

no name newsletter

September 2008 Volume 24 Number 1

*For members and prospective members of
OPSEU Local 110 CAAT Academic
D2018 Fanshawe College*

Improve your working conditions.

Clinical studies show OPSEU™ to be safer and more effective than Obay™.



Introducing OPSEU™ from the makers of PaidStatHolidays™ and Benefits™. Side effects include an overwhelming desire to attend the next Local 110 **General Membership Meeting™** to suggest improvements to our contract. Date and time to be announced.

Inside this issue:

- Common Sense and Collective Agreement prevail
- Where did the staffing money go? Faculty up 4%, Administration up 61%



President's Message

Dear Colleagues,

Welcome back. Hope the summer was a good one for everyone.

It's been 4 years! Now it is time again for Demand Setting.

This fall at each of Ontario's colleges, Counsellors, Librarians, Professors and Instructors will have an opportunity to propose changes to our collective agreement. You can find the current agreement online [on www.opseu110.ca](http://www.opseu110.ca) and a more user friendly version in the form of a Members' Manual also located at www.opseu110.ca.

If you can think of a change or a priority, send it to us at union@opseu110.ca. We can work with you to achieve support for your demand which will have to be presented at the Local's Demand Setting meeting.

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There are a few steps that will help you over the next 8 weeks. First, if a concern strikes you, write it down. You can come to the office D2018 and we can provide sample language from other collective agreements. If you can think of a solution, great! Don't hesitate to talk your ideas over with the steward from your area (see the list [on page 8](#) or [online at www.opseu110.ca](#)) or discuss it with one of the officers.

Again, *welcome back* from all the officers and stewards from the Local.

In solidarity,



Local 110 Officers:

President: Paddy Musson
1st V.P.: Kathryn Tamasi
V.P. for Equity Issues: Haytham Mahfoud
Chief Steward: Darryl Bedford
Treasurer: Kathleen Dindoff
Secretary: Catherine Hagerty-Mwangi

Reach Local 110 at:
Fanshawe College (Room D2018)
P.O. Box 7005, 1460 Oxford St. E.
London, Ontario N5Y 5R6
Ph. (519) 452-4205
Fax (519) 453-5345
E-mail: union@opseu110.ca
Website: <http://www.opseu110.ca>

Approved for distribution:

Paddy Musson, President OPSEU 110



The Watchdog

Colleges must give reasons for hiring Part Time, Partial Load

Common Sense, Collective Agreement Prevail at Arbitration Hearing

Suppose that you are a boss and you create a part-time job. Then you hire someone to work in that position. You must have had a reason for creating that job. And as a manager you could sum up that reason in a few words or a single sentence, right? Apparently not at Fanshawe College!

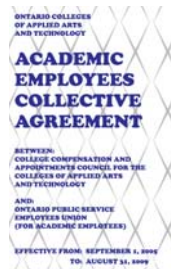
Local 110, represented by Chief Steward Darryl Bedford and lawyer Tim Hannigan, scored an important victory before a board of arbitration regarding basic information about hiring practices. Under the Collective Agreement, colleges must provide the union with rationale for hiring Part Time, Partial Load, and Sessional faculty upon request. Fanshawe was providing rationale for Sessional hires only. This violation had resulted in a grievance filed by the Local's previous Chief Steward Gary Fordyce.

"Some of this information was really straightforward," commented Darryl Bedford. "Someone could be hired to replace a faculty member on maternity leave, for example, but that information wasn't being disclosed to the union. If we had this sort of information up front, there would not be all of this wasted time and money, from members and taxpayers, spent trying to pry this information out at grievance meetings and arbitration hearings. We knew that the Chairs submit this hiring information to Human Resources and

that they had it readily available." Bedford added that "sometimes Chairs would accidentally take the wrong copy of the report, known as the 27.12 list, to a grievance meeting. They'd take the version with the rationale filled in for each of the hires! As serious as we are about the staffing issues we are facing, we couldn't help but laugh at this kind of silliness."

Fanshawe College had argued in front of the Board that before the College can give a rationale, the Union must first demonstrate that there is a body of work being performed by non full-time employees that would support the filling of one or more full-time positions.

Counsel for the Union, Tim Hannigan, effectively argued that the College's argument did not make labour relations sense nor was that supported by the language of the Collective Agreement.



The Board, chaired by arbitrator Pamela Cooper Picher, stated in its August 7th ruling that UCC (Union-College Committee) meetings are designed in part to promote a full and frank discussion to dispel misunderstandings and avoid grievances. The Board concluded that the College is obligated to provide the Union with the rationale for all non-full time appointments, if so requested at UCC. The union's grievance was upheld.

The next monthly UCC meeting is scheduled for the first week of October.

■



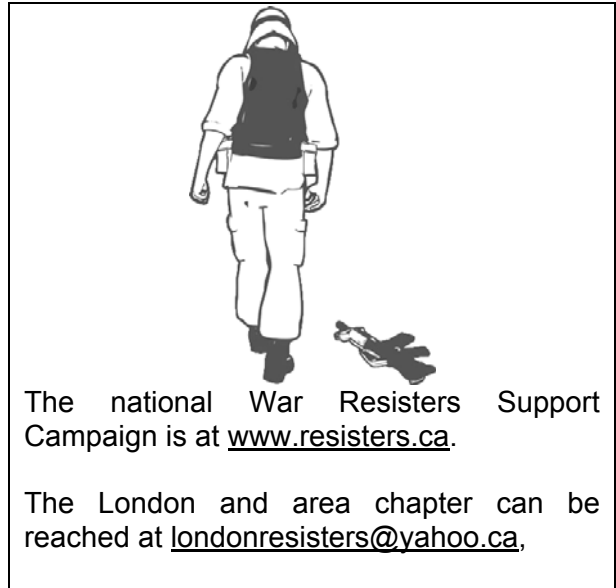
The Watchdog

2006 Strike Return-to-Work Grievances

There are about 1200 claims province-wide for compensation as a result of make-up work performed following the 2006 strike. The colleges had attempted to delayed resolution of these grievances by raising various preliminary objections. The colleges' original objection was that **all** of the claims were improperly filed. That objection was dismissed by the board chaired by Mr. Owen Shime to hear these claims.

The colleges next amended their position, reframing the further objections as "clarifications." Essentially, the colleges sought to have the Board narrow the claims to only those where the faculty member was claiming that the weekly or the annual teaching contact hour limits had been exceeded. The Board wanted to hear some evidence from grievors before addressing that matter. The union presented evidence from seven grievors to establish both the variety as well as the legitimacy of the claims after which the Board was satisfied that they had enough evidence to proceed with the rest of the hearing.

The Return-to-Work Protocol was signed by the parties as part of the strike settlement in March 2006. The language of that protocol was adopted at management's suggestion from the language drafted by arbitrator Martin Teplitsky following the 1989 strike. Now, management is asserting in these hearings that the same basic language means something very different today than it did in 1989. The Union is in a good position and doing its best to move things along despite the frustrating delay tactics of the colleges. ■



The national War Resisters Support Campaign is at www.resisters.ca.

The London and area chapter can be reached at londonresisters@yahoo.ca.

Manufacturing Matters Rally Sunday September 28, 2008

If you are interested in joining the demonstration, meet at the corner of Talbot and First across the street from the St. Thomas Ford dealership at 11 am.

They will march down Talbot Street to Ross Street for a mass rally at the St. Thomas Ford Collision Centre.

For more information please contact CAW Local 1520 at 519-652-5552. ■

Fanshawe By The Numbers

We have had some interesting Freedom of Information responses from Fanshawe:

- From 1998 to 2007, the size of the administration increased **61%** while the faculty complement increased by only **4%**. See the chart below.
- Fanshawe spent nearly **\$2 million** on fencing, sprinklers, and an information kiosk.
- Fanshawe spent **\$1.4 million** on a new corridor between A and D blocks that resulted in a 33% reduction of fine arts studio space and didn't solve MIA's instructional space problems.
- Fanshawe spent **\$890,228** in 2007-2008 contracting out various teaching services.
- Fanshawe is required to spend a **\$10,000/year** (held in trust) for the

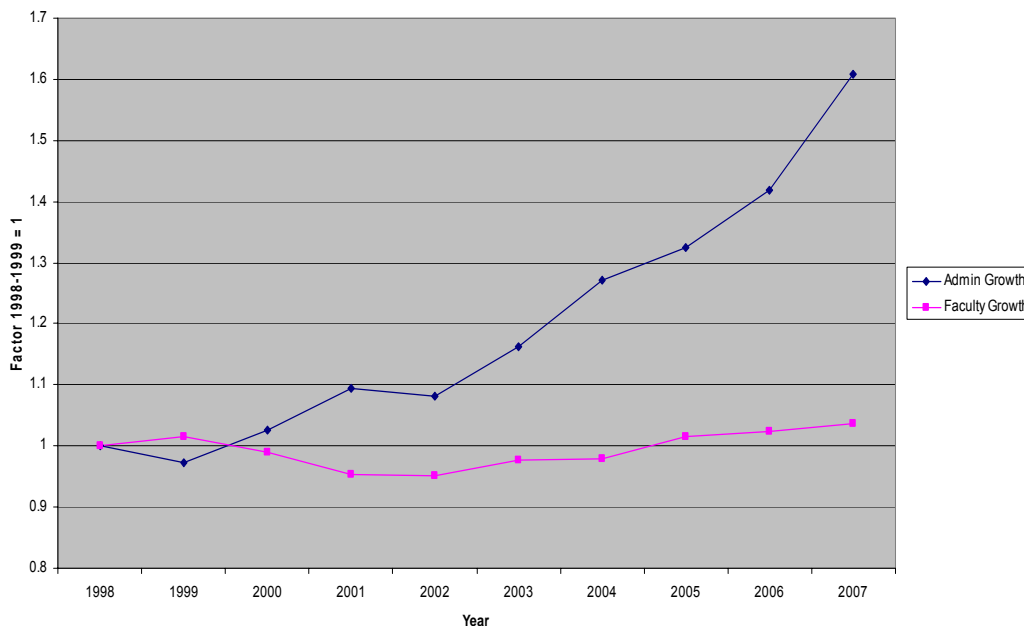
sole purpose of marketing Coca-Cola products on campus.

- Fanshawe paid retired Dean Pat Kirkby **\$10,822.50** in 2006/07; **\$5,538.40** in 2007/08 and **\$6,000.00** in 2008/09 for consulting services for the development of a Pandemic Plan.
- On the legal front, we wanted to know how much Fanshawe was paying lawyers for labour relations purposes. Not counting ancillary expenses **\$302,535** in 2006, **\$355,114** in 2007 and **\$380,184** in 2008 was paid to the firm of Hicks, Morley, Hamilton.

Send us your comments and reactions to union@opseu110.ca ■

Our Priority is the Classroom. What is Their Priority?

Growth in Positions



Sources: Freedom of Information Requests, Annual staffing survey information as posted on www.thecouncil.on.ca



The Watchdog: Your SWF

There has been some confusion lately about the whole issue of "deeming" the SWF. We've had some discussions on this topic at Workload Monitoring Group and here is some helpful advice:

You must sign your SWF *within three days* of your *final* SWF discussion with your manager. *If you do not*, your SWF is considered "deemed" to be signed and accepted by you.

If in doubt about your assignment, a safe option is to check the box that you disagree with your workload and wish to refer to WMG. Even after checking the box, you can still attempt to resolve the issues with your manager. If you can resolve it before WMG has a chance to meet, and agree on an amended SWF, that's great. Quite a number of faculty have been able to do that. If not, you still have the option of having your referral heard at a meeting of the WMG. Again, this is a safe and reliable way of indicating that you have a workload issue that needs to be dealt with.

When you have your SWF meeting with your Chair, if a workload issue arises and you are not able to resolve it during the meeting you must:

1. Request another SWF meeting with your manager in an attempt to resolve the issue

and/or

2. Check the box that you are referring your SWF to the Workload Monitoring Group and sign the form.

Keep in mind that if you wish to have ongoing discussions with your Chair, you should commit to a future meeting time. It is recommended that this follow-up meeting be scheduled within one to two weeks. If you do not arrange another SWF meeting, your Chair could "deem" your SWF as having been signed three days after your final SWF meeting.

When signing your SWF, we recommend that you do so in ink and that you clearly indicate your intentions by checking off the appropriate box.

Any questions, give us a call at the union office D2018 extension 4205.■

Sexual Assault Centre London Annual General Meeting

Tuesday, September 30, 2008
4:30 p.m. RSVP: 519-439-0844 ext 21 or
sacl@sacl.ca



Have questions about your SWF?

Use your 3 days to talk to us!
Room D2018

GOING GREEN Tip #1

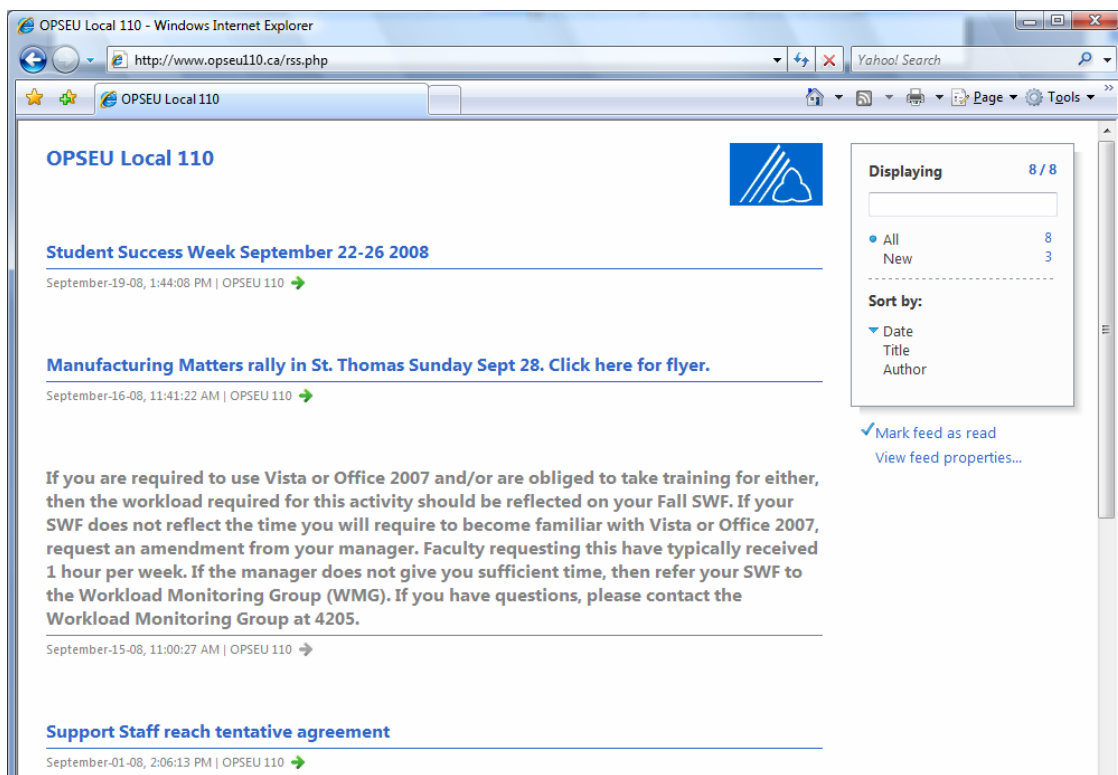
Keeping up to date with Local 110 News

The www.opseu110.ca website now has an “RSS” feed that you can use to keep up to date on happenings in the Local.

Many popular web browsers including Internet Explorer have the ability to subscribe to a feed. From your browser, click on the orange RSS Newsfeed button:



Then your browser will offer the option to “Add this feed” or “Subscribe to this feed.”



If you are using Internet Explorer and Windows Vista, the news will automatically appear in the Windows Sidebar on the right-hand side of your desktop.

Instead of using a browser, you could also use RSS reader software. You can then cut and paste the Local RSS link (<http://www.opseu110.ca/rss.php>) into your reader. A great explanation of how this works and where to find RSS software can be found on the CBC website (<http://www.cbc.ca/rss/>). You can also add Local 110 news to your Google home page by clicking the **+Google** button.

If you prefer to save paper, let us know and we will stop sending you a paper copy of the no name newsletter. You will then only receive it electronically.■

Local 110 Stewards

Art & Design (ARD)	Carol Toop 2 vacancies	519-452-4227	M3010	ctoop@opseu110.ca
School of Business and Management (BUS)	3 vacancies, nominations open			
	Sophie Skaith	On leave		
School of Building Technology (BLD)	Fred Varkaris 2 vacancies	519-452-4414	T3010	fvarkaris@opseu110.ca
School of Contemporary Media (COM)	Abe Kelledjian 2 vacancies	519-452-4174	M3010	akelledjian@opseu110.ca
Counsellors	Shelley Reynolds	519-452-4282	F2010	sreynolds@opseu110.ca
	Candice Lawrence	On leave		
School of Language and Liberal Studies (GEN)	Jennifer Boswell	519-452-4442	A2003	jboswell@opseu110.ca
	Dianna Buckle	519-452-4442	A2003	dbuckle@opseu110.ca
	Haytham Mahfoud	519-452-4442	A2003	hmahfoud@opseu110.ca
	Kathleen Dindoff	519-452-4442	A2003	kdindoff@opseu110.ca
	Catherine Hagerty-Mwangi	519-452-4442	A2003	chagerty-mwangi@opseu110.ca
	Paddy Musson	519-452-4205	D2018	pmusson@opseu110.ca
Health Sciences	2 vacancies	519-452-4207	D3024	
Human Services (HUM)	Kay Wigle	519-452-4224	D3024	kwigle@opseu110.ca
	Kathryn Tamasi	519-452-4224	D3024	ktamasi@opseu110.ca
	Mary Ann Smith	519-452-4224	D3024	msmith@opseu110.ca
Information Technology (ITY)	Darryl Bedford	519-452-4205	D2018	dbedford@opseu110.ca
	Bill Pulling 1 vacancy	519-452-4291	G3001	bpulling@opseu110.ca
Librarians	Vicky Mok	519-452-4142	L1003	vmok@opseu110.ca
Manufacturing Sciences	4 vacancies			
Motive Power (MPW)	Eric McIlwain	519-452-4205	D2018	emcilwain@opseu110.ca
	Mark Russell	519-452-4450	T3010	mrussell@opseu110.ca
	Frank Hastie	519-452-4450	T3010	fhastie@opseu110.ca
Nursing	Karen O'Brien 1 vacancy	519-452-4207	D3024	kobrien@opseu110.ca
St. Thomas-Elgin Campus (STE)	Eugene Swain	519-633-2030	St. Thomas	eswain@opseu110.ca
	John Wren	519-633-2030	St. Thomas	jwtren@opseu110.ca
Tourism & Hospitality	2 vacancies	519-452-4289	A1015	
Oxford Campus (OXF)	Bette Rowe	519-421-0144	Woodstock	browe@opseu110.ca

STEWARDS WANTED

We have had many retirements in the past year. The work of a Steward is manageable, rewarding, and meaningful. Talk to many of us about your interests.

P.S. Don't forget to thank your steward: they are the backbone of the Local.

The Equity Exchange

Equality Rights and Sexual Orientation: Connie Heintz v. Christian Horizons

Can our institutions or service agencies dismiss an employee on the ground of sexual orientation? To get an answer to this short question, Connie Heintz had to wait for eight long years. In the end, she won!

Ms. Heintz is a 39 year old woman whose character and academic credentials landed her a full-time position with Christian Horizons in 1995. Christian Horizons identifies itself as an Evangelical ministry with "over 2500 employees and provides care and support to approximately 1400 individuals." The corporation is mostly funded by tax-payers money through the Ontario Ministry of Community and Social Services.

While working for Christian Horizons, Ms. Heintz "came to an understanding of ... her sexual orientation" and subsequently established a same-sex relationship with an individual who was not an employee of Christian Horizons. When her supervisor questioned her

about this relationship, Ms. Heintz spoke the truth about her sexual orientation. A series of encounters with her employers ensued and Ms. Heintz was eventually forced to resign her position in 2000.

The OHRC's Tribunal that adjudicated Ms. Heintz' case decided in her favour. The decision gives precedent that will allow others justice without an 8-year fight.

To access a PDF version of this case: <http://www.canlii.org/en/on/onhrt/doc/2008/2008hrto22/2008hrto22.html> ■

Are you considering a Professional Development Leave?

Before submitting an application for a PD leave, we recommend seeking advice from the union first.

Local 110 - Room D2018
519-452-4205 union@opseu110.ca

They did WHAT?™

Mickey Mouse and Ludwig Von Drake

Apparently the College had arranged for temporary workers from Drake outplacement services to take over in the event of a support staff strike. Slight problem: the workers indicated they would not cross the picket line. Oopsy Daisy!

Thanks for Responding to our Criticism

In the past, we had poked fun at Fanshawe marketing campaigns. Lately though, there has been nothing to criticize. The red “blood splatter” is gone. “The F” is gone from the web site. The music that started playing automatically on the web site, likely blowing your class away if you dared open Internet Explorer on the instructor’s station, is also gone. Cluster brochures are now printed on Mixed Source recycled paper. (We even got a smile out of the photo of the long-departed Dean Bill Best in the Information Technology brochure.)

Goofy

But then St. Clair comes out with this goofy ad. We’ll leave the commentary to you:

WINDSOR • ESSEX • CHATHAM • KENT

our focus is you™

ST. CLAIR COLLEGE

hottest
Canada's Southernmost College

and we're not just talking about the weather!

The hottest students.
*National Champions in Mechatronics,
Interior Design, Advertising*

The hottest programs.
*Health Sciences, Media Art & Design,
Skilled Trades and more*

St. Clair College –
The Hottest College in Canada.

Check us out!
For tours: 1-800-387-0524 Ext. 2760
www.stclaircollege.ca

Source: Sun Media Guide to Higher Education 2008

Hope St. Clair’s Locals can help them with their image problem.

Bill 90 Consultations

Bill 90 was introduced by the Liberal Government at Queen's Park to amend the Colleges Collective Bargaining Act (CCBA) which first became law in 1975. The amendments in Bill 90 allow part-time faculty to join a union but there are other changes that have negative impacts not just to workers but students as well. The changes were recommended in a report commissioned by the government and authored by Kevin Whitaker.

It has been a busy month in OPSEU's fight for rights for part-timers. Paddy Musson, wearing her hat as Chair of the Division within OPSEU for faculty, presented before the Standing Committee. The standing committee is a three party committee whose job it is to review proposed legislation that has passed Second Reading. Paddy focused her remarks on the negative impact that the legislation would have on students. The entire text of her remarks can be found at:

<http://www.opseu110.ca/Bill90/Bill90-Musson.doc>.



Don Eady of Paliere Roland delivered the main OPSEU brief that can be found at:

<http://www.opseu110.ca/Bill90/Bill90-OPSEU.txt>.

His remarks focused on the rights from the Ontario Labour Relations Act that were left out of the proposed legislation.

Betty Cree, the Chair of the Support staff addressed the importance of bringing the new part-timers into the existing bargaining units.

Jim Turk of the Canadian Association of University Teachers flew in from Ottawa to support our position that bringing the part-timers into our existing units is good for labour relations and good for our students and quality education. You can find his brief at:

<http://www.opseu110.ca/Bill90/Bill90-Turk.doc>.

The employer presenters were the President of Colleges Ontario Linda Franklin, the presidents of a number of colleges, and assisted by Legal Counsel to Colleges Ontario Wallace Kenny of the firm Hicks Morley. Each employer representative said or sang, either at the beginning, the end, or both, "Remain True to Whitaker."

When the current system of collective bargaining in the colleges was created, the bill that brought it about was Bill 180. It is an irony that this bill is Bill 90 which leaves them with half the quality aspects of the original CCBA.



We will have an update in our next issue. ■

Stuck at Step 19?

We highly recommend the In-Service Teacher Training Program. For more information, contact Local 110 Room D2018 or refer to this flyer.

In-Service Teacher Training Certificate Program

This practical distance-education program (ISTTP) is offered to academic staff teaching in Ontario's community colleges and provides a convenient, inexpensive means to access the top salary step (Step 21 in April, 2007) for faculty whose current educational credentials prevent them from ever progressing beyond Step 19.

A major challenge for professors is designing programs to meet the needs of diverse groups. Wherever you teach — in a classroom, a lab, a shop, an office, or a hospital — the one constant is the process of teaching. Therefore, the ISTTP focuses on developing the skills needed to ensure your success in *the process of teaching*.

We believe that the **In-Service Teacher Training Certificate Program – The Process of Teaching** is interesting, practical and worth your time. Based on adult education principles, it offers an opportunity for professional renewal that will have a long-term impact on teaching and learning in the community college system of Ontario.

Highlights of the ISTTP Learning Environment:

- Easy-to-use distance-learning formats: on-line or by mail
- Completion of course work when and where you want
- Access to a personal tutor/advisor

Financial Benefits of Enrolling in the ISTTP:

- With 15 years' post-probationary service, you receive an immediate step increase upon registration.[†]
- With 10 years' post-probationary service, you receive a step increase upon completion of the program.[†]
- You gain access to the top salary step and substantial long-term benefits in salary and pension.

[†] You are required to take only 2 of the 6 modules, and the step increase currently translates to over \$2,300 a year!^{*}

^{*} Based on the 2005-2009 CAAT-A Collective Agreement

Contact Cory Hadre

1-888-643-3360 / 1-519-972-2727, Ext. 4085

chadre@stclaircollege.ca