

## Arbitration report received

### *Collective agreements now complete*

The report from the mediated arbitration process was received today from mediator Mark Brown. This report outlines the language that will be contained in the CUPE collective agreements (116, 2278 and 2950) on issues that were still unresolved between the parties when the binding arbitration process began on March 26, 2003. The process concluded on March 28.

The three CUPE agreements were ratified by the unions and by the University with the acknowledgement that the parties would abide by the results of the binding arbitration.

With the new collective agreements now complete, we can outline some of the changes that were addressed in the decision from the arbitrator. The changes outlined here are not the comprehensive list, and they do not touch on issues that had been agreed to before we went to binding arbitration.

The entire decision from the arbitrator and a comprehensive list of changes to the collective agreements will be posted on [www.hr.ubc.ca](http://www.hr.ubc.ca) as soon as possible.

#### CUPE 116

- **Term of agreement** – this is a three-year agreement retroactive to April 1, 2002.
- **Wages** – There are no general wage increases, but the language does outline significant increases for research technicians and engineering technicians based on the need to improve market competitiveness.
- **Contracting out** – UBC may contract out bargaining unit work if:
  1. UBC does not have the necessary equipment
  2. UBC does not have employees who regularly do or are skilled in such work, and the jobs will not be required on an on-going basis.
  3. There is an emergency situation,

And contracting out the work will not result in a detriment to the employee such as lay off or change in classification or recall status.

When considering contracting out work or services, UBC will consult with the union before calling for tenders or awarding the contract.

The decision also states that notwithstanding the above, UBC may contract out renovation, maintenance, repair and construction project work valued at \$50,000 or more. Employees who are affected by this provision shall be assigned other work in their current classification and at their current rate of pay.

- **Contracting out savings** – The language addresses two ways that employees will be compensated from the anticipated savings arising from the new contracting out language; lump sum payments and possible wage increases.
  1. *Lump sum payments:* from April 1/03 to March 31/04, a 1% lump sum payment will be added to each paycheque. If savings are greater than 1%, another lump sum payment of up to 1% will be made March 31/04. The same provisions were made for the following fiscal year 2004/05.
  2. *Wage increases:* Effective March 31/05, wage rates will be increased by the actual percentage of cost savings, up to 2%.
- **Health & Welfare Benefits** – The University will continue to pick up the costs for 1.85% of payroll for enhanced health and welfare benefits, once funding from the provincial government ends, and the University retains the right to design the benefits plan to fit the funds available.

## CUPE 2278

### *Component I (TAs)*

- **Term of agreement** – This is a three-year agreement retroactive to September 1, 2002.
- **Tuition waivers** – There will be no tuition waivers for CUPE 2278 members.
- **Wages** – Teaching assistants, tutors, markers and non-credit sessional instructors will receive significant wage increases of 4%, 4% and 3.5%, based on improving market competitiveness.

- **Health & Welfare Benefits** – 1.85% of payroll will be transferred to the union by UBC once funding from the provincial government ends. The union will disburse these funds as appropriate.
- **Sick leave** – The maximum number of paid sick leave credits that can be banked into subsequent terms was raised from 12 hours to 24 hours.

## *Component II (English Language Institute Instructors)*

- **Term of agreement** – This is a three-year agreement retroactive to September 1, 2002.
- **Wages** – Wage provisions for ELI instructors were agreed on by both parties in mediation, and so do not appear in Arbitrator Brown's decision.
- **Health & Welfare Benefits** – The University will continue to pick up the costs for 1.85% of payroll for enhanced health and welfare benefits, once funding from the provincial government ends. The University retains the right to design the benefits plan to fit the funds available. (Same as CUPE 116)

## CUPE 2950

- **Term of agreement** – this is a three-year agreement retroactive to April 1, 2002.
- **Wages** – There are no general wage increases for CUPE 2950 members, however, Arbitrator Brown accepted the University's proposal to re-implement a three-step increment policy. This will allow for increases for over 90% of CUPE 2950 staff.
- **Health & Welfare Benefits** – The University will continue to pick up the costs for 1.85% of payroll for enhanced health and welfare benefits, once funding from the provincial government ends. The University retains the right to design the benefits plan to fit the funds available. (Same as CUPE 116)
- **Contracting out** – Contracting out language in the CUPE 2950 agreement was amended to be consistent with that for CUPE 116, that is, UBC may contract out bargaining unit work if:
  1. UBC does not have the necessary equipment
  2. UBC does not have employees who regularly do or are skilled in such work, and the jobs will not be required on an on-going basis.

3. There is an emergency situation,

And contracting out the work will not result in a detriment to the employee such as lay off or change in classification or recall status.

- **Contracting out savings** – In the decision, the arbitrator acknowledges that the application for contracting out in CUPE 2950 is limited, and has reflected this in the language surrounding contracting out savings for this employee group.

As with CUPE 116, the language addresses two ways that employees will be compensated from the anticipated savings arising from the new contracting out language; lump sum payments and possible wage increases.

1. *Lump sum payments:* effective March 31/04, if cost-savings are achieved through contracting out, employees will be paid a lump sum of half of the percentage saved, up to 2%. The same provisions were made for the following fiscal year 2004/05.
  2. *Wage increases:* Effective March 31/05, wage rates will be increased by the actual percentage of cost savings, up to 2%.
- **Job evaluation** – Job evaluation will no longer be a joint process as the Job Evaluation Maintenance Process is changed, and the Job Evaluation Maintenance Committee (JEMC) is discontinued. A Human Resources job analyst will do evaluations for new jobs and those being re-evaluated. The current appeal process is maintained as a joint process.
  - **Work day and work week** – The University now has greater flexibility to alter modified work weeks where operational requirements are not being met. The arbitration decision sets out a threshold test to change a schedule as well as the factors to be taken into consideration.

### Chan Centre

Many issues regarding the Chan Centre were agreed to during the negotiation and mediation process. The most significant issue addressed in the award from the arbitrator deals with wages.

- **Term of agreement** – The Chan Centre continues to function under a separate Letter of Understanding until March 31, 2005.
- **Wages** – The language from the arbitrator will result in wage increases for Chan Centre staff from August 1, 2000, and

includes provisions for a wage re-opener on April 1/04. These wage increases reflect refined market adjustments for this employee group.

*For more information:*

These are the major changes to the agreements, but not all of them. The entire decision from the arbitrator and a comprehensive list of changes to the collective agreements will be posted on [www.hr.ubc.ca](http://www.hr.ubc.ca) as soon as possible.

Employee Relations staff and Human Resources Advisors will holding forums for administrators and managers, and presenting the detailed list of changes to the agreements.

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*The University of British Columbia is negotiating new agreements with all of its staff unions and associations. During this time, UBC is committed to factual, timely and transparent communication with the campus community. Past issues of the Bargaining Bulletins are available at [www.hr.ubc.ca/general/bargaining.html](http://www.hr.ubc.ca/general/bargaining.html).*

For more information, please contact your Human Resources Advisor.