

Subject: [msvufa-univ-list] Sept 16 Update on CA
Date: Monday, September 16, 2024 at 11:38:36 AM Atlantic Daylight Saving Time
From: msvufa-univ-list on behalf of Tianyuan Yu
To: msvufa-univ-list@msvufa.ca
Attachments: ATT00001.txt

Dear MSVUFA members,

Given the time constraint of the Friday General Meeting and the seriousness of the matter of CA, after consulting the availability of the FA lawyer, the FA Executive Committee is calling a special FA meeting (virtual) on the signing of the CA on Thursday afternoon 2-4pm via Zoom. This is an opportunity for the FA members to hear directly from the FA lawyer and to ask him questions about the signing of the CA. We will still give a quick update on CA to members on the Friday General Meeting so people who cannot attend the Thursday special meeting will be kept informed. A Zoom meeting link for the Thursday special meeting will be sent to all members soon.

I also wish to offer a quick update on the Employer's responses to the Labour Board's request and to my letter.

On Friday September 13th, the Employer's lead negotiator reached out to the FA lawyer, requesting a phone call with him on Tuesday September 17th. The FA lawyer agreed. The Employer's lead then responded to the Labour Board, saying that "the Employer, Mount Saint Vincent University, is certainly open to an earlier CMC" and that she and the FA lawyer will have a phone call next week. The Labour Board responded that an earlier CMC is impossible, though other options could be made available to the parties to assist in quick resolution. The FA lawyer then clarified with the Labour Board that the FA did not request "an earlier CMC" but asked the Labour Board to intervene immediately to assist the parties in finalizing the CA, hence the phone call on Tuesday should not delay any intervention by the Labour Board.

Tyrone Cotie replied to me in the late afternoon of Friday. He suggested that the Board of Governors "are not the direct employer of faculty and do not have a direct, operational role to play in labour negotiations", and that "the Labour Board processes will be effective in bringing this to a conclusion".

The FA Executive Committee wants to correct that the Board of Governors is indeed the direct Employer of faculty members as defined in the Collective Agreement. Our Collective Agreement is precisely between the Board of Governors and the FA.

Below is Tyrone's full message for your information:

"Thank you for your comprehensive email, which I have read carefully and reviewed with the Vice Chair of the Board . I share your concerns about the serious, negative effects of not having a signed agreement. It is for that reason that we agree with the decision of the executive leadership team to refer the matter to the Labour Board. All parties need certainty and a signed agreement, and unfortunately, discussions have not brought those results. The terms agreed during negotiation were documented in clear correspondence between the parties and subsequently ratified, which should have resulted in a relatively clear path to a collective agreement. However, that has not happened. It is my sincere hope that the Labour

Board process can move us forward now. I also want to comment on the role of the Board. We are governors of the University and must play our role but not the roles of others. We are not the direct employer of faculty, and do not have a direct, operational role to play in labour negotiations. Just as you work hard to fulfill the role you have as President of the Faculty Association, I have to stay within the parameters of my role as Board Chair. I am also conscious that both parties are engaged in a legal process and are represented by legal counsel; as such, it is my belief that we need to allow those processes to play out. As a result, a meeting addressing the same issues currently before the Labour Board is not appropriate. I have confidence that the Labour Board's processes will be effective in bringing this to a conclusion. Thank you again for your email, and please be assured that the Board of Governors values the university's faculty and wishes to ensure healthy and productive relations going forward. On a personal note, I can say that both Ms. Towler and I look forward to working with you as the new FA President.”

We will bring further updates in a timely manner.

In solidarity,
Tianyuan

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“You must be the change you wish to see in the world.” — Mahatma Gandhi

I acknowledge that MSVU is in K'jipuktuk, the ancestral and unceded territory of the Mi'kmaq.