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Board Chair's Comments about Collective Bargaining with AASUA

Earlier this week the Board and AASUA agreed to jointly release our opening proposals. I would like to take this opportunity as Board Chair to provide some context for our opening proposals and the current state of collective bargaining with the Association.

The Board's opening proposals were developed to respond to the many challenges we currently face as an institution and to re-position the University for continued success in the future. Our University operates in an increasingly dynamic and competitive environment. We share a collective interest with the Association in preserving excellence and quality among our academic staff while continuing to recruit top talent.

The current round of collective bargaining with AASUA is critical to the future of the University. These negotiations provide the academic staff, through their staff association, with the opportunity to have meaningful input about the shape of that future.

The Board's opening proposals are broad in scope to address the unprecedented demand for innovation and the need for a better way to manage the relationship with our academic staff. Like all post-secondary institutions, we must respond to significant, ongoing financial pressures, but we also want to explore compensation proposals that better serve the interests of all staff, including newer members of the academy. Defaulting to the status quo will no longer work.

Before negotiations began, the Board and AASUA committed to an interest-based approach to bargaining. This approach encourages a more constructive, less positional approach to the bargaining process. In keeping with this approach, the Board also took into consideration the work of the Renaissance Committee. The Renaissance Committee was a joint process comprised of an equal number of AASUA and Board representatives, with the goal of opening a meaningful dialogue with the staff association about issues fundamental to the University's next decade.

The bargaining proposals tabled by the Board in January raise issues that both directly and indirectly affect compensation – recognizing that everyone bears the cost of inefficient or ineffective procedures. Modernizing the language and processes in the staff agreements provides many non-monetary benefits to the academic staff as well.

The Board's approach is consistent with the past practice of compensation negotiations. Over the last decade, the AASUA has used compensation negotiations to raise, and frequently resolve, numerous issues that only indirectly affect compensation -- the elimination of mandatory retirement, workload/work life balance issues, job security and prohibitions on layoffs, the elimination of second probationary periods for APOs, proposals to consolidate academic staff under fewer staff agreements and to eliminate one of the staff agreements, and financial support for the AASUA in defraying the costs of secondment and teaching relief for its officers. Collective bargaining has also been used to create joint committees for the resolution of outstanding issues (i.e. Academic Benefits Management Committee, Mandatory Retirement Joint Task Force, Workload/Worklife Joint Task Force, Academic Supplementary Pension Plan Development Task Force, and the Renaissance Committee) and the referral of other issues to the Agreement Review Committee.

These wide-ranging negotiations have invited meaningful input from the academic staff and resulted in mutually beneficial solutions. In the current round of collective bargaining, the AASUA has adopted a narrow interpretation of the scope of compensation negotiations, and has refused to discuss any of the Board's proposals which do not fall within the Association's unilateral interpretation of Article 19 of the Faculty Agreement. The Board maintains that this narrow approach is contrary to past practice and does not serve the needs of the University or the Association. It is a lose-lose proposition. The Board's bargaining team has repeatedly requested the opportunity to discuss the scope of permissible bargaining, but the AASUA's team has declined.

To resolve the impasse, the Board proposed mediation, which was declined. The Board therefore referred the interpretation issue about the permissible scope of compensation negotiations to an Agreement Review Committee, as contemplated by each of the staff agreements. The Board also referred a bad faith bargaining grievance to arbitration in the hope of resolving the dispute through that process. The objective is to resolve the impasse about the scope of bargaining as quickly as possible so that a meaningful conversation can begin about the future of the University and mutually acceptable change.

From the Board's perspective, Final Offer Selection is premature and should not proceed until the impasse over the scope of negotiations has been resolved. The parties should at least have a conversation about the full slate of proposals before asking an interest arbitrator to impose terms of employment that determine the University's future.

I am confident that the Board and AASUA will overcome the current impasse in collective bargaining. Our goal remains to negotiate collective agreements that address the current and emerging needs of the University, and include terms of employment that allow us to attract, support and retain top academic talent.

Douglas O. Goss, Q.C., AOE
Chair, Board of Governors