



# NEGOTIATION REPORT

August 2007

## “TABLE-TALK” - So, how are things going?

In this newsletter, we'll give you a mid-summer update on what's been happening in negotiations with the University Administration towards UGFA's first Collective Agreement.

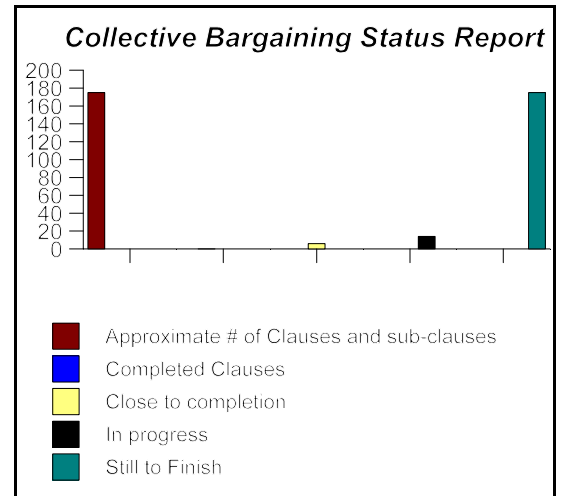
As of August 2<sup>nd</sup>, the Negotiating Teams for UGFA and the Administration have been at the negotiating table for **47 hours** – 10 hours in the late fall of 2006 and 37 hours in late June, July and August 2<sup>nd</sup>. On March 19<sup>th</sup>, at the request of the Administration and as a good-faith gesture, UGFA presented a package of the detailed language that we proposed for 32 Articles, covering all non-monetary issues. (Issues of salary, benefits and pension are commonly left for discussion until after substantial agreement has been reached on other matters.) We have had intensive and extensive discussions on a number of topics and have received a few formal counter-proposals from the Administration.

**We have reached agreement on no items for the Collective Agreement.**

With respect to the clause on management rights, **we are concerned that the Administration states they cannot agree to operate in a reasonable or fair manner.** These words, used by other Ontario universities, are considered to be “too broad” and not something to which the Administration is prepared to agree.

We want to work carefully on language for this first Collective Agreement. However, **we are concerned that, on straightforward issues, the Administration is not prepared to agree to language that is comparable to other negotiated Faculty Agreements.** UGFA is committed to negotiating a Collective Agreement that is written in clear and precise language, that provides effective protection for all our Members, and that allows us to continue to make the contributions to the University and society that have built the excellent reputation of this institution.

**Our concern is that the current pace of negotiations is painfully slow, and that we can show little in the way of productive agreement with the Administration on relatively simple issues.**



**ADVANCE NOTICE: UGFA GENERAL MEETING –**  
**Monday September 10      3:00 pm    University Centre 103**  
 1. *Approval of Principles: Benefits and Pension Article*  
 2. Update on Negotiations



We still do not know their position on **many** articles. They have said Faculty Policy is the University's starting point, then they appear to back-off from that statement. As of today (August 2), **the University still has not presented an entire package** or even a Table of Contents to your negotiating team. We worry when the Administration refers to “early days” to explain the creeping pace, as we gave notice of intent to bargain nearly a year ago. It is difficult to decide whether they are serious in getting the job done. If this pace continues and progress is not made we are the losers.

**Why so slow?** Well, one explanation from the Administration is that their negotiating team is under-resourced and overly-busy. Another possibility is the fact that cash flow is in the Administration's favour so long as this drags on. Eventually we will have a collective agreement and we will try to ensure that Members get retroactive pay increases. Meanwhile, the Administration gets a little help with financial matters – it's about cash-flow. Then again, perhaps they are just following *Standard Operating Procedures* for the Administration. A few years ago, UGFA had major concerns about endless and aimless discussions and slow-as-molasses-in-January progress on a range of issues. We also were frustrated with top-down management approaches, and the reluctance of the Administration to recognize and respect the fact that faculty, librarians and other university staff hold the good of the University as a high priority.

**How did the story begin?** ...*THOSE WHO REMEMBER HISTORY ARE NOT REQUIRED TO RE-READ IT!*

**May 16, 2006** Faculty, Librarians and Veterinarians vote "**YES**" to certification

**August 18, 2006** Ontario Labour Board issues the **UGFA certificate**, and we quickly advised the University Administration of our intent to bargain. This is labour law language that initiates bargaining, with the aim of reaching a signed agreement between the employer and the union with respect to terms and conditions of employment. The terms of this negotiated Collective Agreement are legally enforceable through arbitration procedures, something we did not have previously, as a Faculty Association with a Special Plan Agreement.

Soon after the Certification vote, UGFA Committees began to draft language for Collective Agreement Articles that we would propose. Many people were involved in this work, and many more of you came to general meetings to debate and approve the **Principles** that would guide the UGFA Negotiating Team. This approach was used because the negotiators needed to be able to negotiate specific wording during collective bargaining, but we wanted to be sure that our negotiating team had a clear sense of what you, as Members, considered to be significant objectives.

In September and October 2007, **Ed Carter, the UGFA Chief Negotiator**, requested that the Administration provide specific information that was needed to facilitate negotiations. He and Roz Stevenson also met with Martha Harley, Associate Vice-President Human Resources, who is the University's Chief Negotiator, and with Tracey Alberico, Manager of Employee Relations, to discuss an **interim agreement** for UGFA operations and to schedule meetings for negotiations.

**November 8, 2006** The Negotiating Teams finally meet across the table, and agree that they will take turns providing coffee! Ed Carter provided the Administration with a list of the Articles that we proposed to present during negotiations (i.e. a table of contents for the proposed Collective Agreement). In two further meetings, November 9<sup>th</sup> and December 6<sup>th</sup>, UGFA Team presented the detailed wording we proposed for 11 Articles, and answered questions about the proposals.

We *had* thought that some of the early articles would be relatively straightforward discussions. There was, for example, an open-ended “definitions” article, an article on recognition of the Association, another on the structure and role of a “Joint Committee”, with similarities to a committee that existed under Special Plan Agreement, and an Academic Freedom Article. However, the Administration Negotiators appeared to have a wide range of concerns, for example, many things that they considered were monetary matter (e.g. the cost of an added clerk, or maybe three, to keep track of your personnel files). The Administration continued to question and critique the wording and intent of these articles, which they said was to achieve clarity. In these meetings, the management negotiators made no counter-proposals to articles that we had tabled, and eventually they requested that UGFA make a complete presentation of all our text in order that they could better understand the context. The meetings had not been particularly productive, even failing to reach agreement on aspects of protocols for negotiations.

**December 6, 2006** Ed Carter said that UGFA would be willing to meet the Administration’s request for the “**complete package**”, excluding the monetary articles (i.e. everything except *Compensation*, and *Benefits and Pensions*). We were aiming to complete the package for February 1, and so the sides mutually agreed to suspend across-the-table meetings until the package was available. We needed to have approval of UGFA membership for the *Principles* of all these articles before they went forward – requiring a series of meetings at a time when it was exceedingly difficult to book rooms. We also read and edited and re-read and checked cross-references and read again, so that the final text going to the Administration Negotiators would be clear and consistent. (For example, if the text says *Provost and Vice-President (Academic)* is that one person or two?)

**March 19, 2007** UGFA gave our complete proposal, with the exception of the monetary articles on *Compensation* and on *Benefits and Pensions*, to the Administration’s Chief Negotiator.

Preparing this document – and seeking your approval for the Principles – was a monumental job, which the Administration recognized (“a big wad of paper”), and they said they would need time to read and digest it.

..... [ L - O - N - G P - A - U - S - E ] .....

**June 28, 2007** The Negotiating Teams return to the table ..... However, the Administration indicated that they were not tabling a complete response, as it wasn’t ready yet. They provided responses for a few articles which had been re-numbered and some were only partial responses to UGFA proposed articles. For example, they responded with separate articles on political leave and court leave but gave no response to another twelve (12) other types of leave listed in the UGFA Article on Leaves. They first deferred, and then declined to provide a table of contents of what they would respond to or what other articles they might add. (The explanation varied from *not got there yet to keeping our options open.*) This has made it very difficult for UGFA to understand the context in which issues were being discussed, or even to identify articles or issues on which both parties may be relatively close in views.

**July 18, 2007** At a meeting on July 10<sup>th</sup>, the UGFA Negotiating Team expressed our frustration and concern at the lack of progress. At the next two meetings, the UGFA Chief Negotiator presented and explained articles that we had tabled March 19<sup>th</sup>, but for which we had not yet explained our priorities and reasons. The next negotiation meetings will be in the first two weeks of August, then we will return to the table early in September.

## THESE ARE THE NEGOTIATING TEAMS

**Association: Ed Carter**, Chief Negotiator

Scott Gillies  
Sue Hubers  
David Josephy  
Jim Mahone  
Kelly Meckling  
Roz Stevenson

**Admin: Martha Harley**, Chief Negotiator

Tracey Alberico  
Anthony Clarke  
Isabel Heathcote  
Alun Joseph  
Chris McKenna  
Catherine Steeves

### SO, THIS IS WHERE WE ARE .... WHAT NEXT?

1. Your negotiating team will continue to negotiate in good faith, and continue to press the Management side of the table to make effective and efficient progress towards a Collective Agreement.
2. UGFA will continue to update you on the state of negotiations, by newsletters and at frequent general membership meetings in the fall (see below).
3. **YOU can let the Administration know that this slow pace to be unacceptable! Tell Administrators that you expect them to negotiate a Collective Agreement in a timely fashion. UGFA does not believe this process should have to take until Fall of 2008 to complete!**
4. CONTACT UGFA .... send us your comments and questions, by writing (*to UGFA, Room 535, University Centre*), by e-mailing (*facassoc@uoguelph.ca*), or by saying "hi" to our negotiators or by calling at ext. 52126!

---

---

---

---

---

---

---

---

---

---

### GENERAL MEETINGS PLANNED - FALL 2007

Monday September 10th	3:00 pm	University Centre 103
Tuesday October 2nd	1:00 p.m.	University Centre 103
Wednesday October 31st	time and place TBD	