

Society NewsFLASH 2005:02

Friday, April 15, 2005

Parkinson forces "final offer" vote, threatens lockout; Rattai: Just say no!

Hydro One management has imposed a "final offer" vote on the Hydro One membership.

President and CEO Tom Parkinson wrote directly to Hydro One Society-represented employees on Tuesday, April 12th, informing them that they would be locked out on April 27th if they turned down Management's latest offer. Hydro One management, as is its right, has asked the Ministry of Labour to conduct a "final offer vote" on it.

In a "final offer vote," an employer goes over the heads of a bargaining team and puts an offer directly to the members of a bargaining unit. For the Hydro One offer, voting will begin on April 20th, and end on April 25th.

In his communiqué, Mr. Parkinson told Society members he "recognize[s] and value[s] the contribution [to Hydro One] of our Society-represented employees." Notwithstanding those fine sentiments, he went on to say, "If ... you and your colleagues also reject Hydro One's final offer, you will be locked out on or shortly after the first legal date for a lockout."

He added that if the offer is rejected it will be taken off the table.

And why would Hydro One lock out 1,000 of its respected employees, endangering the reliability of Ontario's transmission and distribution system? According to Mr. Parkinson, it's because "We cannot tolerate any form of on-the-job work disruption."

While Local Vice President **Keith Rattai** called Mr. Parkinson's remarks "bullying," he said it just might backfire. "From the members I've heard from, I don't think it will work. It's made a lot of people madder than they were already. They don't believe it was respectful at all."



*Keith Rattai, Hydro One Local
Vice President*

The so-called "final offer" was given to the Society bargaining team on Friday, April 8th, but was unanimously rejected by the Society bargaining team.

(The term "final offer" is misleading. It is not 'final' in the sense that it is the last offer Hydro One employees will ever see; rather, it is 'final' in the sense that the *Labour Relations Act* has provided for "final offer" votes. If the Employer calls it a final offer, a vote is triggered. Examples are legion of "final offers" that were rejected, and then followed by more offers, a recent example being the settlement of the dispute at the Toronto Transit Commission.)

The team has recommended that members of the bargaining unit reject the offer, and are running a "just say no!" campaign, because it is simply unacceptable. In particular, the team said in a communiqué, it contained two take-backs Society members have said they would not accept: an increase in the number of hours worked per week—without compensation—and a new two-tier system of wages, benefits, and pension plans for employees hired after April 1st.

In addition, the team says, "[we need to tell] management in no uncertain terms that we want them to remove their concessions from the table and make us a fair and reasonable offer that truly recognizes and respects our contributions to the company's successes. Only then is an agreement possible."

If members were to vote to accept the offer, bargaining would be over, and that offer would be the new collective agreement. If they do not, the right to strike or lock out will accrue on April 27th.

Events have moved quickly and furiously since the Hydro One Local's strike vote was counted on March 23rd.



On Tuesday, April 13th, Society officers, members, and staff attended the Minister of Energy's media conference at the Sutton Hotel in Toronto to protest Hydro One's lockout announcement. The police officers, who are from the Toronto Police Service's regular labour relations squad, gave us some good-natured ribbing, suggesting our picket line could use some practice.

Conciliation ended on March 30th after two fruitless days of bargaining, in which, among other things, Hydro One management extended the proposal for a second tier of wages and benefits to some current employees. Bargaining foundered on the two core issues, and the Society's bargaining team asked the Ministry of Labour to issue a "no board" report.

In a "no board" report, the conciliator informs the Minister of Labour that a settlement is unlikely to be reached using the conciliation process. "No board" reports are automatically issued at the request of either party. A "no board" report must be issued before the parties may begin a strike or a lockout.

Once a "no-board" report is issued, there is a "waiting period" before the right to strike or lock out is in place. That period ends on Wednesday, April 27th.

The Local will conduct an escalating campaign of pressure tactics to persuade Hydro One to make a fair and reasonable offer. They had planned, for example, to stop working overtime, and to take all breaks and full lunches, a tactic that would be impossible if the Employer were to lock them out. The campaign, however, has many fronts, and cannot be overcome simply by locking employees out.

Recently, Society Executive Vice President **Rod Sheppard** released a backgrounder on the potential strike/lockout at Hydro One. The backgrounder sets out the Society's position on the disputes in bargaining, and makes suggestions for how Society members can support their fellow members who work for Hydro One.

A copy of that backgrounder has been sent with this *NewsFLASH*.

Also sent with this *NewsFLASH* is some supplementary information with ideas for ways in which Society members outside Hydro One can help.

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