

## Settlement Agreement

Between: Kwantlen Polytechnic University (The Employer)

And: Kwantlen Faculty Association (The Union)

Whereas the Union filed Grievance #2010-01 on January 13, 2010;

And whereas the Labour Relations Board in BCLRB No. B199/2010, November 1, 2010, concluded that the difference about the administration of Article 2.01 Management Rights of the collective agreement should be decided through arbitration;

And whereas Article 2.01 paragraph two states that the Employer agrees that management rights will be exercised in a manner consistent with the provision of other articles of the collective agreement;

And whereas Article 3.01 states that the Employer recognizes the Union as the exclusive bargaining agent for all Instructors, Counsellors and Librarians employed by the University, including Continuing Education faculty;


And whereas Article 12.03 deals with contact hours for faculty;

And whereas thereafter the Employer implemented a pilot project which made changes to the contact hours of certain courses, without first reaching agreement with the Union on any Collective Agreement changes that were required;

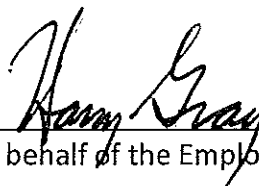
The parties have reached agreement which will resolve and settle all outstanding issues to the above-noted grievance on the following basis:

1. The Employer agrees that in future it will not implement a pilot project of this nature without first meeting with the Union in good faith to reach agreement on any Collective Agreement changes that the proposed pilot project would require.
2. The Employer acknowledges that the letters of December 1, 2009 and May 25, 2010, from Scott Nichol, Chair, Board of Governors, to Terri Van Steinburg, President, Kwantlen Faculty Association, sets out the Employer's interpretation of the University Act and the UBC decision, and that the Union has a different interpretation of these matters.

Dated April 24<sup>th</sup>, 2012



On behalf of the Association



On behalf of the Employer