



Bargaining Update: Friday, December 18, 2020

Members,

This past week, your bargaining committees met VIA Rail at the table, and showed a strong, unified face.

Both groups address the employer's monetary proposals in detail, with our shared goals and individual needs.

Talks progressed slowly, and major issues continue to stand in the way of a mutual agreement.

Local 100 put a primary focus on a strengthened pension plan for all members, and continues to levy the support of the national union to negotiate the best possible deal.

Council 4000 is in the position of fighting back concessions based on estoppels. Estoppel is a legal defense tool that is applied when a party to the collective agreement reneges or contradicts a previous agreement, but Unifor does not agree with the Company's assertion or with the concessions.

VIA Rail has served Council 4000 with letters outlining their intention to deny members of the right to weekly layoff benefits provided under the 'Supplemental Agreement governing Employment Security and Income Maintenance' in the following circumstances:

- Members occupying assignments established for "peak level of operations" whom are subsequently laid-off during "off-peak periods";
- Members occupying part-time assignments, despite many are scheduled to assigned work hours and routinely work up to 40 hours per week.

The Union argues that the payment of layoff benefits in these instances is a decades-old practice. These benefits are provided to supplement the Employment Insurance (EI) benefits a member receives, and where VIA pays the difference of the EI and/or outside earnings up to an amount of 80 per cent of the member's basic weekly rate at the time of layoff.

We are not rushing these negotiations. **At this critical time, rail workers deserve the best possible agreement, and that can only be won when we have each other's backs and fight for what we deserve.**

Your bargaining committees have proposed the week of January 4-10, 2021 as additional bargaining dates to continue our negotiations.

The union does not bargain in public, but we will use these tools to update you as often as possible. We would ask all members to not listen to the Employer for updates, or entertain rumours that may come up during the bargaining process. Please reach out to your local union representatives for additional information or with questions.

For Local 100 members, the first step in your support for a stronger contract is to add your name to the growing list of members pledging to stay with Unifor, and say no to the raid by the CSN. Start today by signing your card join.unifor.org/viarail.

Please see below for the Schedules for both Local 100 and Council 4000.

In solidarity,

Local 100 and Council 4000 Bargaining Committees

Collective Bargaining Process:	Local 100 Dates:	Council 4000 Dates:
Notice of Bargaining	September 3, 2019	September 3, 2019
Notice of Dispute	October 28, 2020	November 27, 2020
Ministerial Decision	November 5, 2020	December 7, 2020
Conciliation	60 days, unless extended by mutual agreement of parties	60 days, unless extended by mutual agreement of parties
Termination of Conciliation	January 4, 2021	February 5, 2021
Cooling-off Period	21 days	21 days
Acquisition of right to strike/lockout *	January 25, 2021	February 26, 2021
Mediation	no time limit	No time limit

**Right to strike cannot be exercised until*

- 1) Strike vote is taken, and
- 2) 72 hour notice is given

BS/lh:cope343

