



BARGAINING BULLETIN

The *Fifth Collective Agreement* between StFXAUT and the Board of Governors of StFX is set to expire on June 30, 2022. Prior to its expiration, a notice of the intent to engage in collective bargaining with a focus to negotiate the next collective agreement will be served to the employer. This exercise represents the rare opportunity to effect change and improve the terms of employment. Despite the hard work and frustrations, Members involved describe the process as incredibly rewarding.

Preparation:

To prepare for negotiations, broad consultation in various forms will be undertaken with Members to help identify issues to be addressed during negotiations. Typical forms of consultation include surveys, questionnaires, and individual and group interviews and discussions. Using this feedback and supporting research, including comparator analysis, along with information gathered over the life of the current agreement on its shortcomings, proposals will be drafted to reflect the true priorities of members in an inclusive, honest, and reasonable manner.

The Team:

Beyond early consultation, collective bargaining involves many groups gathered at various times to support negotiations. At the forefront of the negotiations is the Bargaining Team, usually consisting of a Chief Negotiator, who acts as the spokesperson, and at least two support persons, having others substitute in as appropriate. The Bargaining Team is selected by the Executive Committee and provided with any necessary training, including simulated bargaining.



Providing direct guidance to the Team are the Members of the Executive Committee, including the President and Co-Chief Grievance Officers. Further support is provided by the Members of the Contract and Benefits Committee, the Communications Committee, and the Strike Preparedness Committee. Indirect support comes via engagement with the other Committees of the Association and support groups formed on an ad-hoc basis, and discussions with affected parties.

The Chief Negotiator:

The Chief Negotiator acts as the spokesperson on behalf of the bargaining team. As such, the individual should be articulate, knowledgeable, patient, creative, confident and calm, yet decisive, strategic, persuasive and assertive. *“The compleat [sic] negotiator should have quick mind but unlimited patience, know how to dissemble without being a liar, inspire trust without trusting others, be modest but assertive, charm others without succumbing to their charm ...”* [Manual on Diplomacy, published during the seventeenth and eighteenth centuries] The ideal Chief Negotiator espouses union principles and understands the collective (best for all) nature of negotiation.

Other Negotiators:

Others members of the Bargaining Team are relied upon for their expertise on particular negotiation issues. These members should be the strong, silent type, possessing keen observation skills and attention to detail. They should be diligent note-takers, careful listeners, confident, decisive, and ready and willing to step in where necessary. They also have to draft new language, make creative suggestions and consult with members, and they should possess superior organizational skills to manage different versions of articles and consolidate changes into the final document.

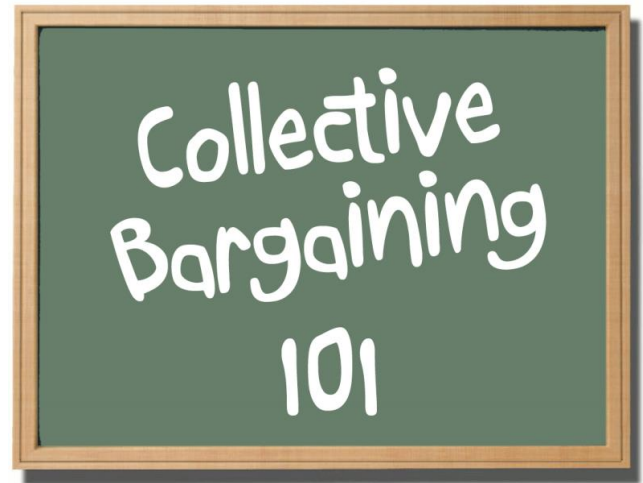
The Chief Negotiator is compensated with a workload reduction or stipend (equivalent to a six-credit course). The other members of the Team typically receive a stipend for their efforts. Work begins once the Team is formed, starting with broad consultation with membership.

Ratification:

At the end of the negotiation process, a tentative agreement is presented to the Membership. Members vote via secret ballot to accept or reject the new agreement. Similarly, the University Board of Governors must also consider the new *Collective Agreement*. Both parties must ratify an agreement before it can be implemented.

Failed Negotiations:

Normal bargaining involves numerous days of discussions at meetings between the Bargaining Team and the Administration's team. How many depends on the level of agreement on language changes and the number of controversial issues to be negotiated. In the event either side believes talks are going to fail to reach an agreement, they may apply to the Ministry of Labour and Advanced Education to appoint a conciliator. A conciliator acts as a mediator in continued talks to facilitate communication and reach a settlement.



If conciliation succeeds, a tentative agreement will be reached; otherwise, the conciliator will file a confidential report with the Ministry of Labour. The parties must then wait 14 days after a report is issued and then serve 48-hours' notice of intent before a legal lockout or strike may begin.

A lockout is a work stoppage forced by the Employer to compel the employees to accept an agreement. A strike is a withdrawal of an employee group's services to an employer to pressure the employer to accept an agreement.

A strike cannot occur without a strike mandate, which is achieved via a majority vote of Members in a secret ballot election. Such a vote typically takes place well before the call for conciliation.

Beyond Negotiations:

Once negotiations are complete and a new *Collective Agreement* is signed, the work of the Bargaining Team and the Executive Committee continues. First, members of the Team help ensure any changes brought about during bargaining are understood by those directly affected and they are properly implemented. Any outstanding issues that might remain are also considered. Some members of the Bargaining Team typically serve on the Joint Committee for the Administration of the Agreement, where updates can be negotiated.