

NEUMAN THOMPSON

Labour & Employment Law on Behalf of Employers

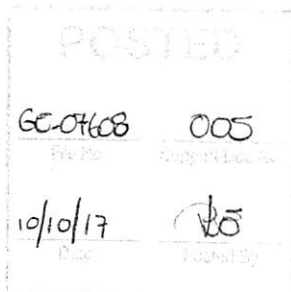
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October 10, 2017

Alberta Labour Relations Board
501, 10808 99 Avenue
Edmonton, AB
T5K 0G5

VIA FAX: 780-422-0970

Attention: Tannis Brown, Director of Settlement

Dear Ms. Brown,

**RE: An application brought by NorQuest College Faculty Association affecting NorQuest College and the Alberta Union of Provincial Employees
Board File No. GE-07608**

As per my previous letter, I confirm that our office acts for the respondent NorQuest College (the "College"). We have reviewed a copy of the NorQuest College Faculty Association's (the "Association") complaint of September 22, 2017 (the "Complaint") and seek the following particulars:

1. In paragraph 7 of the Complaint, the Association alleges that the College attempted to negotiate directly with academic staff members represented by the Association. The College seeks the following particulars:
 - a. Who was purportedly negotiating with the academic staff members on behalf of the College?
 - b. Who were the academic staff members involved in the negotiation?
 - c. When and where did the purported negotiation take place?
 - d. What was the subject matter of the purported negotiation?

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2. In paragraph 17 of the Complaint, the Association alleges that, "past practice of the College suggests it views anyone who offers specialized learning content as academic staff." The College seeks the following particulars:
 - a. What are the particular past practices that the Association is alleging lead to the aforementioned suggestion?
 - b. With regard to any such past practices, the College requests particulars regarding the who, what, where, when, why and how of those practices.

3. In paragraph 18 of the Complaint, the Association alleges that, "one or more Academic Strategists employed on June 26, 2017 had previously been employed by the College as Instructional Assistants, and designated as non-academic staff members within the AUPE bargaining unit." The College seeks the following particulars:
 - a. Who are the Academic Strategists that are referenced in this paragraph who were purportedly previously employed as Instructional Assistants?

4. In paragraph 18 of the Complaint, the Association alleges that in 2006-2007, the College reclassified one or more Instructional Assistants as Academic Strategists. The College seeks the following particulars:
 - a. Who are the individuals that the Association alleges were reclassified in 2006-2007?
 - b. When did the Association become aware of these alleged reclassifications?

5. In paragraph 19 of the Complaint, the Association alleges that the College advised purportedly reclassified Academic Strategists that they were being designated as academic staff because, "the College deemed them as offering specialized content in the area of disability." The College seeks the following particulars:
 - a. Who from the College made the alleged representation regarding the reason for the designation decision?
 - b. Who was or were the Academic Strategists that were allegedly told that they were designated for the above-noted reason?
 - c. When and where did this purported representation take place?

6. In paragraph 34 of the Complaint, the Association refers to the fact that the College has, "historically designated employees as academic staff if they offered specialized content." The College seeks the following particulars:

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- a. Does the reference to the College's purported historical conduct refer exclusively to the conduct expressly outlined in paragraphs 17 to 19 of the Complaint?
- b. If there is additional historical conduct that is being relied upon, the College requests particulars regarding the who, what, where, when, why and how of any such historical conduct.

We look forward to receipt of the requested particulars.

Yours truly,

NEUMAN THOMPSON

Gabriel Joshee-Arnal

GJA/et

- c.c. NorQuest College (via email)
Mr. Gordon Nikolaichuk, NorQuest College Faculty Association (via Fax: 780-439-8543)
Ms. Leslie Marquardt, Mr. Jim Petrie and Mr. Larry Dawson AUPE (via fax: 780-644-6529)