

news from CUASA

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MANAGEMENT REJECTS PROPOSED SETTLEMENT

The Board of Governors has rejected the basis for settlement arrived at on October 18 between its negotiating team and the CUASA negotiating team.

The two teams met in a fifteen hour bargaining session under the chairmanship of Mr. Fraser Kean, the special officer appointed by the Ontario Minister of Labour at the Association's request. The draught agreement arrived at involved significant compromises by both sides. CUASA accepted a 2.75% scale increase in return for binding third-party arbitration on outstanding monetary issues in the next round of collective bargaining, due to begin in May. Both teams agreed to recommend the agreement to their principals.

The Association has always maintained that arbitration is the best way of resolving salary disputes in the university setting, and the negotiating team was willing to agree to a low scale increase at this time in order to establish arbitration as a fact and a principle at Carleton. Carleton management, for its part, without adequate explanation, has always rejected arbitration, apparently preferring strike and lockout as solutions to outstanding contract problems.

The employer's negotiators took the agreement to their principals, the Board of Governors, on October 24. The Board attached a condition to the clause dealing with arbitration, instructing any arbitrator to make management's perception of its ability to pay the "paramount consideration" in arriving at a decision. CUASA's legal advisers pointed out that this condition subverts the arbitration process and pre-empts the financial stringency and lay-off article of the collective agreement (Article 17). It was also pointed out that no self-respecting arbitrator would agree to serve under conditions that dictated he or she find on the basis of the university budget; if by chance an arbitrator should find in favour of the Association, the employer would be able to challenge his decision in the courts. Altogether, the Board's action was tantamount to a rejection of the agreement and repudiation of Dr. Love and his team.

In a meeting held on Wednesday, October 25, the CUASA Council passed the following motion:

Council approves the Proposal of Settlement of October 18, 1978, recognizing that the scale increase of 2.75% is the bare minimum acceptable provided that the parties also agree to independent final and binding arbitration for next year's monetary issues. Council rejects without qualification the employer's amendments of October 25, 1978, to this Proposal for Settlement. It urges the Board of Governors to reconsider its decision to reject the Proposal. In the event that the Board of Governors does not reconsider and accept the Proposal for Settlement of October 18, 1978, by November 3, 1978, Council instructs its negotiating team to return to its position of July 17, 1978, (6% scale, fully funded CDI and Merit, Professional Expense Allowance and increased access to the Physical Recreation Centre).

The CUASA negotiating team awaits the Board's response to Council's urgent request. If it is rejected, it is clear that enormous effort has been wasted and a great opportunity missed.