



To: **Operations and Maintenance Staff - McMaster University**

From: **Executive Board - The Building Union of Canada**

Re: **Fall Update**

Date: **November 24th 2016**

The campus has been busy since our last update and the Union has been active on your behalf in a number of areas. Peter Foulds has attended numerous return to work meetings, discipline investigations and committee meetings. Please reference the following information provided for your information;

- **WSIB** Please contact the Union if you are having any issues with WSIB claims and the related paperwork. The reports can be frustrating and seem never ending. Do not abandon your claim out of frustration. Please continue to file the reports and follow through with all the process. If you need assistance please contact the Union and you will be referred to an expert at no cost to yourself. **Remember to always report work place injuries immediately to your supervisor, regardless of how minor the injury may seem at the time.** Recently a member did not immediately report an injury that resulted in a serious medical condition requiring surgery. The University did not support this employee and this has resulted in a lengthy and costly process to ensure that the member receives the coverage to which they are entitled.
- **Attendance Management Program** Recently the University instituted an attendance management program for a trial period in Logistics. The employer is entitled to implement such programs. The Union argued that it is unnecessary because sick time has been reduced significantly since the implementation of the most recent arbitrated collective agreement. The Union will monitor and ensure that the program is being applied in a fair and unbiased manner. If you feel that you have been unfairly targeted please contact the Union immediately.
- **CUPE 926 Laurier University** In July 2016 the custodial and maintenance staff at Laurier University were forced to strike to protect their jobs from the outsourcing nightmare that our members are familiar with. The strike was a short one and the employees at Laurier appear to have been able to survive and retained their jobs. The details are still not publicly available but they will be communicated when known.
- **Contract Expiry 2018** Members will have received their most recent raise in October of this year. There is one more raise dictated in 2017. In 2018 employees fortunate enough to have a pension will receive one final raise to offset the increase in their pension contributions. Time flies and before you know it we will be back at the bargaining table fighting to ensure that the employees are treated fairly. It is imperative that in the interim period the employees of this bargaining unit perform their duties in a manner that makes status quo the obvious choice for servicing the University in the most cost effective and efficient manner. The Union will be commencing a program to raise the profile of our dedicated members in the New Year. More on that in the near future.
- **Hours of Work** Members are reminded that the employer sets the hours of work and there is a requirement to attend all assigned shifts on time and perform their duties to the best of their ability. If for any reason you have to depart work prior to the conclusion of your shift the supervisor must be notified. Always err on the side of caution and notify a supervisor.
- **Seniority List** Members are reminded to check the most recent seniority list posted online by the University. <http://www.workingatmcmaster.ca/elr/collective-agreements/buc-om/>. The collective agreement indicates that your seniority date is the day you first were employed by the University regardless of whether it was full-time or part-time. Make sure it is correct as it affects your entitlement to holidays and career opportunities. If it is not accurate notify your supervisor.

- **Ontario Pay Equity Commission** In November of 2015 the Union appealed to the Pay Equity Commission to review the Pay Equity Agreement in place for our bargaining unit. This is a very complicated and lengthy process. The Union has retained Watson Jacobs and McCreary LLP of Toronto to represent the members in this review process. The University has argued that it maintained pay equity even though the most recent agreement dates back to 1990, a document they would not initially share with the union. We are learning that nothing happens quickly when it relates to this process. We are hoping that the University will be forced to revisit this plan and treat our members fairly. Last year they voluntarily compensated faculty. We will update the progress as it becomes known.
- **Passing of Doug Patterson** It is with much sadness that we are passing on this information about Doug passing away earlier in the fall of this year. Doug was employed by the University for some twenty-five years in Facility Services. Doug started as a diesel mechanic and transitioned into the driver's position as the University realigned. Doug passed away after brief illness and will be missed by his co-workers and friends. The employer did not feel it was necessary to communicate this information to the University.
- **Snow Day Grievance** The University was closed at 4:00pm last March 1st 2016. The University had correctly predicted that bad weather was heading to Hamilton and closed the University out of concern for the safety of the students, faculty and staff. Local news stations, the Hamilton Police and the Ministry of the Environment publicly announced that non-essential travel should be restricted for safety reasons. That evening 16 nightshift cleaners and custodians were unable to make it safely to work and their pay was reduced. That is contrary to the University policy indicating " Unless stated differently in an applicable collective agreement, staff are paid for scheduled time during which the University is "closed", regardless of whether they are at work or not." That policy exists so that people do not have to make the decision to compromise their personal safety in exchange for earning a wage to support their families. The Union filed a grievance on behalf of the 16 employees, most of whom are employed as cleaners, the lowest paid and most precarious position in the Universities employ. The University has denied this grievance at every stage and the Union has now requested that the matter be referred to arbitration. The University is defending its position that at midnight it is a new day and regardless of the weather the non-essential nightshift employees must risk personal safety or be penalized. It is this Union's opinion that the safety of our members is paramount. The University is willing to spend much more money than it saved by docking these employees pay to prove its point. The University is aware that they removed personal days and paid sick leave from these positions in 2010 and that these lowest paid workers are the ones who desperately need every dollar earned. The Union was hoping to have this resolved prior to the snow flying again but the University has delayed this resolution at every step. The Union needs to carry on with this issue and ensure that our member's safety matters. Dates have been set in April 2017 and the Union hopes that the employer will revisit this policy and consider safety along with poverty in the interim and resolve this grievance.
- **Constitution of Local 1280** Unfortunately the constitutional amendments required for the formation of this autonomous local of the Building Union of Canada are still not completed. The Union has been advised by legal staff that the changes will be completed early in 2017 and at that time we will schedule a meeting to discuss the structure and composition of Local 1280. It is the opinion the Building Union of Canada's Executive Board that it would be best if the changes occur prior to any meeting take place so that business can officially be heard. In the interim Peter Foulds is administering the daily operations of the union and representing members to the best of his ability. The Union still requires assistance in the interim with Health and Safety Committees, the Joint Working Conditions Committee and positions providing information to co-workers. If you have any interest in participating in the Union process please let Peter know.

If you have any questions or concerns please feel free to contact the Union.

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