

CEP LOCAL 87-M JOB LOSS ACTION PLAN

[Sample Unit FAQ](#) – this will need to be tailored to your individual unit.

QUESTIONS FOR UNION TO ASK EMPLOYER PRIOR TO DOWNSIZING:

1. **BUYOUT:** Is a voluntary severance package available? If not, push for it and encourage the company to sweeten it beyond what is offered in the contract to attract more people, thereby avoiding involuntary layoffs.
2. **WORK SHARING:** Ask if Employer has considered federal government Work Sharing program that allows employees to volunteer for shorter work week and receive Employment Insurance benefits to partially offset the loss of pay on the days that are lost.
3. **NOTICE:** Employees are entitled to a notice period for job loss or payment in lieu of notice. Ask if the company is dismissing them right away or if they'll be working through their notice. Minimums are established in the Employment Standards Act (www.labour.gov.on.ca/english/es/guide/guide_15.html#written) but individual contracts may require more notice. The length of notice is linked to the employee's length of service. There are different requirements for a "mass termination" of 50 or more over a four-week period.
4. **NOTICE:** Ask what happens if a member who is working through their notice period gets another job. Will they still be eligible for the remainder of the cash in lieu of notice and the severance?
5. **FILING FOR EI:** For members who are being severed immediately, ask when they will be getting their Record of Employment. It's important that they get their ROE within a couple of days after their last day of work so that their Employment Insurance won't be delayed. If a member is having difficulty obtaining their ROE(s) from the employer(s), contact Service Canada at 1-800-206-7218. As of January 2009, the basic EI benefit rate is 55% of avg insured earnings to a max of \$447 per week but it doesn't begin until two weeks after the end of the severance period.
6. **BUYOUT:** If the Employer is offering buyouts to reduce layoffs, make sure the company does not check a box on the ROE describing the termination as "quit" so that the buyout recipient will be eligible to collect EI benefits. Instead, it should be described as restructuring or lack of work. The EI wait period will be extended by however many weeks of pay the buyout represents.
7. **BUYOUT:** As if the buyout money can be paid out, fully or partly, the year in which the employee will not be working – in other words, when their income is reduced and they're in a lower tax bracket. Often there is an option of getting it in lump sum or in salary continuance. Be aware, however, that some people who have chosen salary continuance in other industries are now regretting that because the companies have gone into credit protection or bankruptcy and the employees are unsecured creditors. Banks come first.
8. **VACATION PAY:** Check the contract to determine the formula for vacation and ask the company to explain how vacation is calculated to make sure your understanding is the same as that of the company. Your members will want to know how it is calculated.
9. **SENIORITY LIST:** Ask for the most recent seniority list from the company and check it with your members, particularly those affected.
10. **BUMPING:** Check your contract language on bumping rights and note the deadlines. Also, for those getting bumped, note if the notice period begins with the first announcement of layoff, or when the individual who is getting bumped is notified. Confirm your understanding with the company and how the process will take place. Agree on a process for how members will notify the company of their intent to bump and which jobs they intend to bump into. They may have a choice.

WHAT TO DO ON THE DAY OF THE LAYOFFS

1. Call a general membership meeting. While most employees will not be laid off, they will still be suffering from the demoralizing effects of the downsizing and feeling anxiety about their future. Give the membership a chance to vent and to learn what the union is doing to represent them.
2. Meet individually with the members who are being laid off, keeping in mind that they will be in a certain amount of shock and may not remember everything in one conversation.
3. Provide laid off members with a lay-off fact sheet, including answers to the questions above, bumping procedures, severance calculation, recall process, union contacts and the opportunity and process for voluntary buyouts.
4. Provide laid off members with a package on sources of external help: ie financial planning; the EI booklet from Service Canada; contact info for EAP, jobs page on the Local's website: www.song.on.ca.

WHAT TO DO IN THE DAYS FOLLOWING THE ANNOUNCEMENT

1. If there is a large number of people losing their jobs, consider setting up a Job Action Centre through the Ontario government where people can go to get re-training, learn job search skills, network and use fax equipment, etc.
2. Arrange for someone from Service Canada to speak to members about E.I. and E.I. programs.
3. Arrange for a financial planner to come speak to employees about their options for severance.
4. Deal with issues over bumping, volunteers, qualifications, etc. as they come up.
5. Arrange for a show of support from members to laid off workers during the final week of employment, and/or shortly thereafter. A byline strike, or black armband may be appropriate on the final day, following by a send-off party the evening or day after the last day. Let them know that their co-workers care and that they still have many workmates.
6. Appeal to fellow members of Local to let your members know of any jobs that may appeal to those affected.

WHAT THE MEMBER SHOULD DO

1. Upon receiving their ROE, the employee should immediately submit an application online (www100.hrdc-drhc.gc.ca/ae-ei/dem-app/english/home2.html) to Human Resources Development Canada or in person at a Service Canada Centre, even if they received, or will receive, money when they become unemployed or if they do not have their record of employment (ROE). Delaying the filing of a claim for benefits beyond 4 weeks after the last day of work may cause loss of benefits.
2. Establish a network of contacts who can serve as your eyes and ears in your search for new work. Most jobs are not advertised.
3. Continue to monitor Local 87-M's industry job board at www.song.on.ca.
4. Investigate the Ontario government's Second Career program. Second Career provides career planning and financial support specially designed to help laid-off Ontarians participate in long-term training for a new job. You can contact a career counsellor by calling 1-800-387-5656.
5. Investigate the Ontario government's Job Connect program (<http://www.edu.gov.on.ca/eng/tcu/apprentices/jobconnect.html>). It can provide help in learning about which jobs are in demand; apprenticeships and other kinds of training; the type of job that will suit you best; and help you find a job placement to get work experience, or on-the-job training.

This is a working document. Please suggest improvements so that we can better serve our members.

In Solidarity,
Brad Honywill, President, CEP Local 87-M