

BARGAINING ALERT!

What Happens on 1 May 2008?



What will happen if QUFA and the University Administration have not negotiated a new agreement by 30 April 2008?

QUFA and the University Administration will continue to negotiate. Neither party will be in a legal position to conduct a strike or lockout on 1 May 2008. It is not unusual for negotiations to extend beyond the expiry date of an existing collective agreement. However, at Queen's, we have a successful track record of concluding negotiations in a timely manner. If talks continue beyond the expiry date, the parties will typically negotiate an extension to the terms of the contract while bargaining continues. QUFA will insist that any changes contained in a new collective agreement be retroactive to the original expiry date.

What about the dispute resolution mechanism (DRM)?

At the start of the current round of negotiations, QUFA proposed to extend the dispute resolution mechanism (Article 43 of the FLABU Agreement) to Sessional Adjuncts. The University Administration declined this proposal, which was intended to ensure the Queen's community that there would not be a strike or lockout if the parties failed to reach an agreement. Under the

Labour Relations Act (1995), QUFA and the University Administration may still voluntarily agree to submit matters under negotiation to an arbitrator or board of arbitration. Once such an arbitrator has determined the terms of the new collective agreement, neither party can legally engage in a strike or lockout.

Mandatory conciliation procedures under Ontario's *Labour Relations Act* (1995)

Before either party is in a legal position to conduct a strike or lockout, conciliation services from the Ontario Ministry of Labour are mandatory. The Minister will appoint a conciliation officer from the Dispute Resolution Services division who will work with the parties in an attempt to resolve any outstanding issues in negotiations. If QUFA and the University Administration still cannot reach an agreement in conciliation, the Minister may issue a "no board" order. This means that the government will not appoint a conciliation board. The parties are in a legal strike or lockout position 17 days after the Minister issues the "no board" decision.

Continuing progress in negotiations

All substantive issues are now on the table.

QUFA's negotiating team reports that continuing progress is being made in negotiations. QUFA is bargaining to achieve the objectives established by our Members, and will not be constrained by the time limits of the

current collective agreements. Nevertheless, we do not wish to see negotiations drag on indefinitely. Changes in senior administration should have no bearing on our ability to reach a fair and equitable agreement in a timely manner. QUFA Members are advised to stay informed through QUFA's *Bargaining Alert!* updates, all of which can be found on the QUFA Web site:

<http://www.qufa.ca/updates/>

Protecting the quality of education and research at Queen's requires the active engagement of all QUFA Members during contract negotiations and beyond.

QUFA and the University Administration bargaining team have signed the Article related to workload. This Article details procedures for the drafting of workload documents within Units. The aim of the Article is to ensure that Members determine the Workload Standard, to provide more control to Members over the timing and nature of their work, and to limit the discretion of the Head in assigning workload. The Article also makes it possible for Members to initiate review and revision of Workload Standards in their Units.

The actual workload of Members depends upon the size of the faculty complement. Provisions related to faculty complement have been proposed by QUFA within the Article dealing with maintenance of the scholarly environment, and this Article remains unresolved. QUFA's proposed change to this Article would

ensure a modest decrease in the student-faculty ratio to be achieved by the provision of more tenure-track positions, and it expresses the objective of achieving, over time, one of the best student-faculty ratios among Canadian universities.

The bargaining teams made a major breakthrough this week with a verbal agreement concerning the status of adjuncts. We hope to sign this next week.

QUFA negotiators have now tabled their compensation proposals and are waiting for a reply from the University Administration team. Issues related to intellectual property and to accommodation of faculty members with disabilities have not yet been resolved.

Spring General Meeting

Attend the QUFA Spring General Meeting on 30 April 2008 at 11.45 a.m. in Room 201, Kingston Hall to discuss these matters.

Articles Signed Since 8 April 2008

Number	Title	Date
Article 27	Relocation Expenses	2008 04 11
Article 28	Annual Performance Review	2008 04 11
Article 30	Renewal, Tenure, and Promotion: Tenure-Track/Tenured Faculty	2008 04 11
Article 31	Renewal, Tenure, and Promotion: Librarians/Archivists	2008 04 11
Article 37	Workload	2008 04 18
Article 41	Heads of Departments	2008 04 11
Appendix D	Remedial Electoral Processes	2008 04 15



QUFA encourages you to print out a copy of this Bargaining Alert and post it in a visible space in your department or unit. Thank you! Past issues of

Bargaining Alerts are archived on the QUFA Web site (www.qufa.ca).