# INFO-FNEEQ

- EDITION COLLEGE NEGOTIATIONS -

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REPORT FROM THE NEGOTIATING TABLE (14th and 15th meeting)

# AFFIRMATIVE ACTION

# According to management:

It is not a high point on their agenda nor an urgent matter in their mandate. It is a problem which unionized members have to tackle among themselves as they constitute the majority on the hiring committees.

At the last meeting on April 9-10 we made a presentation of political nature on this issue. After having stressed that since the decree, women who were already under represented, are the first ones laid off, we asked how is it there is no hiring of women done within certain masculin ghettos despite the fact that there is sufficient number of women with diplomas in disciplines like electro-technology or building mechanics.

The «partie patronale» responded by saying that this was a question whose answer lies with mechanisms to be applied at the local level as the gravity of the problem varies from college to college and as teachers constitute the majority on hiring committees. We retorded by saying that we are faced with a problem of global nature which affects all college teachers and that many clauses have provincial ramifications, such as job security. Therefore we want a uniform programme which in order to be effective and gain political clout has to apply provincially.

## Both sides have still a long way to cover.

On our part we have accepted the fact that there is still a long way to go within our own ranks in order to resolve the question. But this should in no way justify the stone-walling attitude of the «partie patronale» on this issue since the last two rounds of negotiations. Our demands far from being drastic treat the problem by discipline and by college and changes that will come about within disciplines as a result of the application of the (affirmative action) programme are being sought in a gradual manner.

Management is mandated to send this item back to the local level even if legislation has taken affirmative action off the list in Annexe «A» (Bill 37).

We asked management why in their offers affirmative action is sent back to the local level while legislation, in a rare move during the parlamentary commission decided to modify Bill 37, and take it (affirmative action) out of Annexe «A». For us this move signified the government's intentions to have this question negotiated provincially.

Management acknowledges that only government can go above Bill 37 and not local administrations!

«We do not question your position. We do not want to play around with Bill 37 but those who give us mandates are the minister and the Federation (of cegeps) sanctionned by the Treasury Board. These are not mandates coming from directorgenerals it is our mandate ...»

«You are proposing a national solution, but our mandates do not recognize the national nature of this question. According to a paper\* of the human rights commission on affirmative action the union (local) must assume a consultative role.»

On one hand management is accusing us for demanding that the intervention of unions become decisional yet on the other is refusing to assume its responsabilites on a national level, reiterating that this is the domain of local hiring committees where teachers are in the majority.

#### SYNDICAL RECOGNITION

We have equally raised the issue of syndical recognition (chapter 2-2.00). Their spokesperson indicated that according to him more than 99% of clauses which do not appear in the management's offers are of local jurisdiction. When we specifically asked how come the non-discrimination clause 2-2.09 (of the decree) has disappeared from their offers. The reply was:

- this is an issue steming from problems related to items in Annexe «A» of Bill 37;
- it concerns problems covered by the Quebec human rights charter.

... and this is why it does not appear in the sectorial offers, even if the intentions of management are not to drop it all together.

For us it is important that this clause remains in the collective agreement and on sectorial level. Because first there are sectorial issues upon which the non-discrimination clause has important bearings: for example job security, and secondly, mechanisms in the collective agreement are more clear and faster to settle problems (right to grievence) than the law, and in certain cases the burden of proof lies with the employer.

## WE MUST TAKE UP ACTION

Unions have massively rejected management's offers, and it is very difficult to embark upon real negotiations with the employer as their offers are still not complete and the gap between their interpretation of Bill 37 and our desire to negotiate a national collective agreement grows wider. This is why (the Committee of 42) the 42 local representatives to negotiations after consultation with their respective unions have adopted on April 12 a plan of information and action as support to negotiations for the weeks preceding the end of the session.

They will soon ask for your participation.

BE THERE!

\* Paper presented to the government.

