

Day 31

Strike bargaining table a lonely spot

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CITY HALL BUREAU

Everyone talks about the bargaining table in the Toronto's civic workers' strike, but few people – including many of the negotiators – ever see it.

For starters, there isn't one bargaining table, there are two: One for the city's outside workers, represented by Canadian Union of Public Employees Local 416, and a separate one for the inside workers, CUPE Local 79.

The latter has barely been used since the strike started a month ago.

When talks began early this year, both locals met city negotiators face to face - the outside workers at the East York civic centre, the inside workers at Metro Hall.

But as tension mounted and a strike deadline neared, the talks moved to new locations about 10 days before the strike.

The outside workers bargain at the Delta Toronto East at Kennedy Rd. and Highway 401.

The inside workers are at the Sheraton Centre hotel, on Queen St. W. across from Toronto City Hall.

At the Delta, the 12-member outside workers' bargaining committee led by Mark Ferguson has set up headquarters in a meeting room on the hotel's ground level.

It's big enough for the bargaining committee and its staff advisers to meet as a whole, with reference documents and computers.

It has a further advantage. Close beside it is a door leading outside, at the back of the hotel. This has become the local's smoking room, since the bargainers can't light up inside the hotel.

The city's bargaining team, led by Bruce Anderson, has rooms in the main hotel tower, across the lobby from the stairway to the union headquarters.

Although outsiders aren't invited into the working area, one insider says their quarters are better than the cramped space in which they were confined during the previous round of bargaining in 2005, at the Crowne Plaza hotel in Don Mills, where the city staff could barely move.

The third element in the talks is mediator Bruce Janisse, who is also booked into the hotel, and is the conduit for major proposals.

His counterpart at the inside workers' talks at the Sheraton is Denise Small; both report to Reg Pearson, who has also taken an active role in the talks.

The side that is making a proposal summons the mediator to its war room, explains the terms, and sends him or her off to the other side for a response.

Those "passes," as the bargainers call them, can be stressful, because no one has any idea how long it will take the other side to respond.

"It feels like a long wait sometimes," says one participant. "We'll be told a reply is coming at six o'clock, and we don't get it till 10."

No one can be sure whether the other side is genuinely taking time to ponder a difficult issue, or simply delaying as a tactic to get on the other side's nerves.

For nitty-gritty, detailed talks, small breakout teams of workers and managers have met regularly since the strike began – almost daily, according to one source – trying to clear the ground for a settlement.

Those meetings take place, with the mediator present, in a neutral room booked by both sides down the corridor from the union's headquarters.

Back at the Sheraton, the dynamic with the inside workers is different.

In some ways, they have a more complex job.

They're covered by four separate contracts. Most full-time workers are covered by one contract, but workers at homes for the aged have a separate agreement. There is another agreement for many part-timers and a fourth for parks and recreation staff, many of whom are seasonal employees.

The inside workers' local has booked a ground-floor meeting room at the Sheraton Centre for large caucus meetings and as a general centre of operations. The local also has a smaller room down the hall for smaller groups or conference calls on speakerphone.

The two sides have barely met in the same room since the strike began.

Mayor David Miller's decision to go public with the city's offer 10 days ago incensed union officials, who regarded the move as an attempt to bypass them and go directly to the members.

As a result, almost all contact between the city team led by Jim Vair and the Local 79 team led by Ann Dembinski is through mediator Small.

When the union or the city has a proposal for the other side, they call Small and explain it. She then carries it to the opposite side's rooms, spells it out and leaves it for discussion.

Keeping the two sides in separate quarters for the most part is probably the best tactic for mediators at the moment, says Alan Levy, a professor of labour relations at Manitoba's Brandon University who also works as a mediator and arbitrator in Ontario.

Levy says the city made a misstep when it went over the heads of union negotiators by releasing its offer directly to union members.

"Moving in this direction, I think, has lengthened the strike" by riling the union bargaining teams who are the ones with whom the city must make a deal, Levy says.

The mediators on the spot will know when it's time to bring the two sides into the same room – and it probably isn't now, because the union negotiators are angry, he said in an interview.

"Jamming them back into the same room when they're not ready – there's too much emotion right now," he said. "They need to calm down; they're still thinking too much about how they've been hurt."