

Association of University and College Employees

LOCAL

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Local #7 filed an application for certification on April 30/1982. Slightly more than 45% of the potential membership had signed. This is the third application from employees on the University of Victoria campus in two years. The laboratory instructors applied in the summer of 1980; the professional librarians applied in March, 1981, and reapplied later that same year. All applications were turned down by the Labour Relations Board (LRB) on the basis of inappropriate bargaining units.

The difficulty in organizing on campus lies in the designation of what is to be considered the "most appropriate" bargaining unit. The LRB follows a policy which favours the largest unit which encompasses all employees who share a sufficient community of interest to engage in meaningful collective bargaining. The University's argument (again) is that our application for certification does not constitute the most appropriate bargaining unit. They submit that in fact the most appropriate unit would include

"laboratory instructors, scientific assistants, academic assistants, research assistants, laboratory assistants, fellows, coaches, non-credit course instructors, analysts/programmers I, and all others assisting in specialised or instructional activities".

This unit can number upwards of 900 members, and would include kayak and belly-dance instructors, and several people from Administration who teach extension courses in business administration.

The LRB ruled, for the lab instructors, that

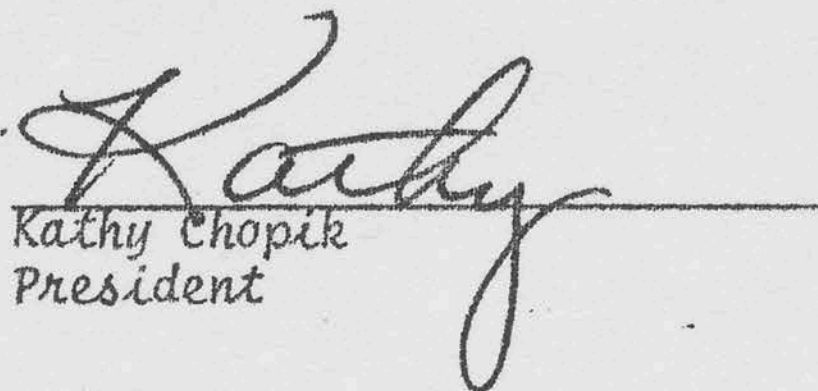
"the only appropriate unit for lab instructors at the University of Victoria must also at a minimum include the scientific assistants and academic assistants".

There is a considerable disparity between this ruling and the categories for inclusion as argued by the University.

Our application was filed for those employees who engage in teaching related activities, either in labs or seminars, or else in grading and preparing course materials. We feel that this unit is meaningful in terms of responsible collective bargaining and that the categories share a commonality of interest and job function which logically combines them. Our submission to the LRB requests that this unit be deemed an appropriate bargaining unit subscribing to the contours described in A.W.R. Carrothers in "Collective Bargaining Law in Canada" (Retail Clerks Union Local No. 1518 and Woodward's Furniture Ltd., BCLRB No. 5/74). The legal requirements are fulfilled in this application, and while it may not be the largest possible bargaining unit imaginable it remains a community of employees with common job functions and working conditions.

We are waiting for the Board to set a date for the hearing. While it is possible that the LRB will find against our particular unit, the issues of job function and nominal classification are crucial for the future of any organizing attempts on this campus. We will be able to continue our organizing efforts in the fall hopefully with a clearer understanding of the dark labyrinth popularly referred to as "the appropriate bargaining unit".

*Submitted on June 18, 1982
on behalf of AUCE local # 7*


Kathy Chopik
President