

Management Bargaining Team Chair's August 12 Response to Union Feedback and Published Bargaining Update

In the Union's feedback to us at the end of the bargaining day yesterday, and in the Union's August 11th bargaining update to its members, the Union made various statements which require response. In those respects, we submit the following:

- We view the bargaining process as an opportunity for fulsome and frank dialogue aimed at identifying issues and discovering terms upon which we can reach mutual agreement. This requires dialogue and the exchange of information and data underpinning each party's perspective.
- In a mature collective bargaining relationship, when one looks to change provisions or add provisions, one is typically guided by the principle that changes ought only be made where there is a demonstrated need for the change. The demonstrated need includes two components: demonstration of the problem, and demonstration that the proposed solution effectively addresses the problem.
- Our questions are aimed at discovering what in the current collective agreement is broken, what is the demonstrated need for the change to the language, and how the Union proposed change would address that problem. We are not engaged in a process of final offer selection. We are engaged in a search for compromise. To find compromise full discussion is necessary. This exploration of the reasons behind proposals is the essence of collective bargaining.
- With respect to equity, we have consistently acknowledged our shared goal of removing barriers within the language of the collective agreement and the way in which our work can contribute to the broader efforts across the system to create a more equitable experience for all.
- We know from experience and from the work that is already ongoing in many colleges that these are very complex issues requiring time and effort (and in many cases specialized subject matter expertise) if they are to be addressed effectively. Effective discussion of these issues also requires a shared understanding of relevant data and of the terminology that will provide the foundation for this work. Like the Union, we are aware that significant work in this area is already occurring in many colleges and that there is expertise which can be leveraged to support our work as appropriate.
- We have clearly stated our view that we expect there to be some collective agreement related equity issues that we can effectively and collaboratively address during this round of bargaining, and others that will require collaborative union/management work in the intervening years in preparation for the next round of bargaining. Contrary to the assertion the Union team made yesterday,

we have not suggested that everything must wait for data collection and study. Our purpose in asking our questions was in fact to begin to get a sense of what data may be available to us now in order that we can engage in effective dialogue and the exploration of mutually agreed upon changes to the collective agreement during this round of bargaining.

- With respect to the Union's assertion that the management team is dismissing faculty's lived experience, we consider this criticism to be unfounded and factually incorrect. As outlined in our August 10th presentation, our questions are meant to help our team better understand the data and positions the Union has put forward so that we can engage in more informed dialogue and work together with the Union to identify any changes to the collective agreement on which we could achieve agreement during this round of bargaining.
- With respect to the Union team's assertion that "For many members, burdening them with the weight of trying to convince you that their lived experiences do, in fact, include discrimination, in this forum is both fundamentally offensive and would constitute a process of revictimization". We are not asking the Union members to prove any element of their lived experience. We are not asking for any individual accounts. We are asking for any aggregated data that the Union may already have, which would enable us to jointly develop solutions and support the exploration of practical improvements to the collective agreement.
- With respect to the Union's assertion that "One clear theme in (our) response and questions is (our) lack of acknowledgment that systemic discrimination already exists in the Ontario colleges". We are focused on creating targeted and effective solutions to demonstrated problems. To do that, the problem must be clearly identified. Our questions are focused on identifying those problems and exploring them as they relate to the language in the collective agreement.
- Finally, with respect to the Union's response on our working definition of equity: We submit that a shared understanding of relevant terminology will be foundational to our ability to achieve mutual agreement on any issue. Our proposed definition was not submitted as collective agreement language. Rather it was submitted as a lens through which we could examine the collective agreement. If the Union believes the lens is too narrow, that is a matter that we could have discussion on.

Our team is continuing to work on the remaining proposals that the Union has tabled. We've offered additional dates so that we can engage with the Union on those proposals prior to the next block of dates which are just before the expiry of the collective agreement. We understand that some of those dates may be available to the Union team and look forward to hearing back on which ones might work. If there are other dates that the Union can offer, we will canvas them.