

Bargaining Townhall: How Bad is it?

Nov. 4, 2021



UNITE • SUPPORT • EMPOWER

492

Days

Since our Collective Agreement Expired on June 30, 2020.

Outline

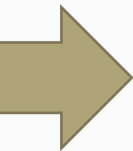
- **492 days without a contract, 567 days in negotiations**
- Bargaining Update
 - Where we are / current status
 - [In]formal Mediation
 - Update on Manitoba / UMFA
 - Article status and pace
 - ESA Update
 - Negotiation mandate priorities
 - Alert Level
 - Available tools / progress
 - Summary
- Questions/Discussion

Where are we in Bargaining?

(see: www.ulfa.ca/job_actions/job-action-101/)

Level 1 Preparing for Bargaining	<ul style="list-style-type: none"> There is a current agreement in force Next round of negotiations has not begun 	<ul style="list-style-type: none"> Members should communicate issues to the Bargaining Resource Committee BRCchair@ulfa.ca
Level 2 Exchanging Interest	<ul style="list-style-type: none"> ULFA & the BoG have exchanged letters of interest to engage in bargaining 	<ul style="list-style-type: none"> Members should be aware of the current Bargaining Mandate Review other bargaining & job action resources
Level 3 Negotiating	<ul style="list-style-type: none"> A new agreement is being actively negotiated between the two parties 	<ul style="list-style-type: none"> Members should direct any unanswered questions/concerns to the ULFA Executive Officer eo@ulfa.ca
Level 4 Approaching Deadline	<ul style="list-style-type: none"> A new agreement has not been reached The current agreement is expiring No end date to negotiations in sight Likelihood of job action is still low 	<ul style="list-style-type: none"> Members should ensure they attend any opportunities to learn about the state of negotiations
Level 5		Be informed of legal framework for bargaining &
	<ul style="list-style-type: none"> One party applies for the appointment of a mediator, who is assigned for 14 day period to find a common ground 	job action (e.g. Post secondary Learning Act , AB Labour Relations Code etc.)

Level 6 Alerting Members	<p>Mediation fails</p> <ul style="list-style-type: none"> 14 day off cooling off period ULFA applies to the Labour Relations Board to hold a strike vote and conduct a supervised Member vote. <p>Possibility of job action is high</p>	<ul style="list-style-type: none"> Members may communicate feedback to the Negotiating Team when requested Continue to communicate any bargaining questions/concerns to ULFA
Level 7	<ul style="list-style-type: none"> A positive strike vote has occurred Union must wait 3 days but not more than a maximum of 120 day before declaring a strike. During this interval, the union can legally go on strike (but is not required to) 	<ul style="list-style-type: none"> Members may not picket until after a 72 hr notice to strike has been served.
Level 8 Strike	<ul style="list-style-type: none"> Union declares a strike by serving 72 hours strike notice on the employer of the date, time and location of the start of the strike." The strike/lockout continues until a collective agreement is reached. 	<ul style="list-style-type: none"> The strike/lockout continues until a collective agreement is reached. Members are expected to follow the direction of the Executive.



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Mediation

Oct 27

15:43 Board:

**“We have an
issue of
concern”**

Mediation

Oct 27

15:43 Board:

“We have an
issue of
concern”

Oct 28

13:05 Board:

“Informal
mediation”

Mediation

Oct 27

15:43 Board:

“We have an
issue of
concern”

Oct 28

13:45 Board:

Emails all ULFA
members

Mediation

Oct 26

Board:

Filed for mediation

Oct 27

15:43 Board:

“We have an issue of concern”

Oct 28

13:45 Board:

Emails all ULFA members

Manitoba / UMFA update

- Welcome Orvie Dingwall, UMFA PRes.
- Welcome Erik Thomson, UMFA VP
- UMFA Strike started on Nov. 2
- ULFA has donated \$1500 towards the UMFA strike fund.
- Solidarity

Mediation: Informal and Formal

- Either party can request mediation
- Mediator is appointed by Mediation Services
- First 2 days are free, remainder are \$200/hour (4 to 12 hours/day)
- Mediator facilitates discussion of positions, identifies contentious items
- ESA is required for formal mediation
- Formal mediation is required for Strike vote or Lock-out

Essential Services Agreement (ESA) update

- Essential Services Agreement (ESA) is an agreement on which services of our members would endanger life, personal safety or health of public if withdrawn during a job action.
- ESA has been submitted to ALRB on Nov. 3.
- ULFA and Board have agreed to the ESA terms.

“The University of Lethbridge and University of Lethbridge Faculty Association have agreed to terms on an Essential Services Agreement. Although this was a difficult negotiation both parties have agreed to a contract that reflects what is best for the university community as a whole. Both parties agree and acknowledge that the other party worked hard to achieve this mutually beneficial result. ULFA has withdrawn its complaints at the Alberta Labour Relations Board, effective immediately.”

Where we are

- 2018-2020 Collective Agreement ended June 30, 2020
- Means we are under “bridging” provisions
 - Contract stays in force until
 - New settlement is reached
 - Job Action
 - Union decertification
- We have specifically negotiated provisions for Merit (and Career Progress for Faculty Members/Professional Librarians) on
 - July 1, 2020
 - July 1, 2021
- Board and ULFA Negotiation teams have met 16 times in 2021: Jan 18, Feb 8, Feb 22, Mar 8, Mar 22, Apr 8, Apr 22, May 20, May 31, Jun 10, Jun 17, Sept 20, Sept 27, Oct 14, Oct 19, [Oct 28]

Current status

- 15 articles/schedules were left as-is by both sides
- 41 Articles opened (by ULFA, Board, or both)
- 2 articles waiting for the end (2 and S)
- 4 articles/schedules are agreed upon

See <https://www.ulfa.ca/bargaining-updates/> for more details

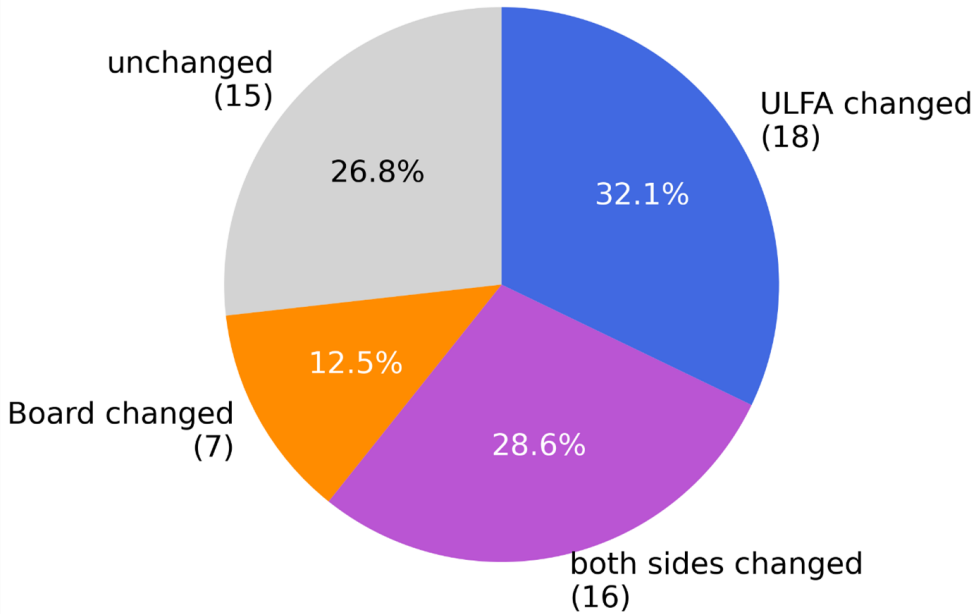
Articles Agreed

- Schedule C (Grandfathering clause for Probationary Appointments)
 - agreed to delete Mar. 22nd
- Schedule I (Implementation of Academic Assistant/Instructor Language)
 - agreed to delete Mar. 22nd
- Schedule K (Student Evaluations of Teaching)
 - agreed to delete Mar. 22nd

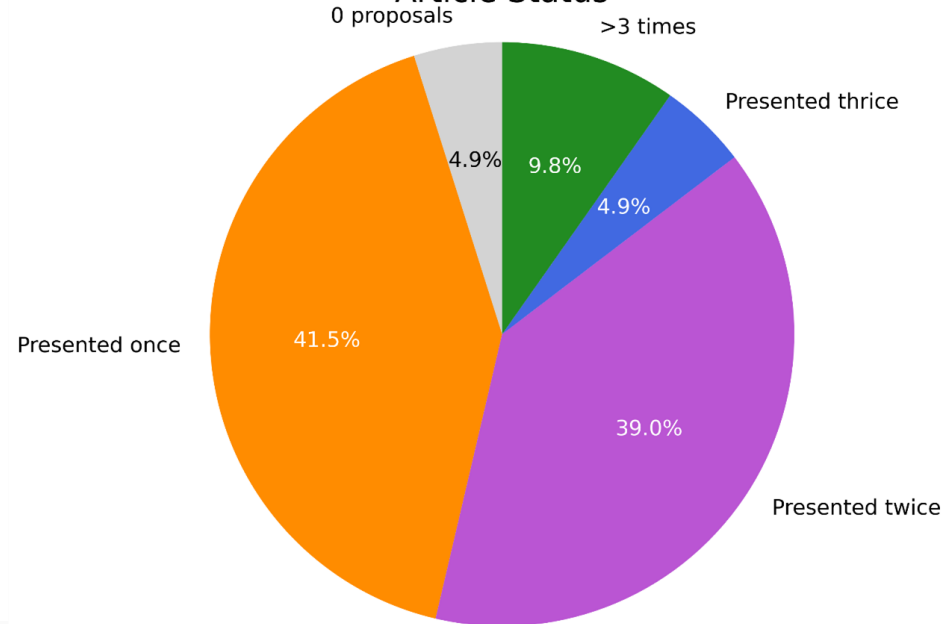
- Article 28 (Intellectual Property)
 - agreed Oct. 19th

Current status

Opening Positions

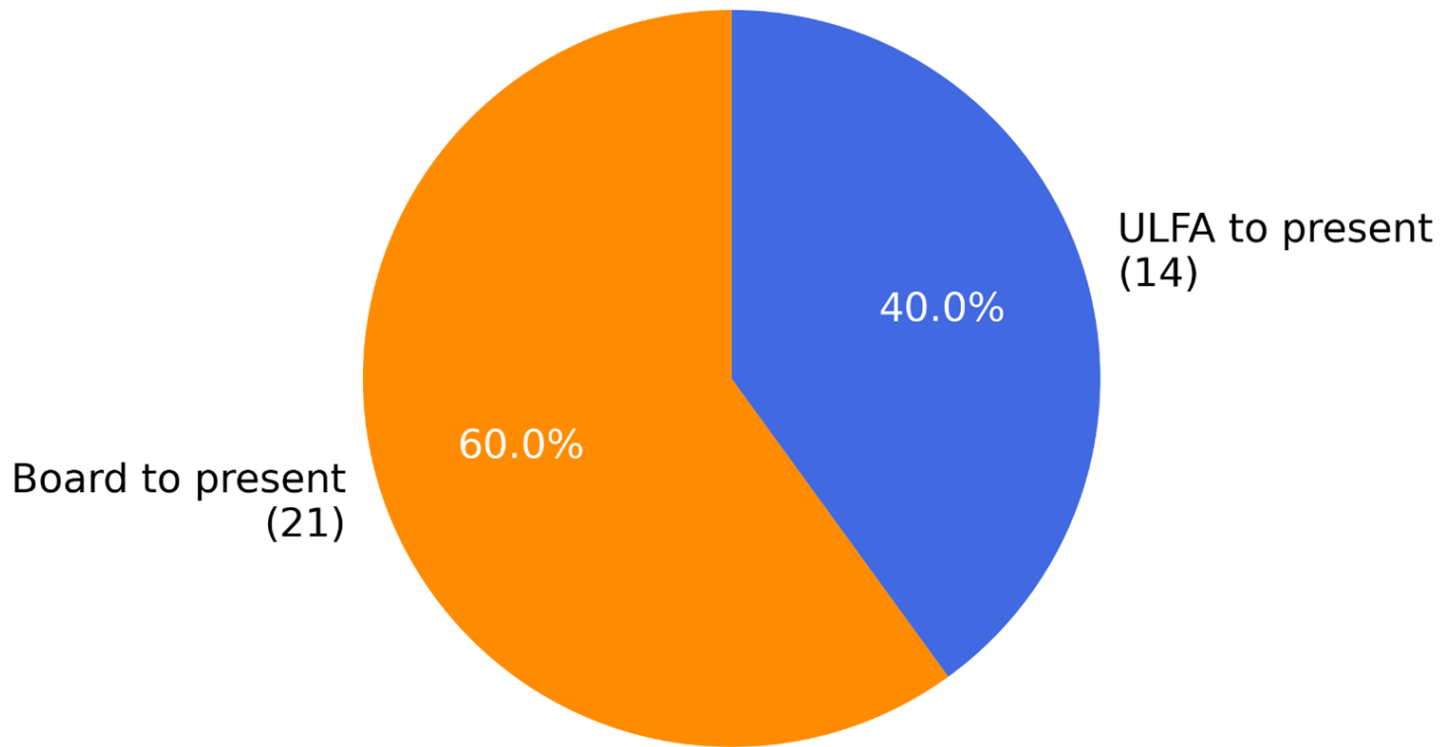


Article Status



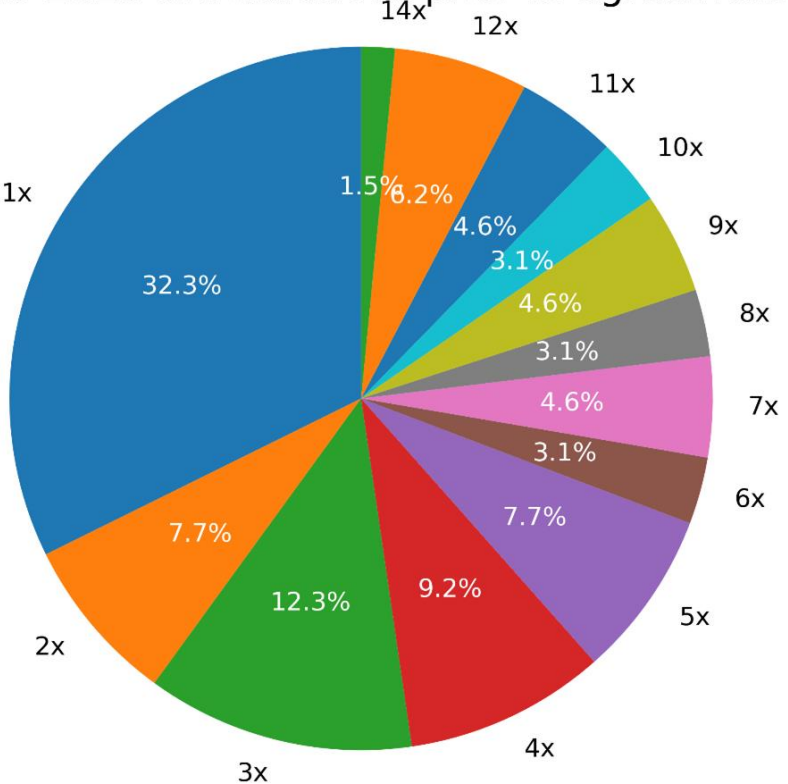
Where are the Articles?

Waiting on:

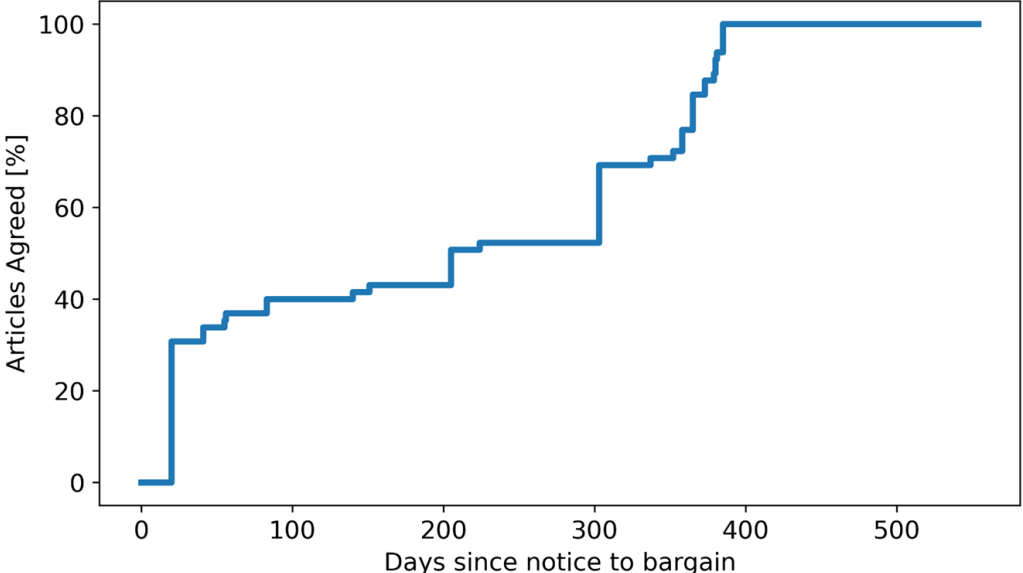


Last time: 2018 - 2020 Collective Agreement Negotiations

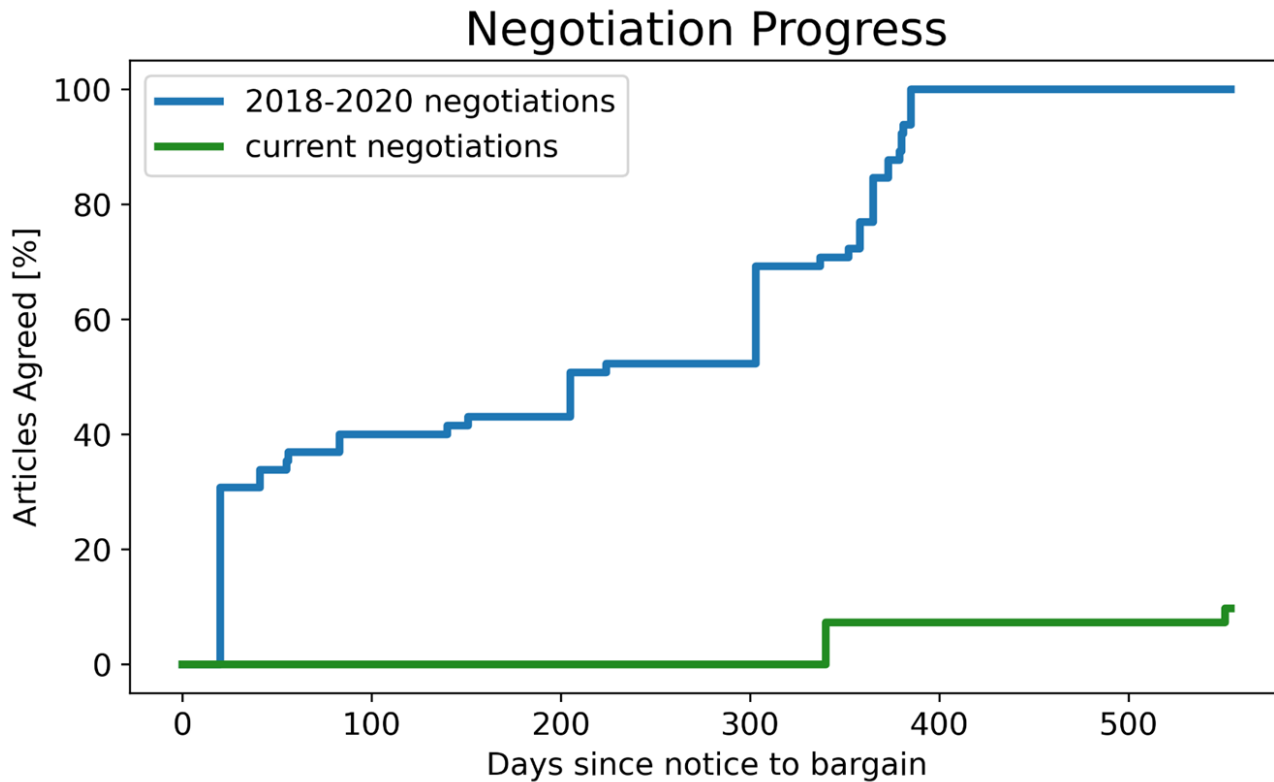
2018-2020 CA: iterations prior to agreement



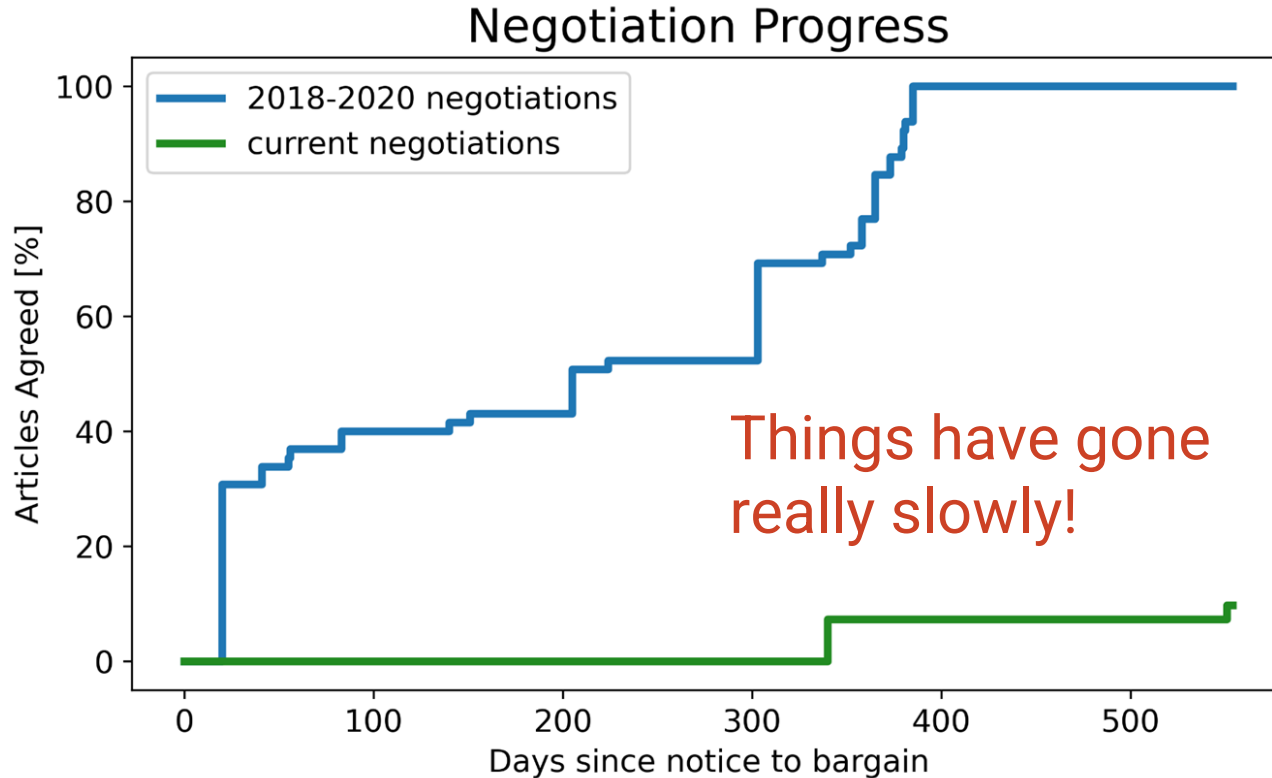
Negotiation Progress



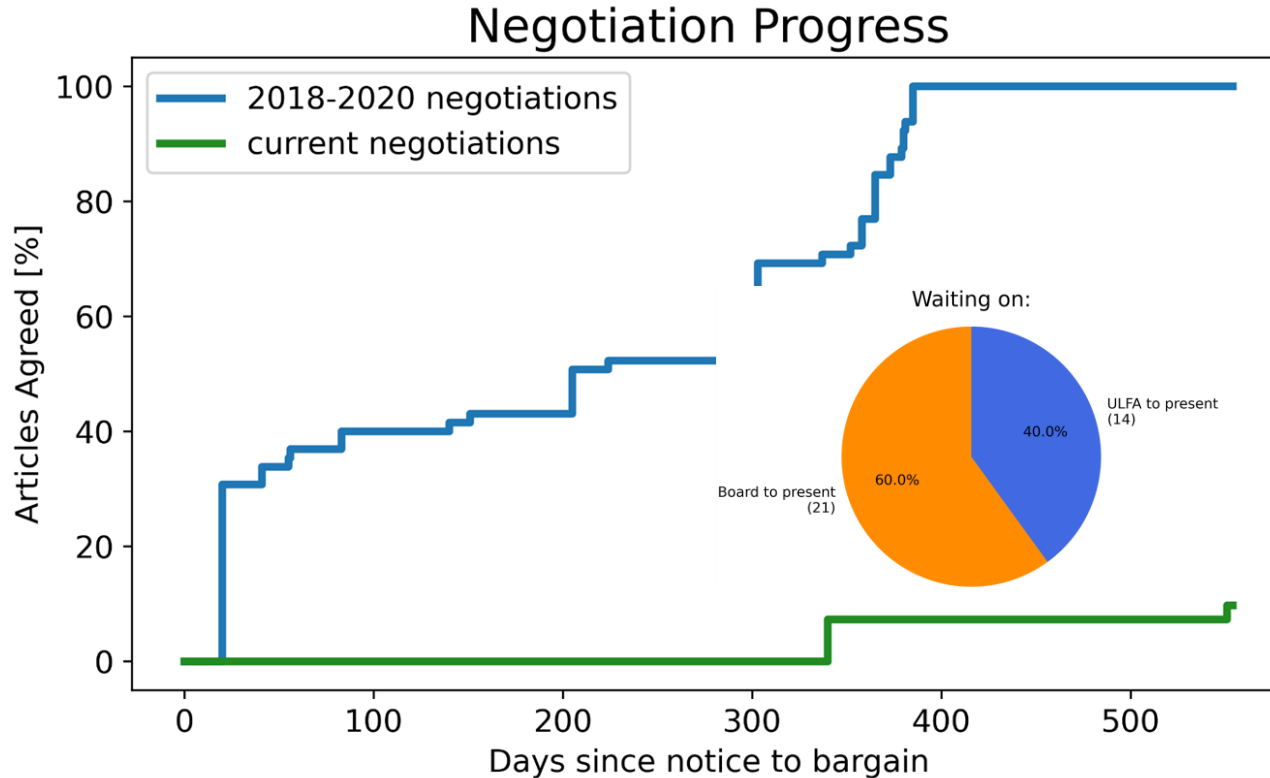
This time, in context



This time, in context



This time, in context



Things the Board wants

Board

- significant cuts to compensation (pay, benefits) including
 - a. **-4%** Across the Board (ATB), **retroactive** to 1 July 2020, (**Board mandate has not changed**)
 - b. or ~\$2M from somewhere else in the Collective Agreement
 - c. Reduction in ULFA resources (rent for office space, reduction in inactive member dues)
- major revision of employment practices
 - a. restrict traditional **Academic Freedom**, (e.g., Board proposal Article 11.01.7)
 - b. restrict accompaniment
 - c. Simplification of career progress / merit evaluations (winner take all system)
 - d. Financial Emergency -> Financial Inconvenience
 - e. reducing the grievance time limits
 - f. Erosion of Term Appointment and conditions

The Board negotiation team has indicated they are in `Active Negotiations`

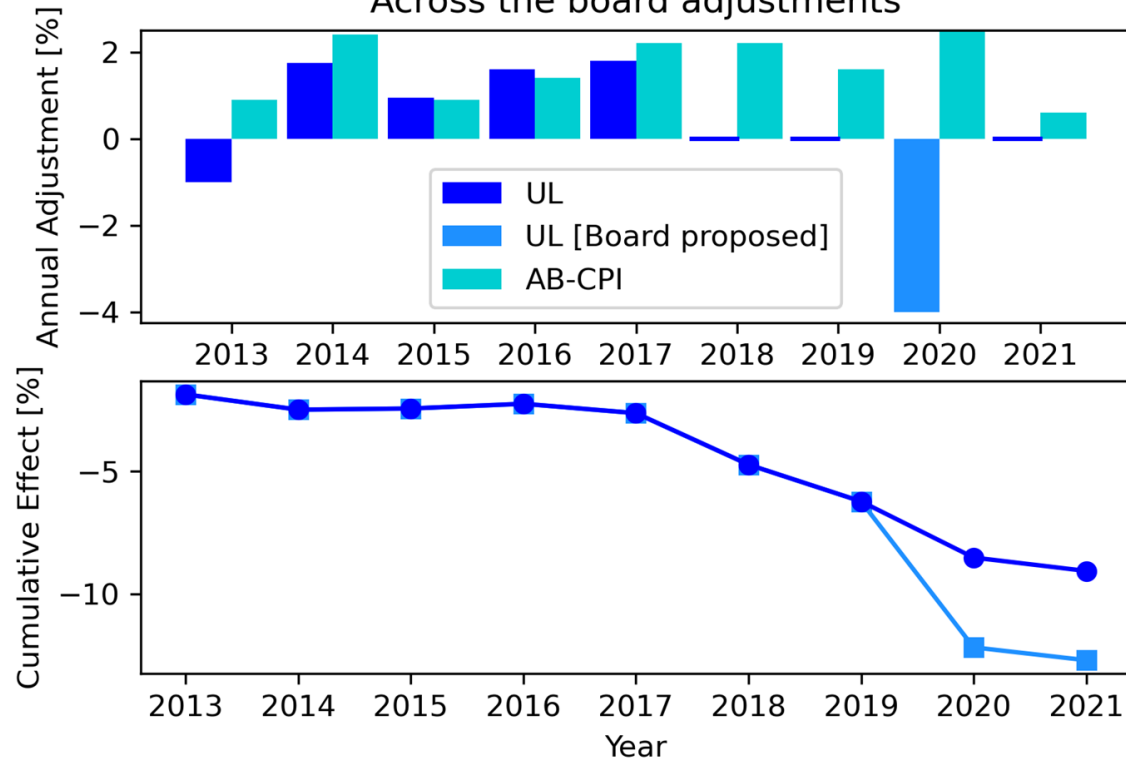
ULFA team mandate priorities

ULFA

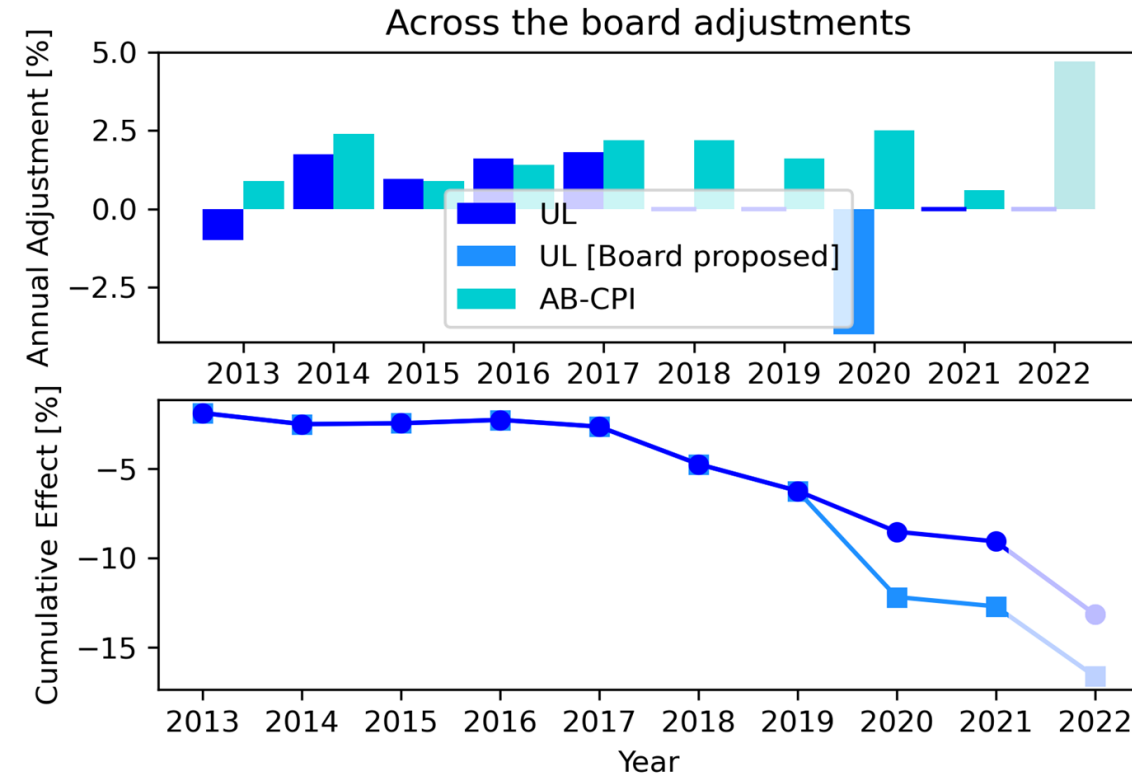
- Address **pay and benefit** inequities (6% ATB; CP increases, EDI Salary investigation),
- **Joint Benefits Committee** (collaborate on how to best manage benefit resources),
- Improve **equity** and equity awareness (Part Time, dual members, better leave, workload, Indigenous faculty, EDI \$ reviews)
- **Improve working conditions and workload**
- Preserve **Academic Freedom**
- Protect safeguards against **financial emergency**
- Restore and improve **collegial governance**
- Instructor **path to professoriate (retention)**

Compensation is a high priority

Across the board adjustments



Compensation is a high priority



In 2022 we will be at:

- -16.7% with board proposal (-4%, 0%,0%), or
- -13.2% with 0% COLA for 2020, 2021, 2022

AUPE GOA settlement (Oct. 13):

-4% \Rightarrow +3.25%

We have offered 0s!



The ULFA negotiation team has offered 0% extensions, 3 times.

- April 2020 (1 year)
- August 2020 (1 year)
- August 2021 (2 year)

Tools available to us

- Both sides have applied for Mediation (informal/formal)
 - Unsuccessful mediation ⇒ Job Action (Lock out / Strike)
- ULFA is trying to work with the tools that we have available to get the best possible outcome for our membership.
- Uncertainty and risk on June 30th 2022.

How Bad is it?

- 492 days without a contract, 567 days in negotiations
- Bridging no longer provides CPI/merit
- 4% retroactive wage cut
- Erosion of academic freedom, job security, working conditions
- Progress is significantly slower than last round (which itself was very slow)
- Uncertainty around what happens on June 30, 2022
- Could be up to 17% behind inflation on compensation

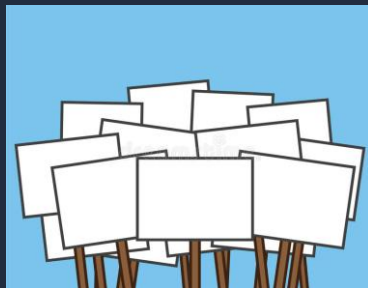
Increased awareness and pressure will help things at the negotiation table. Hopefully Mediation will help circumvent the impasse that we are seeing right now.

ULFA Information Rally

Save the Date!

Join your ULFA colleagues on Wednesday, November 17th from 3pm to 5pm as we show solidarity and raise awareness.

This will be a peaceful demonstration to raise awareness about the damaging cuts to post-secondary education and concerning issues that are currently under negotiation.

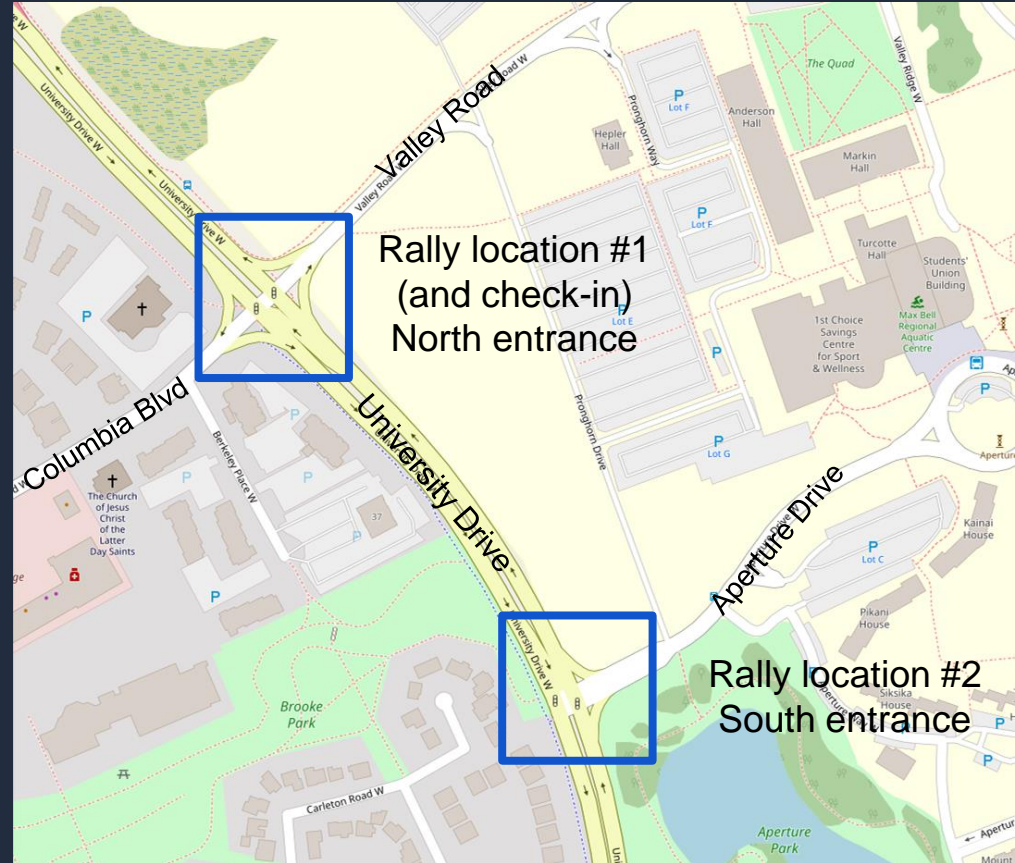


ULFA Information Rally - Locations

The rally will take place at the **North and South entrances to the University.**

Check-in will take place at the primary rally location, the **North entrance (Columbia Blvd and University Drive).**

Signs and banners will be provided.



COVID-19 Protocols & General Safety

All attendees are required to follow current public health guidance for outdoor events. Attendees are asked to:

- Wear a mask
- Maintain physical distancing
- Engage respectfully with passers-by



Questions? Discussion?

Please let us know if you are interested in attending a negotiation session as an observer!