



Federation of
Post-Secondary Educators
of BC

**George Davison's Report
to FPSE's March 2006 Bargaining Conference
on CAUT's Feb 3-5, 2006 Bargaining Conference**



**George Davison
First Vice President of FPSE**

CAUT's February conference, titled "*Money Matters! Bargaining Total Compensation in the Post-Secondary Context*", brought to Ottawa almost 100 delegates from colleges and universities across the country to look at matters of concern for bargaining committees, from fundamentals to strategies for making salary grids more equitable.

Maureen Shaw and Jeff McKeil joined me in representing FPSE.

Ted Montgomery from Seneca College in Toronto, and OPSEU's chief negotiator for four rounds of bargaining, led off the conference with advice on bargaining basics. In Ontario, twenty-four colleges have one collective agreement, and begin preparations by sending delegations to a conference and electing a seven-person bargaining team.

The team then elects the chair. OPSEU represents everyone at Ontario's community colleges except part-timers, and they bargain for everything except pensions.

In the four rounds that Ted has been involved in, they've had one vote, and that was electing him chair the first time – the team works by consensus (unions have bargaining teams; employers have committees). All members of the team can speak at the table, though they often specialize in certain areas, i.e. benefits or number-crunching. Any member not happy can give 24 hours notice to call a vote - no-one ever has. Consensus forces them to find solutions, not a result where there are four winners and three losers. The question is, "Can you live with it?"

The team's guiding principle is "The will to prepare" – the more work they do (creating structure, writing language), the less employers do. Employers quit at 5, go off and have dinner and get a good night's sleep; the bargaining team works overnight. He advised us to be prepared, to learn the legislation covering your sector, to memorize your collective agreement, to know the history of bargaining.

The main bargaining goal should be to get the best deal for the members; and to build bargaining unit solidarity and team strength for future negotiations. As for bargaining models (mutual-gains or interest-based, positional or confrontational), he said, "Forget them." The goal is to get the best deal: different issues must be dealt with differently. Bargainers have to understand who they're bargaining with – the management negotiators' job is to carry your position to the ones who make the decisions. They're reading you, your resolve and your must-have issues. Your job is to read them and figure out who among them is influential, if any.

For members, it's important that they see a unified team. He advised bargainers to over-inform local leaders, as they're the ones talking to their members daily. The most important bargaining partner is the members; employers are always surprised by how high the strike vote is. Even though the public seldom supports strikes, members want to see their case made in public.

On salary, he suggested that we not differentiate between compensation and non-compensation. Everything has a cost these days, whether it's dollars or management rights. If you add steps to the top, take them off the bottom – the goal is to compress the grid as much as possible. Base what you do on seniority (they have a \$2,000 senior college master allowance and a recognition allowance of \$1,400 added to base salary for everyone who has been at the top step for a year). He also suggested eliminating managerial discretion; focusing on career earnings; and using comparator groups from inside and outside your sector.

Finally, Ted reminded us to consider what legacy we'll leave. The most important thing is a good contract, better than it was before (in big and little things); develop a bargaining relationship with the employers; and most of all, a better relationship with your members. In his experience, the size of the strike vote goes up every time members are called on, and those votes are made easier because of the mistakes managers make.

In a session called, "The Politics of Total Compensation", Brenda Austin-Smith of the University of Manitoba focused on how salary, pensions, and benefits affect women, aboriginal and GLBT faculty. The silence of these groups is not happiness; rather, it is disconnection. Not surprisingly, old boy networks favour old boys. For example, starting salaries from 1996-2001 were 20% lower for women professors, and even more for visible minorities. Over time, they never catch up.

Brenda argued that lump sums work better for younger faculty than percent increases; that giving assistant professors full professor increments help even salary out over a career. Several speakers recommended that salary and rank be completely separated: one emeritus law professor and long-time Queen's FA bargainer said they'd done this years ago because the rank system was so corrupt. Brenda also suggested focusing on benefits, as low-paid members get a bigger bang out of a good benefits package than senior faculty. She went on to talk about how associations' leaders can be more inclusive, bringing all members on board and getting better collective agreements.

Chris Ferns, chair of CAUT's Collective Bargaining & Economic Benefits committee, talked about Mount St. Vincent's experience in going from one of the lowest paying grids to a fairer, shorter grid. In 2000, their salary range had 33 steps in four categories starting at about \$33,000 and topping at \$86,491; now, the range is \$45,000 to \$112,000 with four categories and just 13 steps. For most university faculty, the top steps are hypothetical only because faculty starting in their 30s never get there.

He suggested focusing on the job rate: in many sectors, an employee enters below the job rate because of lack of experience, but after a few years he/she reaches the job rate and then the union negotiates for increases. In universities, it takes forever to learn and you reach perfection at retirement. In other sectors, promotion involves taking on more responsibility, more supervision of others, a wider range, or more independent work. In universities, there's no difference between what an assistant and full professor do – they both teach, research and do service (possibly with course release and a stipend for chairs). By shortening the grid, having higher starting rates and making increments larger, faculty will make more over their careers.

In another presentation, Michael Piva from the University of Ottawa, and until recently a CAUT Executive member and chair of the Contract Academic Staff committee (he has just been appointed to CAUT's staff as an assistant executive director), focused on "Leakage in the Structure", by which he meant any management discretion: starting salaries, merit pay, and market differentials. His anomalies committee had to use scatter charts to see if there was any rationale for initial placement – there was not. Two individuals with the same education and same experience had starting salaries that were \$25,000 apart. Why? Because one had a nicer dean! Or a stupid one! These special bumps have a huge impact: a \$2,000 differential at the start can be \$132,000 over one's career; a merit increment at year five could have a \$175,000 impact.

The problems associated with merit range from a lack of criteria (what constitutes meritorious behavior? in whose opinion?) to the lack of evidence to support its usefulness. He commented that we fight productivity measures, yet we let people hand out sums of money for supposedly being productive. Does the merit system fit with "normal" career paths, the ebb and flow of research and publication? It actually privileges publication, the research part of the job, and not teaching and service. Is due process used? Is it governed by the collective agreement?

Who is accountable? Who monitors? Is it grievable? Usually it is not. Similar problems exist with market differentials.

Finally, in a session called "Stopping the Leaks", CAUT staffer Vicky Smallman and Wilfrid Laurier Prof. Doug Lorimer talked about the huge gaps and massive inequities that exist in Canadian institutions. Fewer academic staff are hired into traditional jobs. More are hired on contract or limited term appointments. Teaching and research are being unbundled across the continent. Employers encourage teaching only positions because they are cheaper: stipends do not recognize experience or seniority; increments, if they exist, are discretionary; PhDs usually get a bit more money, but if you do the job, you should get paid for it. Differences between disciplines are notorious, with the arts usually well behind.

CAUT's long-term goal is to have a full pro-rata system where teaching, research and service are part of every faculty member's duties and pay. There are huge problems because of the profusion of contracts, anomalies, wage inequities, no pensions early in a career. Per course contracts at overload rates tend to encourage regular faculty to take overloads; tying the per course rate to a percentage of the assistant floor does not address inequities because 2% for an Assistant Prof. is a lot more than 2% for someone at 60% of the assistant rate. Neil Tudiver, CAUT's chief negotiator, closed the conference by encouraging us to be creative and aggressive in mobilizing contract staff, and in working with tenured faculty to show how both groups benefit from better treatment. If we work on building the strength of the collective, and take advantage of opportunities when they arise, we'll have better unions and better agreements.