URFA-Academic Collective Bargaining Update
15 October 2018

The University of Regina and the University of Regina Faculty Association are engaged in the collective bargaining process for a new contract. Both parties are committed to bargaining in good faith, which involves intensive discussion over a period of months.

Negotiations commenced in March 2018 and continue now. Twenty articles in the Collective Agreement have been opened, along with 7 MOAs (new and existing) and 1 Appendix (salaries). To date the parties have reached agreement on 10 articles/MOAs.

The University is committed to work with URFA to achieve a fair deal that is reflective of its fiscal constraints and of recently negotiated settlements with CUPE 5791 and URFA-APT members.

The University is interested in a revised collective agreement that will promote collegiality and flexibility, and position the University to continue its high quality programs for students, its research, and its community service.

In assessing the interests and concerns URFA has brought to the bargaining table, the University has sought to respond in ways that will allow us to reach a negotiated settlement as quickly as possible.

From the University’s perspective, URFA’s messages at the bargaining table have been focused on the following key points:

1. Reducing the University’s reliance on Sessionals;
2. Providing a level of employment security for those Sessionals who have made contract work their full-time employment; and
3. Supporting the full-time faculty complement, especially in a manner that signals the University’s commitment to research.

The University seeks to balance URFA’s interests with the fiscal realities of the institution and the province today along with the strategic direction of the institution.

**Key Issues Under Discussion:**

**Instructor Ratio**

Article 5 contains a provision that limits the number of Instructors the University can employ (Instructor Ratio). With the creation of the Faculty of Nursing and its need for instructors for their students, together with the more than 1300 students this Faculty has brought to our campus who boost enrolments in many areas including Arts, Science, and First Nations University of Canada, the University exceeded the limit on Instructors.

That limit did not contemplate the creation of a Faculty of Nursing at our University, or the need for highly-skilled Nursing Instructors to mentor Nursing students.
URFA filed a policy grievance in 2015. The parties have been attempting to reach a resolution since that time.

Based on the proposals brought to the table, URFA continues to focus on maintaining a ratio as a means of supporting research and investing in faculty positions. The University cannot accept any ratio that dictates staffing levels and funding commitments outside of the academic planning and budget processes.

The University has put forward several different proposals in an attempt to resolve this issue. To date, none has been accepted by URFA.

As the matter is the subject of a current grievance, URFA and the University agreed to bring the issue to the bargaining table in an attempt resolve the matter. On 10 October, the University informed URFA that it in its view the matter will not be resolved via bargaining.

Therefore, the University has proposed that the article be returned to its current form and that we proceed to arbitration.

**Sessional Lecturers:**
Based on the proposals URFA brought to the bargaining table, we believe that URFA’s interests are to enhance sessional rights and benefits.

In response, on 3 October the University presented URFA with a “package proposal” on the Instructor Ratio and Sessional Lecturers. The proposal had the University:

- committing to ten (10) new Instructor positions to be filled in the 2019-20 academic year;
- providing the “right of first refusal” language for qualified Instructors to move into the Faculty ranks; and
- increasing the salary range and increment amounts for Lecturers.

In committing to new Instructor positions, the University proposed a tangible and significant investment in the academic staff complement. The University believed this would also address URFA’s concerns with respect to the precarious employment of Sessionals, since Sessional Lecturers have a right of first refusal on vacant Instructor positions.

Further, having heard from research-active Instructors, the University also believes it is important to provide a path for those individuals to move into the Faculty ranks. Such a path also provides enhanced career opportunities for other individuals currently in the Instructor rank.

Finally, increasing the salary range and increment amounts for Lecturer positions in the Faculty ranks will address an inequity in our compensation structure resulting from the limited ability to hire into the Instructor rank due to the Instructor Ratio.

The foregoing package offers were made conditional on significant changes in the collective agreement.
First, the University wanted to ensure that in finding a home for members with precarious employment (i.e., long-time sessionals teaching a larger number of courses annually), the door was not open to this problem recurring, so that both the University and URFA find themselves back at the same point five or ten years from now.

To this end, the University asked for URFA’s agreement to eliminate sessional preference provisions and limit the total number of courses any Sessional Lecturer can teach over his or her time at the U of R.

While negotiated with good intentions by both URFA and the University, the University believes that aspects of the sessional preference language in the existing Collective Agreement have contributed to a small number of Sessionals being employed essentially full-time through short-term contracts.

In exchange for the commitment to hire some long-term Sessionals teaching a large number of courses annually, we also asked URFA to agree to remove Article 5.7 – the Instructor Ratio that limits the University’s ability to hire into the Instructor Rank.

Doing so will also increase the University’s future ability to hire qualified Sessionals into term or permanent appointments, and to reduce the University’s reliance on sessional hiring.

The parties met on 10 October. URFA rejected the proposal. The rationale presented at the table was that URFA was not willing to remove a ratio, or some substitute for it, from the Collective Agreement, and that preserving preference for Sessionals was key to them.

The University respected URFA’s position and therefore withdrew its package offer.

**Performance of Duties:**

URFA has proposed language that would limit normal teaching hours to 8:30 a.m. to 4:30 p.m. This would require the University to have the agreement of any academic staff member teaching outside these hours. URFA indicated their proposal responds to their members’ concerns with respect to work-life balance.

The University cannot limit its ability to meet the teaching needs of students. However, the University recognizes the importance of work-life balance. It therefore proposed the establishment of a joint committee to study the work-life balance concerns of academic staff members and make recommendations to both parties.

**Performance Review:**

The University proposed significant changes to the performance review process including the elimination of annualized merit.

The University believes that changes to the current performance review and career progress processes are necessary for the benefit of both parties, given concerns and complaints arising from the current language and processes outlined in the Collective Agreement.
The University presented its proposal and invited URFA to an interest-based discussion on these specific articles, seeking URFA’s engagement in a process of problem-solving to create mutually acceptable terms.

The University proposed to move toward a formative and collaborative process focused on career-planning. Doing so would simplify the process, reduce the administrative burden on all parties, and reduce the potential for conflict during appeal processes.

Presented as drafts for collegial discussion at the table, the University’s proposals were a starting point.

*The University has no intention whatsoever to restrict the academic freedom of academic staff members.*

On 26 September, the University attempted once again to engage URFA in an interest-based discussion. On 3 October, URFA communicated it had no interest in further discussion on the proposal and rejected it.

Therefore, in its place, on 10 October the University submitted a proposal based on existing contract language but including an optional career-planning process for tenured members. That proposal builds on the existing career-planning language for tenure-track members and offers that, with mutual agreement, a tenured academic staff member can choose a formative performance review process rather than the current process.

The University also proposed to move merit decisions from the Deans’ hands and, instead, situate those decisions with the Campus Promotion Committee, the membership of which is specified in Article 17.16 of the Collective Agreement. Under this proposal, there would be a merit pool of a fixed number of merit increments to be awarded each year, combined with the introduction of a merit ceiling for all ranks (to ensure over time a fair distribution of merit increments across a broad portion of the membership).

The University’s proposes that the Campus Promotion Committee would be required to ensure that merits are fairly allocated across a broad cross-section of disciplines and consider duties as defined in Article 16. The University has proposed that the decisions of the Committee be final.

**Benefits, Leave and Monetary:**
The parties continue to discuss several articles related to benefits and leaves but have not had any substantive discussions on monetary items.

**Concluding Statements:**
The University’s bargaining mandate is focused on the following interests:
- ensuring a workforce configuration that utilizes resources effectively in the context of our academic mission and the needs of our students;
- preserving as much flexibility as possible to respond to the changing needs of our institution; and
- achieving a fiscally responsible collective agreement that emphasizes restraining costs in the current challenging environment.
The University is committed to a respectful and collegial bargaining with URFA, at this time, will not engage in, or respond to, bargaining discussions in social or public media.

The University wishes to achieve a negotiated settlement through open and honest collective bargaining, and is optimistic that an agreement will be reached.

The parties are scheduled to return to the bargaining table with dates set in November and December.

This update is not intended as a complete account of negotiations, nor does it necessarily represent the University’s final position on each of the issues from the outstanding articles under discussion.