



Backgroundunder

Sodexho workers' wages rise by as much as 29 per cent under mediator Vince Ready's recommendations

Sodexho workers would see wages rise by as much as 29 per cent if the recommendations issued by mediator Vince Ready on November 22 are ratified by union members, and by Sodexho.

That brings Sodexho wages to Aramark rates by October, 2007.

If ratified, Ready's recommendations – which include items previously agreed to in bargaining between HEU and Sodexho – would form a first collective agreement between the parties with an expiry date of September 30, 2008.

What you need to know

- HEU and your bargaining committees are asking you to vote yes to the recommendations made by mediator Vince Ready
- If both HEU members and Sodexho ratify Ready's report, it will form the basis of a first collective agreement.
- If either the union or Sodexho rejects the report, the Labour Relations Board – not HEU – will determine what happens next. Those possibilities include a return to a strike or lockout situation, further mediation, or binding arbitration.
- Hourly wages for most workers rise to \$13.05 by October, 2007
- Retroactive wage adjustments will result in payments to full-time workers of between \$380 and \$650 a year. Part-time and casuals also eligible for payments based on hours worked
- Workers at Rosewood, Foyer Maillard, Central Care, Mission, MSA and Eagle Ridge employed in 2004 and still working for Sodexho upon ratification will receive additional lump sum payments of \$500 (FT) and \$300 (PT)
- 6 sick days a year which can be taken at any time
- Workers' share of benefit premium costs will increase in 2007 and 2008 to match Aramark contract
- More casuals can access benefits
- Improved uniform allowances for all workers, new shift premiums
- Grievance procedure, harassment protection and better access to training and postings

Ready's report also includes retroactive wage increases resulting in lump sum payments for most union members, sick leave improvements and other important benefits and union rights.

HEU's Sodexo members will have an opportunity to vote on Ready's recommendations at membership meetings to be held between November 29 and December 10.

HEU and your bargaining committees are asking you to vote yes to Ready's recommendations.

"This is not a perfect contract – it's a compromise," says HEU secretary-business manager Judy Darcy.

"But it does achieve our main goals of improving wages and sick benefits as well as establishing basic union rights and protections for members in the workplace.

"There is no question that the seven-week strike by our members at Sodexo forced the company to shift their position significantly. We now have wages that will match those negotiated with ARAMARK by 2007."

Darcy says that first collective agreements are the most difficult to negotiate.

"Our Sodexo members have traveled down a very long road to get to this point," says Darcy.

"They've been intimidated by their employer and others after they voted to join HEU. And they've stood up for their right to a fair contract by taking strike action under extremely restrictive essential services orders.

"I think every Sodexo member should be very proud of what we've been able to achieve in very difficult circumstances.

"And if Mr. Ready's report meets with Sodexo members' approval, I'm looking forward to building a strong union presence in the workplace so that we can protect workers' rights and prepare a solid foundation for our next round of bargaining in 2008."

The terms of the agreement are attached to this document in two parts.

Part I contains Vince Ready's recommendations. In his report, Ready provides some background to the collective bargaining dispute between HEU and Sodexo and provides his recommendations on unresolved issues.

Part II contains collective agreement language that has already been agreed to by your bargaining committees and Sodexo.

If members vote yes to this agreement, these documents will be merged together to form the collective agreement between HEU and Sodexo. All members will receive a copy of that agreement.

Please review Part I and Part II carefully. You will have an opportunity to ask any questions about this report before you vote.

What follows is a summary of the most important gains negotiated in this first collective agreement.

Wages

One of the key priorities set by HEU Sodexho members at their January, 2005 bargaining conference was to achieve a fair wage increase.

In recent meetings with Vince Ready, your bargaining committees said it was critical to achieve the Aramark rates of pay as quickly as possible.

Ready's report includes Aramark pay rates, though they are reached more slowly than the bargaining committees had proposed.

New hourly wage rates

| | Lead Hand | Cook II | Cook I | Dietary Aides/ Housekeeping |
|--------------------|---------------|---------------|---------------|--------------------------------|
| Current | 11.48 | 12.71 | 15.02 | 10.15 |
| May 1/05 | 11.94 | 13.17 | 15.48 | 10.61 |
| Oct. 1/05 | 12.20 | 13.56 | 15.87 | 11.00 |
| Oct. 1/06 | 13.25 | 14.86 | 16.92 | 12.05 |
| Oct. 1/07 | 14.25 | 16.11 | 17.92 | 13.05 |
| | | | | |
| Increase \$ | \$2.77 | \$3.40 | \$2.90 | \$2.90 |
| Increase % | 24% | 27% | 19% | 29% |

By October 1, 2007, Sodexho workers will have wages that are equal to Aramark workers in the Vancouver Coastal Health Authority.

As a result of the retroactive pay increases set out in the table above, full-time employees may be eligible for lump sum payments of between \$380 and \$650. Part-time and casual employees will also be eligible for lump sum payments based on hours worked.

In addition to these payments, workers at Rosewood, Foyer Maillard, Central Care, Mission, MSA and Eagle Ridge who worked in 2004 and are still employed by Sodexho on the date of ratification will receive payments of \$500 (full-time) or \$300 (part-time/casual). These payments are to compensate for periods worked in excess of a year without a pay increase.

Sodexho had proposed a lower wage rate for long-term care and retail food workers, but Ready rejected that proposal.

Probationary rates (\$1.25 less than the regular hourly rate) will apply only to employees hired after ratification.

Other significant monetary increases include:

- night-shift premium worth 70 cents an hour (effective October 1, 2006)
- uniform allowance for all workers at 65 cents a shift (effective upon ratification)
- Translink discounts (\$9 savings a month for one zone; \$13 savings for two zones; \$18 savings for three zones) available to all regular employees upon completion of probationary period (effective October 1, 2006).

Sick leave

Improvements to sick leave were a key issue from your bargaining conference in January, 2005.

Ready recommends two modest but important improvements to sick leave.

- An increase from four to six days a year
- Sick days can now be accessed at anytime during the year, beginning September 1, 2005 to August 31, 2006

The bargaining committee also improved sick leave so that it can now be used for medical and dental appointments that can't be scheduled outside working hours.

The union also bargained better seniority protection for injured workers. Regular workers injured on the job and who have qualified for Workers' Compensation benefits will now continue to accrue seniority based on their regular hours.

Health and welfare benefits

During mediation sessions held November 13 and 14, Sodexo argued for 50/50 cost-sharing of benefits premiums to begin immediately. HEU's bargaining committees vigorously opposed any change to the cost-sharing of benefits premiums.

In his report, Ready decided that at the expiry of the Sodexo and ARAMARK agreements on September 30, 2008, wages **and** benefits would be the same in the two agreements.

Effective May 1, 2007, workers will now pay 30 per cent of their Medical Services Plan premium. For a family MSP premium this represents an increased cost of \$15 per pay period. This amount would be less if the family qualifies for premium assistance.

There is no change to the current 30 per cent workers pay for extended health benefits, life insurance or accidental death and dismemberment until May 1, 2008.

On May 1, 2008, workers will pay 50 per cent of all benefits premiums including MSP. The table below provides some examples of how these changes might affect you.

**Examples of impact of increased cost-sharing of premiums
Ready recommendations
(per 2-week pay period)**

| FAMILY OF FOUR | Current (0% MSP and 30% Extended Health) | May 1, 2007 (30% MSP/30% Extended Health) | May 1, 2008 (50% MSP/50% Extended Health) |
|-----------------------|--|---|---|
| MSP* | \$0 | \$15 | \$25 |
| Extended Health | \$20 | \$20 | \$34 |

| SINGLE | Current (0% MSP and 30% Extended Health) | May 1, 2007 (30% MSP/30% Extended Health) | May 1, 2008 (50% MSP/50% Extended Health) |
|-----------------|--|---|---|
| MSP* | \$0 | \$8 | \$13 |
| Extended Health | \$9 | \$9 | \$16 |

*MSP premiums will be less if family or individuals qualify for premium assistance.

Other contract improvements

In addition to wage increases, the tentative contract improves other benefits for HEU members working for Sodexho.

- Meal breaks will be paid if on-call
- Over-time rates will be paid to full-time employees for all hours worked on a scheduled day off
- Employees who work on a statutory holiday and qualify for statutory holiday pay, have the option of taking a paid day off or taking the extra day's pay
- Employees who are members of non-Christian religions can take up to two unpaid days off a year to observe spiritual or holy days
- Employees are entitled to three days paid bereavement leave if there is a death in the immediate family
- No loss of pay if a regular employee is selected for jury duty
- Casual employees who work 20 hours or more per week for more than three months now qualify for the health and welfare plan for as long as they continue to work 20 hours or more per week.

Grievance procedures

HEU provides comprehensive training for shop stewards so that they can provide good representation to members at the workplace.

Union leave provisions negotiated by your bargaining committee ensure that members will not lose pay or seniority when they receive shop steward training or when they represent you as a shop steward.

If you believe that your rights under the collective agreement have been violated, the grievance procedure is there to help you resolve your issue.

The grievance procedure negotiated by the bargaining committee is comparable to the grievance procedure negotiated for 40,000 other HEU members who work in hospitals and long-term care facilities.

Under this procedure, the union and the employer try to resolve the grievance in a series of steps that are time limited. If the grievance is not resolved to the satisfaction of the union or the employer it can be referred to arbitration. That means that an outside party will hear the arguments of both sides and make a decision.

The tentative agreement recognizes the role of shop stewards at all steps of the grievance procedure.

Harassment Protection

The tentative agreement also includes protection for members against harassment, including sexual harassment.

A worker can file a complaint with the Sodexo district manager or directly through the union using the grievance procedure.

The worker filing the complaint will be represented by a shop steward. If the alleged harasser is also a member of HEU, he or she can also receive union representation.

Union/management committee and other union rights

The tentative agreement provides for union/management committees to address problems, clear up misunderstandings and deal with other issues including workload. Workload was a key issue identified by members at the Sodexo bargaining conference.

There will be a regional committee for Vancouver Coastal Health and Providence Health Care certification. Other certifications will have their own local union/management committees which will include one or more sites, depending on the size of the certification.

Each committee will have HEU Sodexo members and a union servicing representative. There will also be representatives from Sodexo.

The employer will pay HEU members' wages for time spent at these committee meetings.

The tentative agreement includes several other provisions that help protect members' rights, including:

- a union representative's right to meet with new employees without loss of pay to inform them of their rights
- the right of shop stewards to conduct union business without loss of pay
- the right to wear union pins or shop steward badges at work.

Health and Safety

Health care workers are injured on the job more than workers in any other sector in BC. And HEU members working for Sodexo have raised many concerns about workload and other factors that have led to injuries of workers.

The tentative agreement establishes a joint union/management Occupational Health and Safety Committee. This committee monitors health and safety issues in order to help reduce injury rates.

HEU members who serve on this committee won't lose pay – or will get paid if they're on a day off – to conduct inspections and accident investigations.

HEU has decades of experience dealing with OH&S issues in health care workplaces. HEU Sodexo members who play a role on the OH&S committee will get education and support from union health and safety experts.

More training opportunities

The union was successful in expanding training options for members at the bargaining table.

Specifically, workers can now request in writing to be trained. Such a request must be considered on the basis of seniority where a worker has shown an ability to do the work.

Regular and casual workers qualify for this training if they've passed their probationary period. During probationary period, training must be offered in a fair manner.

Job security and more choices

The tentative agreement contains several provisions that protect jobs and seniority while providing opportunities for members to get more hours or post into new jobs.

- Vacant regular positions must be posted for no less than 10 days
- These postings will contain more specific information including work days and days off, pay rate, hours of work and worksite location
- In addition, job postings must include a summary of the job description/duties and qualifications and current work area (for information purposes)
- Definition of full-time, part-time and casual work will result in more employees qualifying for benefits
- Postings will be filled on the basis of seniority if two or more applicants have equal qualifications, skills and abilities
- Layoffs and bumping will occur in reverse order of seniority

- Casual employees will now be called in on the basis of seniority and training
- There will be no contracting out except under very limited circumstances.

What happens next?

Please take the time to carefully review this backgrounder and the attached documents. It is important that you fully understand Ready's recommendations before you vote on them.

If you vote yes, Ready's recommendations in Part I and the previously agreed to items contained in Part II will form your first collective agreement if Sodexo also ratifies Ready's report.

If either the union or Sodexo rejects the Labour Relations Board – not HEU – will determine what happens next. Those possibilities include a return to a strike or lockout situation, further mediation, or binding arbitration.

Your bargaining committee members – listed below – are asking you to vote yes to these recommendations.

Larry Maralia – Central Care Home
 Donna Taluinas – Eagle Ridge Hospital
 Patricia Peardon – Eagle Ridge Hospital
 Gurmeet Ghuman – Foyer Maillard
 Joanne Bjornsson – Foyer Maillard
 Amarjeet Kaur Parmar – German Canadian
 Ravinder Biring – German Canadian
 Betty Gower – Mission Memorial Hospital
 Dennis McSween – MSA Hospital
 Kerry Keller – Powell River General Hospital
 Marie Mesidor – Rosewood Manor
 Pushpa Ram – Rosewood Manor

Paul Oyando – Burnaby General Hospital
 Sheelta Chand – Burnaby General Hospital
 James Walper – Chilliwack General Hospital
 Mely Otucan – Fellburn Hospital
 Ruth Rao – Fellburn Hospital
 Erin Fox – Queen's Park Hospital
 Maria Pizarro – Queen's Park Hospital
 Marlene Long – Royal Columbian Hospital
 Ken Scott – Royal Columbian Hospital
 Willy Chua – Surrey Memorial Hospital
 Zenaída Hukom – Surrey Memorial Hospital

November 23, 2005