

UPDATE ON CONFLICT OF INTEREST GRIEVANCE

Our second arbitration hearing for the Conflict of Interest ("C of I") Policy was held on September 25, 2009, in Toronto. Many thanks to Frank Inglis, our past president who graciously came to help and our new OPSEU staff representative, Beth Collier.

After opening statements from both the Union's counsel and the AGCO's counsel, it became apparent to the Arbitrator that the **AGCO had not properly engaged the Union members before implementing the Conflict of Interest Policy**. Kevin Burkett, the Arbitrator was not happy that both sides had not sat down to talk about their concerns before this Policy was written up and he had real concerns on whether the present Conflict of Interest Policy was reasonable in nature.

Kevin Buckettt has now requested both sides to mediate and to talk about their differences & concerns. To this end, the CEO, AGCO, both Counsels and the Union have been given the direction to have these discussions. **Our next step is now for both sides to set up dates for the mediation talks to begin.**

The Union's position is still that the restrictions placed on our Members by the AGCO have gone too far and are excessive. We stated that **our Members should have the right to play the lotteries**. Arbitrator Burkett did indicate that the Union needs to accept the principle that anyone with direct AGCO involvement with the regulation of the lotteries should have some type of restriction on him/her. **It is still to be determined what that or any other restriction(s) might be.**

If mediation fails, then we will end up back in arbitration, where the Arbitrator's decision is final, ruling either in the Union's or the AGCO's favour - no compromise.

We feel successful mediation is the best possible outcome for the Members. The first mediation date is December 2, 2009, with further dates, if needed, to be added

before a potential Spring 2010 arbitration date. Should arbitration become necessary, April 16, 2010, has been tentatively booked.

In Solidarity
Mike Gyemi
President, OPSEU Local 565

OUTREACH TEAM RECRUITMENT

- Improved communication in our Union
- Readiness for collective bargaining in 2010
- Opportunity for professional growth and training on "company time", all expenses paid
- Colleague interaction from across the province

If these activities interest you, please **call or E-Mail Linda MacKinnon** – Chief Steward. Telephone: **416 596-1950** or email address: **makeitsolinda@yahoo.ca**

You will select/be assigned 10 colleagues with whom you are requested to keep ongoing contact, asking for input or offering feedback throughout the collective bargaining process. Time commitment = 1.5 hours/month + 2 days training (overnight in Toronto); childcare expenses for this pre-bargaining conference – likely January 2010 - are covered by OPSEU.

We need your leadership and advocacy. **Participate!**

DALTON DAYS - OPSEU PROVINCIAL PRESIDENT'S MESSAGE

As far as unpaid days off, a lot of us remem-

ber Bob Rae's "Social Contract" all too well. But much has changed since the Rae Days.

For one thing, the Social Contract would be struck down by the courts today. In 2007, the Supreme Court of Canada ruled that B.C. Premier Gordon Campbell was wrong to tear up the collective agreements of health workers in that province. Since then, collective bargaining has been recognized as a protected right under the Canadian Charter of Rights and Freedoms.

McGuinty can't legislate his way out of this. If he wants to use public employees to buy Ontario out of the recession, his two main options are a) privatization; and b) mass layoffs. Privatization is a stupid idea. It cuts services, it destroys jobs, and it usually comes with major cost overruns. ...

Warren (Smokey) Thomas
President, OPSEU

READ MORE at: <http://www.opseu.org/presidentsmessage/oct-23-2009.htm>

BRANCH MEET & GREET YOUR TOP 5 CONCERNS

The purpose of the Meet & Greet is to update Union Members about current issues and activities – essentially **what the Union is doing for Members**. Further, the ensuing Q&A (question-and-answer) provides the Union with vital feedback to better serve the needs of the entire Membership. Below, we identify the key themes and responses from these gatherings.

In June 2009, we met with 3 Branches.

Audit & Gaming Compliance (AGC) Members raised observations about the unique AGCO TRAVEL POLICY impacting their Branch. Overnight stays and AGCO travel on personal time were reviewed in a "lively" meeting after the Meet & Greet with senior management

and frontline staff - Scott Bramwell & Kelly Tessier: Compliance Inspectors with Chief Steward, Linda MacKinnon. NO CHANGE. *Participate – Become involved in collective bargaining.*

A few weeks later, the [Electronic Gaming \(EG\)](#) Members from across the province gathered at 90 Sheppard Avenue East for a Branch meeting. The ATTENDANCE MONITORING PROGRAM and the calculation of UNION DUES relative to OVERTIME (OT) were on the minds of EG colleagues. Conversations continue with the CAW (Canadian Auto Workers) who seem to have a fairer process. The Union will report to the Branch Members before year's end on the data from the CAW, OPSEU and the Toronto and District Labour Council. The Attendance Monitoring Program is a government-wide initiative, not AGCO-specific. With the prospect of "Dalton Days", there is unlikely to be an easing of this program. *Participate – Become politically active!*

Holding a Union Meet & Greet on the same day as a Branch (AGC and EG) meeting when all regional staff are attending maximizes an opportunity to speak to our Members.

At the end of June 2009, a Union Meet & Greet was held for [Licensing & Registration \(L&R\)](#) Branch Members, our largest Branch at over 100 Members. Change in their workplace

was the foremost issue. The BPR (Business Process Re-Engineering) PROJECT rollout has led the Union to gather data with lead management staff and offer a partnership proposal to the CEO. See the Letter of Intent from the Union to the CEO on our website at www.opseu565.org. NO RESPONSE TO DATE.

Participate – Become a Steward.

This fall, we joined [5 smaller Branches](#) together for a Meet & Greet. Their key question is highlighted.

- ☞ CEO's Office
 - ☞ Hearings
 - ☞ Legal Services
- WHAT ABOUT "DALTON DAYS"?***
– see adjacent article on page 1 for update
- ☞ Risk Management
 - ☞ Sector Liaison

Participate – Become politically active!

We meet with [Corporate Services \(CS\)](#) on December 4, 2009.

Thank you all for your attendance. See you soon at a Union Membership Meeting (January 13, 2010) and a Meet & Greet.

Participate – You can make a difference!

See the Letter of Intent from the Union to the CEO on our website at www.opseu565.org



***Happy Holidays
to You and Your
Family !***

Participate - You can make a difference !

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