



# The Canadian Merchant Service Guild

A NATIONAL ASSOCIATION OF MASTERS - MATES - PILOTS - ENGINEERS AND OTHER MARINE OFFICERS

## La Guilde de la Marine Marchande du Canada

ASSOCIATION NATIONALE DES CAPITAINES - OFFICIERS DE PONT - PILOTES - MÉCANICIENS ET AUTRES OFFICIERS MARINS

INCORPORATED 1919

AFFILIATED WITH / AFFILIÉE À

INTERNATIONAL MARITIME PILOTS' ASSOCIATION - INTERNATIONAL TRANSPORT WORKERS' FEDERATION - NATIONAL JOINT COUNCIL OF CANADA  
ASSOCIATION INTERNATIONALE DES PILOTES MARITIMES - FÉDÉRATION INTERNATIONALE DES OUVRIERS DU TRANSPORT - CONSEIL NATIONAL MIXTE DU CANADA

**OTTAWA - VANCOUVER - THOROLD - QUÉBEC - DARTMOUTH - ST. JOHN'S**

### **Collective Bargaining Update** **for Guild Members Employed as Government Ships' Officers (GSO's)** **at DND and CCG - February, 2015**

- 17 June 2014 - The Guild negotiating committee exchanged proposals with the employer.
- The employer's proposals and the Guild's proposals were posted onto the Guild website in both official languages.
- 25 to 27 Nov 2014, and 3 to 5 Feb 2015 - The Guild negotiating committee met with the employer's committee. The employer has emphasized a strong appetite to delete paid sick leave provisions from the collective agreement and to offer a short-term disability plan outside the contract. The employer's goal is to attempt to have the Guild agree to eliminate our Members' existing banks of unused sick leave. On the other hand, the objective of the Guild bargaining committee is to preserve the hard-won rights of Guild Members and negotiate a collective agreement that will make the public service a healthy and productive place to work. The Guild committee is concerned that:
  - a) the plan being proposed by the employer is a concession and does not improve sick leave provisions by closing the gaps in the current sick leave articles in our contract.
  - b) any plan that will financially penalize employees who are absent due to illness will encourage sick employees to report to work, which does not contribute to a healthy workplace, impedes recovery and puts co-workers at risk - which undermines the ability of our Members to deliver vital services to Canadians.
  - c) Sick leave provisions are a benefit we have negotiated and that are included in our collective agreement. Removing these provisions from our contract and depending on the employer and a third-party commercial company to administer a sick leave plan raises suspicions.
- Guild members are represented at the bargaining table by a strong and capable team. The Chairman of the GSO Bargaining Committee is the Guild Assistant Secretary-Treasurer from the Dartmouth office. The committee also includes a number of Guild elected representatives working as GSO's from various regions of the country, as well as a number of Guild Labour Relations Officers and the National Secretary- Treasurer.

- Over the course of the coming months, the employer is required under new legislation (passed in bill C-4 a year ago) to notify the Guild and GSO's who occupy positions that are designated as essential to provide safety and security services to the Canadian public. These Members will not be permitted to engage in a strike in the event that the collective bargaining process were ever to reach a final impasse.
- The new legislation does not provide recourse for the Guild or our Members if there is dissatisfaction regarding the number of employees who are designated as essential. The Guild, together with all 17 federal unions is exploring alternative legal mechanisms to appeal this patently unfair legislation which undermines the effectiveness of all unions. On January 30<sup>th</sup>, 2015, the Supreme Court of Canada issued a ruling that similar legislation introduced in the Province of Saskatchewan is in fact illegal. The Court determined that it is a violation of the Charter of Rights to attempt to prevent effective collective bargaining by not providing an impartial dispute resolution mechanism to solve an impasse in negotiations.
- Bargaining is still in the very early stages. The Guild will continue to keep GSO's informed of developments and in the meantime if Members require further information, they are encouraged to contact their regional Guild office.
- The Guild and all public-sector unions are conducting a campaign called "**Together for Healthy Workplaces**" to draw attention to the importance of healthy workplaces for all Canadians. There may be events related to this campaign in some workplaces on March 19, 2015 and all available information has been posted on the Guild website.