

GIVE US THE MEANS

May 2015

N°4

PROFESSIONAL PERSONNEL NEGOTIATIONS:

Progress Report

" Holding it together " It's time for professionals
to roll up our sleeves!

As of the 15th of May, the FPPE negotiating team and management negotiating committees have met 14 times at the Francophone table and 13 times at the Anglophone table. In a second round of more detailed presentations, the two sides have presented and argued about 75% of their demands. Management committees persist in their claim that some of our demands (i.e. recognition of Masters and Doctoral degrees, vacation, compensation for contribution to a professional order etc.) must be referred to the Central table for negotiation as mandated by a ministerial directive; however, we believe they should be discussed and settled as sectoral demands because of their specificity to the professional group.

Despite the number of meetings we are just beginning to obtain precise details and the true impact of the employers demands. It is clear that there are many demands seeking reduced costs and increased administrative control which would result in setbacks in our current working conditions. As can be seen at other negotiating tables in the education sector, some requests seem to come directly from the Treasury Board and do not correspond to any real identified problems. As a result, the FPPE negotiators are being asked to engage in a process of jointly finding solutions to problems that we do agree actually exist. We continue to ask them to submit clear and precise demands that reflect reality and that we can submit to our members for debate.

With regards to our demands, the management negotiating teams listen attentively and question our arguments, yet remain neutral.

The FPPE negotiating team

Team intervention in connection with Leitaos budget (EN / FR tables)

While the FPPE president, Mrs Johanne Pomerleau, was on a provincial media tour doing the same, the negotiating team made a similar intervention to the CPNCF and CPNCA management committees. Using a video presentation and the written testimonials from parents with special needs children, we strongly criticized the proposed cuts to professional services and their impact on students as a result of the proposed budgetary restrictions to school boards. We reminded the government representatives the legal obligation to provide services to students with difficulties. (Decision of the Supreme Court in Moore v. British Columbia (2012).

We concluded our presentation with four questions to be transmitted to their representatives:

- Is the government prepared to maintain the level of professional services in the public school system (level 2014-2015), as requested by the FPPE? Yes or no.
- Has the government assessed the impact on students resulting from budget cuts to professional services? Yes or no.
- Has the government requested a legal opinion on the possible impact of these cuts on the rights of students?
- What answer or explanation will the government give to parents apart from "they are not made of chocolate"?

At a subsequent meeting, the management committees confirmed that the message was transmitted to the competent authorities. We are still waiting for an official response to the questions submitted...

RECAP OF OUR DEMANDS

DEMANDS	PRECISIONS
Definition of the regular work day	<ul style="list-style-type: none"> 7 hours per day
Flexible work schedule (FR only)	<ul style="list-style-type: none"> On a daily basis, at the beginning and end of the day
Recognition of travel time	<ul style="list-style-type: none"> Introduce a common definition of « primary place of work » Recognition of the extra time needed to travel to multiple places of work
Telecommuting	<ul style="list-style-type: none"> Allow certain tasks to be completed from home
Clauses related to the practice of the profession	<ul style="list-style-type: none"> Obligation to provide the materials needed to carry out the functions of our respective professions
Define professional duties	<ul style="list-style-type: none"> Recognize planning time, report writing, research and professional development, etc., as integral professional duties in our workload and workday
Additional professional resources	<ul style="list-style-type: none"> 600 new positions, 120 orthopedagogues in the francophone sector, Maintain the current level of professional positions (2014-2015) in the system
Professional Improvement	<ul style="list-style-type: none"> 350\$ per professional (in lieu of 240\$) Increase funds for outlying regions Include supernumeraries if funding allocation (FR only; already included in AN) Include supernumeraries if funding allocation (FR only; already included in AN)
Employment status and the notion of absence (FR)	<ul style="list-style-type: none"> Replacement status is given even when the person replaced has been assigned to other duties in the board
Tenure for part-time regular professionals	<ul style="list-style-type: none"> Remove the 75% requirement to have access to tenure
Recognition of Master and Doctoral degrees : extra compensation at step 18	<ul style="list-style-type: none"> 2,5% for Master's degree 5% for Doctorate
Vacation	<ul style="list-style-type: none"> Fifth week of vacation accessible after 14 years of services (instead of 25 years)
Paid leaves for family or parental responsibilities	<ul style="list-style-type: none"> Bank of 10 days separate from the sick leave bank
Continuation of benefits for change of employer within the school system.	<ul style="list-style-type: none"> Continuous services for vacation bank and accelerated access to tenure
Social leave for personal affairs (AN)	<ul style="list-style-type: none"> Parity with other employee groups within the system
Paid legal holidays	<ul style="list-style-type: none"> Minimum of 17 days Provision to maintain the actual number of days, if superior to 17
Maintenance of membership in a professional order	<ul style="list-style-type: none"> Reimbursement of professional fees when membership is required by the job classification
Travel expenses	<ul style="list-style-type: none"> Definition of « primary place of work » Automatic reimbursement of travel expenses to all other places of work
Attraction and retention measures	<ul style="list-style-type: none"> Parity with the health sector (premiums for Psych's)

RECAP OF OUR DEMANDS (CONTINUED)

DEMANDS	PRECISIONS
Transitional measure for compensation of Pedagogical Consultants	<ul style="list-style-type: none"> • 5% (to be pending resolution of pay relativity measures)
Gradual return	<ul style="list-style-type: none"> • Remove certain restraints regarding the period required to be eligible.
Disciplinary and Administrative Measures	<ul style="list-style-type: none"> • Broaden the right to be accompanied by a union delegate for meetings • Include written warnings and reprimands in disciplinary measures
Budgetary Rules	<ul style="list-style-type: none"> • Provide budget documentation to the union for consultation
Grievance and Arbitration	<ul style="list-style-type: none"> • Mandatory mediation measure • Exclude « loser pays » : in all cases regarding psychological harassment or toxic work place
Peripheral Demands	<ul style="list-style-type: none"> • Add 3 new employment categories to the classification plan : music therapist, archivist and chartered accountant. • Include periods worked as a supernumerary or replacement in the notion of continuous service • Union leaves • Etc.

RECAP OF THE EMPLOYERS DEMANDS

DEMANDS	PRECISIONS
Supernumerary Statute	Extend the period of engagement allowed in the case of an increase in workload (currently 6 months)
Supernumerary Statute (FR only)	Remove the obligation to create regular positions after the prescribed delays
Supernumeraries and Replacements	Restrict their rights and benefits ; specifically, access to medication and salary insurance? Possibility to put an end to the position before the pre-stated duration of the contract.
Probation period	Increase the period to 12 months for full-time regular professionals and the « equivalent » for part-time.
Modifications to the hours of regular professional positions.	Allow the school board to revise the working hours of regular professionals without having to go through the reduction of personnel process.
Organisation of Work Loads	Introduce a new model of organization including a re-distribution of services during the school year (i.e. when students are present in the system).
Reduction of personnel	Add « budgetary constraints » as a motive for reducing personnel. (AN only)
Job security	Increase the 50K radius ;movement of personnel

RECAP OF THE EMPLOYERS DEMANDS (CONTINUED)

LES DEMANDES	PRÉCISIONS
Definition of continuous service	<ul style="list-style-type: none"> Calculate vacation time based on the actual time worked during the school year (pro rata)
Overtime (FR only)	<ul style="list-style-type: none"> Mention that compensation days for overtime must be taken when students are not present
Leave for « Act of God » events	<ul style="list-style-type: none"> Restrict the definition and decrease the number of days
Special leaves	<ul style="list-style-type: none"> Review the conditions for use of special leave in the event based on the family ties and other factors
Paid legal holidays	<ul style="list-style-type: none"> Limit everyone to 13 days
Advancement in step	<ul style="list-style-type: none"> Calculate the advancement in salary on the basis of the actual time worked (concept of a year of experience); in other words, pro-rated for part-time professionals
Salary Insurance and occupational injuries	<p>10 demands that will reduce benefits ex : Pre-qualification period of 90 days for each contract awarded</p> <ul style="list-style-type: none"> Decrease in the amount paid from 85% to 75% during the first year No vacation accumulated during sick leaves No benefits paid during Board closures Review of conditions regarding advantages and benefits related to disability follow-up and medical arbitration (AN only)
Seniority (FR only)	<ul style="list-style-type: none"> Review the method to calculate seniority
Temporary assignment to a management position (FR only)	<ul style="list-style-type: none"> Remove the obligation to pay union dues while temporarily assigned to a management position
Union Leave	<ul style="list-style-type: none"> 100% reimbursement of all leaves for union activities other than those in the presence of the employer Reimbursement of social benefits as well. Review the delays required for requesting leave for union activities Identify union representatives and submit a calendar of union activities Reduce the number of clauses in the convention Etc.
Transmission of Information	<ul style="list-style-type: none"> Review the list of information, notices and documentation required to be transmitted to the union as well as the mode of transmission
Confidentiality	<ul style="list-style-type: none"> Clarify the rules of confidentiality and professional secrets in certain situations (AN only)

In conclusion

Soon we will be beginning a new phase of negotiations. Between now and July 9th there are approximately 8 meetings left at each of the FPPE tables. We are going to need a strong mobilization on the part of all our professional members if we hope to resist the attacks on our acquired rights and the cutbacks in our working conditions by management and more importantly, to obtain any gains in our own union demands

