



October 28, 2021

Hon. Demetrios Nicolaides
Minister of Advanced Education
107 Legislature Building
10800 – 97 Avenue NW
Edmonton, AB T5K 2B6

Hon. Tyler Shandro
Minister of Labour and Immigration
204 Legislature Building
10800 – 97 Avenue NW
Edmonton, AB T5K 2B6

Re: Application of Alberta Labour Relations Act Divisions 4-9 to Post-Secondary Academic Associations

Dear Ministers Nicolaides and Shandro,

On behalf of the Alberta Colleges and Institutes Faculties Association (ACIFA), a confederated professional association that brings together academic staff at Alberta's colleges and technical institutes, we are writing you today to discuss a key item that will effect the stability of labour relations at Alberta's post-secondary institutions. We would also like to request your offices' assistance in working with us to allow for continued stability in our system of academic labour relations in the province.

First, though, we would like to take the opportunity to congratulate Minister Shandro on his appointment as Alberta's Minister of Labour, and to express that we are looking forward to working with him in a productive and cooperative manner in the coming months. Similarly, we would like to thank Minister Nicolaides for his continued willingness to discuss important issues facing our sector, and for the frank conversations that we have had with him over the last two and a half years since his own appointment.

The key concern that we are writing to discuss today, however, is the application of certain provisions of Alberta's *Labour Relations Act* to our sector. As per the changes made by the previous government in 2017's *Act to Enhance Post-Secondary Academic Bargaining (Bill 7)*, our member organizations have been transitioned from being regulated under Alberta's *Post-Secondary Learning Act (PSLA)* to being regulated under the province's Labour Relations framework. While much of this transition has already come into force, and ACIFA member organizations are preparing for the implications posed by these changes, there are other provisions (namely Divisions 4 through 9), which are set to come into force on July 1, 2022 as per 58.2(2) of the *Labour Relations Act*.

The delay or removal of this application date has been a longstanding request of our organization, as we believe that applying these divisions of the Act to the post-secondary sector will create meaningful disruptions to labour relations on our campuses, and serve to undermine efforts by both management and academic labour to work toward collegial governance and labour peace. Given the impacts of the COVID-19 pandemic, the resulting complications in our sector, the transformative change already being brought to our sector by the Government's *Alberta 2030* review, and the state of collective agreement negotiations across our member organizations, we believe that the 2022 coming-into-force could present further and unnecessary challenges.



We believe strongly that Alberta's colleges and institutes will be key components in our province's economic relaunch as we emerge from the pandemic and years of economic stagnation dating back to the 2014 collapse in natural resource prices. Our sector will be vital in ensuring that Albertans have the skills needed to create jobs and stimulate the economy, and that academic staff are at the frontlines of ensuring that our province and sector continues to grow and evolve in line with the needs of the labour market and economy. The added complications presented by these dates, conceived by the previous government, could have deleterious impacts on that work.

Fortunately, the same clause of the *Labour Relations Act* that dictates the July 1, 2022 coming-into-force also contains provisions for the Lieutenant Governor in Council to delay the implementation of these divisions upon consultation with stakeholders in the sector. Clause 58.2(2) of the act reads as such:

"58.2(2) Notwithstanding subsection (1), Divisions 4 to 9 apply effective July 1, 2022 unless a later date is determined by the Lieutenant Governor in Council after the Minister has consulted with affected parties."

ACIFA would like to encourage the Cabinet to exercise these powers granted by the Act to ensure stability of academic labour relations in the province, especially given the extreme circumstances through which many of our members have had to navigate over the course of the pandemic. A delay in the application of these divisions would grant our member organizations the time to properly prepare for the transition, and to focus on the important work ahead of us. Further, it is our view that this change can be made without taking time out of the Government's legislative agenda.

In closing, ACIFA would appreciate the opportunity to discuss this issue with both of you at your earliest convenience, and would be pleased to provide any input required by your respective ministries to aid in this endeavour.

Sincerely,

Ken Heather,
President, Alberta Colleges and Institutes Faculties Association