

Subject: RE: A meeting request from MSVUFA President
Date: Friday, September 13, 2024 at 5:07:27 PM Atlantic Daylight Saving Time
From: Cotie, Tyrone
To: Tianyuan Yu, Pat Comeau
CC: Lindsey MacCallum, Patti Towler
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png

Dear Dr. Yu:

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.

Yours truly,

Tyrone Cotie

Tyrone Cotie

he/him

Vice President, Treasury and Investor Relations

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From: Tianyuan.Yu1@msvu.ca <Tianyuan.Yu1@msvu.ca>
Sent: Thursday, September 12, 2024 2:37 PM
To: Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>; Pat Comeau <Pat.Comeau@MSVU.CA>
Cc: Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>; Patti Towler <ptowler@cpans.ca>
Subject: EXTERNAL - Re: A meeting request from MSVUFA President

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Hi Tyrone,

Thank you for your response earlier this morning to my inquiry yesterday about the scheduling of our meeting. I am surprised and disappointed to learn that you actually do not want to meet before the Case Management Conference (CMC) which was scheduled for October 9th. If you think it would be totally okay to wait for the outcome of the October 9th CMC before we address this topic, I am afraid you may not really “understand the frustration and challenges of not having a signed CA” as you claimed. I am further concerned that you might have been dangerously disconnected from the realities of the labour relations at the Mount, as suspected by many. And that was precisely why Lindsey and I had requested in late August to meet with you as soon as possible to ensure a clear understanding between both parties at this crucial moment.

Since we may not be able to meet in person sooner than October 9th, please allow me to clarify in writing the current situation and the consequences of this continuous delay of signing the CA. I also want to raise to your awareness that the Labour Board has asked the employer to respond to the union lawyer’s request for early intervention by the end of tomorrow Friday September 13. With this deadline approaching, I am writing to you to explain the FA’s position and expectation in this rather long letter – which I beg you to read carefully with patience.

First, I wish to explain the substantive impacts of not signing the CA on the administrative

side. Not having a signed CA has paralyzed several significant administrative and HR functions. These include but are not limited to processing the retroactive salary, salary-based compensation (e.g., benefits of sabbatical leaves, pregnancy leaves, parental leaves, family caregiver leaves, retirement incentives, pensions, Endowed Chair remuneration, etc.), overload stipends, Chair/Director stipends, professional expense reimbursement/travel grants, the Reappointment, Tenure, Promotion, and Permanence (RTPP) processes, and more.

Regarding the financial implications, from the FA members' perspective, the employer has been sitting on our money for over 6 months, accruing interests while many are struggling with financial challenges. To date, the administration still has not processed the retroactive pay despite announcing on the campus bulletin on August 28th that they intended to do so through the Joint Committee (JC) prior to the signing of the CA. There are still minor but important errors/disagreements with regards to salary schedules and the Director & Chair stipends that we are waiting for the Administration representatives on JC to confirm correction. We are also waiting for them to confirm that the retroactive salary applies to all the salary-based compensation and that FA members shall be permitted to make a claim for reimbursement from their Professional Expense Funds.

As for the RTPP problem, there have been significant confusions among FA members (and Administration as well) about the timelines/deadlines, the new service route to promotion to full professor, and other requirements. For example, the Joint Committee Memo issued on March 26th announced that the deadline of April 1st (when candidates for promotion shall give written notice to DRC and their Dean) "will be adjusted to two weeks after the date the new Collective Agreement is signed". Members seeking clarification from their Deans got the impression that all deadlines would have to be postponed for at least two weeks, some interpreted it as at least six months, yet others have worried that these would lead to penalizing results in the form of delay of promotion, career development, and increase of salaries. With the arrival of the first significant date of September 15th (when candidates for reappointment and tenure shall submit their academic files for evaluation) on the RTPP timetables, this whole issue would surely cause another nightmare for the Administration in addition to the mess on the financial front.

Next, I want to explain the intangible but more profound impacts of the delay of signing the CA on labour relations, employee morales, and campus climate at MSVU. To address that, I need to offer a brief recount of the FA's collective experience in their endeavour to sign the new CA with the employer. Indeed, the FA lead negotiator, the FA lawyer, the bargaining team, and the Executive team have been striving to sign a complete and accurate version of CA that reflects the tentative agreement on March 5th and ratified by both parties. However, the employer's lead negotiator has failed to provide such a version of CA despite being tasked to do so. Since March, the FA lead negotiator has repeatedly asked for an in-person meeting to go through the documents face-to-face given that communicating via email, at the employer's lead

negotiator's request, has proved unsuccessful and time-consuming. But the employer's lead continued to want to work via email and refused to meet. The two lead negotiators have met briefly online only a couple of times, but not to go through the documents - the employer's lead kept refusing to do so. Nowadays there are still important errors and omissions that need to be fixed even after so many efforts we have made over the past six months to facilitate the signing of the CA. The good news is that the most recent written communication between the two lead negotiators in August has identified only 36 outstanding issues in the draft CA, including matters related to salary, stipends, the term of the agreement, the prevention of layoffs, RTP for librarians and lab instructors, and ensuring consistency in articles across member groups (faculty, librarian, lab instructor) as agreed early on in the negotiations, and for which we have documented agreement. While these 36 substantiated language corrections may appear to be minor, they are actually crucial for the effective and equitable administration of the new CA and hence must be resolved.

Despite continued frustrations in our attempt to sign the new CA, we considered filing a complaint to the NS Labour Board as a last resort which would cause further significant delays while adding fuel to the flames between the two parties. We have a clear awareness of the ultimate interdependency between the two parties as part of the Mount community. Hence, we refrained from filing a complaint before exhausting other means of communication. In our sincere attempt to reach agreement with the Employer before the start of the Fall semester, on August 19th we asked conciliators from the NS Conciliation and Mediation Services to intervene. The employer's lead negotiator finally agreed to meet on Friday September 6th.

It was difficult to believe that on August 28th the Employer went directly to the NS Labour Board before the two lead negotiators have even met once with the conciliators. This shocking move at that particular point of time left us questioning the employer's commitment to ending the dispute through the conciliation process. Moreover, it was infuriating to read the Employer's complaint alleging that the FA has "failed to make every reasonable effort to conclude a collective agreement and refusing to finalize and sign the collective agreement reflecting the terms reached by the parties on March 5, 2024". This allegation was completely distorting the truth and further damaging the broken labour relations at the Mount. It was also hard to understand why the employer would direct their lead negotiator to prepare a 1300-page complaint package to the NS Labour Board which would lead to a lengthy procedure, instead of just spending a short time, perhaps only a few hours or days, resolving all outstanding issues by meeting with our lead negotiator in person. How much financial and psychological cost at the expense of the Mount community members could have been spared?

The Labour Board procedures are lengthy and will further delay the signing of the CA. The purpose of the October 9th CMC is only to bring all parties together and to determine how the matter will proceed. At the CMC a hearing date would be scheduled – so we won't know when

the hearing will be until after the CMC. I would only imagine it to be scheduled for at least a month after the CMC, and, according to our legal counsel, it would probably be scheduled for sometime in 2025. This would be a complete waste of time and absolutely unacceptable for the FA members. Moreover, although the Labour Board's decision is binding, according to the Trade Union Act, the only decision the Labour Board can make with regards to a complaint on Section 35 of the Act is to order the parties to meet and finalize an agreement. In other words, complaint or no complaint, the Employer's lead negotiator cannot continue to refuse meeting and resolving the remaining 36 outstanding items. A further delay would only add to unnecessary financial and psychological distress that everyone has been suffering for so long. The quickest way to resolve the 36 items would be through a face-to-face or conciliation meeting. That was why Lindsey and I requested a meeting with you, Tyrone, in late August. You quickly replied that you and another member of the BoG would meet with us once you return in early September. However, we have yet to meet to date. Your reply earlier this morning has prompted me to spend the whole morning writing this letter, in the hope of ensuring you receive the information needed before you make a decision to respond to the Labour Board's request by tomorrow.

It was saddening, but not surprising, for us to know that the conciliation meeting held on Friday September 6th failed. It was further shocking and maddening to know some details of what was happening during the meeting that led to the failure. It turned out that our lead negotiator, union lawyer, and the conciliator were the only people who attended in person. The Employer's representatives (i.e., your lead negotiator and Manager of Academic Relations) only attended online and refused to engage in direct discussions or even to be in the same room with the union's representatives! Consequently, the conciliator had to move between the two rooms in her attempts to conciliate! Furthermore, none of the 36 issues was resolved. The Employer's representatives refused to make any changes, maintaining their position that we should "take it or leave it," despite their document being incomplete, incorrect and inconsistent with what had been agreed to and ratified by both parties. We cannot agree to such a document, so we did not sign the employer's version of the CA.

All these information and experiences have been shared with all FA members through FA's regular updates on MSVUFA Listserv. FA members are outraged. They have felt "tired of being treated like a schmuck by our employer" and asked "what the steps are according to the NS legislation to go back out to the picket line again in order to get a settlement." The FA Executive team understands that another major disruption or job action, although legally possible (provided that the conciliators file another report based on the failed September 6th conciliation and that we hold a new strike vote), would cause further delay and immeasurable cost to all members across the Mount community. We wanted to seek quicker solution instead, if at all possible. Yesterday September 11, the union lawyer in their response letter to the Employer's complaint asked the Labour Board to intervene and meet with the parties prior to the October 9th CMC so that we can finalize and sign the CA by the end of the

month.

We are now anxiously waiting for the Employer's response to our union lawyer's proposal to jointly appoint a mediator-arbitrator to resolve the remaining outstanding issues. Should the Employer refuse this again, we will have no choice but to file our own complaint with the Labour Board and call on the Canadian Association of University Teachers (CAUT) to commence their censure procedures. The FA Executive members are meeting tomorrow Friday September 13 and will meet with CAUT officers on Monday September 16 to discuss launching a social media campaign and press release in collaboration with the CAUT officers. This is a crucial moment when every minute counts. We recognize that normal relations between the two parties cannot be achieved without signing the CA. We remain prepared to resolve these issues and sign a finalized CA, so that we can move forward and work towards repairing the relationship. I hope I have explained clearly in this letter the consequences of the continued delay and the importance of correcting the remaining 36 issues which have been agreed upon during the collective bargaining in March. My plea is that you direct your lead negotiator to meet with our lead negotiator directly and promptly to go through the 36 outstanding issues prior to the CMC so that we can end the disputes by the end of September. This would be the only and most needed way out of the collective suffering caused by this unprecedented delay of signing of the new CA, allowing us to then move forward for the collective good of all members of the Mount community.

Please be advised that this letter may also be shared to all FA members via Listserv to ensure and uphold the FA's value of transparency.

Your sincerely,
Tianyuan

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Tianyuan Yu, PhD (she/her)

Associate Professor of Management

Department of Business and Tourism & Hospitality Management

Mailbox M120, Mount Saint Vincent University

166 Bedford Highway, Halifax, Nova Scotia, B3M 2J6, Canada

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President of the MSVU Faculty Association

<https://www.msvufa.ca>



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

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

From: Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>
Date: Thursday, September 12, 2024 at 6:27 AM
To: Tianyuan Yu <Tianyuan.Yu1@msvu.ca>, Pat Comeau <Pat.Comeau@MSVU.CA>
Cc: Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>, Patti Towler <ptowler@cpans.ca>
Subject: RE: A meeting request from MSVUFA President

Good morning Dr Yu.

Since you first made the meeting request, we have become aware that Labour Board has suggested dates in early October for the initial meetings on this file.

Given this, it would be best to wait for that outcome before we meet on this topic.

We have been receiving regular updates from the administration and understand the frustration and challenges of not having a signed CA.

Sincerely,

Tyrone

Tyrone Cotie

he/him

Vice President, Treasury and Investor Relations

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tyrone.cotie@chorusaviation.com

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chorus 

From: Tianyuan.Yu1@msvu.ca <Tianyuan.Yu1@msvu.ca>
Sent: Wednesday, September 11, 2024 5:20 PM
To: Pat Comeau <Pat.Comeau@MSVU.CA>; Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>

Cc: Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>; Patti Towler <ptowler@cpans.ca>

Subject: EXTERNAL - Re: A meeting request from MSVUFA President

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Hi all,

I wonder why we still have not heard back from Pat about scheduling this urgent and important meeting. This apparent delay is contrary to my assumption that the BoG understood the urgency of the issue to be discussed. The FA will hold an executive meeting on Friday Sept 13 discussing next steps on signing the CA. I hope we can hear from the BoG by the end of tomorrow.

Best regards,
Tianyuan

--

Tianyuan Yu, PhD (she/her)

Associate Professor of Management

Department of Business and Tourism & Hospitality Management

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

From: Pat Comeau <Pat.Comeau@MSVU.CA>

Date: Tuesday, September 3, 2024 at 1:17 PM

To: Tianyuan Yu <Tianyuan.Yu1@msvu.ca>, Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>

Cc: Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>, Patti Towler <ptowler@cpans.ca>

Subject: A meeting request from MSVUFA President

Good afternoon all – I hope you (each) enjoyed a lovely Labour Day weekend.

A quick note to confirm that I will be reaching out to your offices, Tyrone and Patti, and once I have line of sight to your common availability, I will be back to you, Tianyuan and Lindsey to co-ordinate a date/time that will work for all.

Kind regards,

Pat

PAT COMEAU

Executive Administrative Advisor to the President

Mount Saint Vincent University
166 Bedford Highway, Evaristus 217D
Halifax NS B3M 2J6
Desk: 902-457-6131
msvu.ca

From: Tianyuan Yu <Tianyuan.Yu1@msvu.ca>

Sent: Friday, August 30, 2024 12:15 PM

To: Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>

Cc: Pat Comeau <Pat.Comeau@MSVU.CA>; Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>; Patti Towler <ptowler@cpans.ca>

Subject: Re: A meeting request from MSVUFA President

Hi Tyrone (and Patti),

Thank you very much for your instant reply! I hope you enjoy a great trip travelling abroad.

Lindsey and I tremendously look forward to meeting you and Patti in person. We'll be waiting for Pat's email confirming the date and location.

Best regards,
Tianyuan

--

Tianyuan Yu, PhD (she/her)

Associate Professor of Management

Department of Business and Tourism & Hospitality Management

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166 Bedford Highway, Halifax, Nova Scotia, B3M 2J6, Canada

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From: Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>
Date: Thursday, August 29, 2024 at 4:35 PM
To: Tianyuan Yu <Tianyuan.Yu1@msvu.ca>
Cc: Pat Comeau <Pat.Comeau@MSVU.CA>, Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>, Patti Towler <ptowler@cpans.ca>
Subject: RE: A meeting request from MSVUFA President

Good afternoon Tianyuan and Lindsey,

I am writing in response to your below note and would be happy to accommodate the request to meet. I am traveling out of the country, departing early tomorrow morning, and will not be back in Halifax until late day, September 6.

In terms of meeting participants, I would like to have Patti Towler, Vice-Chair, MSVU Board join us for the meeting.

By copy of this note, I would ask Pat to confirm a meeting time and location that will work for the 4 of us.

I look forward to meeting both of you, and to the ensuing discussion.

Sincerely,

Tyrone

Tyrone Cotie

he/him

Vice President, Treasury and Investor Relations

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Mobile: 1-902-497-2598

tyrone.cotie@chorusaviation.com

View my profile on www.linkedin.com/in/tyronecotie



From: Tianyuan.Yu1@msvu.ca <Tianyuan.Yu1@msvu.ca>
Sent: Thursday, August 29, 2024 11:22 AM
To: Cotie, Tyrone <Tyrone.Cotie@chorusaviation.com>
Cc: Pat Comeau <Pat.Comeau@MSVU.CA>; Lindsey MacCallum <Lindsey.MacCallum@msvu.ca>
Subject: EXTERNAL - A meeting request from MSVUFA President

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Dear Tyrone,

The MSVU Faculty Association was informed yesterday of a filing by MSVU of an Unfair Labour Practice Complaint against the MSVUFA. We are deeply concerned by this complaint. Lindsey MacCallum, Vice President of the MSVUFA, and I as President of the MSVUFA are respectfully asking for a meeting with you as Chair of the BoG (and another member from your team, if you would prefer) to discuss the issues surrounding the delayed signing of the Collective Agreement in the hopes of quickly resolving the issue.

Please kindly let us know your availability. We look forward to meeting you soon.

Best regards,
Tianyuan

--

Tianyuan Yu, PhD (she/her)
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President of the MSVU Faculty Association



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