

1. Background

Article 50 of the AUPE Collective Agreement requires that we consult with the Union prior to:

- entering into a contract with an individual or business to perform work customarily done by AUPE members;
- expanding the scope of an existing contracting agreement into new areas of activity customarily performed by AUPE members; or
- renegotiating, renewing or re-tendering a contract where the University has the option to consider having AUPE members perform the work.

Key message: Consultation is designed to enhance the decision making process, not to impede it. It does not mean that the University is restricted from contracting out AUPE work. However, we must be transparent with the Union and offer the Union a meaningful opportunity to understand the proposal, provide input, and suggest alternatives.

2. Process (See [Process Flow Chart](#))

The obligation to consult requires that consultation occur at a time when it can be meaningful. We must disclose the potential for contracting out work rather than using University Employees sufficiently far in advance of a decision being made so that AUPE's input forms a meaningful part of the evaluation and decision making process. Ideally, we should commence consultation in the planning stages, before an RFP is submitted.

The degree of engagement with the Union will vary based on the level of impact to the existing workforce. For example, a proposed contract that has no impact on the careers of existing AUPE employees, or one providing for short term relief for unexpected service needs beyond the immediate capacity of staff, may require only that the University advises the AUPE of the proposal and asks for a timely response.

A proposal that involves a significant area of University activities and has the potential to impact the careers of a significant number of AUPE members will require a more fulsome consultation with the Union. This would include a meeting with the Union and relevant management to discuss options prior to proceeding. It may also include providing follow up information to the Union, holding a meeting after the decision is made, and providing reasons to the Union for the decision.

3. Management's Role

You play a key role in this process:

- Early identification of a decision that might result in work being contracted out
- Contacting Human Resources to discuss whether the proposed plan requires consultation
- Providing necessary information to Labour Relations in preparation for the consultation meeting
- Attending meetings with AUPE and engaging in a meaningful consultation