

WRA

April 5 1984

Monteyne, Leonard

Issues: - Definition of RA
- oral presentations
- disagreement

WRA Award - April 5, 94

IN THE MATTER OF A WORKLOAD RESOLUTION ARBITRATION

BETWEEN:

FANSHAWE COLLEGE OF APPLIED ARTS AND TECHNOLOGY

AND

LEONARD MONTEYNE, a member of the teaching faculty and Local 110 of
OPSEU.

DATE: April 5, 1994

IN ATTENDANCE: Ingrid Hobbs, Human Resources
Terry Boyd, Chair, General Studies Division
Leonard Monteyne, Faculty member
Gary Fordyce, Chief Steward, Faculty Union
Tom Geldard, 1st Vice-President, Faculty Union

MATERIAL FILED:

1. S.W.F. of Leonard Monteyne dated September 2, 1993 with Administrative Information Form on reverse.
2. S.W.F. of Leonard Monteyne dated October 21, 1993 with Administrative Information Form attached.
3. November 29, 1993 letter from Len Monteyne to Workload Monitoring Group with attachments.
4. Four pages of CMNC355 Course Information dated June 29, 1993.
5. Four pages of ENGL337 Course Information dated July 13, 1993.
6. Two pages of ENGL413 Course Information dated December 9, 1993.
7. Speech Evaluation Form.
8. Instructors Handbook for CMNC355.
9. "Puppy-Mill" speech notes of Kim.

10. Excerpt from June, 1991 Reader's Digest with attached newspaper articles.
11. Four completed Speech Evaluation Forms for "Michelle".
12. Three completed Speech Evaluation Forms for "Anne".
13. Sample Speech Evaluation Form.
14. Collective Agreement covering the period from September 1, 1993 to August 31, 1994.

ISSUE:

1. Should the percentages assigned on the Administrative Information Form to "In-Process Evaluation and Feedback" by the College to Leonard Monteyne in the ENGL337, ENGL413 and CMNC355 courses during the fall of 1993 and the winter of 1994 be changed from 15%, 15% and 20% respectively to 0% in all cases?

DECISION:

1. No

REASONS:

1. It is common ground that section 11.01 E 2 of the Collective Agreement applies.
2. Subparagraph (i) of section 11.01 E 2 deals with "Essay or Project Evaluation and Feedback". The oral presentations involved in Mr. Monteyne's courses are not essays or projects and could only fall within this definition if the grading of them is "based on behavioural assessments compiled by the teacher outside teaching contact hours". The "student performance based on behavioural assessments" must relate, in an oral presentation situation to time "within" not "outside" teaching contact hours.
3. Subparagraph (ii) of section 11.01 E 2 defines "routine or assisted evaluation and feedback." This definition is limited to situations where "mechanical marking assistance" or "marking assistants" are provided.

There is no routine or assisted evaluation as defined in the collective agreement which is applicable to the grading of an oral presentation.

4. Subparagraph (iii) of Section 11.01 E 2 defines "in process evaluation and feedback" as being evaluation performed within the teaching contact hour. This is where the positions of the parties diverge. The college takes the position that an oral presentation should be evaluated within the teaching contact hour and the faculty member takes the position that none of the evaluation is in process, but, rather, is either entirely E.P. or a mixture of E.P. and R.A.
5. I have already explained why I do not consider the evaluation of an oral presentation to be either E.P. or R.A.
6. Subparagraph (iv) of section 11.01 E 2 provides as follows:

Where a course requires more than one type of evaluation and feedback, the teacher and the supervisor shall agree upon a proportionate attribution of hours. *If such agreement cannot be reached the college shall apply evaluation factors in the same proportion as the weight attached to each type of evaluation in the final grade for the course.*

7. I find that all three of the courses in question require more than one type of evaluation and feedback and that, therefore, (iv) has application to all seven sections of the three courses in question. Where the teacher and supervisor are not able to resolve a proportionate attribution of hours, the college has a mandatory responsibility (the word "shall" is used) to "apply evaluation factors in the same proportion as the weight attached to each type of evaluation in the final grade for the course." This is what the college has done in these three courses and I was not directed to any evidence which would indicate that the college has deviated from any past practice. Accordingly, when 15% and 20% of the final mark in ENGL337 and CMNC355 respectively are to be related to an in-class oral presentation, then that percentage must apply to in-process evaluation. This seems to me to be the very type of circumstance contemplated by section 11.01 E 2 (iv) of the collective agreement. It is to be noted that, on this analysis, the ENGL413 course should have had an I.P. of 20% not 15% if the Course Information filed as exhibit 6 is correct. It indicates that the oral presentation will account for 20% of the final grade and, to be consistent, the ENGL413 Administrative Information Form attached to exhibit 3 should have an I.P. percent of 20 not 15.

8. While I have some sympathy with Mr. Monteyne's belief that the allocation of in process evaluation and feedback is inequitable, I find that the issue has been squarely addressed by the collective agreement and its provisions must govern.

Respectfully submitted,



NORMAN M. AITKEN

April 5, 1994

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