

UNIVERSITY OF MANITOBA
Faculty Association

FAST FACTS



February 9, 2018

Hi everyone,

Below you'll find relevant news items and UMFA related information that we hope you'll find helpful. If you have information or an event that you'd like to share in an upcoming issue, please email the item to umfa-communications@umfa.ca for consideration.

KNOW YOUR CA

Knowing and Using Your Collective Agreement was developed to bring clarity to some of the more confusing aspects of the CA. Each section of Knowing and Using Your Collective Agreement lays out the groundwork and the practical takeaways that are important for Members to understand so they can continue to maintain the principles that we've fought for through collective bargaining and strike action.

When in doubt, however, the language in the CA takes precedence over the descriptions included here. If you have questions or concerns, contact the UMFA office at 204-474-8272 or faum@umfa.ca.

Current articles:

* [Section 19.B.1.8 \(meetings concerning discipline or investigations\)](#) ***A must read!***

[Article 10: Retirement and Reduced Appointments](#)

[Article 18: Hiring of Members](#)

[Articles 19 and 20: Tenure and Promotion Recommendation Information for Recent Applicants](#)

[Workload Provisions](#)

[Read More](#)

NEWS YOU CAN USE 

LIBRARIANS MAKE HAPPEN.

Librarians & Libraries on Campus

Throughout the months of February and March, we'll be taking some time to de-mystify the role of academic librarians on campus. Librarians play a crucial role in making the UofM function on a day-to-day basis.

We'll be talking about some of these tasks and roles throughout the next couple months and looking at how librarians and libraries are essential to the functioning of post-secondary education.

Click below to learn more about the campaign!

[Read More](#)



Solidarity Committee Call for Volunteers

UMFA is establishing a Solidarity Committee to support other labour and union activities in Manitoba and across Canada.

Members of the committee are required to commit to attending at least one event per year.

Committee activities involve:

- joining picket lines and marches in solidarity with other unions
- organizing goodwill gestures such as providing cookies or coffee at events
- being part of the larger labour movement across Manitoba and Canada

To be added to the email list of events that the Solidarity Committee will attend throughout the year, click [here](#).



Manitoba Labour Board Confirms Unfair Labour Practice Committed by UofM

On January 30, UMFA received confirmation that the Manitoba Labour Board had ruled in favour of the Unfair Labour Practice we filed against the University of Manitoba bargaining in bad faith before the 2016 strike.

To find the full ULP decision and press coverage, [click here](#).

Below is the response from UMFA President, Janet Morrill (sent to all UMFA Members on Wednesday, January 30):

Hi everyone,

As you well remember, in our 2016 round of negotiations the administration's bargaining team took its salary offer off the bargaining table just days before our strike deadline, setting the stage for what would be a three week strike. Saying that the Pallister government had pressed them to do so, they claimed they had done everything they could to persuade the government to change course. Refusing to accept that there was no alternative, and knowing how important wages are to all of us, we decided to make the best of a bad situation and put the question of salary to the Manitoba Labour Board while simultaneously attempting to make other gains at the bargaining table. Those

attempts failed, and we walked the picket lines for 21 days.

We have finally received the Manitoba Labour Board's decision regarding our claim that the University violated the law when it withdrew its salary offer during our 2016 negotiations. The Board has found that the administration acted in Bad Faith by failing to tell us about their salary discussions with government. They have ordered that the administration pay up to \$2.4 million dollars to Members, as compensation for interfering with their rights, and apologize to all UMFA Members for its actions.

These fines are to be paid directly to each of us as UMFA Members, and the Board has ordered the amount to be negotiated with the administration. The law allows a maximum fine of \$2,000 per Member, and we will push for that amount in full.

While this is good news, there are several disturbing things that were made clear during the Labour Board hearings and in the final decision.

First, the government's concern was less about spending at the University, and more about how UMFA's negotiations would affect the rest of the public sector. If we made gains, others would also expect to see gains, causing problems for the government. Further, according to the testimony of the University's AVP of Human Resources, the Provincial government appeared to actually invite a strike.

Second, while the administration repeatedly said they had done everything to dissuade the government from demanding a 0% wage increase, the Board concluded the administration did no such thing. Instead, in its communications with government the administration demonstrated its primary concern was protecting the University's legal position and the perceptions of the University community – otherwise put, it was more concerned with public relations.

Third, the government demanded that their directive be kept secret, and the University complied until the last moment. This was central to the Board's decision: the University knew of the government's mandate and had a duty to tell us all about it. The Board went so far as to say that waiting over 20 days before filling us in was an act of misrepresentation and a violation of the duty to bargain in good faith. This is the basis for the fines and the apology.

It is important to keep in mind that the Pallister government's actions were a

prelude to Bill 28, the so-called “Public Services Sustainability Act”, which threatens claw-backs to any wage increases that go above 0%, 0%, 0.75%, and 1% in a four year period. We hold that this Act is unconstitutional and have joined the Partnership to Defend Public Services in a legal challenge that seeks financial and other remedies for the government’s actions.

Tomorrow morning at 10 am there will be a press conference at Union Centre on Broadway Avenue to make this information public, and shortly thereafter the entirety of the Board’s decision will be available to you.

Watch the website tomorrow for our press release and a copy of the decision. When reading it, watch for these important points:

- “According to [AVP Human Resources Greg] Juliano, [*province’s*Gerry] Irving said that there were concerns in government that providing a wage increase for members of the Faculty Association would set a pattern for other public sector bargaining [...]” (Page 18)
- “[AVP Human Resources Greg Juliano] told the Faculty Association representatives that the Provincial government actually *wanted* a strike. In a similar vein, another University representative speculated that the Provincial government was trying to make an example of the Faculty Association.” (Page 32)
- “[...] the Board does not accept that the University ever seriously considered exercising its independence and defying the government with respect to whatever mandate it eventually imposed.” (Page 61)
- “The University’s challenges to government centered on how the government would publically communicate its order (principally to protect the Univ
- “In an email to Irving that evening, Juliano [...] asked for his thoughts regarding ‘how we can nuance this message in a way that both explains why the University is changing course in the middle of bargaining, but also doesn’t completely blame Government’.” (Page 23)
- “[In an email to Irving] Juliano expressed that if the University had to comply with the new mandate, then ‘we are going to need a strong statement from government that this is a directive’. Juliano concluded that if agreement with the government in this regard could not be reached quickly, then ‘the University feels that it cannot go backwards from its previous offers, as this would be illegal (i.e. bad faith bargaining) and have serious consequences for our community’.” (Page 26)

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Dalhousie Faculty Association

The Dalhousie Faculty Association have reached a tentative collective agreement with Dalhousie University.

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New Copyright Regulations

The University of Manitoba is in the process of updating their copyright rules and regulations. To see the CAUT Guidelines for the use of copyright material, click below.

[Read More](#)

We make **UofM** happen

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Faculty Association



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