

## Questions & Answers – AUFA’s Proposed Assimilation of CUPE 3911

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### Are CUPE 3911 members considered academics?

Yes, CUPE 3911 members are academics – joining AUFA will not change this. **This issue was firmly decided when CUPE got its bargaining certificate in 1988. The Public Service Employee Relations Board considered our duties and our qualifications and made a determination that we were academics and so our Board issued certificate reads “All non-designated academic employees including tutor and markers”**

### If we are academic why are we in a different bargaining unit than AUFA?

AUFA members are “*designated academics*” while we are “*non-designated academics*”. All designated academics at AU, by legislation, fall under the AUFA bargaining unit. All non-designated academics fall under the CUPE 3911 bargaining unit.

### Who determines our designation?

Historically, Alberta universities and colleges were given the authority to “designate” academics and twenty years ago the AU Board of Governors (BoG) made a conscious decision not to designate our members. At that time, AUFA did not consider us as academics and preferred we not be included in their association. The Public Service Employee Relations Board did not agree with AUFA and ruled that we were academic but not designated (as the power to designate at that time lay with the AU Board of Governors).

Currently, the power to designate staff still belongs to the BoG but recent changes to the PSLA (Bill 7) now allow any designation or changes in designation to be challenged, with the final word going to the Labour Relations Board (LRB). This gives AUFA the ability to appeal to the LRB for CUPE members to become designated academics – ***an action they can take with or without our support***. However, this change also allows CUPE 3911 to challenge any decisions and we have the many resources of CUPE behind us should it come to this.

### Why does AUFA now want our members?

Guessing motivations is difficult and we do not have a complete understanding of AUFA’s motives for wanting our members. We are concerned that AUFA is suggesting this change in the interest of self-preservation of those who currently comprise AUFA.

They claim to want a larger bargaining unit, which in the event of a strike or lockout could shut down the University because CUPE members would not be able to continue with front line teaching, as they currently could as an independent bargaining unit. They have not given any indication that they desire to improve the working conditions for our members nor have they provided us with any proof of how this might benefit us. If you read their Q & A’s, the issues that are vital to our members that include terms and conditions of our employment are all left to an uncertainty or in a “need to bargain status”.

## **How would becoming AUFA affect our current contract conditions?**

AUFA cannot guarantee that our current contract, let alone improvements, would be carried over should we join them as this is something that would have to be negotiated with AU – *there is a risk we could lose several of the gains we have made over the years*. AUFA proposed that we would enter as “part-time lecturers”. This would make our jobs more precarious than they are now as we would be term-to-term hires and there is no guarantee that we would retain any of our seniority should we be moved to AUFA. Right now, with few exceptions, we are continuing permanent employees with lay-off and recall rights. This has impact beyond the collective agreement to things like qualifying for EI and other benefits.

## **Why does the CUPE Executive want to stay with CUPE?**

We have been working to gather information to make sure we act in the best interest of our members and based on our findings and discussions we feel the best place for our members is with CUPE. Some key reasons are highlighted below:

- Moving to AUFA would mean that all the current terms in our contract would have to be renegotiated with AU and there is the risk that we may lose many of the gains we have made over the years.
- Our members’ seniority would be jeopardized.
- If assumed by AUFA, our representation in the bargaining unit would be reduced and our members’ interests may become secondary to those of full-time academic staff.
- As a minority group in a larger bargaining unit, we might be susceptible to concessions in bargaining because the protection of full-time jobs is often viewed as a priority and we could be “out-voted”.
- The recent Arbitration that resulted in a 2% Cost of Living increase for AUFA came with a warning that this increase could lead to layoffs. If our members become part of AUFA, as part-time staff, they may be more susceptible to any pending layoffs.
- AUFA members supervise us; if we are in the same bargaining unit this may create the potential for conflict.
- Remaining with CUPE puts the strength of Canada’s largest public service union behind us.
- CUPE resources and strike fund far exceeds anything that AUFA could offer our members.