

NEGOTIATIONS 2012

COLLEGE FACULTY



To: Local Presidents
From: The Bargaining Team
Date: July 20, 2012
Subject: Conciliation

The union bargaining team has asked for a conciliator to be appointed by the Ministry of Labour. A conciliator works with the parties to foster a settlement. The conciliator cannot impose an agreement.

Talks have not been progressing as we would like toward an on-time settlement. The union team tabled all 28 faculty proposals on June 5 and presented those proposals to the colleges with detailed rationale over the next several meeting dates. The union advised the colleges on July 17 that our complete offer was on the table. The colleges have still not tabled their full package of demands. The union asked the colleges when they would be putting their monetary proposals on the table. The colleges were noncommittal. The union has exchanged replies to several of the colleges' proposals.

The colleges said "No" to nearly all of the faculty proposals. They did reply to three – coordinator duties, grid placement for new hires, and partial-load positions.

The coordinator duties response does not clarify the coordinator role; it only restates that supervisors will assign work.

The colleges' response to the faculty demand to remove the maximums on educational qualifications was to give managers the right to arbitrarily choose who would get to start higher on the salary grid.

The faculty demand that partial-load faculty would have a "right of first refusal" where their courses are re-offered was met with the response that partial-load teachers would be given "priority in hiring," if they:

1. are currently under contract,
2. have taught all of the courses of the assignment,
3. have been a partial-load teacher for at least two of the last four years.

To make even this small gain for partial-load teachers, the colleges insist that the union give up the right to file grievances regarding the requirement on the college to give preference to the creation of full-time positions rather than partial-load. In other words, partial-load teachers would get a better chance at keeping their partial-load position, but

zero chance at full-time because there would be no new full-time positions. The colleges made it clear that they want to reduce the existing requirements on them to create full-time positions, and they say no to preference for partial-load over part-time positions.

Everything else – online teaching, academic freedom, partial-load workload, copyright, protection from 3rd party intervention in sick leave, the right to have the union file a grievance on a faculty member's behalf, no costly lawyers in fighting workload complaints, the rest of the 28 faculty demands – received a flat and emphatic “NO.”

There is a further problem and an equally clear indicator that management is not yet interested in a settlement. Management has not yet tabled their complete offer!! They have advised that they will be tabling something on our sick leave plan. They have tabled a letter from the government discussing fiscal restraint. But they have not tabled any salary or benefits proposals.

The union sincerely hopes that the assistance of a provincial conciliator will get the colleges moving.

Conciliation (Adapted from the Ministry of Labour website)

What is conciliation?

Conciliation is a process by which a trade union or an employer can ask the Ontario Ministry of Labour for help in resolving their differences so that they can reach a collective agreement. Either party may apply to the ministry. If parties are in negotiations, they must use the government's conciliation services before they can get into a position to engage in a strike or lock-out.

The Colleges Collective Bargaining Act: Relevant sections on conciliation

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_08c15_e.htm#BK6