

CEC Statement	Faculty Bargaining Team Response
<p><b><u>On Bill 124 and Workload:</u></b></p> <p>“Both teams have obtained legal opinions.”</p> <p>“Bill 124 prohibits us from accepting the workload demands put forward by OPSEU. The Union demands breach Bill 124 and we cannot violate the legislation. The proposed workload committee will review all of these issues before the next round of bargaining when Bill 124 will no longer constrain us.”</p>	<p><i>If this is true, then the CEC team has never shared the legal opinion they have obtained</i>, nor provided the team with any summary of their legal analysis.*</p> <p>This is false. <b>To be clear: the Bargaining Team has been advised of the legality of their proposals all along.</b> On February 9th, a formal legal brief was issued (by the law firm Goldblatt Partners LLP) clearly stating that nothing in the faculty proposals violates Bill 124. This included an analysis of section 10.</p> <p><b>The Goldblatt brief does indicate that, given the CEC’s disagreement, the most effective way to deal with things would be with binding interest arbitration.</b> This is exactly what the faculty team has suggested.</p>
<p><b><u>On Partial-Load:</u></b></p> <p>“We will not create greater uncertainty for partial-load faculty by allowing longer serving faculty to bump other partial-load faculty out of assignments.”</p>	<p>Simply stated, faculty have no ‘bumping’ rights.</p> <p><b>If two partial-load members have taught a course before, the one with the most service has to be offered it first. That has not changed.</b> In addition to other improvements for partial-load faculty, the Bargaining Team seeks a transparent and fair application of the partial-load registry (including Collective Agreement article 26.10F).</p>
<p><b><u>On Protecting Faculty Work:</u></b></p> <p>“We will not agree to provisions that would strip work away from other employee groups.”</p>	<p>The faculty Collective Agreement cannot include provisions protecting other employees: <b>it can only ensure and/or seek to secure stable and fair working conditions for faculty.</b> This includes not contracting out faculty work that would erode the faculty complement.</p> <p>We respect our colleagues in other employee categories, and ensuring that faculty work is in fact done by faculty is in no way an attempt to ‘strip away’ work from them.</p>
<p><b><u>On Task Forces:</u></b></p> <p>“Arbitration is the wrong way to address workload and to advance EDI and Truth and Reconciliation – we need to move forward together through consensus.”</p>	<p>The CEC has 1) imposed terms and conditions and 2) forced an offer vote, thereby bypassing the democratically elected Bargaining Team.</p> <p><b>This is not a matter of debate: this is what the CEC has done. These actions do not seem consistent with ‘consensus building’.</b></p> <p>The faculty team is not proposing arbitration as the way to address workload or to advance EDI and Truth and Reconciliation. <b>Faculty seek to move forward through consensus.</b> The faculty team has agreed to the proposed processes for these issues, but is also insisting on some manner for resolving disputes that arise from them. <b>Without some means of dispute resolution, these committees and task forces are meaningless.</b></p>

\*The sole rationale that the CEC has provided directly to the faculty bargaining team occurred during the mediation blackout in October. Graham Lloyd relayed that he had called an unnamed person at the Treasury Board directly during the blackout, and had summarized our workload proposals to them as “less work for more money.” The advice he received based on that inaccurate summary was that our proposals would not be permitted under Bill 124. We confirmed that he did not provide our actual proposals to the Treasury Board. Both OPSEU and our outside legal team have maintained that our workload proposals are in keeping with Bill 124.