

GIVE US THE MEANS

November 2015

N°8

NEGOTIATION ,PROVOCATION OR CONTEMPT ? YOU BE THE JUDGE !

Thursday, November 19 - 2015, -Montreal: In order to reach a negotiated agreement as soon as possible, the employers' negotiators filed a draft proposition to settle, on November 11th at the Francophone table and November 17th at the Anglophone table, with the FPPE negotiators. At the heart of the employers deposit, titled "PROPOSED SETTLEMENT": increase managerial rights, delay access to full-time regular professional positions with job security, limit union representation, claw back rights acquired in previous negotiations and ultimately settle without any investment in new resources or attraction and retention measures. In other words, at no cost!

If you were looking for a reason to stay mobilized, look no further!

On the following pages, you will find a summary of the employer's offer submitted by the Management Negotiating Committee for Anglophone School Boards (CPNCA) in response to the FPPE union demands ..

The summary of the employers' offers at the francophone table were previously transmitted in the Passerelle Négo of November 13th, 2015 ([version française](#)).



A reminder that since last September, in addition to submitting concrete offers on several employer demands, the FPPE union representatives have also made additional withdrawals of some of its' demands ; more specifically:

- Telecommuting
- Obligation to provide materials needed to carry out professional duties
- Reimbursement of fees paid to Professional Orders
- Transitional measure (additional 5% for Ped. Consultants until pay relativity is settled)
- Technical Demands
 - ⇒ Provide the union with copies of all contracts for external services and mandates
 - ⇒ Add e-mail as a means of transmitting union information and a mention to ensure that confidentiality will be ensured

SECTORIAL NEGOTIATIONS

UNION DEMANDS	EMPLOYER'S RESPONSE
Include a definition in the collective agreement which defines a regular work day as having seven (7) hours (for personnel with less than 35 hours)	REFUSED
Problems related to travel (obtain recognition of the time needed to travel , travel expenses and recognition of "primary work place")	DISCUSSION ON-GOING
Better definition of the essential aspects of professional duties (professional development, consultation, record keeping, etc.)	REFUSED
Additional professional resources: <ul style="list-style-type: none"> • Ensure the maintenance of resources obtained in the 2010- 2015 collective agreement • New addition of 600 professional positions in the next agreement 	REFUSED REFUSED REFUSED
Professional improvement: <ul style="list-style-type: none"> • Increase the amount for professional improvement from \$240 to \$300 per regular and supernumerary professional • Increase funds for outlying regions 	REFUSED OPENING WITHOUT CLARIFICATION OF THE AMOUNT
Job security for part-time regular professionals: remove the requirement to hold a full-time regular position to be eligible for tenure	REFUSED
Recognition of Master and Doctoral degrees: : extra compensation at step 18: 2,5% for Master's degree and 5,0% for Doctorate.	REFUSE TO NEGOTIATE THIS ISSUE ON SECTORIAL TABLE
Access to a fifth week of vacation after 19 years of services instead of 25 years.	REFUSE TO NEGOTIATE THIS ISSUE ON SECTORIAL TABLE
Add 2 days/paid leaves for family or parental responsibilities (separate from the sick leave bank)	REFUSED
Parity with the health sector with regards to premiums and others attraction and retention measures (i.e. : psychologists)	REFUSED
Continuation of certain benefits (tenure, continuous service for the purpose of vacation) when change of employer within the school system	IN PROCESS OF AN AGREEMENT
Special leaves: Revise the number of days for special leaves to obtain parity with other school board employees	DISCUSSION ON-GOING
Gradual return: remove certain restraints regarding the period required to be eligible for a progressive return to work following a disability period.	IN PROCESS OF AN AGREEMENT
The right to be accompanied by a union delegate for certain meetings convened by management.	RESPONSE INCOMPLETE
Provide budget documentation to the union for consultation	RESPONSE INCOMPLETE

SECTORIAL NEGOTIATIONS (CONT.)

UNION DEMANDS	EMPLOYER'S RESPONSE
Grievance and Arbitration – improve the arbitration process and include alternative mechanisms for resolving grievances.	REFERRED TO A COMMITTEE
Recognition of the time worked in supernumerary or replacement positions as continuous service in the calculation of vacation time.	PARTIALLY ACCEPTED
List 3-7.01 – add to the list: <ul style="list-style-type: none"> • The professional's e-mail address • The name of their immediate supervisor • Their primary place of work 	ACCEPTED  
Leave for Union activities : <ul style="list-style-type: none"> • Obligation to replace • Increase the number of days for CSQ and FPPE conferences • Etc. 	 OFFRE BELOW STATUS QUO

The document that was given to us lists the employers' demands still on the table; some additional withdrawals, and other proposals that have been slightly modified.

EMPLOYER'S DEMANDS	EMPLOYER'S POSITION AS AMENDED 17-11-15
Increase the duration of the probationary period from 6 to 12 months for full-time regular; pro-rated for part-time professionals to the equivalent of 24 months.	Demand maintained and modified to 9 months for full-time and 12 months for part time regular professionals
Introduce a new model of organization that would allow for a re-distribution of services during the school year (annualization)	Demand maintained
Supernumerary status: Extend the period allowed for supernumerary contracts due to a temporary increase in workload from 6 to 10 months	Demand maintained and modified to 9 months.
Union Representation: - review the chapter (deadlines, reimbursements, etc.)	Demand maintained On-going discussions on this issue.

SECTORIAL NEGOTIATIONS (CON'T)

EMPLOYER'S DEMANDS	EMPLOYER'S POSITION AS AMENDED 17-11-15
<p>New technologies:</p> <ul style="list-style-type: none"> • Use of email as a mode of transmission • Termination of printing the administrative copies of the agreement 	Discussions on -going Demand withdrawn
<p>Employment contracts: possibility to terminate supernumerary or replacement positions before the pre-stated duration of the contract</p>	Demand withdrawn
<p>Paid social leave :</p> <ul style="list-style-type: none"> • Limit family ties in the case of leaves for a death in the family • Death and the day of the funeral; allow for one day to be used at a later date • Act of God (limit the definition) 	<p>Demand maintained; discussions on-going</p> <p>Demand maintained; discussions on-going</p> <p>Demand withdrawn</p>
<p>Principle of recognition of management rights: add a general article recognizing the rights of school board management</p>	Discussion on-going
<p>Removal of Appendices in the agreement :</p> <ul style="list-style-type: none"> • Appendice A – Computerized billing of group Insurance premiums • Appendice B – Provincial committee concerning students with handicaps... • Appendice D - Professional resources to support student success in the Youth and Adult sectors • Appendice E – Family responsibilities; etc. 	Open to maintaining Appendice A, B and E All other demands are maintained
<p>Vacation : Calculation of vacation credits based on time worked as professional in the school year (for staff who arrive from another category of employment during the school year).</p>	Discussion on-going; union accepts the demand in exchange for recognition of time as a supernumerary or replacement as continuous service in the calculation of vacation
<p>Confidentiality: add a general article clarifying confidentiality regulations as a shared responsibility</p>	Discussion on-going
<p>Salary insurance and occupational injuries:</p> <ul style="list-style-type: none"> • pre-qualification period of 90 days • Reducing the accumulation of vacation during a disability • Cut the benefits during two weeks of summer closure. • Occupational injuries - income replacement indemnity 	<p>Demand withdrawn</p> <p>Demand withdrawn</p> <p>Demand withdrawn</p> <p>Discussion on-going</p>
<p>Procedure for resolving grievances and arbitration</p>	Creation of a committee

The FPPE still believes in the importance of the role of school boards in the distribution of professional services. However, it is very disappointing that even union demands with zero cost or that simply provide a minimum of recognition of professional duties, are rejected at the drop of a hand by the school boards, claiming they violate the rights of local management.

The union bargaining team will analyze the employers' latest proposal and decide what action to take. Rest assured that **WE WILL NOT ACCEPT A DECLINE IN OUR WORKING CONDITIONS!**

FPPE NEGOTIATING TEAM

INTERSECTORIAL NEGOTIATIONS

You have probably read the [Négo 2015 +Juste](#) newsletter and saw with surprise that the government took a step "forward" by changing its initial wage offer of 0% - 0% - 1% - 1% - 1% to 0% - 1% - 1% - 1% - 0%!

In this newsletter, the wage structure and management's proposal's negative effects on the salaries of nearly 18,000 public sector employees were mentioned. It seems important to give you some additional information on this issue since as it is directly affecting several members of the FPPE. The employer wants, in this negotiation, to resolve [complaints](#) under the pay equity program of 2010, to class [mixed employment groups](#) and finally to establish a consistent salary structure by bringing on the new curve all employment groups that are below or above it. In order to implement this new structure, the government will invest approximately 500 million dollars by injecting 2.5% to all the classifications (rangements) in 2019. For the employment groups that are on the curve, this means an additional pay bonus of 2.5%, which would be added to the salary increase that we will obtain through negotiations. This is quite interesting, and the government does not hesitate to tell us. For employees who have been, below the infamous curve, since 2005, the increase would be greater because in 2019, they will be incorporated into the curve. However, for employees who would be "off-scale", i.e. those whose salaries in 2019 would be higher than expected for their classification, the management proposal is unacceptable. Indeed, it changes the rules of the game. In all collective agreements, there is a clause that determines what happens to a person found to be "off-scale." This clause has existed for a long time and responds to our mandate: "no wage freeze, no wage cut." We are simply asking the government to apply it. However, the government insists on amending these clauses, so people can

be placed on the curve more rapidly through a step by step wage decrease, starting in 2019. This is totally unacceptable! About 18,000 employees would be affected. From these 18,000, about 1590 are school board professionals who would see their "too high" wage increases ranging from 1% to 8.5% clawed back. Unfortunately, for approximately 90-95% of the 400,000 public sector employees, the proposal might be interesting because they are not above this curve and they would see an adjustment of 2.5% or more of their salary in 2019. It is easy to understand the division this can create between groups, even in our own Federation.

Négo CSQ Bulletin is clear: There is no way we can allow increases for certain groups at the expense of others. We continue to demand the application of the collective agreement for the "off scale" individuals and everything must be done to avoid further division. It is important to remember that this is a management demand from an employer who is not looking to throw any gifts our way.

The negotiation is not over! Meetings continue to be held for the pay equity of complaints of 2010 and for employment groups with mixed categories. The Common Front is evaluating the strategy for furthering negotiations at the table. This is not the time to be discouraged but rather to remain mobilized to force the government to step back from its demands and to move forward on ours. They are legitimate!

Johanne Pomerleau,
President FPPE

