

VIA EMAIL

**MacEwan Staff Association % Blair Chahley Lawyers**

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Attn.: Leanne Chahley, Barrister and Solicitor (via email: [leannechahley@blairchahley.ca](mailto:leannechahley@blairchahley.ca))

April 26, 2021

Dear Madam:

**Re: An application brought by MacEwan Staff Association affecting The Faculty Association of Grant MacEwan University and The Board of Governors of Grant MacEwan University -- Board File No. GE-083337; Demand for Particulars**

**Re: An application brought by MacEwan Staff Association affecting The Board of Governors of Grant MacEwan University and The Faculty Association of Grant MacEwan University -- Board File No. GE-083338; Demand for Particulars**

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Recall that we act for the Faculty Association of Grant MacEwan University (**the “Association”**) in relation to both of the above-mentioned applications. In advance of the Resolution Conference directed by the Alberta Labour Relations Board (**the “Board”**) on 9 April 2021, and scheduled for 10 May 2021, the Association hereby demands particulars from the MacEwan Staff Association (**the “Union”**).

The Union has applied to the Board “to decide whether a category of employees or individual employees are academic staff members.”<sup>1</sup> On considering such an application, the Board “may take into account any of the following:”<sup>2</sup>

- the history of, and the employer’s policies concerning, designations within the public post-secondary institution;
- the results of any consultation referred to in section ... 60(2) of the *Post-secondary Learning Act*;

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<sup>1</sup> *Labour Relations Code*, RSA 2000, c L-1, s 58.6(1).

<sup>2</sup> *Ibid*, s 58.6(2).

- the potential for significant conflict with the managerial responsibilities of the category of employees or individual employees, in the context of a collegial governance structure;
- any arrangements made for any transition in status of categories of employees or individual employees;
- the submissions and interests of any other bargaining agent representing employees of the public post-secondary institution affected by the designation;
- any other factor the Board considers relevant; including:
  - “Criteria for the Designation of Academic Staff” unilaterally “Passed” by The Board of Governors of Grant MacEwan University (the “**BOGGMU**” or the “**Employer**”) on 5 March 2020; and
  - preferences of the employees affected by the Union’s applications.

In light of the above statutory factors, on what specific bases does the Union contend that the following categories of employees are no longer “academic staff”:

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- Faculty Advisors;
- Faculty School Advisors;
- Academic Advisors;
- University Advisors; and
- Instructional Assistants;
- Any other categories of employees the Union is seeking to have the Board decide are no longer “academic staff” under this application.

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- Learning Specialists;

- Professional Resource Staff, including Counsellors and Librarians;
- Lab Instructors; and
- Lab Supervisors;
- Any other categories of employees the Union is seeking to have the Board decide are no longer “academic staff” under this application.

In addition to the above, on what specific bases does the Union contend that the following individual employees (identify same) are no longer “academic staff”:

- Specific “academic staff ... who are working in the Advising role”; and
- Specific employees whose “positions [are] currently within the Faculty Association which [the Union states] might no longer meet the new definition of ‘academic’ approved by the Board of Governors” in its unilaterally “passed” “Criteria for the Designation of Academic Staff”.

Sincerely,



E. Wayne Benedict Professional Law Corporation  
EWB/

c.c. - **Faculty Association of Grant MacEwan University**  
Attn.: Jasmine French, Executive Director (via email)  
Attn.: Graham Baker, Professional Officer (via email)

c.c. - **Alberta Labour Relations Board**  
Attn.: ALRB.EDM@gov.ab.ca (for filing)  
Attn.: Tannis Brown, Director of Settlement (via email)  
Attn.: Kent Nelson, Labour Relations Officer (via email)

c.c. - **Board of Governors of Grant MacEwan University % Field Law**  
Attn.: Geoffrey M. Hope, Barrister and Solicitor (via email)  
Attn.: Jason Kully, Barrister and Solicitor (via email)