Human Resources

AUPE Collective Agreement

Summary of Changes

March 26, 2019
Article 55 – Duration of Agreement

Housekeeping & Consequential Amendments

- “FT” now “FXT”
- Gender neutral language
- Employment Standards
- Occupational Health and Safety
MONETARY
Article 18 – Hours of Work

- If employee schedule changes with less than 14 days notice; Employee is paid 1.5x normal daily rate for the first 2 days of the changed schedule.
Article 24 – Shift Differential:

- Effective April 1, 2019 an increase form $2.00 to $2.50 per hour.
Article 25 – Weekend Premiums:

- Effective April 1, 2019 an increase from $1.75 to $2.00 per hour
Article 32 – Parental Leave

- Parental Leave top up extended to birth father
- Eligibility for top up requires:
  - 6 months of continuous service.
  - Establish that employee is primary caregiver
  - Be a birth or adoptive parent on approved maternity or parental leave.
- Where both parents are employees, their combined top up benefits may not exceed a maximum of 18 weeks.
Article 35 – Group Benefits

- Increase the benefit premium cap (single & family) for extended health
- Incorporated proration formula (formerly LOU#7)
- Effective July 1, 2019 Flex Spending increases to $850 (prorated for part-time).
46 – Growth Increments

- 46.01a Growth increment shall normally be one half and no greater than one full salary increment as set out in clause 45.02
Effective April 1, 2019 Employees in General Job Family Phases 1-3 whose basic salary rate falls below the adjusted rates in Schedule A, will be moved to the new min.
NON-MONETARY
Article 1 – Interpretations and Definitions

- Further distinguished operating and fixed term:
  - Operating: Paid through operating budgets or dedicated funding other than trust or University research funds
  - Fixed-term: Paid through University research funds or trust funds or both

- Limited term appointments can now be extended for an additional 2 years; subject to notice in accordance with the Notice Schedule in OP40

- If an RPT appears to be working regularly scheduled hours for a period of 6 months (previously 12) the parties will have a problem solving discussion to review the Employee’s status
Article 6 – Respectful workplace

- Definitions now consistent with policies

Article 9 – Time off for Union Officers and Members

- Subject to operational requirements, an Employee shall be released from their duties without loss of regular earnings for one (1) hour if the AGM occurs during their regular working hours

Article 14 – Grievance Procedure

- No person shall be designated as the hearing officer at step one if their actions or decisions are the subject of the grievance.
Article 15 – Disciplinary Action

- Employee shall be advised of the reasons for the action in writing and the length of time the Disciplinary Action will remain on the personnel file.

- Clarified the right to arrange for a Union Steward to accompany them to a disciplinary meeting.

- Employees must be provided notice of disciplinary investigation within 20 days of the date the supervisor became aware of the act causing the investigation. Request to extend this timeline shall not be unreasonably denied.

- NEW – “Whenever a request is made to review an Employee’s central personnel file, the responsible Human Resources staff member shall review the file and purge it of any past-due records of Disciplinary Action before it is released.”
Article 16 – Job Review

- Employee may contact HR or AUPE for information on the process.
- The Job Review will be based on the work performed up to the time of application and the Job Placement Manual.
- Employee to be copied on Job Review Decision

Article 17 – Probationary Employee and Period

- NEW - “A probationary Employee will not be dismissed for arbitrary or discriminatory reasons.”
Article 18 – Hours of Work (OP & FXT)

- Updated to reflect changes per Employment standards Code; “alternative work arrangements, such as averaging agreements, compressed schedules or flextime.”

- OP: RPT/Casual/Student have no guaranteed hours of work, however if an employee has not been scheduled to work for more than one month, they may request a written explanation from their immediate supervisor. Supervisor must provide written explanation within 10 work days.

Article 19 – Overtime

- Added that managers must first request that employees work overtime before mandating OT.
Article 26 – Acting Incumbency Premium

- Removed “more senior” and clarified that it must be another position with a higher maximum salary
- Added that only one acting incumbent can be designated as a result of any one Employee’s absence.

Article 27 – Group Leader Premium

- Clarified that the premium applied to an Employee who is assigned to lead a group of Employees
### Article 28 – Paid Holidays

- Easter Monday added as paid holiday in 2020
- Stampede ½ day – no entitlement if absent for the entire duration of Stampede
- PT/RPT/Casual/Student increase to 5% in lieu of holiday pay (per ESC)
- Time off without pay for religious observance subject to operational requirements. Employee may request to use vacation, CTO, PLD
Article OP29 & FXT29 – Vacations

- Effective April 1, 2019, Employees with 5 consecutive years of service will qualify for four (4) weeks (20 days) of vacation per year.
Article 31 – Special Leave

- Illness within immediate family – two (2) travel days work days **annually** where long distance travel is required
- 31.02b Bereavement – two (2) travel days **per instance** where long distance travel is required
- Personal use days – increase to three (3) work days annually
  One half (1/2) day to receive certificate of citizenship
Article 32 – Parental Leave

- Updated as per Employment standards Code
  
  Maternity leave:
  - Employee entitled to unpaid maternity leave for 18 weeks after 90 days of service
  - Employee entitled to 16 weeks of maternity leave if pregnancy ends prematurely for reasons other than a live birth
  - Employee must take at least 6 weeks of leave immediately following the delivery of the child unless union/board agree to lesser period and Medical certificate confirms resumption of work won’t compromise the employee’s health
  - Provide 2 weeks notice of date maternity leave will commence

- Where both parents of the child are University employees, may restrict combined total of Parental Leave to a maximum of 62 weeks
Article 33 – Leave of Absence

- Added new leaves as per Employment standards Code
  - Critical Illness
  - Death or disappearance of a child
  - Domestic Violence
Article OP40 – Position Abolishment

- Access to available vacant positions within the Department prior to issuing notice of positions abolishment
  - If transferred to a position in the Department with a lower max salary, employee’s salary shall be maintained for the duration of the notice period

- Employees on redeployment shall have first right to any available vacant position that they are qualified and able to perform
  - If they accept a position with a lower max salary, employee’s salary shall be maintained for the duration of the notice period after which they will go the max of their new job family and phase

- If unsuccessful in the position within 6 months, the employee shall receive the balance of their notice as pay in lieu (i.e. severance)
FXT40 – Termination of Appointment (Notice schedule)

- 6-8 yrs increased to 12 weeks notice
- 8-10 yrs increased to 14 weeks notice
- 10+ yrs increased to 18 weeks notice
Article 41 – Training and Upgrading

- Clarified; Pay for “any required” training that is approved by the Board
- Employees may request time off with pay to attend courses and other training that are relevant to their job and professional development. Approval of such request is subject to the Board’s discretion.
Article 42 – Job Opportunities

- Notices of available Temporary Positions which are posted on the Human Resources Home Page on the University's Web site must now include reference to clause 42.06

42.06 Employee accepting a temp appointment shall, upon request, be advised in writing prior to accepting the appointment whether their former position will be available at the conclusion of the appointment. If the employee is advised that they will be able to return to their former position they shall maintain their employment status as a Regular (OP or FXT), Sessional or Recurring Part-time (OP or FXT).
**Article 45 – Salary Increments and Evaluations**
- New: Employees to be notified of merit being withheld no later than the first working day of April.

**Article 51 – Workplace Health and Safety**
- Establishment of Joint Work Site Health and Safety Committee(s) (Bill 30)
Letters of Understanding
Removed:

- LOU#7 Group benefit plans (incorporated into Article 35)
- LOU#8 Lump sum payment in Lieu of Reduction to Annual Increment under Article 45
Changes to existing LOUs

- LOU3 Student Exemptions
  - Removed Canada Summer Jobs (effective 2020)
- LOU5 Educational Work Experience Programs
  - Mount Royal University Athletic Therapy program exempt
  - Obligation to report fall/winter and spring semesters to local 52
Consequential amendments based on changes to the employment standards code, effective **January 1, 2019**:

- LOU OP1: Hours of Work - Recruiters
- LOU OP2: Hours of Work - Residence Life Coordinator
- LOU OP3: Drama and Theater Services
- LOU OP4: Hours of Work – Campus Security
- LOU OP5: Hours of work – Heating and Cooling
New:

- Contracted Services
  - Detailed consultation process
- Joint Exclusions Review
  - process for jointly reviewing MaPS positions and transitioning them into AUPE bargaining unit as appropriate
- Job Placement Manual
  - Requirement to consult and update Job Placement Manual
- Immigrant Bridging Program Work Experience Placements; IBP hires excluded from Business unit
- Ranch Employees
  - Hours of work and special terms for Ranch workers in Ancillary Services
- Workload
  - Internal process to review workload concerns.
Additional Resources

- ELR Website
  - Summary of Changes Chart
  - Presentation Slides
  - Draft Collective Agreement
  - Frequently Asked Questions

- E&LR Consultants