

APUO BARGAINING UPDATE

Conciliation Day 1 begins.....but employer unprepared

- As a result of the employer's decision to call conciliation, the APUO and the employer met with a provincially appointed conciliator on Wednesday July 10 and Friday July 12.
- In an attempt to make this new stage of negotiations proceed as efficiently as possible, the APUO sent several revised proposals to the employer in the days before conciliation began. These were in addition to the numerous other proposals the APUO had tabled in the previous weeks and which the employer still needed to respond to. The APUO also chose to focus on those issues that seemed most promising in the hope of creating positive momentum.
- The conciliation process started in a less than promising fashion. After arriving in the morning, the two teams were not brought together until the afternoon. When the teams finally met and the conciliator asked the employer to present their proposals, the APUO's team was surprised that the employer's team responded that they were not yet ready.
- The employer finally tabled 4 proposals towards the end of the day on Wednesday. However, the employer tabled an incorrect version of one of their proposals and thus promised to send a corrected version by email so that the APUO could examine it properly. The APUO did not receive this copy until after 5pm Wednesday evening. As such, the APUO team spent Thursday analyzing the proposals in order to table a response on Friday.

Day 2: Some progress, but also more stonewalling on info

- Day two of conciliation saw the teams make some progress. The teams exchanged several rounds of proposals on librarian issues (the APUO, for example, offered to agree to a number of employer requests in order to improve librarian hiring and performance evaluation practices). While no specific items were signed, this productive exchange saw the two teams come closer to agreement on librarian issues. The teams also discussed the crucial issue of FIPPA processes, with the employer acknowledging that significant problems exist with the way the employer currently manages third party FIPPA requests about APUO members.
- Much less progress was made on other issues, however. Most worryingly, the APUO repeated its request for specific information from the employer that is absolutely required (and that the employer is legally obliged to disclose) in order for the APUO to complete its analysis of the employer's financial proposals. Given the fact that the employer's offer is linked to a variety of other conditions (e.g. cost increases and benefit reductions in pensions; eliminating article 7.2 which limits the hiring of non-APUO members to teach; the creation of a two tier teaching-only stream), the APUO cannot fully complete its due diligence evaluation of the employer's offer without this information.
- Unfortunately, the employer once again failed to provide this data. The APUO continues to wait.

'No Board' temporarily averted...but parties remain far apart

- As previously noted, the employer's decision to call conciliation created an aggressive process and timeline that has now superseded and annulled the normal bargaining process and dates.
- The 3 step agreement signed by the APUO and employer stipulated that the parties would (1) bargain as normal until conciliation; (2) bargain on July 10 and 12 under conciliation; and then (3) proceed to mediation on August 3 and 4 if no agreement was reached under conciliation.
- The APUO is committed to doing everything it can to reach a negotiated settlement. Therefore, at the end of the day on July 12, the APUO noted that progress was made during conciliation and requested that the conciliation process be extended (meaning that neither a 'No Board' nor its 17 day countdown to labour action would be triggered). In fact, the APUO requested that the conciliator leave open the conciliation timeframe so that the two parties could continue to negotiate under conciliation after mediation if necessary. The conciliator was supportive of this idea and the employer agreed to it as well.
- However, many concerns remain. First, the extension of the conciliation timeline is by its very nature temporary. At some point if an agreement is not reached, a No Board will be declared. Second, the APUO does not control the timeline. Even with this agreement, the employer could request a No Board and trigger the 17 day countdown anytime after August 4. As such, we must continue to prepare pro-actively for all possible eventualities. Thirdly, in order to properly analyze and respond to the employer's financial offer, the APUO requires a variety of information that the employer has failed to provide even though the APUO has a legal right to it. Fourthly, as discussed at the special General Assembly of July 3 and outlined in the last several (and upcoming) bulletins, the two parties remain very far apart on a variety of foundational issues.
- As such, please watch for further updates on these and other critical issues in the coming weeks and plan on participating in all future special general assemblies.

What you can do

- Contact the APUO and volunteer to help us with these negotiations. We are always in need of help and support (apu@apu.ca).
- Read all of the updates carefully to ensure that you are fully up to date.

No-board report

A part of the conciliation process which starts the clock ticking to a strike or lockout. 17 days after the release of the no-board report by the Minister of Labour, the parties are in a legal strike or lockout position (subject to other conditions having been met). The term "no-board" refers to the decision by the Minister not to appoint a conciliation board to deal with the dispute.

APUO BARGAINING BULLETIN

ISSUED MONTHLY AS EVENTS UNFOLD DURING COLLECTIVE BARGAINING.