



cupw•sttp

Negotiations

Canadian Union of Postal Workers, urban operations

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URBAN ARBITRATION CONTINUES

After a short delay, due to the need for the Union to obtain new legal counsel, the final offer selection interest arbitration for the CUPW Urban Operations Bargaining Unit at Canada Post Corporation has commenced.

Following conference calls and a meeting with Judge Osborne the union has submitted a request to CPC for the information it will need to ensure that the components of its “final offer” are in accordance with the mandate of the arbitrator as established in the back – to – work legislation.

Three Step Process to Determine the Offers

Under the legislation there are three initial steps to the arbitration process. First, the parties must submit to the arbitrator a list of matters on which the parties were in agreement as of a date specified by the arbitrator. Judge Osborne has not yet determined the date that we will use. Secondly, the parties must submit a list of matters remaining in dispute as of the date selected. These matters cannot include salaries or the term of the agreement (length). Finally, the parties must submit their final offers with respect to the matters in dispute. The final offer must be in contractual language.

Once the offers have been submitted, both the employer and the union will have the ability to submit evidence and make arguments concerning each of the proposals made by either party. The parties will also have to justify their positions in light of the mandate of the arbitrator which has been written into the law.

Union Initiates Court Actions

The union is challenging the appointment of Judge Osborne by Labour Minister Lisa Raitt on the basis that Mr. Osborne is not experienced in labour law matters and is not bilingual. We are also challenging the constitutionality of the provision in the law which states that no proceeding may be taken in a court to question the appointment of the arbitrator or review any proceeding or decision of the arbitrator.

We will ask the court to stay (suspend) the proceedings until our challenge has been decided.

In our first hearing we had asked Judge Osborne to stay the proceedings but he refused.

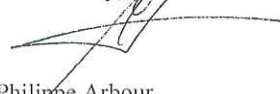
In the near future we will be initiating a constitutional challenge on the denial of our right to strike by parliament. We are also taking action at the International Labour Organization (ILO) because the legislation violates ILO conventions agreed to by the Canadian government.

Necessary Actions Caused by Unnecessary Law

During this period the negotiating committee is busy researching the issues and preparing evidence and arguments that may be used in the arbitration proceedings, depending on what date Judge Osborne selects to determine the issues that remain in dispute. As always the union will spare no effort to fully represent the interests of the membership and preserve our rights and benefits under the collective agreement. None of this would have been necessary had CPC management accepted our offer to return to the bargaining table. Instead, despite the fact that CPC is once again having another profitable year, management initiated a national, full-scale lockout to provide the government with a pretext to introduce legislation. The responsibility for this entire process lies solely with senior management.

More information will be provided as developments occur.

In Solidarity,



Philippe Arbour
Acting Chief Negotiator

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