

MAFA NEWSLETTER

Mount Allison Faculty Association

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Conciliation

On July 5, MAFA applied to the provincial department of labour to name a conciliator for our stalled contract talks with the Employer. For the first time in memory, the Employer refused to join in the call for conciliation. See below.

It's now

7

days since our two collective agreements expired...

July 7, 2010

PRESIDENT'S MESSAGE

Welcome to new members, and I hope this mid-summer newsletter finds everyone well.

The main issue we are facing over the summer concerns collective bargaining. Other places in the newsletter report on how bargaining is going and how conciliation works. I want here merely to thank the negotiating team for the huge amount of work put in for the 23 meetings with the Employer so far.

Other issues do continue, as we can see in the reports on MAFA's participation in the FNBFA, CAUT, and other organisations.

Richard Hudson
President

UPDATE ON NEGOTIATIONS

Our collective agreements with the Employer terminated on June 30, seven days ago. The agreements will stay in force for one additional year, or until new collective agreements are signed or job action occurs.

As MAFA members will know from the Negotiation newsletters, negotiations for new collective agreements started on May 25, and a total

of 23 meetings have been held between our negotiating team and the Employer's. There will be no negotiations in July due to other professional duties of the Employer's Chief Negotiator, but negotiations will resume in early August when he returns.

We had hopes that with an early start to negotiations, and with the large number of meetings, we would be close to an agreement. But progress has been slow, with only a couple of articles signed off. Mount Allison has an unenviable history of bad labour relations. Virtually every negotiation period



over the last 20 years has seen at least a straw strike vote, and in the 1990s there were two faculty strikes. But at the end of every negotiation, and even at the end of every strike, an agreement is reached and the semester continues. It would be

best for all interested parties if an agreement could be reached this summer. Otherwise we will start the semester with uncertainty about the risk of job action, and we may find that questions of labour relations

dominate the agenda.

In late June, MAFA announced to the Employer that we would call on the provincial government to appoint a conciliator, given the lack of progress in the talks. The conciliator is a provincial public servant, whose task will be to facilitate negotiations when progress has slowed to a crawl. The advice of an outsider can be helpful in encouraging the two sides to withdraw propositions unlikely to be accepted by the other side and to compromise. In both the 2002 and the 2007 negotiations, agreement was reached at conciliation.

Usually both sides agree to call for conciliation. But, for some reason, this time, the Employer’s representative is unwilling to sign the request to the provincial government, so MAFA acted alone on July 5 and filed for conciliation. We hope that the Employer will reconsider its position, and that serious negotiations will take place when meetings from the two sides resume at the beginning of August.

MAFA APPOINTS STRIKE CONTINGENCY COMMITTEE

Given the state of negotiations, the MAFA Executive has formed a “strike contingency committee”. The committee will be co-chaired by Bob Rosebrugh and Peter Brown. We believe that it should be possible to reach a new collective agreement without job action. But it is normal to have a straw strike vote at the time that a conciliator is named by the provincial government in order to demonstrate that the union negotiating team has the support of its members. This committee will help organize that vote and undertake additional tasks in the future.

MAFA REPRESENTATIVES PARTICIPATE IN FNBFA ACTIVITIES

On June 3 and 4, the Federation of New Brunswick Faculty Associations (FNBFA) held a retreat which included an orientation for new (and old) representatives of the six faculty associations representing faculty and librarians at New Brunswick’s four public universities. MAFA’s representative on the FNBFA Board is Gina Grandy, and Rick Hudson serves as FNBFA Past President and sits on the Board and the Executive.

At the retreat, the FNBFA Board established a research committee consisting of David Bell (President of the Association of the University of New Brunswick Teachers) and Rick Hudson of MAFA. David and Rick met with the new research assistant in mid-June to help guide her in the preparation of fact sheets for the Federation.

September 2010 marks the Federation’s 40th year in operation, and it also sees the provincial election. At the retreat, the Board considered actions the Federation will take during the election period. The Federation will ask the political parties to answer questions on their plans and views in regard to:

- The lagging operating funding for universities in New Brunswick relative to other provinces and the national average.
- A five year plan for funding universities in New Brunswick.
- The possibility of opening the PSE’s University Presidents’ Council to representatives of students and academic staff.
- The government’s interference in faculty associations' collective bargaining process.
- The value of university education beyond training and economic development.
- The rising levels of student debt.

During June, FNBFA President Dennis Desroches (of Saint Thomas University) and Executive Director Gilles Allain met with the Hon. Donald Arseneault, Deputy Premier and Minister of Post-Secondary Education, Training and Labour and senior officials of the ministry (Byron James, Deputy Minister, and Liane Roy, Assistant Deputy Minister), and they also met with the three of the four university Presidents (Eddy Campbell, University of New Brunswick; Robert Campbell, Mount Allison University; Dennis Cochrane, Saint Thomas University) – a meeting with Yvon Fontaine, Université de Moncton, will be held later in the summer.

“Up to now, our university presidents don’t seem to have responded to the attack on institutional autonomy represented by the use of [conciliation] boards.”

MAFA has been concerned with the use of “Conciliation Boards” by the provincial government in university collective bargaining in the last couple of years. “Conciliation Boards” are completely different from conciliation: they delay the process by



months (over 4 months in the Université de Moncton case, and 5 months and counting in the UNB case). In the meeting with

Minister Arseneault and his officials, the minister indicated to the FNBFA representatives that conciliation boards were a normal part of collective bargaining, but when asked, he could only come up (later) with six examples of the use of these boards over the last 30 years: 3 of the examples were in the 1980s, the other three were in the last few years (2005: nursing homes support staff; 2008: Université de Moncton faculty; 2010: UNB faculty).

The use of conciliation boards is obviously an interference by the government in the running of the universities. It is possible that some university presidents see the boards as a way to delay faculty strikes – no strike is permitted until the board reports, and boards have taken several months before reporting. But while institutions, such as the community colleges, which come under the *Public Service Labour Relations Act* may be subject to such boards, their use for institutions which come under the *Industrial Relations Act* is very rare, and seems limited to the universities. Up to now, our university presidents don’t seem to have responded to the attack on institutional autonomy represented by the use of these boards. But if the government considers the universities to be part of the public service, autonomy is lost, and other acts of government interference will follow.

MAFA PRESIDENT MAKES REGIONAL CONNECTIONS

The Atlantic Canada Council of Faculty Associations, which was formed fairly recently, met in Dieppe on June 9. Rick Hudson attended for

MAFA.

Marc Lamoureux (of the Association of Nova Scotia University Teachers and Saint Mary’s University) and Gilles Allain (Executive Director of the FNBFA) organised the event. Vic Catano represented the Canadian Association of University Teachers (CAUT), and there were representatives of PEI, Newfoundland, and individual faculty associations such as Acadia. There was a discussion of the situation in the Atlantic region, and a decision was made to meet again next year, but to keep the organisation as an informal meeting.

UPDATE ON ON-CAMPUS IMPACT OF THE WORLD JUNIOR TRACK AND FIELD COMPETITION

Moncton is hosting the World Junior Track and Field athletes during July 19-25, and Mount Allison will house many athletes during the competitions. We have been in communication with the Employer on its plans. It seems that several buildings and areas on campus will be closed to the public and to MAFA members including all or part of: the McCain Centre, Athletic Centre, all residences, Dunn Building (first floor), Jennings Hall, Windsor Quad, MacAulay Field, and York Street from Lansdowne to Salem streets. MAFA has been assured that these measures will not affect academic buildings and on-campus disruptions will be minimized.

The Employer supplied more information in an email to the community on June 24th. If you have any concerns about these security procedures, please contact the MAFA office.

MAFA 2010-2011 EXECUTIVE

- Richard Hudson - President (Commerce)*
- Gina Grandy - Vice-President (Commerce)*
- Peter Brown - Past President (English)*
- Jeff Lilburn - Collective Bargaining (Library)*
- Loralea Michaelis - Grievance (Political Science)*
- San Patten - Unit 2 (Sociology)*
- Robert Rosebrugh - Treasurer (Math and CS)*
- David Thomas - Membership (Political Science/International Relations)*