

FACNC STEWARD BULLETIN

OCTOBER 24, 2020



EARLY RETIREMENT INCENTIVE OFFERS CONTRAVENE COLLECTIVE AGREEMENT

Many of you may have received a message from CNC this week regarding offers of Early Retirement Incentives [ERIs]. Although the Employer has tried this before [2012], unsuccessfully, I am writing to let you know that: these ERI offers contravene the collective agreement, the Union views them as an attempt to circumvent the layoff process, the Union is taking all necessary action against the offers being made in contravention of the collective agreement; and, I also want to let you know that if we are once again successful against this action by CNC then members accepting those offers could be put in a position where they would be forced to pay back the monies.

The provisions on ERI are clear at Article 14.13.1... "Where it is deemed possible by the Layoff Committee (6.4.9) to offset the impact of layoffs through the offering of early retirement incentives to an instructor, an incentive may be offered".

The College has done this before and it led to the Union filing a grievance that was successful and resolved in 2013 [attached]. The resolution meant that the college president sent a message to all faculty explaining that CNC would adhere to the collective agreement and any ERI's and Voluntary Severance would be properly approved through the joint Layoff Committee. If the layoff process is pre-empted by the loss of faculty positions resulting from the Employer's ERI offers, then the Union would lose the ability to dispute the need for a layoff notice as well as its ability to negotiate ways to mitigate a layoff.

At the request of the current CNC vice president academic, Union representatives agreed to strike the joint Layoff Committee and its first meeting was October 2. At that

meeting the Union explained why it could not agree to the Employer issuing ERI offers outside the layoff process and we also provided the Employer with the information on the 2013 grievance. Despite this, the Employer chose to move ahead with offering ERIs.

Please also keep in mind that if any layoff notice were to be issued [March 31, 2021] the first action of the Layoff Committee is to hold layoff adjustment meetings with the senior faculty in departments and/or program areas affected. Further, the labour adjustment provisions include options for both ERIs and Voluntary Severance for faculty members senior to any member who would otherwise receive a layoff notice from CNC.

For those of you new to the college, you will find the layoff provisions at Article 6.4 of both the common and local components of the collective agreement.

If you have any questions please do not hesitate to contact me at facnc_chiefsteward@telus.net

In solidarity,

Jan Mastromatteo