



UNION INFO - Sept. 2011

Update in the designated paid holidays saga

Late last week, the Union reached another milestone in its struggle to have the Employer recognize the value of designated paid holidays (DPH) at eight and a half (8.5) hours. As a result of a settlement agreement signed by the Union, CSC and Treasury Board, the majority of our members will now receive eight and a half (8.5) hours of annual leave credit. This agreement is an important development in this file, and a major victory for our members.

This DPH problem initially surfaced shortly after signing the 2006 collective agreement, when the Employer decided to unilaterally reduce the value of our members' holidays by a half hour. At the time, the Union immediately met with CSC representatives, the Treasury Board negotiator, and the person at the helm of Treasury Board's negotiation sector, to oppose the Employer's faulty interpretation. The Employer refused to correct its error at the time. As a result, our members who did not work on holidays were penalized, and several hundred grievances were submitted. The first of these cases was decided by the Public Service Labour Relations Board (PSLRB) in November 2009 (2009 PSLRB 148). The Employer refused to abide by the Board's ruling. Finally, a year later, the Federal Court ruling (2010 FC 1192) reconfirmed that the Employer's interpretation was incorrect. As a result, the grievor in that case was compensated for a half hour and the Employer ceased its practice of short changing its employees on holidays. The recent agreement settles the issue and associated grievances for all members. In short, current members who were hired before the November 2009 PSLRB arbitral decision will receive eight and a half (8.5) hours of annual leave, and those hired during the period between the 2009 PSLRB decision and the 2010 Federal Court decision will receive six and a half (6.5) hours.

Despite the long arduous road that the Union and its members have been forced to take to enforce the current collective agreement, the Employer currently continues to maintain its negotiation demand to reduce the value of your DPH. We intend to pursue the DPH discussion at the next negotiation session in three weeks. Coincidentally, CSC has indicated that our members' leave accounts should reflect the settlement credits in about three weeks time.

The text of the agreement is available on the UCCO-SACC-CSN website (www.ucco-sacc.csn.qc.ca). Our members are to be commended for their patience in this file.