

NewsBreak

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Workload Task Force reports Team prepares for face-to-face bargaining

The Workload Task Force, established to conclude our 2006 strike, has released its report and recommendations.

The task force, part of the arbitrated strike-settlement award issued by William Kaplan in spring 2006, cannot impose contract language or terms of workload on the parties.

The recommendations of the report are intended to inform how the parties deal with workload issues in the next round of negotiations.

Now that the task force has reported, the union and management negotiating teams are preparing for bargaining. There will be no formal face-to-face meetings before June.


In past rounds, negotiations would already be underway. The starting date is later this time because of changes in the Colleges Collective Bargaining Act which stipulate that notice to bargain cannot be given until 90 days before the collective agreement expires. Our current agreement expires August 31, 2009.

The Workload Task Force report highlights seven areas:

1. Flexibility
2. Evaluation
3. Preparation
4. Complementary
5. Professional development
6. Workload dispute mechanism
7. Professional standards and relationship

In those areas, there are four formal recommendations related to flexibility, evaluation, complementary, and professional standards and relationship.

For a copy of the full Workload Task Force Report, contact the Faculty Union office—H109, North, ext. 4007, or email Orville Getz at opseu562@yahoo.ca.

To read more about the recommendations, see “*Workload task force recommends*” on page 5 of this issue. 

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Contract faculty bankrolling budget surpluses at Humber

by Maureen Wall, NewsBreak Editor

The number of contract faculty at Humber climbed to an all-time high this semester, despite the fact that the college continues to run a budget surplus.

Humber's senior admin continue to shift operating funds into capital budgets, choosing to acquire property and buildings while more and more of the teaching is done by contract faculty.

In budget-allocation terms, this top-down budgeting means that academic managers work within tight budgets while there seems to be lots of money for non-academic expenditures.

In human terms, contract faculty, particularly the part-time and sessional faculty who are still struggling for union representation, are subsidizing college surpluses. The subsidy they contribute takes the form of lower pay for the same work as full-time and partial load, no benefits and no job security.

We lucky few who are full-time should be raising this appalling situation at every college meeting we attend this May and June. ✍

NewsBreak is a publication of the Humber College Faculty Union, OPSEU Local 562, intended to provide information and stimulate discussion. We invite your participation and welcome your contributions. All articles and letters should be signed, though in some circumstances the author's name will be withheld upon request. We encourage thoughtful discussion that respects human rights. We reserve the right to edit for libel, length, and clarity.

Articles reporting on union business will be signed and will include the author's position of responsibility in the local. Where an article has the author's name only, the views are those of the author. You may email the editor: maureen.wall@humber.ca or drop materials at the Faculty Union office - H109, North Campus, ext. 4007.

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Leo Smits
Paul Suda
Yuri Sura
Maureen Wall

Board of Governors Faculty Rep- Paul Pieper

Local 562 Admin Assistant - Michelle Albert
NewsBreak Editor - Maureen Wall



Email to Editor
maureen.wall@humber.ca

Surface / Internal Mail
OPSEU Local 562
Room H109, North Campus
Humber College
205 Humber College Blvd.
Toronto, ON M9W 5L7

opseu562@yahoo.ca

OPSEU Website: www.opseu.org



President's notes

by Orville Getz, OPSEU 562 President

SWF's- Shaping your workload

A reminder that you should have had a discussion with your manager and received your SWF if you are teaching in the May/June period. These SWF's were due March 27 for the spring semester, which begins May 11.

SWF's for the fall semester, which begins September 8, are due May 22. Now is the time for reflection. You should be thinking about your teaching for the fall semester. What courses could you teach or what courses may be available for you to teach? You need to start the discussion with your manager. Don't sit back and wait for the discussion to occur.

If no discussion takes place before you receive your SWF on May 22, and you have concerns about your assigned classes, you need to return your SWF within three working days with your comments and concerns. Be especially vigilant about the evaluation factors for your courses and check to make sure they haven't changed since you last taught these courses. The SWF is your record of your assigned work at the College, and you should be actively involved in discussing and shaping your workload.

Staffing grievances

Local 562 has recently filed a number of grievances about staffing in five schools in the college. These grievances are the mechanism used by the local to spur the college into more full-time faculty hires.

Discussions of these grievances will start over the next three weeks, and we will keep you informed of their progress.

The local has also filed a grievance alleging that the college has not fulfilled a Memorandum of Settlement from last year concerning full-time hires in the School of Creative and Performing Arts.


The settlement had included a full-time hire in SCAPA for January 2009. This hire did not take place. Discussions are underway regarding this issue and again we will keep the membership informed as the grievance proceeds.

Two other grievances in the School of Health Sciences are slated for arbitration hearings on March 27 and April 22. The decisions at these hearings will be reported when they conclude.

The real story behind the 12 months in 24 sessional limit

Sessional employees are often told that they can't be given another sessional appointment because "the Union won't allow it". That is not actually true. The real intention of the three-semester limit in the collective agreement is that if the sessional work continues into a fourth semester, it should become permanent full-time work. Here is the exact language from Appendix V, Sessional Employees:

"If a sessional employee is continued in employment for more than [12 full months of continuous or non-continuous accumulated employment in a 24 calendar month period, the] employee shall be considered as having completed the first year of the two year probationary period and thereafter covered by the other provisions of the Agreement."

So it's not that the "Union won't let" management rehire sessional employees for another sessional period, but rather that the college is circumventing the collective agreement by not making those employees full-time. The union is more than happy to see sessional employees be recognized for their abilities and become full-time. 

Chief Steward's report

by Robert Mills, OPSEU 562 Chief Steward



Grievances at arbitration

Local 562 has two grievances at arbitration concerning the misuse of the sessional and partial load classifications for those doing clinical work in the School of Health Sciences. One grievance had a first day of hearing on March 27, and the other is due to begin on April 22.

A third grievance was filed by the union against the college because of the college's hiring practices. This is now scheduled to be heard on June 23.

A fourth grievance that will be scheduled for arbitration was filed by a faculty member grieving his treatment over sick day reporting.

A major reason for the delays in scheduling arbitrations is that the union and college have two opportunities to refuse arbitration dates. The college, as a matter of course, always refuses the first two dates. This delays arbitrations for several months.

Where are the points?

The college often buys airline tickets for employees and students to travel to various events and functions. Some questions naturally spring to mind. If the college is paying, who arranges for the ticket purchases – the college through a designated office or the employees and students themselves through personal contacts or other agencies? Is there a designated travel agency made available by the college so that some kind of pricing agreement might be arranged? If any air-mile points are accumulated – do



they go to a college account to be used for the college's benefit? If students are giving money to the college to pay for their own tickets, do they get the air-mile points and any discounts credited to them?

Given the amount of money involved, it seems that great savings could be had by centralizing the ticket purchasing system and using any air-mile points towards other trips. Doing this would also add transparency to the whole process and would also fit the intent of the new purchasing policy introduced last year which was mentioned by Rani Dhaliwal, V.P. Finance, in *Humber Et Cetera*, March 19, 2009. We often hear that a shortage of funds stops the college from doing any number of activities. Centralizing the process could free up some badly needed funds for those activities.

Professional development days

Every full-time faculty member is entitled to ten professional development days per year. Now is a good time to request the days that you would like to take.

Five of those ten days must be consecutive. If you don't receive any of the days before your last two weeks, then all ten days are consecutive.

SFQ's

Student Feedback Questionnaires are due soon. If your supervisor calls you to discuss your SFQ results and makes negative comments or suggests that you need to do something to change the results, that's discipline. Call the Union office for assistance — ext. 4007.

SFQ's are for your use to identify any changes that you wish to make. They cannot be used to discipline you. ☐

Workload taskforce recommends

Excerpts from a memo from Ted Montgomery, Chair of the Academic Bargaining Team, to local presidents, March 25, 2009.

The Workload Task Force report highlights seven areas. It makes four formal recommendations. There is also a subset of nine secondary proposals which relate only to the recommendation regarding “flexibility.”

The report recommends that the parties discuss amending the workload formula to allow some greater flexibility in . . . relation to the weekly and annual limits. The subset of recommendations then limits the extent to which any flexibility might be tolerated and incorporated into the collective agreement.

The second formal recommendation . . . proposes that the parties negotiate an end to the practice of management having the unilateral right to determine evaluation methods. The recommendation is that evaluation methods be negotiated by managers and faculty who teach the courses in question. . . . Evaluation was a major concern of faculty in the last round of bargaining.

The third formal recommendation is that the parties negotiate “a mechanism to address concerns over increased time needed for out-of-class assistance when the total number of students taught reaches levels above the norm.”

The report goes on to suggest a threshold of total number of students taught and an escalator clause where numbers exceed this threshold. This proposal reflects a demand tabled by the faculty in the last round of bargaining.

The fourth formal recommendation is brief but significant: **“We recommend, therefore, that the parties consider mechanisms that will enhance collegiality, professional development, and academic freedom.”** This recommendation has a significant impact on all of the other recommendations and suggestions, which have to be considered in light of these articulated principles.

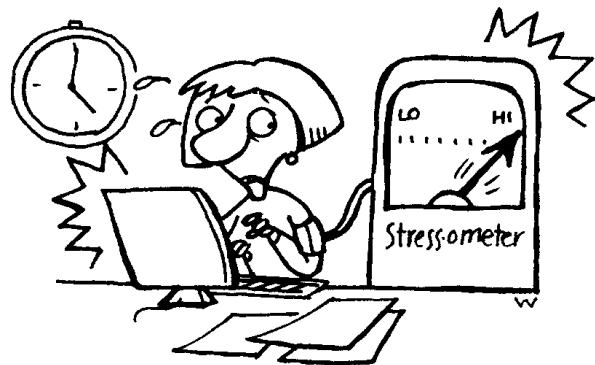
.....
The bargaining team will be looking at the report in detail . . . and will be providing further analysis as we continue to prepare for face-to-face negotiations. While there are some troublesome aspects to the report, there is also justification for the positions faculty have advanced and continue to advance . . . in respect of evaluation, preparation, out-of-class assistance, professional development, and academic freedom. ✕

Overheard at the hearing

“They’re just whiners.”

We’ve been told that at the January meeting of the Workload Task Force, one Humber manager kept muttering derogatory comments such as “whiners” whenever the faculty expressed their concerns on workload issues.

It got to the point that Ted Montgomery, the chair of the union bargaining team, had to tell her, in a very loud voice, to stop because he couldn’t hear the speaker while she was disparaging faculty. ☹



Contract faculty numbers at all-time high of 895

This semester Humber has 895 part-time, sessional, and partial load contract faculty — 135 more than in the fall. (The number does not include the more than 400 CE teachers.)

Local 562 grieves these violations every year, and has filed staffing grievances again this March, but what these grievances can achieve is limited, as each year college enrolment increases and we lose full-time faculty to retirements.

Have John Davies and his vice-presidents made a deliberate move to aggressively shift more teaching to contract faculty? The numbers certainly suggest that this is the case.



Note: Fall 2008 numbers shown in brackets for comparison

Winter 2009	<u>Full- Time</u>	<u>Part-Time</u>	<u>Partial Load</u>	<u>Sessional</u>
Totals	519 (520)	355 (288)	452 (353)	88 (119)
Business	76	49 (43)	83 (57)	0
Media & Information Tech.	59	51 (52)	79 (68)	3 (4)
Liberal Arts & Sciences	110 (109)	34 (28)	71 (58)	3 (32)
Creative & Performing Arts	30	43 (27)	67 (55)	2 (2)
Applied Technology	92	45 (32)	90 (69)	7 (2)
HRT	30	15 (23)	41 (28)	4 (5)
Social and Community	26	63 (39)	14 (8)	1 (2)
Health Sciences	73	50 (40)	7 (9)	68 (72)
Librarians	6	2		
Counsellors	16	3 (3)		
Planning / Pro Dev	1			
Student & Corporate Serv.		1		

The Part-Time Times

A newsletter for Ontario community college part-time employees and friends

April 3, 2009

Colleges continue to block vote count at Labour Board

Colleges fail to provide key information; next meeting set for June 12

Ontario's colleges still won't agree to open the ballot boxes from the union certification vote that took place two months ago.

Under the Colleges Collective Bargaining Act, 35 per cent of a bargaining unit must sign union cards in order for a certification vote to be counted. In December 2008, OPSEU presented the OLRB with thousands of signed cards – far in excess of 35 per cent – and the OLRB ordered the vote.

The colleges are disputing whether the union actually had 35 per cent to start with.

The colleges are using a technical argument to prevent the OLRB from counting the ballots. They are taking advantage of the high turnover rate of part time academics to argue that many of the card signers were not working at the time of OPSEU's application to the OLRB last December. This would result in many of the signed cards not counting for the purpose of the 35 per cent threshold.

“Basically, it's a strategy to have the application dismissed without counting the vote,” says Connie Huziak, lead organizing representative.

“The colleges are saying that they will not agree to count the votes until they challenge the eligibility of every card-signer.”

In February, the Ontario Labour Relations Board (OLRB) ordered the colleges to provide

the union with start dates, end dates, and employment status for all part-timers and sessionals. The colleges provided only some of the information. In a meeting March 31, the OLRB gave the colleges more time to provide the rest. The OLRB has scheduled a number of meeting dates throughout the summer and into the fall. The first of several meetings on the issue has been set for June 12.

“The colleges see delay as a victory,” Huziak said. The union will use every legal means to get the votes counted soon.

The struggle continues.

For full information about the OPSEU drive to win union rights for part-timers and sessionals at Ontario's community colleges, visit www.collegeworkers.org or call 1-866-811-7274.



Academic Council highlights

by Audrey Taves – OPSEU 562 Academic Council representative

Lockdown test exercise at North

The exercise was a “great success” according to Gary Jeynes. The public address system worked well, although there were some problems with enunciation in some parts of the college.

Jeynes reminded us that in lockdown situations we should ask students not to use their cellphones for voice or text, as extensive cellphone use can “clog” the network and prevent police communication devices from working correctly.

The Lakeshore campus will have a test exercise in April.

Counselling Client Satisfaction Survey

Several members of the Counselling Department gave Academic Council an overview of Counselling Services as well as the results of a recent client survey.

Students come to counselling services for the following reasons: personal 85%, academic 31%, career 23%, learning skills 6%, and other 3%.

The counsellors asked that faculty continue to encourage those students needing help to seek counselling. The Counselling Department Fact Sheet in First Class, under the Academic

Council icon provides details regarding hours, location, and services available, along with reasons for students to seek counselling.

Humber’s 2009-2010 Business Plan

The two priorities are Managing Enrolment Growth and Commitment to Teaching and Learning Excellence. Details of how these priorities are included in the plan which will be posted on Humber’s website by the end of June.

LIS

There have been a number of changes to the lists available on LIS in order to deal with identity management. Depending on who is accessing the lists, some of the student data (year of birth, part of the student number, address and phone information) will now be masked to deal with privacy issues.

In addition, anyone submitting e-grades will now receive an email confirming that the grades have been submitted. You will also be notified of the number of grades submitted so that you can easily identify if some grades did not register. ¶¶¶

Student Fairness

We are told that students are treated fairly at the College.

Culinary students pay \$700 on top of the usual fees to cover materials they use in their cooking program. You’d think they’d get to keep what they cook in that case.

Wrong. The food prepared by them is then sold in Gourmet Express.

First, students pay for the food they cook; then the food is sold at a profit. The money paid by the students, as well as the profits from their labours go towards other departmental costs.

Does that seem fair? ●





Boardwalk

by Paul Pieper, Board of Governors Faculty Representative



In the context of recent financial news, we should note that colleges typically do relatively well in initial phases of a recession. As potential students are unable to find work, they wisely opt for further education.

At the Board we have not made specific plans to expand student capacity next fall, nor have we made plans to cut back ongoing expansion, as we do not expect to be immediately affected financially.

What concerns me as governments go back into deficit budgets is that at some time the debts will have to be brought under control. We have seen what happens when governments start cutting expenditures — it is the big budget items, health and education, that inevitably come under scrutiny.

So when and how should Humber prepare for the future "tight financial situation" that governments are creating now? It all depends how long this downturn lasts and how much debt is accumulated.

A friend of mine gave me the following parable for the "financial crisis" which I share to put our economic crisis in context:

Rob operates a bar. In order to increase sales, he decides to allow his loyal customers - most of whom are unemployed alcoholics - to drink now and pay later. He keeps track of the drinks consumed on a ledger (thereby granting loans to his customers).

Word gets out and customers flood into Rob's bar. Taking advantage of his customers' freedom from immediate payment constraints, Rob increases his prices, resulting in massive increases in sales revenue.

A dynamic customer service consultant at the bank recognizes these customer debts as valuable future assets and increases Rob's borrowing limit. The bank sees no reason for undue concern since it has the debts of the alcoholics as collateral.

Pleased with his new financial status, Rob rewards himself with a new Porsche, bought on credit. At the bank's corporate headquarters, expert bankers transform these customer assets into "ROBbonds" and "ALKbonds". These securities are then traded on markets worldwide. No one really understands where these bonds originated nor how the securities are guaranteed. Nevertheless, as their prices climb, the securities become top-selling items.

One day, although prices are still climbing, a risk manager of the bank (later fired due to his negativity), decides that the time has come to demand repayment of the loans incurred by the drinkers at Rob's bar. Surprisingly they cannot repay their loans. Rob cannot fulfill his debt obligations. He claims bankruptcy and drives off with his depreciated car. "ROBbonds" and "ALKbonds" quickly fall in price.

The suppliers of Rob's bar, having granted him generous payment arrangements and having invested in his bonds (because his business was so brisk) with loans from the bank, are now also faced with bankruptcy.

The bank is saved by the government, following dramatic consultations between leaders from all political parties and executives from the bank and drink suppliers. The funds required for the bank bailout are obtained by a tax levied on the non-drinkers. The dynamic bank customer service consultant gets a bonus for the increased business in bond trading and the execs get a bonus for negotiating such favorable terms of the financial bailout.

One needs only to change bar to mortgage lenders, or to car companies, or to

If the parable is at all realistic, we must teach our students to be ever skeptical of "experts" and the dangers of believing that society's leaders are exclusively working altruistically for society's benefit. Plus que ça change, plus que ça ne change pas? ✍

Commentary

OPSEU and Israel: Where should we stand?

by Wendy Phillips, Liberal Arts and Sciences Professor

Is OPSEU going to support CUPE's call for an academic boycott of Israel or not? OPSEU's Communication Director, Paul Bilodeau, told me "OPSEU has no official policy" on the matter. However, in a recent edition of *Et Cetera*, local president Orville Getz was quoted as saying, "why would you pick on one particular group, be it from Israel or be it from Palestine, and say we're going to boycott those institutions?"

Why would you *not* do this is the more interesting question. CUPE has called for a boycott of Israeli universities, promoting divestment from Israel, and working towards a condemnation of Israel's policies and actions. OPSEU's bland response to this is a resolution calling on all parties in the Israel-Palestinian conflict to "cease hostilities against each other", while supporting any truce that "recognizes the legitimacy of the peoples of Palestine and Israel". There is of course nothing wrong with this stance, but it is ultimately fence-sitting, not position-taking.

There are intelligent arguments for and against boycotts; I'd instead like to argue that OPSEU's efforts to stay out of the fray ("why would you pick on one particular group?") have a pleasant veneer of equanimity about them, but mask a fundamental political spinelessness that one hopes is not supported by the majority of Humber faculty and staff.

It's also a wearily familiar posture. Typically, those who cry out for 'balance' in the Israel-Palestine conflict will say: 'yes, the Palestinians have it tough; but Hamas are nasty customers, and what's Israel to do?' (leave aside for now the fact that since

WWII Israel has been the largest recipient of economic and military aid from the US—roughly \$3 billion a year). No sane member of the Palestinian peace movement has ever applauded Hamas' own acts of violence. But can we take a step back and try to achieve this 'balance' through historical perspective and context? UN Resolution 242, passed in 1967, made clear the illegality of Israel's occupation of Palestine, demanding Israel leave the territory occupied in the Six Day War. Since that time, and with breathtaking impunity, Israel has violated an endless number of both international and humanitarian laws and UN edicts in its role as occupier, and this has had a profound and lasting effect on the lives of Palestinians.

Both the Fourth Geneva Convention and the Hague Regulations—supported, for whatever it is worth these days, by Canada—clarify that it is the occupying power which has the primary responsibility to maintain peace and limit suffering in the region it occupies. Anyone who believes that the Israeli government is hindered in this task by the occasional Hamas-driven Qassam rocket into Israel is being willfully oblivious—not only to the massive US support of Israel but to the *effect* of Israel's own violations of international law over the last 40 years. In every meaningful way—education, health, its economy, civil rights and freedoms, numbers of deaths and injuries sustained---Palestinian suffering has far exceeded anything that Israel has had to endure since the occupation. Such wanton and longstanding criminality on the part of an occupying power is surely going to provoke

similarly criminal responses from those who are oppressed by that power.

But the notion that these retaliatory responses prove Israel's desperate need to protect itself is absurd, and one need look back no further than the recent military action in Gaza for proof of this: twenty-two days, 1300 Palestinian dead, 440 of them children, 13 Israeli dead. This brazen use of disproportionate power—itsself an illegality—can be read as Israel's most current effort, as occupying power, to maintain peace and limit suffering.

Before making a hollow call for 'balance', or before insisting that Israel must defend itself against rampaging Islamist marauders, let's by all means look at both sides of the issue, but let's do so rigorously and honestly, and without the tacit intention of defending the patently indefensible. ✍

For further information on the violations of international and humanitarian law that I reference here, I would encourage people to visit the United Nations' website on Israel-Palestine (www.unispal.un.org) or the invaluable Israel Law Resource Center (www.geocities.com/savepalestinenow/).

I am also a member of Canadians for Justice and Peace in the Middle East (www.cjpme.org), and there are countless resources on our website that expand on the points mentioned here.

Motion on Gaza passed by the OPSEU Executive Board

THEREFORE BE IT RESOLVED THAT OPSEU condemns the attacks on civilians in Gaza and Israel; and

BE IT FURTHER RESOLVED THAT OPSEU calls on the government of Israel, on Hamas and , all other parties to cease hostilities against each other and against all civilians and to desist from further hostilities; and

BE IT FURTHER RESOLVED THAT OPSEU call upon the parties to extend the ceasefire into a truce and settlement that recognizes the rights and legitimacy of the peoples of Palestine and Israel.

from minutes of the OPSEU Executive Board meeting January 21-22, 2009

Senior Admin pocket big raises in 2008

As the number of part-time, sessional and partial load contract faculty climbed in 2008, Humber senior management funded big raises with all of the money they saved in staffing costs. Average increase for Ontario college presidents in 2008 was 8.6%. www.fin.gov.on.ca/english/publications/salarydisclosure

	2007		2008		07-08 Increase
	<u>Salary</u>	<u>Benefits</u>	<u>Salary</u>	<u>Benefits</u>	
John Davies, President (became pres. in June 2007)	\$249,389	\$7,976	\$341,206	\$12,518	36.8%
Rani Dhaliwal, VP Finance&Admin Hired mid-2007			\$220,608	\$511	
Pamela Hanft, Associate VP	\$161,595	\$952	\$182,183	\$958	12.7%
William Hanna, Associate VP	\$161,595	\$258	\$182,183	\$235	12.7%
Michael Hatton, VP Academic	\$208,532	\$1109	\$235,940	\$1121	13%
John Mason, VP Stud. Services	\$178,543	\$986	\$220,608	\$1063	23.5%
Fred Embree, Associate VP	\$141,197	\$824	\$167,463	\$854	18.6%

