

FB/Borders Services Bargaining: Membership vote on the issue of years of service accrual

Letter from the FB bargaining team

To our co-workers in the FB bargaining unit:

In the 1st FB contract our union negotiated seniority rights in the context of line and vacation selection. Seniority was based on individual's years of service as an employee in the federal public service (seniority of course is referred to as 'years of service' in our collective agreement). In 2011, because of years of lobbying by PSAC, the government at the time finally agreed to recognize military service for vacation accrual and hence our bargaining team at the time signed off on it in negotiations.

However, when the collective agreement was implemented in 2013 CBSA management took the position that there were two definitions of years of service – one for line selection and one for vacation scheduling. CBSA was including previous military time in the calculation of years of service for the purposes of vacation scheduling. Our union grieved as this is not what the parties had agreed to, and because there were complaints from members because management's interpretation bumped those without military service down the seniority list.

The union lost the grievance, but as a result of the agreement reached and ratified by the membership last year the parties have returned to the definition of years of service that was agreed upon in 2009 – that years of service for vacation scheduling is now the same as years of service for hours of work scheduling (i.e. based exclusively on your time as an employee in the public service).

Under federal law, a non-civilian member of the Canadian Forces is not an 'employee', is not working in the public service, cannot join a union, cannot pay dues and is subject to a separate pension regime. As a result, under our current agreement time spent as a non-civilian member of the Canadian Forces counts only for the accrual of vacation time, and not for the purposes of years of service accrual for line-selection, vacation selection and in the context of 'H'ing on Designated Paid Holidays.

In preparation for this round of negotiations our union received contradictory input from the membership on this issue, with some advocating for the current definition and others calling on the union to propose that non-civilian military time be included in years of service accrual for line bidding, vacation selection and for the purposes of 'H'ing.

Years of service accrual – seniority – is a unique collective bargaining issue in that affects each employee differently as no two employees have the same work history. But it is a right that affects everyone in the FB group. It is also an issue that has stirred passionate debate in the membership.

In light of these facts our Bargaining Team has decided, with the support of CIU/PSAC, to take the unprecedented step of calling a membership vote on the issue of years of service accrual.

All union members in good standing in the FB group will have the right to vote either in favour of maintaining the current definition of years of service accrual (based on time in the public service) for the purposes of scheduling and vacation selection, or in favour of changing the definition to include previous time in the Canadian Forces for the purposes of service accrual.

Our Bargaining Team and our Union will be taking no official position on the issue until the vote is completed. A simple majority of those members who vote will decide the outcome. The outcome of the vote will determine the position taken by the Bargaining Team on the issue in negotiations.

There will be more information forthcoming over the coming days concerning the logistics of the vote. Please be sure to speak with your CIU Branch President with any questions, and be sure to check psacunion.ca/fb regularly for updates.

In solidarity,

- *The FB Bargaining Team*

