

# Q and A



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## **Why is there still no agreement after 19 months?**

That's a good question. Our faculty association has been without a new agreement since July 1, 2005. That's a very long time. The Board of Governors has had ample opportunity to direct their negotiators to conclude a contract settlement. We are disappointed they have not done so yet.

One would think that the Board would want to avoid a strike at any time, but especially during our University's centennial year when so many events are planned:

The centennial celebrations will see alumni returning to their alma mater.

The university is hosting Congress 2007, a major academic conference expected to attract thousands of academics from across Canada.

The International Biology Olympiad is also scheduled for this summer and will be attended by hundreds of international high school students, their parents and teachers.

It is certainly strange that the Board would enter 2007 without ensuring that Collective Agreements are in place with the four largest unions on campus.

## **Are other unions on campus having as much trouble as we are at the negotiating table?**

The short answer is yes. Four other unions on campus also negotiate with the Board of Governors. Two of these, CUPE Local 3287 (Sessional Lecturers) and the Administrative and Supervisory Personnel Association (ASPA), also have been without a Collective Agreement since 2005. They share our frustration with the slow pace of contract negotiations.

CUPE Local 1975 is just starting the process to negotiate a new Collective Agreement. The only U of S union with a new collective agreement in place is the Professional Association of Internes and Residents of Saskatchewan (PAIRS).

## **What is a strike?**

A strike is legally defined by the provincial Trade Union Act. This legislation states that a strike means any of the following actions taken by employees:

a cessation of work or a refusal to work or to continue to work by employees acting in combination or in concert or in accordance with a common understanding; or other concerted activity on the part of employees in relation to their work that is designed to restrict or limit output or the effective delivery of services.

In short, a strike occurs when a union advises its members to stop working for an employer. This could include:

- work-to-rule where some services provided by a union are withdrawn
- working one day but not the next,
- rotating strikes where units go on strike in alternating days
- a complete cessation of work.

## **What is job action? Is it the same as a strike?**

As we use the term, job action is any membership action designed to put pressure on the employer to negotiate seriously. The ultimate job action by any union is a strike, but a union membership can show its displeasure at an employer in any number of ways prior to a strike. Examples of job action taken thus far by the USFA membership include the very strong motions passed at the November 15 and January 16 membership meetings, the mail-in card to the President and hanging posters on your office door. All of these send a strong message to the employer about the USFA membership's concerns over the lack of progress at the bargaining table. A wise employer should be listening to this.

Wearing union buttons, writing letters to the editors of local newspapers and attending rallies are other examples of job actions typically taken by a union membership. These do not constitute a strike.

## **Should I step down from committees or refuse to participate in other work-related activities assigned to me?**

No. The USFA is not yet in a legal position where we can withdraw any of our work. These are the types of actions often taken during a work-to-rule campaign. If done now, these actions would be viewed as an illegal or "wildcat" strike. It is also theoretically possible for the employer to discipline you for refusing to do your duties.

## **When would we be in a legal position to strike?**

The motion passed on January 16 was not a strike vote. It was a motion authorizing the Executive Committee to call for a strike vote if there continues to be no progress at the negotiating table. The Trade Union Act requires that the union hold a secret ballot vote and that a majority of the members voting must be in favour of going out on strike. The law also requires that we give the employer 48 hours notice of any strike.

## **What are we waiting for?**

The Executive Committee is closely monitoring the state of negotiations. We are meeting weekly to receive an update from the USFA negotiating team and are preparing to call for strike vote should that be necessary. The overall membership job action strategy is designed to get the attention of the employer and to exert pressure at the negotiating table. The Executive Committee is waiting to see if the membership actions taken so far have the desired effect at the negotiating table. A strike is very disruptive and is the action of last resort with an intransigent employer. However, the Executive Committee is well aware of the level of frustration in the membership. We will not wait indefinitely for our employer to get real at the negotiating table.

## **What will I do during a strike?**

A strike is a collective action by a union membership intended to pressure the employer to negotiate a new Collective Agreement. Thus, your focus should shift from working for the employer to doing all things possible to assist the USFA Executive Committee and Negotiating Team to get a new Collective Agreement.

In the event of a strike, the USFA will ask all members to stop working for the employer and assist with USFA picket lines or other strike-related union duties. Some exceptions to this will be made for union members who are doing essential work. Duties considered to be essential are usually negotiated with an employer in advance of a strike. The USFA will begin these negotiations once it is clear that a strike will be necessary. We will also provide specific advice to members about how to handle scholarly work and related travel, sabbatical leaves and other research-related duties while on strike. Specific advice for probationary members will also be provided. A strike brings the ultimate pressure on an employer, and serious negotiations typically start shortly after a strike is called. Thus, a strike can end quickly and the USFA could advise members to return to work on fairly short notice.

## **What will happen to my pay cheque during a strike?**

Your pay from the University of Saskatchewan will stop the first day of the strike. Provision for wage support of members on strike are in the planning stages and more information will be forthcoming soon from the Finance Subcommittee of the USFA Job Action Committee.

## **Who is the employer? Isn't that the same as senior administration?**

The employer is the Board of Governors of the University. The Board is the only body that has been given this legal responsibility under the University of Saskatchewan Act. Furthermore, the Labour Relations Board (LRB) of the province has ordered the University Board of Governors to “bargain collectively” with the USFA on employment conditions for all full-time faculty. Senior administrators are hired by the Board of Governors to carry out Board instructions related to its role as employer. So, when we use the term “employer”, we mean the Board of Governors.

More technical information about the legal standing of the USFA under the Trade Union Act and the actual text of the LRB Certification Orders establishing the USFA can be found on the USFA website.

## **What will the other unions do if we go out on strike?**

At the end of the day, this is up to the other unions. They will make decisions in the best interest of their members and in accordance with the provisions of their Collective Agreements. However, the Executive Committee is meeting regularly with the Presidents and Chief Negotiators of CUPE Local 1975, CUPE Local 3287 and ASPA, and with provincial CUPE advisors to Local 1975 and 3287. We also have received an email from Larry Hubich, President of the Saskatchewan Federation of Labour, indicating that he is aware of the difficult labour relations climate on our campus.

The Executive Committee will communicate with all of the unions and building trades working on this campus about our contract situation. We will ask them to do as much as they can under the terms of their collective agreements to respect our picket lines and demonstrate their solidarity.