

## **OPSEU CAAT Academic Local 653 Meeting – LEC Minutes**

**Date:** Friday, January 18, 2019

**Location:** Video

**Attendance:**

L. Shaba, S. Tremblay, N. McNair, C. Sheehan, M. Studd, K. Whelan, T. Dearden, D. Rogalski, W. Schaffer, K. Smith, T. Bates-Yarkie

**Guests:**

None

**Regrets:**

S. Storing, M. Vielleux

**Taker of Minutes:**

W. Schaffer

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**1.0 Call to Order**

Union local President Lad Shaba called the meeting to order at **\_\_3:44 PM\_\_**

**2.0 Adoption of the Agenda**

**Additions under New Business:**

**10.1** – Freedom of Information request

**10.2** – Retroactive accommodations and appeals procedure

**10.3** – local dues increase

**10.4** – Diversity Committee Meeting

**10.5** – Stewards election planning

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

**Moved:** Kathy Smith

**Seconded:** Neal McNair

**Carried**

**3.0 Minutes of Previous Meeting (Nov 16, 2018)**

**Motion:** That the minutes of Nov 16/2019 be adopted as presented

**Moved:** Neal McNair

**Seconded:** Ty Dearden

**Carried**

**4.0 Business arising from the minutes**

Items from discussions at previous LEC meetings were the contracts between Axiom and Northern College and also contracts with regards to Northern College's digital campus, and the union local's interest in obtaining

copies of the contracts for this work. A meeting that involved the management of Northern College and the union local, with regards to the digital campus occurred in late 2018. The potential exists that Northern College is no longer pursuing this work to the extent that it once was and/or that the format for the delivery of the content in these projects has now been changed.

Blocked-off time for union duties is still being sought by the union local.

### **5.0 Treasurer's Report**

Treasurer Mike Studd submitted his financial statement dated May through December 2018.

Mike Studd shared that it would appear that the union local has come through its period of lowest financial standing and that overall the local is probably breaking even. There will be upcoming expenses for purchased time for union business.

Union local President Lad Shaba observed that expenses for the local are a reality and made a request that the treasurer could prepare a report outlining a forecast/model of financial standing with a (modest) local dues increase, in order for the local to have some increased funds to better prepare a reserve for future costs that might arise.

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

**Moved:** Clint Sheehan

**Seconded:** Ty Dearden

**Carried**

2) **Motion:** That the treasurer be given the authority to pay all outstanding expenses

**Moved:** Suzanne Tremblay

**Seconded:** Neal McNair

**Carried**

### **6.0 Correspondence**

First Vice-President Warren Schaffer shared:

- From an email from Natalie Dorval (Human Resources Supervisor, Northern College; January 15, 2019) management has made it known that they want to meet in early February 2019) with members of the LEC about an affirmative action program, and faculty hiring and the Master's degree requirement. This initiative is the Diversity Committee (could see agenda item 10.4).
- On December 3, 2018, management issued a statement to settle a grievance with regards to the Partial Load Registry – "the College will have on NorAction a Registry to facilitate future enrolment of partial-load faculty members. The settlement also stated that the Union reserves the right to pursue future matters of this nature should there be errors or omissions on the Registry." It remains to be seen when the NorAction interface for the Partial Load Registry will be functional.
- On November 19, 2018, in an email, Northern College President Fred Gibbons stated that "In response to the government's direction, the college system has agreed to take a collaborative and consistent approach to the development of a free speech policy. Under Colleges Ontario's leadership, a task force has been established to develop a system-wide policy that can be implemented at each college. The key deliverable is the development of the policy by Jan. 1, 2019." It is not currently known whether the free-speech policy has been developed at Northern College, as the deadline is now past.

## 7.0 Reports of Officers

### 7.1 President

Union local President Lad Shaba shared:

- It has come to light that there is a new Multi-College Collaboration Model (MCCM) agreement that has been struck involving Algonquin College, Northern College, Sault College and Lambton College to co-create a framework for a collaboration model for applied education, with a new Memorandum of Understanding. The framework could guide system design changes to support the long-term financial sustainability of postsecondary institutions and investment in deliberate experiments that can create new models for, and in support of, teaching and learning and administrative services, all while preserving institutional autonomy. The Memorandum of Understanding will be in effect for five years and may be renewed for an additional period of time with consent for all parties.
- It is come to light that there was a new faculty member recently hired at the Timmins Campus, who is not full-time, but does have a heavy teaching load (**Note:** this is the same faculty member with information in the UCC report).
- A faculty member from the Timmins Campus has been approached by management to agree to undertake a project in China. The faculty member has been advised by the union to express his sincere views on the project and its accompanying commitments.
- The listing associated with Article 27.12 has recently been received.
- The union local filed free-of-information requests in December 2018 with regards to an interest to obtain documents regarding a hiring letter and regarding faculty members who are presently away from the college.
- On January 14, 2019, he attended an arbitration with regards to lost professional development days for a faculty member from the Timmins Campus.
- There are signs that there will be a new committee struck at the Kirkland Lake Campus to discuss the future of the Kirkland Lake Campus.
- There is a new faculty member at the Haileybury Campus who is using a small classroom as his office. There is another office that has not been vacated by a recently retired faculty member.
- In November 2018, there was an OPSEU CAAT-Academic educational in Toronto, and it was emphasized that the union local needs to remain engaged with the members of the local.

### 7.2 Board of Governors Report (BoG)

No report was received.

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

#### 1<sup>st</sup> Vice President

1<sup>st</sup> Vice President Warren Schaffer shared:

- He has spent a bit of time working on/with the Partial Load registry information package that has been received from management – the information listing has to be checked/verified by individual faculty. The listing goes back to 2014 and there are different rules for counting time before and after October 1, 2017. There may be a need/benefit for the compilation of an information item for faculty about the Partial Load registry. There may be a need for understanding how academic upgrading faculty have their hours of work and workload counted. Discussions with faculty have brought attention to concerns over progressions up the salary grid, access to benefits and also access to scheduling.

- A concern has come forward from a partial load faculty member about her contract and the timing of its completion. This is related to the announcement from management with regards to the change to the Academic Calendar with regards to the Exam Week/Teaching Week. **Discussion at the LEC meeting** revealed a concern that partial load faculty may lose access to inputting grades when their computer accounts are frozen at the end of their contracts. This situation should be discussed at an upcoming WMG meeting.
- A meeting occurred on December 12, 2018 with regards to hiring and faculty hiring and the Master's degree requirement. Multiple members of the LEC were in attendance and a presentation was made by President Lad Shaba. According to a recent email from Natalie Dorval, there may be a follow-up meeting scheduled in February 2019. This initiative is the Diversity Committee (could see agenda item 10.4).

## **2nd Vice President**

2<sup>nd</sup> Vice President Clint Sheehan shared:

- In December 2018, following multiple meetings with the union local and management, there was a proposed resolution of a complaint with regards to a complaint about the issuing of SWFs during the non-teaching period to a faculty member at the Haileybury Campus. In the resolution, the SWFs were withdrawn by management and time for the task (Master Course Work) was put on the faculty member's Winter 2019 SWF as a complementary function. A verbal agreement was made between the union local and management that if a non-teaching period SWF is ever planned again, that it will come before the union local prior to issuing.
- The possibility exists that the new (announced January 2019) Multi-College Collaboration Model (MCCM) agreement that has been struck involving Algonquin College, Northern College, Sault College and Lambton College to co-create a framework for a collaboration model for applied education could be a step towards amalgamation. It is not known how this new initiative relates to the Northern Colleges Collaboration (the partnership between northern Ontario's six public colleges – College Boréal, Cambrian College, Canadore College, Confederation College, Northern College and Sault College – to increase student access and flexibility through common program curriculums). The potential exists that funding for the Northern Colleges Collaboration has been stopped.  
**[Later limited investigation]** by Warren Schaffer has revealed that the Northern Colleges Collaboration webpage is still active and apparently applications are still being accepted for this program, including for 2019.]

## **7.4 Chief Steward**

Chief Steward Suzanne Tremblay shared:

- There have been multiple (5) academic appeals filed by students recently at the Timmins Campus. One of the appeals has revealed that the student wants remedial academic support as part of retroactive accommodations. The union stewards most knowledgeable about the case have been impressed that one of the cases, involving a violation of Academic Integrity is not being managed well by the academic management team.
- There is a concern with regards to the need for having legal support available for faculty at arbitrations and hearings for academic appeals.
- The English as a Second Language program at the Timmins Campus may need improvements to help with support in the delivery and advertisement for student enrolment.
- There are some faculty retirements that are coming up.
- Seniority lists for faculty are coming out later in the month of January 2019. Faculty could check the information on the list.

## 7.5 Associate Chief Steward

Associate Chief Steward Neal McNair shared:

- There is an upcoming arbitration with regards to an initial placement on salary scale for a newly hired faculty member. The placement was redone but when a missed graduate degree was added, the manager removed a discretionary salary step that had been tallied.
- A Modified Workload Arrangement for a faculty member at the Timmins Campus was received by the union on December 20, 2018. In January 2019, the union did accept the Modified Workload Arrangement, following a meeting with management to explore the situation/conditions (also see CWMG report). Management has committed that this is a one-time occurrence that will not be repeated.

## 8.0 Reports of Committees

### 8.1 UCC

Union co-chair Neal McNair shared the following from January 18, 2019 UCC meeting:

- The union raised a concern about faculty work as part of the “duty to accommodate” for students registered with Accessibility Services. Management responded that they are seeking an outside legal opinion as to where the duty to accommodate lies, and whether they need to pay for this work.
- There have been new faculty hired, including 4 more since the last UCC meeting in November 2018. One newly hired faculty member resigned his position, and this position was filled with a sessional faculty member with no teaching experience, with the promise from management that the position would be reposted at a later date. The union is concerned that the faculty member is being set up for failure, and that there is no concern for educational quality. The union has expressed an interest to receive the union dues for all the hirings, and that if the sessional faculty member is then hired full-time that all courses on his/her SWF should be designated as “New”.
- There were concerns raised by the union about a change to the Academic Calendar with regards to the “exam week” being changed to an “exam/teaching week”, including concerns over the ineffectiveness of the announcement of the change and implementation of the change. Management did not really address or acknowledge the importance of consultation with faculty and the union on matters that directly impact the delivery of courses. Faculty seem to be advised to discuss their concerns and implementation of the change in their individual courses, individually with their manager.
- There were concerns raised by the union with regards the need to have a formal agreement or policy for retroactive accommodations. The union has an interest to have a local agreement with regards to faculty workload on retroactive accommodations – **input could be sent to Neal McNair.**
- There were concerns raised by the union with regards to the work associated with preparing and handling academic appeals and the need for legal representation for faculty at academic appeal hearings. **Discussion at the LEC meeting** highlighted that faculty can provide a written submission to an academic appeal hearing and that faculty could then choose not to attend the hearing.

### 8.2 CESC

Union co-chair Neal McNair shared that there has not been a recent meeting of the CESC committee. The union may file a request for a meeting in the foreseeable future.

### 8.3 CWMG

Union co-chair Warren Schaffer shared:

- A communication was sent to management to explore/confirm the scheduling of CWMG meetings - a response email from January 17, 2019 indicates that management agrees to have CWMG meetings on the

same day as UCC meetings, with additional meetings as required, with management taking minutes. The next CWMG meeting is presently scheduled for February 22, 2019 at 9:00AM.

- It has come to light that there is a partial load faculty member at the Kirkland Lake campus who is concerned with a recent faculty hiring process. There have been preliminary response ideas put forwards by various parties including Warren Schaffer. **Discussion at the LEC meeting** revealed that President Lad Shaba is consulting with the faculty member to gather facts, prior to meeting with management. There are also concerns from the union about the tasks undertaken by support staff during the sequence of events.
- On January 14, 2019, a hearing was convened to resolve a complaint from a faculty member with regards to unused professional development days. On November 7, 2018, an information request was made to management to obtain information relevant to the complaint. A response was received from management on November 13, 2018: "This is in response to the request for the following records (as attached). – a factual data (no faculty names) of all the PD applications and approvals over the last three years. – The data should be provided to show each month of the year's frequency of applications and approvals. We do not have the information you are requesting as we don't collate the data. In addition, other faculty's PD days are not relevant to Lad's workload complaint. Equity is not something a WRA can determine."
- A recent workload complaint with regards to new SWFs issued to a faculty member for Master Course work over the non-teaching period (late December 2018 and early January 2019) was dropped following discussions between members of the union local and management, the withdrawal of the SWFs and the issuing of a new SWF with hours allotted for the work in the Winter 2019 semester. [**Note:** this is the same item as in the 2<sup>nd</sup> Vice President's report.]
- A Modified Workload Arrangement has been accepted by the union for a faculty member from the Timmins campus. The Modified Workload Arrangement will be in place from January 8, 2019 until April 26, 2019 and will entail the faculty working 49.46 hours per week. **Discussion at the LEC meeting** included expression of concern because the MWA has a workload hour allotment that constitutes illegal overtime.
- In the late fall of 2018, it came to light that a mining professor had his teaching load changed and that this had implications for the synopsis of the program with regards to prerequisites. The professor was advised about the workload complaint and grievance processes.
- On November 6, 2018, there was a concern expressed by a mathematics professor about the lack of consistency on SWFs with regards to evaluation factors for mathematics courses.

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

Information from the Haileybury Campus indicates that union concerns about the expiration dates on policies has been responded to.

Health and Safety Committee representative Dave Rogalsky indicated that there are new concerns at the Kirkland Lake Campus with regards to a leaking roof at the campus.

President Lad Shaba shared that the new emergency building at the Timmins Campus is being shared with the Whitney Fire Department and that group may need representatives on the Health and Safety Committee. Only the part of the building that belongs to the college will be inspected by the college.

#### **8.5 Return to Work**

A faculty member at the Kirkland Lake Campus has returned to work. At the return to work meeting there was a discussion of the need for an office ergonomics assessment for the faculty member.

At the Timmins Campus, there are multiple faculty members who are presently away from work. **Discussion at the LEC meeting** revealed that the local president could call these faculty members with well wishes.

## **9.0 Unfinished Business**

None.

## **10.0 New Business**

### **10.1 – Freedom of Information request**

A Freedom of Information request has been filed by the union local.

### **10.2 – Retroactive accommodations and appeals procedure**

This item is presented in other parts of these minutes – in the report of the Chief Steward and in the UCC committee report.

### **10.3 – local dues increase**

There is an interest to have a discussion and possible steps forward with regards to an increase in local union dues. The last increase in local union dues might have occurred in 2002, and the current monthly local union dues cost is about \$12 per faculty. **Note:** This item is also presented in the Treasurer's Report.]

### **10.4 – Diversity Committee Meeting**

A meeting with representatives of the union local and management occurred in December 2018. Union local President Lad Shaba presented that requiring a graduate degree for new hires at Northern College is probably not going to work, along with general discontent with the pace/progress/success of diversity hiring initiatives at Northern College. There may be another meeting of this committee in February 2019.

### **10.5 – Stewards election planning**

President Lad Shaba offered that 2019 is an election year for union stewards and there is a need to encourage more members (particularly from the Timmins Campus) to join the LEC. **Discussion at the LEC meeting** highlighted that the lengths/timing of terms of the officers of the LEC could be set on a staggered schedule to help with the function of the LEC and the development of the LEC officers but should be stated in local bylaws. Warren Schaffer offered that he is still working on a local bylaws project on behalf of local 653.

## **11.0 Campus Reports**

None.

## **12.0 Adjournment**

Meeting Adjourned at \_\_\_\_ **5:55 PM** \_\_\_\_