

# Securing Bargaining Rights for Ontario Coroners

## FAQs

### The Cooperation Agreement between OPSEU/SEFPO and the OCA

#### 1) If I vote YES to the Cooperation Agreement what am I endorsing?

The Cooperation Agreement specifies the terms and conditions of establishing collaboration between OPSEU/SEFPO and the OCA to undertake a campaign that will result in achieving bargaining rights for coroners in Ontario. Following the endorsement of this agreement, the parties will ask the government to negotiate a Framework Agreement.

In this process, OPSEU/SEFPO and the OCA will outreach to all Ontario coroners to:

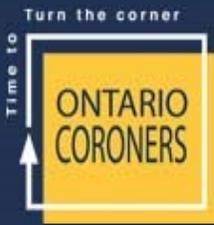
- a) Ask them to vote in favour of the Cooperation Agreement on December 10-13.
- b) Sign a union card accepting legal representation from OPSEU/SEFPO in securing bargaining rights.

### The decision to join a union to pursue bargaining rights

#### 2) Why OPSEU/SEFPO?

The OCA reached the conclusion that accessing the right to bargain collectively was the only way to achieve meaningful negotiations with the province to improve our terms and conditions of work. The OCA approached several other unions and decided that coroners would be best represented by OPSEU/SEFPO for the reasons below:

- The union represents the Ontario Public Service and given the organization's century long collective bargaining history with the province, commands a longstanding and respected presence at Queen's Park. The union has extensive experience with government lobbying on various policy and legislative fronts and a strong track record of defending and advocating for a strong investment in public services and a robust social safety net.



- OPSEU/SEFPO is a large, provincial union specializing in public sector work and is one of Canada’s most dynamic and progressive unions. With over 180,000 members, the union can represent members from a position of real power. OPSEU/SEFPO staff include specialists in: bargaining, grievance handling, pensions, benefits, health and safety, pay equity, human rights, communications, campaigns, education, research and organizing.
- OPSEU/SEFPO is member-driven and committed to supporting the autonomy and leadership of its units. Members elect their leadership, establish by-laws, determine bargaining strategy and receive dues to conduct business to best represent members. OPSEU/SEFPO has some of the lowest dues in the country at 1.375 per cent of gross annual income.

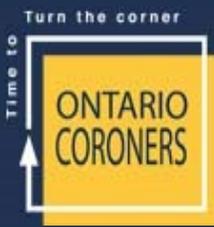
**3) OPSEU/SEFPO already represents many employees at OCC including the nurses. Can they promise to represent both their interests and ours with full and equal commitment?**

Yes. The union often represents different professions and collective agreements under one employer. The autonomy of each unit enables the elected leadership, governed by its own by-laws and the OPSEU/SEFPO constitution, to uniquely represent its members with the support of an OPSEU/SEFPO Staff Representative and with access to a variety of labour specialists and legal counsel.

**4) How do I know that the views of coroners will have influence and control of positions taken by the union?**

OPSEU/SEFPO is led by President Warren (Smokey) Thomas, and governed by an elected Executive Board represented by 21 officers from across seven regions in Ontario. The leadership is guided by resolutions that are voted upon at annual conventions.

Coroners can expect that any position taken by the leadership pertaining to the work of coroners will be vetted by the leadership of the coroners within the union.



**5) Does OPSEU/SEFPO fund political parties with member dues?**

OPSEU/SEFPO engages in lobbying across the political spectrum and is not affiliated with any political party. Any political party donations would have to be approved by the Executive Board, and or by convention resolution. The union encourages members to engage with the political process and provides educational materials encouraging members to vote during election periods.

**6) Will full-time OFPS coroners be members of our group?**

No. We are not seeking to represent pathologists and their employment with the OPS as pathologists will not be affected by this process. All coroners who are not managerial would be included for bargaining.

**7) Inquest coroners are quasi-judicial officers who often need to preside over cases involving the actions of police and correctional staff who are OPSEU/SEFPO members. Will being a member of the same union constitute a conflict of interest?**

No. OPSEU represents a number of classes of employees who investigate and can make orders involving other OPSEU members, for example, health and safety inspectors and employment standards officers.

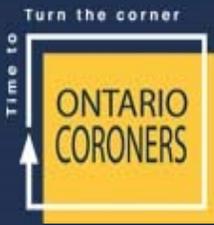
**The process involved in securing bargaining rights for coroners**

**8) What happens after coroners endorse the Cooperation agreement?**

The OCA and OPSEU/SEFPO will approach the government with a request to recognize the mandate from coroners to negotiate a Framework agreement that would create a structure for the ability to negotiate a collective agreement with the government. OPSEU/SEFPO would incur all costs associated with representing coroners in this process.

**9) When is a collective agreement negotiated?**

Once a Framework agreement is reached, the parties can begin the collective bargaining process with representation by the bargaining agent OPSEU/SEFPO. The collective agreement would establish terms and conditions of work ranging from a grievance procedure that includes access to arbitration, and negotiated contract language establishing hiring practices, on-call premiums etc. All coroners would fall under the agreement.



### **10) When would coroners become dues paying members?**

All Ontario coroners would be entitled to vote to ratify the tentative collective agreement. Once ratified, automatic dues checkoff begins to apply. OPSEU/SEFPO dues of 1.375 per cent of gross annual income are tax deductible and pay for the lawyers, and labour experts who specialize in bargaining, grievance handling, pensions, pay equity, benefits, health and safety, human rights, communications, education, research, and organizing. Dues also cover member book-off time from work and expenses paid to conduct union business, attend educational workshops and leadership meetings. Union dues can only change by member vote at OPSEU/SEFPO's annual convention.

### **11) Would collective bargaining mean the possibility of arbitration on issues?**

Yes. Coroners perform an essential service to ensure public safety. It is our position that coroners would be exempted from striking under a Framework Agreement. In the event of an impasse during negotiations, the parties would have recourse to binding arbitration.

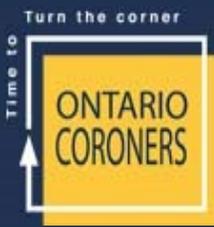
### **12) What happens if the government refuses to accept the mandate given to the OCA?**

OPSEU/SEFPO would file a legal challenge under the Charter of Rights and Freedoms arguing that coroners should be entitled to access bargaining rights.

### **13) What is the difference between the OMA agreement with the government and the proposed Framework Agreement for coroners?**

The OMA is not a union and does not have access to legislation that entitles the association's members to bargaining rights which are protected under the Charter of Rights and Freedoms. Physicians covered by the OMA are not employees of the government.

OPSEU/SEFPO and the OCA take the position that coroners are employees of the government and have the right to unionize under the Ontario Labour Relations Act. The government could refuse to accept this position. In this case the union would file a charter challenge. Historically, the government has not refused other professional groups that have initiated a Framework Agreement.



#### **14) Is there anything protecting me from being fired if I support the proposal?**

OPSEU/SEFPO is committed to protect all coroners in this process. Should the employer attempt to coerce or intimidate coroners in bad faith with the threat of job loss, the union could file an Unfair Labour Practice charge and pursue remedy through the Crown Employees Collective Bargaining Act.

#### **Card signing process with OPSEU/SEFPO**

#### **15) Why are coroners being asked to sign a union membership card before voting on the Cooperation Agreement?**

Based on the overwhelming support the OCA received in an initial survey to pursue talks with OPSEU/SEFPO, we did not want to hold up the more intensive card signing process by the vote in early December. Obviously, we are looking for a strong mandate in both of these forums.

The cards enable us to approach the government with a formal mandate. By signing a card, coroners are giving OPSEU/SEFPO the official mandate to represent them in establishing a Framework Agreement with the government. The greater the number of cards signed, the stronger the mandate.

#### **16) Am I automatically an OPSEU/SEFPO member once I sign a card?**

No. The card triggers a process that would eventually establish union membership once a collective agreement is finalized with the government. Coroners would only become dues paying members with OPSEU/SEFPO once a collective agreement is ratified.

#### **17) How do I sign a card?**

Visit: <https://opseu.org/coroners-join/>

#### **For any further information, please contact OPSEU/SEFPO Organizing Representatives:**

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[www.opseu.org/coroners](http://www.opseu.org/coroners)