



Dear Members,

As many of you may be aware, in August the Ontario Liberal Government tabled the draconian “Putting Students First Act” (Bill 115). More recently, the Liberals circulated the unfortunately named “Protecting Public Services Act” which aims to gut both public services and public sector collective agreements. CUPE 3903's Executive Committee condemns both Bill 115 and the Protecting Public Services Act. These Acts are but the latest attempts by governments the world over to leverage crisis as a means of stripping workers of hard fought collective bargaining rights. They are blatant acts of provocation aimed at testing the collective will of Ontario workers.

Bill 115 has been presented in the media as a wage freeze for teachers, however, it in fact goes much further than this. Bill 115 applies to all education workers from teachers to custodians, clerical to support staff. The Bill empowers Cabinet to preemptively stop strike actions prior to their commencement and without the approval of the legislature. In fact, the Bill actually prevents collective bargaining between local bargaining agents and their respective school board associations, a move opposed by the school boards themselves.

The “Protecting Public Services Act” aims to extend Bill 115 to the public sector as a whole. If passed, the Act would allow the Minister in question to unilaterally impose a collective agreement on any local. In fact, it empowers the Minister to strip a local of previously negotiated collective agreement provisions even if these provisions are not on the table in current round of negotiations. To paraphrase a recent legal opinion on the matter, the proposed legislation is the equivalent of the *War Measures Act* for labour relations; it hijacks collective bargaining and suspends long established worker rights. For 3903, this could mean the loss of our recently negotiated benefits package or our job security language (LSTAs, Conversions, Seniority) once our present contract ends and we re-enter bargaining in 2014. It could also mean arbitrary cuts to wages and major changes to our pensions.

While debate on the proposed Act was effectively suspended by McGuinty's decision to prorogue parliament, there is no reason to believe that it will not return following the Liberal's January 27th leadership convention. Despite McGuinty's claims to the contrary, the prorogation of Ontario's Parliament had nothing to do with labour relations. McGuinty moved to prorogue in order to interrupt the work of a parliamentary committee investigating the Liberal's costly decision to move two proposed gas-fired power plants. Additionally, none of the Liberal leadership candidates have publicly taken a stand against Bill 115 or the “Protecting Public Services Act”. Indeed, the proposed legislation was scheduled to last as long as Ontario's deficit, which is not expected to be eliminated until at least 2017-18. This suggests a longer term austerity agenda similar to that now being imposed in European countries.

Collectively these Bills represent the greatest attack on public sector workers and public services since the Harris years. At that time, Ontario workers stood strong together, collectively organizing rotating days of action in defense of public services. We must organize a similar show of strength to prevent the erosion of our rights, working

conditions, and Ontario's public services.

Fortunately, this work has already begun. CUPE Ontario recently passed a motion calling for strike votes to commence the moment this legislation is used against a CUPE local. CUPE has also organized a mass rally and regional planning meetings for later this week and education unions across the Province have already begun job actions. In the coming days, the Executive will also be meeting with other locals in our sector to plan a coordinated response.

Please see the enclosed for a letter from Fred Hahn (CUPE Ontario President) and Paul Moist (CUPE National President), a list of solidarity and organizing events, and an FAQ prepared by your 3903 Stewards Council.

Sincerely,

The CUPE 3903 Executive Committee



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Sisters and brothers,

Our democratic right to negotiate collective agreements, to collectively have a voice to define our working conditions with our employers, is being taken away.

This is why 1,300 elected local leaders of CUPE came together on October 18th from all corners of the province and launched a major campaign to defend collective bargaining and preserve the fair and neutral interest arbitration, which have served Ontario so well for generations.

Last September, the Liberal and Conservative members of the provincial parliament conspired to legislate an end to regular collective bargaining for education workers. By passing Bill 115, the Ontario government gave itself the power to dictate the working conditions and terms of employment for 55,000 CUPE members who work for school boards.

Then, in October, the Liberal government drafted another law to wipe out bargaining rights for almost all other public employees. The proposed law also would radically change the current system of interest arbitration for public employees who do not have the legal right to strike.

Our right to free collective bargaining is something generations of workers fought to establish. It is our responsibility to retain this workers' right by all means open to us. Collective Bargaining is the best way, and the fairest way, to decide the working conditions of employees. It has been fundamental in keeping services public. It works for workers and it works for employers, and to mess with it as the Ontario government is doing is not just undemocratic, it is bad for everyone in Ontario.

On October 18, leaders unanimously adopted a plan that calls for bold and organized action to stop the Liberal government, and any other future government, from attacking our collective bargaining rights, and making public employees the scapegoat of economic mismanagement by governments, banks and other financial players.

This plan will involve thousands of CUPE members speaking out for their rights. It will involve intensive lobbying of Members of Provincial Parliament in coming weeks, and it will involve members joining together in organized rallies and events in their communities and at Queen's Park. CUPE will also be building alliances with the people for whom we provide services, and with other workers, so that everyone knows we do not stand alone in our campaign.

Our plan calls on all of us to work together and to engage in workplaces and in escalated job actions to make it clear that we are serious about defending our

democratic rights. These job actions will be discussed and decided on at union local meetings in the coming weeks.

We urge all local union leaders to help lead this important campaign.

Talk to your members:

- Get them out to the regional membership meetings that will take place across the province between November 13 and November 29.
- Help mobilize for strong participation in the rally planned for November 28 outside the Queen's Park office of the Minister of Finance.
- Encourage members to participate in visits to the offices of your local MPPs.

All the information you need to participate is posted on www.cupe.on.ca, as are regular campaign updates and campaign materials for your use. More tools will be provided at regional meetings to support all locals to participate in activating our membership.

Copy this letter and distribute it to your members and help keep them informed of all the actions to come.

We can keep our right to collective bargaining. We can win this campaign. Our future, and the future of next generations, depends on it.



Paul Moist Fred Hahn National President President, CUPE Ontario

For a copy of the resolution, please contact your Local or email info@cupe.on.ca

THE PROTECTING PUBLIC SERVICES ACT: WHAT IT MEANS AND HOW WE CAN FIGHT IT!



In September, the government of Ontario passed Bill 115, effectively taking away the right to collectively bargain from school board employees (teachers as well as support, custodial, and clerical staff). By doing this, the government is not only threatening the working condition of thousand of teachers, but also affecting the quality of the education received by hundreds of thousand of students across Ontario.

However, the Liberals are not planning on stopping their attack on public services there. The «Protecting Public Services Act» (PPSA), a draft legislation they proposed in September, would have a similar effect for other public sector workers in Ontario, including university workers.

WHAT IS THE PROTECTING PUBLIC SERVICES ACT?

The PPSA will likely come before the Ontario Legislature sometime in the early New Year. If passed, it would grant the Ontario government final say over all public sector collective agreements, and allow for the rollback of gains won in past rounds of bargaining. Perhaps most ominously, the PPSA would effectively criminalize strike action, thus stripping public sector workers of any ability to defend themselves in the face of these attacks.

WHAT DOES IT MEAN FOR PUBLIC SECTOR WORKERS?

The PPSA would immediately freeze public sector workers' wages and benefits. Moreover, many of the gains and benefits that workers have won in past rounds of bargaining would be up for review, with the government reserving the right to revise those agreements in the interest of promoting their austerity agenda. Thus, if the PPSA is passed, public sector workers across the province would be forced to bear the brunt of the costs of the ongoing economic crisis. Naturally, the consequences of this offloading of the crisis onto the public sector would be felt by the vast majority of Ontarians that depend on public sector services.

WHAT DOES IT MEAN FOR OUR CONTRACTS AND OUR BENEFITS?

Through collective bargaining and the right to strike, CUPE 3903 members have made key gains that have meaningfully improved the lives of contract faculty and graduate student workers at York University. Our salaries are among the highest in the sector and our collective agreements include language that provides an extensive health plan, protects student-workers from rising tuition fees through indexation language, and adds a modicum of job security through longer term contracts and a seniority system, among many other things. While the issues of precarious and contingent academic labour fundamentally remain, these gains are important and often unique in the sector.

Given this, the power of the state to unilaterally impose an agreement with rollbacks is particularly alarming. Ours would almost certainly be the first to see the rollback of many of our hard fought gains, and everything that we have bargained for over the past 35 years is threatened by this legislation.

DIDN'T MCGUINTY'S RESIGNATION KILL THIS BILL?

No. McGuinty's resignation and the prorogation of parliament delayed this legislation by several weeks, but it is quite likely that this bill will return when parliament resumes. The Liberals sought to use the period of prorogation to negotiate the legislation with the opposition parties, and the Conservatives only opposed it on the grounds that it did not go far enough (they want it to apply to municipal workers as well). It is likely that there will be an election when parliament resumes, and the Bill may also be put forward by a subsequent Conservative government. Furthermore, even if this draft legislation dies, the precedent has already been set by Bill 115, and we need to show solidarity with workers in the public education system.

HOW ARE UNIONS RESPONDING TO THIS BILL?

Unions are responding the only way they can, through collective action. CUPE Ontario held an emergency meeting with more than 1100 Local representatives on Oct 18th. This meeting unanimously passed a resolution calling upon all locals to join in a campaign to defeat both Bill 115 and any upcoming legislation that denies unions collective bargaining rights. The resolution asks locals to engage in mass membership mobilization, public education, lobbying of MPs, and direct action.

They also have called upon unions to begin organizing votes for a mandate to take job action, including strike action. The votes are themselves a way to put pressure on the government, but they also may lead to actual province-wide job action. Rallies have been called by CUPE Ontario for Nov 28th at the finance minister's office (Grosvenor and Yonge) and by the Ontario Federation of Labour for Jan 26th (the Liberal leadership convention). Other unions have organized rallies and the Ontario Secondary School Teachers Federation (OSSTF) has taken job action.

WHAT IS OUR UNION, CUPE 3903, DOING?

The Stewards Council of CUPE 3903 has made the campaign against the Protecting Public Services Act its priority. Stewards and members are raising awareness on this crucial issue in their departments, organizing workshops and meetings in order for everyone to understand the importance of this attack on unions and public services.

More concretely, you will find below a list of events – from meetings to rallies – organized in the upcoming weeks. We wish to organize more actions, rallies and workshops, but this is only possible with your help.

WHAT CAN WE DO AND HOW CAN I GET INVOLVED?

An attack of this scale on public sector workers is devastating to the public services we provide. It cannot be ignored. Until parliament resumes, we need to mobilize ourselves in order make the Liberals understand that we will not give up our right to bargain without a fight. We need to organize to defeat the bill through a campaign of petitions, lobbying, and public protest, and to be prepared to take job action should it pass.

The right to strike and to collectively bargain were won by workers after decades of struggle, and this has enabled workers across Canada to win improved salaries and working conditions in order to live decent lives. Such rights cannot be taken back. If the government of Ontario thinks it can take away our rights without a fight, it's making a big mistake.

CALENDAR

- Join the CUPE 3903 contingent on Nov 28th at noon for a CUPE-wide demo for public services and public workers. We will be meeting on the Northeast corner of Yonge and Wellesley.
- Attend the November 29th General Membership Meeting from 12pm to 4pm and voice your concerns and ideas.
- Join us again in the streets on January 26th 2013 to oppose this legislation at the Ontario Liberal Convention. There will be a rally at Allan Gardens in Toronto (Jarvis & Carleton) at 1pm organized by the Ontario Federation of Labour.

In the long run, we need to get more organized and reach out to our membership and the broader community:

- Help us organize a departmental meeting in order to educate your co-workers on this issue. We are looking forward to talking to as many people as possible.
- Come to a Steward's Council and help us organize! To find out the time & place, visit our website.
- Do you have an idea about what we could do? Share it with us and we will help you organize.

DOES THIS MEAN THAT WE'RE GOING ON STRIKE?

Not necessarily. But it does mean that we need to mobilize our membership as if we're preparing for a strike: we need to show support for Ontario teachers and other public sector workers that are currently on the front lines of this struggle. And if the PPSA is passed, we can expect many of our hard-won gains to be put on the chopping block when our contract expires in 2014. Organizing and mobilizing now, and actively support other public sector workers across the province, is the best way to protect our collective agreement!

WANT TO LEARN MORE ABOUT THE PPSA OR GET INVOLVED?

Check out our website, subscribe to our mailing list or join us at a Stewards' Council meeting (time & place on the website). If you have specific question or ideas, you can contact us at mobilization3903@gmail.com

CUPE 3903



WWW.CUPE.3903.CA

Additional Upcoming Events and Actions

- Special CUPE All-Members Meeting, November 26th from 6pm to 8pm at the Sheraton Centre, 123 Queen Street West.
- Public forum "From Chicago to Toronto: Educational Activism in Increasingly Conservative Times", November 27th from 5pm to 8pm at OISE, 252 Bloor Street West.
- **CUPE-wide demo for public services and public workers, November 28th at noon, 7 Grosvenor Street. The CUPE 3903 contingent will be meeting on the Northeast corner of Yonge and Wellesley at 11:45am.**
- CUPE 3903 General Membership Meeting, November 29th from 12pm to 4pm in the Harry Crowe Room, Atkinson 109.
- Ontario Common Front general assembly, December 8th at OISE from 9:30am to 4:30pm.