

BARGAINING ALERT!

Collective Bargaining Has Begun

QUFA and the University have begun bargaining a new collective agreement

**By Elizabeth Hanson
Chief Negotiator, QUFA**

QUFA and the University met to begin bargaining a new contract on 21 January 2015. The current collective agreement (CA) expires 30 April 2015. The parties have, at this writing, met four times. The tone at the table has been cordial, and the University appears desirous to get things done. We have already signed off on a couple of articles dealing with housekeeping matters. In anticipation of this round of bargaining, both QUFA and the University participated jointly in a Ministry of Labour workshop in November on building high-trust labour-management relationships, and we hope this training will help to keep the negotiations productive. Nevertheless, there are some challenging issues to be worked out in this round of bargaining, and there have already been some important developments with respect to some of these issues.

I. Normative Issues

Normative issues have to do with terms and conditions of employment exclusive of compensation matters. Most of the time QUFA and the University spend in bargaining is taken up with normative

issues. Historically, the parties bargain normative issues first and leave matters of compensation until the end. We have agreed to follow this practice in this round of bargaining.

a. Teaching-Focused Positions

Before bargaining began, the University sent QUFA several letters putting the Association on notice with respect to rights it claims under the existing contract. Several of these rights pertain to ongoing disputes between the University and QUFA over relatively restricted matters. However, one has broad implications. The University informed QUFA that, "during the life of a renewed Collective Agreement, the University intends to make appointments to tenure-track positions in which up to 80% of the Member's academic responsibilities will be teaching." With respect to these "teaching-focused" positions, the University notes that currently there are appointments that vary from the typical 40/40/20 distribution of duties.

QUFA has serious concerns about the implications of this development for the academic environment at Queen's. At present, we are seeking clarification from the University with respect to how, as a practical matter, the Administration envisions such appointments working in the context of the existing provisions in the CA.

b. Individual Contracts for Online Courses

QUFA likewise advised the University before the commencement of bargaining that its current practice of directly negotiating individual contracts with Queen's faculty for the development and/or delivery of online courses or any other forms of academic work violates both the CA and the Ontario Labour Relations Act, which recognizes QUFA as the sole bargaining agent between Queen's University and Queen's faculty.

This notice gives the University the option to bargain the terms and conditions of such work as part of the CA. Other universities in Ontario, such as Western and Trent, have done this by appending a single contract template to their CAs.

c. Scope of Bargaining Unit Work

QUFA has also tabled language that clarifies the types of work that faculty normally perform and thus the scope of the QUFA bargaining unit. Similar language with respect to librarians and archivists will be tabled shortly.

II. Pension

As most QUFA Members are aware, the University has expressed a desire that the Queen's University Pension Plan (QPP) be rolled into a multi-employer, jointly sponsored pension plan (JSPP) to relieve the University of its responsibility as pension sponsor and the burden of statutorily required solvency payments.

Earlier, the University presented the College of Applied Arts and Technologies (CAAT) plan as the only viable option. QUFA and other employee groups on campus had serious reservations about this option.

However, both the University and QUFA are now actively participating in a project, funded by the province, to design a jointly sponsored pension plan for the university sector. In this undertaking, the universities as employers are represented by the Council of Ontario Universities (COU), and faculty and librarians are represented by the Ontario Confederation of University Faculty Associations (OCUFA). This sector-wide JSPP may prove a good option for both parties. However, the regulations that would govern the merger of a single-employer pension plan with a JSPP have only just been released in draft, and the features of the plan itself will not be known until the fall of 2015. QUFA is adamant that no decisions about the pension can be taken until all options can be fully weighed.

All of the unions on Queen's campus have made clear that pensions are a matter for the bargaining table because unions need to be able to negotiate

offsets for any increased pension costs to their members, or any other compensation-related matters. The University, in response to this position, has proposed a side-table where pension can be discussed. QUFA has agreed to such a side-table but made clear that it must be for communication purposes only. As both parties are involved in the external process of developing a sector-wide pension for government approval, we consider it vital that as part of bargaining that the parties engage in the fullest and frankest communication about what an acceptable sector-wide JSPP would look like.

The provisions of the sector-wide JSPP will not be known until the Fall of 2015, while our agreement expires on 30 April 2015. However, there are options available to the parties that will permit us to bargain a new contract now and re-open provisions to bargain pension issues when we can meaningfully do so. One of these options would be a letter of understanding to re-open when the terms of the sector-wide JSPP are known.

If you have any questions or concerns about this QUFA Bargaining Alert!, please contact Susan Fitzgibbon at fitzgibb@queensu.ca.

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