READY FOR THE FIGHT TO COME

Above from left: Sébastien Labelle (3912 Communications Officer), Margot Young (National Research Representative), Jennifer Dimoff (3912 President), Christina Behme (3912 VP Dalhousie TA's at Studley) and Paul Moist (National President) at the CUPE National Bargaining Conference in Ottawa.

CELEBRATING 20 YEARS OF STANDING TOGETHER!

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Putting our Heads together

At a time of unprecedented attacks against workers and public services across Canada, CUPE held its first annual National Bargaining Conference in Ottawa from February 5 to 8. Focusing on bargaining, where agreements are made that set the floor for working rights and conditions, the conference drew over 1,000 delegates from coast to coast to coast - the largest national conference in CUPE’s fifty year history.

For fifty years, CUPE members have been working hard at improving working conditions in the public sector; fighting for improved rights and benefits in collective agreements and fighting against discrimination and pay inequity. Yet, still too many workers earn poverty wages. Moreover, the longstanding trend toward deregulation, privatization and free trade is threatening gains made. Since the 2008 economic recession, we’ve seen an increased socialization of debt paired with the privatization of services, the passing of bill C-377 through the house of commons, and the spectre of so called “Right to Work” legislation creeping north. CUPE National President Paul Moist reminded conference delegates that everything we do is political and that for the 625,000 CUPE members across Canada, the fight against “Right to Work” legislation will be the fight of our lifetime.

“Capitalism is in crisis”

Discussions about our current economic context and the culture we should be fighting for were central to the conference. We find ourselves today in the worst economic downturn since the 1930’s. Unemployment is high, especially among youth, and opportunities for employment are increasingly offered through precarious positions. Government focus, at all levels, is on spending cuts and balanced books, causing a shrinking of the economy and exacerbating sky-rocketing household debt. Without purchasing power to sustain businesses, the economy finds itself in crisis.

Unions are now targets of the 1%, whose role in shaping the economy has been strengthened over the last 30 years. In order to secure their position by perpetuating current economic trends, the 1% is seeking to reduce expenses of labour and maintain profit levels. This means stagnating wages, two-tiered contracts, attacks on pensions, union busting legislation and the standardization of precarious work (now constituting 40% of our economy). Because global corporations can withstand long strikes, they have lowered work expectations and imposed a cultural change. This means that unions have a hard battle ahead of them. Not only must they ensure the preservation of gains made at the bargaining table, they must also rekindle a culture of organizing beyond specific trade sectors extending throughout the community and build a political base to confront the “work for less” ideology. Unions must also bring forward the critical questioning of why money always seems available for corporations and CEOs while the average workers are asked...
CUPE National Bargaining Conference held a breakfast on Thursday morning, 7 February, to discuss the precarious situation in which most temporary foreign workers find themselves in Canada at this time. In addition to the experience of precarious work for many who are already Canadian, temporary foreign workers experience even worse conditions, due to the changes made by the Canadian government in 2002, to open up the program to both skilled and unskilled workers. Previously while we have had domestic foreign workers as well as agricultural workers, the historic classification of temporary foreign workers was available principally to skilled workers, such as academics, engineers, and no protections were built in for these workers. Since 2002, the opening of the program to unskilled and low skilled workers has entrenched difficulties for temporary foreign workers. The workforce as such is more disposable than ever, easier to exploit and abuse, in the case of employers. An employer might hire a cook to work for 40 hours a week officially, but use that cook’s precarious position to exploit her for 70 hours, and only write down 40 hours on her pay chit.

Invited speakers addressed the plight of Temporary Foreign Workers, including Yessy Byl and Joey Calugay. Ms. Byl, a labour lawyer and advocate for temporary foreign workers who has to tighten their belts. Unions must also teach our own communities to look at ourselves in the mirror to realize that lower prices means lower wages and that lower taxes means lower quality and quantity of services.

“If you want to raise the floor, you have to raise the roof. We need to hear your voice everywhere “ added Yalnizyan. “While public policy is trying to push down the floor, unions must fight to push up the floor. When you do that, you raise your credibility with people in the community.”

Discussions veered from the economy to politics and philosophy within an international scope during a plenary session featuring Rachida Azdouz, Director of the Centre for Studies and Training in Higher Education at the Université de Montréal, Paul Booth, Executive Assistant to the President of the American Federation of State, County and Municipal Employees, and Richard Pond, Policy Officer at the European Federation of Public Service Unions. Here conversations tackled the identity crisis of unions and the need to re-found their roots as a movement characterized by what made it unique: its attachment to values of social justice.

Unions now suffer from a malaise brought on by their transition from social movement to institutions argued the panelists. To overcome this, unions must look back in order to move forward. Unions must undergo a political and philosophical consciousness reawakening and reattach themselves with the spirit of the social movement from which they originate. Coupled with that, unions and their members must also undertake a psychic shift from the individual to the collective. Conversations need to be fostered about why we need strong unions to defend our collective rights and society.

Moreover, argued the panelists, we must not only look to our past, but to contemporary strategies abroad. New methods of mobilizing and new tactics of direct action, such as UK Uncut and We Are Wisconsin need to be considered and emulated.

“IF YOU WANT TO RAISE THE FLOOR, YOU HAVE TO RAISE THE ROOF”

The imperative to organize is now upon us. Everyone needs to be an organizer. Alliances need to be built with community campaigns and organizations. Common goals must be found and support must be strengthened. An acute attention must be brought to locating the common good.

- Sébastien Labelle, Communications Officer
worked for the Alberta Federation of Labour for many years, raised issues regarding both the expectations of those coming to Canada to work, and the realities of exploitation and “disposability” of such a workforce. Most people who come to Canada for temporary work believe they have the possibility of immigration, which is not the case under such work permits. A work permit doesn’t license a worker to work anywhere in Canada, though you are licensed to be in Canada. Rather it is tied to a specific workplace.

Recruiters for these temporary foreign workers often charge exorbitant fees, which is against the law only in some provinces. The current program for Temporary foreign workers is a recent phenomenon, and diverges from previous policies for workers coming to Canada. For example Chinese train workers had a right to permanent residency.

It is crucial that Canadian law generate some protection for these workers who have few avenues for accessible advocacy. Some difficulties involve language issues, as well as inexperience with research and advocacy across Canada. Workers do not know who to contact, to find out how they can obtain help and advice, and sometimes they don’t speak the language.

Canada’s economic interest contributes to the displacement of workers across the world. The rise of precarious work affects not only foreign workers, but also our society generally, and steers away from a Human Rights approach, treating humans as commodities. For many years Canada has been self-deceived about its generosity in immigration, and conditions worsen with respect to foreign workers since corporations have been given too much power in determining the subjects of immigration. In Canada we need a new immigration system, and a new system for giving work permits, but since public policies are in the hands of corporations, we need a new government, one that promotes practices that prevent contracting out of immigration.

- Carmel Forde, VP Part-Time Academics at Dalhousie

PROVINCIAL STRATEGY

At this first CUPE National Bargaining conference, delegates met with delegates from their own sectors daily to discuss the experiences of their sectors, and met with their provincial counterparts to discuss strategies to maintain our free collective bargaining, which is under siege across Canada. Our experience in Nova Scotia - where centralization of services is taking place – and where government and employers are collaborating to divide and conquer – our hospitals, universities, libraries and public services all compete for dwindling supplies of dollars. Our Nova Scotian delegates are members of a wide variety of locals, from pharmacy technicians to municipal workers, from university faculty to licensed practical nurses and beyond. Many union locals are experiencing the casualization of their labour – in one nursing home there are two vacancies at the moment for 8 hours work per week, each. This will be a minimum wage position, or possibly slightly higher, but in plenty of our nursing homes around the province, people earn $11 per hour, sometimes less. A typical LPN will earn at base level around $17 per hour in Nova Scotia, and can earn as little as $12.75 in PEI.
Since the Harper government has intruded into internal affairs of trade unions, attempting to remove free collective bargaining rights for CP Rail, Air Canada and Postal workers, we must fight against “right to work” legislation. There aren’t any Canadians who want less access to public transportation, to libraries, to health care systems, and public schools. All Canadians want, quite rightly, to have access to all these services and goods expanded.

Our members must remind themselves, their friends, families and co-workers, their neighbours, and the entire community of the way in which important features of our current legislation were gained: through union activism. Without unions, we would not have the hours of work we have, we would not have pension plans, maternity leaves, disability leave, sick pay, and so on. All Canadian workers deserve to have such rights, such plans, and such safety nets. We must all practice solidarity, as far as possible remind all of the history of our union and the significance of its existence.

In Nova Scotia, one of the concerns articulated was about the need to regroup to speak about our history as a union, to revisit the curious perception that union members are rich, and have every possible benefit. Of the 18,000 members of CUPE in Nova Scotia, very few earn a reasonable living wage, and in this “race to the bottom” we ought to fight to protect and increase our wages. In CUPE 3912, we have to note that for around twenty years, our local has been fighting to obtain any benefits at all: we have no health care benefits, no dental benefits, no pension benefits. In this time of EI depletion, we are quickly losing the only (and meager) benefit that it seems is slipping through our fingers.

Privatization of public services, and increasing income inequality is the project of our governments across Canada, who attempt to eliminate rights to collective bargaining. We must win this fight, and maintain and even improve the real gains that unions have made for every worker across Canada. Cutting wages, eliminating the middle class is counter-productive for all.

“EVERYTHING WE DO IS POLITICAL”
- PAUL MOIST, NATIONAL PRESIDENT OF CUPE

We must defend the value of our public services, vote, and bring about government once again. We must speak to the media and use social media, speak to our friends, and on a one-to-one basis, to our families and neighbours, our students, and co-workers. With community engagement, labour history, and coordinated bargaining, we can fight against the contracting out of services, the heavy cuts at our democratic institutions. Join in with any mobilization activities that our Communications rep announces! We must all work together to improve conditions for workers in Canada.

- Carmel Forde, VP Part-Time Academics at Dalhousie

20 YEARS OF STANDING TOGETHER!

Active efforts to create the present union began in 1991 at Dalhousie University. The timing was perhaps a result of conditions in the academic job market changing for the worse, so that there were fewer full-time positions available and more part-timers being hired by the universities. The system of using part-timers and TAs had arisen in a period when it was supposed that most in this position could expect to later obtain a full-time academic position. By the 1990s only a minority of the part-time faculty and the graduate student TAs had any confidence of ever obtaining a tenured position in a university. Without any secure hope of future full-time employment, why should TAs or part-time faculty work for such low wages?

During the Fall term of 1991 two members of the executive of the Dalhousie Graduate Student Association (DAGS) were appointed by DAGS as a committee to look into the work conditions of TAs. Shortly after this the DAGS committee began meeting with a few of the part-time faculty to discuss the possibility of forming a union, and a
preliminary organizing committee began to work for a union. As a result, at a meeting held during the Winter 1992 term, the Dalhousie Educational Workers Organizing Committee (EWOC) was set up to work for a union involving both TAs and part-timers. Most of the active membership in EWOC during this period came from the departments of Biology and History.

EWOC issued a newsletter to TAs and part-timers, using an “Ewok” from the Star Wars film as a logo. A number of meetings were called, and replies to a questionnaire sent out to graduate students indicated that the majority would favour a union as the best way of attempting to improve their position as TAs. Contacts were also made during this period with the Canadian Union of Educational Workers (CUEW), which represented a number of TA and part-time unions in Ontario and other provinces. In July 1992 a meeting was held at which the Dalhousie Educational Workers Organizing Committee (EWOC) formally voted to seek the assistance of CUEW in its organizing campaign.

In the Fall term of 1992 the initial work of the organizing drive began at Dalhousie. To become a certified bargaining agent, the Nova Scotia law requires that a union obtain signed cards and initiation fees from at least 40 per cent of the members in the bargaining unit, at which time a vote is held open to all the employees. There is a four month period in which to achieve this, once the Labour Relations Board is notified the drive is under way. This period was planned to run from January to March 1993.

In preparation for the card-signing drive, during September to December 1992 EWOC held a series of meetings and published regular newsletters. Extensive work was also done compiling lists of the TAs and part-time faculty employed at Dalhousie. During this period invaluable assistance was provided by CUEW organizer Mike Groom. An office was set up on Coburg Road to co-ordinate the campaign, paid for by the national office of CUEW.

**On March 23, 1993,** when it was calculated we had sufficient cards signed, application was made to the Labour Board for a certification vote. This was conducted by the Board at various locations on the Dalhousie campus over three days 30, 31 March, 1 April, 1993.

**Spring 1993–Summer 1994**
NS Labour Relations Board hearings and deliberations on Dalhousie certification

**31 August 1994**
Dalhousie vote counted — 83 % for union, which became CUEW Local 12, certified to represent both TAs and part-timers at Dalhousie

**November 1994**
National vote for merger of CUEW with the Canadian Union of Public Employees (CUPE) — the local became CUPE Local 3912 officially on 1 Jan 1995

**Fall 1994–Winter 1995**
Organizing campaigns at Saint Mary’s and Mount Saint Vincent universities — votes in March 1995

**September 1995**
Votes counted — Saint Mary’s 87% for union, Mount Saint Vincent 100% for union — CUPE 3912 becomes certified bargaining agent for part-timers at each institution

- For more on the history of organizing at CUPE 3912, visit: http://3912.cupe.ca
Saying Goodbye

To all the CUPE Sisters and Brothers of CUPE 3912, I am sending you my final greetings as a member of the Executive Board and current Recording Secretary. After spending over 20 years as an organizer, mobilizer and Executive member (having served 17 of those years as President of CUPE 3912), it is now time for me to become a CUPE Retiree and sadly exit the activities of CUPE 3912. Being a part of this wonderful union has given me an education in the needs and solutions for all working class people and particularly those in the post-secondary sector. Being involved in union work shows us how to link with and support other workers within CUPE (both within CUPE National and CUPE Nova Scotia) and also within both the Nova Scotia Federation of Labour and the Canadian Labour Congress and their affiliated unions; these links have provided us with solidarity from other unions and sectors when we have needed them and have provided solidarity to them in their struggles as well. At the CUPE National level over the years, I served on the CUPE Global Justice Committee, the CUPE National Women’s Committee and Co-Chaired with President Paul Moist the CUPE National Task Force on Women; in CUPENS, I also served over the years on the Women’s Committee, the Political Action Committee, the Global Justice Committee and the CUPENS Executive. Working with CUPE trade unionists is easily some of the best and happiest activities of my life and I owe so many thanks to the union Sisters and Brothers who worked with me and taught me so much. Brothers and Sisters like former secretary/treasurer Mike Earle, former recording secretary Marvin Silver, VP – SMU Joyce Conrad, Trustee Marianne Parsons and former communication officer and VP Daltech TA Troy Winters, will be remembered as dedicated Executive members who performed outstanding work for our union local in the past. I will miss them and working with them enormously.

I leave with the great satisfaction that the great work that was begun by a rag-tag group of academics at Dalhousie in 1992-93 is now a well functioning union which has made a great difference in the lives of part-time academics, teaching instructors, teaching assistants, demonstrators and markers who previously had no workplace rights and extremely poor wages at Dalhousie, Saint Mary’s and Mount St. Vincent Universities. President Jennifer Dimoff and your present union Executive are doing a wonderful job of meeting the needs and dealing with workplace problems of our membership with professionalism and energy. I am fully confident that CUPE 3912 will continue to strive for improvements to our collective agreements, improvement in our workplaces and to empower our members to be able to work in dignity in the university sectors which we represent.

Finally, I wish to say that a union is only as good as the members make it and every member needs to be involved, come to union meetings, support your CUPE 3912 Executive plus CUPENS, and CUPE National, and to read your collective agreement(s) to know when your rights are being violated so that they can be grieved and
rectified. With child care subsidies available for all members, we have tried to make our meetings accessible to all members and will continue to do so. We now have an excellent website to learn about our union and to be informed of meetings and activities which members can be actively involved in with us. Don’t be shy to ask questions and learn more about this fabulous opportunity to take union training to become active educated members. You will gain far more than you think by becoming involved. I hopefully will see you at the Annual General Meeting on April 26 at Dalhousie (see details on last page).

To you all I say a loud SOLIDARITY! and WORKERS UNITE!

Respectfully,
Barb Moore

NEO-LIBERALISM AND PRECARIOUSNESS

We hear much talk about how the current government and the Harper Agenda are affecting many aspects of people’s lives and work. Our current economic crisis has very specific repercussions for us, the members of CUPE 3912.

The current Neo-Liberal agenda in Canada has particular hallmark characteristics that have specific outcomes. The list of characteristics is long and many of these relate directly to us and our working conditions: privatization, transfer of wealth, growth of inequality, globalization, attack on unions/concessions, deindustrialization, devaluing work, changing nature of work, contingent/precarious workforce, instability, flexibility…

THE NEO-LIBERAL PLAN WAS TO HIT US HARD WHILE PEOPLE WERE SCARED AND CONFUSED

Starting in the late 70s and early 80s policies were created to emphasize financial activity over real production. The jargon of governments at that time was: “We need to control inflation.” The reality of what they were doing and their main goal was to control workers. Finance was given total freedom in the market through deregulation. The neo-liberal plan was to hit us hard while people were scared and confused; ram through changes that they couldn’t win in “normal times” (much of this has been seen with the omnibus bills). They blamed workers for the financial problems and devalued work. More power was given to the bosses and labour contracts were gutted. It was long thought that it was only the private sector that was affected by this but as we have seen of late the public sector is no longer immune.

We of CUPE 3912 are workers of the public sector. So what does all of this political and economic mumbo-jumbo have to do with us? This has everything to do with us. The number of people living/working precariously has risen dramatically in recent years. As contract workers for the universities, we are very precarious. We work short-term contracts without any recourse for stable employment. The universities have referred us to as a “transient workforce.” This is an odd statement considering we have members that have been on a contract basis since the 70s. We hardly sound like a transient bunch. Our contributions to the universities are vital. Part of the neo-liberal agenda is that we need increased labour market flexibility (could we be more flexible as we face unknowns and new schedules every semester??). The result of this labour flexibility is that the risks and insecurities have now been transferred to workers and their families.

This neo-liberal ideal of flexibility isn’t limited to just our labour flexibility. Included in this flexibility is wage flexibility (downwards), skill flexibility (adjusting workers skills easily – teaching new...
and different courses every semester), flexible employment levels (downwards, resulting in a reduction of employment security and protection)... The goal of this flexibility?? To make workers more insecure.

But precarious work, such as ours, has multiplied by the millions. In 2011, Guy Standing wrote The Precariat: The New Dangerous Class. This work speaks very much to those of us in 3912. Standing explains that the Precariat is a distinctive socio-economic group that has a truncated status. Being precarious is more than just having a low-income job; it implies a lack of a secure work-based identity which creates in us a “status discord.” This status discord belongs to a group of people who have a relatively high level of education and who have to accept jobs that have a status or income level beneath what they believe is in accordance with their qualification.

Considering the numbers mentioned above showing that we are clearly not a transient bunch, the issues raised relating to labour-related security is no laughing matter. Standing proposes 7 forms of labour-related security issues that strongly echo our own situation:

1. Labour market security – having adequate income earning opportunities. Working semester to semester, contract by contract for each course, our ability to have adequate earning opportunities is limited and uncertain.

2. Employment security – protection against arbitrary dismissal, hiring/firing. In the blink of an eye any of our 3000 members can find themselves out of work.

3. Job security – opportunities to retain a niche in employment. Key word “retain;” new contracts for every course could hardly resemble “retaining” our work.

4. Work security – protection against accidents/illness at work. This is a big one! If we can no longer continue our work we are out of luck. We have no Long Term Disability or any protection against being sick for a month. We can miss a couple of classes as long as we make up the work but if we are out for a month due to illness then you can consider your contract null and void and the pay cheques stop coming.

5. Skill reproduction security – opportunities to gain skills, employment training. This is an interesting one! We are EXPECTED to keep up with our academic professional development but this is something that we need to do out of our own pocket and on our own time. We have a paltry $500 at each university that we MAY be eligible for (given very specific conditions) but this certainly won’t help us attend a conference that is being held in Beijing.

6. Income security – adequate stable income. I don’t know about you but my annual incomes goes from below the poverty line to having a little extra cash for a Timmy’s. With 4 semesters per year our income level is continually in flux.

7. Representative security – having a collective voice in the labour market. This is a tricky one. While we are members of a union (which gives us our collective voice), the nature of our work leaves us very much alienated from each other and from the rest of our co-workers. For the most part, we work in isolation. We come in, teach our classes and meet with our students. We have little to do with each other (except to share incredibly over-crowded office spaces). We don’t share a work schedule or share in a common lunch time or break time. For the most part, we have a hard time distinguishing who among us is contact, full-time or support staff.

Our work-load is anything but part time

Added to this entire discussion is the question of how we are identified. We are referred to as “part time faculty.” To refer to us as “part time” is a poor choice of words. It is equally unfortunate when we refer to ourselves as “part time.” We need to be wary of self-exploitation and using language that contributes to the idea that we work less than full time. I know most of us would never agree that the amount of work we do is equal to “part time.” Most of us have multiple courses and even work at multiple universities. Our work-load is anything but part time.
For precarious workers the result of this type of disenfranchisement is anger, anxiety, frustration and alienation. The crisis we now find ourselves in and the conditions under which we work was not caused by workers; it was caused by the world of finance. It wasn’t a random incident and it will happen again if rules aren’t changed. We need to reclaim the legitimacy and value of real work and productivity. We must resist attempts to make us pay. We need to demand that the universities give us the value of the work that we do, as we are clearly vital to the functioning of the university.

- Jennifer Dimoff, President

**DEMYSTIFYING PRECEDENCE**

At all three universities that are part of CUPE 3912, contract faculty can accrue precedence. It is not always clear to our members what precedence entails, and so we provide this information piece, to clarify the facts and the functioning of precedence. While the term precedence was chosen by the administration in order to avoid the use of the term “seniority”, it is seniority, and it is treated as such (and must be treated as such) throughout all job assignment practices at Dalhousie, SMU and MSVU.

Precedence is not automatically given to an instructor upon their first teaching assignment. Precedence, or seniority, is a status and a right one achieves, originally through successful probationary teaching assignments, and when one achieves precedence one then has the right to challenge unjust hirings in a department. One’s precedence, like seniority, is held throughout the university in which it is acquired, and is not limited to one department. However it does not apply in an inter-university fashion. At each university one has varying precedence standing.

The three universities have their own requirements for establishing precedence on the part of each member. At Dalhousie, for example, a member acquires precedence through teaching (at least) 9 credit hours over two academic years. At each of the three universities there is a graduated rate of pay that correlates to the amount of precedence points one accrues over the years of teaching assignments, until one reaches the cap for that scale.

In recent years at all of our institutions, there have been cases where precedence has been avoided, ignored, or contested unjustly. In each case we have challenged such actions, and we have been successful, because precedence is one of the considerations which must be taken into account when hirings take place among the part-time faculty at the universities.

Each member of CUPE 3912 should check their precedence points each year as a matter of course, to ensure that the departments in which they teach are applying these points after any course assignment. Every member should also pay close attention to any of the hirings of CUPE members that occur in their workplaces to confirm that those hirings pay close attention to and respect precedence, since it is one of the most significant rights we have in 3912.

Precedence remains in place for 3 years even after you have completed your last teaching assignment, but should you fail to return to the institution after those 3 years, your previously accrued precedence points cannot be retrieved and applied at a later date. - Carmel Forde, VP
ANNUAL GENERAL MEETING
Friday, April 26
12:00 PM
Dalhousie Student Union Building, room 224

Hear what your executive has been up to and elect your representatives for 2013-14. Consider nominating yourself or a colleague to an executive position, contact cupe3912@dal.ca

Food and beverages provided. All welcome!

Website: 3912.cupe.ca
Bargaining Blog: bargainingcupe3912.wordpress.com
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National vision drafted at the 2013 National Bargaining Conference in Ottawa.