



## COLLECTIVE BARGAINING UPDATE

CUPE 1975 – November 9, 2007

On October 25, 2007, after three days of conciliation, the Universities of Saskatchewan and Regina presented CUPE with a settlement offer which included significant movement and compromise on the part of the Universities in an effort to bring bargaining to conclusion. Two issues remain outstanding.

CUPE has insisted that the Universities give them what they want with respect to increments and benefits (described below) without further discussion of the matters to find solutions that address the Universities' concerns.

**The Universities have indicated to CUPE, through the conciliator, that we will return to the bargaining table to have this discussion. This offer remains open.**

### Q. Why are the Universities and CUPE 1975 not at the bargaining table?

- To get to a collective agreement through bargaining, the Universities and CUPE need to have meaningful discussion about the issues and interests of importance to each.
- During the conciliation process, the Universities made various compromises on the key issues in an effort to reach an agreement.
- After three days of hard work and efforts to clarify what the union wanted from both Universities, the Universities made a settlement offer.
- The Universities and CUPE agreed to everything in that offer (wages and other issues negotiated up to that point). To reach agreement CUPE are insisting that the Universities give them two things (these are explained more fully below):
  1. They want to remove language they agreed to in the last round of bargaining that provides an option to the Universities to withhold salary increments for unsatisfactory performance.
  2. They want the Universities to increase funding for benefit plans (the plan at U of S has a surplus) without a discussion about benefit plan design.
- The Universities offered a number of suggestions and compromises to address the two remaining issues. The Universities are very concerned as these two issues have long-standing implications and need serious discussion. The conciliator spent a lot of time working with the union to facilitate some movement, but at the end of the process, the union rejected the Universities' proposals. Then CUPE pulled their members out on a short job action.

- Following the rally, CUPE contacted the Universities through the conciliator and asked to return to the bargaining table. Through the conciliator, the Universities were advised that CUPE was intent on having a strike if the Universities did not return to the bargaining table. We asked the conciliator if CUPE would have further discussions about options to address the outstanding issues. The Universities were told that CUPE did not want to have a discussion – they would only return to the bargaining table if the Universities would give in to their demands.
- The Universities have indicated to CUPE, through the conciliator, that we will return to the bargaining table to have discussion. This offer remains open. We understand that the union responded that they only wanted one answer and would begin strike action if the universities did not agree to their demands. The Universities seriously considered the implications of this and informed the conciliator that these issues were of significant importance for the long-term interests of the Universities.
- The strike began on Friday, November 2. We continue to be interested in having a conversation with CUPE to hear how they would work with us to address the issues of concern to the Universities. CUPE has not communicated any ideas or suggestions about how to resolve this dispute. The Universities have suggested to CUPE that if they did not want to tell us directly, they should communicate their ideas through the conciliator. To date they have not done so.

## **Q. What is at stake for the University of Saskatchewan?**

### **1) Performance Increments – culture of service excellence**

- Broad salary ranges were introduced to the collective agreement in 2006. Prior to this, most CUPE jobs had a single rate of pay or small salary scale.
- The pay ranges added to the last collective agreement provide salary growth to recognize the significant contributions that our CUPE employees make to the Universities.
- These ranges provide for annual increments in addition to any general adjustments negotiated at the bargaining table.
- Annual increments are paid to all members until they reach the top of the range – and the offer on the table this year includes a 14% increase to the tops of the ranges over the life of the agreement.
- In the last round of bargaining, when the ranges were set, the Universities wanted assurance that in unusual cases where performance was not satisfactory, they could withhold the annual increments until performance improved – CUPE agreed to this.
- CUPE now wants this language out as six people who work at the U of R had their increments withheld because of concerns about their performance.
- At the U of S, in January of 2007, all CUPE members received their increments. No increments were withheld due to unsatisfactory performance.
- At the U of S, in January of 2008, these increments will be processed again.
- CUPE could have filed grievances if they believed the decisions to withhold increments at the U of R were inappropriate.
- We understand that in Regina the local CUPE executive did not support this change in language when it was agreed to in 2006. They lost that argument at the bargaining table in 2006 and now do not want to sign off on another collective agreement with that language. This has contributed to the current stand-off on this issue.

## 2) Benefits funding – a shared responsibility for benefits

- The Universities' proposal offers an increase to the pension and benefits funding of:
  - 1.68% for pension plans with no changes to plan design
  - 0.5% for benefits with a commitment to discuss plan design
- The Universities have made additional funding contingent on the requirement to have a dialogue on more effective plan design.
- During our last discussion of benefits, in the previous round of bargaining, the following changes were made:
  - Basic life insurance was increased to 2x annual salary.
  - Major dental coverage was reduced from 80% to 50% coverage.
  - Adult orthodontic coverage was eliminated as it is very expensive and was rarely used.
  - The employee paid portion of basic life insurance was changed to be employer paid.
  - The qualifying period for long-term disability was reduced to 6 months (from one year).
  - The employer paid for the benefits deficit for CUPE members in 2006.
- CUPE has indicated that their current benefits program is not financially viable. They have presented no economic rationale or evidence to support this conclusion and simply say that they demand additional funding "just in case".

### Q. Why don't the Universities just give CUPE what they want to end the strike?

- The Universities have made a significant investment in benefits and the salaries of CUPE staff, through the introduction of new salary ranges, in the 2006 agreement.
- The Universities need to balance the costs of salary settlements in light of a number of financial challenges with the needs and expectations of staff for salary increases.
- It is the right and responsibility of University management to set and monitor standards of performance. The Union *agreed* to language supporting this function in the 2006 contract settlement.
- The Universities are committed to ensuring that there are fair processes in place to provide meaningful feedback to our employees.
- If an increment is withheld for unsatisfactory performance, CUPE members have the ability to appeal that decision through the grievance process. We offered to enshrine this right in the contract so that everyone would be clear on it. The union rejected that offer.
- Rewarding performance is a principle which supports the Universities' goals of service and excellence.
- Both the Universities and CUPE have a responsibility to manage the benefits resources available effectively, to ensure the best possible use of available funding to support the health and wellness of employees.
- Benefits plan funding increases need to be balanced against increasing and competing demands for limited resources.
- Meaningful discussion of plan design with CUPE can also include improvements to the existing benefit plans.
- We are focused on achieving an agreement which will support the long-term interests of CUPE members and the Universities.

**Q. Why does the University of Saskatchewan want the language regarding withholding increments for non-performers to remain in the CUPE collective agreement when there is no standard performance review process being conducted at the University?**

- In 2006, we made significant changes to the salary ranges for CUPE employees which allowed for the payment of increments to many employees who were previously frozen at the top of their salary range.
- An important component of that agreement with CUPE was language that would allow the University to withhold increments for non-performers.
- Under this new system, it is important that increments be given to recognize the great work and job growth that is demonstrated by the vast majority of CUPE employees.
- It is equally important that the University be in a position to withhold an increment in the few cases where there are serious performance concerns (i.e. repeated safety violations or unacceptable conduct that is not corrected through progressive discipline).
- If employees with serious performance concerns continue to receive increments in the same manner as satisfactory performers, conflicting messages would be sent to our CUPE staff.

**Q. What is the University of Saskatchewan's plan for conducting performance reviews at the University of Saskatchewan?**

- The University believes that performance feedback and career development discussions are important processes in our efforts to develop a culture of service excellence.
- We have made a conscious decision to institute these types of processes at the senior levels of our organization. We have developing specific accountabilities and review processes for our senior administrators, deans, and exempt employees. We are also working to improve the processes for ASPA employees.
- A standard review process for CUPE members is not planned until we are able to improve processes for leaders and managers and to work with our managers and leaders to improve their skills on the appropriate delivery of performance feedback and career development discussions.
- When we are ready to consider a performance review processes for CUPE we are committed to engaging in a consultation process with CUPE about design, implementation and training for management staff.

**We will keep you informed of the developments and thank everyone in the University community for your patience.**