



# UNION MATTERS

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*My local works because I participate*

## You Should Know

Date and time of General Membership meetings are posted at each worksite and at [www.cupe1169.ca](http://www.cupe1169.ca)

“Work is a rubber ball. If you drop it, it will bounce back. The other four balls; family, health, friends, integrity, are made of glass. If you drop one of these, it will be irrevocably scuffed, nicked, perhaps even shattered.”

~ Gary Keller ~

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In June of 2017, Bill 17, the *Fair and Family-Friendly Workplaces Act* was passed, and changes came into effect January 1, 2018. Bill 17 includes two important workplace-related laws; The Alberta Employment Standards Code and The Labour Relations Code. The last time the Alberta Employment Standards Code was updated was in 1988, the year movies like *Die Hard*, *Big*, and *A Fish Called Wanda* were first showing in the theatres.

Your union has been receiving questions about the new Employment Standards (ES) and whether they replace what is in your Collective Bargaining Agreement (CBA). Remember, the CBA is binding if it provides for the minimum standards outlined in the Code. “A CBA entered into before January 1, 2018, continues to be binding until either a new CBA is signed or January 1, 2019, which ever comes first”.

A few key issues will be discussed in this article.

### General (Stat) Holiday pay

In the Province of Alberta, Heritage Day and Boxing Day are not considered general holidays; however, because they are listed in your CBA **Clause 10.01 (a)** part-time and substitutes will receive general holiday pay and full-time staff will receive a day off in lieu.

CBA **Clause 10.01 (b)** is no longer in effect as ES sets the new

minimum in that an employee is entitled to General Holiday pay immediately, no 30-day waiting period.

Part-time and substitutes will receive an Average Daily Wage (ADW) for the general holiday.

Members are concerned that the ADW is not paying the same amount that was previously paid. Over the course of the year, members will likely come out ahead in that they should be eligible for all the general holidays. The ES is intended to address fairness and equalize eligibility for all members.

There are some eligibility rules which you can find at [www.alberta.ca](http://www.alberta.ca).

### Hours of work and rest periods

CBA **Clause 9.02 (b) ii** has now been adjusted as per ES that when an employee is scheduled for 5 hours they receive a 30-minute break. The 30 minutes can be taken and divided into two 15-minute breaks when mutually agreed upon with the employer.

A reminder that when on a paid rest period, you should remain on the premises.

### Overtime

Overtime, as noted in your CBA **Clause 9.04**, will be paid at a rate of time and a half (x1.5) for all hours worked in excess of the regular hours of work, which is seven (7) hours a day or thirty-five (35) hours per week.

Regarding time limit on banked overtime, the ES supersedes the CBA



**Clause 9.06** where the new minimum of banked overtime must be used within 6 months of the time the overtime hours were worked.

**Leave without pay**

There are some new job protected leaves under ES that you are eligible for after being employed by the same employer for 90 days.

A reminder that you must still make your request through the Leave Request form and leaves should not be denied.

Citizenship Leave for part-time and substitutes (3-1/2 hours).

Bereavement Leave for part-time and substitutes (3 days per calendar year).

Personal and Family Responsibility (up to 5 days per calendar year). This is new for part-time and substitute staff.

Domestic Violence (10 days per calendar year). There are eligibility criteria which you can find at [www.alberta.ca](http://www.alberta.ca).

Critical Illness for child or adult (up to 36 weeks with medical documentation).

Death or Disappearance of a Child (up to 52 weeks if the child has disappeared, and up to 104 weeks if the child has died as a result of a crime).

The employer, [AskHR@calgarylibrary.ca](mailto:AskHR@calgarylibrary.ca) and your union [www.cupe1169.ca](http://www.cupe1169.ca) (Contact Us) are here to help you with these new standards. However, it is also your responsibility to be knowledgeable about your rights. Read your Collective Bargaining Agreement and visit [www.alberta.ca](http://www.alberta.ca).

*In solidarity,  
Elsa Gee, President CUPE Local 1169  
Calgary and Cochrane Public Library Workers*

## Contract Corner: know your rights under the collective bargaining agreement



### Article 2 Term of Agreement

2.01 This agreement shall be in full force and effect as of April 1, 2014 and continue in full force and effect through December 31, 2017 and from year to year thereafter except as hereinafter provided.

2.02 If notice to negotiate has been given by either party prior to the termination date of this Agreement, or if negotiations continue beyond the termination date of this Agreement, the Agreement will remain in full force and effect during this time until the applicable provisions have been complied with under the Labour Relations Code.

### What Does this Mean?

The union office has received a number of questions recently about negotiations. Our current contract was ratified in April 2014 and ended in December 2017. We still operate under our current

contract until a new contract is ratified.

The union was required by law to open negotiations in fall of 2017. The first step was to send out a survey to all members and then proposals were developed from the survey results. At the September general membership meeting, the members reviewed, asked questions, voted on, and approved the package.

Your Union Negotiation team met with the Management team in early November, proposals were exchanged, and the two groups began the work of actual negotiations. There is no timeline for the completion of negotiations, and many factors impact how long it will take to complete negotiations, including the availability of the union and management teams.

Although it is understandable that members are interested in having updates, members of both negotiation teams cannot share the specifics of these meetings. Your union executive looks forward to seeing you at the next general membership meeting.

*Respectfully submitted by,  
Terrill Budd, Chief Steward CUPE Local 1169*



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