



Contract vote Q&A

Information for OPSEU members in the CAAT-Academic Division about the November 14-16 contract vote

1. Why aren't we continuing to bargain?

The bargaining teams for college faculty (the union team) and the College Employer Council (the employer team) returned to the bargaining table on Thursday, November 2 [after Council asked the mediator appointed by the Ministry of Labour to bring the parties back together](#). The parties bargained to try to reach a settlement throughout the weekend. On the morning of Monday, November 6, Council indicated that they could not accept the faculty bargaining team's latest proposal and asked the Ontario Labour Relations Board (OLRB) to schedule a vote as soon as possible on the Council's last offer to the union, pursuant to Section 17(2) of the *Colleges Collective Bargaining Act* (CCBA).

2. Why do we have to vote on Council's final offer?

Under the CCBA, Section 17 (2), Council may, no earlier than 15 days before the expiry of a collective agreement (in this case, any time after September 15, 2017), make a request in writing to the OLRB that a vote of the employees be taken to accept or reject the offer of the Council last received by the union in respect of all matters remaining in dispute between the parties.

3. What will be the question on the ballot?

The ballot will have two choices:

- I accept the employer's offer received on November 6, 2017
- I reject the employer's offer received on November 6, 2017

4. Why are we using electronic voting?

Council asked the OLRB to allow faculty to vote on campus and to require that the union suspend strike activity and allow students and faculty to return to the classroom while the vote arrangements were finalized, or alternatively, to allow electronic voting, and distribute notices and the offer through email.

The union opposed all of Council's requests and the parties were unable to reach agreement on how the vote would be conducted. A hearing resulted and the OLRB made a ruling allowing for the vote to be conducted using electronic voting and for employees to access the vote information through their college email addresses. See the OLRB decision available [here](#).

5. Did OPSEU challenge the OLRB's decision?

Concerns regarding the OLRB decision and process have been raised by members and they are appreciated. However, these have all been discussed with our legal counsel, both before and after the OLRB hearing. The language in the CCBA clearly specifies that the vote be conducted under the supervision of and in the manner determined by the OLRB [Section 17 (4)]. The most important effort for union members is to campaign for a strong rejection no vote as recommended by the bargaining team.

6. Why does it take three days to complete the vote?

The OLRB, using its authority under CCBA Section 17 (4), determined that the vote would require forty-nine hours to complete (see OLRB decision).

7. How will I be able to cast my vote?

All members (including any employees on leave prior to the strike) will receive an email from the OLRB to their college email address on Monday, November 13, with an eight-digit personal identification number (PIN). The email will have the OLRB name and logo at the top, and the name and logo of the company being used to do the vote, Intelivote, at the bottom. Members will be able to vote online via computer or via telephone voting. **The vote will be conducted from Tuesday, November 14 at 9 a.m. to Thursday, November 16 at 10 a.m.** Both options will require the eight-digit PIN from the email. Members who have not voted will also receive an email on Wednesday from Intelivote reminding them to vote.

8. What if I can't log in to my college email address?

Access to college email is not limited to campus work stations. Members can access their college email from anywhere. If your password has expired, there is a self-serve (online) assisted password reset available to faculty, the same as when you were at work.

9. How do I vote by telephone?

A member will still need to receive the email with the eight-digit PIN in order to cast a telephone ballot. Anyone wishing to vote by phone can call the number (different for English and French) that will be on the notice of vote (and on the email received on Monday). When you call you will be asked for your PIN; then the question will be read to you and you will be able to press 1 or 2 for your choice of vote.

10. Are we using our union numbers as a secondary check, given that the colleges don't have them?

No. The voters' list has been compiled by Council from college lists. The local at each college is confirming voter eligibility lists provided, based on membership lists and the lists used for the strike vote.

11. Can my college or the Council track if I have voted or how I vote?

No. Your college and Council will not be able to track who has voted, nor will the union. Only the OLRB will have access to information related to the vote and the vote results.

12. Can I be disciplined if I vote to reject the offer?

No. The CCBA prohibits the employer from interfering with an employee's rights, or intimidating or coercing anyone from exercising their rights, including the right to vote. The union would address any misconduct on the part of the Council or the college at the OLRB. Your faculty bargaining team is unanimously recommending that **all** members vote to reject the employer's offer (see below for reasons why).

13. Is the electronic voting process compliant with the Accessibility for Ontarians with Disabilities Act (AODA)?

Yes. The email being sent out, as well as the online voting site, are AODA-compliant. The telephone voting system is AODA-compliant as well; the question will be recorded and played to anyone who calls that number.

14. When will we find out the vote result?

The vote will begin on Tuesday, November 14 at 9 a.m. and end on Thursday, November 16 at 10 a.m. The OLRB will conduct the vote count soon after and will inform both the union and the Council of the results as soon as possible with a formal notice.

15. What do I do if I can't log in to my college email, or I'm having technical difficulties, or I lose or misplace my PIN?

If you have problems voting, or lose or misplace your PIN, contact the Intelivote VOTER HELP CENTRE toll free at 1-888-281-8683 (8 a.m. – 8 p.m. ET). The help centre will be open starting at 9 a.m. on Tuesday, November 14. You will be asked to confirm your personal information (i.e., address) when you call.

16. What do I do if I do not receive an e-mail through my college e-mail address?

You can still vote. If you believe that you are eligible to vote and do not receive an email on November 13, 2017 outlining how to vote, and providing a personal identification number (PIN), contact the VOTER HELP CENTRE toll free at 1-888-281-8683 (8 a.m. – 8 p.m. ET).

17. I work at more than one college. Can I vote more than once?

No. The OLRB has confirmed that members working at more than one college may only vote once.

18. How should I vote? What is my faculty bargaining team recommending?

The faculty bargaining team is unanimously recommending that all faculty vote to REJECT the contract offer put forward by Council on November 6. This offer is a bad one for faculty and students alike:

- It allows the colleges to continue to expand the pool of contract faculty without restriction. More precarious work is not a better plan for our colleges.
- It allows the colleges to avoid paying “equal pay for equal work” for contract faculty, even after the passing of Bill 148, *The Fair Workplaces, Better Jobs Act*.
- It will decrease the percentage of full-time jobs in the colleges. Faculty are fighting for a 50:50 ratio of permanent to contract staff; the colleges’ offer fails to create a path to permanent jobs for partial-load faculty, and it denies students the better education that comes with a stable workforce.
- By removing the cap on teaching weeks and overtime for full-time faculty, this offer allows the employer to move work from partial-load faculty to full-timers. This will mean fewer teaching hours available for partial-load faculty.
- This offer does nothing to recognize that faculty need academic freedom to safeguard education quality for our students.
- The Return-to-Work protocol included in this offer includes much of the same language included in the 2006 protocol. That protocol left thousands of faculty without a penny in return for their return-to-work overtime hours.
- The colleges have forced a vote on an offer that is filled with concessions and still does nothing to address academic freedom.
- The best way for the colleges to reach a collective agreement is to negotiate, not to force a vote on an offer that has already been rejected by the faculty bargaining team.

19. Is there a number I can call for more information from the union?

Yes. The OPSEU college faculty hotline number is 1-844-661-5433.



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