

## **Overview of how the Postdoctoral Fellows Association of The University of Calgary (PDAC) became the legal collective bargaining agent for postdoctoral scholars working for the University of Calgary**

- ~1997 - PDAC was created by postdoctoral scholars (postdocs) of the time to convey the concerns and issues impacting postdocs at The University of Calgary (U of C) to the U of C administration. PDAC was not a legal bargaining agent.
- **April 2016** – Presidents for the postdoctoral associations at the U of C, University of Lethbridge (U of L) and The University of Alberta (U of A) submitted a joint letter to Premier Rachel Notley, local MLAs and the Minister of Advanced Education Marlin Schmidt proposing that postdocs be included within the Post-Secondary Learning Act (PSLA).
  - The following links on the Canadian Association of Postdoctoral Scholars/ l'Association Canadienne des Stagiaires Postdoctoraux (CAPS/ACSP) provide additional details leading up to the submission of this joint letter and a link to the letter itself:
    - <http://www.caps-acsp.ca/en/alberta-postdoctoral-associations-advocate-for-employee-status-and-uniform-provincial-policies/>
- **October 2016** – the Presidents of the U of C, U of A and U of L postdoctoral associations submitted a report arguing for three major changes for postdocs in Alberta:
  1. All postdocs should be considered employees, regardless of their source of funding.
  2. The province should provide funding to “...offset the cost of improving services, protections, and benefits for postdocs working in Alberta...”.
  3. Postdocs should be included in the PSLA and/or other legislation providing similar rights and privileges to those already afforded to graduate students and academic faculty.
  - A copy of this report may be found at the following links:
    - Executive Summary: [http://www.caps-acsp.ca/wp-content/uploads/2017/01/ExecutiveSummary\\_AlbertaPostdocLabourRelationsConsultation\\_Jan-24-2017\\_final.pdf](http://www.caps-acsp.ca/wp-content/uploads/2017/01/ExecutiveSummary_AlbertaPostdocLabourRelationsConsultation_Jan-24-2017_final.pdf)
    - Complete Report: <http://www.caps-acsp.ca/wp-content/uploads/2017/01/Alberta-Postdoc-Labour-Relations-Consultation-with-Appendices- -Jan-24-2017- -final.pdf>
- **May 4, 2017** – The Government of Alberta passed (gave Royal Assent to) Bill 7, An Act to Enhance Post-secondary Academic Bargaining into law. Bill 7 was an important piece of legislation for postdocs because, for the first time, postdocs in Alberta were recognized as employees, and their representing associations were given collective bargaining rights and recognized as trade unions. Specifically:
  - ⇒ **Bill 7, Section 58.5(1)(b) states:** “the postdoctoral fellows of a university are employees of the board of governors of the university”
  - ⇒ **Bill 7, Section 58.5(1)(c) states:** “the postdoctoral fellows association of a university is ... the bargaining agent for the postdoctoral fellows of the university and has exclusive authority to bargain collectively on behalf of the postdoctoral fellows and to bind them by a collective agreement.”
  - ⇒ **Bill 7, Section 58.5(2) states:** “The postdoctoral fellows association of a university is deemed for the purposes of this Act to be a trade union for the purposes of acting as bargaining agent for the postdoctoral fellows of the university.”
  - ⇒ **Revisions to the PSLA, included postdocs being defined as:**
    - “postdoctoral fellow” means an individual holding a postdoctoral appointment or occupying a postdoctoral position at a university, including any of the following:
      - (i) postdoctoral fellow;
      - (ii) postdoctoral associate;
      - (iii) postdoctoral researcher;
      - (iv) postdoctoral scholar;

- ⇒ The addition of Sections 92.1 and 92.2 into the PSLA outline the role of the postdoctoral associations and the associations executive, respectively.
- **May 29, 2018** – The Postdoctoral Fellows Association of The University of Calgary (PDAC) was incorporated by the Order in Council made by the Lieutenant Governor for the province of Alberta (letter attached). This invoked Section 92.1(2) of the PSLA, which states:
  - “Each postdoctoral fellows association is a corporation with the name given to it by the Lieutenant Governor in Council and consists of the postdoctoral fellows of the university.”
- **Mid-July 2018** – PDAC was given a mailing list by the VP of Research Office (VPRO) for all postdocs working for the U of C. Prior to being incorporated as the legal bargaining agent for all postdocs at U of C, the many requests made over the years for access to such a mailing list were declined by VPRO. As such, PDAC had no formal way of communicating with all U of C postdocs until Mid-July 2018.
- **July 23, 2018** – An email was sent to all postdocs by the outgoing President of PDAC (Dr. Said M'Dahoma) informing all postdocs of the incorporation of PDAC as the legal collective bargaining agent for postdocs at U of C. This was the first email using the newly acquired postdoc mailing list and, as such, likely the first time many postdocs heard about PDAC and its incorporation as their legal collective bargaining agent.
  - In addition to announcing the incorporation of PDAC, this email also announced 1) the opening of nominations for the first Executive Council for the newly incorporated PDAC; 2) that Dr. M'Dahoma would act as the Chief Returning Officer (CRO) for the upcoming election; and 3) that a draft Bylaws document would be circulated for feedback prior to members being asked to ratify the final version.



Province of Alberta  
Order in Council

O.C. 180/2018

MAY 29 2018

# ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor

or  
Administrator

The Lieutenant Governor in Council

- 1 establishes a postdoctoral fellows association for the University of Calgary with the name “The Postdoctoral Fellows Association of the University of Calgary”;
- 2 prescribes the procedures respecting the election of the first executive of the postdoctoral fellows association as that set out in the Schedule.

CHAIR

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For Information only

Recommended by: Minister of Advanced Education

Authority: Post-secondary Learning Act  
(section 92.1)

## SCHEDULE

### Procedures Respecting the Election of the First Executive

#### Definitions

1. In this Schedule,
  - (a) "Act" means the *Post-secondary Learning Act*;
  - (b) "association" means The Postdoctoral Fellows Association of the University of Calgary established under section 92.1 of the Act;
  - (c) "chief returning officer" means an individual appointed by the executive of the PDAC to oversee the election of the first executive of the association;
  - (d) "first executive" means the first executive of the association, elected in accordance with the procedures set out in this Schedule, following the establishment of the association under section 92.1 of the Act;
  - (e) "member" means a "postdoctoral fellow" at the University of Calgary as defined under section 1 of the Act;
  - (f) "PDAC" means the Postdoctoral Association of the University of Calgary, an informal association of postdoctoral fellows at the University of Calgary and predecessor to the association established under section 92.1 of the Act;

#### Chief returning officer

2. The executive of the PDAC shall appoint a chief returning officer to oversee the election of the first executive of the association.
3. The chief returning officer shall establish dates for
  - (a) the call for nominations;
  - (b) the deadline for submission of nominations;
  - (c) the start of the campaign period;
  - (d) the end of the campaign period;
  - (e) the start of the voting period; and

- (f) the end of the voting period.

## **Executive members**

4. The first executive of the association shall consist of:
  - (a) the president
  - (b) the vice president internal;
  - (c) the vice president external;
  - (d) the vice president communications;
  - (e) the vice president operations; and
  - (f) the vice president finance.

5. Each member of the first executive must be a member of the association.
6. Each member of the first executive holds office for a term of one year.

## **Nominations**

7. The chief returning officer shall issue a call for nominations at least 60 days prior to the end of the voting period.
8. Nominations may be submitted to the chief returning officer and shall include the following information:
  - (a) the nominee's first and last name;
  - (b) the position for which the person is nominated;
  - (c) the nominee's contact information; and
  - (d) the first and last name and signature of the person or persons submitting the nomination.
9. Each nominee must be a current member of the association.
10. A person may be self nominated or nominated by another member of the association.

11. A person may not be nominated for more than one position.

### **Election**

12. The election of the first executive of the association shall take place within six months of the date on which this Schedule comes into force, on a date and at a time determined by the chief returning officer in consultation with the executive of the PDAC.
13. Each member of the association is entitled to vote in the election of the first executive of the association.
14. Each member may vote for one nominee for each position on the first executive.
15. If there is only one nominee for a position, that nominee shall be elected by acclamation.
16. If there is more than one nominee for a position, the nominee who receives the greatest number of votes shall be declared the winner.
17. If two nominees for a position receive an equal number of votes, the winner shall be determined by a coin flip administered by the chief returning officer with both nominees present.
18. If there are no nominees for a position, the first executive may appoint a member of the association to the position following the election.
19. If a member of the first executive resigns prior to the end of his or her term of office, the remaining members of the first executive may appoint a member of the association to serve the remainder of the term of office.