



## **Bargaining Update November 19<sup>th</sup>, 2007**

*This General Construction Sector Bargaining Update is intended for the private information of employers, affiliated employers' organizations, construction purchasers, and other interested parties who have requested regular receipt of the Update. Recipients of this Update are asked to refrain from further distribution of this document or the information herein without the permission of the Association.*

### **Overview**

There are ratified or awarded settlements in respect to **23** of the **24** trade jurisdictions in the sector for which there are active registration certificates.

### **Ratification Processes:**

In ratification balloting counted on November 15<sup>th</sup> and 16<sup>th</sup>, the Parties accepted a memorandum of settlement for the **Roofers** trade jurisdiction.

### **Reference of Disputes to a Construction Industry Dispute Resolution Tribunal:**

The CIDRT convened a hearing into the **Plumbers & Pipefitters'** dispute on October 18<sup>th</sup>. Following caucuses of the Tribunal on November 4<sup>th</sup> and 6<sup>th</sup>, the Tribunal issued its award on November 6<sup>th</sup>. Copies of the award are available from the Association on request.

The CIDRT convened a hearing into the **Carpenters'** dispute on November 5<sup>th</sup>. The panel will caucus on November 21<sup>st</sup>.

### **Labour Relations Board Proceedings**

The LRB convened a hearing on October 29<sup>th</sup> into the Carpenters' complaint, alleging that the dissolution of the **ISM - Lathers** (Provincial) Trade Division was contrary to the *Code*, and seeking a declaration that the registration certificate held by the Trade Division remains in effect. In the wake of that hearing, the chair of the LRB panel clarified the central questions to be addressed in the proceedings. The hearings reconvened on November 14<sup>th</sup>, and will continue on November 29<sup>th</sup>.

### **Charter Challenges**

Statements of Claim have been filed against the provincial government by the **Carpenters, Boilermakers, and Electricians**. These parties allege that the legislated construction bargaining structure, and in particular, the provisions for consolidation orders and arbitration for the hold-outs, violate their Charter rights. Various parties, including the Association, are determining their respective roles in these proceedings.

Additionally, the Carpenters and Roofers have applied for judicial review of the LRB decision that concluded that their September 5<sup>th</sup> strike notice was unlawful. In part, they base their position on the view that the consolidation provisions of the Code violate their Charter rights. We understand that proceedings at the Court of Queen's Bench have been scheduled for March 13<sup>th</sup> and 14<sup>th</sup> in response to this application.

**Settlements:**

The terms of the ratified settlements for **Bricklayers – General, Cement Masons, Glassworkers, Operating Engineers** and **Tilesetters** were reported in the May 1<sup>st</sup> Bargaining Update, as were the terms of the first memorandum for the Plumbers & Pipefitters.

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

The settlement framework for the ratified settlements for **Bricklayers – Refractory, Insulators, Ironworkers – Structural, Ironworkers – Reinforcing, Operating Engineers – Crane Rental** (specialty sector), **Plasterers, Sheet Metal Workers, Sheeters & Cladders**, and **Teamsters** was reported in the June 21<sup>st</sup> Bargaining Update.

The settlement framework for the **Boilermakers, Electricians, Labourers**, and **Millwrights**, and for the terms agreed and awarded in respect to the **Plumbers and Pipefitters**, was reported in the August 13<sup>th</sup> Bargaining Update.

**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*

*Plasterers*

*Tile Setters*

*Glassworkers*

*Painters*

*Sheeters / Cladders*

Group 3:

*Bricklayers-General*

*Cement Masons*

*Labourers*

*Teamsters*

*Carpenters*

*Ironworkers-Rebar*

*Roofers*

[**Bold** indicates settled. *Bold Italics* indicates settled and ratified, or awarded.]

### Trade Tables

The CIDRT proceedings respecting the **Carpenters** are ongoing. A hearing was convened on November 5<sup>th</sup>, and the Tribunal will caucus on November 21<sup>st</sup>.

The CIDRT issued its award in respect to the **Plumbers & Pipefitters** on November 6<sup>th</sup>. The effective date for wage and benefit increases was October 1<sup>st</sup>. The CIDRT also awarded language providing for 15 minute paid break when it is impractical for the employer to provide an overtime meal (a provision that had been negotiated in the Electrician's agreement). In all other respects, the terms of the agreement are consistent with the pattern that characterized the settlements achieved with the Boilermakers, Electricians and Millwrights.

The parties to the **Roofers** agreement have concluded a memorandum of settlement, the terms for which were ratified last week. CIDRT proceedings will be unnecessary.

*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.*