

Shubhneet Ark

From: Shubhneet Ark
Sent: Wednesday, October 29, 2003 10:11 AM
To: Shubhneet Ark
Subject: PSEC September 2003 Update

-----Original Message-----

From: Annette Wall
Sent: Monday, September 15, 2003 12:23 PM
Subject: September Update

Hello All,

I am pleased to send you an update from PSEC-land. We will be sending these along to you from time to time, to give you an idea of progress on PSEC initiatives as well as updates from Government and the employer communities that may be of interest. This, and future updates, will be posted on the PSEC website at www.psec.gov.bc.ca If you have any questions and/or suggestions, please let us know, either through myself or Michael Lancaster.

(Also, if you want to advertise..... we have space!).

Annette



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PSEC Secretariat Has Moved

The new address for PSEC Secretariat is:
 Public Sector Employers' Council Secretariat
 2nd floor, 1215 Broad St.
 Victoria, BC, V8W 2A4

Mailing Address:
 PO Box 9400, Stn. Prov. Govt.
 Victoria, BC, V8W 9V1

Database Developments

Some employers and all employers associations will now be familiar, some very familiar with the PSEC Labour Relations Reporting System (LRRS). PSEC is now following up with individual organizations that have not yet completed their surveys. The LRRS data address:

- Total compensation costs;

- Descriptive benefit information;
- Labour relations data (i.e. unions, expiry dates, agreement costing); and,
- Demographics

Data is gathered on the basis of reporting groups developed in consultation with sector stakeholders. Generally these are separated into union bargaining units and exempt/excluded. The data will be used for a broad range of functions including strategic mandate and labour relations policy development.

After the data submissions are complete and verified, employers associations will be provided on-line access to the database and will be able to generate standard reports and examine data from other sectors. A protocol for reporting and accessing data will be finalized in consultation with employers associations. Employers Associations presently have access to their sectors data. PSEC will also seek feedback from sectors on the first round of surveys in order to improve surveying in the future. Feel free to contact Rhonda Smith or Scott McCannell with any questions.

Current Bargaining

Unionized workers at ICBC have set a strike deadline

4600 workers at ICBC, represented by the Office and Professional Employees International Union have set a strike deadline of the end of October. OPEIU workers earlier voted 84% in favour of job action. The major proposals from ICBC are no general wage increase, conversion of the existing goal sharing program into a performance based pay plan, removal of the 9 day fortnight and a reduction of the number of designated days off. No new talks are scheduled.

BCGEU and the BC Public Service Agency have entered discussions to extend their current agreement by 2 years.

The BCGEU and the BC Public Service Agency have begun talks to extend their existing agreement an additional 2 years. BCGEU have publicly stated that they will be looking for more job security in contract talks. The BC Public Service Agency will be bargaining within the existing mandate of no general wage increases. Bargaining will be approximately 2 weeks and if no agreement is reached it will be back to bargaining as usual at the end of March when our contract expires on March 31, 2004.

CSSEA Issue Notice to Bargain

The Community Social Service Employers Association have issue formal notice to commence bargaining. The first

bargaining sessions will occur September 15 and 16 and will be conducted under the new Community Services Labour Relations Act. The new structure will have a single association of unions, a single employers' bargaining agent and three bargaining units reflecting the broad service areas of community living, aboriginal services and general services. The existing contract expired March 31, 2003.

BC Rail Negotiations.

BC Rail and Council of 7 Unions collective agreement expired Dec 31/02. The last contract offer was made in April. The parties are apart on money and job security. The Council is pursuing two unfair labour practice complaints at the Labour Relations Board (privatization disclosure and workforce adjustment). In late August the union received 61% strike vote based on 35% participation. However the union set aside the vote because the participation rate was low. The parties are hoping to explore further talks in early September

Colleges Support Staff

14 support staff collective agreements expired in 2002, and another 2 expire in 2003. In the last round a voluntary common table agreement was reached with 11 colleges. This round employers have opted for local bargaining.

K-12 Education Support Staff

The support staff common agreement (44 School Districts with 46 agreements) expired June 30, 2003. An additional 19 other school district support staff agreements have also expired. A Bargaining Mandate under development and each school district will bargain their own agreement within a common mandate structure.

Recent Settlements in Other Jurisdictions

Vancouver City Police Received a Significant Pay Increase

Vancouver's 1,200 police officers will receive a 13.3-per-cent pay hike under a new four-year contract reached through binding arbitration. Constables -- who currently earn \$61,392 to \$70,608 a year in base pay before overtime, depending on years of service -- will make \$69,557 to \$79,999 at the end of the agreement. A sergeant's salary will jump to \$90,427 from \$79,812. Negotiations between the Vancouver police union and the city were successfully concluded but arbitrator Stan Lanyon determined wage rates. He made his ruling July 28. The four-year agreement, which is retroactive to Jan. 1, expires at the end of 2006. The hikes will considerably widen the wage gap between Vancouver police officers' and their counterparts in the RCMP. The base salary of a third-year RCMP constable is \$52,423. Contract negotiations are

RCMP Constable is \$52,425. Contract negotiations are continuing with Vancouver's 2,500 inside and 1,700 outside workers and 800 firefighters

Continuing Care Employers Bargaining Association and Alberta Union of Provincial Employees

1,350 licensed practical nurses and nursing assistants in Edmonton and other centers in Alberta, reached a 24-month agreement which expires June 30, 2004. The agreement provides wage adjustments of 4.0 per cent on July 1, 2002; and 3.0 per cent on July 1, 2003; improvements in overtime, shift and weekend premiums, and a health benefits drug card is introduced

Government of Canada and Professional Institute of the Public Service of Canada

10,500 computer systems employees, Canada-wide, reached a 31-month agreement which expires December 21, 2004. The agreement provides wage adjustments of 0.4 per cent on May 1, 2002, 3.6 per cent on June 22, 2002, and 2.5 per cent on December 22, 2003 as well as improvements in shift and weekend premiums, over-time meal allowance, vacation and bereavement leave and one day of volunteer and one day of personal leave.

Government of Yukon and Yukon Teachers' Association

690 elementary and secondary teachers, territory-wide, reached a 36-month agreement that runs to June 30, 2006. The agreement provides wage adjustments of 2.0 per cent on July 1, 2003; 2.5 per cent on October 1, 2004, 2.0 per cent on July 1, 2005; and 1.0 per cent on March 1, 2006.

York Region District School Board and Canadian Union of Public Employees

660 maintenance employees, reached a 24-month agreement which runs to August 31, 2005. The agreement provides wage adjustments of 2.8 per cent on September 1, 2003, 0.5 per cent on April 1, 2004, 2.6 per cent on September 1, 2004, and 0.45 per cent on April 1, 2005.

Canada and National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada)

2,300 air traffic controllers, Canada-wide, reached a 48-month agreement which expires March 31, 2005. The agreement provides wage adjustments of 2.5 per cent on April 1, 2001 and 2002; 2.75 per cent on April 1, 2003 and 3.0 per cent on April 1, 2004, changes in change in best years of pensionable service, from six to five, for pension calculations improvements in shift scheduling and no contracting-out for

the duration of the agreement

EMC Emergency Medical Care Incorporated and International Union of Operating Engineers

660 paramedical employees, province-wide in Nova Scotia, reached a 36-month agreement, which expires March 31, 2005. The agreement provides wage adjustments of 3.25 per cent on April 1, 2002, 2003; and 2004 for primary and intermediate care employees and 5.5 per cent on April 1, 2002, 2003 and 2004 for advanced care employees. As well weekly hours of work were reduced to 42 (previously 48) as of April 1, 2004 and employer and employee pension plan contributions were increased to 4.0 (previously 2.0) per cent of salary

Bargaining in Other Jurisdictions

Alberta Nurses Head Back to The Negotiating Table

On July 18 the mediator has recommended a three-year contract with a 3.5% increase in year one, 3% in year two and cost of living in year three. Other recommendations include measures to increase flexibility in scheduling and temporarily assigning nurses to other worksites during emergencies and in response to patient care demands. The UNA is upset with the non-wage recommendations and is taking the report to its members for a vote on September 15. The two sides began meetings September 7 and 8 in Edmonton. The dispute would ultimately be resolved by binding arbitration if the parties are unable to reach an agreement.

Manitoba Government Employees Union and the Government of Manitoba

Negotiations are proceeding slowly as the parties attempt to reach a new agreement. The previous collective agreement expired March 21, 2003.

Government - BC and other Provinces

Ministry of Finance Pre-Budget Consultations

The Provincial Government will travel around the province this month to begin consultations on the next provincial budget. The standing committee on finance has a tentative schedule that will take the MLAs across much of the province between Sept. 17 and Oct. 10. Finance Minister Gary Collins is expected to present a budget consultation paper in mid-September, around the same time he reports on the province's performance through the first quarter of this budget year, which ended June 30. The meetings are expected to kick off Sept. 17 in Courtenay. Other stops include Prince Rupert, Sept. 18; Dawson Creek, Sept. 29; Prince George, Sept. 30;

Cranbrook and Penticton, Oct. 1; Kamloops and Vancouver, Oct. 2; Victoria, Oct. 8; and Surrey, Oct. 10. Organizations and individuals will get a chance to make their presentations to the committee, either by appearing at one of the public hearings or submitting a written presentation. The final report will be presented to the legislature in mid-November, and the budget for 2004-5 will be presented next February.

Legislature Fall Sitting Dates

The legislature fourth session of the 37th parliament will be in session from October 6 to November 27. The legislature will not be in session during the weeks of October 13 and November 10. The legislature will sit regular hours from Monday to Thursday each week. Friday will be set aside to allow members of the Legislative Assembly to work in their constituencies.

Provincial Elections

The Ontario Conservative government has dropped the writ and will head to the polls October 2, 2003. Premier Ernie Eves, will run on a platform that includes Canada's first tax deduction on mortgages and a ban on teacher strikes during the school year. Meanwhile, the Prince Edward Island Provincial Election has been called for Monday, September 29, 2003.

On The Legal Front

BCPSEA Management Rights Complaint Dismissed

BCPSEA commenced a policy grievance in late April 2003 alleging that directions from the BCTF to local unions and teachers constituted a violation of the management rights clause in the Provincial Collective Agreement. Stephen Kelleher heard, and dismissed the grievance in an award dated July 4, 2003, finding the following: conflict between employers and trade unions is "part of our system"; and while mid-contract "job action" is prohibited; BCTF's actions did not constitute a strike as defined in the Labour Relations Code. BCPSEA originally brought this issue to the Labour Relations Board but subsequently adjourned its application generally in order to pursue the issue before an arbitrator. BCPSEA has decided not to appeal the arbitration decision, and does not have plans to revive its Labour Relations Board application.

BCTF Challenge to the Labour Relations Code definition of "strike"

BCTF has brought an application to the Labour Relations Board alleging that the definition of "strike" in the Labour Relations Code is contrary to the Charter in that it prohibits legitimate, constitutionally protected rights to protest.

Application arose out of the January 28, 2002 general walkout

CIEA Challenge to Bill 28

The College Institute Educators Association (CIEA) has launched a constitutional challenge to Bill 28, alleging that the Bill violates CIEA members' rights to life, liberty and security of the person, freedom of speech, freedom of association, and equality rights. In particular, CIEA alleges that the setting of maximum class sizes, student/teacher ratios, instructional techniques, hours of operation, scheduling of professional development and vacation and assignment of non-school tasks violate teachers' Charter rights. The challenge is by way of an application to the Supreme Court of British Columbia. The Canadian Association of University Teachers has been granted leave to "intervene" in a limited fashion and so will be able to present legal argument on whether certain aspects of Bill 28 are unconstitutional

HSA/HEU/BCNU Challenge to Bill 29

Healthcare unions have launched a constitutional challenge to Bill 29, alleging that the Bill violates rights to life, liberty and security of the person, freedom of speech, freedom of association, and equality rights. The challenge is by way of an application to the Supreme Court of British Columbia. The Court heard arguments in April/May of 2003. The Court has not yet given its decision.

BCTF Challenge to Bill 27 & 28

The BCTF has launched a constitutional challenge to Bills 27 and 28, alleging that the Bills violates rights to life, liberty and security of the person, freedom of speech, freedom of association, and equality rights. The challenge is by way of an application to the Supreme Court of British Columbia. This action is just getting underway. The Province is currently finalizing the collection of documents as part of the usual court procedures.

Other Labour Relations Developments

BC Ferries Labour Relations

BC Ferries is no longer a crown corporation but an independent company renamed British Columbia Ferry Services Inc. BC Ferries will no longer be a member of the Crown Corporation Employers' Association or PSEC.

Salary Increases Forecast For 2004 Hewitt Associates is forecasting average salary increases in Canada of 3.3 percent for 2004. Salaries are expected to increase by 3.7 per cent in

Calgary, 3.4 percent in Toronto, and 2.9 per cent in Vancouver and Montreal. Of the 345 companies surveyed, 81% reported using variable pay plans, an increase from 76% in 2002. Of note Hewitt and Associates found that more employers were planning wage freezes. IN a normal year about 1% of Canadian organizations are forced to freeze salaries. This year, that's expected to skyrocket to 8% of Canadian firmsA summary of the survey can be found on the Globe and Mail's website, or see the Hewitt press release.

The Hay Group released results from their survey of salary increase intentions on September 9, with similar findings. Average salary increases of 3.0% are forecast, with the following geographic differences reported: a high of 3.5% in Alberta to a low of 2.7% in Quebec. Among cities, Vancouver increases are forecast at 2.9%, Toronto at 3.1% and Montreal at 2.8%. See the Hay Group press release for more details.

Mercer Human Resources Consulting released preliminary results of their survey of approximately 260 Canadian companies on August 26. Mercer noted that the national average increase expected is 3.25%, results show that executives will receive the most generous increases at t 3.3%, and clerical and hourly staff will receive the least at 3.0%. More details are included in Mercer's press release; the final report is expected to be released for sale by the end of September.

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