

REPORT ON BARGAINING

**Canadian Mental Health Association
Update on Bargaining and the Disaffiliation of Branches**

May 3, 2006

Your bargaining committee is finally in a position to provide an update on the status of bargaining throughout CMHA.

In our last report we had indicated that there would be a Labour Relations Board (LRB) pre-hearing in the fall of 2005 on the issue of whether there would continue to be provincial bargaining for all or whether disaffiliated branches would be individual employers and bargain accordingly.

On November 3, 2005 your bargaining committee along with Doug Taylor, staff representative and Rick Engel, SGEU lawyer, met with representatives of the disaffiliated branch management and the representative of the Labour Relations Board, Wally Matkowski. After an airing of the issues and concerns, the union caucused and assessed the likelihood of success of proceeding with obtaining a favourable decision from the LRB.

In consultation with SGEU's lawyer, we decided that the chances of success in maintaining a provincial agreement through a favourable LRB decision would be slim.

The union therefore made the following proposal in order to move the process of negotiations forward and as a way of attempting to maintain the benefits of a provincial agreement as much as possible.

- 1) A common provincial table would be established for those branch management interested. Details of such an agreement could be worked out.
- 2) Negotiations would start on "transitional" collective agreements. The first contract would cover the period from April 1, 2002 to March 31, 2005 (a 3 year agreement, the maximum length that can be negotiated). The second would be for the period April 1, 2005 to March 31, 2006 (a 1 year agreement).

All terms of the existing agreement, which expired on March 31, 2003, would remain as they are and only wages would be negotiated for both of these two collective agreements. Each of the new separate employers (see below) will submit wage offers for these two agreements. Members would vote on these offers.

- 3) After March 31, 2006, regular provincial bargaining would commence with the management from branches in agreement with a common table approach. At the same time, individual bargaining would begin with the branch management who choose to negotiate separately.
- 4) If all branch management agreed to this, the union would recognize individual branches as employers (those that disaffiliated) and withdraw our charges before the Labour Relations Board.

By the end of April, we had heard back from all the employer's representatives indicating that they were **in agreement** with our proposals.

WHAT DOES THIS MEAN FOR YOU?

The impact of this agreement varies based upon where you work.

Employees of the Saskatchewan Division of CMHA and affiliated Branches

For employees of the Saskatchewan Division of CMHA (head office, telemarketing) and members employed in the following Branches – Kindersley, Moose Jaw, Weyburn, Estevan, and Yorkton :

- the Division and these Branches are considered to be one employer.
- they are now considered as one bargaining unit and will be certified as such
- they will have a bargaining committee of their own to negotiate with the employer
- members in this group will vote as one bargaining unit

Employees of Battlefords and Swift Current Branches

- Each of these two Branches is now considered an individual employer
- Each of these branches will be a separate bargaining unit and will be certified as such
- The management of these two branches have agreed to participate in provincial bargaining. Details of this to be worked out. These branches will be able to negotiate locally in areas not covered in provincial bargaining. This initially appears to be a desire to negotiate locally over wages and benefits.
- There will be union representatives elected from these two Branches to negotiate both provincially and locally.
- Members in this group would vote on both provincially negotiated changes to the collective agreement as well as locally bargained items.

Employees of Regina, Saskatoon and Prince Albert Branches

- each of these Branches are now considered individual employers
- each of these branches will be a separate bargaining unit and will be certified as such
- each of these branches will negotiate a separate collective agreement. Management from these branches have not agreed to any provincial bargaining
- members in each of these branches will negotiate their own collective agreement with their local branch management
- members will vote for their own bargaining committees and ratify their own contracts.

NOW WHAT?

The union is arranging local membership meetings with all CMHA members to discuss these significant changes.

We will also be providing a draft of new bargaining guidelines to vote on at a later date.

We are also requesting ratification of the union's wage proposal to all CMHA Branches and Division office management. This will be based on increases to funding provided by the Department of Health (through the Health Districts) for the past four years to all positions which they fund in CMHA . These were:

April 1, 2002 – 4.5%
April 1, 2003 – 3%
April 1, 2004 – 1%
April 1, 2005 – 1%
November 1, 2005 – 2%

If members ratify this proposal, we will submit it to CMHA with a specified date to respond. Offers submitted by the employers will be voted upon by the members as outlined above.

Once these two contracts (2002-05 and 2005-6) are ratified by the members, copies will be signed and printed. The union will begin preparing for negotiations again in the fall of this year under the new conditions and guidelines.

Please keep an eye open for the meeting occurring in your workplace. This is your opportunity to ask questions and clarify what will be happening.

In Solidarity,

Your CMHA Bargaining Committee:
Ann Eaves, Regina CMHA
Kevin Sabraw, Battlefords CMHA
Brenda Beaudry, Saskatoon CMHA
Doug Taylor, SGEU Staff