



News & Views

October 9, 2007

GENERAL MEETING #3

Wednesday October 31, 2007

12:00 – 2:00 pm, UC 103

Purpose: Update on Negotiations

UGFA Members Support the UGFA Negotiating Team

At the UGFA General Meeting on October 2nd, our Members agreed that progress towards a first Collective Agreement has been disappointingly slow. They strongly supported the UGFA Negotiating Team, and endorsed a plan to proceed to Conciliation if and when our negotiating team deems it necessary.

Where are we in Negotiations? In August 2006, UGFA gave notice to the University Administration that we were prepared to begin negotiating our first Collective Agreement. After 13 months (as of October 1st) and 86 hours of face-to-face meetings, we **have reached agreement on seven articles** (or parts of articles). These articles are: Joint Committee; *some* Definitions (including “day”); Copies of the Agreement; Dues check-off; Court Leave; Compassionate Leave; and Academic Freedom. **The Administration has not yet responded on most of the *substantial* articles** (*e.g., promotion and tenure, workload, work of the bargaining unit, salary, pension and benefits*). Members of the UGFA Negotiation Team have become frustrated with this slow pace.

Quite often, negotiations will begin with relatively simple articles on which agreement can be reached quickly. This approach gives the negotiating teams a chance to develop a productive working relationship, and signing-off on some non-controversial items is said to induce a sense of positive momentum. **However, it is hard to feel that there is any momentum at all, in our present circumstances.**

Management has received all of our proposals – including the salary, pension and benefits articles. To date, they have been remarkably reluctant to reveal even a list of the articles that *they* intend to table, or respond to. Last November, the administration indicated that they needed to see our whole package to “understand” our position. We prepared all of our non-monetary articles and provided the package to them on March 19th. In June, after providing the administration time to read the package and prepare their response, we finally met again, expecting to see a full response to non-monetary issues. Although the administration’s reply consisted of a scattering of responses, with no overall context, we continued to speak to our positions, and to answer their questions. Since that time, **we have continued to point out that it is difficult to negotiate flexibly, given that we are unable to analyze articles in the context of the Administration’s full proposal.**

Faculty Association ♦ Room 535, U.C. ♦ Guelph, Ontario N1G 2W1 ♦ (519)24-4120 ext. 52126 ♦ <http://www.uoguelph.ca/~facassoc>

On September 18th, **we presented *all of our Articles***, including our salary, pension and benefits positions.

Although they have repeatedly said they needed to assess the monetary implications of particular articles, they expressed surprise that we were tabling monetary items. We are fully prepared and we are ready to negotiate on substantive issues. **It is unacceptable that the Administration refuses to table a full package.** Indeed, their slow pace and their failure to engage in discussion on major issues have led some Members to question the Administration’s commitment to reaching a Collective Agreement *in a timely fashion*.

UGFA Members are often asked to perform well under pressure, at a rapid pace, and we do so. This is evident in the number of grant application deadlines we meet (with high success rates testifying to quality), the number of reference letters we write, the course outlines we generate, the lab manuals and course notes we prepare, the lectures, the marking, the thesis-reading, the timely submission of grades. **We are required to produce quality work in a timely manner, and we do.** That’s exactly what the Administration needs to do! Yes, both sides take seriously the need to “get the language right”, but that responsibility doesn’t explain the sluggish rate at which the process has been advancing.

Why drag out the process? Why move so slowly? We can only assume that the Administration *has* some semblance of a position. Based on their early comments at the table, their starting position was the existing Faculty Policies agreement. (The same procedure was followed at Brock when they were working on their first contract.) Subsequently, they seemed to have retreated from that position and have been reluctant to put substantive positions on the table. While our positions may be in close agreement, we can not know, without seeing their position in writing.

Proposals on salary, benefits and pensions are particularly worrisome, as UGFA will need to carry out technical analysis of the responses and we will have to consult with our specialist advisors. The longer the Administration delays responding, the less time we will have to respond to “interesting” ideas. Their Chief Negotiator continuously refers to us being in the “early stages” of negotiations. We believe this is nonsense. While two years to complete a first contract in the university sector may be “average”, keeping to that time frame means that we should have already signed off on the “non-contentious” articles.

A long delay in settling first contract negotiations is to the University’s **financial** benefit – and to your cost!

How long are you prepared to wait for a cost-of-living pay raise? Will we even be able to negotiate a *retroactive* pay increase? Forget about getting any interest on what you might be owed – the Administration keeps that. If you retire before the contract is signed, you may not receive any retroactive pay.

How can we get things MOVING?! At the September 10th General Meeting of UGFA, members passed a motion that called for the Administration to provide a *full* response to UGFA’s positions by October 1st. Our chief negotiator, Ed Carter, wrote to advise the Administration’s Chief Negotiator, Martha Harley, of this motion, and of our intention to discuss the option of Conciliation if the full package was not available. The Administration responded that they were “disappointed” at being portrayed as intentionally causing a delay in the negotiations, and stressed that 14 articles were being “actively” discussed. The Administration responded in writing that they “**will aim to table all non-monetary language by the end of October 2007**”. At the table, we were told that we would not be getting responses on monetary language until some undefined future time. But, the Administration indicated they would give us, in another month or so, “*some idea at a conceptual level*” of what they will eventually bring to the table. This leaves unclear about the future of all our benefits, pensions and salary matters. **This is not acceptable.** We need their detailed proposals.

What is Conciliation – and where does it lead? Conciliation is part of the tool-set that the Labour Relations Act provides to help unions and employers reach agreement in collective bargaining. *The attached UG Factsheet provides information about Conciliation and other Ministry of Labour processes.* The process of filing for Conciliation *may* be sufficient to convince the Administration to get on with meaningful negotiations in a timely manner. If the filing decision alone does not have sufficient effect, then UGFA will need to consider holding a **Strike Vote** to demonstrate how very serious our Members are about achieving a fair Collective Agreement. **Our full and sincere intention is to achieve a first Collective Agreement through negotiations with the Administration. We are ready to get this job done, but it seems that the other side is not as equally keen and may need some more “encouragement”.**

Was the proposal for Conciliation helpful? It appears that the September 10th UGFA motion to *consider* conciliation has already had some impact: five of the seven articles on which agreement has been reached were completed *after* that motion was passed. Similarly, that’s when we finally were told that the administration would produce the whole non-monetary package by the end of October. However, the monetary issues are obviously a huge part of the overall package and **your Negotiating Team needs that information so that they can decide how to proceed.** At this point, one side has tabled a full position, and the other has not. If we are “trading” certain things in order to make compensating gains, then we need to know what the Administration’s position is on major monetary and non-monetary matters. Sooner, rather than later, both sides need to be at the table, seriously negotiating with the intention of reaching agreement. Unfortunately, the Administration has cancelled many of the meetings planned for October, because they have discovered “scheduling conflicts” in the set of dates that was agreed to back in August. UGFA has offered to meet evenings, or even on the weekends, but the Administration is reluctant to agree to that.

When UGFA filed our application for certification, we indicated that the Veterinarians in the Animal Health Laboratory and the Veterinary Teaching Hospital should properly be included in our Membership, and the Ontario Labour Relations Board agreed with the UGFA position. The Administration fought that position vehemently and lost. Although the Labour Board has already ruled on this situation, the Administration Negotiating team has been repeatedly attempting to deny our colleagues rights that are equivalent to those of our other Members. In our articles, we call them **Clinical Faculty** – the Administration Negotiators insist on calling them “Staff Vets”, and there is a systematic effort to marginalize and exclude them, even when such minor privileges as *Political Leave* are being discussed. **That’s unacceptable - these colleagues ARE part of UGFA, just as Guelph Faculty and Librarians are.** So far, the Administration’s pejorative comments about our Clinical Faculty Members have been expressed in the context of minor Articles such as Political Leave. But that’s only because the Administration has failed to respond to our substantive Articles about the work that our Members do. Their “divide-and-conquer” intentions are clear. So, let our message be clear too: **we will not allow any of our Members to be marginalized or denigrated!**

(A subsequent News&Views will discuss the roles of our Veterinary colleagues in further detail.)

-3-

Other things you should know:

1. Faculty serving on the Board of Governors are excluded from UGFA during their term. Consequently, we *cannot* represent you, should you become involved in a grievance or other matter involving the Administration or Collective Agreement issues.

1. How much might this publicly-funded institution charge us for information about your pension fund? Under the Freedom of Information Act, we have requested (i) the actuarial fees charged to our pension fund, (ii) copies of records of general and administrative expenses charged to our pension fund, (iii) copies of accounting and audit fees, and (iv) copies of records showing professional fees which were charged to our pension fund. To provide this information, the administration is asking us to pay \$1,500. (*Freedom, apparently, isn't cheap!*)

2. Several **University Policies** that affect your work are under revision by University Committees – notably the Human Rights Policy and the Health and Safety Policy. Such revisions complicate the Collective Agreement negotiations. The Administration clearly wants to reserve the right to make changes to those policies, without obtaining the agreement of the UGFA. We will not cede our right to negotiate the terms and conditions of our employment.

YOUR NEGOTIATING TEAM

Ed Carter, Chief Negotiator
Roz Stevenson,
Kelly Meckling
Jim Mahone
David Josephy
Susan Hubers
Scott Gillies

WHAT IS YOUR ROLE IN THIS PROCESS?

Keep informed!

Ask questions – call UGFA (ext. 52126).

Talk to your Negotiating Team. Let them know your views!

Remind your colleagues that these negotiations are important.

Please encourage your colleagues to attend our General Meetings!