

TO PAY OR NOT TO PAY.

In July of 1980, the AUCE Provincial sent a ballot to all AUCE members in order to obtain a proposed increase in the per capita tax that each local pays to the provincial. This was a result of an amendment that was proposed at the AUCE convention last June which had the effect of raising the per capita tax from \$2.00 per full time member per month to \$3.25 per full time member per month.

The AUCE Provincial Dispatch Number 12, dated August 11, 1980, announced that the proposed per capita tax increase had passed and that the increased dues would be effective as of August. The vote for the increased per capita tax was YES 273, NO 241, ABSTENTIONS 57, SPOILED BALLOTS 21.

At the Local 1 Executive meeting on September 9th, our Provincial rep advised us that the increased per capita tax was due retroactively to August. The Executive then took the position that we would continue to pay the per capita tax at the old rate of \$2.00 per full time member until we held a dues referendum in our own Local, at which point we would begin to pay the increased per capita tax rate. We also stated that at that time we would let our membership decide on the question of the outstanding arrears.

The Provincial did not accept the position of our Executive. They offered to extend this local an interest free loan to repay any retroactive per capita tax until we had a dues increase, at which point we would have to repay the loan. We advised our provincial rep to tell the Provincial we were not refusing to pay the money, it was simply a case of our local not having the funds available. We stated our financial position was not sound after the strike. We asked the Provincial Executive to attend our next Executive meeting.

At our December 15th Executive meeting our provincial rep advised us that the Provincial wanted us to either accept a loan from them to be applied to the arrears OR to pay a portion of the outstanding arrears. She advised that the Provincial would withdraw the voting privileges of this local when the total arrears amounted to three months regular per capita tax payments. They felt this would be reached in either January or early February.

The Executive decided that we would send the following motion to the Provincial, "THAT THE EXECUTIVE TELL THE PROVINCIAL THAT AS OF WHEN WE RECEIVE THE DUES INCREASE THAT WE WILL BEGIN PAYING THE INCREASED PER CAPITA TAX AND THAT WE WILL TAKE THE ISSUE OF RETROACTIVITY TO THE MEMBERSHIP FOR A DECISION." We wanted the Provincial to reconsider their position and to consider the fact that this local was unable to pay the increased tax, that we were incurring a debt due to their demand for retroactivity where there should not have been one. We had only refused to pay because we did not have the money at the time. Later in this meeting, members of the Provincial Executive arrived and we had a discussion on the entire matter. We stated that our members had a right to state whether they wished to pay the arrears. The Provincial stated the question of paying increased dues retroactively was based on past practice. We advised the Provincial that if they were aware of our own financial difficulties, they should have been willing to forgive the arrears. The Provincial stated that the other AUCE Locals had passed a \$5.00 assessment for payment to our local's strike fund, that the Provincial had offered us an interest free loan for the arrears and that the Provincial By-laws did not allow for the forgiving of the payment of the per capita tax.

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EXECUTIVE REPORT CONTINUED

At our meeting of January 20th the Executive of AUCE Local 1 passed the motion which will follow. We have not paid the increased per capita tax from August to December 1980 as we did not have the money. In order to pay the increased per capita from August on, we would have had to lay-off one of our own staff. There would have been no other way to raise the money. The Executive felt this Local's responsibilities were to our own members first. We told the Provincial we would begin to pay the increased tax when we had a dues increase. Starting in January, the increased provincial per capita tax will be paid. The Provincial states we owe arrears from August to December 1980. They amount to approximately \$6,000.00. We are not in a position to pay the arrears at this time without another referendum to raise the money from our members. The Executive is not prepared to do this unless the following motion is defeated and we are instructed to do so by you, the membership of Local 1.

NOTICE OF MOTION

THAT AUCE Local 1 not pay to the Provincial Association the outstanding arrears in the per capita tax for the period August 1980 to December 1980.

To: The Membership of AUCE Local 1

THE CONTINUING STORY OF THE PER CAPITA TAX AFFAIR!!

At a recent meeting, the Local 1 Executive passed a motion to recommend to you that the unpaid portion of the increased Provincial Per Capita tax (about \$6,000) not be paid. As your Provincial Representative, I urge you to endorse this recommendation, and further urge you to request of the Provincial Executive that they forgive the amount owing. This recommendation should not only be endorsed in light of the financial difficulties this Local has been through (to pay it would require yet another special assessment!), but also in view of the principles involved in the debate, and the very reasons why we exist in the Provincial!

I cannot feel that the Provincial Executive has been entirely responsive to the concerns of this Local, as they might have been, nor sympathetic to the kind of realistic assistance that we actually need from them as members of the Provincial Association.

I must believe that the Provincial Association's vote to increase the Per Capita tax requirements from \$2.00 to \$3.25 included their good faith that such an increase would not be implemented by a means which would jeopardize the existence and functions of the Locals. My objections and concerns were heard by members of the Provincial Executive as to August 1980 as the effective date of the Per Capita tax increase, without due consideration of the financial capabilities of the locals, two of which were still sinking in heavily burdened strike debts, with no guarantee that such debts would soon be overcome. Rather than responding to Local 1's ability to pay, the Provincial Executive's stand, a rather untimely insistence that this Local accept a loan for the arrears portion of the Per Capita tax, only threatened to further jeopardize this local financially and emotionally, and at worst, could have ultimately forced the lay-off of one of our salaried officers - a price much, much too high to pay for our existence in the Provincial! To give your Executive credit, a commitment was made to continue paying the old Per Capita rate of \$2.00, with a further commitment to begin paying the full \$3.25 upon authorization of a Local dues increase - it was the best that could have been done! Efforts and priorities centered around obtaining the much needed local dues increase and special assessment to cover strike debts, without which, the Provincial had been warned, our further participation in the Provincial would be seriously in question! If one cannot afford to pay the price, one cannot belong!

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EXCUTIVE REPORT CONTINUED

This debate arises partly from the fact that the Provincial constitution provides no means to allow the Provincial Executive to forgive payment of Per Capita tax under extenuating circumstances. Certainly, there ought to be some allowance for non-payment when a local is/has been on strike, or is in serious financial jeopardy, and our delegates to this year's convention must undertake the task of amending the constitution to accommodate this. It has become evident that the lack of such an allowance is beginning to, and will continue to threaten a Local's right to belong to the Provincial. It is also important that the Provincial Association share in the financial difficulties of the Locals - what affects one Local ultimately affects the entire Provincial Association.

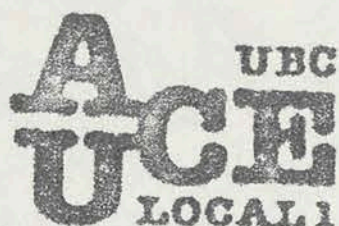
It is unrealistic of the Provincial Executive to demand and expect every dollar of Per Capita tax owed, while turning a blind eye to a Local's impending financial disaster. The Provincial must be a willing absorber and buffer of Local financial difficulties, particularly as the Provincial itself is never threatened with the possibility of a strike (only the locals are!). It is also important that we continue to support other locals financially in the form of special assessments, just as they have recently done for us.

In spite of any principles involved, it is clear, especially for the two largest locals capable of self-sufficiency, that the survival of the Local must come before existence in the Provincial structure - an inevitable reality if a Local cannot turn to the Provincial for the purpose for which it was set up, that is, to provide assistance, support and service to all members of the Provincial Association.

This Local alone will provide the Provincial Association with over \$50,000 this year, yet I cannot believe that the price of belonging to the Provincial need be high! We should be pleased that part of this money goes to assist the smaller locals for services financially out of bounds. By the very nature of the Provincial structure, our participation can go a long way to support our own existence as we, at conventions, exercise our right to determine how funds will be used, and what services we will receive. Without putting a "price" on a monetary contribution, I believe that we can in fact receive "something" for our participation in the Provincial. If there is no reason for our participation, then it must be reconsidered! If one receives only much needed and welcome support, financial or moral, then any monetary contribution is a small price to pay! Receiving grief, hassles, and misunderstanding is a grave defeat of any Local's existence within the Provincial.

As a member of the Provincial Executive, I believe there is every honest attempt to govern the Provincial Association harmoniously and in good faith to the varied services needed by individual locals. I trust the Provincial Executive will respond in good faith to any request made by this membership at our February meeting regarding this debate. The reasons for the existence of the Provincial Association always have been and always will be unity, strength, and a common ground for mutual support!

IN SOLIDARITY! Suzan Zagar, Provincial Representative, AUCE Local 1



association of university and college employees

January 26, 1981

AUCE Provincial
901 - 207 West Hastings Street
Vancouver, B.C. V60 1J8

Attention: Provincial Executive

Dear Brothers and Sisters:

Even those of us ready to admire the reasons for A.U.C.E. Provincial's existence and even those of us willing to agree that you are necessary for our own survival, have cause to reconsider AUCE Provincial's priorities of principle and power.

Knowing the emotional and financial difficulties of AUCE Local 1, your latest manoeuvre goes far beyond the respectable astuteness of strategy. I am referring to your latest approach involving back payment of approximately \$6,000. in per capita tax payments. By clearly putting power before principle I believe you have risked your reason for existence, which I believed was that your office was a source of help in cases of difficulty.

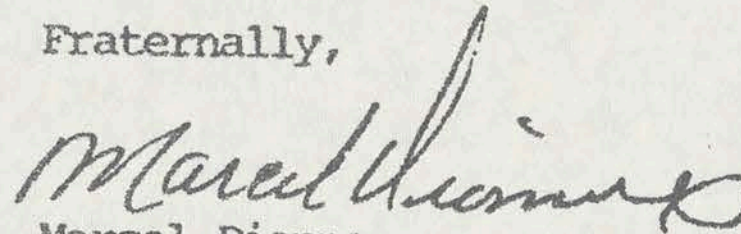
As for this local, I hope the danger of disunity is eclipsed until the next Provincial Convention. The voices of merging or affiliating to another union will for awhile, be drowned in grieving and self preservation, until the next attempt is made. Far more necessary at this time is the need to either shelve or shove the whole affiliation issue onto the back burner. I believe that the prime objective of the Provincial leadership at this time should be to cement its supporters and go back to the union's original approach. This approach is to respond to the needs of its locals.

To point this out is not to cast doubt at your leadership ability, but merely to make you recognize that the membership of all the locals is the reason for your existence. I believe the Provincial needs to undertake a deeper examination of their obligations, rather than coming up, with what I believe to be, a hasty decision concerning the per capita tax question. In this instance, by trying to present your role of leader, you have left this local with a taste of dictatorship, or a bad case of misunderstanding. One must face facts - the best way to keep the locals belief in the Provincial is to keep the locals faithful to its purpose.

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If the Provincial insists on annihilating the locals with its passion for supreme control, you will not only lose hundreds of members committed to your survival, but you will strip your office of any vestige of credibility.

Fraternally,



Marcel Dionne
President
AUCE Local 1

cc: all AUCE Locals
AUCE Local 1 Newsletter

AUCE PROVINCIAL

-- IN RESPONSE --

February 1st, 1981

Marcel Dionne
President
AUCE Local One
#202 - 6383 Memorial Road
The University of British Columbia
Vancouver B.C. V6T 1W5

Dear Marcel:

I have received your letter of January 26th, and I feel that I must respond to it as forcefully as possible. Your letter makes it quite clear that there is a fundamental difference between the way that you and I view the relationship between the Local and the Provincial Association.

You are quite right when you state that the Provincial Association exists to give aid to the Locals in times of difficulty. You are also correct when you also state that the Provincial Association must respond to the needs of the entire AUCE membership at all the Locals. And this has always been my prime concern.

However, the Provincial Association has other important tasks as well.

The Provincial acts as a voice for its membership on matters of Provincial and National concern, it acts as a resource body for the use of the Locals and of the membership, it acts as a forum for discussion and relaying of information between the Locals and it acts as a coordinating body in issues that affect more than one Local.

AUCE is also structured in such a way that the Provincial Association provides assistance to its Locals as requested. This is to ensure that the Provincial Association does not intrude into the internal affairs of its Locals.

The Provincial Association does not have the power to "annihilate" its locals and I, for one, would not use this power even if we had it. At all times we try to act sensitively to the needs of our locals.

We would never act to impose a particular view of what AUCE should be on any local. AUCE is a union that has always encouraged and fostered Local Autonomy - and that is the way it should be. I think we all agree that a strong AUCE is built through having strong active Locals.

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AUCE Provincial President, February 1st, 1981, page 2

I must disagree with you when you state that we have put "power before principle" on the issue of how to handle the approximately \$6,000 in outstanding dues. I must also disagree with you when you claim that we have made a "hasty decision" on this matter. I feel that the Provincial Executive has acted in a consistent, sensitive and principled manner on this matter.

Here is a brief chronological outline of the events that have led to this impasse.

In June 1980, the delegates at the last AUCE Provincial Convention recommended to the AUCE membership that the Provincial Per Capita Dues be increased from \$2.00 to \$3.25 for those members working full time. The referendum ballot was conducted during July and August and the membership voted to approve the increase. The dues increase became effective in AUGUST. There was no provision in the ballot to permit one or more Locals to phase the increase in. All of the Locals, except Local One, began remitting the increase - effective AUGUST.

At the time the dues increase was approved, all Locals were contacted and asked if there would be any difficulty in remitting the increased amount. At that time, no Local said that they would have any difficulty.

As it became apparent that Local One was in severe financial and emotional difficulties due to the recently ended strike at the Local, the Provincial Executive offered Local One a loan of the increased portion of the Provincial Per Capita.

The Provincial Table Officers, as authorised by the Provincial Executive, met with the Local Executive twice to discuss this matter. Both times we stated that we were aware of the financial situation at Local One, that we wished to do what ever we could to assist the Local and that we were willing to turn the outstanding dues into an interest free loan - repayment of which could be negotiated between the Local and the Provincial Association.

We feel that we proposed a reasonable solution to this impasse which takes both the financial needs of the Local and of the Provincial Association as a whole into account.

At the same time, the Provincial Association acted to assist Local One financially. A referendum vote of the entire membership, except for those at Local One, was held to approve a special assessment of each member to help defray the costs of the Local One strike. The special assessment passed and Local One will receive approximately \$6,000.

Marcel, I agree that the prime objective of the Provincial Leadership must be to respond to the needs of the AUCE Locals - and I believe that on this and other matters we have continually tried to do so. It is a point of major concern to me that our intentions in this issue have been misunderstood by so many at Local One.

At all times, we have acted in a manner that would benefit both the membership of AUCE Local One and the membership of AUCE as a whole. We recognise that AUCE needs a strong and confident Local One. I am sure that we all want Local One to regain its strength and confidence - and we will do whatever we can to assist in the process of strengthening Local One.

The present difficulties between the Provincial Association and Local One must be resolved as quickly as possible so that we can work together effectively on the many issues that affect all of us in AUCE.

Yours in Solidarity,



Lid Strand
Provincial President

cc: all AUCE Locals
AUCE Local One Newsletter

AUCE LOCAL #5 - ANNUAL REPORT - Submitted by Judy Attewell, President - 1980/81

The past year has been a very busy one. Preparations for negotiations began very early in the summer of last year, since our contract expired Oct. 31/80. The negotiation team met with management at the bargaining table in September to begin a very protracted series of negotiations. During this period, the majority of our General Membership meetings dealt primarily with the subject of negotiations and were extremely well attended. Negotiations dragged on past Christmas and by mid-February, a tentative settlement was reached and on Feb. 18th, rejected by 93% of the membership. A strike vote was taken on Feb. 21st with notice being served to the college, who subsequently called for a mediator from Jack Heinrich's Mediation Services Branch. This caused an intervention in our legal right to strike because during the B.C. Winter Games, the college played an important supporting role by feeding over 2500 visiting athletes and housing 600. Local 5 felt that Jack Heinrich's appointment of a mediator was totally improper due to their receiving a phone call saying the college had applied for a mediator. Since one had not been appointed at that time, plans went ahead for a strike commencing at 2:30 p.m. February 24th. A mediator was appointed and was unable to be in Prince George until March 4th (the B.C. Winter Games commenced March 5th). The L.R.B. hearings adjourned and immediately Local 5 was issued a Cease and Desist Order. However, we have never received in writing a "Back to Work" order; but Local 5 did so in good faith. A 1 1/2 day session with the mediator followed and resulted in his booking out. Still no contract settlement! Management regressed in their offers instead of negotiating in good faith. Rotating strikes were begun and kept up for two weeks. As no negotiations had transpired during that period of time, we re-introduced the college to our picket lines. After 3 1/2 days of picketing, the College Board ordered its negotiating team back to the bargaining table. A tentative agreement was reached and on April 6th the members of Local 5 ratified a new contract. During our strike, we were supported by both faculty and students.

On March 30th, after consideration, the AUCE Local 5 membership voted unanimously to affiliate with the Confederation of Canadian Unions. Both faculty and students put pressure on the College Board members to settle the strike. Local 5 issued a strike bulletin with the home and business telephone numbers of all the Board members and the flood began. We were joined on the picket lines by various CCU affiliated unions - Pulp, Paper & Woodworkers of Canada; Canadian Association of Smelter & Allied Workers (Kitimat & Yellowknife); as well as members of the Telecommunications Workers Union. We were also supported by the B. C. Council of the CCU at their meeting on the weekend prior to our strike. A motion in support of our demands and condemning Jack Heinrich, Minister of Labour, for interference in our rights, was passed unanimously, and issued to the media. The B. C. Council further passed a motion inviting Local 5 to consider affiliating to the CCU.

Since then, we have been busy with elections of executive positions and stewards due to resignations. We have several grievances in the works and preparations of material for Provincial Convention.

Submitted by AUCE Local #5

LOCAL 6 ANNUAL REPORT - Compiled by Jack Gegenberg, June 2, 1981

TSSU is now a more-or-less typical union local. We have a contract. We collect dues. We have stewards who represent our members in their dealings with the employer. But in some ways, our union is quite atypical. To wit: our bargaining unit consists almost entirely of non-continuing part-time employees; most people in our bargaining unit are students as well as employees; we have an open shop, and hence we are forced to organize almost continually. Our main task for the last year has been to create an organization which can cope with the above atypical features. We have succeeded to some extent, but a lot remains to be done.

We ratified our first collective agreement in August of 1980. This was quite an achievement in itself, given that we never had more than about 50% of the bargaining unit in the union, and that we never took a strike vote in the nineteen months during which we negotiated. That we got a contract that we can live with is due to the grim determination of our negotiators, the support (material, moral, and political) of the Provincial Association and AUCE local 2, and to the fact that our employer faced the spectre, in the event of a strike by any campus union which TSSU members supported, of a significant curtailment of teaching at the university. It is precisely this spectre which determined the university's negotiating strategy, and which continues to determine its attitude to our union. Put simply, the university wants to insure that TSSU is structurally weak, but that the membership is fairly satisfied with wages, benefits, and its ability to redress grievances during the life of the contract. Thus the strengths and weakness of our contract. We got reasonable wage increases for most of our bargaining unit, sick leave, compassionate leave, a great sexual harassment clause, a grievance procedure similar to local 2's, etc., and the negotiation of these clauses was relatively easy compared to our unsuccessful attempts to get a union shop, to limit "management rights", and to allow us to support other unions by respecting their picket lines.

The university's strategy is also revealed in the types of grievances they forced upon us, and in their method of responding to our attempts to redress those grievances. Most of our grievances to date have been either of the university's failure to abide by the contract's hiring policies, or their attempts to tinker with the contractual form of union dues deduction. In issues of the first type, the university claims their actions are not grievable, thus forcing us to resort to expensive and/or time consuming arbitrations or appeals to the B.C. Labour Relations Board under Section 96.1 of the Labour Code. Our first such grievance is currently in arbitration and could cost us up to \$10,000. Almost before the ink was dry in the signatures of our first contract, the university informed us that they could not deduct dues as specified in that document. Although they eventually complied with the contract, they revealed their essential bad faith by failing to deduct dues from the last paycheque of the Spring 1981 semester. We have started a grievance over that attempt to compromise our organizational integrity.

Local 6 Annual Report- continued

Our strategy must be the converse of that of our employer. Our first task is to make sure that the vast majority of the bargaining unit is in the union. This requires ongoing organization, in view of the transience of our bargaining unit and the fact that each year has three hiring periods. We now have (for a one year trial period) a paid half-time union coordinator, and we have hired people for specific time periods to do sign-up work. A steward structure must be built and we have paid people to undertake the task of organizing steward elections in those departments where stewards do not currently exist. Finally, we must develop a communication network to keep people informed of relevant events at SFU and the larger community. To this end, we now have a more-or-less regularly appearing bulletin and we are attempting to establish a more expansive type of newsletter. Since most people in the bargaining unit are around the university for only a few years, the problem of continuity is a large one. (For example, from among our four negotiators present at the signing of the contract, only one remains at SFU!) Somehow, we must institutionalize a process for acquiring new blood to rejuvenate our executive, steward system, and our committees.

Our first contract expires on May 1, 1982. During the coming year, our focus will be increasingly on making sure our second contract does not have the same flaws and weaknesses that our present one has. Local 2's contract expires at about the same time. If we are successful in organizing our bargaining unit, then the prospects are good for both locals of AUCE being able to force major concessions from our employer in the coming round of negotiations- for the university will be faced with the prospect of actually being shut down by a strike of clerical, technical, and teaching support staff!