

Subject: Re: [msvufa-univ-list] FA Update on Collective Agreement
Date: Friday, August 30, 2024 at 10:31:38 AM Atlantic Daylight Saving Time
From: Tianyuan Yu
To: Kelly Resmer, msvufa-univ-list@msvufa.ca
Attachments: image001.png, image002.png

Dear MSVUFA members,

I regret that I have not properly introduced myself to the FA members since I assumed the FA President's role in July. I was travelling for my sabbatical from May to July, a conference in August, and then busy dealing with various pressing FA issues in the rest of the past two months. Despite the unusual, frustrating circumstances we are all being subject to at the Mount, I wish to take this opportunity to express my heartfelt welcome to everyone for a hopefully fresh start of the fall semester, especially to those who newly joined the FA membership! I am a female Chinese immigrant, Management scholar and Zen Buddhist practitioner. I joined the Mount in 2017. Please feel free to reach out to me if you are seeking the union's support, or just to say hi!

To add to Dr. Kelly Resmer's important update to the members yesterday, I wish to share some further thoughts in response to the email entitled "Update on Collective Agreement and Salary Payment" shared on the Campuswide Bulletin by the VPAP on Wednesday, 28 August, and to bring you an update on the signing of the new Collective Agreement (CA).

Despite continued frustrations in our attempt to sign the new CA, we considered filing a complaint to the NS Labour Board as a last resort which would cause further significant delays while adding fuel to the flames between the two parties. We have tried to maintain our good faith to rebuild trust and to repair our relationship with the Employer as much as we can, with a clear awareness of the ultimate interdependency between the two parties as part of the Mount community. Hence, we refrained from filing a complaint before exhausting other means of communication.

In our sincere attempt to reach agreement with the Employer before the start of the Fall semester, on 19 August we asked conciliators from the NS Conciliation and Mediation Services to intervene. The conciliators contacted both parties and proposed multiple time slots for the two lead negotiators to meet in person. Our lead negotiator has instantly agreed to all proposed times. The Employer's lawyer has not confirmed her availability as yet.

It was difficult to believe that the Employer went directly to the NS Labour Board before the two lead negotiators have even met once with the conciliators. The Employer's shocking move at this point of time left us questioning their commitment to ending the dispute through the conciliation process. It is also hard to understand why they would direct their lawyer to prepare a 1300-page complaint package to the NS Labour Board which would lead to a lengthy procedure, instead of just spending a short time, perhaps only a few hours or days resolving all outstanding issues by meeting with our lead negotiator in person. Their complaint only adds to the frustration and unnecessary busy work that actually distracts us from completing and signing the agreement.

I also want to acknowledge the negative impact that the Employer's filing of complaint has had

on the FA members' emotionality. It was insulting and outrageous that in their written complaint the Employer alleged that the FA has "failed to make every reasonable effort to conclude a collective agreement and refusing to finalize and sign the collective agreement reflecting the terms reached by the parties on March 5, 2024". This allegation is completely distorting the truth and further damaging the fragile labour relations at the Mount. The Employer claimed they were eager to sign the CA, ignoring the fact that they have failed to produce a complete document for us to sign. There are still important errors and omissions that need to be fixed even after so many efforts we have made over the past five months to facilitate the signing of the CA. It was the Employer's lawyer who kept refusing to meet with the FA's lead negotiator to discuss the outstanding issues in person which would be a more efficient way to end the disputes.

On the same day (i.e., August 28th) of filing the complaint to the NS Labour Board, the VPAP proposed to the Joint Committee (JC) that the retroactive pay be processed and the key changes to RTPP procedures be released before the signing of the new CA. The FA Reps on the JC responded that the FA supports their proposal provided that the relevant articles be agreed upon by both parties. We have been advised by our lead negotiator that, unfortunately, there are still discrepancies left unresolved in these articles. For example, the Employer's "complete" version of the CA does not contain a copy of the salary scales. And their proposed salary schedules for 2024 and 2025 still include inaccuracies. For another example, the Articles from 21.36 to 21.49 relating to the RTPP process for Librarians are entirely missing from the Employer's "complete" version.

There is good news that I wish to share. On August 9th Geneviève sent to the Employer's lawyer a list of 182 outstanding items with detailed references to written proofs of previous agreement (i.e. during the bargaining in March) on each item. After a two-week waiting, on August 23rd Geneviève received a written response from the Employer's lawyer. Upon reviewing this response, on August 26th Geneviève made an updated list that comprised only 36 outstanding issues. Geneviève will give you a further update on this soon.

The FA Exec committee held an emergency meeting with our union lawyer yesterday afternoon. Our lawyer advised that we continue working with the conciliator to bring both parties together to go over the remaining 36 outstanding items, which would be the quickest way to reach an agreement.

Lindsey and I have requested a meeting with Tyrone Cotie, Chair of the Board of Governors, to discuss our deep concerns with their complaint to the NS Labour Board and our expectation for the conciliation process, again in the hope of quickly resolving the remaining issues. Tyrone has replied that he and another member of the BoG would meet with us in September.

We will keep bringing you updates in a timely manner and as soon as we can. Meanwhile, please feel free to raise questions and/or share any thoughts.

In solidarity,
Tianyuan

--

Tianyuan Yu, PhD (she/her)
Associate Professor of Management

Department of Business and Tourism & Hospitality Management
Mailbox M120, Mount Saint Vincent University
166 Bedford Highway, Halifax, Nova Scotia, B3M 2J6, Canada
<http://msvu.ca/business>
<http://msvu.ca/tourism>

President of the MSVU Faculty Association
<https://www.msvufa.ca>



“You must be the change you wish to see in the world.” — Mahatma Gandhi
I acknowledge that MSVU is in K'jipuktuk, the ancestral and unceded territory of the Mi'kmaq.

From: msvufa-univ-list <msvufa-univ-list-bounces@msvufa.ca> on behalf of Tianyuan Yu <Tianyuan.Yu1@msvu.ca>
Date: Thursday, August 29, 2024 at 10:21 AM
To: Kelly Resmer <Kelly.Resmer@msvu.ca>, msvufa-univ-list@msvufa.ca <msvufa-univ-list@msvufa.ca>
Subject: Re: [msvufa-univ-list] FA Update on Collective Agreement

Thanks very much Kelly for this update!

I noticed that emails sent on our MSVUFA listserv would sometimes go to my junk folder. I just wanted to remind our members to please check your junk folder frequently to avoid missing updates/conversations on the MSVUFA listserv.

Best,
Tianyuan

--

Tianyuan Yu, PhD (she/her)
Associate Professor of Management
Department of Business and Tourism & Hospitality Management
Mailbox M120, Mount Saint Vincent University
166 Bedford Highway, Halifax, Nova Scotia, B3M 2J6, Canada
<http://msvu.ca/business>
<http://msvu.ca/tourism>

President of the MSVU Faculty Association
<https://www.msvufa.ca>



“You must be the change you wish to see in the world.” — Mahatma Gandhi
I acknowledge that MSVU is in K'jipuktuk, the ancestral and unceded territory of the Mi'kmaq.

From: msvufa-univ-list <msvufa-univ-list-bounces@msvufa.ca> on behalf of Kelly Resmer <Kelly.Resmer@msvu.ca>

Date: Thursday, August 29, 2024 at 10:09 AM

To: msvufa-univ-list@msvufa.ca <msvufa-univ-list@msvufa.ca>

Subject: [msvufa-univ-list] FA Update on Collective Agreement

Dear MSVUFA members:

Let me first start by welcoming our new members; we look forward to working with you. Secondly, I'd like to introduce myself as Kelly Resmer, your grievance officer as of 1 July for the Faculty Association.

Regarding the email sent by the Vice-President Academic and Provost yesterday, the information presented was misleading and intended to deflect blame for the delay of signing the collective agreement on the MSVUFA. This is an inaccurate interpretation.

As the new grievance officer for the association, and as a member of the last two bargaining teams, I've seen first-hand the importance of a properly worded collective agreement. The collective agreement is an important legal document, and since April, we have consistently received draft versions of the collective agreement that have included misnumbered articles, poorly worded sentences, inaccurate salary calculations, and entirely missing articles. These errors have not been fixed after our first correction, but instead have continued time and time again in multiple versions, and new errors have also been introduced by the Employer, which reflects the number of requested changes shared in the VPAP's message. **We are not seeking to renegotiate any articles; we are simply striving to ensure what was agreed upon in March is upheld.**

It is essential that we sign a Collective Agreement that accurately reflects the terms we agreed upon back in March to ensure that critical aspects of our working conditions like Reappointment, Tenure, Promotion, and Permanence, as well as our salaries, are respected.

The VPAP's communication appears to be an attempt to disrupt our solidarity and create distrust and is reminiscent of the inaccurate communications we received from the Employer during the strike. It does not go unnoticed that even as we've been correcting errors in yet another draft of the collective agreement, the Employer has taken the time to assemble this complaint of over 1000 pages, for which the time and resources required to do so represents yet another costly expense for the institution.

In terms of next steps, the MSVUFA's lawyer is currently drafting a response to the Labour Board complaint. We have been requesting a meeting with the other team for months. Finally, we reached out to the conciliators, and they too have been attempting to schedule a meeting between the parties. The Employer has yet to be available on any of the dates proposed by the conciliators. In addition, we have requested a meeting with Tyrone Cotie, the Chair of the Board of Governors, to directly address the reasons for the delay in signing the collective agreement in hopes of quickly resolving this issue. Rest assured that our highest priority is finalizing an accurate collective agreement, including finalizing salaries to get retroactive pay out as soon as possible.

I look forward to seeing you at our first FA meeting in September. In the meantime, please do not hesitate to reach out if you have any questions or concerns. The grievance officer is here for you, whether it be a question about the collective agreement or simply wanting someone to accompany

you as you meet with the Dean, for example. Just ask!

Enjoy the upcoming long weekend,
Kelly

Kelly Resmer (she/her), PhD

Lab Instructor

Department of Chemistry & Physics

Evaristus C204

MSVUFA Grievance officer: grievanceofficer@msvufa.ca

Mount Saint Vincent University

166 Bedford Hwy I Halifax NS Canada B3M 2J6

kelly.resmer@msvu.ca

MSVU is located in K'jipuktuk, part of Mi'kma'ki, the unceded and ancestral territory of the Mi'kmaq.