# Letterhead

# Strike Mandate Vote Information Meeting Minutes – Tuesday July 6, 2021– virtual meeting via Zoom

**Guests:**

Scott Clark (CUPE representative)

Scott Lillington (soon-to-be CUPE representative of Local 3873)

**Present:**

Debbie Woodfine, Roberta Chapman, Vickey Heinrichs, Lauren Anning, Krista Maynard, Lynn Hepworth, Courtney Sabel, Shaylee Tardiff, Lisa Hutton, Alyssa Campbell, Denise Morrison, Brenda Kauk, Trish DeBruyn, Samantha Harris, Wendy Schultz, Shanley Jardine, Joanne Pemkowski, Debbie Zawortney, Adrienne Zaborniak, Denise Desrosiers

**Format of Q & A**

**Scott Clark gave overview of the issue:**

In the past, locals’ contracts expired at different times, but because of circumstances, many locals have come to the point of negotiations at the same time. It’s an opportunity for different locals to collaborate on and make their negotiation requirements similar.

We have no idea what the province is planning to do with support staff in the upcoming amalgamation as far as how they will combine the locals (whether into one large bargaining unit or many separate units). Teachers will be one large group.

Message of urgency from CUPE is to focus our negotiation efforts on getting a wage settlement or other top priority issues; to focus on the key issues.

**Bill 16** – will bring changes to the Labour Relations Act. It gets rid of the provision that allows for an arbitrator from the Labour Board after 60 days of a strike or lock-out.

The main reason we are talking about striking now is to ensure we have that 60-day out via arbitration that Bill 16 will remove.

The strike mandate gives the bargaining committee the power to call a strike if they see the need to take that step. The schedule to strike is tight because of Bill 16. We would need to go on strike on Sept. 1 in order to ensure access to that 60-day arbitration.

CUPE is hopeful that Seven Oaks will be in favour of striking as a possibility.

RETSD refused to deal with us in May because of preparation for arbitration with teachers but two weeks later, after the contract with teachers was settled, the Division was still not willing to bargain with us. They haven’t looked at our proposal, claiming they have to deal with Local 796 (bus drivers) first and the rest of us in line. In the past, the Division has dealt with more than one local at once. It is unprecedented to only deal with us one at a time. The Division is choosing not to negotiate over summer. They’ve had three years to prepare for negotiating with support staff local groups.

Should it come to a strike, CUPE is recommending we have rotating strikes instead of a full strike.

**Question Period:**

**Q: Are we working in conjunction with the other locals in our Division or as ourselves only?**

We are working with other locals, mainly clerical and custodial. Scott, our union rep, knows the bus drivers’ union rep, so coordination with them is a possibility.

**Q: Would you clarify the difference between strike vote and strike mandate?**

Strike mandate and strike vote are the same thing. A strike mandate is asking locals to have a strike vote that gives the negotiations committee the power to decide if a strike will take place. Something like, “I authorize the negotiations committee to call a strike.” It’s a means of telling our employer that we are serious.

Strike mandate is giving the committee the mandate.

Strikes in the school Division is rare.

**Q: Does voting for a strike mandate give our employer the right to lock us out?**

The employer always has the right to lock us out, regardless of our decision to strike. Lock-outs cannot be rotating lock-outs, though. Either they lock us all out or none of us. It’s very unlikely that our employer would lock us out, though it’s possible.

**Q. If custodians, clerical, and library techs strike at same time, would we likely have the support staff of the same school strike on the same day?**

That would be up to us support staff to decide.

**Q: If we were to go on strike, would the Division be allowed to bring in other people – custodians and clerical especially?**

Once a strike occurs, the Collective Agreement goes on pause (no agreement in play). The employer can basically can do what they want to do. They could possibly bring in replacement workers for custodial work, for example, but those workers would need to be let go once the strike has ended.

**Q: Why do we need to vote on striking now when the Division says they’ll negotiate with us in the fall after they finish with the bus drivers?**

Our efforts and plans for a rotating strike is with the intention of disrupting both staff’s income and students’ education as little as possible.

The September strike timeline is important because of Bill 16, which is likely to be passed in November. We want to have our 60 days strike time up before the legislation is brought forward. We want to be able to go to arbitration.

CUPE is here to lay out strategy that they feel is the most advantageous to us, not to force us to follow that strategy. If we don’t try to force to settlement, we’re likely to have a poor wage increase (i.e. 0.0%, 0.0%, 0.75% in backpay for the years we have been without a contract, and 1% for this year). We would also not have the advantage of a 60-day strike limit.

**Q: If we were to go on strike, does that mean our current contract is no longer in force?**

Yes, but our Division wouldn’t likely automatically cancel our vacation and put us down to minimum wage.

**Q: Rotating strike would mean we go to work and do our job part of the time?**

Yes. We would have specific days each where we would be picketing. It was suggested on those days we would strike for 4 hours and then go home. We would have to have to remove ourselves from the workplace for the days we are on strike.

**Q: If we vote to strike, could we lose holiday time, daily hours or other contract items we have previously worked hard to get included in our contracts?**

No. Unless those things are negotiated out of the contract, we will not lose them. We won’t lose anything in our Collective Agreement by striking; they can only be lost through the actual bargaining process.

As an example, Scott suggested that if we have vacations scheduled during the strike, the Division could decide to not allow the scheduled vacation during the strike.

**Q: EAs are an association, not union. Can they strike?**

EAs can still strike. They are still a certified bargaining unit therefore can strike.

**Q: Concern that library techs can be easily overlooked.**

If we library techs go on rotating strike, the hope is that our teachers and teacher librarians would support us by not doing circulation or bringing students to library on our respective days on strike.

The power of library techs striking is in *conjunction* with the clerical and custodial.

**Q: Are we striking in front of our school? Can we strike in from of the Division office instead?**

It’s up to our local(s) to decide where we strike.

Scott: We will try to minimize financial hardship during any strike that occurs. We need to prepare for the possibility of it happening. Maybe hold off on major purchases for the time being. Should we have to move forward with a strike, CUPE wants us as prepared as possible.

**Q: Have any other locals already voted about a strike mandate or are they still in discussions?**

Still in discussions but votes are coming up soon.

**Q: As a local, do we get to decide when to have that vote?**

We get to decide as a local but it needs to be soon.

**Q: Part of us trying to get a new contract is so that we have similar wording to everybody else concerning our job and what may happen after Bill 64. We don’t just want money and a settled contract but, by getting a contract with similar wording as we’re attempting, we’re saying that we don’t want to be pushed aside when Bill 64 is enacted, correct?**

We want as much as possible to have everybody on the same page going into the amalgamation.

**Q: Does the Division hear if we have a failed strike mandate or a weak strike mandate?**

If we pass only marginally, the Division will know. They ask what the numbers were for a passed vote and how many members showed up to vote. This will show if it was strongly supported or poorly supported.

Whatever way it goes sends a very clear message to the Division. If we don’t pass the strike mandate, we’re basically agreeing to whatever the Division puts on the table.

If the vote does not pass, we can always vote again if we choose to, though.

**Q: In the past, what has happened if one local has a successful strike vote and others don’t?**

In response to one local taking a successful strike mandate and another not, the Division may be more likely to offer a lesser deal to those who didn’t have a successful vote. Not voting in favour of a strike mandate is a bit of a gamble for being left behind from other locals who vote in favour of one.

**Q: North American culture currently is closing libraries. How can we speak of job security when Bill 64 could do away with libraries completely?**

There are already provisions in place that protect us from any major, wholesale changes to a department due to technological change. These provisions provide more notice than would normally be the case. To address job security and amalgamation concerns, we want to add a generic no layoffs article in the course of amalgamation to our contract. We want to ensure that employees have further security at the time of amalgamation, such as maintaining seniority.

**Q: One member is not comfortable with voting for a strike without even attempting to negotiate. This member doesn’t see a breach of faith as yet from the Division. She is more concerned about the upcoming amalgamation and what we gain or lose at that point. She wouldn’t want to be the group to start the trend since we are such a small local compared to clerical and custodial.**

“Breach of faith is them saying they won't meet with us over the summer and that they won't meet with more than one local at a time.” (Comment posted in response to the above concerns by another member, also a member of the negotiations committee).

The Division’s refusal to meet with us thus far is a breach of faith and it legitimizes us trying to push for negotiation. We have already provided the Division with a proposal thereby showing we are attempting to negotiate.

Striking is a matter of strategy. Do we have a compelling reason to force to Division to come to the negotiating table? Yes, we absolutely do.

Another member of the negotiation committee explained: we would not be talking about having a strike mandate vote if not for Bill 16 coming up in November. For our local, the raises are not top priority currently. Job language and ensuring job security are the priority. Part of the strike vote is to ensure that security when we amalgamate. Some people really need that money, others fear job security. For the Division to say they are not ready when they’ve had three years to prepare… They should have been ready as soon as we approached them.

Scott: Whatever we decide here will result in a Collective Agreement that ends in July 2022. Even if they agree to certain language in this round doesn’t mean they won’t try to retract it in the next round. We need to be aware the contract is only good until July of next year.

**Q: We are talking about this now because we want the opportunity to go to the Labour Board after 60 days of striking. Is there a chance this bill won’t go through in November?**

Don’t know. Bill 16 is extremely anti-labour. It’s possible they are rethinking Bill 64, but Bill 16 is likely to pass. It’s all speculation.

**Q: So to be clear, if you are asked to vote for strike mandate that means you are willing to strike?**

Voting in favour of the strike mandate is putting the authority to call a strike in the hands of our negotiations committee. The expectation is that we follow through with it if one is called. A strike has to be all or nothing. We don’t work on the days we’re expected to be on the picket line during a rotating strike.

CUPE isn’t trying to push this for untoward reasons. They are trying to ensure they’re doing what they can for an outcome in our favour.

**Q: Can we set a minimum percentage higher than 50% for the vote to pass if we want to?**

No, the percentage is set by government.

**Q: 50 percent of total members?**

No, the percentage is based on how many people vote, not how many are in the Local. Every effort must be made to let members know when the vote is. If they don’t show, they’re choosing not to have a voice in that decision. Same as with a general election.

Roberta: We are currently looking at voting logistics. It is by secret ballot.

**Q: Can we wait until after the secretaries' vote – they are a larger group?**

Strategically, if we’re going to wait for another local to vote on the strike mandate first, we should wait for the maintenance.

**Q: So, if 18 of 20 people who show up vote yes, will that show as 90% in favour?**

Yes. Like with elections, only those who show up to vote count towards the final decision.

Logic will be used, though. E.g., if only 3 people show up to vote and 2 are in favour, we probably won’t strike.

We need as many people as possible voting (making their voice heard) on this issue.

**Q: What does it say if many members don’t submit a vote? And how does that factor into our plans.**

If not enough members vote, it shows we don’t have a union local interested in our negotiation plan for bargaining with the Division.

It factors into our plans in that we must wait our turn to be called to the negotiations table, after the Division has bargained with the locals who presented their plans to the Division before us. We don’t have any time frame as to when that would occur.

We will have another meeting about this issue. Roberta to get back to us about when that will happen.