



TRENT UNIVERSITY FACULTY ASSOCIATION

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President

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June 10, 2009

Dear Stephanie,

Thank you for your letter of June 9, 2009. On behalf of TUFA, I would like to respond to your characterization both of TUFA's objections, and of the nature of the employer's proposals.

Before that, however, I would like to extend to you our willingness to meet, as soon as you have concrete proposals for the pension issues you have raised. We will keep all of the scheduled bargaining days open, including Friday June 12, and will await word from you regarding the availability of your proposals.

It is our position that we can only respond to specific proposals with a grasp of the totality of changes tabled by the employer. I am sure the employer understands that we cannot respond in a piecemeal fashion. Until we know all of what is being asked of our members, any response is premature and incomplete.

Your characterization of our objections to the package of proposals from your side omits reference to several of our concerns. Most notable is that the items we highlighted represent only a portion of our concerns. In addition, to be clear, we have itemized some specific clarifications:

1. Renumbering and reorganizing of the text of the agreement does not include comprehensive revision of the terms that are being renumbered. One could agree to renumbering without agreeing to rewriting, in substantive ways, the articles so renumbered. While we did not object to your renumbering exercise in and of itself, we have been consistent in our communications to you that we see the changes contained in your proposals as extending well beyond those required by that exercise. The changes you propose alter fundamentally the terms and conditions of employment for our members and mark a radical change in the relationship between the employer and faculty at this university.
2. While a handful of your proposals may capture the employer's construal of 'current practice', most go far beyond. Furthermore, your characterizations of what is current practice stand in defiance of the current collective agreement and the union takes this opportunity to reassert the collective agreement.
3. Revising articles concerning policies on human rights and health and safety (among others) to

reflect changes in law is a project TUFA welcomes. But removing policies from the collective agreement is not itself a legal imperative, nor is it reflective of changes in legislation. It is, instead, an attack on the union's right to negotiate and uphold the policies in question.

4. Notwithstanding salary and pension concessions, and in addition to the inclusion of both a teaching only stream and increased workload for members holding limited term appointments, the monetary concessions you propose are dramatic. They are so far reaching as to include among other things: the virtual elimination of access to maternity leaves for those holding limited term appointments; significant reductions in benefits, including pension contributions and medical benefits for members who take their sabbatical at less than 100% of their salary; elimination of benefits for members taking an unpaid general leave; and significant reduction in compensation for most graduate directors.

Our claim was, and remains that your proposals as tabled are excessive.

5. TUFA's position is that any negotiation on pensions requires concrete proposals from the employer, proposals that we can analyze in detail alongside the myriad other financial demands. The absence of detail and specificity hampers our ability to assess and respond to your proposals.

Given your statement at the table on May 27th that pensions and other monetary issues were your main focus and concern, and our understanding of the mutual desire to address our inability to agree on the interpretation of the collective agreement language around the tenure process, we were frankly surprised to see you bring so many other issues to the table. We asked you to consider your stated focus and to address the apparent inconsistencies in the message you were presenting. We suggested an inconsistency in your position: the act of bringing so many proposals that substantially alter the terms and conditions of our labour, and that would have far-reaching and permanent impacts on the nature of academic work at the university, stands in contrast with your stated desire to achieve agreement on financial issues in a timely fashion.

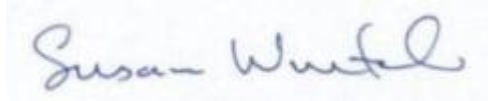
Your description of our concern over the scope of arbitrators is typical of the way your letter misrepresents the nature of our position with respect to the volume of employer demands. While we are absolutely concerned about your proposals to limit the scope of arbitrators, we are equally troubled by your proposals to eliminate faculty rights to grieve virtually all personnel decisions (including merit, reappointment, tenure, promotions, sabbaticals, CDI denials, etc.).

We also hear you state a need to reach agreement on a retirement incentive for our members. We welcome the opportunity to begin these discussions, but given the scope of items on the table and the concessions sought, the only way for us to responsibly consider these proposals is to do so once all proposals are on the table and we have had opportunity to study and understand them.

We reiterate our desire to negotiate in good faith a new agreement. We also reiterate that the set of positions tabled by the employer makes that work very difficult, and indeed compromises our ability to work with our members to meet the real concerns of the university.

We are troubled by the extent of the proposals that have been tabled. We worry that they will seriously compromise our ability to negotiate a contract within a reasonable time. We are most troubled because the proposals represent a fundamental change to the employment relationship currently enjoyed by our members. The proposals would fundamentally change the nature of the university and jeopardize our members' ability to undertake their work.

Sincerely,

A handwritten signature in blue ink that reads "Susan Wurtele". The signature is written in a cursive style with a light blue background behind the text.

Professor Susan Wurtele
President, Trent University Faculty Association