

**OPSEU Local 653 Meeting – LEC Minutes**  
Date: Friday Nov 8<sup>th</sup> 2013  
Location: Kirkland Lake Campus Room A101

**Attendance:**

N. McNair, L. Shaba, D. Silver, M. Studd, S. Tremblay, K. Whelan, W. Schaffer

**Regrets:**

M. Veilleux, L Irvine, N. Riopel, D. Dutrisac

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**1.0 Call to Order**

President called the meeting to order at 3:40PM

**2.0 Adoption of the Agenda**

Move: Kevin MacKay to #2a

**Motion:** That the agenda be adopted as amended

**Moved:** N. McNair

**Seconded:** W.Schaffer

**Carried**

**2a) Kevin MacKay**

-OPSEU Mobilizer presented challenges and strategies for the upcoming contract bargaining

**3. Minutes of Previous Meeting (Sept 20<sup>th</sup> 2013)**

**Motion:** That the minutes of Sept 20/13 be adopted as presented

**Moved:** D. Silver

**Seconded:** W. Schaffer

**Carried**

**4.0 Business arising from the minutes**

4.1 Northern Lights: treasurer has submitted appeal for funding

**5.0 Treasurer's Report**

Treasurer submitted his financial statement dated Nov 8th, 2013.

1) **Motion:** That the treasurer be given the authority to pay all outstanding cheques

**Moved:** D. Silver

**Seconded:** S. Tremblay

**Carried**

2) **Motion:** That the treasurer's tabled financial statements be accepted as presented

**Moved:** N. McNair

**Seconded:** K. Whelan

**Carried**

- 3) **Motion:** That the fund currently in investment certificates be designated as part of a second strike fund  
**moved:** S. Tremblay  
**Seconded:** W. Schaffer  
**Carried**

## 6.0 Correspondence

None

## 7. Reports of Officers

### 7.1 President

- a) Pre-bargaining meeting attended by pres and c.s. New bargaining team elected. Team is looking to bring new approach to the table. Local report submitted at the conference, President will share the final report with LEC. Many colleges are facing similar issues
- b) Partial load staff are not happy due to reduction in pay (loss of vacation pay), as well they are no longer being paid prep time. P.L. Staff are losing courses without explanation
- c) Arbitration awards from other colleges available online: Opseu110.ca/awards, cyberunion.ca for reference
- d) Union policy grievance submitted over new college policy over differentiation. This was done at the request of the DivEx

### 7.2 Board of Governors Report (BoG)

**No Report**

### 7.3 Vice-Presidents (1st and 2nd)

**No Reports**

### 7.4 Chief Steward

- a) Pre-bargaining conference: Georgian offering early buy-outs, 22 faculty took the offer and no plans to replace them for two years
- b) Chappel consultants LTD third party involvement
- c) Study: 60% of students surveyed do not like online teaching
- d) Grievance about article 8 was dropped; agreement to work out the details to avoid the issue in the future will be done through UCC

## 8. Reports of Committees

### 8.1 WMG

- a) Report filed by co-chair (see attached)

### 8.2 CESC

- a) Discussion of the role of the CESC, agenda for 1<sup>st</sup> meeting

### 8.3 UCC

**8.3.1** – Meetings of Sep 27<sup>th</sup> and Oct 25<sup>th</sup>

**8.3.2** – Management PD policy draft, staff feedback (see member feedback summary attached)

### 8.4 Health & Safety (Kirkland Lake, Timmins and Haileybury)

### 8.5 Return to Work

## 9. Unfinished Business

**10. New Business**

10.1 Kevin McKay – OPSEU Mobilizer (moved to 2a)

10.2 health and safety replacement – in progress

10.3 Tutor.com:

**11. Campus Reports**

Postponed due to time

**12. Adjournment**

Meeting Adjourned at 5:40PM

Moved: D. Silver

Activity of the CWMG  
Report to the LEC November 8, 2013

CWMG meetings were held on September 27, 2013, October 18, 2013 and November 8, 2013.

Committee members:

Chair: David Silver

Members: Warren Schaffer, Susan Tremblay

Observer: Lori Irving

1. The union requested that PAQPA preparations and the making of lesson plans be recognized on the SWF for the winter semester because these items would require additional faculty work. The College denied the request stating that there was no new work requested for PAQAPA or lesson plans and this work was all part of normal professional class preparation and nothing out of the ordinary was being requested.
2. The union asked the college why timetables this semester were so late The College replied that the new software for timetabling was having difficulty with classes taught across different campuses and also having difficulty with multiple sections for the same course. The College indicated that this situation would not be repeated in the winter semester and to help prevent this SWF's would be out two weeks early to allow more time for proper timetables to be produced.
3. The union discussed the Orientation Checklist sent out to staff as to who was responsible for the various actions listed in the document. The college indicated that in the future they would be more detailed about who was responsible for the various action items in the document.
4. Sara Munroe was introduced as the new IT director and she indicated that there would be an update to blackboard installed on the school system after final examinations this semester. Sara also discussed the handling of taped classes and where the information was stored and how long it was kept. She is expected to report back to us with more detail about these questions at a later date.
5. The union questioned management regarding the roll out of the new clicker course evaluation. The union asked to see the questions being presented prior to the surveys being held. The union also requested that management ensure the confidentiality of the information obtained and that it should be only made available to each teacher's supervisor.
6. The union discussed this fall SWF's not having sufficient room to allow for changes in students numbers which resulted in faculty being put in the position of illegal overtime. In these cases the faculty were forced to drop the course they were teaching mid semester so another part time teacher could be hired to complete the remainder of the program. This resulted in both faculty and student discontentment.
7. Management indicated that there was going to be compulsory enrichment day as SWFed on Friday November 22, 2013. Time would be about 2 hours but the timetable time has not been decided as yet. Classes will be cancelled to allow all full time faculty to attend. Management also mentioned that there would also be some additional online compulsory training to complete the SWFed time for enrichment.

## PD Policy Draft – Member feedback Summary

At the UCC meeting of Oct 25<sup>th</sup>, management presented their draft of the new Professional Development policy for our review. As usual, they submitted this 35 page document at the last minute before the meeting. We did not have the time to properly review the policy and so it was deferred to the next meeting. At the suggestion of David Silver I sent the policy out to all faculty for review and requested their feedback. Listed below is a summary of the feedback received from faculty.

Note that before sending this out to staff, I checked with Cheryl and Loran to ensure that they were OK with us doing so. Here was Loran's response:

*I think we are okay with that. The parameters need to remain as stated though due to fiscal challenges, succession planning and achieving our strategic direction, so keep in mind when sending it out that the essence of the document will not change. Feedback is always appreciated though and can be kept on file to future revisions.*

So apparently they have no plans of actually adopting any suggestions or feedback from the union...

### **Member Feedback:**

Appendix I, page 7 of the policy “**may** be granted” seems to be inconsistent with the effect of 11.01H in the CA.

Problem with Application Form Appendix L: The need to align leave under 11.01H with the strategic direction of the college is questionable (Question 1 under Employee Rational). How much information is needed to justify using this article in the CA? Here, I'm referring to the third and fourth questions under Employee Rationale—why is this necessary?

Should an Article 11.01H (time only) request be listed under Type of PD at the top of the form instead? (The number of days becomes redundant, since it's calculated in the line above.)

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#### 1. Tuition Subsidy (Article 12) – Included in Appendix A

Nothing in Article 12 relates tuition subsidy to professional development. According to the definition of professional development in the policy, PD is to “to update and enhance the skills/knowledge necessary to make a continuing contribution to the work of Northern College, in current and future roles.” The tuition subsidy has nothing to do with this.

Regardless of how a course relates to a member's work at the college, a faculty member should be able to take the course and be entitled to the subsidy. At least my reading of the CBA does not say it is something that needs to be applied for or reported on, but it something that we are entitled to. Ontario Learn courses should be included in this since they are funded by the ministry and offered through the college.

## 2. 10 P.D. Days

Maybe I'm not reading it right, but in my understanding of the C.B.A, the terms for the 10 days are made between a supervisor and the employee and not the employee, supervisor and H.R. The policy is put in such a way that H.R. could refuse the PD days for whatever reason. Shouldn't it be just between the supervisor and the employee?

Also along this same thought, is the expectation now that I need to "share the knowledge I learned through the PD opportunity with my colleagues by way of presentation, handouts, reports, etc..." after I have taken my 10 PD days? Again, may be it is just me, but I don't find anything in the CBA that indicates this as a requirement.

## 3. Remuneration while on Professional Development Leave but also pertains to Industrial/Business Leaves as well.

According to the policy E.12 it states that employees "are not to be paid more than once for the same hours worked". The way I read this is that if you are being paid while on leave, don't expect the college to pay you during that time.

This is not how the CBA reads. Article 20 – 20.02 (v) makes it clear that if I'm paid by other sources during the period, that as long as the College's payment plus the salary earned from other sources is less than the employee's base salary there is no problem. The only reduction happens when this amount is in excess of the base salary. This is important if for a particular accreditation a certain number of hours of experience must be obtained. Since this would follow under academic studies, it would fall under the PD leave. Just because the employer who is providing the experience may be paying that individual, doesn't remove the obligation from the college to not pay that employee. It just means that the employee can't be paid more than their base salary. (Of course if an employee is only entitled to the college paying 55% of their salary and the other source is paying 25% of what the employee would naturally make, then the employee would not be receiving the equivalent of their full salary. However, if the employee is entitled to 60% of the salary from the college and the other source is paying 50% of what the employee would normally be paid, that employee would still be receiving the equivalent of their full salary during that time, with of course the college paying less than their 60%.)

## 4. Professional Development Leave E.22

Just to make sure I'm reading this correctly, that if I were to go on PD leave to work on my Doctorate degree and I were to work on a dissertation or some other work, that the college is stating that it will own the rights and copyrights of that material? Are they allowed to do that? I don't read anywhere in Article 20 that the college will own the work produced on this leave.

## 5. Reporting on PD:

As mentioned in point 2, an employee must agree to the following statement when applying for PD. "I agree to share the knowledge I learned through the PD opportunity with my colleagues by way of presentation, handouts, reports, etc." Who determines if the criteria is met? Is it a 5 minute presentation or a 1 hour. Is a short half page handout or 5 pages? Is it possible for PD to

be refused because it has not met the standard that is felt at the time? Is there a statute of limitations as to how long after an employee may be required to do this?

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One section does not seem very clear to me: the mentorship program. Is there a form to be completed for this to occur? (I didn't see it). It is also not described how the mentor is compensated for this. Finally, should maximum cost allowances be provided re: meals within the policy? I know it is in another policy, but perhaps consider including it here as well so that an employee is not obligated to search for it elsewhere.

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It is our hope that the new Professional Development Policy and Procedure document is being reviewed to ensure it is consistent with the spirit of the 10 PD days currently awarded to full time faculty. I have attached a memo from Richard Mason as reference.

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1. Page 5 speaks of conducting a needs survey and then consulting with administrators to determine requirements – my question is, will the results of the surveys be made public so we can in fact see that training needs were based on faculty and/or staff input? If t, how will we know that they are not simply following their own path anyway?
2. Page 8 speaks of submitting all materials to the HRS after being approved and signed off on by our supervisor. My question is, who is this person and do they really have more decision making power over my growth/fit/potential etc. to my department than my supervisor does? This makes no sense to me. Continuing with my concerns about the HRS, I wonder if this is another layer of administration in an already top-heavy organization ...?
3. Page 9 speaks of cancelling with 'reasonable cause' and then provides only two parameters for defining 'reasonable cause' (illness with a note or death in a family). I would like to think that there are many other 'reasonable cause's. Who makes this decision of reasonability? How much does an employee need to disclose, and to how many people?
4. Page 10 speaks of sending detailed reports on achieving learning outcomes etc. Why is this information going to HR after it has already gone to the supervisor? Again, I question the authority of both my supervisor (who does not seem to have any) and the HRS (who seems to have a LOT).
5. Page 10 speaks to a reimbursement plan of 80%. Is this new? I do not recall having to pay 20% for PD in the past.
6. Page 11 speaks to 'first come first served' dollars. I thought we each had \$600.00 to utilize for PD

