

COLLECTIVE BARGAINING UPDATE

**CUPE 1975 – November 21, 2007
(Updated November 22, 2007)**

On November 21, 2007, after two further days of conciliation, the Union has agreed to the Universities' request to take our "Final Offer" to the membership for a vote. The Universities have increased the offer by over one million dollars in one-time payments and offered compromises on the two outstanding issues.

The vote will take place early next week and will be conducted and supervised as a secret ballot vote by the Department of Labour. The dates and times of the votes will be announced as soon as they are finalized by representatives of the Union and Universities.

We are pleased with this progress. The Universities believe the members should have an opportunity to consider the Universities' offer. The Union's strike vote was taken over issues that have long since been resolved.

Q. What happened over the two days of Conciliation?

- Prior to entering the conciliation process the parties agreed, through the Conciliator, to a media ban.
- On the morning of the first day, the Universities presented CUPE with our ideas to resolve the two outstanding issues, including no changes to benefits, an increase to benefits funding, and assurances that increments will not be unreasonably withheld.
- With no discussion or response to the Universities' ideas, the Union responded with a proposal that either reiterated or escalated their previous demands:
 - removal of the satisfactory performance language (no change from their last position)
 - a request for the Universities to fully fund existing benefits and absorb any funding shortfall
 - detailed language to introduce annual performance reviews (not previously raised) despite our repeated message that the University of Saskatchewan is not ready to introduce such a process for CUPE 1975 members at this time
- The Union's proposal confirmed our concern that they are not committed to reaching a collective agreement by discussing compromises on the two outstanding issues.
- We felt that the Union's approach continued to be to demand additional movement from the Universities while not demonstrating any movement themselves.

Q. Why did the Universities present a "Final Offer"?

- While the Universities were in caucus, at about 3:30 on the first day of conciliation, the Union posted on their website a "Day of Action" announcement, calling for all union members at the University of Saskatchewan to engage in a day of job action. This was

a clear violation of the spirit and intent, and most disturbingly, the procedural ground rules that the Union committed to in the conciliation process, as well as a violation of the Trade Union Act.

- We continue to be concerned about the Union's approach to bargaining, unwillingness to discuss compromise solutions to address issues of long term concern to the Universities, and help ensure an end to this dispute.
- In an effort to somehow achieve clarity and bring the strike to an end by reaching a collective agreement, the Universities added to their offer of the first morning and presented the Union with a "Final Offer", asking the Union to take it to their membership for a vote.
- After agreeing to a process to have their members vote on the Universities' offer, the Union made various public statements calling into question certain aspects of that offer. The Union failed to address those matters during the conciliation process. In fact, the Union posed no questions or concerns about the Universities' final offer even after being asked by the Universities to do so.
- When those issues were addressed by the Union in the media and on their website, the Universities addressed what were clearly errors and/or misunderstandings when we became aware of same. We contacted the Union via fax when we could not connect via telephone and made corrections.
- We await contact from the Union to address the necessary arrangements for the vote on the corrected final offer.

Q. What progress has been made as of November 21, 2007?

Summary of Agreed and Outstanding Issues as of November 21, 2007		
	Agreed in principle	Outstanding
Earned Days Off – no change to current entitlement for EDOs	✓	
Increase to Unsocial Hours Premium (\$0.90/hr)	✓	
Increase to Hazardous Work Premium (\$100)	✓	
Increase to Rescue Team Premium (\$120)	✓	
EAP Stakeholders Agreement	✓	
FAPA Wage Increase (12%)	✓	
Pension Increase (6.5%)	✓	
Increase to Salary Ranges (6% 2007, 4% 2008, 4% 2009)	✓	
Increase to Joint Union Management funding (\$20,000)	✓	
Protocol to Review Recurring Relief Status	✓	
Lump Sum Payments for Red-circled employees	✓	
Increments of 2% per year	✓	
General Wage Increases	✓	
Essential Services Protocol	✓	
Benefits Funding	Compromise offered by Universities	✓
Phase I and Apprentice open competitions	✓	
Increments to less than satisfactory performers	Compromise offered by Universities	✓
Break in Service Changed from 30 to 60 Days	✓	

Q. What is the Universities' Final Offer? How does it compare to the October 25th offer?

Issue	October 25, 2007 After Three Days of Conciliation	November 21, 2007 After Two Further Days of Conciliation
Wage Increases	<ul style="list-style-type: none"> Average CUPE employees will receive approximately 14.25% in wage increases over three years - 4.5% in 2007, 4.75% in 2008 and 5.0% in 2009. Pension contributions increase from 4.82% to 6.0% in 2008 and to 6.5% in 2009 (1.68% increase). Unsocial hours premium (shift premium) increase from \$0.80/hour to \$0.90/hour and expanded to cover casual and recurring relief employees. 	<p>NEW</p> <ul style="list-style-type: none"> SAME OFFER PLUS: One time funding to benefits (below) One time retention bonus of \$750 per permanent employee (\$375 per term and recurring relief employee) paid on November 1, 2008 (for a total cost of \$1,065,000) or about 2% of the CUPE payroll
Employees Above the Range "Red Circling" (5% One-time Payments per year)	<ul style="list-style-type: none"> One-time lump sum payments in 2007, 2008, 2009 of 5.0% each year. 	<ul style="list-style-type: none"> SAME OFFER
Benefits (Status Quo supported by a Funding Surplus and an additional \$100,000 in one time funding)	<ul style="list-style-type: none"> Increase ongoing funding of 0.5% (\$238,000) in 2009 after a joint review process and shared responsibility for benefit plan design. CUPE Benefits Plan currently has a \$106,965 surplus at the U of S and therefore no further injection of funds is required. 	<p>COMPROMISE</p> <ul style="list-style-type: none"> No review process and no changes to current benefit plans. A \$100,000 one time allocation to the benefits fund on January 1, 2008 added to the current surplus. If the overall cost of the benefits program over the life of the collective agreement exceeds the fund surplus, the current agreed language will apply.
2% Increments for Satisfactory Performance – cannot be unreasonably withheld	<ul style="list-style-type: none"> The Universities do not want to change this language in the collective agreement. It is not in anyone's best interest to provide increments to the few CUPE staff that may perform at a level that is less than satisfactory. This is inconsistent with the Universities' goals of service and excellence, which we all share. The Universities proposed the ability to grieve a decision where an increment is withheld in an effort to resolve this matter. 	<p>COMPROMISE</p> <ul style="list-style-type: none"> Add to the current language "that an increment will not be unreasonably withheld". Add a commitment that if an increment is withheld, that decision can be grieved Add a commitment that no increment be withheld as a result of a performance review prior to January 2009.

Q. Why did the Universities prefer a vote by the members to a mediation process proposed by the Union?

- The Union's response to the Universities' request for a vote is posted.
- The response stated that the Union would agree to a vote because they believe their members will reject the Universities' offer.
- The Universities believe the members should have an opportunity to consider the offer as the Union's strike vote was taken over issues that have long since been resolved.
- The Union proposed that, instead of a vote, the conciliator act as a mediator, return to the outstanding issues as of October 25, and write a report with recommendations (that would not be binding on either party).

- The Universities believe that after five days of conciliation, if the conciliator thought a solution was possible, he would have made such a recommendation. We seek an end to this dispute and a non-binding mediation will not result in that outcome.

Q. What happens next?

- The Universities have asked for a vote.
- The conciliator communicated to the Universities that the Union agreed to present the Universities' final offer to a secret ballot vote.
- The vote will be conducted by the Department of Labour.
- The Union proposed the vote take place on Monday, November 26 (Regina) and Tuesday, November 27 (Saskatoon) but has yet to confirm the dates and locations.
- The Union agreed that the Universities should provide CUPE members with a copy of the Universities' final offer.
- The Union agreed to provide the Universities with a memo setting out the particulars of the voting in each city.
- Further details on the vote will follow.

Q. Is this offer less than the previous offers made by the Universities?

- The offer is an overall increase to the average CUPE member of 16.5% plus one-time money.
- The difference from the first offer (17%) is in the 0.5% of payroll offered to the benefits funding if the Union committed to discussions about benefit plan design.
 - The Union would not agree to those discussions.
 - As a compromise the Universities have offered unique solutions for each university.
- At the U of S the offer includes adding an additional \$100,000 in one time money to the existing benefit plan surplus to offset any increased costs to the benefit plans during the life of the agreement.
- The Universities have added over \$1,000,000 (one million) in one time payments to the offer. The total of one time money over the life of the agreement is now over \$2,000,000 (two million).

Q. What does the University encourage you to do?

- Ensure that you fully understand the issues and the Universities' offer.
- Review the information on the HR website and understand how the offer affects you on an individual basis.
- Exercise your democratic right to vote.
- Ask questions to clarify anything that is unclear by sending your question to the hrdwebmaster@usask.ca. Questions will not be answered individually but issues will be clarified in a general question and answer document on Saturday which will be posted on the HR website.

Please refer to the HR website for our complete proposals at <http://www.usask.ca/hrd/>