

From the President's Desk

Welcome to October. Where did the summer go? I hope everyone had the opportunity to take some time off during the summer months in order to relax, destress and get ready for the fall term.

September 30, 2021, marked the first National Day for Truth and Reconciliation in Canada. AESES Executive and leadership from The University of Winnipeg (UW) and the University of Manitoba (UM) recognized the importance of this day and closed offices in observance. There is still much to do on the path to reconciliation. But this small step forward allowed staff to honour and reflect on the lost children and Survivors of residential schools, their families and communities.

Recently you received two communications from AESES. The first was in response to the vaccine mandates by UW, UM, and other post-secondary institutions. Members have enquired why we were not at the forefront of demanding the mandate initially like the Faculty unions. AESES had planned to survey our membership in August to determine and gauge the thoughts



Laurie Morris, President

of our members. However, before we could send out the survey many Manitoba post-secondary institutions, including UW and UM, announced their intentions for a vaccine mandate. At that point, we switched gears and put all our efforts into answering the many emails and phone calls from concerned members on both sides of the discussion.

After seeing so many members reach out for more information, we decided to hold six Town Hall sessions on vaccination mandates and the return to work (two for UW, two for UM Bannatyne Campus, and two for UM Fort Garry Campus). Attendance

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was manageable, with approximately 50 members at the UW sessions, 80 at the UM Bannatyne sessions, and around 100 at the UM Fort Garry Campus sessions. Members provided constructive dialogue and genuine concerns for safety and accountability. Unresolved questions have been forwarded to the respective university for clarification or more details. Since not everyone could attend a session, we discuss them more in detail on **page 4** in this issue. An online FAQ has also been created and will be updated as situations change, and new information is known.

We want to emphasize that AESES supports and encourages all eligible members to be fully vaccinated. While we recognize our members' right to decide whether or not to get vaccinated, we trust that our members will be respectful of that choice and not single out, spread rumours or discriminate against co-workers due to their vaccination status. We might be unaware of personal situations (such as a medical circumstance) for why one is

not receiving a vaccination. We ask all members to please remain professional when at work. If you encounter any stigmatization, don't hesitate to contact your Human Resources department or the AESES Business Office at 204-949-5200 or aeses@aeses.ca.

For some members, the onsite return to work has not been a smooth transition. Some departmental units are taking a hard stance requiring all staff to return onsite, while others are taking a more gradual and reasoned approach.

Whichever is the case for you, should you feel unsure about the return or would like to explore your options, don't hesitate to get in touch with the AESES Business Office. Please note that it may take a few days to get back to you due to an increased volume of calls.

Another communication you received this past month is about the settlement of two grievances challenging the UM's issuance of temporary layoffs

to over 200 AESES members at the start of the pandemic. AESES argued that the approach by the UM was contrary to the provisions of the AESES-UM Collective Agreement. AESES spent over a year working on these grievances, totalling seven days of mediation and hundreds of hours of emails, phone calls and meetings. The settlement is the largest in AESES history at \$1.5 million in remedies to 195 AESES members. The message in its entirety is on **page 3** in this issue. We know these past 18 plus months have not been easy. I want to thank all those who were affected by a temporary layoff for their patience and understanding.

This grievance proves that AESES is willing to take severe breaches of the Collective Agreements through the painstaking grievance process to final resolution. Regardless of the work that needs to get done, AESES is there for our members.

In solidarity,



Contract Admin



- The 2020 temporary layoff and recall grievances were settled. An announcement was sent to membership on September 15, 2021.
- The Second Stage meeting for grievance filed on behalf of a member who received a suspension for alleged insubordination was held and awaiting employer response.
- A new grievance was filed on behalf of a member who received an Oral Warning for alleged disrespectful email communication. The Oral Warning has since expired and was removed from the member's record.
- A new Vacancy Selection grievance was filed for a member who was deemed allegedly unqualified for a posted job. The grievance was withdrawn ahead of the Second Stage meeting.
- A new grievance was filed on behalf of a member who was denied benefits due to the benefit plan's design which appears discriminatory. The grievance was denied at the First Stage and referred to the Second Stage.
- No updates at this time.



New Faces and Hires

The most recent list of new AESES employees hired at both universities are available online: aeses.ca/new-faces

AESES Temporary Layoff and Recall Grievances

EMAIL TO MEMBERS, SEPTEMBER 15, 2021

To: All AESES-UM Members

Following nearly sixteen (16) months of working through the grievance process, AESES is pleased to announce the resolution of our 2020 layoff and recall grievances. The final settlement totals approximately \$1.5 million dollars and forms the largest grievance settlement in AESES' history. Also included in this resolution was the restoration of pension, seniority, vacation and benefits premiums recovery.

These grievances challenged the University of Manitoba's actions in issuing temporary layoffs to over two hundred (200) AESES members at the outset of the pandemic. AESES argued that the University's approach was contrary to the provisions of the Collective Agreement. This lengthy process included seven (7) full days of mediation with Arbitrator Arne Peltz and included several hundred hours of meetings, phone calls, and thorough examination of the many document exchanges with the University.

Beginning in April 2021, discussions with the University moved forward more positively. From there, a concerted effort was made by both parties to focus on a fair settlement rather than to pursue the formal grievance process, which likely would have required another twelve (12) months or longer to reach

a resolution. The growing financial burden on many of our members—including a large number that were still laid off—meant that pursuing a quicker resolution would be more advantageous than going through a protracted grievance process with no certainty in the outcome.

In total, one hundred and ninety-five (195) temporarily laid off AESES members are receiving a financial remedy from the settlement. Twelve (12) additional laid off members were left outside the settlement due to their Sessional employee category, which permitted annual temporary layoffs in accordance with the Collective Agreement. Although not all laid off members could be included or expected to receive the same level of remedy, we believe that more AESES members were captured in this settlement rather than if we had followed through to arbitration.

AESES has worked long and hard to support our members during this process. As of the time of this communication, nearly all members have either been returned to their positions or have been given access to their formal position discontinuance rights as outlined in Article 10 of the Collective Agreement.

Finally, AESES would like to thank the patience of the many impacted members who were in contact with us throughout this difficult process and were only provided limited details due to the confidential nature of the resolution process. We know this was frustrating, but we trust that the outcome has provided some relief from this challenging situation.

In solidarity,

Laurie Morris
AESES President



AESES Town Hall – Vaccination Mandates and Return to Work

Held over six lunch hours, over 230 members from The University of Winnipeg (UW) and the University of Manitoba (UM) (both Bannatyne and Fort Garry Campus) attended Zoom sessions to understand how the vaccination mandates and the return to work would affect them.

President Laurie Morris provided a welcome, followed by an introduction of the AESES labour relations team, including Lorne Hilton, Colleen Thompson and Lisa McKendry. Lorne explained the purpose behind the mandates, that AESES was not involved with their creation, and that they were initially supported publicly by the Manitoba Organization of Faculty Associations and the University of Winnipeg Faculty Association. A membership survey that AESES was preparing was put aside once the mandates were announced, making it unnecessary.

AESES has always advised that we support members becoming vaccinated, and we are following the advice and guidance of provincial and national health professionals. It is to be noted that neither the UM nor the UW require that employees become vaccinated at this time.

At the UM, there is an alternative to allow regular testing (umanitoba.ca/coronavirus/vaccine-information) for those who are unvaccinated. At the UW, they will work with unvaccinated employees to determine if work can occur remotely (uwinnipeg.ca/covid-19). However, there remains the possibility that members could be placed on an unpaid leave if they choose not to be vaccinated, refuse to undergo regular testing (at UM), and it has been determined that their work cannot be performed remotely.

The universities will have an obligation to consider accommodation on a case-by-case basis, particularly where the request is made based on a protected characteristic under the Manitoba Human Rights Code. However, the Manitoba Human Rights Commission has determined that personal preference for not becoming vaccinated does not result in a complaint of discrimination under the Code (manitobahumanrights.ca/v1/education-resources/resources/pubs/guidelines/guidelinecovidvaccine.pdf).

Members were courteous, and AESES gained insight into other workplace concerns that have been occurring. AESES would like to thank all members who participated with

questions and feedback. Here are a few more popular asked questions:

How will work accommodate staff who have a young child at home who may have to miss daycare/school due to a seasonal cold or closures?

The accommodations that were put in place throughout the pandemic are still in place now. The employer is required to consider all reasonable requests and attempt to find a resolution which may include allowing you to perform your duties remotely. Where an accommodation may not be possible, a leave of absence might be pursued.

What is the possibility of returning part-time to the office and working part-time remotely?

This arrangement is something you should discuss with your supervisor. The UW has pilot remote work guidelines (uwinnipeg.ca/hr/remote-work.html), and the UM is currently developing limited flexible work guidelines with hopes to share them in early 2022.

Should we wear masks during the whole time we are in the office? If there is sufficient physical distance between staff, is there still a need?

Each university is ensuring that Manitoba Public Health Orders are being followed and respected. Each university can also add other restrictions as they deem necessary for their area.

UM: The wearing of 3-ply reusable or disposable masks is mandatory for all activities on all UM campuses. This applies when indoors at all times on UM campuses even when physical distancing is possible. A 3-ply mask is also required when outdoors on UM campuses or while participating in UM-sanctioned activities off-campus at any time when two metres distancing is not possible.

UW: Faculty, staff, and students who are attending campus will be expected to wear masks when occupying indoor public spaces — including classrooms, labs, study areas, washroom, lobbies, hallways, and student residence common areas. Masks are not mandatory in individual office spaces, except when physical distancing is not possible.

If you were unable to attend, a FAQ is now on our website highlighting common questions and answers discussed during the sessions (aesess.ca/faq-vaccination-mandates-and-return-to-work).

If you have any additional questions, concerns or need assistance from our labour relations team, contact the AESES Business Office at 204-949-5200 or aesses@aesses.ca.

30th Annual Confederation of Canadian Unions Convention

Laurie Morris, AESES President, Romer Bautista, Melissa Blonjeaux, Will Christie, Chris McCann, Rob Parker, Tessa Pearen, Trish Roche, Gloria Saindon, and Karen Simpson will be attending the 30th annual Confederation of Canadian Unions convention in Victoria, British Columbia, October 16-19.

AESES delegates are looking forward to reconnecting with other affiliate members and learning more about issues important to unions during the labour school portion of the weekend. A post-Convention report will be in the *insideAESES* December issue.



Constitution and Bylaw Changes

The AESES Constitution and Bylaws govern the manner in which AESES must conduct itself. Procedures such as the selection of the bargaining team, election of the Executive and the method by which the AESES Board of Representatives is chosen, which are all spelled out in the Constitution and Bylaws.

Members have the opportunity to propose changes to the AESES Constitution and Bylaws. Suggestions for changes are reviewed by the Board of Representatives, whose job is to then present the proposed amendments for a vote at a future Annual General Meeting (AGM). Member proposals for Constitution and Bylaw changes are published in the AGM booklet in advance of the meeting.

Please take the time to read through our current Constitution and Bylaws, available for download from our website: aeses.ca/publications/constitution-bylaws

If you would like to see any amendments made to the Constitution and Bylaws, please submit your suggestions to us via email at aeses@aeses.ca. The deadline for submissions of proposed changes is November 12, 2021.



Wellness Resources

AESES supports the well-being and mental health of members while they are at work and in their personal lives. AESES encourages members to be informed about resources and make use of the services (if needed) provided by their institution.

View all the supports available to you as an employee, and including general links to support your well-being here: aeses.ca/member-information/wellness-resources



2021 Fall Education Seminars

The air is crisp, and the leaves are falling, which means it is time to register for the Fall Education Seminars. The AESES Education Committee would like to offer members five seminars to help you fall into fall 2021.

Beading Workshop

Tuesday, October 19 | 6:30 – 8:30 pm

\$5 AESES members | \$15 Non-members | Max 25

During the 19th century, Métis women developed a distinct flower design that would become the most widely used style among the Métis people. Attend this session and learn how to create this well-known design yourself. A video will provide instruction, and our presenter will provide additional help and guidance throughout the evening. The supplies are included with the seminar fee.

Virtual Pizza Making

Wednesday, October 27 | 6:30 – 9:00 pm

\$15 AESES members | \$25 Non-members | Max 20

Participants will prepare the food in their kitchens and follow along online for the instructions, including pizza crust making, ingredient toppings, and the final baking in the oven. Participants will be provided with an ingredient kit consisting of the dough, sauce, toppings, and the recipe. All you need to provide is some cooking oil, an oven and your patience. The supplies are included with the seminar fee. Please note that you will have to pick up your fresh ingredient kit on the day of the seminar (October 27) between 12:00 – 5:00 pm at the AESES Business Office.

Let's discuss Discipline and Grievances

Tuesday, November 2 | 6:00 – 8:00 pm

FREE for AESES members | Max 50

Join Lorne Hilton, Labour Relations Officer and Colleen Thompson, Member Services Officer, for an interactive discussion on Discipline, and Grievance Procedures, in the workplace and how it relates to our Collective Agreements. The seminar will explore employer investigations, criminal behaviour, insubordination, and the mechanism used in resolving disputes (*spoiler alert* this is where we talk about grievances!).

In-Person Hot Yoga

Saturday, November 6 | 9:30 – 10:30 am

Location: Awesome Hot Yoga, 677 Stafford Street

FREE for AESES members | \$10 Non-members | Max 25

Foundation Hot Yoga class – An introductory class for all skill levels, including beginners. Half of the session will be standing postures, and the remainder will be floor work. Bring a towel, mat, and water. If you don't have a towel or mat, they can be rented before the class for \$2.00 each. This seminar will occur as an in-person class with all COVID-19 cautions in place by observing social distancing between participants during the class. Masks will be required in the common areas but can be removed while on your yoga mat.

NOTE: This class will become a virtual class if pandemic restrictions change.

Paint and Wine Night

Wednesday, November 17 | 6:00 – 8:30 pm

\$5 AESES members | \$15 Non-members | Max 25

Join other AESES members virtually for a fun paint night to help beat the COVID-19 blues. Whether you join us by yourself or have your household members join in, all are welcome! Beginner, Nature theme – Orca breaching water. You can either use your own supplies or purchase a paint kit through Winnipeg Art and Wine. Paint kits will be available for pickup by appointment at the AESES Business office.

All seminars will be conducted online (unless otherwise noted) and have limited capacity. If you are interested, please register before the deadline of October 5, 2021, to guarantee your spot.

Visit aesess.ca/fall-education-seminars to register.

These seminars are for AESES signed members and a guest (limit of one guest per member, per event). Registration is on a first-come, first-served basis, with your completed registration and payment (if required).

Contact Us

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