

Joint Administration Dispute Resolution Committee

April 13, 2000

**CIEA Offices
Suite 301, 555 West 8th Avenue
Vancouver, BC V5Z 1C6**

In Attendance: Leo Perra, Martin Gerson, Valerie Cochran,
Barry Bompas, Bonnie Pearson, George Davison,
Rob Huxtable, Stu Seifert, David Piasta,
Doug Dorward, Danny Bradford, Alan Davidson

Teleconference: Edwin Deas, Derek Francis, Trudy Parks

Absent: Debby Offermann

Recorder: Gae Sellstedt

1. Call to Order

The meeting was called to order at 9:25 am

Round table introductions. Bonnie Pearson advised Danny Bradford was in attendance as an observer.

2. Approval of the Agenda

Three items were added to the Agenda:

- a) Update on regularization
- b) Labour adjustment
- c) Budgets

Item 5 i) OUCFA Union Leave - File 03-99-04-07 is deferred until the May meeting.

In order to facilitate the arrival of Alan Davidson from OUC, the order of the meeting was adjusted.

3. Business Arising out of the Previous Minutes - item 4i) -
File #023-00-01-14

The issue in front of JADRC is the blanket declaration of the Employer with respect to its determination of allocation of work generated through the Contract Training Society.

With regard to the specifics of a particular contract, where there are two unions involved, both BCGEU and the Faculty Association should be present at the JADRC meeting. Therefore,

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it was determined that the details of this CTM contract would not be discussed at this meeting.

The history behind the submission is that a contract came in and it was initially given to an individual who was not a bargaining unit member. The Unions took the issue to the Employer who declared it to be BCGEU work and subsequently wrote a letter to OUCFA saying that:

"We concluded that, unless the work involved academic credit programming, jurisdiction lies with BCGEU. If the work involved academic credit, jurisdiction lies with OUCFA."

The OUCFA took exception to this blanket declaration. The Faculty Association sees that CTM work and contracts can be quite different and each contract should be considered on its own merit. There needs to be a process at the college whereby the three parties determine how they will do that. If the organizations cannot agree on whose bargaining unit the contract belongs to, then appropriate resolution lies in the jurisdictional clause in the Common Agreement and is not a determination for JADRC.

Alan Davidson of OUC advised that their position is consistent with historical practices. He further advised that, although he wasn't party to the discussions between the two unions, he worked directly with each union separately to see if they could find definitions that may lead to a solution. The curriculum and faculty under BCGEU's jurisdiction are not different in principle from the work under the OUCFA jurisdiction. Attempts to resolve the issue between OUCFA and BCGEU failed and it has been defined as a jurisdictional dispute.

JADRC members consulted with each other in trying to arrive at a satisfactory resolution that would apply to OUC only. Therefore, JADRC agreed that submission #23-00-01-14 will be settled on the following grounds:

1. The College will withdraw the letters setting out their position on placement and will not unilaterally declare the placement of CTM work without meaningful consultation with the two bargaining units;
2. The Employer and the two unions will meet to agree on a process of allocation of CTM work;
3. The parties should be guided by Article 3.2.4(j) of the Common Agreement in process of appropriate placement;
4. Where the parties cannot agree on a process or placement, the Employer will assign the work and advise both unions of the assignment. Where there is disagreement, they will utilize the Jurisdictional Dispute Resolving Process under Article 3.4 of the Common Agreement;
5. JADRC will remain seized of the matter in the event local parties require further assistance in its implementation.

4. Approval of the Minutes of the Meeting of March 16, 2000

With the exception of two typographical errors, the Minutes were approved as circulated.

5. Business Arising out of the Previous Minutes (cont'd)

Item 4ii) Medical Travel Referral Benefit

The Employers are still unclear with respect to the intent of whether this Article was meant to be system-wide or specific to the three institutions that already had the benefit in place. Regardless, there are still unanswered questions specific to the benefit and JADRC needs to address them in an interpretation bulletin.

JADRC agreed to identify the questions that need interpretation and deal further with the issue at the May meeting.

6. New Business

OUCFA Union Leave - File 03-99-04-07 is deferred to the May meeting.

Interim Report of the Joint Educational Technical Committee

JADRC accepted the interim report as required by Letter of Understanding 5 of the Common Agreement. The Committee was advised that a survey had been conducted and the results are in the process of being tabulated. It is anticipated there will be more information forthcoming by the end of May 2000.

7. Regularization Update

- OUCFA has reached agreement subject to ratification; the BCGEU is still outstanding;
- Kwantlen University College met with Don Munroe on March 28th and he's in the process of determining his recommendations. It is unclear whether or not he will want to meet with them again.
- University College of the Cariboo is continuing to bargain;
- College of New Caledonia - LOU #3 is now resolved and has gone forward for costing. They have not met on Article 6 issues.
- Malaspina University-College - getting close to agreement.
- Camosun College - continuing to bargain.
- College of the Rockies - in negotiations.

8. Labour Adjustment

There are still lay-off notices in the system and there is some success in working through them. There may be some issues forthcoming to JADRC with regard to "what does it mean when you canvas that venue for voluntary options".

9. Budget

There was a suggestion to put a budget discussion on the May agenda.

10. Labour Relations Data Base

The last round of collection of data should be close to being circulated. CEISS is waiting for the Steering Committee to get back to them on collection elements for the 1999-2000 collection of data. The Committee may ask for additional columns of information to be added in.

There being no further business, the meeting adjourned at 12:40 pm.