



Bargaining Update July 16th, 2007

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Overview

There are ratified settlements in respect to **14** of the **25** trade jurisdictions in the sector. Memoranda of settlement, subject to ratification, are pending in **2** other trade jurisdictions. More settlements are expected this week.

Settlements:

The settlements for **Insulators** and **Bricklayers – Refractory** were both ratified with strong support. The ratification processes for the settlements for **Electricians** and **Teamsters** will be completed on July 27th and July 17th, respectively. All of these settlements are based on the pattern set out in the June 21st Bargaining Update, respecting which the initial strong consensus appears to be growing.

Supervised Strike Votes:

Strike votes were conducted on July 4th in respect to the **Electricians, Boilermakers, Millwrights, Plumbers & Pipefitters**, and **Refrigeration Mechanics** trade jurisdictions.

None of the ballots have yet been counted, as issues of procedure and voter eligibility are being addressed.

Proceedings at the Labour Relations Board over three days last week resulted in agreement on the voting eligibility of many of the persons who participated in these votes. Outstanding matters in respect to the strike votes include:

- The question of whether the persons engaged under Division 8 on the CNRL Horizon site were eligible to vote, and secondarily, whether persons engaged in work on mod yards dedicated to that site were eligible to vote. These questions arise in respect to four of the five trade jurisdictions. The unions have raised *Charter of Rights* arguments in respect to these questions. These will be referred to as the Division 8 issues.
- The strike vote conducted by UA Local 496 appears to have not been carried out in accordance with the *Code*, the LRB Voting Rules, and the directives of the LRB. Those issues will be addressed, if necessary, in a hearing on July 18th.

- In respect to the vote conducted by UA Local 488, only the “Division 8” issue remains outstanding. Discussions among the parties resolved all other outstanding voter eligibility issues.
- Three issues remain outstanding in respect to voter eligibility in the Refrigeration Mechanics votes: those engaged under service and maintenance agreements that may have performed construction work during the 60 day reference period; the employees of one contractor that engages in both maintenance and construction; and a number of employees of other contractors who may have been engaged solely in maintenance, in management, or in other “out-of-scope” positions.
- In respect to the vote conducted by the Millwrights, only the “Division 8” issue remains outstanding.
- In respect to the vote conducted by the Boilermakers, the “Division 8” issue remains, which also involves some maintenance/construction considerations. There is also some concern respecting the eligibility of persons who were performing maintenance, but were paid under the construction agreement.
- In the vote conducted by the Electricians, in addition to the “Division 8” issue, there are questions of eligibility for a number of workers who appear to have been performing only “out-of-scope” work, some who were engaged in maintenance, and some for whom additional information is being sorted out.

The proceedings at the Labour Relations Board will resume on July 17th. A hearing will be conducted to determine whether the ballots can and should now be counted, and if so, any conditions that may be directed. This determination will include the question of whether the voting eligibility of those engaged under Division 8 at the CNRL Horizon site needs to be answered before the ballots can be counted. On July 18th, a hearing will address whatever issues in respect to the UA 496 vote are then outstanding.

A further Update will be issued as these matters develop, and in particular, when there is some determination as to the timetable and any conditions for the counting of the strike vote ballots.

Status of Settlements:

The current situation in respect to settlements and pending settlements is as follows:

Group 1:

Boilermakers
Elevator Constructors
Millwrights
Plumbers / Pipefitters
Sheet Metal

Electricians
Ironworkers- Structural
Operating Engineers
Refrigeration Mechanics
Sprinkler Fitters

Group 2:

Bricklayers-Refractory
Insulators
Painters
Sheeters / Cladders

Glassworkers
Lathers / ISM
Plasterers
Tile Setters

Group 3:

Bricklayers-General

Cement Masons

Labourers

Teamsters

Carpenters

Ironworkers-Rebar

Roofers

[**Bold** indicates settled. ***Bold Italics*** indicates settled and ratified.]

Settlements

The terms of the ratified settlements for **Bricklayers – General**, **Glassworkers**, and **Tilesetters** were reported in the May 1st Bargaining Update, as were the settlement provisions for the **Plumbers & Pipefitters**, on which most of the settlements since, including the ratified settlements with the **Cement Masons** and **Operating Engineers**, have been patterned.

The terms of the ratified settlement with the **Elevator Constructors** were reported in the May 25th Bargaining Update.

The terms of the ratified settlements for **Sheet Metal Workers**, **Sheeters & Cladders**, **Ironworkers – Structural**, and **Ironworkers – Reinforcing**, and the pending settlements for **Insulators**, **Bricklayers – Refractory**, **Electricians**, and **Teamsters**, were reported in the June 21st Bargaining Update.

Trade Tables

Boilermakers: The union has participated in a supervised strike vote, and is now engaged in the complicated proceedings before the Labour Relations Board.

Carpenters: Talks on June 26th, with the mediator, were not productive. The mediator has written out of the dispute at the request of the union.

Electricians: The parties achieved a memorandum of settlement on July 5th. A mailed ballot ratification process is being used. Because of an error on the part of the printing contractor that handled the mailing of the ratification package, the package will have to be mailed again on July 16th, and the counting of the ballots is now scheduled for July 27th.

Interior Systems Mechanics – Lathers: Notice has been served. No meetings have yet been convened.

Labourers: The parties have adopted the industrial pattern settlement set out in the June 21st Update, and have resolved all bargaining issues except for the wage rates to be applied to commercial work. Discussions will continue early this week with a view to resolving that outstanding issue.

Millwrights: The union has participated in a supervised strike vote, and is now engaged in the complicated proceedings before the Labour Relations Board.

Operating Engineers – Crane Rental (Specialty Sector): On June 18th the parties agreed on the terms of a new memorandum of settlement, as outlined in the overview to this Update. Ratification will be conducted by mail, with the ballots counted on July 19th.

Plasterers: The parties will reconvene on July 18th.

Plumbers & Pipefitters: The union has participated in a supervised strike vote, and is now engaged in the complicated proceedings before the Labour Relations Board.

Refrigeration Mechanics: The union has participated in a supervised strike vote, and is now engaged in the complicated proceedings before the Labour Relations Board.

Roofers: The parties met with the mediator on July 10th. Considerable progress was and achieved, and it appears that a difference in respect to the regular work week hours is the only outstanding issue.

Teamsters: The parties achieved a memorandum of settlement on July 6th. They will be voting on July 16th and 17th, and the ratification results should be known by Wednesday morning.

Please call either Association office for any clarification or further information, or with information to be included in the next Update. All staff can also be contacted by direct e-mail.