

Report of CWMG committee – OPSEU CAAT-A Local 653 2018-2019
General Membership Meeting of OPSEU CAAT-A Local 653
May 10, 2019

Overall observations include:

- Management is reluctant/unwilling to collaborate on workload planning. Management has a latency and lag in actions and responses.
- Management must be watched/prodded to document issues raised by the local and to undertake work to resolve the issues.
- Management has poor and/or incomplete knowledge of the Collective Agreement and continues to violate the Collective Agreement, and to lack uniformity (including with recognition of workload for underprepared students (includes international students and domestic students)).
- Management has implemented changes from past practice – including with more limited timetabling flexibility, and revisions of faculty professional development requests.
- Management has improperly struck Modified Workload Arrangements.
- Legal angles explored/flexed by management and counsel are the new normal – this includes their exploration and flexing/inflexibility on contents of the Collective Agreement and their use of legal counsel for workload complaint arbitrations.

The union members of the CWMG committee assisted with the presentation and resolution of workload complaints:

- In May 2018, an arbitration was held with regards to workload associated with retroactive accommodations. The arbitration decision did not seem to consider all the information presented by the union and was not in the faculty's favour. The workload complaint and arbitration were a good learning experience. At subsequent CWMG meetings, the union has expressed an interest for any updates with regards to how retroactive accommodations will be handled at Northern College as this was raised as a workload item in the past and that the Collective Agreement presents that workload for students with accommodations is within the purview of the CWMG. Management responded that there was an arbitration ruling with regards to this issue but there is no new process that has resulted. The union responded that it is a poor development that issues raised are responded to with arbitration rulings. There is a seminar entitled the "Faculty role in retroactive accommodations" scheduled for June 11, 2019.
- In July 2018, a hearing was held with regards to a preliminary objection of a workload complaint over unused professional development days – this objection was not supported by the arbitrator and the arbitration was held in fall 2018.
- In November 2018, there were meetings with regards to with regards to a workload complaint concerning SWFs issued for the non-teaching periods during December 2018 and January 2019. At a meeting with the faculty member that manager attempted to replace his explanation/rationale/basis for the SWFs. With the assistance of the union, the SWFs were withdrawn and the workload was added to the winter 2019 SWF.
- In February 2019, a workload complaint was presented with regards to time spent working on academic appeals. This workload complaint is going to arbitration, but the date has not been set yet.
- In February 2019, a workload complaint was presented with regards to time for Master Course preparation work. The faculty member expressed an interest in having Master Course work on the winter 2019 SWF (time allotment has room – no overtime). Manager responded that that he does not feel that Master Course work will be required to appear on a SWF, that he feels that this will be

undertaken in the non-teaching period, that all faculty have completed Master Course work, and that this work will require copying already existing Blackboard contents to a master shell. The union responded that 2 faculty have had time for Master Course work on a SWF. Management asked for the faculty to be identified. The complainant observed that this is additional work and that it is not the same as the other delivery of the course and that it is a slippery slope to management assigning work not on a SWF. Management responded that the Master Course content work is not tremendous and that the content only has to be to the minimum use level. The complainant responded that the non-teaching period is committed for preparation and planning tasks. Management shared that the vast majority of faculty have undertaken Master Course work and that this is currently being checked, and that he will have a discussion with the complainant with regards to undertaking the work in the non-teaching period. The union observed that this is a collegial discussion with no need for extra cost, that Master Course work is not part of normal preparation, that Master Course work is a complementary function, and that the complainant wants recognition for work that he has done to prepare Master Course content for the one course. The union observed that in view of the fact that the work was not assigned, a formal response from the WMG committee might not be necessary. Management wanted a communication from the CWMG to be prepared to indicate that:

1. There was no assignment of Master Course work to the faculty member
2. There is no expectation that the faculty member would do any Master Course work
3. There will be no recognition for prior work (because a SWF does not recognize past work, only the current semester)
4. There will be a commitment to a collaborative resolution, including discussions on how faculty will undertake Master Course work in the non-teaching period.

The union representatives rejected the point 4 – did not agree to discussions on how faculty will undertake Master Course work in the non-teaching period, and offered that the communication could include that the committee could not come to a resolution/agreement on the workload complaint.

There is serious backlog of undocumented and uncirculated minutes from CWMG meetings, dating back to December 2017, because the management co-chair has not produced them. This situation has been highlighted at many meetings. Various solutions have been proposed. Management has expressed that minutes are a shared responsibility – union and management. There will not be minutes taken and nor produced by the union from CWMG meetings. The union has raised a concern about management admittedly using notes from multiple management representatives to produce the minutes.

The term of the workload resolution arbitrator ended on March 31, 2019. Management expressed strong interests in keeping the WRA (chosen by them) for an arbitration in April 2019 and presented arguments against alternative arrangements proposed by the union. Following discussions between union local President Lad Shaba and Northern College President Dr. Fred Gibbons, the workload resolution arbitrators for April 1, 2019 to March 31, 2020 on a rotational basis, subject to availability are Ian Anderson , Paula Knopf, Judy Rantala and Peter MacLean.

Management announced a change in the wording that would change “exam week” to “exam week/teaching week” in the Academic Calendar. When asked what this means for faculty, management offered that this depends on the program and the campus. When asked whether programs without examinations will continue to have instruction, they offered that this will go back to the program for approval. When the union observed that the change to a final examination week has already occurred once recently at Northern College with great accompanying problems management observed yes that there were significant operational difficulties when there was a change to the examination after the strike, but this time there has been an extensive timetabling process with good participation from multiple parties, they have permission and had participation from a wide group. The

union suggested that there should be multiple forms of communication sent out to all parties involved about this change. There were never any communications sent out.

A concern came forward from a mathematics professor with regards to consistency of evaluation factors on SWFs. This has come to light based on new awareness of workload assignments across various colleges in Ontario, and also because of recently revealed differences between faculty at Northern College. The professor was contacted for a discussion including Article 11.01 E 3 and general recommendations on workload arrangements were provided.

There was a new arrangement struck with management whereby the CWMG meetings will occur on the same day as UCC meetings, with additional CWMG meetings to be scheduled as required.

Based on interests of management, there has been a consideration of receiving only electronic copies of SWF documents, and deleting the last (complaint page) page of SWFs – the union rejected this potential change because of disadvantages for faculty reporting complaints, and also negative impacts on archiving and record keeping.

Management presented that Northern College will be switching to Adobe Connect for use by Contact North – a training pilot is currently underway and training will be provided for faculty. Implementation will be for fall 2019.

Warren Schaffer

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May 9, 2019