

Believing in an Organization that Works for You

by Monica Menner

As a former ATU member and current CAW representative, I often wondered why GRT employees belonged to what traditionally is considered a manufacturing sector union. So I asked some questions and did some research and learned the following:

When the Region of Waterloo assumed control of Cambridge and Kitchener Transit, workers were under the certification of two separate unions; ATU Local 1608 representing Cambridge Transit and CAW Local 4304 representing Kitchener Transit. CAW 4304 made an application to the Ministry of Labour for a representation vote.

If Local 4304 had been successful in swallowing up ATU 1608 in a representation vote (which was guaranteed as CAW outnumbered ATU approximately 6 to 1) ATU 1608's Collective Agreement would have been null and void and Local 1608 would have lost all of their negotiated seniority benefits under ATU's contract. Rick Lonergan, then the President of ATU 1608, negotiated a better deal for his members with the Region, the representation vote was withdrawn, and CAW Local 4304 gained approximately 40 new members who were able to keep their seniority and benefits intact.

Occasionally I hear the same question from members today. Why do we not belong to the ATU, a "driver's" union? Please consider the following facts:

1. Diversity is a key factor to building strength and ensuring union survival. Canada's largest National Unions, for example CUPE and CAW, represent a variety of workplace sectors.
2. The CAW is one of the most diverse and democratic union bodies, giving us full voice and full vote during bargaining. The gains of our Local are a result of member unity and a strong executive committed to safeguarding the rights of individual members.
3. The "top dog" in Canada is the Canadian Labour Congress [CLC] which brings together Canada's national and international unions, provincial and territorial federations of labour and 130 district labour councils. Regardless of which parent union a local belongs to, the intent is that we all serve a common goal and purpose under the CLC Constitution.
4. Changing unions through the de-certification process means: ***the Collective Agreement will no longer exist and the Employer is only legally required to operate under The Employment Standards Act.*** This means that the Employer can legally

fire you without reason, at any time, provided they pay you the amount of money which represents your notice period. The Employer can also legally schedule your work week to determine when, where and how long you work. Your seniority means nothing. Your hourly rate can be reduced to the minimum wage as provided under the Employment Standards Act. Paid vacation entitlement after each twelve months of service will be two weeks and the Employer legally has the right to pick your vacation for you and whether or not the two weeks will be taken together. Your benefit plan can be eliminated as the Employer is not legally required to carry or pay towards a pension plan over and above contributions to the Canada Pension Plan. ***The Employer is not legally required to maintain wages, benefits or the working conditions that were previously negotiated.***

5. The CLC has strict rules on corporate raiding, and the majority of CLC affiliates will not take on another union. If employees are deemed eligible by the labour board to re-certify, let's say that again: ***IF*** employees are deemed eligible by the labour to re-certify, and another union is willing to take them on, a weakened union will have to negotiate a collective agreement from scratch. Joining up with another union will not give you back any of the benefits under your old contract, or under the contract of another local belonging to the union you are joining. There is no likelihood of achieving any of the gains in the previous contract for a very long time.

On a final note, anyone considering an executive position should not make this decision lightly. They would most certainly need to understand past practice, our Collective Agreement, the history of this local, the type of Employer we are dealing with and the importance of our investments and financial responsibility. They better understand their statutory duties under the Labour Relations Act and key pieces of labour legislation, such as the Employment Standards Act. They need to understand OMERS, WSIB, the Return to Work Process, and the Human Rights Code. And they better understand all of this on the first day they sit in their executive chair.

Local 4304 is made up of 555 Full time and Part time Bus Operators, Service Attendants, Certified Motor Vehicle Trade Technicians, Specialized Transit Vehicle Operators, Specialized Transit Dispatchers/Reservationists and their families who are dependent upon a strong and dedicated executive to not only uphold their hard won rights and freedoms, but to also represent their best interests.