

## Memorandum of Agreement

The parties agree to resolve the outstanding issues in negotiation and end the work stoppage in the following manner:

1. The Union agrees to end the strike effective March 24, 2006.
2. Faculty will return to work on Monday, March 27, 2006.
3. The parties agree that the Collective Agreement will expire on August 31, 2009.
4. The parties agree to refer all matters remaining in dispute between them to William Kaplan who will act as the Arbitrator.
5. The method used to resolve the dispute shall be mediation-arbitration. Should the Arbitrator not be able to resolve all outstanding issues he shall have the power to determine the method of dispute resolution to use for any issue or group of issues that remain outstanding.
6. The Arbitrator has the authority to control his own procedure and without limiting the foregoing;
  - a) to summon any person,
    - i) to give oral or written evidence on oath or affirmation to the Arbitrator, or
    - ii) to produce in evidence for the Arbitrator such documents and other things as the Arbitrator may specify;
  - b) to administer oaths and affirmations;
  - c) to accept for or exclude from consideration any oral testimony, document or other thing, whether admissible in a court of law or not.
7. In the conduct of proceedings before an Arbitrator and in reaching a decision in respect of a matter in dispute, the Arbitrator may inquire into and consider any matter that the Arbitrator considers relevant to the making of an agreement between the parties.
8. The Arbitrator shall complete the consideration of all matters in dispute between the parties and shall report in writing his decision on the matters to the parties within sixty days after the giving of notice of the appointment of the Arbitration or within such longer period of time as may be provided in writing by the Arbitrator and consented to by the parties.
9. The decision of the Arbitrator is binding upon the parties and they shall comply in good faith with the decision.
10. The Arbitrator, upon application by either party to a decision within ten days after the release of the decision, subject to affording the parties the opportunity to make representations thereupon to the Arbitrator amend, alter or vary the decision where it is shown to the satisfaction of the Arbitrator has failed to deal with any matter in dispute referred to the Arbitrator or that an error is apparent on the face of the decision.

