Possible University Labour Disruptions: Background and impact on students



Presentation to UASU Council and COFA Joint Board+ISA+ASC

Background and Key Information

- Basics of collective bargaining
- Current state of negotiations
- Provincial interference
- State of university finances



Background: Labour Law in Alberta

- Before 2015, university staff in Alberta did not have the right to strike
- Supreme Court ruled that all public employees have the right to strike
- Much <u>longer history of university strikes</u> in the rest of Canada



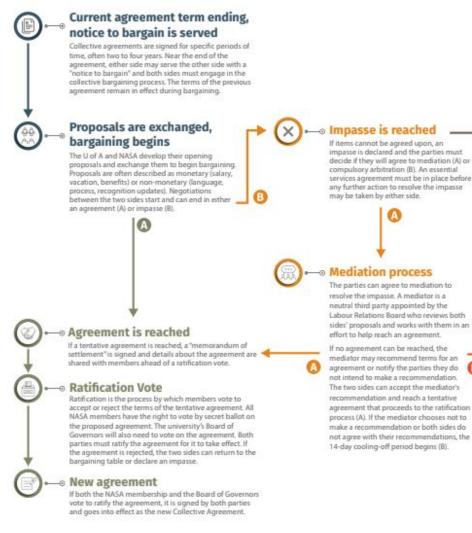
Background: Unionization at U of A

- There are four labour unions on campus: The GSA (graduate students), NASA (non-academic staff), PDFA (post-doctoral fellows), and AASUA (Academic and some administrative staff)
 - The GSA's <u>collective agreement</u> expires in August
 - The <u>AASUA agreement</u> expired in June 2020
 - The NASA agreement expired in March 2019
 - The PDFA is currently negotiating their first agreement.

Background: How Bargaining Works

Graphic Credit: NASA

Note: Binding arbitration is not available for AASUA





Either party may request compulsory arbitration. The Labour Relations Board may choose to accept the request and form a panel or deny the request and send the parties back to bargaining. Arbitration decisions on disputed items are imposed on both parties and decisions are final. The result is a new agreement.

New agreement

■ 14-day cooling-off period

If the parties still cannot come to an agreement after mediation there is a 14 day "cooling off" period during with neither party may commence job action.

Strike vote / lockout poll

If after 14 days there is still no agreement, the union may request that the Labour Relations Board hold a supervised vote. A majority strike vote does not necessarily mean the union will go on strike—only that the members have empowered the union to call a strike. The decision to vote in favour of a strike is very important and personal, but you must be prepared to strike if you vote yes. Only a simple majority is required, but in practice a strike vote with less than 80% support would likely not proceed. The employer can go through a similar application process, called a lockout poll, to lock out its employees.

(□) --- 72-hour notice

One party must serve the other (as well as the mediator) with 72 hours of notice before the strike or lockout commences. The notice must specify the date, time, and initial location at which the strike or lockout will commence.

♠ Strike action / lockout

Strikes and lockouts are a tactic to pressure the other side to agree to the terms proposed in bargaining and can look very different depending on the situation. The goal of both sides is to return to the bargaining table with more leverage. Strikes or lockouts usually end when a tentative agreement is ratified.



Background: State of Bargaining

- AASUA has <u>filed for formal mediation</u>. This is the last step before a strike vote. Key issues:
 - 2-tier salary scale for sessionals
 - No Cost of Living increase for two years
 - Removing benefit plan surplus
 - Misc. others
- NASA is at least two months further behind in the process
- Little imminent strike risk from PDFA or GSA.



Background: Next Steps with AASUA

- AASUA and the University are starting mediation on February 18th
 - The University's message about their proposal focuses on concessions they have made
 - Mediation should last at least a week
- With the 2-week cooling-off period before a strike vote, the soonest a strike could begin is the second week of March



Background: Public Sector Employers Act

- <u>Law changed</u> by the UCP in 2019
- Allows the Minister to issue secret bargaining orders to universities, AHS, etc.
 - "A directive issued by the Minister under this Act is confidential and may not be disclosed by the employer to any third party without prior consent of the Minister."
- Frequently accused of being unconstitutional
- Likely being used at U of A



Background: Provincial context

- Concordia University recently had <u>1st faculty</u> <u>strike in Alberta history</u>
 - Resolved in 10 days
- University of Lethbridge faculty have just overwhelmingly <u>passed a strike vote</u>
- Mount Royal University is on the <u>verge of a</u> <u>strike as well</u>



Background: Provincial finances

- The government's cuts have made the situation much worse. Minister's message:
 - "Alberta's government has worked hard to bring our post-secondary institutions in line with other provinces. As we work through a challenging financial time Albertans expect us to find ways to deliver services more efficiently"
- This is misleading
 - Economists are <u>projecting up to a \$4 billion surplus</u> due to high global oil prices. The budget will be tabled Feb. 24th
 - There is no short-term need to cut post-secondary spending
 - Very large cuts have already been absorbed by U of A



Background: University Finances

- The U of A has been cut by \$170 million since 2019, likely reaching \$230 million by 2023.
 - Largest cuts to a public university in Canadian history
 - Much larger than U of C/Lethbridge/others
 - While U of A has a consolidated surplus, it is mostly sequestered funds that cannot be used for staff pay.
- The University <u>claims</u> it cannot afford AASUA's bargaining offer
- Increases in compensation will have to result in spending reductions elsewhere, at least for 2022-23

Possible Strike/Lockout Impacts on Students

- What would stop?
- What would continue?
- How would this affect students?



Possible Strike/Lockout Impacts on Students (1/3):

- All teaching and assessment activities, many administrative activities would stop until a deal is reached
 - NASA, GSA signing solidarity agreement to not cover AASUA work
- Essential services continue (life and safety)
- Hard to predict length
 - 1-3 weeks is normal in Canada
 - Semester may need to be extended, affecting co-ops, spring classes, jobs, travel/housing



Possible Strike/Lockout Impacts on Students (2/3):

- Non-academic services would still run
 - Student aid disbursement
 - Academic records
 - Facilities and operations work
- UASU services would still run
 - Our staff is unionized separately
- Access and function of non-academic and UASU services may be impeded by picket lines



Possible Strike/Lockout Impacts on Students (3/3):

- Unlikely that graduations will be jeopardized, but possible if strike is longer than 3 weeks
 - Accredited programs require certain hours, content to be covered
 - Never in Canada has a strike resulted in a fully cancelled semester
- Picket lines on campus to block access
 - Status of SUB is TBD
 - Most serious risk for escalation



Possible Strike/Lockout Impacts on Students: Tl;dr

- High likelihood of severe mental health impacts on students
 - Weeks of fear, uncertainty, confusion
- High likelihood of serious financial losses for some students
 - Loss of employment due to extended semester affecting jobs and co-ops
 - Forced to rebook flights
 - Forced to find new accommodations
- Small likelihood of permanent academic losses
 - Delayed graduations, missed opportunities



Possible Strike/Lockout Impacts on Students: Long Run

- AASUA argues that even though a strike will impact students in the short term, it is necessary for long-term teaching quality
 - Recruitment/retention of good professors
- The University argues that meeting AASUA's demands would require taking needed resources out of other areas, harming the student experience and University's mission
- Both are debatable

What should we consider?

- What should the UASU's stance on the strike?
- What action should we take, if any?

Remember that any strike is at least a month away. No final decision is needed today.



Closing considerations:

- If a strike or lockout happens, there is no scenario in which students do not suffer.
 - The severity and tradeoffs associated with that are what Council has to consider.
- Any decision we make will be very controversial.
 - Be prepared to consult, inform, and engage your constituents.
- A strike is not certain to happen. Let's not spread panic — keep calm and carry on.



Discussion

While a strike is not imminent, we should think about how we would respond to one.

What do you think?