

**IN THE MATTER OF The Public Service Employee Relations Act and a dispute
between The Board of Governors of the Southern Alberta Institute of
Technology and Alberta Union of Provincial Employees, Local 039**

MEDIATOR'S RECOMMENDATIONS FOR TERMS OF SETTLEMENT

Background

The parties have been bargaining for a renewal collective agreement but have been unable to settle the dispute during bargaining. I met virtually with the parties in mediation and have had follow-up discussions.

What is clear is that both parties wish to reach a settlement that can be ratified by both sides. I had a focused discussion with the parties to determine a path forward, and the necessary elements of a suitable agreement. Each side strongly advocated for their respective interests while respecting the need, and showing a desire, to reach terms that both sides could ratify.

As a result of the information provided to me, I believe that releasing a mediator recommendation is the right step to assist the parties in finalizing a settlement. In reaching this recommendation, I considered all the information and interests exchanged by the parties during the mediation process. I have also considered the additional costs, financial and otherwise, to each party if a settlement was not reached.

It is recognized that improvements are always important issues for the Union. The Employer is, however, facing specific challenges, including recent public sector settlements and, more specifically, settlements in the post-secondary sector. The pattern of post-secondary settlements significantly constrains this round of bargaining. That is a reality faced by the parties, and the Mediator that will not change with time.

I have worked with the Employer to maximize what they can do given the existing pattern of settlements and their mandate.

Recommendations

A copy of the settlement document is attached, which includes my recommendations. All changes are effective on the date of ratification unless otherwise indicated. This provides a positive settlement document that addresses the needs of both parties. I strongly recommend this settlement to both parties.

It is my hope that both negotiating committees and their respective constituents and principals give serious consideration to this recommendation as a basis for bringing closure to this dispute.

Ratification by The Parties

This Mediator recommendation requires a vote by each party. Both parties have confirmed that they will recommend these recommendations.

The Union will advise, in writing, on or before **December 19, 2022**, if they accept or reject these recommendations. The Employer will advise, in writing, on or before **December 23, 2022**. If this deadline is unworkable due to scheduling issues, then please request an extension in writing, with a copy to the other party.

If both parties accept the recommendation, then the Collective Agreement will be amended accordingly. If the recommendation is rejected then you may return to the bargaining table alone, with the Mediator, or exercise any other rights you may have. I remain assigned to the file until its conclusion and remain available to assist you should you require it.

All of which is respectfully submitted for your consideration.

Dated this 28th day of November 2022.



Rick Wilson
Mediator