

Member Update

CUPE 1867 NS Highway Workers Union

August 14, 2018

Following a mediation/arbitration held August 13, 2018, the interest arbitration board, chaired by arbitrator William Kaplan, issued an award today, **Tuesday, August 14**, which finally establishes a collective agreement for approximately 1,000 CUPE Local 1867 members, highway workers employed by the Province of Nova Scotia.

The process leading to this arbitration award began in November 2014 when CUPE and the Department of Transportation and Infrastructure Renewal (TIR) began negotiations to renew the province-wide collective agreement in accordance with Nova Scotia's *Highway Workers Collective Bargaining Act*.

CUPE 1867's bargaining committee and the employer held approximately 26 negotiating sessions between November 2014 and November 2015, at which time CUPE made an application for conciliation. Between January 2016 and October 2017, the union and the employer met with the assistance of a conciliation officer on eleven separate occasions and failed to conclude a collective agreement. On November 29, 2017, the union with the assistance of lawyers from Pink Larkin made formal application for an arbitration board to be convened under Section 24 of the *Act*.

Please note the following important information

The first economic increase where retroactivity shall apply is November 1, 2016 (see chart below).

Other provisions, including all language changes, will take effect the date of this award. CUPE and TIR will insert all of the changes into the collective agreement for proofreading before the agreement can be distributed to the membership.

This round of bargaining

This round of bargaining was unique in that government legislation, Bill 148 – *Public Services Sustainability Act*, affected the union's ability to negotiate freely in critical areas including term of agreement and wage increases. In addition, freezing and elimination of public service awards had a negative impact on negotiations.

Your bargaining committee began preparations for negotiations in the spring of 2014 and have fought back strongly against the employer's efforts to claw back existing rights and benefits from you.

The most significant concession sought was to remove the "41 pieces of equipment" memorandum from the collective agreement. This would have given the employer no limitations on the amount of winter work, which could be contracted out. Your bargaining committee successfully defended and kept the existing memorandum intact. This will continue to limit the employer's ability to contract out.

The arbitration award

The award includes previously agreed items including labour management relations, grievance procedure, leave of absence, employee and family assistance, holidays, and safety.

The economic increases for the first four years were dictated by Bill 148.

In addition, the following economic increases shall be applied as per the effective dates for all members of the bargaining unit.

Effective November 1, 2014	0%
Effective November 1, 2015	0%
Effective November 1, 2016	1%
Effective November 1, 2017	1.5%
Effective October 31, 2018	0.5%
Effective November 1, 2018	1.5%
Effective October 31, 2019	0.5%
Effective November 1, 2019	1.5%
Effective October 31, 2020	0.5%

The arbitration award includes provisions for an early payout of the public service award for all eligible employees, employed as of March 31, 2015. The regular hourly rate and regular weekly hours used to calculate the service payout will be those in effect on October 31, 2017.

Employees shall be notified of their options to receive a public service award payout from the employer, and the time frames for them to respond, should they choose an early payout. Offers are to be made within eight weeks of today's date and responses are to be made within four weeks from the date of the offer.

Employees who choose not to receive the public service award until they retire shall get their payout based on the hourly rate effective at retirement.

Your bargaining committee stood behind and pushed for breakthroughs in wage parity throughout the entire negotiations process on behalf of a number of classifications. We are pleased to announce that the award includes wage parity adjustments for the Mechanic II and Mobile Service Mechanic classifications as follows.

Effective November 1, 2018	\$1.50 per hour
Effective November 1, 2019	\$1.50 per hour

These adjustments are in addition to the economic increases effective for the entire bargaining unit.

Credit and thanks for four years of dedication to this process to your bargaining committee including Steve Joy, Mike MacIsaac, Dennis Etheridge, Scott Walsh and Sharon Hubley, as well as CUPE staff representatives. A special thank you to the law firm Pink Larkin for their assistance during the interest arbitration process.

Future updates

A complete update will be provided at the CUPE 1867 board meeting on August 24, 2018. Please forward any questions to your bargaining committee or CUPE staff representative. Contact information is available on the website at 1867.cupe.ca/contact-us.