

Newsletter



In January, 2019, the provincial government will be launching a review of Manitoba's K-12 education system. Two matters which may be under consideration in this review are the large-scale amalgamation of the current 37 elected school boards in our province, and a possible move to appointed, rather than elected, school boards.

School boards are grassroots, democratic institutions. Alone, either of these changes would severely undermine the ability of communities to shape local schools. The first would create overly-large administrative units, and the second would eliminate the right of communities to choose their own representatives to govern their school system. Together, these two changes could silence the community's voice in education completely. Together, they would take away community ownership of local schools.

If you value education and your ability to help shape local schools to meet community needs, we encourage you to voice your concerns about these possible changes with provincial government officials, including the Premier of Manitoba, the Minister of Education and Training, and your local MLA.

A template letter, that you are welcome to use for this purpose, can be found under the downloads section on the source website. Contact information for all MLAs, including email addresses, is available at the source website. To hear what our local veterans had to say about the importance of local voices and local choices in education, please visit [The Veteran's Voice](#) page at the source website.

(Source www.mbschoolboards.ca)



Inside this issue

Local Voices	1
Union Dues/Rand Formula.....	2
2019 Negotiations Committee ...	2
Healthcare Across Boards.....	3
Union Thugs.....	3
When Does It End	4
Know Your C.A.....	5
President's Message	6
Local Contact Information.....	6

Next General Meeting

The Next General Meeting for CUPE Local 744 is on Saturday, January 19, 2019 at ANAVets Unit 283 (3584 Portage Avenue).

General Meeting starts at 10 am.

Come a little earlier for breakfast provided by the Local.

UNION DUES

Union dues are the way workers who have decided to form a union pool their resources to enable the work of the union. Union dues fund the cost of bargaining, the cost of enforcing the collective agreement, and the cost of campaigns union members instruct their union to conduct.

No single worker could afford the cost of taking a grievance to arbitration. No worker could survive a strike or a lockout without strike pay. Union dues help workers create their national strike fund.

CUPE members' dues, managed by the National Secretary Treasurer, are used to fund union priorities identified by the members. CUPE members decide if we donate to other workers on strike, or to the United Way or other worthy charities. Union members decide to conduct campaigns to defend public medicare or pensions for all workers for example.

In Canada, the union dues paid by all workers in a unionized workplace flow to certified unions as a result of a Supreme Court Decision from 1946, known as the Rand Formula. It is this system of dues collection that is under threat from right wing governments and politicians at both the federal and provincial level.

WHAT IS THE RAND FORMULA?

The Rand Formula dates back to an arbitration decision by Canadian Court Justice Ivan Rand in 1946 which was part of the arbitration settlement that ended a United Auto Workers' strike at the Windsor, Ontario Ford plant.

THE RAND FORMULA IS ALSO KNOWN AS "DUES CHECK-OFF" OR "AGENCY SHOP"

At the heart of the decision was the recognition of the union as the bargaining agent for all workers at the plant. Justice Rand decided that union dues should be paid by all those who benefited from the union contract, not just the signed members of the union. Justice Rand saw dues check-off as fostering labour peace and a harmonious labour relations climate in Canada.

In his decision, Justice Rand ruled that the employer would deduct those dues from all unionized employees' pay cheques and forward the funds to the union. As a result of Rand and subsequent court decisions, dues check-off can be included in the collective agreement at the request of the union in most provinces and has become known as the Rand Formula. Without the Rand decision, and where dues check-off is not available, unions must go member to member each month to collect dues. The Rand decision means that unions can focus resources on carrying out work of representing members instead of just maintaining financial sustainability.

WHAT IS THE PURPOSE OF THE RAND FORMULA?

The Rand Formula establishes the legality of automatic dues check-off from all those covered by a collective agreement. This prevents "free riders", or workers who would benefit from the activities of the union but do not want to pay union dues.

WHY ARE UNION DUES NECESSARY?

In Canada, unions are formed when the majority of workers in a workplace vote to unionize. All members of the union benefit from the wages and benefits negotiated in their collective agreement, the professional representation provided by the union, and other benefits of membership. These activities are funded by the payment of union dues.

Dues levels are set democratically by members of the union.

Unions have a legal duty to represent their members. Even if a worker was able to opt out of paying dues, the union would be legally obligated to represent that worker and gain from the wages and benefits negotiated by the union. It's only fair everyone pays their dues.

CUPE Local 744

2019 Negotiations Committee

The 2019 Negotiations Committee was confirmed at our November 24, 2018 General Meeting.

Steve Magian, Dale Gibson, Bob Guenther, Sharon Guzzardi, Kim Orvis and Michele Keenas will work with our CUPE National Representative, George Bouchard to negotiate the best contract possible for us all.

Randy Palmer, Sylvia Shaler and John Marsh will serve as Technical Advisors to the Committee.

This government neither understands nor cares about working people, their needs or the long term social benefits of a properly funded civil service. This will be a very difficult session.

Defending the right to health care across borders

By Debbie Boissonneault November 19, 2018

In May, Robert Mendoza, President of the Alliance of Health Workers Philippines (AHW) came to Winnipeg on a CUPE-sponsored visit. It was a great pleasure for me and my members to spend time with him.



The AHW empowers Filipino health workers to promote and protect their economic and democratic rights. The Alliance also defends the peoples' right to health by advocating for "a comprehensive, accessible, appropriate, affordable and humane health care system."

Mendoza travelled from the other side of the world to meet with CUPE members, learn about our struggles, and share the struggle of health care workers in the Philippines. Even though we are thousands of miles apart, we have common struggles as workers. Government cutbacks are driven by money, and hurt patient care. Front line workers are not consulted about changes in the workplace or in the health care system, and workers are often fighting for better standards of care.

The Philippines has a two-tier public and for-profit health care system, something we are trying to keep out of health care in Manitoba. After hearing about the impact it has on people in the Philippines, particularly the poor, I feel inspired to keep fighting for public health care.

CUPE members appreciated hearing about the challenges facing Filipino health care workers. For several members, this discussion allowed them to receive an update about the situation back home, where many grew up and still have family. Mendoza was clear that the conditions of unemployment and lack of access to health care mean many people live in poverty or are forced to migrate to other countries in search of work.

The AHW believes that the right to health care is a right for everyone in the Philippines, and there is a great deal of solidarity within the membership to achieve this goal. They face powerful pushback from their government, and know they need to unite to be able to win their fights.

At a rally protesting the closure of a hospital emergency department, Mendoza was surprised we were not harassed by security, and that police did not remove our campaign material from the public spaces.

I felt uneasy knowing we have the right to campaign and protest when these rights are repressed in the Philippines. I also felt that facing repression has built a stronger sense of solidarity within the AHW membership.

After spending time with Brother Robert, I believe that fighting for your life means you will fight harder, and maybe there are things here we should fight harder for as well. He was able to make important connections with CUPE members and reminded us how important it is to fight public sector cuts and privatization.

Debbie Boissonneault is the president of CUPE 204, representing over 7,000 health care workers in 20 health care facilities across Winnipeg and Manitoba.



Union Thugs, we are here to educate you not intimidate you. We are proud union members and their supporters from all occupations. We think that wisdom is much stronger than muscle and we're not afraid to use it.

This label has been thrown around so much by union adversaries lately that it's become a joke. The leaders of the labor movement were called thugs just like us. They persevered, and they won. Their cause was just and so is ours.

Today's thugs are teachers, firefighters, police officers, snow plow drivers, linemen, mail carriers, nurses, musicians and all walks of life. We come from every corner of the globe, USA, Canada, Australia, New Zealand, Great Britain and many more.

When does it end

Bob Guenther December, 2018
Bob is the Secretary Treasurer for CUPE Local 744

I was asked to write a brief report about my involvement with our current political action activities. It has definitely been a struggle with all the changes and cuts the provincial PC government is forcing on frontline workers, healthcare workers and now education.

Yes, our time has come. It appears the government will start their review of education in our province in January 2019. Is it going to be a complete change like healthcare? Only time will tell.

From the first coarse of Healthcare cuts, I was appalled at the disruption of thousand of front line workers for nothing more than a political agenda. Politics, and specifically unjust political actions have peaked my interest and brought me here. It seem the agenda of this government is to sell off public assets and cut government services. CUPE has shown me how society actually benefits from good public services, how deceptive and expensive Public-Private Partnerships (P3's) actually are and how contracting out hurts us all. I have learned how to recognize these situations and we are preparing political action strategies to deal with these situations if/ as they occur.

CUPE recently had a major success in Manitoba when the provincial PC government announced they would not be building the proposed three P3 school. Had the government proceeded with these schools we, the people of Manitoba, would have essentially purchased the schools with a credit card, ultimately paying at least double to triple the original amount. There are more victories to come for labour.

This government has its agenda and we, the front line, are discovering what it is all about. It is the slow erosion of labour rights and disposal of public assets. All of these things have taken us this long to obtain and now they are being sold off for a dime on the dollar to private interests.

Next year is the 100th anniversary of The Winnipeg General Strike; Is it time for us to again stand hand in hand, brothers and sisters prepared to shut down the city again! Show them the power people have when they stand together. Time will tell. If you would like to get more information or join me and other activist in the fight for labour rights I would be glad to hear from you.

Cheers

"When I is replaced by we even illness becomes wellness" Malcolm X



Know Your Collective Agreement

Article 14.03 Break Period: *All regular full-time employees and full-time temporary employees (working an 8-hr. shift on any given day) shall be permitted a ten (10) minute rest period in the first half and the second half of any full shift worked, time of break to be established by mutual agreement between Manager, Facilities & Maintenance and C.U.P.E. Representative. Regular part-time and part-time temporary employees working three (3) hour shifts or more in any half day shall be permitted one ten (10) minute rest period to be taken during the shift and not at the beginning or the end of the shift.*

Article 14.03 is, for the most part, self-explanatory. What you need to know is:

Simply put, a break period is the opportunity to step away from your work duties for a specific period of time.

Meetings called by the employer are considered to be a part of your work duties. As such, sitting at a meeting, or drinking a beverage provided by the employer while sitting in a meeting would not be considered as having had a break under this Article. An exception to this is when the meeting ends, and the employer offers refreshments. As you are no longer required to stay, doing so would constitute a break under this Article. Similarly, if it is an extended meeting and a break is part of the schedule, that would be considered a break under this Article.

If your work requires you to drive from one location to another, the time you spend traveling would not be considered a break period under this Article because travelling/driving is a part of your regular work duties. The exception to this would be if you were travelling between part time jobs. It is your responsibility to get yourself to your regular place or places of employment so, in this case, travelling is not considered to be a part of your work duties.

I am a union worker

**That means I am part
of an organization
that fights not only
for my benefit, but
for everyone's benefit.**

Unions set the standards!

A temporary change in your daily work hours does not alter your entitlement to the full number of breaks outlined in this Article. It is your responsibility not to abuse break entitlements and it is beneficial everyone allows a certain amount of flexibility in any schedule because, as we all know, things will pop up unexpectedly.

As always, if you have any question about this, or any Article in our Collective Agreement please contact a Shop Steward or any other member of the Local Executive Committee (LEC).

President's Message



Sisters, Brothers and Friends,

I had hoped to get this issue of the Newsletter out before the Christmas break, but circumstances have prevented that from happening. I hope you all had a very Merry Christmas, Happy Holidays and a great break from work.

The Negotiations Committee has been established and our preparations are under way. We have the benefit of three senior members who will act as Technical Advisors to the Committee and I want to personally thank everyone who has stepped forward.

Unfortunately, we all have more questions than answers and, as is happening in Healthcare, we will only find out as things happen. If past practices predict future behaviour the government will claim to seek our input while ignoring everything we have said or will say. They will accuse unions of being out of date, bloated and irrelevant when the core of our demands remain equal rights, respect, fair pay and safe work which are hardly outdated or irrelevant ideas. As far as being bloated goes, who always takes the blame for political mismanagement, who is always expected to do more with less and who is now facing no wage increases for the foreseeable future? The only ones getting rich around here are the leaders, their consultants and the business leaders buying up government assets they will lease back to the people of Manitoba (for a suitable profit of course)

Hopefully saner heads can prevail in 2019 and the rights of ordinary, working Canadians will be protected rather than trampled. On that happy note, I wish you all a very joyous new year. May health, happiness and prosperity be yours.

In Solidarity,
Steve

Local Executive Committee 2018

President	Steve Magian	smagian@sjsd.net	204.793.1297	(talk or text)
Vice-President	Dale Gibson	dgibson@sjasd.ca		
Secretary-Treasurer	Bob Guenther	bguenther@sjsd.net		
Recording Secretary	Randy Palmer	rpalmer@sjsd.net		

Shop Stewards:	Sylvia Shaler	sylvia.shaler@sjasd.ca
	Sharron Guzzardi	sharon.guzzardi@sjasd.ca
	Vacant	

Sergeant at Arms	Ken Peters
-------------------------	------------

Trustees:	Kim Vezina-Orvis
	Stan Sobczak
	Vacant



You have the right to union representation.

If you have questions or concerns please contact a Shop Steward or any member of the Local Executive Committee.

Website: WWW.744.cupe.ca
(new website currently under construction. More info to come)

The Collective Agreement can be viewed at <https://744.cupe.ca/>