

UPEI's Final Offer at Mediation: A Reality Check

On Monday April 10, UPEI's Board of Governors (BoG) made a "final", all-or-nothing, take-it-or-leave it offer to the FA. This offer did not address most of the FA's major priorities and some of the provisions in it would actually make things worse than the current status.

The FA began mediation by tabling new proposals. These proposals were rejected outright.

The University offered innovative proposals to reach a deal, including a comprehensive offer on Sunday, April 9, at 6 pm. The UPEI FA rejected that proposal, and the University then proposed a time-limited full and final offer on Monday, April 10, 2023, in a sincere attempt to get students back to class as soon as possible. Unfortunately, this offer was not accepted.

If UPEI was serious about ending the strike quickly, why not accept the FA's offer tabled Monday at 11 AM?

This offer was handed to the FA as a final offer at 2:40 PM with a deadline of 3:00 PM.

To encourage an end to the strike in a timely manner, some of the University's proposals were made without prejudice, which means if not accepted in the timeframe they are no longer available. This is an important distinction because the University's offers were beyond what the University would expect that an interest arbitrator would ever award. These offers, which were not accepted by the Faculty Association and are effectively null and void, included:

This offer is less than UPEI offered CUPE workers in their recent settlement.

- General cumulative wage increase of 10.4% over four years, up from our previous offer of 9.8%.
- Wage increase of up to 14% in year 1 and a cumulative increase of 24.6% for our most senior sessional instructors over the four contract years. This comes from adjustments to step progression (from 2.6% to 5%) and annual increases of 4%, 3.5%, 3.5%, and 3.5%.

No offer of pay equity, benefits, or job security for the many, many Sessional instructors without whom UPEI could literally not operate.

This is a FA proposal, not an Administration proposal.

- Commitment to fund 20 releases every year that faculty members earn for student supervision.
- Releases to support early career researchers in their first career grant.
- In addition to the 18 hires (8 non-replacement) in 2022–23, commitment to post an additional 12 tenure/permanent-track, non-replacement positions over the next two fiscal years (period ending April 30, 2025). This would have brought the total new tenure/permanent-track postings to 20 between May 1, 2022, and April 30, 2025.
- Memorandum of Understanding (MOU) regarding workload at the Atlantic Veterinary College that would have provided immediate interim measures to address workload concerns for clinical faculty, including a significant decrease in the number of weeks of clinical service.

If we want researchers to come to UPEI, they need support throughout their careers, not just in their early career.

UPEI refused to make a formal commitment to this proposal (such as an MOU). They would only agree to making an announcement regarding new hires via a campus-wide email.

UPEI refused to put a start date on these immediate measures so this proposal was completely unenforceable.

This is something UPEI has already committed to doing because this building failed a ventilation assessment in 2021. It has nothing to do with negotiations.

- Commitment to address heating and air conditioning concerns in SDU Main Building commencing in 2023–24.
- Pathway for term faculty members to transition to tenure-track faculty, when positions become available, without the need for an external search.
- Wage increase of an additional 3% for master's trained clinical nursing instructors, beyond their scale increases.

Faculty input on external search committees is one key aspect of shared governance in University operations. Removing this requirement would be unprecedented.

This is a smaller increase than usual CNI seniority increases. If a University doesn't value education, then who does?

The University is very disappointed that the mediation process has broken down. We understand that UPEI FA is choosing to remain on strike. This illustrates that the UPEI FA was not serious about achieving an agreement. We are very concerned at how this continues to impact our students as the strike enters week 4.

Additional proposals that the Administration rejected:

- Adhering to legally mandated student and faculty ratios for clinical nursing educators College of Registered Nurses and Midwives PEI (CRNMPEI)
- Back-to-work protocols, such as agreeing that no disciplinary measures, reprisals, discrimination or retaliation shall be taken against members who were on strike (this is a standard item in most back-to-work agreements)
- The FA Bargaining Team and Executive Committee requested to bring this offer to a vote of their membership. UPEI objected, saying it was a confidential offer in mediation and sharing it would breach the confidentiality of the mediation process. **An hour after the Mediator declared the mediation to be over, UPEI shared their offer with the public via email.**