

**Education Workers' Steering Committee
Staff Advisors Report
Annual Conference
November 4-5, 2008**

Wow! It's hard to believe that it's been a year since our last conference. Where does the time go? Since our last conference, we've seen a change in the provincial government from an NDP government to a Saskatchewan Party government. With a change in government, the EWSC executive has had to refocus their energies with respect to the provincial bargaining campaign, and have held several meetings with this in mind.

One of the first priorities of the Saskatchewan Party government was to replace the members of the Labour Relations Board. In January of 2008, the Labour Relations Board members were terminated and replaced with a new Board Chair, Ken Love. CUPE found this problematic for a number of reasons – it caused a delay in hearings, we were concerned about who would write decisions of cases that had already been heard by the Board, not to mention whether those decisions would be valid, or if we would need to have cases re-heard by the new Board which would cause additional delays. Once we received our first decision from Mr. Love, we knew we would have a lot of work in store for us.

CUPE LOCAL 5506, PRAIRIE SOUTH SCHOOL DIVISION, LABOUR RELATIONS BOARD DECISION:

Local 5506 was created to respond to the merger of several School Divisions to create the Prairie South School Division in 2006. The local merged several bargaining units from the former Moose Jaw, Red Coat Trail, Golden Plains, Borderland, Herbert and Davidson School Divisions.

Almost immediately, the local entered negotiations with the employer to achieve a mutually agreed single bargaining unit. Negotiations were not easy, but did progress to the point where there was only one position left in dispute. At this point, with no prior warning, the employer withdrew from negotiations and advised the local that they would have to advance the successorship application that had been filed with the LRB.

This was a great disappointment to the local. However, while awaiting their turn to go to the LRB, they continued to bargain with the employer to reach one collective agreement to cover the existing eight certified bargaining units.

As with all locals awaiting their turn, the Horizon decision caused considerable concern. After receiving advice from our legal counsel along with several other locals, a new application was filed to have one bargaining unit. In order to do this Local 5506 went to their members to sign cards. This was extremely successful and on December 7, 2007 an application with cards signed by 86% of non-teaching staff in the division was submitted to the LRB.

On April 17, 2008 a hearing was held to hear evidence on the Local's application. Board Chair, Ken Love, heard the cases from both the employer and the union. We were ably represented by our National Director of Legal Services, John Elder. He stuck to the record of previous Board decisions, including the Horizon decision which provided the Union with four options to obtain a single bargaining unit. Unfortunately, Mr. Love did not agree with the Union's submission and ruled that, as Chair of the LRB, he would determine the option which would apply. The option he chose was to provide a certification order for those employees already in the union. He refused to include any employees who were not already in one of the applicant bargaining units.

The labour member on the LRB panel which heard the application, Hugh Wagner of the Grain Services Union, wrote a dissent which articulated the previous Board decisions as set out a number of reasons why the Chair's decision was not consistent with those decisions.

With the Local's support and encouragement, our legal counsel, Crystal Norbeck, will be filing for judicial review of the LRB decision. We hope to have this challenge heard later this year or early in the New Year. The progress and results of the judicial review will be the subject of considerable interest to all education locals.

We hope to have the courts set the Labour Relations Board and its Chair, Mr. Love back on the correct track.

In the meantime, our six other similar applications to the Labour Relations Board will be held in abeyance until we receive the decision of the judicial review.

MEETING WITH DEPUTY MINISTER AUDREY ROADHOUSE:

On Tuesday, October 28, 2008, the Provincial Bargaining sub-committee consisting of Sister Brigitte Scott (L. 2268); Brother Will Bauer (L. 8443); Brother Earl Booth (L. 5506), and myself, along with Brother Tom Graham, President of CUPE Saskatchewan, met with the Deputy Minister of Education, Audrey Roadhouse. We had requested to meet with the Minister, Ken Krawetz; however, he was unable to meet with us. We discussed our quest for provincial bargaining, talked about the wage disparities within the province in this sector, and discussed how other provincial governments are getting on board with provincial bargaining (most recently the government of Ontario). We also briefly discussed our concerns around P3's. The Deputy Minister agreed to take our concerns back to the Minister and we are hopeful that we will be able to meet with him in the near future. We will be hearing more from the Deputy Minister at our conference.

PROVINCIAL BARGAINING:

We were looking forward to participating in government facilitated meetings between the SSBA and ourselves. We were delayed in the spring when the SSBA terminated their CEO, Bill Wells. Once their new CEO was in place, we asked the provincial government to get the meetings set up. Unfortunately, the SSBA has very recently declined to continue with the meetings.

We have asked the Ministry of Learning as well as NDP Education Critic Trent Wotherspoon to assist us in working with the SSBA so that we can get back to the table to discuss this very important subject. In the meantime, we will attempt to meet with both the Saskatchewan Party and NDP caucuses to continue to put forward our agenda of provincial bargaining.

LEADS EXECUTIVE MEETING:

In November of 2007, Sister Brigitte Scott and I attended the LEADS executive meeting to discuss provincial bargaining. We received a warm response from the executive, and we continue to work with members of LEADS to put forward our position on provincial bargaining.

Sister Ann was asked to participate in a panel at the LEADS conference in October of 2008. She was asked to speak for seven minutes on what CUPE believes the labour relations issues will be over the next few years. Ann spoke about the need to bargain one Agreement per school division and to have the non-unionized workers brought in to the CUPE agreement, about provincial bargaining and why we believe it would be beneficial to all stakeholders – not just CUPE, as well as our concern about utilizing Public Private Partnerships. A number of the participants to the conference expressed their support of our endeavours.

NEGOTIATING IN EDUCATION LOCALS:

We were really pleased with this past year's accomplishments in negotiations. There were several agreements concluded including some merged agreements.

Important advances have been made in contract language. We have achieved wage and benefit parity at least at the level of individual employers and this has been extremely valuable for our members and their families.

Sister Cheryl Stadnichuk, Research Representative, will be giving a comprehensive presentation on these achievements to this year's conference.

STAFFING CHANGES:

Since our last conference, Brother Bill Robb accepted the position of temporary education representative and as a result is no longer a staff advisor to the committee. Also, Brother Bill Cronin, the staff advisor from Regina, has been reassigned to the University Sector. Replacing Brother Bill is Brother Malcolm Matheson from the Regina office. Thank you to both Bills for all of their hard work and dedication to the committee, and welcome to Malcolm!

CONCLUSION:

It is very exciting to work in the education sector right now as all the changes we making provide significant opportunities for advancing the rights, wages and benefits of education workers.

As staff advisors in the education sector, we wish to acknowledge the hard work and leadership that the EWSC Executive has provided this past year. This leadership has very nicely

supplemented all the action at the ground level by our locals and members. We see more of the same action coming our way in the next several years in our drive for fairness and equity for all education workers.

There are many advantages to being part of CUPE, the largest and most progressive union in Canada. Not least among them, is the support that locals and staff representatives receives from other parts of CUPE.

During this past year, we have all benefited from Brother Guy Marsden and Sister Cheryl Stadnichuk's exceptional work supporting us in the campaign for a provincial agreement and at the bargaining table. Education Representative Brother Bill Robb has been a valuable resource to us as we discuss our next steps in attaining our goal of provincial bargaining as well as in the organizing of this sector. Communications Representative Sister Beth Smillie has been invaluable by providing assistance in our provincial bargaining campaign and by continuing her excellent work in massive communications efforts throughout Saskatchewan.

We wish to thank Legal and Legislative Representative Crystal Norbeck for her many efforts on the legal front.

CUPE National has provided continued support with respect to their legal work and in organizing. CUPE will be holding its first ever National Education Workers Conference in March of 2009. We hope all of you will be able to attend this historic event. We are so pleased that the conference will be taking place in Regina. We look forward to hosting education workers from around the country. Thank you Brother Paul Moist, Brother Claude Généreux, and the rest of CUPE National.

Finally, we wish to acknowledge the leadership and determination of CUPE Saskatchewan Regional Director Melanie Medicott. Melanie has given full support for all our efforts. She has helped us analyze our situation as we actively move forward. Melanie comes out of this sector, having been a member of former CUPE Local 1948 and she is always keenly interested in what is going on in this sector.

In Solidarity,

Ann St. Denis
EWSC Staff Advisor

Malcolm Matheson
EWSC Staff Advisor

Where do we go from here? You will determine through the World Café session, what our next course(s) of action should be.