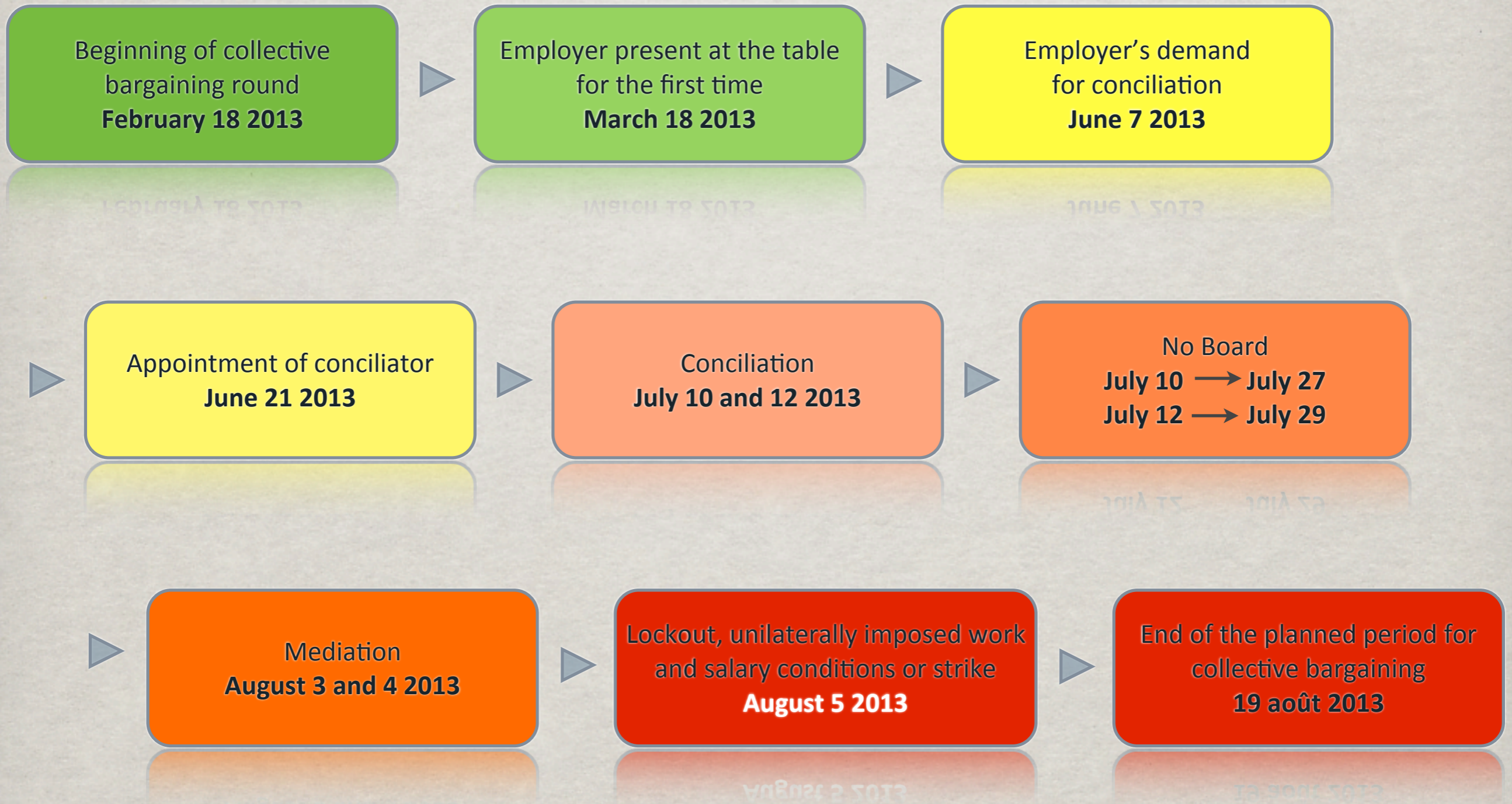


APUO SPECIAL GENERAL ASSEMBLY
ON COLLECTIVE BARGAINING
3 JULY 2013

CHRISTIAN ROUILLARD
APUO PRESIDENT

2013 COLLECTIVE BARGAINING PROCESS - KEY DATES



PLANNED BARGAINING SESSIONS, CONCILIATION AND MEDIATION

Monday June 24	Negotiations	<i>Regular bargaining session</i>
Tuesday June 25	Negotiations	<i>Regular bargaining session</i>
Wednesday June 26	Negotiations	<i>Regular bargaining session</i>
Thursday July 4	Negotiations	<i>Regular bargaining session?</i>
Friday July 5	Negotiations	<i>Regular bargaining session?</i>
Wednesday July 10	Conciliation	Meet and greet with Serge Gagnon, the conciliator.
Friday July 12	Conciliation	Because of the employer's aggressive approach, a No Board is likely on that day. It may be postponed if there is significant movement on key issues. If No Board, countdown ends on July 29, but parties have agreed that no job action is to be taken before August 5 (that means a No Board no later than July 19).
Saturday August 3	Mediation	Mutually agreed mediator is William Kaplan - mediation is to be an intensive, non-stop session for the whole weekend in the hope of achieving an agreement.
Sunday August 4	Mediation	Last day of mediation.
Monday August 5	Lockout, new unilateral work contract, or strike	All of these scenarios become possible again, but some of them are more likely than others.

WHAT ACTIONS CAN THE EMPLOYER TAKE TO REACH ITS GOALS?

Actions	Date	Consequences
Demand conciliation	June 7	New context with (1) a third party imposed by the Ministry of Labour and (2) a strict legal timeline to conclude negotiations;
Call for « No Board »	July 10? July 12? July 19? Later?	Intensification of conciliation: strict legal timeline with the launch of the 17 day-period leading to a lockout, a unilaterally rewritten collective agreement or a strike;
Call for a lockout	As of August 5	Blocked (limited) access to campus i.e. offices, laboratories, libraries, etc.
Unilaterally rewrite the collective agreement	As of August 5	Imposition of new work conditions and new salary conditions;
Request a vote on the employer's last offer	As of September 5	If last offer is accepted, new suboptimal collective agreement; If last offer is rejected, employer in a position of weakness to resume bargaining.
Bargain in good faith	Anytime	Optimal process and results.

WHERE ARE WE SO FAR IN TERMS OF RESULTS?

- ☼ Signed items include: accommodation; fair process; language requirements (bilingualism); child care; academic leave (99% done, but unsigned); arbitration (99% done, but unsigned); housekeeping - definitions; housekeeping – exclusions; simplified changes – sick leave; simplified changes – printing of collective agreement; simplified changes – revision of collective agreement; simplified changes – grievances;
- ☼ Items still being discussed, but close to an agreement: member files; right of association (reports, information exchange); workload releases (offered deal – no word yet); librarian issues; housekeeping – benefit study (offered deal – no word yet); housekeeping – grant management;
- ☼ Outstanding issues include pension plan reform, student/professor and student/librarian ratios (employer's violation of article 7.2 of the collective agreement = 380 missing tenure-track positions), LTRP's integration into tenure track positions, and Teaching Intensive/Teaching Only Faculty;

WHERE ARE WE SO FAR IN TERMS OF RESULTS?

- ✻ Outstanding issues are fundamental, and have a long lasting effect on the quality of education, as well as a significant impact on a fair and equitable working environment;
- ✻ Previous rounds of collective bargaining had at least two characteristics:
 - ✻ (1) exceedingly long and frustrating process;
 - ✻ (2) disappointing results;
- ✻ This round of collective bargaining is very different in its process because of the employer's aggressive approach - Will it be different in its results too?
 - ✻ *If APUO members act together, and show strong support to the team and the Executive Committee, yes it will...*
- ✻ *Whatever the results will be, we believe this round of collective bargaining will shape future rounds - we need to collectively rise to the challenge.*

HOW DO WE HAVE TO PREPARE OURSELVES FOR WHAT COMES NEXT?

- ✿ The negotiating team (NT), the President, and the First Vice-President will get CAUT training on conciliation and mediation;
- ✿ Members' support to the negotiating team is a key element to successfully navigate conciliation and mediation - it is a clear signal to the employer, the conciliator, and the mediator that the positions taken by the NT are supported by a strong majority of APUO members, and that the NT is representative of its members;
- ✿ How can members better express their support to the NT and the positions taken? By giving a strike mandate to the APUO.
- ✿ What is a *strike mandate*?
 - ✿ To vote in favour of a strike mandate is not the same as voting in favour a strike. Contrary to the second scenario which entails an immediate strike, a strike mandate enables the NT to go to mediation in a position of strength (the best possible);
 - ✿ *A strike mandate increases the likelihood that the NT will reach its goal of having a negotiated agreement that is fair and equitable to APUO members;*

HOW DO WE HAVE TO PREPARE OURSELVES FOR WHAT COMES NEXT?

- ✻ To give a strike mandate to the APUO is in no way, shape or form, bringing us closer to a strike, because:
- ✻ If the conciliation and mediation phases are completed without enabling us to reach a negotiated settlement, we will be facing three scenarios:
 - ✻ Lockout;
 - ✻ Unilateral rewriting of the work contract;
 - ✻ Strike.
- ✻ The third one (strike) is the only way to avoid the first two + it would also put the highest possible pressure on the employer to reach a fair and equitable settlement with us;
- ✻ The employer tried to pressure us by asking for conciliation early in the negotiating process - it is this employer's action that triggered the legal timeline currently leading us to these three scenarios;
- ✻ We have to rise to the challenge by giving the APUO a strike mandate in order to be in a position of strength for mediation - without that position of strength, the likelihood that we reach a fair and equitable negotiated settlement before the deadline of August 5 decreases significantly...