May 17, 2018

Dear members of the York Community,

Recent written communications between the University and the Chair of CUPE 3903 continue to affirm the University’s belief, echoed in the findings of the Industrial Inquiry Commission Report, that the only likely prospect for a settlement and an expeditious end to the strike is for both parties to agree to interest arbitration.

Given the increasing urgency of resolving the labour disruption for the entire community, especially our students, we must use every available tool to end the strike. It is for this reason that the University has made the decision to file an Unfair Labour Practice complaint (ULP) against CUPE 3903 and to seek assistance from the Ontario Labour Relations Board to address a number of impediments that we believe are preventing the parties from reaching a resolution.

Our repeated efforts to engage CUPE 3903 to discuss the terms for entering into arbitration since the release of the Report over two weeks ago have been unsuccessful and provide no evident path to a resolution.

We also continue to question the degree of flexibility and discretion the CUPE 3903 bargaining teams actually have to move past their numerous “redlines” and to work within an achievable framework for settlement.

The ULP specifically addresses the structural concerns about the way in which CUPE 3903 approaches negotiations, which we and the IIC Report have identified as impediments to meaningful engagement resulting in a resolution.

It also addresses two outstanding matters which are out of scope as strike issues: the Union’s proposal that Master’s students be given bargaining unit work (graduate assistantships) and its proposals to provide employees in Unit 2 with full-time faculty positions in another bargaining unit (the York University Faculty Association). These include CUPE 3903’s proposals on conversions and Special Renewable Contracts. We are looking for assistance with these issues from the Labour Relations Board in the remedies it is authorized to provide.

We stand by the commitment we have made to CUPE 3903 that on receipt of written confirmation that their bargaining teams have the necessary authority to work within a realistic framework for settlement and to agree to refer outstanding matters to arbitration. We are prepared to meet with the CUPE 3903 bargaining team at the table to resolve what we can and to refer the remaining issues to arbitration.

Sincerely,

Lisa Philipps
Interim Vice-President Academic & Provost