

April 2015

## Lessons from universities for precarious sectors: Bargaining for Contract Academic Staff

Jula Hughes

*University of New Brunswick*

David Bell

*University of New Brunswick*

Follow this and additional works at: <http://thekeep.eiu.edu/jcba>

 Part of the [Collective Bargaining Commons](#), and the [Higher Education Commons](#)

---

### Recommended Citation

Hughes, Jula and Bell, David (2015) "Lessons from universities for precarious sectors: Bargaining for Contract Academic Staff," *Journal of Collective Bargaining in the Academy*: Vol. 0 , Article 36.  
Available at: <http://thekeep.eiu.edu/jcba/vol0/iss10/36>

This Proceedings Material is brought to you for free and open access by The Keep. It has been accepted for inclusion in Journal of Collective Bargaining in the Academy by an authorized editor of The Keep. For more information, please contact [tabruns@eiu.edu](mailto:tabruns@eiu.edu).

Lessons from universities for precarious sectors

# BARGAINING FOR CONTRACT ACADEMIC STAFF

Jula Hughes (and co-author: David Bell)  
Faculty of Law  
University of New Brunswick

# How we got into this...



# Precarious Work

Precarious work is characterized by lack of continuity, low wages, lack of benefit and possibly greater risk of injury and ill health ... Measures of precariousness are level of earnings, level of employer-provided benefits, degree of regulatory protection and degree of control or influence within the labour process.

Law Commission of Ontario (2012),  
*Vulnerable Workers and Precarious Work*

# Organizing Contract Academic Staff in Canada

- ◎ Two solitudes: unionizing regular and contract academic faculty
- ◎ Reluctant convergence

## Organizing the academic precariat

- Organizing a 'majority' of uncertain, unstable and unknowable size and location
- Exclusive representation rights and obligations for diverse membership with high needs

# Our Sample

Alberta

Calgary

Carleton

Dalhousie

Manitoba

McMaster

Memorial

Moncton

Ottawa

Saskatchewan

Simon Fraser

St. Mary's

Toronto

UBC

UNB

PEI

Victoria

Western

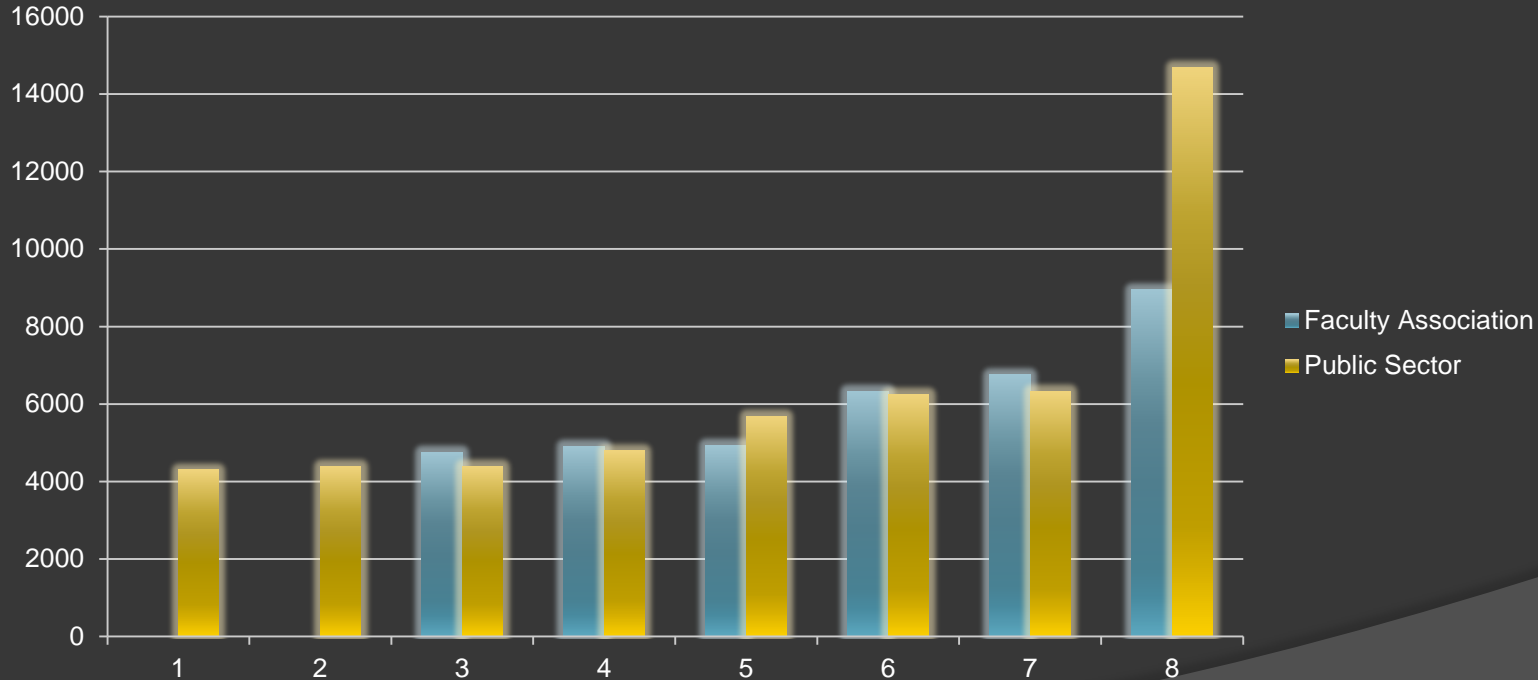
York

# Bargaining priorities

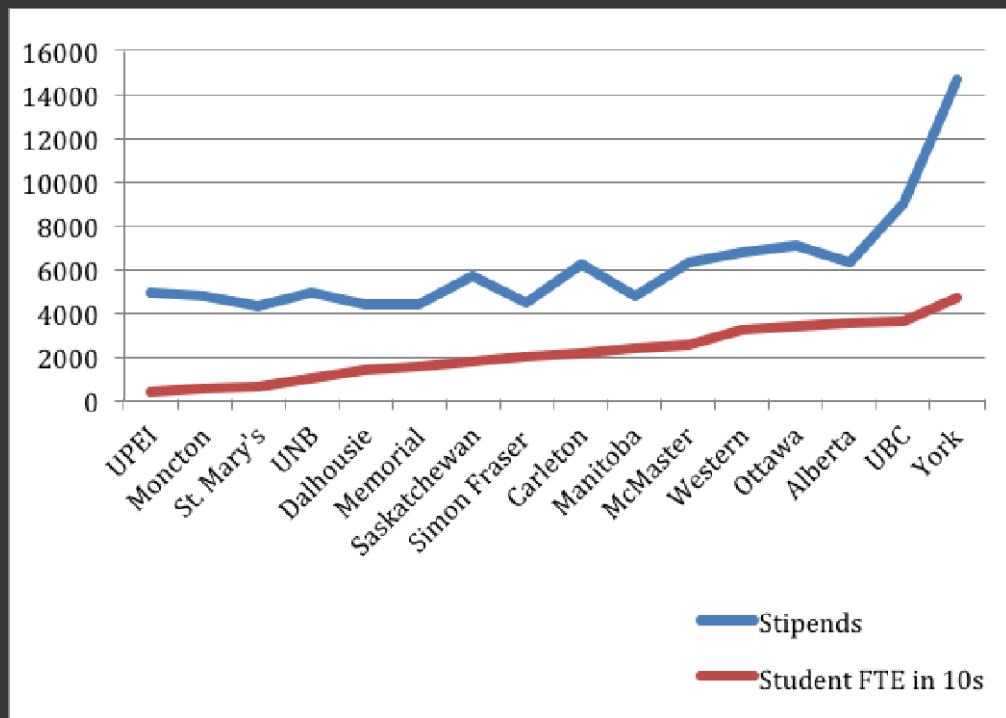
- ① Wages
- ① Job Security
- ① Fringe and academic benefits



# Is there a public sector union advantage?



# Why is there such divergence?



# Job Security

- ⦿ 2 collective agreements provide for the possibility of conversion
- ⦿ 11 collective agreements use seniority-based job security provisions
- ⦿ 4 collective agreements use periodic assessments
- ⦿ 2 had only minimal job security provisions

# Other bargaining gains

- ① fringe benefits (8 agreements had decent benefits, most did better than ESA)
- ① academic benefits (17 agreements had them, some of them comprehensive)

# Areas with limited progress

- ◎ pension benefits (only 4 agreements had them, all DC plans)
- ◎ limiting management rights (only 8 had fairness language)
- ◎ academic freedom (only 6 agreements protect the right to criticize the employer and to go outside one's discipline)

# Conclusions

- ① Unionization of residual groups of nonunionized workers in sectors with great union density is easier than the expansion of unions into new sectors
- ① Competition between unions maybe helpful in organizing the unorganized
- ① Contingent workers can expect real benefits from unionization, but not transformative change
- ① Bargaining power of contract academic unions is weakened b/c contingency of work puts pragmatic limits on the ability of unions to mobilize workers in support of job action