

DFA Bargaining Unit General Meeting Tentative Agreement

PLEASE NOTE: THIS MEETING AND THE INFORMATION SHARED IS FOR DFA BARGAINING UNIT MEMBERS ONLY.

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Click on "Rename". Enter your full name, or first initial and last name. Click "ok"
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3. All participants are muted and the chat function is disabled. If you have a question or comment, click on the "Participants" icon and select "raise your hand" (the option is on the bottom right of the box listing participants.) The host will unmute your mic and then lower your hand.
4. If your full name is not on screen, please identify yourself when you are unmuted.
5. If you experience technical difficulties, email Kristin.Hoyt@dal.ca and we will do our best to help you.

Presented by:

David Westwood
DFA President

Ray Larkin
Chief Negotiator

Thursday
January 14, 2021
7:00 pm via zoom

DFA
Dalhousie Faculty Association

Opening Remarks

David Westwood
DFA President

- Welcome
- Territorial Acknowledgment
- Housekeeping
 - Make sure you are identified on the zoom (first/last name)
 - Use the “Raise hand” function during question period and we will unmute you

DFA 2020 Bargaining Team

Ray Larkin
Chief Negotiator

Patti Doyle-Bedwell
College of Continuing Education

Tim Jukes
Psychology and Neuroscience

Elizabeth Kay-Raining Bird
Communication Sciences and Disorders

Shelley McKibbon
Kellogg Library

Barbara MacLennan
DFA Professional Officer

Lynn Purves
DFA Administrative Officer

... Move into Committee of the Whole

We've come a long way since June 15, 2020

- On June 15, 2020 the Board attempted to preempt negotiations with a joint offer to DFA and NSGEU.
- Instead of bargaining:
 - The Board proposed a 5% reduction in pay for one year and no increase in pay in a second year;
 - Limiting indexing under the pension plan by so-called Cessation of Transfers; and
 - Wholesale reductions in retirement incomes for future retirees by “integrating” (subtracting) Canada Pension Plan benefits.
- They justified these changes by a predicted 29% drop in enrollment.
- DFA representatives told the Board that these changes were not acceptable and to go back to the drawing board.
- Seven months later, we have a tentative agreement recommended by the Bargaining Team.

Rough road to the tentative agreement

- Formal bargaining began on July 16, 2020.
- DFA and Board representatives met seven times over the following two months.
- Enrollment increased in September and the Board responded by proposing Income Maintenance Changes (IMC) of zero, zero and zero in each of three years.
- On September 18, 2020, when it was clear that the Board was adamant on its pension proposals, DFA applied for the appointment of a conciliation officer.
- DFA Members then voted to authorize strike action to make it clear that the Board's pension proposals and a three-year IMC freeze were unacceptable.

Conciliation

- DFA and Board representatives met on October 19, 2020 and the Board offered a proposal of a three-year agreement with 0.25% increases in each of the first two years and a “reopener” in the third year.
- The Board insisted on its pension proposals.
- Conciliation collapsed.
- 865 of 967 DFA Members voted 95.5% for rejection of the Board’s proposal.

Conciliation Board

- With the collapse of conciliation, DFA proposed and the Board accepted agreement to appoint a Conciliation Board.
- A Conciliation Board made up of James Oakley, Faye Woodman and Hugh Wright was appointed by the Minister of Labour and Advanced Education.
- At meetings between the Conciliation Board and representatives of DFA and the Dalhousie Board on November 18, 19, 20, 21 and 22, all but two issues were resolved - IMC changes in a two-year term and a DFA proposal on education leave for Instructors.
- On December 16, 2020 the Conciliation Board reported recommending:
 - 1% IMC effective July 1, 2020 and 1.25% IMC effective July 1, 2021; and
 - the DFA education leave proposal.

Back to Conciliation

- On December 18, 2020 the DFA Executive Committee approved a recommendation from the Bargaining Team to accept the recommendations of the Conciliation Board.
- Later that day, the Board announced that it would not accept the Conciliation Board's recommendation on education leave.
- This meant that the DFA would be in a legal strike/lockout position on December 24, 2020.
- DFA and Board representatives agreed with the conciliation officer to meet on January 8, 2021 for a further round of conciliation.

Tentative Agreement

- With the assistance of the conciliation officer, DFA and Board representatives reached a tentative agreement on January 8, 2021 subject to ratification by DFA Members and the Board of Governors.
- On January 11, 2021, the Executive Committee accepted the recommendation of the Bargaining Team to recommend the tentative agreement to the DFA Members for ratification.

Cessation of Transfers

- The Board withdrew its proposal on Cessation of Transfers. DFA and the Board agreed to the following:
 - The parties agree to commission an independent report to examine the indexing of pensions under the Pension Plan, the costs of indexing, and the potential impacts of cessation of transfers on current and future retirees, as well as any steps that can be taken to mitigate these impacts.
 - The DFA's agreement to commission the independent report does not mean that the DFA accepts cessation of transfers.
 - The report shall be commissioned on or before January 1, 2021 and submitted to the parties on or before April 1, 2022.
 - The costs of this independent report will be borne by the Pension Plan, if feasible, and if not, by the Board.

Canada Pension Plan Integration

- We agreed to a Letter of Understanding:

Letter of Understanding

Canada Pension Enhancement Integration

- The DFA and the Board agree in principle to integrate the enhanced portion of the Canada Pension Plan with the Dalhousie University Staff Pension Plan effective January 1, 2023.
- The DFA and the Board agree to refer the matter to the Pension Advisory Committee with a request to report back to the parties within one year from the date of signing of this Letter of Understanding with an accrual formula that is easy to administer/communicate and that reflects integration of the CPP enhancement.
- Any cost savings will be shared between the Board and active Plan members.

Monetary Changes

- **IMC effective July 1, 2020:** 1.0%
- **IMC effective July 1, 2021:** 1.25%
- **CDI:** Increase by IMC
- **Salary Scales:** Increase by IMC
- **Salary Maxima:** Increase by IMC
- **Overload Stipends:** Increase by IMC
- **Supplemental Leave Funds:** Increase by IMC
- **Health Spending Account:** Increase to \$1,000
- **Anomalies Fund, Administrative Stipends, Market Differentials, Travel Funds, Supplemental Leave Fund, PDA:** Increase by IMC

Non-Monetary Changes: Equity

- Funding for overload stipends for overload academic administration duties of members of designated groups.
- Recognition of traditional ways of knowing in calculating Y values on initial appointment.
- Retain credit for service towards future sabbatical or education leaves when leave is cancelled due to pregnancy.

Service required for education leave

- Recognition of Instructor's service for education leave:
 - 30.32 (a) The Board agrees to grant educational leave to pursue academic studies that complement their work at Dalhousie University and which will also benefit their Department to instructor Members on the conditions set out in this Clause 30.32. In order to be eligible for the granting of education leave, a Member must have ~~been classified as a Senior Instructor and also shall have~~ completed six (6) years of service at Dalhousie University, or shall have completed seven (7) years of service at Dalhousie University calculated from the initial date of the previous educational leave project.
 - (i) **Up to three (3) years of service in a limited term appointment at Dalhousie in the six academic years preceding a continuing stream appointment or appointment to the rank of Senior Instructor will count towards eligibility for educational leave at a ratio of 1:1 provided that the Member succeeds in achieving a continuing stream appointment or appointment to the rank of Senior Instructor at Dalhousie University.**

Non-Monetary Changes: Copyright

- Consistent with existing protections in the Collective Agreement, Members are sole copyright holders of their on-line lectures, teaching materials and examinations and shall retain the exclusive right to use, revise, rework and amend the copyrighted materials regardless of any support from the Board for production of the materials or of the manner of recording, storing, transmitting or broadcasting them.

Route to Promotion for Technology Instructors

- 12.20 A Technology Instructor Member who obtains a university degree shall be promoted automatically to the rank of Technology Instructor II from the beginning of the academic year in which the university degree is obtained. **Consideration of promotion from Technology Instructor I to Technology Instructor II may be requested if the Member has completed four years of service, demonstrates a high level of teaching effectiveness and is a registered veterinary technologist in good standing.**

Health and Safety

- Upon request from a Member, the Board shall, at the Board's expense, provide the appropriate personal protective equipment needed to protect them from hazards in their workplace. Where possible, PPE for research activities should be covered by research funds.

COVID Letter of Understanding

- As many Members are required to work remotely, the Board will make its best efforts to provide necessary home office equipment and supports. With approval of the Dean, Members may request reimbursement for the purchase of reasonable home office equipment and supports to enable completion of essential work tasks **that they incur or have incurred since March 16, 2020**. As appropriate, the Dean may alternatively recommend that the Member utilize/borrow existing campus-based equipment for home use. Equipment purchased with Faculty funds is the property of the Faculty and needs to be returned to campus when virtual operations end.

COVID LoU: Examples

- Members who are required to have in person contact with students, other faculty and/or staff shall be provided with the appropriate personal protective equipment, at the Board's expense. Where possible, PPE for research activities should be covered by research funds.
- Consistent with existing protections in the Collective Agreement, Members have the academic freedom right to determine the appropriate method of delivery of online classes they are scheduled to teach, including how to best deliver a class or program, subject to applicable health directives and safety considerations.

COVID LoU

- In recognition of the additional demands placed upon a Member during the COVID pandemic, all Members shall be granted an additional five (5) days of vacation in the 2021-2022 vacation year.
- With the approval of their Dean, Members who are unable to take some/all vacation for the academic year 2019-2020 due to workload resulting from COVID will be able to carry forward remaining vacation to the year 2020-2021.
- Member(s) who are required to work from home may request an accommodation due to family, health or other matter covered by the Dalhousie Accommodation Policy. Those entitled to an accommodation under the Policy will be accommodated to the point of undue hardship.

Recommendation

- The Bargaining Team recommends the tentative agreement for ratification by the DFA members.

Special thanks

- To the DFA staff who contributed mightily to our work on your behalf - Barbara MacLennan, Lynn Purves, Catherine Wall and Kristin Hoyt.
- To Faye Woodman for her effective contribution as our Conciliation Board nominee.
- To DFA President David Westwood and President-Elect Tara Perrot whose unfailing support and guidance brought us through a very difficult set of negotiations.

Next ... comments by DFA President Dave Westwood

Next Steps

- Tomorrow, DFA will circulate the tentative agreement to our Members for review.
- DFA will conduct a ratification vote next week, which will be done electronically using our online voting platform.
- The vote will open Tuesday, January 19 at 6 am and close Thursday, January 21 at 4:30 pm.
- Results will be reported to the Membership on Friday, January 22.
- The Board of Governors must also ratify before the tentative agreement can become the July 1, 2020 – June 30, 2022 Collective Agreement.

Next ... Questions facilitated by DFA President-Elect Tara Perrot