

Gae's original

POST SECONDARY EMPLOYERS' ASSOCIATION

Joint Administration Dispute Resolution Committee (JADRC)

April 28 1999

**Delta Pacific Resort & Conference Centre
Brighthouse**

**In Attendance: Leo Perra, Valerie Cochran, Barry Bompas, Edwin Deas,
Bonnie Pearson, Debby Offermann, George Davidson,
Rob Huxtable, Stu Sieffert**

Recorder: Gae Sellstedt

The meeting was called to order at 11:05 am

Agenda

The Agenda was reviewed and changed as follows:

- Counsel and Membership were moved to "Protocol" section
- Regularization/umpire was moved to the end of the Agenda

PROTOCOL

Membership and Alternates

The Unions advised they explored the make-up of the original JADRC Committee and found that it was not well served by naming alternates. It was their opinion that a quorum could be established and as long as that was met, the meeting could take place without "alternates".

The Employers felt that without alternates, the employers would have to change their membership.

Minutes

The Unions' position is that although verbatim Minutes are not required, there is a need to have sufficient information so the context is not lost. Gae Sellstedt is to provide George Davison with the rough draft of the Minutes as taken in the meeting (diskette).

The Employers agreed.

Counsel and Membership

JADRC is for the purpose of interpretative issues of the common agreement and where matters are referred to umpire. The unions' side presented their interpretation of Articles 3.2.4, 3.2.6, 6.1.5 and 6.1.6:

- Under Article 3.2.6, issues do not need to be presented by members of JADRC and may be represented by whomever the locals wish.
- Article 3.2.4 states that members of JADRC will be present.
- Article 6.1.5. and 6.1.6 are not restrictive and allow either the institution or local union to use whomever they choose on matters of regularization.

The employers agreed to the above with an option to re-visit this matter.

Both the unions and the employers agreed to appoint five (5) people to the membership limiting the alternates to two (2). The unions asked for the right to review having alternates if there was lack of continuity.

Costs

It was agreed the cost of the meeting space and lunch would be split between the Unions and the Employers. It was also agreed that PSEA would be responsible for paying these costs and invoicing the unions for their portion.

Meeting Schedule/Locale

It was agreed that the JADRC meetings be held at either CIEA, BCGEU or PSEA premises for cost effectiveness.

Meeting dates were proposed and agreed upon as follows:

May 11, June 17, August 18, September 2, October 21, November 18 and December 16

Confidentiality

Both the unions and the employers agreed there was need for discussions held in confidence but there would be full and complete reports on decisions made.

Conflict of interest was a concern to the employers and they felt that a member of JADRC should excuse themselves if the matter of referral involved their institution.

The unions took the approach that members of JADRC were system representatives and system interpretation is different from an institutional issue.

An agreement could not be reached between the unions and the employers and the matter was deferred. The unions want to wait to see if this would genuinely inhibit debate at which time, they would consider re-visiting.

The unions said if there was potential for personal gain, the onus would be on the member to excuse him/herself from the meeting.

Consensus/Motions

The unions and the employer agreed that the Minutes would record that "parties agree" or "parties disagree".

Administration

The unions and the employers agreed that PSEA would be responsible for providing system support. This would include maintaining master files, maintaining a register of referrals, distributing information. There was agreement that e-mail (with attachments) was an acceptable method of distribution.

Files

It was agreed that PSEA would maintain files and set up a numbering system for ease of reference.

Communication

CIEA is prepared to do the first cut – designate from the employers' side is Valerie Cochran.

Agenda Preparation and Circulation

It was agreed the Agenda would be prepared and circulated 10 calendar days prior to a meeting date.

ITEMS

Referral

The unions and the employers agreed upon the following steps:

1. Notify the other party of your intent to refer
2. Notify JADRC by filing a written referral containing the information as outlined in Article 3.2.4 (c).
3. Following the receipt and submission to JADRC and the other party, the parties will prepare their documentation as outlined in Article 3.2.4(d) and submit it to JADRC within 7 working days of notification as per 2 above. Copies of these submission are to be forwarded to the other party.
4. There will be a period of 3 working days in which the parties may file a rebuttal

5. The full documentation (submission and rebuttal) is to be submitted to JADRC within 10 calendar days of the scheduled meeting date. This will allow for the Agenda to be distributed 7 calendar days prior to the meeting.
6. If there is a request for an oral presentation on the part of a local party or a request by JADRC for further information and/or clarification, a teleconference call would be set up prior to the meeting to decide whether or not an oral presentation will be permitted or requested.

All submissions and/or notifications are to be made to the PSEA office to the attention of Gae Sellstedt.

Date – First JADRC Meeting on Issue

The date of referral is the first JADRC meeting in which the referral is scheduled to be heard

Harassment Investigators

The members of JADRC will develop a list of investigators. The names will be circulated and then a determination will be made if there is a need for an interview process.

Where local parties cannot come to agreement on the selection of an investigator, JADRC will appoint an investigator from their pre-determined list.

It was agreed that some type of orientation workshop would be appropriate for the selected investigators.

Umpires/Arbitrators

It was agreed that the unions and the employers should bring forward names for umpires/arbitrators and that these names would be circulated with the Agenda for the May 11, 1999 meeting.

Labour Adjustment Fund

CIEA will undertake to get the breakdown of labour adjustment funds for each institution.

Effect on this Agreement

It was agreed by both parties that the Common Agreement has been executed.

Distributed Learning Committee

The Sub-Committee has not yet been set up. The Common Agreement is silent on the size of the Committee.

It was proposed that the unions have not more than eight (8) committee members and it is the employers' decision if they want to match that. On the unions' side, there would be a CIEA representative and 4 others and 3 representatives from BCGEU. The employers advised they would most probably not match the number but the people on the Committee would have linkages to other committees.

Other Committee Members as Alternates

Nothing to report

Regularization

The unions advised they are prepared to meet with the employers but only if they do not have to concede the meeting will not take place under Article 3.2.4.

The employers have suggested a meeting, without prejudice, and in confidence to gain an understanding of how each side feels. The meeting is scheduled to take place at 9:30 am on May 11, 1999 in the CIEA office.

The meeting adjourned at 4:20 pm