

# BARGAINING UPDATE

**WENTWORTH  
MANOR**

LOCAL: 048  
CHAPTER: 044  
**NURSING CARE**

JANUARY 4, 2019

## AUPE FILES FOR FIRST CONTRACT ARBITRATION

On Dec. 28, the employer sent you and your coworkers a written memo containing inaccurate information that does not reflect our situation at the bargaining table.

Contrary to what management has told you, the Brenda Stafford Foundation has frustrated our efforts to come to any fair and reasonable agreements since bargaining began in the summer. As a result, we've applied for first contract arbitration, so we can get the protections all of us deserve.

### WHAT IS FIRST CONTRACT ARBITRATION?

If our application for first contract arbitration is accepted, we will meet with the employer and an independent third party. Based on our respective arguments for our proposals, the arbitrator will create a collective agreement for us, which both the employer and our members must legally accept.

While binding arbitration is not ideal, it will ensure we secure a first collective agreement with the basic protections we need to continue building on our rights and providing quality long-term care to Albertans.

Arbitration is another chance for us to fight for the items and improvements you identified as a top priority, including:

- No Discrimination
- Seniority
- Promotions, Appointments, Transfers

- Leaves of Absence
- Discipline and Dismissal
- Grievance Procedure
- Improved health benefit reimbursements
- A Flexible / Health Spending account
- A Retirement Savings Plan

### WHAT LED TO THIS DECISION?

In the employer's Dec. 28 memo, they made two false claims. The first was that we met with them on Nov. 17 to continue negotiations. The second was that they have bargained reasonably.

The last time we met with the employer was on Dec. 20, when we tabled another revised monetary proposal. The employer, once again, in an act of bad faith, refused to table theirs.

At our previous meeting on Nov. 27, they had said they would not table their monetary package until all non-monetary items are signed off.

This was a clear attempt to stall bargaining as the Brenda Stafford Foundation has made it impossible to come to a fair agreement on non-monetary issues; instead of responding to our proposed improvements, they simply argued our monetary proposals were excessive, despite being comparable to the first collective agreements achieved at Covenant Care's St. Marguerite Manor and

Retirement Concept's Millrise Place, two other continuing care sites in Calgary.

An independent, third party recommended the terms of these settlements. They reflect a balanced approach and factor in industry standards, which we pointed out to the employer, but they refuse to accept them.

Since November, we have only signed off on one article: Purpose and Preamble. Not only is the employer delaying bargaining, but they have also been accused of targeting AUPE leadership in the workplace and discriminating against employees on the basis of their union activity. AUPE has filed multiple bargaining-in-bad-faith complaints against the employer with the Alberta Labour Relations Board.

We cannot wait for an employer like this to act differently at the table. They have already wasted your time and undermined our union. If our application for binding arbitration is accepted however, we'll be able to move bargaining forward at the pace you deserved when we first started meeting to sign off on a collective agreement in July.

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