

## **Concerns with the Pace and Content of Bargaining**

We are here today to inform you of our concerns with what has transpired in bargaining thus far.

The CEC/Colleges requested that the Union provide them with costing of our proposals. Although we have provided you with rough estimates, it is not our responsibility to do costing of proposals; our responsibility is to negotiate our members' demands, which were put forth through our democratic processes. Regarding our non-monetary positions, we do not agree with your characterization that certain proposals with assumed cost implications should be considered monetary proposals.

Monetary proposals are demands that relate to wage and non-wage-based compensation items such as wages, overtime, benefits, and vacation, to name a few examples.

Certain proposals in our non-monetary package that modify and improve language related to our members' working conditions may have direct or indirect cost implications. However, it would be easy to contrive and/or inflate the costs associated with these proposals when, in reality, the acceptance and implementation of these proposals could lead to minimal, if any, real increases to college budgets. Moreover, other proposals could result in a decrease to the costs for some or all colleges, which may or may not be known or ever calculated.

The CEC/Colleges indicated to us, and to the public on September 10<sup>th</sup> and the 11<sup>th</sup>, that our proposals will cost the College system one billion dollars. When we requested a breakdown of this figure on September 10<sup>th</sup>, the college provided us with general costing estimates ...

This submission was inadequate and, as such, later on September 10<sup>th</sup>, the Union (via email) requested an actual breakdown to illustrate how these categorized figures were attained. This request was not responded to and, as such, on September 16<sup>th</sup> a follow up request was submitted via email. As of today, September 18<sup>th</sup>, this information has still not been received.

These types of delays are interfering with our ability to achieve an on-time negotiated agreement.

More specifically, the delays we have experienced as it relates to our members' workload demands are not acceptable.

As it relates specifically to workload, the last round of bargaining concluded with interest arbitration, with Arbitrator William Kaplan awarding a Workload Task Force (WTF) to deal with faculty demands regarding workload. In that round of bargaining, prior to interest arbitration, the CEC/Colleges refused to bargain issues related to workload. First, the CEC/Colleges stated that there was no “data” informing our members’ demands, and then stated that the demands were monetary in nature and, as such, conflicted with Bill 124. Bill 124 has now been found to be unconstitutional, and the Workload Task Force has concluded its work. The resulting WTF report includes data and recommendations from the neutral Chair that support our members’ (both full time and partial-load) demands – workload has indeed increased and is not being appropriately compensated.

In this round of bargaining, the CEC/Colleges appear to be intentionally delaying negotiations as it relates to workload. We are now into our 14th day of bargaining, with little progress made.

Bargaining commenced on July 15<sup>th</sup>. We submitted our workload proposals ([U1](#)) informed by both our members’ demands and the Workload Task Force Report (data and recommendations) on July 15<sup>th</sup>. On that day, and then again on July 22<sup>nd</sup>, the CEC/Colleges stated that they refuse to negotiate any workload proposals connected to the Workload Task Force Report, as the fully translated report had not been released. However, the CEC/Colleges (and their principals) received a copy of the draft report on July 3<sup>rd</sup>. The draft report was released by the neutral Chair on July 3<sup>rd</sup>, to inform bargaining.

On July 26<sup>th</sup>, the CEC/Colleges then submitted their M2 proposal titled “Academic Year and Professional Development, Non-Workload Taskforce Data Informed Proposals”. This proposal did not deal with our members’ demands evidenced in our workload proposals. Instead, the CEC/Colleges proposed concessions to our Professional Development time and the length of the academic year.

To move negotiations along, we submitted our monetary proposal (September 10<sup>th</sup>) and, on September 16<sup>th</sup>, we submitted a list of agreed-to items on workload from these exchanges (U9a). On this date, the CEC/Colleges told us again that you were still not prepared to respond to our workload proposal in a meaningful way, as further time was needed for analysis of the “full data set”. Further you noted that the issue and process were very “complex”.

The WTF report already includes a third-party analysis of the data. The recommendations made by the neutral Chair were borne from this analysis. The neutral Chair was also clear that further analysis would not alter the recommendations made.

The CEC/Colleges have provided several different rationales for not negotiating workload in any meaningful capacity. Your responses to our proposal on Article 11.01 G2 illustrate these concerns clearly. These delays, and obfuscation evidenced by providing shifting rationales for not accepting this proposal, are not acceptable.

The CEC/Colleges have delayed responding to our workload proposals citing first that you could not respond as the report was not released, then because the proposal was considered monetary in nature, and now because additional time is required for further analysis of the “full data set”. We also believe that the CEC/Colleges are misrepresenting the WTF recommendations made by the neutral Chair.

Given the lack of progress in bargaining, we are informing you that we are, today, filing for conciliation and will be requesting a strike vote. It is clear to us that the pace and substance of negotiations need to improve considerably to achieve a negotiated agreement. Conciliation and a strike mandate vote are the means to accomplish this.

We believe that both parties owe it to the hundreds of thousands of students in our system and to the communities that we serve to engage in meaningful negotiations – such meaningful negotiations have not yet occurred.

We maintain our commitment to reaching a negotiated agreement at the table, and we hope that the CEC/Colleges still share that goal. Both teams stated this at the table earlier this week. We intend on making the most of our remaining scheduled bargaining dates in September and October (ten more from the original schedule in addition to two additional dates that have been agreed upon) to ensure that this does happen. It is our hope and expectation that we will continue discussions as we await the appointment and participation of the conciliator. Thank you.