

MOUNT SAINT VINCENT UNIVERSITY FACULTY ASSOCIATION

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Background information on conciliation and taking a strike vote

The Issues

As described in the regular bargaining updates from our Chief Negotiator, Robert Farmer, we have been in negotiations for a new Collective Agreement with the Board of Governors' (BOG) all summer. To date all non-financial and non-salary financial articles have been agreed upon. We have managed to make some modest gains and fend off a number of punitive language proposals from the BOG.

The August 21, 2015 bargaining update noted that the BOG made very little movement in the sixth exchange, despite five prior exchanges of financial proposals of relatively similar movement. This caught our team by surprise and was felt to be disingenuous. Our goal is to reach a salary settlement comparable with those recently reached by other faculty unions in the province – in the range of 5.5 to 6.0% over the three years. Currently the two sides are less than \$250,000 apart for a three year agreement!

As a way to get the negotiations back on a more equal footing, we asked that the BOG present their next proposal first, rather than an exchange, at the next bargaining meeting on September 1, 2015. If not, we would file for conciliation. Today BOG refused, and after we asked their Chief Negotiator to reconsider, we reached an impasse. The MSVUFA Executive Committee supported the recommendation of the bargaining team to file for conciliation should negotiations grind to a halt.

Therefore on August 26, 2015, the MSVUFA filed for conciliation.

Conciliation

The MSVUFA filed for conciliation in 2012, 2010 and 2003. We reached a satisfactory settlement each time.

Q. What is conciliation?

A. Conciliation is governed by the Trade Union Act of Nova Scotia and administered by the Minister of Labour and Workforce Development. When an impasse is reached in negotiations, one of the parties may request the Minister to appoint a conciliation officer. This officer will act as an intermediary between the two sides and attempt to reach an acceptable settlement. If an agreement cannot be reached, the conciliation officer files what is called a "No Board report". There is then a cooling-off period of two weeks to allow the two sides to consider the consequences of not reaching an agreement. At the end of that period the union is in a legal strike position, and the Employer can legally lockout its employees.

For more information see <http://www.gov.ns.ca/lwd/conciliation/conciliation.asp>

Strike Vote

The MSVUFA Executive Committee has approved that a **strike vote be held from September 1 to 11, 2015**. We hope that we will achieve a strong mandate so that our bargaining team will be able

to reach an acceptable settlement at or even before conciliation (Note that filing for conciliation does not preclude ongoing negotiations).

Q. What is a strike vote?

A. As governed by the Trade Union Act of Nova Scotia, a strike vote requires a secret ballot, and to be successful, **a strike must be supported by the majority of all members, not just of those voting**. Arrangements will be made to submit ballots by mail, by e-mail as well as on site.

For more information see <http://nslegislature.ca/legc/statutes/tradeun.htm> article 47 (3) (a)

The last time the MSVUFA took a strike vote was in 2012 (90.5% of members cast ballots, with 84.2% voting in favour of a strike mandate). This was an important factor in the successful outcome of conciliation.

Q. What is the risk that there would be a strike or lockout?

There is always a risk, but the MSVUFA Executive see a strike as the very last resort and is prepared to do everything possible to reach an acceptable settlement at the Table with the Board of Governors bargaining team or should that fail, in conciliation. We have always had good relations with the Employer and would be most surprised if they chose to stage a lockout. However, should a strike or a lockout happen, we have financial resources in place and can call on the support of the CAUT Defense Fund.

Information meetings will be held on September 1 and 11; details to follow. Ballots will be circulated by interoffice mail and arrangements will be made for in person voting and for those on leave to vote by email.

We need your support and for you to encourage your colleagues, including those on leaves, to vote. We cannot be successful without everyone's full support.

In solidarity / en toute solidarité,

Linda Mann, President on behalf of the MSVUFA Executive Committee and Bargaining Team