



Representing Faculty, Librarians,
Veterinarians & College Professors

Negotiator October 20, 2022

General Meeting Negotiations Update

Wednesday
October 26, 2022

12 -1

Via [Zoom](#)

Yesterday (October 19, 2022), the UGFA filed for Conciliation with the Ministry of Labour. A conciliator will be brought in to meet with the parties shortly, which is part of the mandated Ministry Process, and a step that we hope would lead to an agreement.

For the information of our members, we have prepared a list based on frequently asked questions (FAQ) the UGFA has received.

What does it mean to request conciliation?

Conciliation occurs following the submission of a request by the Association or the Administration to the Ontario [Ministry of Labour](#) to appoint a conciliator to serve as a neutral third party to help the parties resolve their differences.

What is the negotiation process and under what circumstances would a strike happen?

Negotiations of our Collective Agreement, and a possible eventual lockout or strike, follows the same collective bargaining process for all unions in Ontario (see the graph below). It is not possible to lay out specific timelines in such a complex process, but the steps involved are as follows:

- 1) The bargaining team works to reach an agreement with the Administration; If bargaining is not successful, then either the bargaining team or the administration can request conciliation, in which case a representative of the Ministry of Labour will be engaged to help us reach a settlement;
- 2) If the appointed Conciliator is not successful in bringing the parties together in agreement, either party may request what is known as a 'no-board' which starts the clock ticking to a strike or lockout.
- 3) If either party requests the 'no-board', a strike or lockout could occur beginning on the 17th day after the request for a 'no-board' is received by the Ministry. During this time the parties may agree to the appointment of a mediator to assist in obtaining an agreement.

During a lockout or strike, the Parties continue to negotiate and work towards a settlement.

What does it mean to go on strike?

If the Administration will not offer our Membership a fair deal, we must be prepared to withdraw our labour until they reconsider. This includes teaching, service to the University, regular job duties (such as paperwork and supervision of students and employees), as much peripheral

research activity as possible, and any other job duty that may fall under “Other” in our workloads. It is key to withdraw as much of our labour as possible from the University to motivate the Administration to come to the bargaining table and negotiate a fair deal. The UGFA understands that parts of our work cannot be put aside for the duration of a strike. If a task associated with your work or research is ethically required (for example, research initiatives that involve time-sensitive requirements, support to a vulnerable community, lab maintenance, animal care, etc.) or is time-sensitive and does not exert pressure on the University (for example, an experiment or paper deadline required to keep your personal research project viable), please use your best judgement to determine whether you should proceed with these elements of your work.

Should I make my teaching materials available during a strike?

No. The Bargaining Team is working very hard to ensure that students can complete their courses by avoiding a strike. The goal of a strike is to withdraw our labour until the Administration is prepared to provide a fair deal that will ultimately benefit both faculty and students. Allowing courses to continue during a strike would undermine this withdrawal of our labour, so members are encouraged to temporarily withdraw teaching materials from CourseLink and elsewhere for the duration of a strike. Our members are dedicated educators, and we will do everything possible to keep students informed in the event of a strike.

Since I am working remotely, can I still continue with classes?

No. Whether on or off campus, whether in-person or electronically, members may **not** engage in teaching/scholarship/service during a lockout or strike.

Would we have access to campus during a strike?

Normally no. The decision lies with the Administration. Some essential services are protected in the event of a disruption (LOU 8), and for other aspects related to research, animal care, etc., there would be negotiation with the Administration to establish special access. If you are in a position where this is a concern, please contact the Association at facassoc@uoguelph.ca.

What about my office/lab?

Other than under specific and special circumstances, you would not have access to your office and/or lab during a job action. Move copies of crucial working documents, files, print, and other portable material off-campus. Alert colleagues from other universities or agencies of the labour situation and inform them of alternative contact information.

What about my research funds – would I still have access to these?

It is unlikely that any expenses incurred during a strike would be reimbursed; similarly, reimbursements submitted before the strike likely would not be paid until we are back to work.

What if my research would be significantly harmed if I stopped doing it during the strike?

This is your university. We will be on strike to put pressure on the Administration to come to a fair settlement. That pressure comes from withdrawing from your teaching and service duties. The UGFA is not on strike against its members. As a scholar, it's likely you'll want to continue pursuing your research, and sometimes research cannot take a hiatus. Animals need to be cared for, crucial relationships need to be attended to, obligations with research partners or participants need to be met.

Access may be issued to members who require access to the University facilities in order to prevent irreparable damage to their research and/or to provide proper care to all live research plants/animals. Certain members will be declared 'essential' whether for the care of animals or humans. Who these individuals are will need to be negotiated with the Administration.

As well, the University of Guelph will continue to satisfy all of its obligations under the Tri-Agency funding agreements (SSHRC, NSERC and CIHR).

Would we still be able to use our email and voicemail during the strike?

It is possible that the Administration may cut off access to one or the other or both. We strongly advise you to create an alternate email account if you haven't already done so and to provide it to the Association immediately. Please send your alternative email address to facassoc@ugfa.ca.

Can the Administration withhold my pay if a strike or lockout begins before the end of the normal pay period?

Employees must be paid on their normal payday for work up to and including the day before the strike or lockout begins.

What about benefits – would we still be covered?

The UGFA will make every effort to ensure that current coverage would continue under the present terms and will cover the cost of members' benefits during a strike.

What about contributions to the pension plan?

The UPP Plan text does not allow for contributions to be made during (or retroactively) for a period of strike or lockout. Section 5 of the text outlines when contributions can be made by members and/or employers, and is limited to active employment, employer-approved leaves of absence and periods of disability.

Why do we “picket” or complete strike duties?

Picket lines are primarily a means to communicate our grievances and to seek public support for the strike. Picket lines are a way to build solidarity within the bargaining unit and with other supporters and stakeholders.

Do we get paid strike benefits?

To be eligible for strike benefits ('strike pay'), Members will need to picket or complete other required strike duties, as determined by the UGFA, such as assistance with food delivery, website, administrative support, etc. Strike benefits are tax-free and the pay is \$88 for each 4-hour shift up to a total of 5 shifts per week.

Members who require medical or other accommodation(s) can engage in activities related to the strike, as determined by UGFA.

What is a picket line?

The picket line is the public sign of the engagement and resolve of the membership. It also signals that the employment relationship has been suspended, either by lockout or strike, and that it is not business as usual at the University.

Picketers must not use intimidation, but they may distribute information about the dispute and appeal for support from the public and from those who do business with the employer, such as suppliers, delivery people, letter carriers, etc.

What about salaries for members on paid leave?

Most University employers allow Members on short-term or long-term disability leave, as well as those on pregnancy and/or parental leave, to continue to receive pay and benefits. The UGFA has not yet approached the Administration about this matter but will do so when appropriate.

What if I can't pay my rent/mortgage?

Should we have to proceed to a strike, and you anticipate financial difficulties, we recommend that you contact your financial institution to request a full or partial suspension of mortgage payments. A letter of support would be available from the Association to take with you. In certain cases, the UGFA will be able to offer short-term, interest-free assistance. Funds are limited, so we request that you approach your financial institution before you approach the UGFA.

Can there be discipline or reprisals for my participation in a strike?

You cannot be disciplined for participating in a legal strike.

For further reference, the diagram below outlines the steps and timeline of the collective bargaining process:

