



**association of university and college employees**

April 2, 1981

Ms. Jane Strudwick  
Senior Labour Relations Assistant  
Employee Relations Dept.  
Campus Mail

Dear Jane:

Re: Administrative Clerk IV - Commerce - Housing

In response to your letter of March 24th, 1981, concerning the Admin. Clerk IV position in Commerce, I would like to make some comments which I consider pertain to the Clerk IV position in Housing as well.

You have indicated that you believe it to be management rights for the University to deem whether or not a position formerly occupied by an employee is to be posted, filled, done away with, upgraded, etc.

Article 11 - Management Rights states: "The Management and direction of the working force is vested exclusively in the University subject to the terms of this agreement." (Emphasis mine).

As such, according to Article 22.01, all vacancies of 3 months or more duration shall be posted. Exceptions to this regulation do not include the provision that, if someone has resigned, retired, or otherwise left this position, this Article is null and void.

The Random House College Dictionary defines vacancy as:

1. the state of being vacant; emptiness.
2. a vacant or unoccupied place,
3. a gap; opening; breach.
4. an unoccupied position or office.

It is the position of the Union that it is not within management rights to arbitrarily post or not post vacant positions, nor is it within their rights to eliminate or downgrade positions at will. A position becomes "vacant" when it is "unoccupied" and this automatically occurs when an employee leaves this position, whether they retire, resign, or transfer.

Yours truly,

Wendy Bice  
Union Co-ordinator  
AUCE Local I