



INTRODUCTION

The **Universities Accountability and Sustainability Act (Bill 100)** is currently being moved through the legislature by the Liberal government of Nova Scotia. It has been condemned in strong language by student, staff, and faculty unions, who are opposing the bill's passage. This membership advisory aims to make understanding Bill 100 more accessible as the legislation is written in legal language.

The Dalhousie Student Union has supported a joint statement on the act along with the Dalhousie Faculty Association, CUPE (representing teaching assistants and contract faculty), the Canadian Federation of Students-Nova Scotia, The Nova Scotia Federation of Labour, the NSGEU (representing university staff), and the Association of Nova Scotia University Teachers. The statement may be viewed at: nslabour.ca/2015/04/media-release-joint-statement-bill-100/

SUMMARY

The Universities Accountability and Sustainability Act (Bill 100), sets out new reporting criteria for universities. It requires "outcomes agreements" to be signed to align the government's goals with the university, which is defined with language emphasizing partnerships with businesses for training and research. The act gives universities new powers to declare "revitalization periods" for the purposes of financial sustainability in the university. Under revitalization periods, collective bargaining rights for unions are restricted.

SECTIONS OF THE ACT

GRANTS

Specifies that universities must meet certain conditions in order to receive their operating grants, including audited financial documents and projections, "evidence of financial sustainability", entering into an "outcomes agreement" and follow the "revitalization plan"

REVITALIZATION PLAN

- A "revitalization plan" may be initiated by a university. It may only be done if there has not been a revitalization plan in the last 2 years. The university may have section 8 of the act apply during the plan, if the minister approves it based on criteria set out in the act.
- Section 8 forbids strikes by trade unions during revitalization periods. It also forbids unions from filing grievances regarding the revitalization plan or planning process.
- While Section 8 applies, no other person or organization may "do anything to prevent or impede a unionized employee's compliance with this section", "fail to do anything for the purposes of impeding compliance," or help someone else do so. [Fines for individuals and organizations are outlined in the Grants section]
- Collective agreements may not be executed during a revitalization period.
- The minister will appoint a revitalization committee to monitor the process.
- The university shall consult students, faculty, and staff unions.

A revitalization plan includes:

- "A strategic assessment of the university's strengths, weaknesses, opportunities and risks."
- A long-term strategy for financial sustainability
- Plans for quality, access, inclusiveness for students and faculty
- Impact assessment for students and employees

- Goals and objectives for "contributing to social and economic development in the province" including "through world-class research and development that is internationally competitive, turning research into business opportunities, fostering a skilled, entrepreneurial and innovative workforce needed for economic growth in the Province and improving the quality and inclusiveness of courses and program offerings and their relevance to students and the wider society and economy"
- Plans for exchange with the private sector
- Analysis of opportunities and cost-savings through collaboration with other universities, including by the elimination, consolidation and specialization of faculties, departments and programs
- Proposals for partnerships mergers, affiliations, federations and other arrangements. If no merger proposal is included, they must explain why not.
- Where a merger is proposed by a university, the other university may apply invoke section 8 to restrict union power.

OUTCOMES ARRANGEMENTS

The minister may enter into "outcomes arrangements" with universities. These establish expectations of the government regarding the universities' long-term strategy. Outcomes agreements establish that universities must align with the government's social and economic priorities.

The Agreements must:

- Link funding decisions made by the university with the government's priorities regarding learning, research, and knowledge.
- Demonstrate financial sustainability at the university.

GENERAL

If section 8 is applied during a strike or lockout, it must end.

- Any person in violation of section 8 is guilty of an offence and may be fined up to \$1000 and \$200 per day if the offence continues.
- Any organization violating section 8 maybe fined up to \$100,000 and \$10,000 per day for continuing offences.