking staff. Since the management of caretaking was outsourced to Aramark, CAW has complained that its members have been the subject of abuse and harassment in the workplace.

2. Canadian Federation of Students-Manitoba

Our unit 3, the staff of CFS-MB, recently concluded its negotiations with their employer. The result was significant improvements to both wages and benefits.

3. GSA health & dental plan referendum

In March the membership of the GSA overwhelmingly voted against changing health plan providers. We had serious concerns with the proposed new plan and expressed those concerns to the membership of 3909.

4. Manitoba Federation of Labour PSE Review

The MFL has been undergoing a review of the Federation's PSE policy. I have been representing CUPE on the committee. The committee has met four times, and will be meeting again in May. I will continue to report back to the local on the progress of the policy review.

5. CUPE Post-Secondary Task Force

I continue to represent Manitoba on this national committee, and will continue to do so for the foreseeable future. I will continue to report back to 3909 with the developments of the committee. At the moment our key concern is to create a CUPE PSE position paper to be adopted at the 2013 National convention. I hope that 3909 sends delegates to the national meeting to support the committee and get the position paper passed.

6. Bill C-377 and the War on Organized Labour

As I have previously reported the Harper Conservatives have passed legislation which would require all labour organizations, including our local, to publicly disclose a large amount private information. The Privacy Commissioner publicly advised the government not to pass the legislation as proposed due to the incredible privacy violations that would result. The Canadian Bar Association warned that the legislation was unconstitutional. The Harper Conservatives chose to ignore all expert advice and pass the legislation anyways. Fortunately, Bill C-377 has not yet made its way through the Senate. Many in the Senate, including many of the old “red Tories” from before Harper and the Liberal Senate leadership, have taken strong public positions against the bill. It is not yet known whether the legislation will make its way through the Senate before the House shuts down for the term. If it does get passed by the Senate the result will be years of litigation, costing both unions and the government large amounts of money. This is just part of the ongoing war on organized labour we are currently facing in Canada – from Harper’s imposition of collective agreements on Air Canada and Canada Post workers, to the Ontario Liberals shredding of collective bargaining rights for public employees.

The second stage of this war on Labour will be an attack on the rights of unions to collect union dues (i.e. the Rand Formula). The Ontario PC Party is publicly talking about making union dues optional if they are elected, just as the Saskatchewan Party has contemplated doing in Saskatchewan. Backbenchers in the Harper government have also been raising the issue, threatening to bring forward a private members bill on the issue. In the United States the advancement of optional union dues (sometimes known as “right to work”) has resulted in the near complete desolation of the American labour movement. This needs to be resisted at every turn.

Vice President Unit 1

This past year has been an eventful one for CUPE 3909. I have served as VP Unit 1 for two years, and prior to that I served for a few months as recording secretary. This is my report on activity for the past year.

Grievances

After a lengthy process, we managed to settle the outstanding grievance regarding pay equity for summer session instructors. In December, all Unit 1 summer session instructors who taught in summer 2011 received a settlement of over \$500/course. This amounted to over \$47,000 in our members’ pockets.

Another grievance which was recently settled was over the removal of a member’s teaching positions in violation of the collective agreement. The member in question received a sizeable cash settlement and continuance for the course on an ongoing basis.

We have also resolved some grievances over hours and rate of pay in favour of our members, gaining some small settlements for the members in question. We have also received some inquiries about issues such as continuance and job security periods, which, upon further investigation, turned out to not be valid grievances according to the collective agreement.

Two grievance case files are currently open, one dealing with harassment and the other dealing with reprisals for union activity. I am taking these very seriously, and hoping they can be resolved favourably and amicably.

Health Plan Referendum

In February, we were made aware of a proposal by the GSA to change health plan providers. The proposed change would have resulted in an increase in premiums of 64%, and very few increases in benefits. As many CUPE 3909 Unit 1 members are GSA members and rely on the joint UMSU/GSA health plan, the local sent out an information packet to our Unit 1 members outlining the

proposed changes. The info packet was well-received by members, and the proposal to change health plan providers was defeated at referendum.

Bargaining

The Unit 1 collective agreement expires in 2014, so the new executive will have to make preparations for bargaining. Some key issues which should be addressed in bargaining will be the need for stronger anti-harassment language in the collective agreement, and protections against reprisals and harassment for union activity outside of the employer-employee relationship. Wages may also be challenging, as the provincial NDP government has recently reneged on their funding promises to the universities, and the university may try to take it out on its unionized staff.

Conventions

As one of my final actions as a member of the CUPE 3909 executive, I will attend the CUPE-Manitoba convention. We have two resolutions going forward, one to support Bill 18, the provincial anti-bullying legislation, and another to support the BDS campaign for Palestinian human rights.

Last summer, myself and Matt attended the Manitoba Federation of Labour convention on behalf of CUPE 3909. We had sent in resolutions on tuition fees, support for the Quebec students strike, and support for the Boycott, Divestment and Sanctions campaign for Palestinian human rights (the latter in conjunction with the Canadian Union of Postal Workers). It was an incredibly frustrating experience, as we found most of our resolutions being blocked. The MFL is currently working on a review of their policies on post-secondary education and tuition fees. Matt is on the committee examining the matter.

Also last summer, myself, Matt and Shannon attended the CUPE Manitoba convention. We were successful at getting resolutions passed in support of eliminating tuition fees and international student differential fees. This turned out to be very helpful in getting support within CUPE for our issues with the MFL.

Other Social Justice Issues

In the past year, myself and other members of the executive have raised the CUPE flag and represented the local in support of a variety of social justice issues, including at the Pride parade, in support of striking CP train operators (Teamsters), and at the International Women's Day march.

In addition, the local helped support a fundraiser at Gio's for the Quebec student strike, and I spoke at a public event on student movements in Manitoba and Quebec last summer.

Currently, the executive is working on two open letters. One is to the provincial government in opposition to their reneging on post-secondary education funding promises. The other is directed at UMSU in protest of their banning of the student group Students Against Israeli Apartheid (SAIA), which is an attack on the basic political rights of our Unit 1 members who are also UMSU members.

Final Thoughts

I regret not being able to attend what will be my last CUPE 3909 members meeting. It has been a lot of hard work, but it was rewarding, especially getting settlements for our members and working with a great team. Even when we had disagreements, we were able to work things out and move forwards. I'd like to thank my comrades on the executive – Matt McLean, Karen Naylor, Ana Vialard, Shannon Price, and George Buri – for all their support and teamwork over the past two years, and wish them and the local well in their future endeavours. I can't think of a better team, and was honoured to be a part of it.

In solidarity,
Brian Latour
Vice-President (Unit 1), CUPE 3909 (outgoing)

Vice President Unit 2

It is the responsibility of the Vice-President Unit 2 to handle contract negotiations for this bargaining unit as well as any grievances or issues that concern Unit 2 sessionals.

1. Collective Agreement Negotiations

Negotiations with the University for the new Unit 2 Collective Agreement are continuing. The Union has spent a great deal of time during these negotiations dealing with non-monetary items, as these are the issues that plague our members on a daily basis. This set of bargaining has been unusual, as the University has had fairly open and candid discussions on some of these issues. Despite victories in negotiations in the past the Union has had difficulty policing and enforcing the agreement due to lack of clarity and information. We are hoping to end up with a transparent agreement that will address this problem.

The Union was recently informed that Terry Voss, Associate VP (Human Resources) is leaving the university this month. We are not sure how this will impact our bargaining as he was heading up the management team. We are hoping that we get back to the table shortly and do not have to wait for a replacement.

2. Staff Benefits Committee

As part of collective bargaining the Unit 2 Bargaining Committee raised issues concerning the eligibility of our members for decent benefits. The Staff Benefits and Pension plans are designed and administered by a committee comprised of management, unionized staff and non-unionized staff. In order to bring about changes to the plan it is necessary to get this committee to agree to the changes. This committee had not met in a year. However, finally there was a meeting on April 4, 2013. I attended on behalf of CUPE 3909 and a motion was passed to form a sub-committee to look at the plan design from the perspective of part time, seasonal and sessional workers. This sub-committee will meet shortly and hopefully as a group we can put forward a compelling case to re-design the eligibility requirements of the plan to provide proper benefits to more of our Unit 2 members.

3. Grievances and Other issues

We have addressed a number of concerns and issues over the past year such as members being improperly dropped from benefits, improper posting concerns and harassment issues. The latter has probably been the main and most challenging problem we have faced this year. We were able to successfully resolve a major case of harassment in favour of one of our members who received a significant settlement in the case.

The Union currently has two active harassment complaints that were received from Unit 2 members in two different faculties. We are in the process of filing formal charges with the University for these members under the U of M's Respectful Work and Learning Environment Policy.

4. Arts Faculty Council

Much to our surprise, the Dean of Arts advised us that they are interpreting the bylaws of the Faculty Council to include CUPE 3909 sessional instructors as members of the council. Ana Vialard Hart and I attended our first meeting on April 11, 2013 wherein the council voted to change the terms of reference for the Equity, Diversity and Human Rights Committee to include a CUPE Sessional as a member. Strange but true!

5. Research and Investigation

The Unit 2 Bargaining Committee has been doing a lot of research and investigation into various aspects of working as a Sessional at the U of M. We are compiling information on Right of First Refusal (ROFR), how appointments are actually made, exceptions to postings, issues around hourly pay, hours of actual work as well as real and potential issues and problems in distance and blended education. This information is extremely important in taking a pre-emptive approach to the issues facing Sessional Instructors. We are also looking into the disconnect between Librarian job descriptions and their actual job duties. Thank you to the members who have provided us with information and brought issues to our attention.

Vice President Social Policy

My efforts are focused on creating identity and on creating awareness about our members' rights. This means educating members as well as others in the University community.

ORIENTATION/WELCOME/WELCOME BACK PACKAGES go out to all new and returning employees on their first appointment of every academic year. They contain information about the appointment, wages, benefits, the collective agreement, about the local and the national union as well as a membership card. For members who are paid hourly wages, we also include an hours tracking booklet. We are still working from information received at the end of the month of hire, but we should have a faster way of tracking hires after the Unit 2 negotiations are completed.

STATS FOR MAILOUTS FROM MAY 2012 - APRIL 2013

RANK	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	TOTAL
TA/GM	26	10	10		766	145	42	21	182	32	22	1256
repeat TA/GM	68	19	4						555	67	5	718
Lecturer/Instructor	4	2	1		55	3	3	2	22	5		97
repeat Lecturer/Instructor	8	7	5						42			62
Sessional Instructor	20	18	7		193	40	21	31	64	10	6	410
repeat Sessional Instructor	34	24	6									64
Librarian			2		6					1	1	10
Counsellor					1							1
TOTAL	160	80	35	0	1021	188	66	54	865	115	34	2618

COMMUNICATIONS: We've discovered that sending emails directly to our members is the most efficient way to communicate our campaigns. The second best method is to send posters directly to departments to post. We have an ongoing campaign on UMF. We will be launching a new website soon, probably mid May. It will be much more user friendly and useful.



UNIT 1 CAMPAIGNS: Increasing numbers of Unit 1 members are coming forward with issues which Brian has been solving with great success. We continue promoting vigilance of hours worked and the collective agreement in general (emails, posters to departments) as well as identity (ads on UMF). We have again taken out a one-page ad in the UMSU Daytimer which is directed at members as well as the general student population and discontinued ads in the Manitoban.

UNIT 2 CAMPAIGNS: We have been using a poster announcing the awards won by Sessionals to help demonstrate their important contribution; we'll be sending out a new poster very soon, this time concentrating on contributions, experience, qualifications and on the University's reliance on Sessionals.





SOLIDARITY: On February 13, six campus unions held a rally in support of public education (read: anti privatization, corporatization) that attracted approximately 500 participants and media attention. The president held a town hall shortly after and again, unions sent a strong message by supporting CAW raise concerns about Aramark's management of custodial services. The University has

repeatedly countered criticisms by citing the outstanding workplace survey conducted in June 2011, in which CUPE3909 members were the anomaly and did not indicate satisfaction, and the 2013 top employers of Manitoba award. The CCPA published an article about the rally and there will be a follow-up article focusing on CUPE 3909 members and our role on campus.



OTHER ACTIVITIES: I'm on the bargaining team negotiating the Unit 2 collective agreement; attending the Arts Strategic Plan Committee meetings along with George Buri; have recently attended Arts Faculty Council; and will soon begin attending meetings with a sub committee of the Staff Benefits Committee tasked with responding to the challenges faced by part time and seasonal/sessional staff. I'm also spending time doing research in support of negotiations (mentioned above); reviewing members' information reports generated by the university for errors; and will soon be working on the new web page.

Recording Secretary

My duties as secretary include taking minutes from each executive and general meeting, handling union correspondence and producing the "Spark", our local newsletter. The newsletter underwent a major change this year as we switched to an electronic format and discontinued the monthly paper version. This change not only is environmentally conscious, but provides the local with a number of advantages when it comes to timely dissemination of important information. First, the e-newsletter gets delivered directly to our members' inboxes, whereas the system of delivering hard copies via inter-campus mail often led to difficulties in getting the newsletter to members who do not have or did not frequently check campus mailboxes. Secondly, and most importantly, the electronic "mail chimp" format for the newsletter allows us greater flexibility in terms of delivery schedule. In the future, instead of saving up news items to present once a month, we can send out important pieces of information as they become available. For example, as the six unions on campus prepared for a rally against privatization in February we were able to produce a newsletter informing our members of the event and encouraging them to attend as soon as plans were finalized. Instead of a newsletter, per se, the local hopes to give a series of smaller, timely news updates to its members. Finally, the electronic newsletter allows us to present, not just plain text, but multimedia and hyperlinks to external websites, making the newsletter more interactive and user-friendly. As always we welcome any input / contributions from members. If you have something you would like to see in the newsletter let us know!

In addition to my regular duties as recording secretary, I have been sitting on the Unit 2 bargaining committee and have been acting as sessional representatives on the Arts Strategic Planning advisory council. This body has conducted a series of consultations with all stakeholder groups in arts in order to prepare a strategic plan that will guide the Faculty of Arts in the next five years. The consultations have allowed for sessional members to express their concerns with the current direction of the faculty and their hopes for the future and thus have been valuable in giving us a much needed voice in university governance. Participation on this council has brought to light some issues that are of serious concern for sessionals in Arts and beyond. In particular, sessionals have become aware that University policy is to reduce "reliance" upon sessionals labour in the future. We want to make sure that any changes in policy toward sessional labour result in opportunities for advancement for current sessionals. What has been very encouraging from the Strategic Planning council has been the commitment from Arts to continue to grant professional development funds for sessionals and to commit to providing access to resources to sessional instructors on the same terms as regular faculty.