

TRANSCRIPT FROM THE MEETING OF THE AUCE PROVINCIAL  
AFFILIATION COMMITTEE WITH CUPE REPRESENTATIVES  
RAY MERCER AND JOHN CALVERT

December 11th, 1979 @ The AUCE Provincial Office

AUCE AND CUPE REPS PRESENT AT THE MEETING:

- LS - Lid Strand, Provincial Exec Rep from AUCE #1
- RM - Ray Mercer, CUPE , B.C. Division
- SD - Sara Diamond, Local 2 affiliation rep
- JC - John Calvert, CUPE Researcher
- SK - Susan Knutson, Local 6 Rep to the AUCE Provnc'l Exec.
- MN - Marion Northcott, Local 2 affiliation rep
- MM - Mary Mabin, Local 6 Rep to the AUCE Provnc'l Exec
- SM - Suzanne Marria, AUCE Provincial Organiser & Member #6/TSSU
- JW - Joan Wood, AUCE Provincial President & Member #2
- HV - Hester Vair, AUCE Provincial Vice-President & Member #2
- SP - Sheila Perret, AUCE Provincial Secretary-Treasurer & #4 member

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COLLEGE EMPLOYEES (A.U.C.E.)  
- PROVINCIAL OFFICE -  
#901 - 207 WEST HASTINGS ST.  
VANCOUVER, B.C.  
V6B 1J8



LS: What would the attitude of CUPE be if AUCE tried to join the CLC as an independent union?

RM: CLC has already indicated their attitude; cannot state for national organization what policy would be. As staff, it is not within our purview to enact policy.

SD: When we met with you you indicated some alternatives for AUCE's affiliation with CUPE, in terms of structure. Could you go through this for the Affiliation CMT.

RM: Cupe in its structure could accommodate your association in at least two ways. First it could accommodate local by local or by having what I term 'a local which is provincial in character'. Not quite a provincial union: in existence at the moment there are two, the ambulance employees and the assessment authority of B.C..

SD: Could you go through what the differences would be in terms of structure.

RM: Basically there wouldn't be any difference; the things I mentioned about the local autonomy would apply whether you were a local which is provincial in character or local by local.

SD: Could you specify what local autonomy means?

RM: A local union conducts its own affairs, it elects its own officers, elects its own committees; what CUPE does is to provide the resources, both human and material, to assist those local unions. Whatever is available to any local union that belongs to CUPE would be available to your association, vis a vis the research dept, the job evaluation dept, the legislative dept, the dept of organizing and servicing, the P.R. dept, the education dept.

JC: CUPE has 1400 locals across the country, and it's a very decentralized union in terms of structure. Within each province you have a provincial division and locals are free either to affiliate or not affiliate - obviously we hope that they do affiliate and participate provincially - the locals elect a provincial CUPE PRESIDENT and Executive Board, and they also hold a convention in each province. Then at the regional level there are Area Councils - 6 in B.C.. Kootenay, Northern, Okanagan, Frazer Valley and so on. Again, the decision to affiliate or not affiliate is up to the locals. Cupe locals can participate or not at the provincial and regional levels.

SK: Can you talk about the responsibility and authority that the provincial and regional councils have, what kind of business, how often do they meet?



RM: Locally, the District Councils (add Vancouver Island and Vancouver Metropolitan Area), are primarily coordinating bodies. Coordination of activity, and primarily concerned with those affairs that are on the municipal or school board level in that general locality. They act as a clearing house for information during bargaining sessions and that sort of thing. They meet once a month and locals report their activities for the general information of everyone. . . . On occasions, District Councils are engaged in municipal politics, by either supporting a particular candidate or conducting public meetings, that sort of thing. One good example in the Vancouver Metropolitan was when the various municipalities were seeking to amend their patent under the GVRD to include accreditation as part of the duties of the GVRD. In all instances the local union involved and the District Councils made representations to whatever council was meeting to persuade them not to enter in to accreditation.

SK: What is accreditation?

RM: Where a group of employers get together under a single body, and then become the certified bargaining authority for that group of municipalities or school board employers, or a mixture. We may face it with colleges.

JC: When you deal with an accredited association, as we do in a number of areas in the province, you deal with the association and not the individual employer, and the association must sign the collective agreement. You've probably heard about the West Kootenays dispute, well the key issue there was local bargaining vs accredited bargaining, and the employers were attempting to impose through accreditation a centralized bargaining structure on our locals, and to establish a framework whereby the whole region would be bargaining together. Our locals wanted to bargain with their individual employers, for a number of reasons. The employers have been attempting to impose accreditation around the province, in my view to bureaucratize and professionalize the bargaining structure, and force unions to become much more centralized in order to cope with that kind of bargaining structure. Hence CUPE has been fighting accreditation for the past five or six years. We've had a number of strikes and lock-outs,, the public employers association. (unclear) For example, if an employer, say post-secondary institutions, is accredited, if the people at SFU, for example, went out on strike, the accredited bargaining agent could lock out every other college and university in the province. This is an arrangement under the labour code which gives the employers that power; indeed that is what they've always done when they are accredited - if one locals goes on strike anywhere within the accreditation, the practice has been to lock out everybody else, to regionalize the dispute and to put pressure on that individual local which is engaged in struggle.



SD: BCGEU talked about how they could see accreditation working in favour of college and university employers, in terms of a centralized bargaining structure which could ensure that college and university employees working together - could you comment on differences?

RM: I want to emphasise that CUPE is not opposed to voluntary associations, vis a vis the JNC in the Vancouver Area, where all of our locals bargain common issues jointly. What we are opposed to is legislative aspects of it and the fact that you have no choice, once you are locked in you are locked in period. Under accreditation if we look at the record of the labour relations board, once in you're in. If the local unions want a broader based bargaining, they will do it voluntarily. Accreditation is anti-democratic, in the main we are talking about people who are elected to a particular office to carry out certain responsibilities. Once they are into accreditation they lose or abdicate those responsibilities - it is the centralized person who does it. We favour local autonomy because it gives more input from the rank and file membership and more decisionmaking process in the rank and file membership than does accreditation. In becoming bureaucratic, less of the decisions are made by the elected people, or, in our instance, the instance of trade unions, being made directly by the rank and file membership. There is another reason to be opposed to it. When we look at where we've had accreditation, and CUPE probably has more experience than any other organization, we have found that the incidence and length of strike/lock-outs have increased. It is true that the trend in the public sector is that when you go on strike you get longer and longer strikes. I don't want to appear aged, but I can recall when we had a strike and it was five days long. And the employer capitulated, but that isn't anymore. You know at SFU, and in the West Kootenays, they just go on and on. And the central issue there was the ability of the local union to deal with their own employer - accreditation. You have to scratch pretty deeply to find any value in accreditation.

JC: Speaking frankly, there are a great number of appeals inherent in centralized bargaining for full time union staff - for example there is a lot less work, you only have one or two agreements or whatever, to negotiate. In this province we negotiate 150-160 separate agreements, and obviously there is a lot of work involved in doing each one separately. At the same time, if the locals are going to have some autonomy, it is essential that they have their own agreement, that they have their own bargaining committee, and they sit down at the table with their employer and they hammer out an agreement that is satisfactory to the membership. When you get a centralized bargaining structure, you end up with a situation where a few people here in Vancouver or in some other big urban centre, make basically all the decisions and the majority of the membership, by virtue of the structure, are denied an opportunity to participate.



This is especially true in negotiations; they go on for several months or maybe as long as six months, but you get to key points in negotiation where progress is being made, and when you've got an accredited structure and when the membership is scattered all over the place and you're trying to coordinate input from all these people, the logic is that they just get excluded, and the few people who are at the bargaining table end up making all the decisions on behalf of the people they ostensibly represent, because the structure makes it almost impossible to consult with people on a regular basis at the local level.

MN: What kind of coordination is there between the bargaining committees, or is there any coordination to determine what a bottom line might be, because it seems to me that if there isn't a coordination, can one local sign an agreement that is to the detriment of another local. Is there that kind of comparison done?

JC: We cannot be dishonest in answering this question, that does happen from time to time, and if you are going to have a decentralized bargaining structure there's no way around it really. What one hopes one can do is persuade individual locals, in particular locals that are weak or where there hasn't been any sense of militancy, persuade them voluntarily, to hold back on the bargaining until the stronger locals have gone in and dealt with the employer. Obviously the employer is trying to deal with the weak ones first. But the alternative is some kind of compulsion that would impose on the membership of those locals an overall strategy, and which would then deny them the democratic right to control what goes on at the bargaining table.

MN: So essentially what you are saying is that it is a choice that you make; if you decide that you want your locals to have a lot of autonomy, then one of the prices that you might have to pay is that one local might sign an agreement to the detriment of another. The way you would try to combat that is by having the weaker locals hold back ..

JC: It has to be voluntary ...

MN: That would be a strategy then, that you would use?

RM: By this time we have had considerable experience, local unions know within a given district which ones are the weaker and which ones are the stronger, and they will either through their district council or ... have a wage strategy conference all of their own and determine their priorities. It was part of the thing we were trying to do this weekend, was delve into the wage or bargaining strategy.

SM: It seemed in fact in some of the discussions last weekend that there are differing views in CUPE about how there might be more emphasis on centralized coordination in bargaining. Can you tell us a little about this.

RM: Last weekend's conference was in the nature of an experiment. We have had wage policy conferences on a provincial basis where input was from the local union level



but also from our resources, the research dept, that sort of thing, on wage comparison, where goals are set or where an analysis made on a very broad general basis so that goals could be established as guidelines for local unions. But this last weeks conference was the first one that we've tried to address ourselves to strategy; the difficulty is that local unions are starting off in different places. For example, the JNC locals, who had been working on a cooperative coordinated basis for a number of years are going to be in a far different position that say the Fraser Valley who have been bargaining indivually for a number of years. It becomes rather complex.

SM: As I recall when we met with you before, you mentioned the legal services, educational services, PR and so on from the national; that meant that the locals would submit proposals or make requests to the national through the staffer. In a strike situation, for example, are there any general guidelines about when those services become a priority to a local, in terms of the legal, PR and so on.

RM: The only time frame that we have is in our defense fund repayments for those on strike, and that's a fixed waiting period. But in so far as prenegotiations, during negotiations, prestrike or during strike, its pick up the phone.

JC: The complaint always from PR especially, about strikes is that they are never notified by locals in advance - they always get called in about the second week of the strike when there are real problems, and PR people fly out here or are asked to write something up and send it out, in the middle of the strike when the PR job that should have been done before the strike is extremely difficult to recover on. If a local sees it is heading in that direction, as soon as it gets the resources, especially PR and also research and the legal dept, the better, and there is not normally any problem getting those services. Especially when we are talking about a strike situation, that's the most important thing we always face, of course.

SD: Could you outline in general why you think it would be beneficial for AUCE to affiliate to CUPE.

JC: You have a very decentralized, and a very feminist union, and your history is, in part at least a consequence of a rejection of traditional unionism in the province and a rejections of a lot of the bad things about traditional unions here; the overly bureaucratized structure, the unnecessary emphasis on professionalism, the lack of concern about women's issues, the lack of opportunity in many cases for rank and file members to participate. While CUPE is by no menas perfect, when you look at CUPE's structure and compare it with that of other unions in this country, just in terms, for example, of the number of locals, there is no union in this country that has anywhere near the number of locals that CUPE has - there is no



union in this province, even though we are not the biggest union in this province, and that is a reflection of the very decentralized kind of structure that we have. Now there are many problems with a decentralized structure, and we've outlined some in terms of coordination, but in the view of our membership, so far, despite those problems the advantages of locals having control of bargaining, control over what happens in the locals, far outweigh any so-called advantages of a highly centralized structure. And I think that while CUPE may not be perfect for you people, by and large looking at the objectives that you had when you set up your union, and looking at the kind of structure you are accustomed to, you will fit into CUPE a lot more easily than any other union I can think of, simply because of the tradition of local autonomy that we currently have. Something that wasn't mentioned before - all our post-secondary institutions which have SUPE locals are separate, we don't have any provincial bargaining structure right now. I don't know what we'll have five or ten years down the road, if the locals want to go that way they can. But at present, there would be a very easy match between the number of locals that you have and locals that we have in the same jurisdiction, we've I think about 7 or 8 in different parts of the province, and you have a very similar kind of set up to what now exists there. I am sure if you compare contracts you'll find that some of our agreements are better than others and I guess if you are shopping around with the BCGEU you'll find some aspects of their agreements better than some aspects of our agreements. Again, this is something that arises partly because of the local autonomy structure and also we haven't had the very convenient arrangement with the provincial government that gave us a lot of things politically, which we're not in a sense earning at the bargaining table. We've never been in that kind of situation, whether that's good or bad I don't know, but I would think that in a few years time you'll see a lot of changes, even in those contracts you are looking at. We put out a standard agreement which you've probably all had a look at. The reason we do that is that we don't have a master agreement for everybody, we're not attempting to get one. We put that out as a guide for locals, to try to fix up areas in their agreements which are weak and to give them some idea of appropriate contract language. No CUPE local in the country has everything in this agreement but virtually everything in that agreement is taken from some agreement across the country. I think these are some of the reasons.



SM: To go back to the difference between affiliation local by local or a local that is provincial in character, does that mean, for example, that if all the AUCE locals were to affiliate with the structure that is provincial in character, that each bargaining unit would still elect their own bargaining committees, or would there be one executive for that provincial ...

RM: If you want to come in as one provincial organization, then you would be a local union that's provincial in character. You would be electing a provincial president, secretary, etc., but how you break down after that would again be under local autonomy. If you wanted to have a Prince George unit you would have a Prince George unit - it would be a bit semantic - the unit would not have a president, but a chairperson. But from that point on it is exactly the same as a local union. If you wanted to maintain your current local unions, you would be affiliating local by local, and in that instance you would be operating, I would think, exactly the same as you are operating now, with the difference that you would have an affiliation, or you would be chartered by, the Canadian Union of Public Employees. You would then have an affiliation to the C.L.C., which would be automatic because of the per capita structure. But then local by local would exercise autonomy in terms of belonging to either the District Councils or our B.C. Division, likewise the B.C. Federation of Labour, likewise the C.L.C. District Labour Councils. That would be a local union decision.

SM: How would that effect delegate representation at various functions?

RM: It would be better to charter local by local in terms of numbers of people. There is no difference in representation at the B.C. Division for a local that is provincial in character as opposed to a local union.

SK: But the local that was provincial in character would have more delegates, for example, to the B.C. Federation of Labour?

RM: Yes. Let me give you an example, if I may, and let me use the C.U.P.E. as opposed to the B.C.G.E.U, and they are affiliated differently, because they haven't local unions, as such - they have some, but not really - if all of CUPE's locals were to affiliate to the B.C.Fed, despite the fact that our total strength is less than the BCGEU, we would have more delegates, because of the way the B.C.Fed Constitution ..

JC: Each local has at least one delegate, so very small locals get at least one, on a weighted scale - you get more but not proportionately more ... the more you've got.

SK: If we were a local which was provincial in character and we chose to still maintain our present locals as separate units, would those units then have separate contracts with the employers or would we have to negotiate one contract?

RM: No - your association now - if it has six contracts you would have six contracts.



Unless of course accreditation came in. I suppose the best example I could give you is that we have a number of local unions that have more than one contract because there is more than one employer involved.

JC: At Selkirk college we used to have two contracts for one employer in the same local, local 1341, a maintenance contract and a clerical contract, which fortunately we are getting rid of but ...

RM: It depends very much on the bargaining units and their certificates of bargaining authority. I was going to mention North Vancouver, which I think has seven and seven different employers.

SK: Would there be any possibility of employees of educational institutions forming some kind of division, or having conferences about educational institutions as employers - would there be a possibility of all of the TA unions that were affiliated to CUPE across Canada establishing some kind of organized division ...

RM: It has been the practise over the past three biennial conventions to have conferences on what might be termed on occupational groupings. By that I mean universities, hospitals, school boards have met during the national convention. Here in B.C. we are I suppose at the infant stage - I go back if I may to our last weekend's conference - it is the first time we've ever divided people up on what we term an occupational basis, municipalities, universities, that sort of thing - and that's not to say that we don't subscribe to the idea. It can be available - all we need is the stimulant for it. I'm convinced that the groupings that we have within the universities and colleges are going to be insisting that we have that sort of thing, either on a semi-annual or an annual basis - I know that the enthusiasts engendered there was excellent. And part of it, I might add, thanks to the contribution of your people - it opened up some eyes and I am pleased with that.

SD: If we affiliate, with whatever structure, would we be able to keep our present contract language?

RM: Yes, yes of course. All that would happen, from a Labour Relations viewpoint is that there would simply be sucessor status- you inherit - really what you do is keep your current agreement.

SD: One of the issues that has come up in my local is the relationship between the kinds of wages and benefits technicians have, and clerical workers. How has CUPE handled locals where you have technical and clerical workers and how do you deal with bringing up clerical wages to those of techicians, and also whether you've got locals where there has been a decision made to split the locals in terms of separate agreements for technicians and clerical workers.

RM: Normally what we endeavour to do is first of all make certain that the contract reflects the needs/demands of the local union. It's structure - the simple way to put it is that in some of our agreements we have both inside and outside workers,



two separate wage schedules. Where conditions of work are different then they are specifically made into sections. Eg., where the outside staff dominantly have a 37 1/2 or a 40 hr workweek, the inside staff dominantly 35. Local unions make their decisions as to how they are going to do it.

JC: I think you are getting at something else as well, namely that, obviously in this country at the present time there is a problem with the wage structures in that they are inherently discriminatory against women. I think what you are asking is what are we trying to do to correct that. Ray has identified one problem, as it were, namely that there has to be a push within the locals as well for equal pay. In the more progressive locals there has been a generalized push towards equalizing pay structure, and where we've had major job evaluations we have always attempted to have the bottom clerk-typist rate equivalent to the labourer rate. It's inherently unfair - a woman who normally is a clerk typist has to have certain clerical skills, secretarial skills, a certain typing speed, grade 12 education, where a man who is in as a labourer with no education at all starts at \$1.00, \$1.50 more - its unjust, and we have tried where we can to establish the base rate to be equal for both the clerical and the laborer rate. Now, saying that, employers across this country are very much committed to differential wage scales, and the struggle to get things evened out is by no means easy as I am sure you probably experienced yourselves. You've got to be willing to take an awful lot of strikes to buck a system which the employers are determined to keep. In terms of our official policy, there's no question where we stand - all of our policy statements are for equal pay.

SD: What about affirmative action? Can you talk about your program?

JC: The B.C. Division has a women's committee which has been set up specifically to deal with this type of problem, and they normally run an annual conference.

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work overtime to be specified so that a four hour employee would work four hours - now that is a break through not just for parttime workers but mainly for women workers, because of the way in our economy anyway, women tend to be shoved into that kind of part time ghetto.

SM: What other things do you think are kind of outstanding in CUPE contracts - could you point out some other things which you think are real gains?

JC: We've done alot of work in the area of technilogical change in our contracts, and protection of employees who are affected by technilogical change. One area where we have done some really good things is protection from farming out work - no contracting out type clauses. It has been a big issue for our members ... we had to work pretty hard to get some decent language, and job security, and union security. An area which may not be of such concern to you but certainly is to



us is the whole area of health and safety, and I think in the last three or four years we've really made some progress, some really excellent health and safety language in our standard agreement which a number of locals have attempted to implement step by step, the establishment of health and safety committees in the workplace, provisions for time off for the committee members to get training and to do their health and safety monitoring. We have put out a really excellent health and safety hazards guide for the public sector which was commissioned by Humber College in Toronto and they worked together with our research staff in the National Office and put together that our committees are using across the country when they need references.

RM: Another thing, John, is the thrust towards paid educational leave ..

JC: I think by and large in areas such as maternity leave, particularly the research dept., has been pushing very hard, not just for maternity leave but for things like paternity leave - these things are damn hard to negotiate, because you've got employers on the other side taught by the AIB to cost every single item, and throw that kind of thing out as soon as you put it on the table, but we have been pushing and encouraging our locals to negotiate these things in their agreements.

LS: Would this be paid paternity leave?  
  maternity &

JC: Paid maternity leave is I think very rare in this country right now, partly because of unemployment insurance arrangements - partly because we are in the dark ages in this area. In a country like Sweden you have people, women or men, receiving up to nine months at 95% pay. We're not in the same league yet, but we can see the problem and we are trying to do something about it. We're not a centralized outfit, we just can't tell our locals, do this, do that - it's partly an educative program. We've got a lot of male chauvinism within our own ranks, nobody should hide that or deny that, and we've got to persuade the men in our union that these things are also desirable, and if you join Cupe you'll find that that is a real problem and you have a job to do, like the women who are presently in the women's committee. But we have been trying in these areas. What else - sick leave, that's a major issue. Grievance procedure is a very important thing, and I think that a lot of our agreements have a pretty damn good grievance procedure. CUPE fights a lot of arbitrations, and we also often have our members just walk out, which is the instant arbitration that we wish from time to time (unclear-laughter) never publicly in favour of but gets action better than arbitration. When I went through the AUCE agreement at David Thompson University at Selkirk, and the CUPE agreement, where we were really strong, in areas such as union security, grievance procedure, arbitration procedure, things like that, and the areas where you were strong were in areas such as anything relating to equal pay, pertaining to breaking down the traditional divisions



HV: How do you deal with colleges and student workers. It is one of our major problems at the moment - all of our locals have different arrangements. Our basic position has always been that students are part-time workers, they are workers and should be treated as workers. Local 4 has that in their contract and are fighting to keep it. In Local 2, which is where I am from its a major problem. They are under the contract, but we have a section called part-time temporarys which is abused. What we want is job security for people who do recurring jobs; as it is they never actually accrue any kinds of benefits.

JC: Again, because of local autonomy, every local has taken a different position; some are not so strong, some have taken very strong positions. As you know, with some of the student employment programs you have to sign the forms before you allow students to participate. Some of our locals have said no: there is no such thing as a student worker; there is a worker and you should be covered by the collective agreement if you are a worker. That policy statement, the article in there on summer jobs has been adopted as a policy statement of the B.C. Division on student employment.

RM: What we say is that you pay for the job: we don't care where they acquire the people from or where the funding comes from, and I suppose one of the best examples is the Kelowna museum: they had people working under some goofy federal program. We took the view that they were within our bargaining unit. The employer disagreed with us, we went the the LRB and they agreed with us that it didn't matter where the funding was, they had direction of the workforces and they were being paid that way, they were working for the museum. In the school system they are starting some things now. Sometimes our local unions don't police as well as they ought. I didnt' find out until last weekend that there is a printing press in the Victoria school district that is operated by students. We found wherever there was a union secretary, they were getting their printing done at an outside unionized firm. But in order to give these students they were in fact doing printing for outside firms, and our attitude is that if that is going to be, there has to be wage rates, they are within our bargaining unit. We feel quite strongly that that sort of exploitation should not go on, and it comes back to paying equal pay and paying proper rates for the job being performed.

HV: How strongly does your contract protect from other kinds of exploitation. We found recently, at SFU, that 95% of the people who worked in library loans had previously been student workers for over a year, and yet they still had to go through the probationary period - as temporary part time workers they had not accrued seniority, benefits, employment priority - it's that kind of thing.



JC: When I was talking earlier about union security clauses provisions that I think we have made some major advance on, that's one of the areas and I mentioned part-time employees. To give you just one example, we fought very long and hard in the Kootenays to have seniority on an annual basis apply to part-time employees, and it does as a result of our arbitration there. That has implications throughout the collective agreement. So we have achieved it in some areas. A lot of locals have tried that and achieved it.

MN: From what I understand your dues structure is set up at the local level; what is constant is the percapitata rate paid to the national office for which locals get in return PR, education, that sort of thing. Say if a local determines that it needs a particular educational course or something - who determines at the national level what their priorities are going to be, in order that they can meet the different needs of the different locals. In such a decentralized structure how do you know at the national level the kinds the things that the locals are going to request.

RM: Very surfacely .. we have a six level program; there's the basic tool courses and then you lead up to the academic, political science and sociology to the Labour College of Canada. I suppose British Columbia is the most decentralized of any of the regions at the moment, we don't call it decentralization, we call it redeployment of resources, it sounds better, I suppose. Anyway, for example, if your local wanted a specific education course, say shop stewards training, you would be contacting the education representative who works out a budget, and he will respond to your need.

JC: What might happen if three or four locals in your area were interested in the same kind of course then he would come in and spend a weekend, or whatever kind of arrangement you wanted to make or if you could get time off to fund the members to have week-days off, then he would come in and do a school for you. There are also courses that are run through the CLC and also through CUPE, and the arrangement there, as I understand what Len does, is try and allocate them as fairly as possible among locals. There are a limited number of places in the CLC courses, so if your local sends somebody this year, probably next year you won't be able to...

RM: You are talking about the scholarships ..

JC: Yes

RM: Well that's at the Harrison winter school...

MN: That's the educational aspect .. do you have a legislative, yes the Legal Dept. OK. How are the priorities of your national departments determined - is it done through conventions, is that how they determine the funding, where the funding is going to go? How do they equalize needs of different regions.



RM: I think if one were to put it that way, the biggest chunk of the pie goes to the Dept of Organizing and Servicing, they have the biggest staff, biggest expenditure, in that sense. I'm not sure what the fixed costs are showing us that 50 cent piece split up. The percapita tax expenditures from national are devoted to the local unions primarily. The housing of the national office is really in one sense of secondary importance. Following our 1977 convention there was a policy established that we redploy; the Dept of Organizing and servicing was made cross-Canada. B.C. is a good region to site, John is the research representative in B.C., we have a job evaluation representative and an education representative, and we have the staff of the Dept. of Organizing and Servicing. Our legal assistance comes in two forms, one directly from the national or through them, local solicitors. Where the national recomends the local hire a local solicitor, it pays.

SM: The percapita tax is \$6.60, so 80¢ of that goes to the national defence/strike fund and 80¢ goes to the B.C. Division ...?

RM: No, the B.C. Division is voluntary ... The percapita is \$6.60 as of Jan 1. Out of that ammount, 25¢ goes to pay the percapita tax to the C.L.C., no local union pays directly to the congress, CUPE pays on their behalf. 80¢ of that is earmarked to the defence fund, that is strike pay, where people are mandated to arbitration, we pick up costs where a local union wants to go to arbitration and just simply can't afford it, that's where the 80¢ goes ...

SM: So the local dues are on top of the \$6.60.

RM: If you start adding up the other affiliations, if you charge less than \$10.00 per month you are going to have difficulty still keeping money for your own local.

SM: As I understand it the staff reps are appointed and work out of the seven or eight offices, say in B.C. Would there be anything to prevent a local from electing someone from the membership in the locals office on a leave of absence paid by the union, following through on the practice AUCE now has?

RM: No. We have, local 1004 here in fact has two employees who are on leave and being paid by the union, Burnaby 23 has a full-time president ... it is quite permissible.

SM: What role does the membership play, if any, in the selection of staff reps if they are not elected from the locals ... What's the priority of appointment for the staff reps ..

RM: They are hired from the national organization. Let me start with recruitment. By and large CUPE recruits from within for staff representative positions. Twice each year a circular is sent out to local unions soliciting applications. From there there is eventually an interview, that sort of thing. When there is a



vacancy, the C.U.P.E. has to abide by its agreement with the Canadian Staff Union, and that says that when there is vacancy, every area office will be notified and representatives are free to apply for a "transfer", and they are allocated on a seniority basis.

JC: The staff who work for CUPE have their own certification and bargaining unit and negotiate their terms and conditions with the national union. That's one.

SD: What's the relationship between the staff people and the elected leadership, who has final decision making authority.

RM: The staff do not participate in any policy making decisions.

JC: At national conventions we don't have a vote, we can now speak for the first time, but the agreement that was made was that only when a staff person has information that was relevant to the discussion, not to try to influence the debate, only in exceptional circumstances...

SD: One of the concerns which I have heard expressed is that CUPE is an Eastern dominated union. Could you respond?

RM: Cupe is a national organization. It is true that Ontario and Quebec have the largest CUPE membership, but if we look at it from a "political impact" I would say that B.C. has the same impact. If we look at it from the allocation of staff, B.C. is ahead of Ontario. Ontario's research is done in the national office. In B.C. we do our research here and make use of the national office. I would say conversely that B.C., with its wiles, has faired very well.

JC: I know that B.C., along with Alberta and Saskatchewan, are all being subsidized by Ontario. There are \$105,000 CUPE members in Ontario, and if you look at the density of servicing, we get better servicing than Ontario, which subsidizes the whole of the country basically, though we should apply economies to scale as well, with all that membership concentrated...

SD: What about decision making, does the fact that there is a provincial CUPE structure mediate against domination from the national?

RM: No. The Provincial Divisions are primarily concerned with establishing Provincial policy that isn't at variance with the national, and being the voice of CUPE on provincial matters within the province. Coordination and Correlation. Each region has a regional vice-president that is elected at the national convention, however, the nominee is decided at provincial caucus.

JC: The other side of the coin to that, you know as a labour movement we are fighting battles both provincially and nationally, and while you are rightly concerned about being dominated from Ottawa, I don't think that really is a concern, the way CUPE operates. It is important as well that the labour movement has some clout at the national level. We do. We have 260,000 members and



we've been growing at a rate of more than 10,000 members a year, for the past five or six years, we do have some impact ...

SK: How?

JC: Organizing. We organize people that no other union will ever touch because it's not economic to do so. We've got locals of four and five members, lots with 15 or 20, well there's no way that you can ever make them pay, we have a servicing rep, say who negotiates an agreement and it takes three or four weeks of his time, you'll never get that much per capita back in ten years, but, those people have the right to be organized, and if you're going to get in there and do the job, well ... there is no reason why a municipal employee in Houston shouldn't have a union representing him any more than one in Vancouver, and the people in bigger locals have got to understand they have a responsibility, they are subsidizing unionization of people in the north and in parts of the province where on purely economic grounds it wouldn't make any sense. That's why CUPE's growing.

SD: You outlined some of the educational services. Could you talk about some of the other services CUPE offers, for example in negotiations, what can a local draw on, what kind of research will you do for a local, how does a local feed in to national research, those kind of general services.

JC: I am not originally a CUPE member and I didn't come up through the ranks, I was hired from outside and worked in Great Britain as a union researcher before I came here. Probably the main reason I decided to come and work for CUPE is that it's got the best research department that I've seen period. We do the kind of research that I think is important. You can see from something like The Facts; it's an excellent trade union publication, there aren't any pictures of people out fishing ... we talk about trade union issues, in our research. We put out The Facts, we help with the information going in The Public Employee, we do the standard agreement every two years, I don't know how many briefs a year, I did one on contracting out in the last six weeks, interest arbitration briefs across the country, we must do 30-35 in a year. We have what is clearly the best computer labour agreement in this country, better than what the federal government has, we put out the SALAD, our System for Analysis of Labour Agreement Data, and we have 2,000 agreements in the computer bank there, and the printouts are done normally every year or every two years, for different jurisdictions, but we do roughly forty different printouts, one for post-secondary institutions, libraries, municipalities, school boards and so on --- we also do special printouts on demand, right now we are doing a special printout for post-secondary institutions in B.C., it should be done just after Christmas. It will include BCGEU, etc., the basic provisions in all of these agreements will be set out in SALAD form for our locals to compare. I've got a couple with me just to show you ...



We need this kind of information because of our local bargaining structure. We are trying to break away from the internal comparison process, we try to keep a watch on the Employers Council of B.C. and the Public Employers of B.C., put out information to all our locals on the latest tactics these bodies are up to. If you look at The Facts, you can see that we have a lot of information which is related to bargaining but often is not used by unions, for example we always put things like the corporate profits, in the back, details about the consumer price index, that sort of thing. We have, as you can see, articles on "The Myth of Wage-push Inflation", to try and inform our membership, to counteract the propaganda that they are always being fed by the newspapers, that working people are the cause of inflation in this country, so we try and put out some counter economic analysis. Today I got a copy of a major brief that one of our people has done, on Public Sector finance, and that information will be getting out. It's an analysis of where the money is going, the taxation policy, etc. So we do a lot more than provide information for bargaining, and it is a conscious attempt on our part to do that. The B.C. Division has just presented a major brief on accreditation to the McTaggart committee. I know I do a lot of presentations to City Councils on behalf of locals; we provide a lot of those types of services.

Every local will get a copy of the SALAD for their jurisdiction. The reps get a copy of every SALAD in their jurisdiction.

RM: I think it would be fair to say that all the SALADS are available ... I know our office could almost use a lending library... One of the things I want to emphasize is that there are two ways the research dept. works. One is providing information on an almost automatic basis, such as the SALADS, the other is responding to specific needs in areas where you need specialization or preparation. General information dove-tailed to fit the local situation. The research dept doesn't do all the briefs, some are done by reps, some in a consultative process with the local union ... The job evaluation dept works in almost the same way, responding, being used as resource persons, ensuring that the job evaluation procedure will meet the needs locals want met. One of the things in the Dept. of Organization and Servicing, the Research Dept., and indeed in the Education is that we prefer to work with local unions and local union committees, local executives and bargaining committees.

MM: Would it be entirely a local decision whether to use a staff representative with their negotiations. Would a local be free to appoint its own negotiators?

RM: We prefer that the CUPE rep be the spokesperson because of experience, we



also say that the rep will work under the direction of the local committee and local union, becoming the advocate for them. I suppose the argument there is that working full-time at it, and has more experience. But no, we don't object to a local union doing it. As a practice and a policy, no servicing rep negotiates on his own, the committee is there at all times.

MM: And it would be the local union committee which prepared the contract?

RM: Perhaps in conjunction with the rep, or the research dept; they come into play at some point but always to respond to your need.

JC: The proposals which you put forward at the bargaining table have to be passed by the membership anyway.

MM: If a particular local has a special need for research or work of some kind, for example, the UBC TA Union has had special employees, is it possible that the local can get its own employee to perform this specific function.

RM: That's not unusual in organization drives.

JC: Lots of local unions make use of other research facilities. For example, in Vancouver there is the Trade Union Research Bureau, and they do alot of work still for alot of our locals. There's no problem, and they pay him a fee for that service.

SD: Could you talk about major problems you foresee in the education sector, what kinds of strategies CUPE's developed.

JC: Have you by any chance read of the Action Program that was passed at our last national convention? That's our basic statement, and we are attempting to implement that. It has a number of facets - a major study of contracting out to help our locals fight back. In the past six months the attack on the public sector by private companies anxious to contract out is just phenomenal. In the past three months I've had about five requests on contracting out and they are snowballing. Another area of priority is private nursing homes, they normally employ women at the worst rates of pay you can imagine, and many of them are owned by big multi-national companies. The Bronfman family paying women \$3.75 hr and saying they can't afford to pay more, so CUPE is putting alot of energy into the fight of wiping out this disgrace and resources are being allocated. We are doing a major study of public sector finance, where the money is going, and trying to dig out the information on the corporate rip-offs which are absorbing so much of the tax dollars in this country, and presenting that in a form that working people can relate to. There's a major campaign being developed to protect the right to strike; all across this country you can see that the right to strike is being undermined. In Ontario recently, the head of the Ontario equivalent of the BCGEU, has just been sentenced to 30 days in jail and will go to jail I'm sure, because a component of his union, the prison guards, went on a quote illegal strike. Their



demand was to be treated as a separate bargaining unit; right now they are with the hospital workers, and the government has patently refused to deal with that in the past five or six years in negotiations. In frustration they go on strike and immediately the president of their provincial union had an injunction and is going to be placed in jail. This attack against the right to strike is going on across the country and against public sector employees in particular, we're getting it in the media all the time that somehow arbitration can solve this, the basic thrust is that they want to take away the right from the public sector. It's not accidental we're having alot of public sector strikes right now because the business community more and more is turning the screws on the government, which is a fiscal mess because its been handing out so much money on one hand in tax write-offs to business corporations, and there's nothing in the kitty, indeed a huge government deficit, and its in turn putting the screws to public employees to save the money that its handing out with its other hand to the corporate sector. As a consequence settlements in the public sector are lower than in the private and public sector employees are under the gun on contracting out. The frustrations have broken out and there have been alot of strikes and the politicians figure the easy way out is to legislate away the right to strike. Then they'll be able to impose their wage policys much more effectively. Cupe is mounting a national campaign to protect the right to strike.

RM: In conjunction with the task forces, made up of local people, rank and filers, the local union offices will be working.

JC: Have you seen our HAZARDS publication. Health and Safety in the public sector is a scandle, everybody has the wrong idea that public sector workers are not exposed to health hazards, and we are trying to demonstrate what real hazards public sector employees face, and not just outside workers but inside workers too. We are trying to bring this to public attention and also to the attention of our own members.

RM: It's amazing how uncited we are at times. I know one library here in the Lower Mainland where they grabbed that book and started to look at their own building, and there were 13 hazards on one floor, xeroxs and duplicators working in a room with no ventilation at all.

SM: In a strike situation there are always questions of strategy and tactics etc. Your structure has a staff rep who is brought in and working with the local. You said that person doesn't have a particular claim to more authority than the local committees and so on, but what happens if the provincial division or the national feels that a local is really mishandling a strike and going in the wrong direction. Do decisions still get made at the local level?



RM: It's a question of CUPE responding to the needs of the local union. I can't say that any two situations are the same, a lot depends on the people, a lot depends on the "political environment at the moment, all sorts of things. What we try to do is to lend all of the expertise we have, to win that situation. You know, there are local unions, and I think it's because we're human, they dig themselves into a hole. Well the trick is to get them out of that hole, and help them without coming in and saying "We're going to lift you out". As John says, one of the things that our PR chap was saying at the Strategy conference, was that we should pay more attention, for example, we only think of PR work when we're in a jam, instead of going through as they would like us to, and I think in some areas it's quite proper, I'd like to try the experiment of doing a proper PR campaign, as they see it, and that is the preconditioning, of both the community and the employees, and going on into the situation, that sort of thing. The representative is there to assist the local and to lend the value of his experience to the local unions goals

LS: Are there any questions you have to ask of us, or statements you wish to make?

JC: I could say one thing. I think, looking at it, you've been asking what can CUPE do for you, and I'd like to turn the tables on you. What do you think that you could do for us if you were in CUPE?

JW: I think that we would set a standard for other locals, in terms of our contracts ...

HV: I think that, because of our history, we have a greater membership participation, not local autonomy, not autonomy for local executives, but members themselves getting involved in the whole process of bargaining, of knowing what their employer's all about, knowing what they face, rather than, well just very direct involvement of the actual members in our union - we're very strong on that, and I think that the more of that you have the stronger labour movement you have, you know, across Canada, and that's something we're very strong on.

SD: We have, how can you say it, we've been exemplary? contract clauses, the level of activity of the women in the union, the level of self confidence and skills, in the locals is really developed in the process of involvement in the union, the kind of



arguments we come up against in terms of women's rights. I think those are things that AUCE is really strong on, and in fact it was founded on, and I think that if we affiliate we will bring some of that experience into CUPE and I think that would be a very good thing.

LS: One of the things that AUCE originally set up was to encourage as many people in the locals to become aware of what's happening, and we've found that in the locals there's a vast pool of people who have fought grievances, who have gone through arbitrations, who have done contracts, three or four different contracts, and we generally in our seminars pool the information from people in local 1, 2, 4, and it's really been good that way. And some of our clauses have been very innovative. Our maternity leave where we recently won through the federal courts, is probably the only one of its kind in Canada, and probably leads the way for a form of paid paternity leave. So, we do have things to offer.

JC: I'll say one more thing. I don't think that you should assume that if you jump into CUPE it will be a bed of roses. Your jumping into a fight. There's a fight across the country in the labour movement, as you know, about the direction it is going to go in, and if you join CUPE you're going to be into that fight, and I think personally that we need you, to be in that fight, in CUPE; I think you'd make a very important contribution. But you know, there'll be frustrations too, and it's a very sort of dynamic situation, and it's not a stable structured situation, and, you may have had lots of problems in AUCE, and those things will continue in CUPE too because that's how the labour movement operates. But certainly you'll have a chance to voice your views, and to take your positions, those opportunities will be there.

SK: We could also offer you the 18 defence campaign ...

(laughter)

RM: Well, you know really I think both organizations would probably be the richer for joining and I appreciate what you people have said. One of the things that John and I have been trying to do, is we're not trying to sell you the organization, in that sense. We're trying to be factual and to be forthright with you, as to, 'there's where it is, that's what it can offer,' and I can honestly say it is. I've been with CUPE since 1964. Oddly enough, in 1963, when they were proposing a merger to bring about CUPE I was against it, and I was against it perhaps for all of the reasons which have now proved to be wrong.

SP: I have one question. I guess we do have an example of a merger with CUPE in terms of local 3... Can you give us some specifics of the advantages that both sides have enjoyed? as a result. Or maybe some of the problems even.

JC: Well there have been lots of problems, because the Labour Board, in its wisdom



or otherwise, chose to bring the AUCE membership into the CUPE local in the middle of the strike, as I'm sure you're aware, and obviously the loss of their union, plus being put on strike, was a difficult thing, and the process of reconciliation there and merger has been a long one, and it's not complete yet by any means. But when I look at that local, and I can say this, because of the AUCE contribution, a) we've got one hell of a good contract there, it's not fully resolved yet but some of those clauses are really great, because they've got some of the best things that we had in the old CUPE agreement, plus alot of the good things in the AUCE agreement. I don't know if you know the process of the arbitration or ... what happened was the two groups got together and melded the best of each agreement, and basically we got that in the arbitration award. There's a strong move in that local, much stronger than before, towards equal pay, as a result of the AUCE input. No doubt about that. Because the AUCE wage scale, as you know, was a single scale, there wasn't an outside inside, clerical maintenance kind of distinction, and I think that's been a very good thing for that local. The level of participation has been great, not entirely because of the AUCE contribution, because I think the Selkirk local was a good local before that winter, it is really amazing to me. I was in there about a week and 1/2 ago, and when I look at that executive, it's just amazing. There are ten people there any one of which could be the president and do an excellent job as a president, and sometimes I'm talking to three or four different people who are different from the last time I was there, but I know that they all do represent that local. What you have done, as well for us is that there is one hell of a good local in that area because of the contribution of both sides ...

RM: You were mentioning at the beginning about your mandate from the convention. What is the time frame, or is there a time frame?

SM: Well the resolution from the convention was to seek affiliation with the CLC intact as AUCE, and if that was not possible to consider the alternatives and do the research, put out the information to the locals to prepare for the special convention in the spring, so there will be a convention sometime in the spring, the date hasn't been set yet, early spring, and at this point we still will be talking to one or two organizations and going to local meetings and discussing the information we have, answering questions and so on. In terms of what comes out of that convention I would say it is still too early to say, the locals are going to be generating resolutions ... the convention will be quite an important determining point ...

SD: As a committee we don't all share the same perspectives on affiliation, we will be reporting to our membership,

RM: I wouldn't want to adjour without saying to you that if you need further meetings



or if you want to discuss it with quote quote people of higher authority, that can be arranged. If, for example, it may take a little to set it up, but if you would want, perhaps, our president to come out to meet with you then I am sure that can be arranged.

SD: We did talk about possibly meeting with your women's committee, but we have to figure out what kind of time we have.

: Well, thank you.

RM: Our pleasure.

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/SK  
April 1980

AUCE Provincial

