

October 25, 1976

Mr. Paul C. Weiler, Chairman
Labour Relations Board
1620 West 8th Avenue
Vancouver, B.C.

Dear Mr. Weiler:

Re: University requests for exemptions from Bargaining Unit

Local One of the Association of University and College Employees submits that the positions currently held by Jean Lees and Elaine Dawn should remain in the bargaining unit for which we are certified at the University of British Columbia. Neither of these employees is "employed in a confidential capacity in matters relating to Labour Relations."

We therefore disagree with the claims made by the University in its letter to yourself dated September 30, 1976.

We shall first deal with the case of the secretary to the Vice President, Faculty and Student Affairs. The University's argument for exclusion rests on its contention that this Vice President plays an important role in Labour Relations. However, it is to be noted that the specific involvement in Labour Relations claimed by the University pertains to other bargaining units, viz. the Canadian Union of Public Employees, 116, and the Faculty Association. Access to such labour relations information on the part of his secretary does not constitute a conflict of interest, as she is a member of neither CUPE 116 nor the Faculty Association. As to involvement with relations with AUCE Local 1, the University claims only that the Vice President of Faculty and Student Affairs "is involved in policy decisions related to the collective agreements of the Association of University and College Employees, Local 1 and is involved in the policy matters related to negotiations for collective agreements." The precise nature and degree of his activity in this area is not spelled out. It should be emphasized that there are a number of individuals, including Deans and various management personnel, whose involvement in the formulation of University policy toward AUCE Local 1 could be described in the same vague terms used to describe the Vice President's involvement in this area. However, the secretaries of these individuals are not excluded from our unit. The point we wish to make is that the secretary of the Vice President of Faculty and Student Affairs does not deal with confidential information relating to labour relations with AUCE Local 1 as a substantial and regular part of her job.

As part of its argument, the University implies that the fact that the secretaries of the remaining three Vice Presidents are excluded indicates that the secretary of the fourth should also be excluded. We deny the relevance of this point, as each Vice President has a different function. However, we should also like to emphasize that this is the first time the Union has been apprised of the fact that the secretaries to the Vice President, Administrative Services and the Vice President, University Development are allegedly excluded from the bargaining unit. AUCE Local 1 has never agree to their exclusion, nor has there been a ruling of the LRB to this effect.

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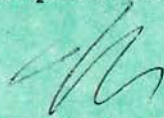
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Parenthetically, may we bring to your attention that the chart submitted to you by the University entitled "Organization - Office of the President prior to July, 1975" (Chart #3) is also erroneous. It incorrectly shows the secretary to the Chancellor to be excluded, whereas in fact the LRB ruling of August 9, 1974, put her within the bargaining unit.

Lying behind the University's request for exclusion of the secretary of the Vice President, Faculty and Student Affairs is the 1975 reorganization of the President's office. We do not deny that this radical alteration of organizational structures warrants a detailed examination of the question of exclusions from the bargaining unit. However, by the same token, we are perplexed by the University's request for exclusion of the position of Mrs. Jean Lees from the bargaining unit. The University has made no such request of us on previous occasions.. To our knowledge, there has been no change in the status of either her position or that of the Assistant Director of Employee Relations during the two and one half years we have been certified. Neither the Union nor the University considered this secretary to be dealing with confidential information relating to labour relations with AUCE Local 1 as a substantial and regular part of her job. The Union continues to hold that opinion.

We therefore ask the Board not to accede to the University's demand to exclude these two positions from our bargaining unit.

Respectfully submitted,


Ian Mackenzie, President
for AUCE Local 1

cc. University of B.C.

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