

BULLETIN

Paragon Orthotics employees celebrate bargaining victory

September 1, 1998

The Report: September 1998 vol.19 num.2

HSA members at Paragon Orthotics in Victoria have ratified a new collective agreement ending a bitter eight-day labour dispute that saw the employer, Dr. Glenn Cornwell, make several attempts to intimidate workers. Despite difficult negotiations, HSA members achieved a deal that reflects the significant contribution they have made to the company's success.

In the end, Dr. Cornwell's tactics backfired. Paragon employees stood their ground and signed an agreement almost identical to the union's opening bargaining proposal. Highlights include: a pay increase of three per cent in 1998 plus two per cent in both 1999 and 2000; a 1.6 per cent signing bonus in lieu of an increase in 1997; improved dental benefits; restrictions on the manager's ability to perform bargaining unit work; and recognition of the "Lead Hand" position at the company.

Paragon Orthotics is a profitable company that manufactures footwear orthotics. HSA negotiator Julio Trujillo says production at Paragon is higher than ever before, even though the company is operating with only 5.5 FTEs ... down from 8.0 FTEs four years ago. HSA represents eight members at Paragon, two clerical support and six orthotic fabricators.

"Our members were deeply offended by the disparaging remarks made by the employer during this dispute," explains Trujillo. "At one point, the manager compared the skill level of our members to employees at McDonalds. He suggested the work could be done by any person off the street."

On June 24, HSA members at Paragon held a strike vote after it became clear the employer was not prepared to move on any of the union's key bargaining proposals. The employer then applied to the Labour Relations Board for mediation. On July 15, mediator Mark Atkinson met with HSA and the employer but booked out at noon. That day, HSA issued 72-hour strike notice.

Dr. Cornwell responded by sending a threatening letter to all employees... except those on the bargaining committee ... that claimed "with a strike now, more than 60 per cent of our customers will choose to take their business elsewhere resulting in an immediate layoff of 60 per cent of our production staff. . . . Strikes just don't work. It's like dropping an atomic bomb on yourselves." In an effort to negotiate directly with employees, Dr. Cornwell also posted a sanitized version of his offer ... one that included only certain parts of the offer he made to the bargaining committee.

Following the strike vote, some progress was made at the bargaining table. But once again, negotiations took a

turn for the worse when the employer reneged on two previously agreed-upon items: a restriction on the managers ability to perform bargaining unit work, and recognition of a "Lead Hand" position. On July 17, Dr. Cornwell issued 72-hour lockout notice.

HSA negotiator Julio Trujillo says at that point, the union was forced to take action. On July 21, HSA filed a complaint with the Labour Relations Board alleging Dr. Cornwell had negotiated in bad faith. HSA also alleged Dr. Cornwell had attempted to circumvent the collective bargaining process by using intimidation to try to negotiate directly with employees.

Convinced he had successfully undermined the bargaining committee and weakened our members resolve, Dr. Cornwell then applied to the Labour Relations Board for a "last offer vote." But on July 27, Paragon employees rejected the employers offer by a vote of 7-1.

Finally, on July 28, at an LRB meeting to discuss the investigation of HSAs complaint, mediator Mark Atkinson was able to facilitate a collective agreement. The agreement was ratified July 29 by a vote of 7-0.

"This was an extremely difficult round of bargaining," said Trujillo. "Throughout the negotiations the employer tried to discipline our chief steward and bargaining committee members over insignificant matters." Trujillo says Dr. Cornwell used every bad-faith bargaining ploy in his attempts to scare employees.

"When an employer targets a steward for harassment, an immediate response from HSA is guaranteed," Trujillo added. "We won't hesitate to use all the resources of the union to protect our stewards and their right to represent the members at their worksite."

As far as the chief steward is concerned, she's just relieved to have a fair contract even if it meant backing off a demand of personal significance for her ... the extension of benefits to same-sex couples. "The one demand that didn't end up in our contract was the extension of same-sex benefits," said Doreen Dobbyn. "This was the one area where Dr. Cornwell absolutely refused to budge. In the end, I decided it was more important to reach an agreement that was good for everyone and would allow us to get back to work." Dobbyn says she is considering other avenues to pursue her case, including a complaint to the BC Human Rights Commission.

In the meantime, Dobbyn and her co-workers are enjoying the taste of victory. She says spirits and solidarity among HSA members at Paragon have never been higher and they are planning a barbecue to celebrate their success.

Type:

[The Report](#)

- [Print](#)
- [PDF](#)

180 East Columbia
New Westminster, BC V3L 0G7

Website
www.hsabc.org

Telephone 604-517-0994
1-800-663-2017