

**Labour Relations Report**  
**submitted by Melissa Moroz, Labour Relations Officer (LRO)**  
**November 14, 2014**

**Annual General Meeting of the Professional Employees Association  
University of Victoria Chapter**

The PEA servicing model is such that members have direct access to their local reps, the PEA chapter executive and their labour relations officer (LRO). Members should feel free at any time to connect with us about any issues that arise, questions or feedback.

### **Member Servicing**

The PEA and the University continue to problem solve and settle the majority of issues before they come to grievance or arbitration. It is the role of the LRO (Melissa) to be an advocate and to support members of the union.

In any case, if the PEA is not satisfied with the course of action that the University has taken and a provision of the collective agreement has been violated, the union may file a grievance. It is the LRO who has carriage over the grievance in consultation with the elected officers of the union.

### **Layoffs**

Thirteen members were subject to layoff in 2014. Most received severance per the collective agreement. Two members were recalled into other PEA positions on campus, one member was placed in a lower paid position and the other into a temporary position.

The PEA has limited language with respect to the layoff process. Length of service only becomes a factor when layoffs occur within a department for employees at the same salary grade in similar positions doing substantially the same work. The words “seniority” and “bumping” do not appear in the collective agreement. As the LRO, my role is to make sure that the University is following the collective agreement and not violating any laws (e.g., the Human Rights Code).

In our recent round of bargaining, the union was able to negotiate a small improvement in this area so that members will now receive an additional two weeks of layoff notice. This helps to extend the period of time that members are covered by extended health benefits and paid their salary.

We remain concerned about the on-going government cuts to funding post-secondary education and how these cuts impact job security and services our members provide to students.

### **LTD, Return to Work, and Accommodation cases**

Members sometimes have to go off on sick leave, be accommodated at work or transition to long term disability (LTD). The PEA collective agreement has good coverage in these areas for regular staff.

The role of the LRO is to represent the interests of members by working with them, management and the human resources department to ensure legal obligations with respect to duty to accommodate and the Humans Rights Code are fulfilled. Throughout the year, I attend dozens of meetings with members who are off on sick leave, returning to work or being accommodated.

### **Discipline**

Although it rarely occurs with members of the PEA, there have been cases where members were disciplined. When such cases arise, it is the employer who must prove "just cause" (i.e., the burden of proof falls on the University). It is my role to push the University to make sure that there is in fact (based on evidence) cause for discipline. If there is not, a grievance is filed.

### **Terminations during probation**

There have been members who were not deemed suitable by the University during their probationary period who were terminated.

### **Letters of Expectation**

The University on occasion uses "letters of expectation" to deal with performance issues. Letter of expectation are not disciplinary in nature.

### **Harassment and Discrimination**

The union has filed two harassment based grievances on behalf of members. The grievances are currently being held in abeyance while new processes are established between the union and the University. Additionally, the union is working with the University to provide training and a union orientation for members in the department so that all employees are aware of their rights and responsibilities.

## **Job Evaluation Committee**

I co-chair the joint job evaluation committee with the University's recruitment and classification advisor Penny Waterhouse. We have been meeting regularly to review job evaluation questionnaires submitted by employees and managers. We have evaluated approximately two-dozen questionnaires this past year. The larger appeal committee consisting of six members (three from the union, three from management) has met a handful of times to review appeals. I strongly encourage you to fill out a questionnaire if your job has substantively changed since its original rating.

It should be noted that when the co-chairs and the committee meet that they are not there as advocates for either the union or the university. They are there to the best of their ability to follow the guidelines and criteria as set out in the plan.

## **Bargaining**

Preparations for bargaining began in the early part of the year for a new collective agreement. Members of the PEA bargaining team included Bert Klatt, Chandra Beaveridge, Duncan Hogg, John Foxgord, Sandra Guerreiro and Sheryl Karras. We had a fairly hectic summer of bargaining with lots of work, research, membership meetings and days at the bargaining table with the University's representatives.

On October 10, ballots were counted and 84% of voting members were in favour of a new five-year collective agreement that will expire June 30, 2019.

To read about the changes to the collective agreement and to read the full memorandum of settlement:

<http://www.pea.org/uvic-settlement-2014.html>

We will be hosting lunchtime collective agreement review sessions for members in the coming weeks. Stay tuned for details.

We now have five years to increase capacity and strength within our union so that we may improve our chances of securing better terms in the next round. This may seem like a long time away but there is much work to be done, especially in the context of government cuts to post secondary education.

Respectfully submitted,  
Melissa Moroz