

# Confidential Bargaining Mandate 2022 – Final

## Introduction

The 2022 QUFA Bargaining Team is as follows:

Amy Kaufman (Chief Negotiator)  
Leslie Jermyn (Chief Negotiator)  
Gillian Akenson (Library)  
James Stotz (Physics, Engineering Physics & Astronomy)  
Ayca Tomac (Global Development Studies)  
Awet Weldemichael (History)  
Micheline Waring (QUFA Staff)  
John Rose (JR) (QUFA Staff)

The current collective agreement expires on June 30<sup>th</sup> and we expect to begin meeting with Queen's to bargain a new agreement in late May or early June. We anticipate bargaining through the summer. Queen's Bargaining Team has not been officially announced but we know that Dan McKeown (AVP Faculty Relations) will be the Chief Negotiator.

## Broad Context

There are broad social and political factors conditioning this round of bargaining, including:

- broader Public Sector (including universities) compensation moderation legislation passed by the provincial Conservatives in 2019 ("Bill 124");
- the Laurentian University bankruptcy proceedings;
- pandemic exhaustion and economic inflation.

The first of these factors, Bill 124, has the most (de)pressing effects on what we can accomplish this round. Having the bulk of compensation (salary + benefits) terms taken "off the table" by government fiat means we refocus our energy on "normative" issues – those terms that govern Members' working lives but are not specifically tied to compensation. The second factor, Laurentian's situation, engendered the formation of the QUFA Ad Hoc Committee to Review Queen's Finances and Budget. That group has analysed our vulnerability to the circumvention of our bargained financial exigency protections in the case of financial insolvency at Queen's. The third set of factors, pandemic-related exhaustion and inflation, has made the provincially-mandated wage moderation additionally painful to bear and has resulted in rising levels of employee discontent in many sectors, including our own.

## Queen's-QUFA Context

This is the first round of bargaining since we voted to join the University Pension Plan (UPP) in 2019 and transitioned dental and extended medical benefits to Manulife in 2020. Moving to the UPP means that we no longer bargain the terms of the pension plan locally: changes are negotiated centrally among UPP member universities. Having just recently completed a large-

scale benefits review with other Queen's employee groups that culminated in the move to Manulife, we will not bargain benefits in this round. However, QUFA is noting how the new plan is operating to consider areas to explore and improve with the other employee groups in the future.

This is QUFA's first opportunity to do a "deep dive" into the terms and conditions outlined in the collective agreement since Chief Negotiator Elizabeth Hanson and her team accomplished a number of improvements in the contract in 2015. For those who recall, the intervening 2018 round of negotiations was laser-focused on negotiating the pension transition and associated offsets. In seven years, contract terms can fall out of sync with current practice and member needs and so require attention. Reports of various working groups assisted the bargaining committee in determining many of the terms and conditions to consider in this round.

QUFA represents Members across six faculties and in the Library & Archives; it represents people with full-time, full responsibility portfolios as well as those who are part-time, limited term and/or limited responsibility. Conditions across campus have changed over the long and short term, and these changes need to be acknowledged and addressed. For example, Queen's reliance on Term Adjuncts to carry out teaching has grown so that, in either Fall or Winter terms, QUFA includes approximately 500 Members working on limited term and limited responsibility contracts. That reliance has measurable effects on both the working lives of our Term Adjunct colleagues and on the service burden experienced by full responsibility Members. In contemplating a round of negotiations largely focused on normative issues, it is prudent to review the working conditions of all QUFA Members, including Adjuncts and our Librarian and Archivist colleagues.

### **Member Consultations & Working Groups**

In response to the broader context discussed earlier, the QUFA Executive Committee established two ad hoc groups in the spring of 2021 to contemplate specific normative adjustments to the collective agreement: the Equity Diversity Indigeneity and Inclusion (EDII) Working Group and the Ad Hoc Committee to Review Queen's Finances and Budget. As well, at the 2021 Spring General Meeting, Members endorsed the formation of an Adjunct Advocacy Working Group to review existing collective agreement terms pertaining to Term and Continuing Adjuncts and make recommendations for improvement. This Working Group prepared a report that was shared with Members at the Fall General Meeting in December 2021. The QUFA Librarians and Archivists' Negotiations Committee has also prepared a set of recommendations specific to their working conditions.

In addition to working groups and committees preparing reports for the 2022 Bargaining Team, the Chief Negotiators have met with 23 individual units since January, and QUFA has organized town halls for Heads of Academic units, Library Heads, Adjunct Members and all members to consult on bargaining issues. Members have also been encouraged to submit their concerns to [qufa@queensu.ca](mailto:qufa@queensu.ca).

## **Proposed Bargaining Principles**

Based on the broader and local contexts, the various reports, and what we have heard from Members, we have generated the following bargaining principles. These principles aim to broadly reflect the concerns of QUFA membership while considering what can be pursued under a collective agreement as well as the need for some confidentiality with respect to strategy and tactics. Some of these matters have been live concerns at least as far back as 2015. We intend to bring them to the table, and while we cannot guarantee that we can “solve” each problem over the next months of bargaining, we hope to make significant progress.

### **1. Compensation and Monetary Matters**

Since we are constrained from bargaining compensation in the usual fashion, we will do the following:

- Conduct a thorough review of all monetary elements of the collective agreement to determine where we may be able to augment member rights beyond the 1% legislated cap.
- Bargain for an “opener” in the contract that would allow us to re-negotiate compensation if the legislation is repealed by government (possibly following the provincial election in June) or declared unconstitutional by the Supreme Court (a legal challenge is underway) during the life of the agreement.
- Bargain for the maximum allowable across-the-board increase of 1% for all members.

We have heard that the “hybrid” merit system of one-year reports and awards done every two years defeats the time-saving purpose of a biennial system. We have also heard the widespread dissatisfaction with how merit is assessed and assigned. While it is unwise to unpick the salary model under the cloud of government-mandated wage moderation, when our hands will be tied as to many other possible modifications, we will raise these issues with a view to opening joint discussions about the future of the existing model.

### **2. Workload**

Members have expressed very clearly that their workloads have increased enormously over the past few years. They are bowing under two particular burdens that were mentioned throughout our unit meetings. The first is the ballooning of administrative tasks and technologies, such as expense claims, personnel matters, course and grade platforms, technological security requirements, purchasing etc. The second is the exponential increase in work associated with managing student accommodations compounded by increasing class sizes. We want to be clear that there is, of course, widespread support for student accommodations; the problem is with all the additional workload now put onto Members. With all of this additional work, full responsibility Members report the very unfortunate result that their most flexible time commitment (their research) is the one that ultimately suffers. For Adjunct Members, this work must often be done long past the end of their contracts.

Full responsibility Members have told us that managing the service requirements of their units is becoming untenable without adding colleagues to share the burden. We are also aware that

the service burden is typically heavier for women and for members of other equity-seeking groups and that personnel processes add insult to injury by undervaluing service in assessing performance. Finally, we know that Term Adjunct members have varied experiences across campus from being barred from unit governance to being included but unremunerated and unrecognized for their participation. Continuing Adjuncts are similarly unrecognized for their service contributions by virtue of their “teaching only” formal work assignments.

We are committed to a collective agreement that recognizes service as a valued and essential contribution to the University, one that provides equal supports to Members across campus, and one that compensates them for their unique, varied and vital service contributions. This is necessary to enable all Members to fully engage with unit and university affairs.

### **3. Procedural Logic & Fairness**

We heard from nearly every constituency that personnel processes need attention. Some have become illogical, requiring the naming of a committee before it knows its task, while others are unreasonably onerous and out of step with fair practice in our sector. Some of the collective agreement terms and processes we will attempt to amend and improve are:

- Employment Equity Processes
- Term Adjunct Hiring
- Appointment types, processes and committees
- Renewal, Tenure and Promotion and Renewal, Continuing and Promotion Processes (RTP and RCAP)
- Vague or absent Library-specific terms and conditions
- Spousal Hires
- Grievance and Investigation processes.

Highlighting one example, spousal appointments are generally not achieved by way of the collective agreement process but by way of an opaque deal-making process out of the control of Members and unit Heads. There is no logic or fairness to their distribution. Spousal hires can be a significant tool in recruitment and retention, particularly of equity-seeking members. We will raise this with the University to find common ground to establish fair processes for determining appointments across units.

### **4. Defending the Academic Workplace**

There has been no overt attempt to undermine the ability of faculty to exercise their unique rights to collegial governance of the workplace, including their academic freedom; however, there are a number of threats to that ability that operate by stealth and creep rather than by design. These include:

- Technologies that subvert Members’ control of their data and communications;
- Work demands that disable Members’ ability to fully participate in the governance of the institution; and

- “Market” demands that encourage subversion of good governance (sidestepping Senate, programs and people outside proper unit structures etc).

These elements do not lend themselves to easy contract “fixes,” but they deserve our attention at the bargaining table. We intend to open dialogue with Queen’s and will continue to engage you on how best to reassert and protect these rights and responsibilities.

### **5. Housekeeping**

As is to be expected after seven years, there are many dusty corners of the collective agreement requiring Association and University attention. For example, some items include codifying best practices already in use while other areas have gaps in the current language that need to be addressed.

### **Summary**

We take our mandate to be to improve Members’ working lives with particular emphasis on enhancing and supporting EDII and enabling equity-seeking Members to thrive at Queen’s, improving fairness across job categories and across campus, and bringing greater transparency and Member control to processes and decisions that impact the mission of the university.

### **Next Steps**

Once we have secured approval of these principles and directions for action, we will signal our intent to bargain a new collective agreement and begin to meet with the University Bargaining Team. We will keep the Executive, Council and Members apprised of our progress with regular bargaining bulletins.