

BARGAINING UPDATE



LEGAL AID LOCAL 118 CHAPTER 019 – ALL STAFF

Legal Aid: Non-monetary negotiations continue

Negotiations present concern for future bargaining

Your negotiating team met with the employer on September 18 and 19 to continue non-monetary negotiations. We were met with several hurdles that do not bode well for the negotiations that are still to come.

Progress included signing off on the following articles:

- Article 41 EMAC – the number of committee members has increased to 5 union representatives and an equal number of employer representatives
- Article 38 Job Classifications – moving provisions regarding rates of pay for people who change classifications from Article 31 to this Article

Unfortunately, we reached impasse on:

- Article 31 Job Postings – the employer wants to circumvent the job posting process when a newly hired position becomes vacant within 6 months. We are not agreed because we believe all bargaining unit members should have the opportunity to apply.

We discussed professional days, which used to be afforded to newly in scope members. The employer would not disclose the number of such days that used to be available. We have proposed the addition of 10 paid days for Educational Leave/Professional Development. Members with specific knowledge of this issue should contact the bargaining committee.

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Training issues were also discussed, both for new and existing employees. The employer asserts that their training program is extensive, and no changes are necessary to the collective agreement. We discussed some member experiences where they had been denied requests for training, and subsequently placed on performance improvement plans. We explained that there is a culture of fear surrounding these plans.

Vacation planning was also a topic of discussion. The employer's proposal to change the planner process would mean that members would have to request vacation by November 15 for the following calendar year. We expressed concern that such a proposal would mean that we would be forced to choose vacation too far in advance, and proposed a compromise of two separate planner periods, which the Employer was not willing to entertain.

We are urging the employer to discuss our proposals related to two key areas of importance to our members though we have yet to discuss them:

- Working From Home, including areas where we have proposed moving existing language and expanding on it
- Clarifying how operational requirements are determined when approving/denying leaves

The pace of non-monetary bargaining has not been encouraging. Legal Aid told us at the beginning of bargaining that they would not present their monetary proposals until a later time, but they were quick to reject one of ours regarding professional days. They also tabled some inflammatory monetary proposals regarding vacation, even though our discussions on vacation up to that point centred solely on vacation scheduling. These proposals included:

- Removing ability to take partial day vacations
- Eliminating vacation accrual from casual illness leave days
- Deleting provisions for taking vacation as a continuous block

- Rescinding vacation carry forward
- Withdrawing flexibility to use vacation around bereavement leave
- Removing an employee's anniversary date for the purposes of determining vacation entitlement

We had no proposals on vacation, simply a reservation of the right to introduce new proposals related to the vacation entitlement of newly in-scope members. The employer stated that the current entitlements in the CBA were the same for those members prior to joining the union.

Negotiations will continue on October 16. We encourage members to join our regular monthly online membership meetings on zoom every last Thursday of the month. Contact your negotiating team for meeting details or if you have any questions.