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April 19, 2020

Joint COVID Bulletin #1

Dear Sisters and Brothers,

As you are no doubt aware from recent media statements, the possibility of massive layoffs of transit staff as a result of the COVID 19 crisis has been raised as a possibility to deal with revenue shortfalls and jurisdictional challenges.

We write to advise our members that late this week, Coast Mountain Bus Company formally approached the Union to propose discussion on managing these proposed layoffs. We have been advised that layoffs could be anywhere from 30% to 70% of the workforce and this could affect more than a thousand members.

Unifor maintains that there should be no layoffs of any workers within the transit system during this critical time and we have communicated that firmly to the provincial government, Translink, and Coast Mountain Bus Company in the past week.

We are instead calling on all levels of government to come together to maintain transit service levels to keep passengers safe and to keep the struggling Metro Vancouver economy moving during an already challenging time.

Translink's threats to cut to transit operator staffing levels, and therefore transit service, is an irresponsible move that would do more harm than good during the COVID-19 pandemic.

As you know, tens of thousands of essential services workers rely on transit to get to work. Cutting transit service would make life even more difficult for working COVID-19 heroes, and ultimately the people they have been dutifully serving. Many lower wage essential service workplaces such as retail and cleaning, women and workers of colour are over-represented and would be disproportionately harmed.

The lay-off threats from Translink has Unifor concerned about more crowding, making social distancing on transit more difficult and hinder the commutes of essential services workers.

Meanwhile, B.C. Transit has not announced any plans to reduce service levels and we are not aware of any large transit service in Canada that has moved in this direction.

In addition, as you know, we continue to have concerns that pass-ups resulting from COVID-19 precautions that reduce bus capacity are already leading to social distancing violations and abuse of transit operators.

Unfortunately, the Employer continues to try to move discussions along and tabled a document which resembles a road map to unlimited layoffs. The Employer has provided no specific details on exact layoff numbers or locations and they seek to have the Union waive many rights.

Under the BC *Labour Relations Code*, an employer must provide the union with at least sixty (60) days of notice before when it “introduces or intends to introduce a measure, policy, practice or change that affects the terms, conditions or security of employment of a significant number of employees to whom a collective agreement applies.” Once notice is given, formal negotiations through the Labour Relations Board for a workforce adjustment plan must take place. In addition, the Employer seeks exemptions from the timing related to individual layoff notices and for anything related to essential services provisions of the Labour Relations Code, closing off a potential avenue of appeal if the Union felt moving in this direction was necessary to protect our members in this unprecedented and unlikely to be repeated time.

In exchange for this, the Employer offered a week of extra notice (based on what we believe is an incorrect interpretation of the notice requirements) and to cover laid off members for 3 months of benefits. There would be no limitations on layoffs and the Employer is also seeking changes to the sign-up procedures while asking the Union to waive severance requirements that may become payable.

On Saturday, Local 111 President Balbir Mann, Local 2200 President Mike Smith, National Representative Ben Williams, and Unifor Western Regional Director Gavin McGarrigle held a conference call with senior leadership at CMBC to provide the following message.

Unifor is not prepared to assist CMBC execute massive layoffs of transit staff in the middle of this pandemic, layoffs which would be unprecedented in scope. We are not prepared to waive your rights under the collective agreement, the Labour Relations Code, or under any other law to assist the Employer with these reckless and irresponsible layoffs. We will not cooperate on changes to make this an easier process for the Employer and we will work to put up every legal obstacle possible to stop this course of action. We are also prepared to engage our membership in action where needed to ensure that the public understands how important this issue is.

We expect that the Employer will go back to senior levels of government and continue the fight for necessary transit funding to keep this service going and our members employed. We will not be the guinea pigs in a failed budget experiment in the middle of the largest crisis any of us have ever faced.

Unifor will continue to raise this issue publicly and will continue to strongly lobby senior levels of government to push for the necessary emergency funding. We will call on our members for further action when needed and will keep you updated as developments arise.

Thank you again for your tremendous solidarity and bravery facing this crisis together.

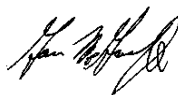
In solidarity,



Balbir Mann
Unifor Local 111 President



Mike Smith
Unifor Local 2200 President



Gavin McGarrigle
Unifor Western Regional Director



Ben Williams
Unifor National Rep



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Joint COVID Bulletin #2

Following our calls with the Company last Saturday and Sunday, the Employer advised that it would move forward with layoff notices of our members. Although we had some general sense of the numbers they were looking at, they did not provide a specific list of affected employees or exact numbers until Monday morning as their supervisors started contacting members.

We had clearly raised our concern during the weekend calls that we believed a longer period of notice is required than that provided in the collective agreement in accordance with section 54 of the Labour Code. The Employer chose to ignore our request for at least sixty (60) days notice of layoff and never provided any explanation why it failed to do so.

Accordingly, we have now filed an application at the BC Labour Relations Board under section 54 of the *Labour Relations Code*. Our position is that sixty (60) days notice or pay in lieu of notice is required in these circumstances. We are seeking to have all the layoff notices rescinded, or, at a minimum, for workers to be fully paid in lieu of the sixty (60) day notice. As you know, further layoffs may be pending and our position will be the same in terms of the required notice or pay in lieu.

The section 54 provisions also obligate an Employer to begin negotiating an adjustment plan in good faith with the Union and we will keep you updated on developments with this application as it moves forward.

Additionally, we have also continued our efforts to have the higher levels of government provide emergency transit funding so that we do not see layoffs of transit workers. We have been in touch with provincial officials and our National President Jerry Dias has written to Prime Minister Justin Trudeau and various cabinet ministers to press strongly for this funding.

We have also published an opinion editorial in the Vancouver Province yesterday which we ask all members to share widely: <https://theprovince.com/opinion/gavin-mcgarrigle-a-weakened-transit-system-damages-metros-fight-against-covid-19>

We are asking members to contact your Member of Parliament (MP) and your provincial MLA's to demand that these layoffs are immediately rescinded and that emergency funding be put in place to ensure our transit system is fully functional, for the safety of our members and the safety of the public and essential workers who need to get to and from work.

Information about the union's response to the pandemic, as well as resources for members can be found at unifor.org/COVID19.

We will continue to fight hard on your behalf and thank everyone for the words of encouragement. We will have more activities to report in the near future as we continue to fight these reckless and irresponsible cuts.

In solidarity,

Balbir Mann
Unifor Local 111 President

Mike Smith
Unifor Local 2200 President

Gavin McGarrigle
Unifor Western Regional Director

Ben Williams
Unifor National Rep



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Joint COVID Bulletin #3

We write to update our members on the campaign to fight transit layoffs and on our labour board application.

Last Saturday, Unifor held a digital rally with Local 111 & 2200 and National leadership. Unifor National President, Jerry Dias and Western Regional Director, Gavin McGarrigle took questions in real-time during this event which had hundreds of views and comments.

This digital rally asked our members to immediately contact your Member of Parliament (MP) and your provincial MLA's to demand that these layoffs are immediately rescinded and that emergency funding be put in place to ensure our transit system is fully functional, for the safety of our members and the safety of the public and essential workers who need to get to and from work.

Please go to www.unifor.org/peopleneedtransit to sign the petition to these politicians and please share the link widely.

If you missed it, the digital rally is available online and has been viewed over 30,000 times to date. You can view and share the full digital rally here:

<https://www.facebook.com/UniforCanada/videos/265304498196122/>

The Labour Relations Board Vice-Chair assigned to our section 54 application held a conference call today with the Employer and the Union and a timeline for submissions from each party was set out. The Employer's submission in response to the Union's application is due on Monday, May 4. The Union's reply submission is due on Wednesday, May 6. The Labour Board Vice-Chair indicated that he would hold a further conference call on Thursday, May 7 to determine if a hearing needs to be held or if a decision can be made based on the submissions. We are also in touch with legal counsel for the unions representing BC Ferries workers and ATU in West Vancouver as they are dealing with similar issues.

We ask all members to report any pass-ups or difficulties with the cuts that have already occurred to your union representatives. We are seeking specific examples of where crowding is occurring and/or where essential service workers will be affected with these cuts and future cuts.

Information about the union's response to the pandemic, as well as resources for members can be found at unifor.org/COVID19

We thank you for your support and will continue to fight hard and will provide further updates as we learn new information.

In solidarity,

Balbir Mann
Unifor Local 111 President

Mike Smith
Unifor Local 2200 President

Gavin McGarrigle
Unifor Western Regional Director

Ben Williams
Unifor National Rep



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Joint COVID Bulletin #4

We are very pleased to inform our members that our campaign to stop all of the transit layoffs has been a success.

We have now confirmed with the Company that Translink has reached an agreement that will allow for all layoffs to be cancelled across the system, both for our members who fought hard against these cuts and for all other union's members.

You have once again made us proud with your strong support and voices continually raised to speak out against the layoffs. Members stepped up to send petitions, attend digital rallies, appear in videos, and continually do all this while working as true professionals in a very difficult environment.

We will work with the Company to determine the steps that will need to be taken to rearrange the service now that the layoffs have been rescinded.

Thank you again for supporting your union and thank you for serving the people of our region as true COVID heroes.

In solidarity,

Handwritten signature of Balbir Mann in blue ink.

Balbir Mann
Unifor Local 111 President

Handwritten signature of Mike Smith in blue ink.

Mike Smith
Unifor Local 2200 President

Handwritten signature of Gavin McGarrigle in blue ink.

Gavin McGarrigle
Unifor Western Regional Director

Handwritten signature of Ben Williams in blue ink.

Ben Williams
Unifor National Rep

