



**association of university and college employees**

July 15, 1981

Katharine P. Young  
Laxton & Company  
12th Floor  
1285 West Pender Street  
Vancouver, B.C.

Dear Katy:

Enclosed is information related to a Section 34 application the University has made to exclude a Clerk III position from the bargaining unit. This Clerk III position is in the Finance Department. The response from the Union is due in the Labour Relations Board offices on July 23, 1981. If you require a further delay in order to make a submission for us, please obtain it.

The AUCE member in the position is [REDACTED]. She will be on holidays the week of July 20-25, 1981 but her home telephone number is [REDACTED]. I spoke to her on Monday and went through the enclosed job specification and the submission from Keith Mitchell. She thinks the job should be excluded but I don't think she really understands exclusion. Also, she wants the position reclassified upwards to that of an administrative and professional category.

Firstly, see the letter dated June 23, 1980 from W.L. Clark to Carole Camern enclosing an Office and General Job Specification for Clerk III (Exempt), Office of the Treasurer, Finance. I went over this job specification with [REDACTED] and she agreed that this represented either the duties she was currently performing or those that she expected to perform in the position. She has a copy of this job specification which bears her signature (note that this one the Union has does not).

I wrote to Clark on July 25 (letter enclosed) and subsequent to this had a meeting in the Finance Department with the University's Treasurer, Allen Baxter, Jane Strudwick and a Shop Steward from that Department. (see my letter to you of August 1, 1980).

The Shop Stewards in the Finance Department reviewed the job specification and made a report to us (see enclosure stamped July 22, 1980).

We received further correspondence from Employee Relations in the form of a letter from Jane Strudwick, dated August 21, 1980, in which she stated the position of the job which the University felt put the position into the excluded category was item 4 on the job specification. Item 4 states "Maintains manual records of contingent, salary increase and other reserve funds." She outlined in her letter that this duty meant that the employee would be "maintaining manual records of reserve funds that the employee calculates amounts of money available for union settlements - information that is available to very few people. This information is gathered by the incumbent on an ongoing basis."



She further went on to say "the University feels that having access to this particular information would put a union member in an untenable situation and ask that you agree to exclude this position from the bargaining unit."

Finally in our September 3, 1980 letter to Jane Strudwick the Union told the University we did not agree to the exclusion of the Clerk III, Finance position.

We heard nothing on this matter until we received the July 7, 1980 letter from the Labour Relations Board of B.C. enclosing the Section 34 application from the employer. I must say that we did anticipate this Section 34 application but we felt the University was not going forward pending a decision on the Clerk to the Board of Governors appeal. (a copy of that decision is also enclosed, for your information).

I have gone through the submission from Keith Mitchell with [REDACTED] and the following came out of this discussion:

- on page 2 of the submission, 1st paragraph "the major part of the work was previously done by other excluded employees specifically [REDACTED]'s superiors", this work formerly was done by the Budget Accountant and the University Treasurer.
- 1st para. page 2 "The position was created in April, 1980", note that the letter from the University to the Union about the position is dated June 23, 1980 and the job specification itself is dated June 18, 1980.
- page 2, 2nd, 3rd and 4th paragraphs, [REDACTED] agrees that the statements are accurate
- page 2, 5th paragraph "As part of the budget preparation of the University, it must estimate in advance of collecting bargaining for the purposes of submission to the Government, the amount of the money it determines will be required in the various union settlements.", [REDACTED] says that her position will have access to this information
- She further advises that the parts of the job relating to staff records will shortly not be part of her position since these functions will be handled directly by Employee Relations with a new computer system that is being put into place. That is she will not deal with this information since it will automatically be entered into the machine record system
- page 3, paragraphs 2, 3, 4 and 5 [REDACTED] agrees that this will or is part of her regular job duties.
- page 3, paragraph 6 note "[REDACTED] works with the Associate Vice-President and Treasurer and Budget Accountant." These are two not three people. Allen Baxter is both the Associate Vice-President and Treasurer.



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I would particularly draw your attention to page 3 of the submission, paragraph 2 and 3.

"As part of the ongoing development of the University budget, the Treasurer's Department would obtain from the Department of Employee Relations and other relevant University authorities, an estimate of the amount required for settlement in the various collective bargaining negotiations. These calculations would be part of the ongoing material with which [REDACTED] works with in dealing with the budget development."

"As part of this work [REDACTED] would be also working with budget, provisions for non-union salary increases to be negotiated with the Faculty. These documents which [REDACTED] works with are referred to as budget working papers."

I have given this matter some thought and think the Union's position should be related to the job itself not the person in it. The above duties need not be done by the person in the position. There is also some strength in saying that this work does not fall within the purview of a Clerk III. This work was being done before by senior administrative personnel of the University, is is really clerical work and even if it is, is it Clerk III work?

Is there an argument to be made that those duties which are not Clerk III duties make the job a possible exclusion and that removing those from the description leaves the position simply that of a Clerk III that could be in the bargaining unit?

Please talk to [REDACTED] and prepare a submission for the Union. I will be away from work taking a course next week but you can reach me at home in the evening at [REDACTED]. Thank you for your help in this matter.

Yours truly

Carole Cameron  
Union Organiser  
AUCE Local 1

Enc.



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ENCLOSURES:

- July 7, 1981 letter and attachments from the Labour Relations Board of B.C.
- September 3, 1980 letter from Carole Cameron to Jane Strudwick
- August 26, 1980 letter from Carole Cameron to Katharine P. Young
- August 21, 1980 letter from Jane Strudwick to Wendy Bice
- statement stamped July 22, 1980 from shop stewards in the Finance Department
- August 15, 1980 letter from Wendy Bice to Katherine P. Young
- August 14, 1980 letter from Wendy Bice to Jane Strudwick
- August 1, 1980 letter from Carole Cameron to Katharine P. Young
- July 30, 1980 letter from Carole Cameron to Katharine P. Young
- July 25, 1980 letter from Carole Cameron to W.L. Clark
- June 23, 1980 letter from W.L. Clark to Carole Cameron
- Clerk III Standard Job Description
- May 4, 1981 letter from Labour Relations Board of B.C. to All Interested Parties