

Fourteen grievances were filed in 2008, 3 have been filed to date in 2009. The bulk of the cases deal with salary revisions, professional employment status, hiring, improper termination, stipends, failure to hire the most capable employee, letters of reprimand, harassment and employment security. Often we have met with members to discuss their rights under the Collective Agreement and clarify different Articles.

One of the areas we are currently working on is:

Article 26 Stipends

- a) work performed that should be compensated at a higher rate than the employee normally receives is compensated with a stipend
- b) Two approaches to identifying the value of a stipend:
 - a. If work is at a higher grade in CUPEU, clauses 26.02 and 26.03 apply and the employee salary is calculated as if a promotion has occurred. A stipend is paid equal to the difference between the employee's base salary and the amount they would receive if promoted to the higher grade. If only a partial "promotion", the value of the stipend is prorated to the % of time worked at the higher grade
 - b. If work associated with a position outside of the CUPEU bargaining unit (ACUMAE, for example), the value of the stipend is estimated based on research undertaken by the Compensation Unit to identify the salary paid for the type of work being requested of the employee. Compensation uses these figures to identify an acceptable range of stipend values to recommend. In the past, the university recommended directly to the hiring department w/o meeting with the Union as set out in clause 26.04, which requires the establishment of a University-Union committee to approve such recommendations.
- c) Last fall, the Union grieved the failure of the University to follow clause 26.04.
- d) The University agreed to settle the grievance and follow clause 26.04.
- e) The Union and the University are close to agreement on the interpretation of clause 26.04, the establishment of the required committee, and the identification of the process by which the committee will address the recommendation and approval of stipends.

We have come to an agreement with Human Resources with respect to the application of Article 26 – Stipends. Stipends are given when an employee is entrusted with responsibilities of a position of a higher grade. Article 26.04 was included in the CA to give stipends based on the market for positions that received higher salaries for which the University could not compete. It was used in the IT Department during the time programmers etc. were in demand and the University could not keep up with the market-based salaries. In an effort to award the employee the stipend they applied Article 26.04 incorrectly. We have agreed to create the Stipend Review Committee envisioned in clause 26.04 to oversee stipends requested by the Departments through Human Resources.

Another topic that has emerged recently is how employees are disciplined. Over the past number of months we have discussed the treatment of CUPEU members with different supervisors with respect to how they handled complaints lodged against members. The supervisors failed to copy the Union when letters of reprimand were issued. In the end the letters were expunged from inclusion in the members personnel file.

In the coming year our areas of focus will be to:

- reduce the number of outstanding cases
- bring outstanding cases to Arbitration for final closure
- creation of a Stipend Review Committee
- provide Executive and Council members with additional training in working and solving grievances

As I took on this portfolio as of last October 2008, all previous grievances and files headed for Arbitration are being handled by our President Geoff Selig and he will report further on discussions, negotiations and cases that have or will go to Arbitration.