



BULLETIN EXPRESS

REPORT FROM THE NEGOTIATING TABLE
(16th and 17th meeting)

WHY NEGOTIATIONS DO NOT MOVE FASTER AFTER 17 MEETINGS?

You are wondering no doubt, how come after 17 meetings we only reached chapter 5 without still settling anything substantial regarding our priorities? The question is very pertinent.

AN INEXTRICABLY HAZY SITUATION

We want to negotiate the entire collective agreement sectorially, and we are resisting decentralization based on Annex «A». The superior court just recently accepted to hear the lawsuit against Bill 37, filed by the three union centrals. It is clear and needs no further explanation as to why member unions gave mandate to FNEEQ to negotiate on their behalf a single and a complete collective agreement.

Management offers all the same left out many clauses, and even if they claim that these clauses will eventually resurface at the local level they guarantee nothing. It becomes therefore extremely important to find out before anything else, why these clauses previously in the decree do not appear in their offers. Is their intention to drop them all together or to send them at the local level?. For one thing, this type of exercise, touching also on clauses for which we demand nothing more than what we had in the past, is no doubt tedious, takes a great deal of time and confirms once more that decentralization of negotiations at different levels and on different items at a time, makes no sense and creates unnecessary and artificial confusion and confrontation.

To those who may be tempted to call our approach one of delay tactics we say it is exactly the opposite. We want to accelerate negotiations by first trying to figure out the intentions of management. For, many clauses so called sectorial or local are directly related to each other and have important bearings upon one another. Take for example job security, obligation to hire, affirmative action, etc. ... where their interpretation as to what is local and what is sectorial varies from clause to clause. At times it is the letter of the law that counts, at times it is the spirit which allows according to them for a wider interpretation of Annex «A» to include more items for local negotiations. Example: Annexe «A» contains such items as articles (syndical release time and department) whereas the «partie patronale» claims that these are entire chapters in the decree (union prerogatives, departement and departemental coordination) and thus subject to local negotiations. On the other hand Annexe «A» does not include affirmative action whereas management offers send this issue for local negotiations. The employer representatives themselves admitted the difficulty and the platitude in their interpretation of Bill 37 and in order to «legalize» their reading of the law they «offered» us an «entente» based on article 58.2 (of Bill 37) which permits the sectorial negotiating parties upon agreement to send down to local level any items which at present are not in Annexe «A». From our attempts to point out to them the ambiguities and haziness in their offers, management has understood clearly that this is not at all what we are aiming for, as preliminary to genuine negotiations. We believe that their proposal (to enlarge Annexe «A») is one of pure provocation for it confuses the effects of an already confusing law even further, and complicates unduly the negotiating process, especially at a time when our objective is to negotiate our priorities (and not their offers).

A NEGOTIATING AND ACTION STRATEGY BASED ON OUR PRIORITIES AND ON A PROVINCIAL COLLECTIVE AGREEMENT

It is in the spirit to facilitate and accelerate the negotiating process (by having in front of us complete offers which will permit discussion on any questions whatsoever and their global ramifications) that we have adopted recently in our general assemblies a negotiating strategy, recommended by the «Atelier sectoriel» (Sectorial CEGEP Council of FNEEQ). This is to invite management to submit not partial, but all clauses and their complete offers for a potential collective agreement. And this for

