



# Bulletin

## AMS Security - Section 54 Resolution Fails

Tuesday, July 26, 2016

**To: All AMS Security Guard MoveUp Members**

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Last week, we met with AMS to discuss their response to our Adjustment Plan proposal under Section 54 of the Labour Relations Code. The intent was to reach a mutually acceptable Adjustment Plan.

At the meeting, despite AMS suggesting in a letter to us a willingness to accept some of our proposals they took a different stance at the meeting. In an unprecedented "bad faith" move, they refused to agree to any of our proposals or implement any modifications unless we gave up your recall rights.

In addition, they further took a position any severance pay would be limited to that provided by Section 63 of the *Employment Standards Act*. The problem with this was, except for the four (4) most senior members, due to AMS not giving sufficient notice under the *Act*, nobody else would receive any severance pay.

After lengthy discussion, the Union confirmed their "all or nothing" position was unacceptable. We gave them notice there was no basis to achieve an Adjustment Plan, as we were not prepared to give up your right to recall to obtain some minor Adjustment Plan adjustments.

In concluding the meeting, we set out our position there was no need for the layoffs. It was our position they were putting students and staff at risk by not continuing your employment and maintaining a security presence. We also asserted if anyone else performed any related duties of the security guards, like contractors, management and others this would be challenged to ensure your jobs are not illegally taken over by management and others.

The effect of not being able to reach an Adjustment Plan, the upcoming layoffs will be applied based on the collective agreement, which incorporates *Employment Standards Act*. This means each affected member will be placed on the recall list for six months, where any security guard work that becomes available will be offered on a seniority basis subject to availability. Also, as mentioned since AMS gave two weeks notice of layoff, except for the four (4) most senior members nobody else will receive any severance pay.

To elaborate and clarify what this exactly means the Union will arrange a meeting this week to discuss what happened and what your rights are going forward. We also want to discuss the recent development where AMS is seeking for the entire month of August the availability of each security guard declared redundant to work a minimum of four (4) hour shifts on a recall basis.

If you have any questions about this kindly contact the job stewards or us.

Brian Nelson, Arbitration Representative

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## MoveUP

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