

Bargaining
January 30, 2015



2014-2015
NEGOTIATIONS

Parties File for Conciliation, Bargaining Unit Meetings Being Held

As many of you know, both WLUFA and the Administration made the decision to file jointly for conciliation on January 23. Negotiations do not come to a stand-still simply because this decision has been made. In fact, your team is committed to continuing to work towards an agreement right up until our first scheduled conciliation dates. (see below re: the conciliation process)

It is important, however, that our Members understand that the Administration still has proposals on the table that WLUFA simply cannot entertain in their current state. These proposals involve what we believe to be significant attacks, not only on our rights as faculty, but also on (what we believe to be) our place of value within the university structure itself. In summary, the Administration has proposed the following:

- Remove the faculty and librarian complement from the Collective Agreement. This gives the Administration the ability to decrease the number of full-time permanent employees, the ones who are integral to fulfilling the mission of the University – teaching, research, and service.
- Transfers of faculty from campus to campus at the whim of the Administration.
- Radically changing the structure of our compensation system. The proposed changes would result in significantly reduced salaries over time for current faculty and librarians, putting us further behind our Ontario peers. A further consequence will be a negative impact on our ability to attract and retain high-quality faculty and librarians.
- The Administration wants to remove the minimum course releases and stipends for Chairs, Area Heads and Program Coordinators. Instead, the Administration wants sole discretion to determine whether Chairs, Area Heads, and Program Coordinators receive course releases and stipends.

The Administration is also refusing to acknowledge that faculty should have intellectual property rights when developing and teaching online courses. The Administration does not want to expand the scope of the CA to include our intellectual property rights with online courses. They also feel that having full-time faculty control the development of online courses will result in a decrease in the quality of education offered.

Bill Salatka, Chief Negotiator, will be elaborating on these proposals – and hoping to hear your reactions to them – at the Bargaining Unit meetings being held next week. It is imperative that as many Members as possible attend these meetings.

A Guide to Third-party Assistance: Conciliation and Mediation

WLUFA has been informed that the Ministry has assigned a conciliator and, luckily, we've also learned that we've been given our requested conciliator. Currently, we are waiting for him to contact us in order to arrange dates. Conciliation is a normal course to follow during bargaining and is only one of several steps that are mandated by law when an impasse is reached at the table. (cont'd over)

The conciliator is a trained neutral third party who works with both sides to try to reach a tentative agreement. He does not pass judgement on any of the proposals, but may make suggestions to either Party in an effort to bring the Parties to an agreement. The conciliator meets with the Parties a number of times and then files his report with the Ministry of Labour. That report can indicate either that a tentative agreement has been reached or that more meetings are necessary, or it can suggest that there is no use in appointing a Conciliation Board because the Parties are too far apart on the issues (i.e. the "no board report").

Once a no board report is filed, the clock starts ticking towards a possible lock-out or strike. In Ontario, a 16-day period must be observed before any kind of job action is taken by either the union or the employer. Even if a no board report is filed, however, the parties can continue to meet and try to negotiate a settlement, often with the assistance of a mediator. Mediation is not mandated by law and both sides have to agree to the process. A mediator is also a trained neutral third party who attempts to assist the Parties to reach a tentative agreement. Often the same person acts as both conciliator and mediator, although this is not always the case. The pressure during mediation is greater than it is in conciliation, with the mediator pushing both Parties hard to reach a settlement.

These procedures take time. When one side applies for conciliation, the Ministry of Labour has to find an available conciliator with the proper expertise. Meeting dates then have to be arranged. It is the same process for mediation. At some point in these proceedings, it is also common for the union to hold a strike vote. An affirmative strike vote doesn't necessarily mean that a strike is imminent, but it does help to send a message to both the negotiating team and to the employer that Members are willing to fight for a fair settlement. Before a strike vote, however, the Bargaining Unit Members have to be fully informed, so a Bargaining Unit Meeting has been called, where the current status of the negotiations will be described with full disclosure of the proposals from both sides.

Waterloo

Bargaining Unit Meeting

Thursday, Feb. 12

5:30 pm.

Senate & Board Chambers

Brantford

Bargaining Unit Meeting

Monday, Feb. 9

12:00 pm.

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