

February 21, 2024, GMM

GMM Commence: 5:06pm

1. Reading of the Equality Statement

Equality Statement: Jenn Wilson.

2. Acknowledgment of Indigenous territory

Rahel: Introductory Comments.
Land Acknowledgment: Kay Jones

2. Roll call of officers

Demetri: Roll Call

Rahel – Interim President
Demetri – Interim First VP
Scott – SMH Site VP
Mike – Secretary Treasurer
Jenn – PHC Site VP
Kay – SJHC Site VP
Patrick – Compass Unit VP
Cheryl - EQC
Barbara – Cupe Rep.

Regrets:

Jason – Recording Secretary
Nadine - MCO
Gabriel – GDI Unit VP
Marcian - Trustee
Hayat - Trustee
Beverly – Trustee



GMM - Feb 2024
participants.csv

Attendees:

4. Adoption of Agenda

Rahel: Motion to adopt agenda.

1. Reading of the Equality Statement
2. Acknowledgment of Indigenous territory
3. Roll call of officers
4. Adoption of Agenda

5. Reading of the minutes
6. Matters arising from the minutes
7. MCO, Bargaining Unit VP & EQC Reports
8. Secretary-Treasurer's Report
9. Recording Secretary's Report
10. Grievance Committee Report
11. Executive Board Report
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

Secunder:

Discussion:

Rahel: Amend #12 for Spiritual Care VP vote.

Patrick Kotwa: New Business regarding bringing the grievance SMH-23- 25-01 to Arbitration.

Wanda: New business Managers doing the work of the bargaining unit.

Ida: New Business regarding bringing the grievance SMH-24-04-01 to arbitration.

Motion to accept: 14 yes, 0 Opposed

5. Reading of the minutes

Rahel Motion to adopt minutes as presented on the CUPE 5441 website.

Marcel Seconded.

Discussion:

Stacey brought up errors:

1st error under #3. in the minutes, the trustees are listed with the incorrect term lengths.

It should state:

Hayat 3 year term,

Beverly 2 year

Marcian 1 year

2nd error under #6. in the minutes Beverly had asked a question and the response was "Bylaw committees are elected for 3 years "and "next round of elections will be September 18 2024"

By laws consulted.

Rahel: will discuss this at the next GMM.

Vote: 15 yes

6. Matters arising from the minutes

Rahel:

All FT book offs are currently working on Expense Sheets with the Employer, and going as far back as 2020. The employer has received notice that a bill is being generated. We are hoping through this exercise that we will be able to negotiate a FT book-off paid by the employer.

Elevators for case carts were broken, concern was brought forward to the hospital and one elevator was fixed. The second elevator was not repaired as it is too old to find parts for.

Rahel: Motion to accept.

David Rebelo Second

Discussion:

Sarah: With regards to the elevator, everyone's workload has doubled. What is the solution.

Rahel: Do a similar thing to what SMH does, have someone from MDRD.

Sarah: We are doing work in the OR that is outside our scope.

Rahel: That work has to be done by an RN, and we have to file workload complaint files. This work should be done by MDRD, they may have to hire another person to do this.

Vote: 13 y

7. MCO, Bargaining Unit VP & EQC Reports

Cheryl (EQC Report): In the month of November the totality of cases are as follows:

Happy and healthy 2024 to all attending today's Gmm.

*Your ECQ report saw
Latter part of November there were 4 cases
3 Discrimination and Harassment cases.*

1 investigated case

December cases saw

2 Discrimination and Harassment cases

3 Investigated cases

Of those cases 8 were cases of SMH site

1:..... St Joseph's Site

0.....Providence site.

Not inclusive are cases attended by the

site Vp in which I would like to thank

Scott, Jason, Couto and Kay for representation of members when

when I was not release by management,

or when I could not attended due to being off sick.

For this I am truly grateful and appreciative.

The month of December has been slow, this of course is due to the Christmas holidays season.

Now the holidays are over and members have return to work, looking forward to see what 2024 brings.

Motion to adopt

Second: Marcel

Discussion:

Rahel: Staff shortages, Management is to go to Cheryl for release, if not the Site VP's can be contacted with proof that they attempted to get Cheryl. Labour relations have been notified in an attempt to rectify this.

Vote: 14 y,

8. Secretary-Treasurer's Report

January 2024 Financial Report done by Mike Couto

Ledger Bank Balance from Previous Report:		622,752.18
INCOME	January	Year to Date
Dues	282,705.98	282,705.98
Other	859.54	859.54
Total Income:	283,565.52	283,565.52
EXPENSES	January	Year to Date
CUPE Per Capita	-	-
Affiliation Fees	-	-
Salaries	-	-
Operating Expenses	20,093.73	20,093.73
Special Purchases	11,695.50	11,695.50
Executive Expenses	56,473.50	56,473.50
Bargaining Expenses	-	-
Grievances/ Arbitration	9,153.00	9,153.00
Committee Expenses	1,725.55	1,725.55
Conventions/ Conferences	8,492.60	8,492.60
Education	-	-
Contributions/ Donations	900.00	900.00
Other	-	-
Total Expenses:	85,142.88	85,142.88
Surplus (Deficit) for the Period:	198,422.64	
*Ledger Bank Balance at End of Period: (A)		821,174.82

Motion to accept report - Mike

Marcel Second.

Vote: 13 y, 0 Opposed

Chair conceded to Demetri

9. Recording Secretary's Report

211 Posted Vacancies UHT WIDE & 151 Transactions

All CUPE Unionized Vacancies (job alerts) & Jon Transactions Between
January 1 – 31 2024
Service, Clerical, Spiritual Care
FT/PT/CAS

PRESENTATION TITLE

January 2024 Recording secretary report done by Rahel.

Motion to adopt report Rahel

Marcel second.

Vote: 14 y, 0 Opposed

10. Grievance Committee Report

February 2024 Grievance Report

	Status	PHC	SMH	SJHC	UHT	GDI	Network Wide
	Step 1	1	4	3	0	4	12
	Step 2	4	8	6	2	0	20
Total	Mediation	0	0	2	0	0	2
	Arbitration	21	17	28	23	4	93
	Abeyance	3	29	12	3	0	47
	Awaiting	4	13	10	20	0	47
	Resolved	139	364	463	96	17	1079
	Total	172	435	524	144	25	1300

Report read by Rahel

Job tracking has led to new job posting grievances, resulting in an arbitration award. The award the arbitrator gave has penalized the employer with \$2,500 per position missed.

[2024 CanLII 10081 \(ON LA\) | Unity Health Toronto v Canadian Union of Public Employees, Local 5441 | CanLII](#)

<https://www.canlii.org/en/on/onla/doc/2023/2023canlii67416/2023canlii67416.html?resultIndex=2&resultId=2cccce0d66ff4681be59fa34f209dbdb&searchId=2024-03-01T14:17:48:228/d6f13701f85a4f2081c6ebaea95b9224&searchUrlHash=AAAAAQBFVW5pdHkgSGVhbHRoIFRvcu9udG8gdiBDYW5hZGlhbiBVbmlvbiBvZiBQdWJsaWMgRW1wbG95ZWVzLCBMb2Nh bCA1NDQxAAAAAAE>

Motion to accept by Rahel

Secunder: Wanda

Vote: 18 y, 0 opposed

Kyle: Apprenticeship for trades question.

Advised to apply for any helper jobs.

Stacey: After a job is posted and comes off the board (7days later) how long does the employer have to fill that position? Also noticed a lot of jobs being given to external applicants while there have been internals that applied.

Rahel: No timelines per se, but we want them done as soon as possible. With the external jobs, its a case-by-case basis, keep applying and report any specific issues.

11. Executive Board Report

Rahel: Thanks to everyone who attended the rally at the Sheraton hotel, let the OHA know that we are not backing down with this round of bargaining. As an executive, we are going through a lot of policy grievances and going by case law to close these grievances before hitting mediation/arbitration. There are concerns with managers and work of the bargaining unit. It looks like other locals are using our collective agreement as a comparator when they go to bargaining.

Rahel passed motion to accept

Marcel seconder

Discussion:

Scott and Sarah with words of encouragement.

Vote: 16 y, 0 Opposed

12. Nominations, elections, or installations

Spiritual Care Bargaining Unit VP

Spiritual Care Unit VP Nominations

Barbara Chairs the voting

David Nominated Perry

Perry accepts nomination

Perry has been acclaimed.

13. Unfinished business

Rahel: Still fighting for retro pay breakdowns. No Arbitration date set, will let you know when we get it.

Vacation Bank issues, working with the hospital. Make sure to keep an eye on your vacation bank, updates coming soon.

14. New business

1#

Rahel: Motion on the floor

“In the event a current member, in good standing, of CUPE 5441 passes away during their active employment, the Union will extend its condolences in the form of a sympathy card and \$500.00 paid to the Estate of the member”

Secunder: Patrick K

Vote: 22 y, 0 Opposed

2#

Patrick K:



CANADIAN UNION OF PUBLIC EMPLOYEES

GRIEVANCE FORM

Case No: SMH-23-95-01 Local No: 5441
Employer: Unity Health Toronto
Employee: Patrick Kotwa
Department: Food Services Classification: PT Food Services Worker
To: Kim Rodney
Supervisor: Sharon Cato

Seniority Date: NA

Phone # h) [REDACTED] w) NA

Grievance Level: 2 Address: 30 The Queensway, Toronto, ON

I/We the undersigned claim that: The Employer has violated the CUPE Service Collective Agreement including but not limited to Article B by terminating me unjustly on December 19, 2023.

Therefore, I/we request that

- 1) That the termination be stricken from my record forthwith;
- 2) To be reinstated to my original position of **PT Food Service Worker in the Food Services Department.**
- 3) To remain whole;
- 4) That I be fully compensated for all losses sustained;
- 5) That the employer pays all appropriate damages to me; and
- 6) Any other redress deemed appropriate by a Board of Arbitration or a sole Arbitrator.

Signature of Union Officer Steward

Jason Amaral

Grievor: Patrick Kotwa Date: 12/20/2023

Steward: Jason Amaral Date: 12/20/2023

Motion to move grievance to arbitration: SMH-23-95-01 – Termination

Ida: Seconder

Patrick K: says he provided documentation, and has valid points.

Scott: discussed the grievance committee's role and financial implications.

Vote: 3 Arb, Deny: 8

Motion defeated

3#

Wanda's new business, we will fight that this is work of the bargaining unit.

4#

Ida Joseph:



CANADIAN UNION OF PUBLIC EMPLOYEES

GRIEVANCE FORM

Case No: SMH-24-04-00 Local No: 5441

Employer: Unity Health Toronto

Employee: Ida Joseph

Department: Withdrawal Management Services Classification: Human Services Counsellor

To: Chantalle Chenier

Supervisor: Samantha Boumeester

Seniority Date: _____

Phone # **h)** [REDACTED] **w)** _____

Grievance Level: **1** 2 3 Address: 30 The Queensway, Toronto, ON

I/We the undersigned claim that: The Employer has violated the CUPE Service Collective Agreement including but not limited to Article B by issuing me an unjust an unpaid three-day suspension on January 8 2024.

Therefore, I/we request that

- 1) That the alleged incident be stricken and removed from my record forthwith;
- 2) That I be fully compensated for all losses sustained;
- 3) That the Employer pays all appropriate damages to me; and
- 4) Any other redress deemed appropriate by a board of Arbitration or a sole Arbitrator.

Signature of Union Officer / Steward: Jason Amaral

Griever: Ida Joseph Date: 01/09/2024

Unit Steward: Jason Amaral Date: 01/09/2024

Motion to move Grievance to Arbitration: SMH-24-04-00 - 3-day suspension.

David R. Seconder:

Ida: List of accusations that had no basis, one of them was privacy information with a patient. Admits that she may have acted out of turn during the fact finding. Believes the employer is discriminating against her for her race.

Rahel: submit a safety first if you believe you are a victim of bullying or discrimination.

Scott: reiterated that the evidence is not good. This was a culmination of events that led to the suspension.

Rahel: Recommend she reach out to the EQC – Cheryl and submit a safety first to address the racial concerns that are happening in the department.

Ida: Motion retracted.

15. Good of the Union

Special By-law meeting February 28 at 5pm

16. Adjournment