

Merger Referendum: The Membership Decides

In the coming weeks, members are being asked to make some big decisions about the future of our Union. Not only are we voting on our program of demands for our next round of bargaining, but we are also holding a referendum on a topic we've debated for a long time: the merger of our two biggest bargaining units into one.

Understandably, members have lots of questions and concerns about this referendum, what a merger would mean for them, and what it would mean for the work of our union.

In this bulletin, we want to lay out some basic facts about the referendum and the process involved in merging bargaining units. Our goal is to help members make an informed decision.

A merger would involve multiple steps. It would involve negotiation with the employer, membership approval of any tentative agreement, and ultimately, a decision by the Canadian Industrial Relations Board.

Safeguarding members' seniority rights would be critical to any successful merger.

What are we voting on?

The referendum question asks:
Should the bargaining committee adopt, as part of this program of demands, a merger of the Urban Operations and the Rural and Suburban Mail Carriers bargaining units?

It is important to point out that the referendum question does not ask members to approve a merger immediately. It asks them if they want the bargaining committee to adopt as part of the program of demands a merger. Resolutions coming from regional conferences provide for a different group and a distinct seniority regime. Having a separate group for RSMC allows for a distinct set of rules and language specific to RSMC to be included in the collective agreement. For example, RSMC could have a separate bidding process for annual leaves and bidding routes following a restructure.

Referendum votes will be counted separately for each of the bargaining units. If the majority of one of the bargaining units votes "no", the referendum will not pass.

Only if majorities in both of the bargaining units vote "yes" will the referendum pass.

A yes vote gives the bargaining committee a mandate to negotiate the terms and conditions of a merger with the employer.

Next Step: Negotiations and Membership Ratification

Even if the referendum passes, a merger is not guaranteed. If the employer agrees to the bargaining committee's demand, any tentative agreement would then be sent back to the membership for a vote.

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If that vote were to fail, the bargaining committee would return to negotiations with Canada Post until a new tentative agreement could be reached.

Final Step: Canadian Industrial Relations Board

Ultimately, the final decision to allow a merger rests with the Canadian Industrial Relations Board (CIRB). Under the *Canada Labour Code*, the CIRB has the authority to review the structure of bargaining units and determine bargaining units it considers appropriate for collective bargaining.

A joint agreement between Canada Post and CUPW would strengthen the case before the CIRB, but it would not guarantee the merger would be approved.

What about Seniority?

CUPW has gone through a merger before. In 1988, the Canadian Labour Relations Board merged the five existing urban postal bargaining units into one unit.

Initially, the Union maintained a distinction between Groups for bidding on positions. This meant that members in each of the former bargaining units enjoyed preferential seniority rights when it came to filling positions in the Group. The Union could use this past experience to guide us in a future merger.

In past rounds of bargaining, when we brought a merger to the table, we made sure to include a separate demand ensuring a distinct regime between the RSMC and Urban units for the application of seniority.

In addition, we demanded the maintenance of the designation of routes to make sure that no rural route could be re-designated as an urban route after a restructure (and vice-versa).

It is also important to note that CUPW's National Constitution ensures membership control over changes to seniority rules.

Article 4.02, reads, in part:

“The National Executive Board shall report to the members and shall submit by secret ballot to the Locals ... a change in the seniority rules...”

In other words, the Union cannot make any decision to change seniority rules unless the membership votes on it.

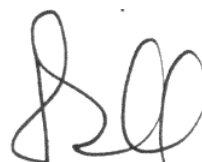
The Membership Decides

The Union has long debated whether we should merge our two biggest bargaining units into one. CUPW is rightfully proud of its history of democratic control. On big questions, like the one in this referendum, the membership decides.

In solidarity,



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