

CMG/CBC Memorandum of Agreement – Highlights

The agreement is a living agreement in which the Union and the Employer can mutually agree to change some of the terms during the life of the agreement to help it work better or to clarify rights and procedures. Each party will determine its own ratification processes. Improving the ongoing relationship between the parties is the key element in this deal. The process by which it was reached is the process the parties intend on using throughout the life of the agreement. We will be open, talk about our issues honestly and make sincere attempts to resolve our differences.

Throughout the document you will see “statement(s) of principle,” either in specific articles or attached as appendices which will be used to guide the parties in interpreting the intent. It’s expected we will expand upon this process in order to build a firm mutual understanding. In short it has been agreed this deal is merely the starting point.

Duration

Five year deal effective January 1, 2009 to March 31, 2014

The Money

- 1.5% - effective January 1, 2009
- 1.5% - effective April 1, 2010
- 1.5% - each year after with a wage re-opener in the event the Treasury Board rate changes. Any increases will be given to employees.
- Freelance rates to increase by 2.5% in each year, word rate for online submissions to increase to 40 cents as of January 1, 2009 and to 45 cents as of April 1, 2011

NOTE: The CBC gets its money from Treasury Board, which has set the rate of increase for federal salaries at 1.5% for the next few years. In some cases, federal public sector workers are having their 2008 wages rolled back to reflect that rate.

The Treasury Board rate compared to our increases looks like this:

2007 - T.B.	2.3%	CBC	2.5%
2008 - T.B.	1.5%	CBC	3.0% (over 9 months and not twelve)
2009 - T.B.	1.5%	CBC	1.5%
2010 - T.B.	1.5%	CBC	1.5%
2011 to 2013	– Expected T.B. 1.5% with re-opener		

If we were obliged to take the rollbacks for 2008, people would be losing 1.7% of salary. That is not the case. In addition, salaries will increase by 1.5% on January 1, 2009.

Imagine returning to the table today with the same attitudes that we faced in 2005 under this political and economic uncertainty. I can pretty well guarantee we would have been facing concessionary demands. So in our view, a five-year deal, reached 4 months early is good for the members.

Maternity/Paternity Leave

- Improvement to Supplemental Employment Benefits Plan (SUB-plan) – increase of the co-parenting provisions (15 weeks) to 80% from 75%

Workforce Adjustment (WFA)

- Heavy emphasis placed on early and frequent communications between the Union and the CBC when changes and possible layoffs are being contemplated
- Templates to be developed to assist employees in providing information to local and national joint Workforce Adjustment Committees
- Strong emphasis on steps to avoid and minimize effects of a downsizing
- Three (3) weeks severance for every year of service – paid out half upon departure and remainder on exhaustion or relinquishing of recall rights – compared to two (2) weeks in the last collective agreement.
- Seniority based system with local and regional vacancy and displacement rights (Note: employee must have 6 years of service for regional rights)
- Regions defined as: Newfoundland, Maritimes, Ontario, Manitoba/Saskatchewan, Alberta, British Columbia and the North. **(Employees in the north also to have access to work in the south at their point of departure.)**
- Recall will be national, but the call will go out locally first, regionally second and nationally last.
- “Last look” provision to assess available national jobs before layoffs issued
- Rights for “Protected Status” employees maintained as is
- Employees who took a demotion to save job at earlier downsizing given first right (based on seniority) to return to former level if job created or re-instated
- Expedited panel to rule on qualification disputes – expedited arbitration for other WFA disputes

Temporary Employees

- Temporary Committee, which has currently been successful in converting dozens of jobs, will continue review of locations until its work is done
- CBC will provide to the union reasons for hiring an employee on a temporary basis
- On-going review of employees’ status by Local Joint Committee
- Progression in salary scales based on time worked (1950 hours equals one year). A temporary employee will move one step, regardless of time in a category, after two years.)
- Continuous service to include all authorized breaks, i.e. sick days, holidays, annual leave and other granted leaves
- Temporary review to continue and be ongoing
- Work to begin on improving access by temporary employees to CBC information systems, e.g. HR@Myfingertips

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- New initiatives to be developed to ensure appropriate training provided for temporary employees

Contract Employees

- 9.5% plus 80 remains in effect but more clarity provided. Current usage levels will determine future use: i.e. 9.2% for jobs in the producer family in news and current affairs.
- Future contract hires will be limited to project work in any classification or based on set criteria: i.e., on-air with demonstrated popularity in a market; expertise/specialty/ skills not available in-house; key creative – a person who would provide conceptual focus and be responsible for shaping the overall personality and tone of a program; developmental – entry level positions.
- Blended temporary and contract roles for the calculation of conversion time, i.e., 2 years of temporary and two years of contract work allow for conversion as long as at least two years spent on contract, regardless of functions and departments.
- Improved “just cause” provisions for certain contract positions, e.g. National Lineup and Assignment, Associate Producers, etc in news and current affairs.

Temporary Upgrades

- Temporary promotions (work for longer than four weeks) to be compensated using the promotion formula: i.e. at least one full step within the salary band to which the employees is being temporarily engaged)

Pay Equity

- Mandate of the committee extended to include “all” forms of pay, not just additional remuneration

Community Talent Development Plan

- Establishes a new process for engaging and training on a limited basis individuals who do not have broadcast or journalistic skills in order to develop talent to be more reflective of unique communities

Workload/Work-Life Balance

- Acknowledgement that workload is an important issue and in some circumstances a problem
- Recognition that it is a shared responsibility
- Recognition of role of employee and employer in managing problems
- Agreement to promote a positive work-life balance
- Recognition for need of backfill for absent employees or for reduction in demands where backfill not available

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- Recognition for need to develop a culture that encourages the taking of meal and other breaks
- Provisions for teams or units to establish workload meetings to examine problems and develop solutions

Performance Management and Staff Development (PMSD)

- Acknowledgement that process has not delivered
- Recognition that the process should be two-way, not top down
- Agreement to increase emphasis on staff development part of process while recognizing fiscal restraints
- Improved auditing processes to ensure the quality of the process is measured (did meaningful face-to-face discussions take place, were development opportunities canvassed and was workload taken into consideration?)
- Re-establishment of local PMSD committees to ensure objectives of process are honoured
- Strengthened role and participation in the national PMSD committee

Training

- Renewed national joint-training committee to make recommendations for current training needs and to be proactive in anticipating future needs as the result of technological and other changes in practices in the industry
- Employees who travel on a work day when they have put in a full shift will be given time off equal to all time traveled after one hour. This will be compensated on an hour for hour basis
- Improved “skills inventory” to be developed
- Access to information on and ability to apply for any CBC Training course

Scheduling

- Clarification around weekly scheduled to ensure employee has control of setting hours and that weekly scheduled is not to be used to “avoid paying overtime.”
- Clarification that workday is not to be a split shift and that work hours should not be dictated
- Provision to ensure that changes in scheduling with the 72-hour change period are not abused
- Where call-back is cancelled before an employee reports to work, one hour of basic pay will be provided
- Bereavement Leave amended to guarantee that leave is given on the “day of the funeral” regardless of whether it falls outside of normal bereavement leave period

Commitment to Employees

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- Agreement to review practices around contracting out, co-productions and renting out of CBC facilities within the next 60 days
- Recognition that maximizing the use of staff for projects is in the parties' mutual interests

Letters of Agreement

Agreement that the parties will review compensation paid to individuals in IT and maintenance with regard to concerns over competitiveness and retention

Agreement to take a fair and reasonable approach to the establishment of sales targets and the commission plan

Vacation Purchase Plan

- As of April 1, 2009 an agreement to implement a "vacation purchase plan" to allow employees to purchase five (5) days of leave to be used in the following fiscal year. By agreement the plan can be extended to ten (10) days after a two year trial period of the plan as a whole

Special Notes:

The parties have also agreed to allow the Guild more access to CBC facilities for the purposes of running elections; more public space will be provided and candidates will have greater access to non-CMG bulletin boards to post campaign materials.

We have also agreed to write new language within the grievance procedure to remove procedural barriers, establish hard deadlines for the selection of arbitrators and the setting of hearing dates and to increase the opportunities for resolving disputes. This work is to be completed by January 31, 2009.