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Labour-Management Conflict in Brandon's Public Sector: Chapter 2

Labour-management conflict has once again taken centre stage in the city of Brandon. The first episode involved the Brandon University Faculty Association (BUFA) and Brandon University. The recent conflict involves the City of Brandon and the Brandon Professional Firefighter/Paramedics Association (IAF Local 803). The two conflicts have important similarities.

On October 12, 2011, the Brandon University Faculty Association (BUFA) went on strike against Brandon University in an attempt to resolve a collective bargaining impasse and secure a new collective agreement. As it turned out, Brandon University (assisted by a Vancouver-based consultant and Grant Mitchell, a Winnipeg-based labour lawyer) was intent on crushing the union and imposing conditions detrimental to its members. The strike ended 45 days later, on November 25, when it became evident that BUFA members were prepared to reject the University's latest offer in a government-mandated vote.

The conflict in the City of Brandon first emerged publicly on October 14, 2011. At that time, Local Union President Wade Ritchie was reprimanded by the City for "deceitful conduct" apparently arising from an exchange of communications on October 3, 2011, relating to the commencement of negotiations on a new collective agreement. Subsequently,

the Brandon Sun reported that, following an internal investigation, Ritchie "was stripped of his lieutenant's rank, demoted to a rank-and-file firefighter and suspended without pay for five days." In response, the local union filed a complaint with the Manitoba Labour Board.

In the weeks that followed, it became apparent that some of the same people that were advising and acting for Brandon University are employed in the same capacity with the City of Brandon. Grant Mitchell has for many years been the City's lawyer for labour relations issues. Some months prior to the conflict with the firefighters, the City hired Canadian Professional Management Services, Inc. (CPMS) a Vancouver-based consulting firm (in the person of Mohamed Doma) for the purpose of "showing the City how to get back control of its workers," and negotiating collective agreements with three of the four City unions - Fire Fighters (and E911 employees), Transit and Police.¹

In recent months, the City has pushed a number of grievances forward to arbitration, and stalled on negotiations with firefighters. Then on January 26, the City announced that Wade Ritchie was fired. He was given a letter explaining that the action was "based on the totality of his employment record." Alex Forrest, International Association of Fire Fighters Canadian trustee, said the timing of the action "is very suspicious. This



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occurred just a few days after they had exchanged [correspondence regarding potential dates for meetings to deal with collective bargaining proposals].” And now this has made it very difficult for the union president to do his job representing his members as they seek a fair and reasonable wage and benefit package.”

Forrest also told Brandon Sun reporter Keith Borkowsky: “There is no limit to the financial support we will give Brandon’s firefighters. It’s unfortunate that Brandon will be known for this incredible action against a labour leader.” On January 31, Ritchie and the Fire Fighters filed an unfair labour practice claim against the City of Brandon. Forrest told Borkowsky that the claim “alleges everything from coercion to intimidation to interfering with the union’s ability to represent its members.”

All the while this has been going on, the City has been embroiled in conflict over its budget for 2012, a budget that proposed major increases in expenditures and a significant tax hike. A petition on ebrandon is accumulating hundreds of names and a number of organizations and prominent individuals, including recently retired city treasurer Grant MacMillan, called on the City to rework the budget. The City has now agreed to rework the budget in an effort to scale back tax increases.

Although the mayor subsequently provided information that demonstrated otherwise, at one point the City tried to blame union wages and collective bargaining costs for the need for tax hikes. They published data on the website reporting major increases in expenditures on labour relations since 2010, highlighting increases for firefighters.

Expenditure	2010	2011	2012
Total	15,987	99,000	222,000*
Fire Fighters	\$347	\$50,000	\$80,000

* Includes \$80,000 for a new Deputy HR Director.

The amount allocated to labour relations with the Fire Fighters has increased by a significant

amount. In 2010, this allocation accounted for 50 per cent of the total labour relations budget; 57 percent when the Deputy Director is removed from the equation. The City told the Brandon Sun “the increase was needed to hire an external labour relations expert to negotiate a new deal because it had ‘neither the staff resources nor the time.’” If this is true, it raises questions as to how the City was able to find staff resources and time to negotiate new deals in the past - new deals that were touted by the City and Union as the outcome of a mature bargaining relationship and in the mutual interest of both the City and the Fire Fighters? And why, at the very time when the City must depend on its employees to secure a collective agreement that works for everyone, would the City hire an external consultant who will not only cost a bundle directly, but seems likely also to drive up other costs - for grievances and claims to the Manitoba Labour Board - and undermine morale in the Fire Department.

A more disturbing question is: why is it that two of Brandon’s major public sector employers - the City and Brandon University - are suddenly seeking to undermine their unions using anti-union consultants and lawyers? Perhaps we will get an answer to this question as the current conflict plays out in the weeks to come.

It the meantime, it would seem that the best course of action for the City is to cut its losses and send the consultant back to Vancouver; reinstate Mr. Ritchie; settle the outstanding grievances; and seek to negotiate a collective agreement that is based on mutual respect and trust.

¹ A story in the February 1 edition of the Brandon Sun reports that the Police Union has ratified a one-year contract that provides for a wage increase of two per cent.

Errol Black is a member of the CCPA-MB board.



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