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“Differentiation” report leaked MTCU policy calls for sweeping post-secondary changes

In mid-September, a report by the Ontario Ministry of Training, Colleges and Universities (MTCU) calling for significant changes to the post-secondary education sector was released to the media.

The “Draft Differentiation Policy Framework,” labeled “Confidential,” was sent to top post-secondary administrators and calls for institutions to identify what

programs they do best because Ontario can no longer afford “duplication.”

The nine-page document, which does not distinguish

between universities and colleges, implies that the government will leverage its funding mechanisms to force post-secondary institutions to streamline their programming into strategic areas.

In a meeting with MTCU Minister Brad Duguid, DivEx (the executive body representing college faculty within OPSEU) was told that the renegotiated mandates have to be completed by the end of March, 2014.

OPSEU’s position is that faculty must be involved in the process of renegotiating the mandates.

Joint union-management task forces

are required by the Collective Agreement when there is “significant change to the Colleges’ mandate”. The goal of these task forces is to both mitigate the negative impact of any changes on faculty, but also to achieve positive changes to the objectives.

“The process of determining changes in the Colleges’ mandates will be more [successful] if the academic arm of the Colleges is included in the process from the start. This is the best way to maintain the delivery of quality education to our students,” said OPSEU

College Faculty Division Executive Chair, Benoit Dupuis.

The College Employer Council has notified DivEx that they will not work together with faculty regarding proposed changes to the college system.

Your union will keep you apprised of all new information as this story unfolds.

For more on Fanshawe’s direction, see Fanshawe’s Strategic Management Proposal, posted in October 2012. It’s on the Fanshawe website at

<http://www.fanshawec.ca/sma2012> ☞

From *Unfettered*, the newsletter of OPSEU Local 558, Centennial College

“The College Employer Council has notified DivEx that they will not work together with faculty regarding proposed changes to the college system.”

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<https://opseu110.ca/theeducator>

Article by Karen O'Brien

Employee wellness and EFAP— It's not just about counselling

Some of you may be familiar with the Employee Wellness webpage on FOL and others may not. To see what Fanshawe offers, navigate from MyFanshawe Home > Employee Resources > Employee Wellness or go to <https://portal.myfanshawe.ca/employeeservices/fcew/default.aspx>.

For those of you who have not visited the webpage there is information about various health and wellness resources available to Fanshawe faculty members including a mental health toolkit, food and activity tracking tools, and links to various health and wellness-related websites.

On the Employee Wellness page you will also find a link to Homewood Human Solutions, who are the providers of the Fanshawe College Employee and Family Assistance Program (EFAP). EFAP is not just about crisis management, returning to work following an illness, or retirement strategies—it is also about the ongoing health and wellness of the employees and their families.

The services and programs offered

through EFAP are very diverse. Yes, they include counselling and crisis management, but there are also programs related to becoming a new parent, child care and parenting, elder and family care, legal and financial advisory services, improving relationships (personal and work), “12 weeks to wellness”, career counselling, e-counselling and e-learning about personal and workplace issues. In addition, one hour wellness sessions can be arranged on a variety of topics pertaining to personal health and wellbeing.

For more information about the programs offered through the EFAP go to the Homewood Human Solutions website:

www.homewoodhumansolutions.com and click on ‘Services.’

Registration for Homewood assistance programs can also be accessed through the same site. For direct access go to <http://www.homewoodhumansolutions.com/contact/request.aspx> ☎



President's Message by Darryl Bedford

Bargaining 2014: This is not a social club

First off, I want to tell you how honoured I am to be elected to the 2014 CAAT-A Bargaining Team. I have received some congratulations—and a few condolences. Someone with negotiating experience told me that being a member of the team will be interesting, rewarding, challenging, and frustrating all at once!

No doubt there will be events and opportunities for faculty to build solidarity, get to know each other, and perhaps have some fun along the way. Laughter is good for all of us.

But make no mistake: this is not a social club.

We are a union—with all of the good things and all the baggage that comes with that label.

To be precise, we are a faculty union. I would add—with due respect to Abraham Lincoln—we are a union of the faculty, by the faculty, for the faculty. We have the serious responsibility to protect members' rights. We have obligations under the law to fairly represent our members' interests.

Bargaining

Collective bargaining is not a game. The end result is a legally binding contract. Every single article of the collective agreement is binding on colleges, binding on the union



leadership, and binding on all of us as faculty members. Some articles are beneficial

to faculty and others are more beneficial to the employer.

Violating the Collective Agreement is no different than breaking any other contract or law; there are consequences. That's why the negotiation process is crucial: everyone must live with the result.

Which measures, if added to the contract, will protect quality education and our jobs? How do we ensure that colleges use the resources they do have to hire and support faculty? Those are only a couple of the questions that may be dealt with during bargaining. The exact issues to be dealt with at the bargaining table will be ultimately set by *you*, the members.

Challenges

During bargaining we must consider not just what faculty members need today to provide a quality education to students, but what faculty members will need 5, 10, or 20 years from now.

The potential threats are real. The Ministry of Colleges Training and Universities is looking to transform postsecondary education through "differentiation." We can only guess at what the College Employer Council will demand from our membership in bargaining.

However, with challenges come opportunities. Colleges will be hard-pressed to explain why in the year 2014 there is no reference to online teaching in the collective agreement. Colleges will be hard-pressed to explain why it is, when they make a profit from a faculty member's work



through the transfer of curriculum or commercialization of research, that the faculty member should not be compensated for their intellectual property.

The challenge for any bargaining team is to walk away with a contract that works for *you*. Not just you as an individual, but a contract that on the whole works for *all of you*. After all, collective bargaining is simply about workers being able to enjoy the fruits of their labour.

Your Local

No matter what happens during negotiations, I can assure you that your Local is here to support you. We have a strong contingency fund should we need it. We have a great team of stewards.

You'll be receiving communication from the bargaining team and they will need to hear from you. After all, *you are the union*.

You should be proud of the work you do. You should be proud of the work your colleagues do. You should be proud of the organization you belong to.

This may not be a social club—but you are in good company. ☺

In solidarity,

Darryl

Report by RM Kennedy, OPSEU Local 558 Centennial College

Part-time teachers denied union (again)

On August 12, the Ontario Labour Relations Board (OLRB) handed down a much-anticipated decision that placed another roadblock on part-time college teachers' journey to justice. The OLRB ruled that OPSEU had failed to meet the minimum benchmark for signing up members—a position the union vigorously challenged—and thus the ballots from the part-timers' historic 2009 provincial vote on union certification would never be counted. To understand how and why part-time teachers have been again denied the basic right to join a union requires a small history lesson.

Part-time and sessional faculty (those teaching between 1-6 hours or more than 12 hours) had been excluded from bargaining since 1972 under the province's Colleges Collective Bargaining Act. This exclusion made no legal or moral sense. Partial load faculty (those teaching between 7-12 hours) *are* represented by OPSEU and their superior working conditions is testimony to the value of being in a union. Part-time university teachers also have the right to be in a union as do other

most other categories of worker in Canada, with a few notable exceptions such as some farm workers and domestic workers.

In 2007, a crucial Supreme Court ruling re-affirmed the constitutional right of Canadians to join a union. McGuinty's Liberal Government saw the writing on the wall and amended the Community Colleges

membership cards and a vote was held. However, those votes were never counted.

Following the vote, college management spent vast amounts of public money mounting expensive legal challenges to contest the membership lists. According to union certification rules, 35% of eligible workers must have signed

membership cards for a vote to be valid, but management argued that hundreds of long-term college teachers and support staff weren't eligible because of the timing of their contracts. The OLRB thus ruled that the vote was not valid.

The Liberal Governments of both Dalton McGuinty and Kathleen Wynne could have intervened to allow the votes to be counted.

We all need to ask ourselves what kind of society spends public money to deny basic

democratic rights instead of investing in the future of its citizens, including *all* college faculty and the students they teach. And we need to get back up on the horse and start organizing again because the future of community college education depends on it. ☪



Bargaining Act in 2008 to allow part-time employees to participate in collective bargaining. Following the legal change, OPSEU led a major campaign to organize part-time college workers (support staff and faculty) at Ontario's 24 colleges. By 2009, a stunning 9400 part-time college workers had signed OPSEU

LOCAL 110

Workload Monitoring Group



Report by the union members of the Workload Monitoring Group:
Abe Kelledjian (Co-Chair), Jennifer Boswell and Mark Feltham

Training time and your SWF

As you all know, college employees must do various online training modules: examples include WHMIS (Workplace Hazardous Materials Information System), AODA (Accessibility for Ontarians with Disabilities Act), and Musculoskeletal Disorders. There are many more, and they vary across the various schools and departments at the college.

OPSEU local 110 recognizes the importance and value of this training. It's often legally required, and moreover, it improves health and safety and promotes equity in our classrooms, labs, and offices.

Given this importance, Local 110 has a duty to ensure that all members issued a SWF receive adequate, paid time to complete this important work.

Our Collective Agreement clearly sets out how the employer can assign us non-teaching work:

*[c]omplementary functions appropriate to the professional role of a teacher may be assigned to a teacher by the college. Hours for such functions **shall** be attributed on an hour for hour basis (CA 11 01 F 1, emphasis added).*

The word "shall" warrants emphasis: when we have tasks—like training—to complete, our contract **requires** that we receive SWF time in which to do it. In other words, SWF credit for online training is not

optional.

Our contract is called a "Collective Agreement." A brief meditation on this phrase further illuminates Local 110's position. First, the noun indicates that both sides have agreed to follow all articles contained therein. Second, the adjective indicates that we are all collectively part of, and subject to this agreement. Local 110 and its officers and stewards are there to advocate for members, but members are also part of the process. Our Collective Agreement is only as good as we collectively make it.

Differences in interpretation can naturally arise, and the CA specifies ways to resolve such differences, including the Workload Monitoring Group and, if necessary, arbitration.

It all begins with your initial SWF discussion with your manager. During this meeting, we suggest that you ask your manager what training will be required during the SWF period and request time to cover this training under "Complementary Functions." If you do not receive time to cover the training, you have the right to refer your SWF to WMG.

Second, even after you have accepted your SWF, you retain the right to refer your SWF to WMG if new information arises—for example, if you become aware of a training obligation after you've signed your SWF. The Collective Agreement sets out some fairly specific processes and timelines for

doing so (see CA 11 02 A6), so if you're in this situation, we suggest that you consult a union steward for advice.

Members sometimes tell us that they don't want to make trouble, or that training modules don't take much time. We understand this position. However, we would also ask this question: can you complete everything you have to do in 44 or fewer hours per week?

A training module may only take 20-30 minutes, but this is time that you don't then have to spend preparing classes, meeting students, and grading students' work, among other things. In addition, SWFs without credit for training may thus contain room for other work. 20 minutes here and 30 minutes there can cumulatively make space for larger class sizes and sometimes even additional class sections.

It's your legal right to receive credit for training and all other tasks that your job requires. If it's employer-mandated work, it should be on your SWF.

If not, you're working for free. ☹



from mcmaster.ca

Report and data analysis by Mike Boisvert

Local 110 Member Opinion Survey Results

In the fall of 2012, Local 110 officers surveyed members' opinions of their experiences at Fanshawe College and with Local 110, Fanshawe's faculty union. The 38-item survey included some items from the 2010 Fanshawe College employee opinion survey as well as items to assess additional topics of concern (e.g. harassment, the effectiveness of the local, and others). The survey was mailed to approximately 600 faculty members. One hundred and sixty-five members responded. Of the respondents, 131 (79.4%) were Full-Time faculty, and 25 (15.2%) were Partial-Load faculty; the remaining respondents self-identified as Part-Time (1; <1%), Sessional (1; <1%), or Former/Retired (3; 1.8%). Four respondents (2.4%) did not indicate their employment status. Although response rates were low for non-full time faculty, all academic schools of the College were represented among survey respondents, as were Counselors and Librarians and regional campuses.

Partial Load Responses

Partial-Load (PL) response rates were quite low making it difficult to make firm conclusions about PL perceptions of their experience with the college, their colleagues and their managers. In many ways, PL responses mirrored those of FT (Full-time) faculty. However, differences emerged in several areas. Compared to FT respondents, a higher proportion of PL faculty agreed that they are well-informed about the College's mission/vision.

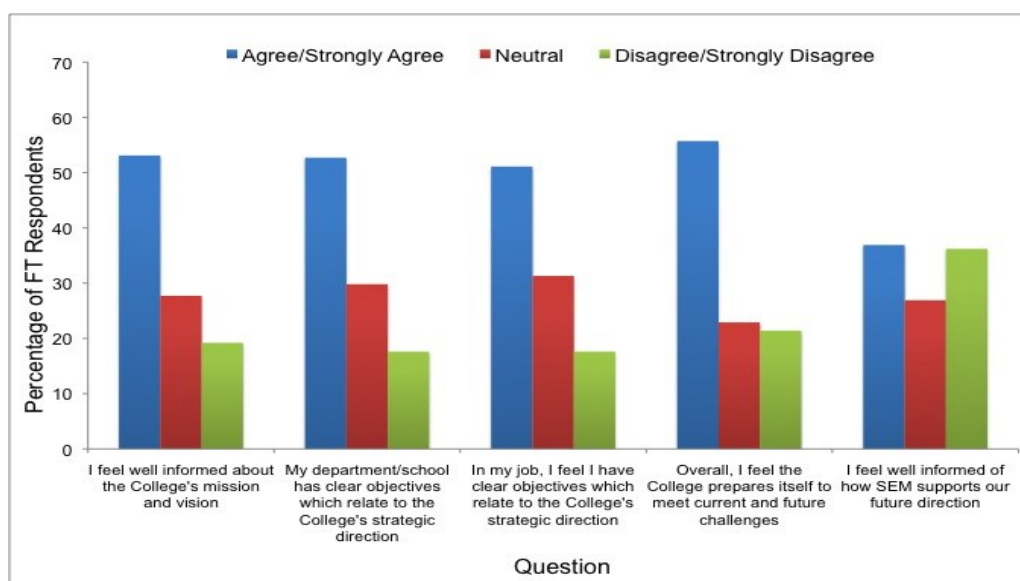
In contrast to FT faculty, PL members report lower levels of engagement with and use for the Educator newsletter. Another pair of findings also warrants mention. A higher proportion of PL faculty report they are often or almost always harassed, bullied, discriminated against or intimidated by managers, students, and colleagues. Of concern, compared to FT faculty, a lower proportion of PL employees agree that the Fanshawe faculty union represents their interests, and less than half of PL respondents agree that the faculty union has been helpful for them.

Full-time Responses

Below is a summary of some of the main findings from full-Time respondents. Clusters of items from the survey reflected a variety of themes. Five themes are described here.

Five questions assessed employees' opinions of the **College's strategic direction and vision** (Figure 1). Slightly more than half of FT respondents were in agreement or strong agreement that they are well-informed about the College's mission/vision, that there exist clear objectives related to the College's strategic direction, and that the College prepares itself to meet challenges. Faculty opinion was more divided when asked whether they feel well informed about how SEM supports our future direction; a minority of faculty (36.9%) *agreed* or *strongly agreed* with this statement while almost as many faculty (36.2%) *disagreed* or *strongly disagreed* with it.

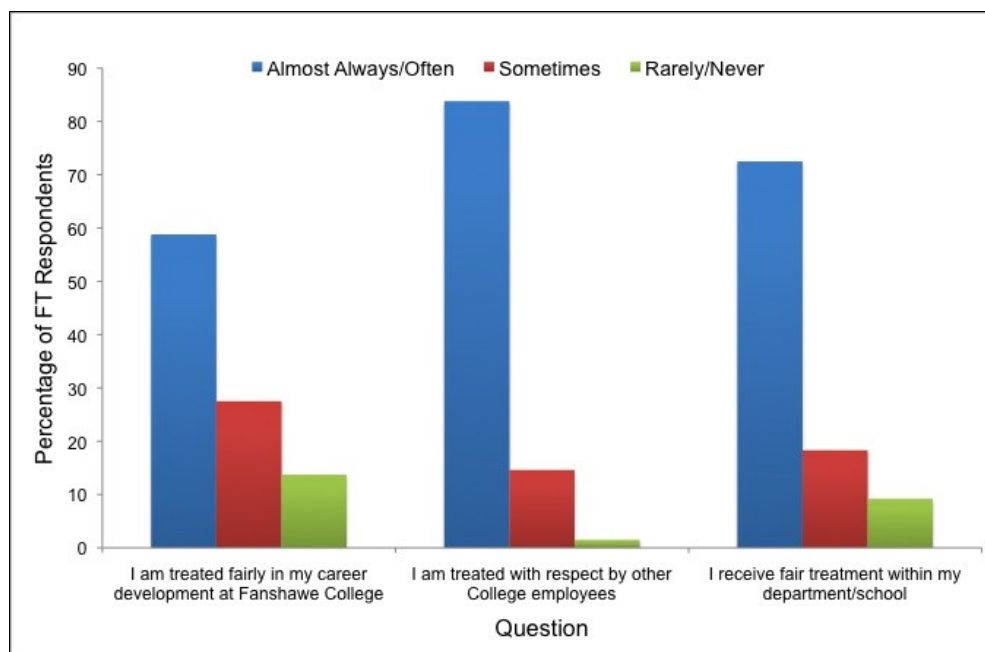
Figure 1: College's strategic direction



Local 110 Member Opinion Survey Results (*continued*)

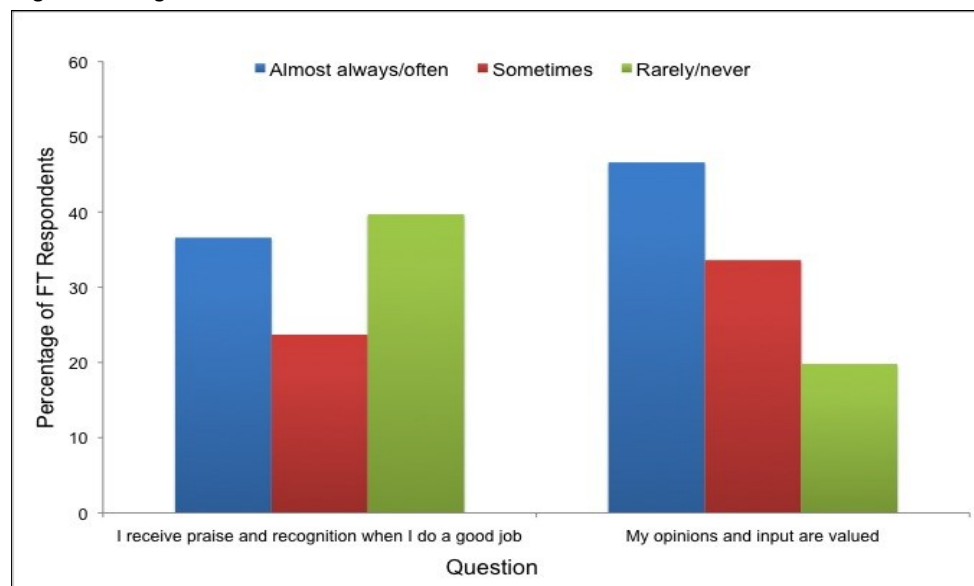
Another theme reflected in the survey was **fairness and respect** (Figure 2). A strong majority of faculty reported that they were treated with respect by other college employees and were treated fairly within their school. Nearly 60% of faculty indicated they are *almost always* or *often* treated fairly in their career development at the college. Of some concern, however, is the finding that roughly 1 of every 8 respondents indicated that fair treatment in this regard occurred *rarely* or *never*.

Figure 2: Fairness and respect



Two questions assessed faculty's perception that they are **recognized and valued** for the work they do. Approximately 2 of every 5 respondents reported *rarely or never* receiving praise or recognition when they do a good job. Nearly half of all respondents reported that their opinions and input are valued *almost always* or *often*, while 1 of every 5 respondents reported this was the case *rarely or never* (Figure 3).

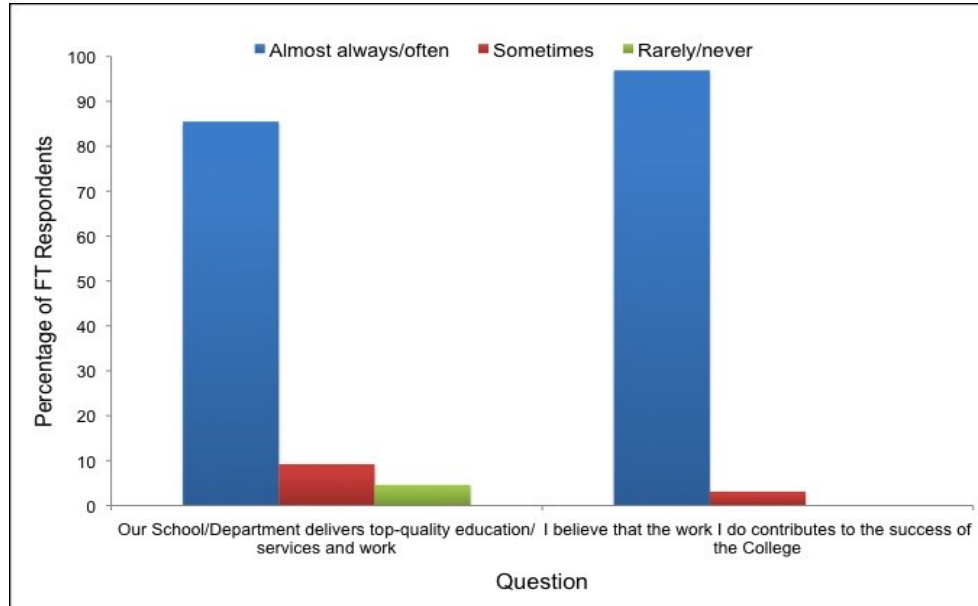
Figure 3: Recognition



Local 110 Member Opinion Survey Results (*continued*)

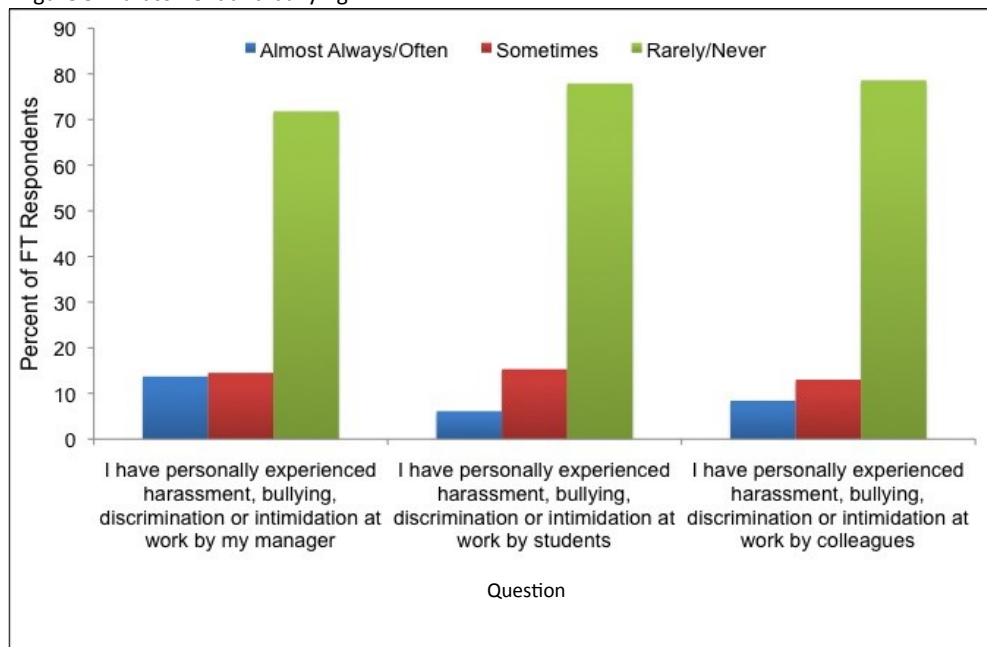
Whether or not respondents perceived they were recognized or praised for their work, they indicated overwhelmingly that they do high-quality work, and, that the work they do contributes to the success of the College (Figure 4).

Figure 4: Quality and contributions to success



Less reassuring are data related to perceived **harassment, bullying, intimidation and discrimination** by managers, students and colleagues (Figure 5). Approximately 1 of every 5 respondents indicated they had experienced this behavior effected by students or by colleagues sometimes, often or almost always; nearly 3 of every 10 respondents indicated they had been harassed, bullied, intimidated or discriminated against by a manager sometimes, often or almost always.

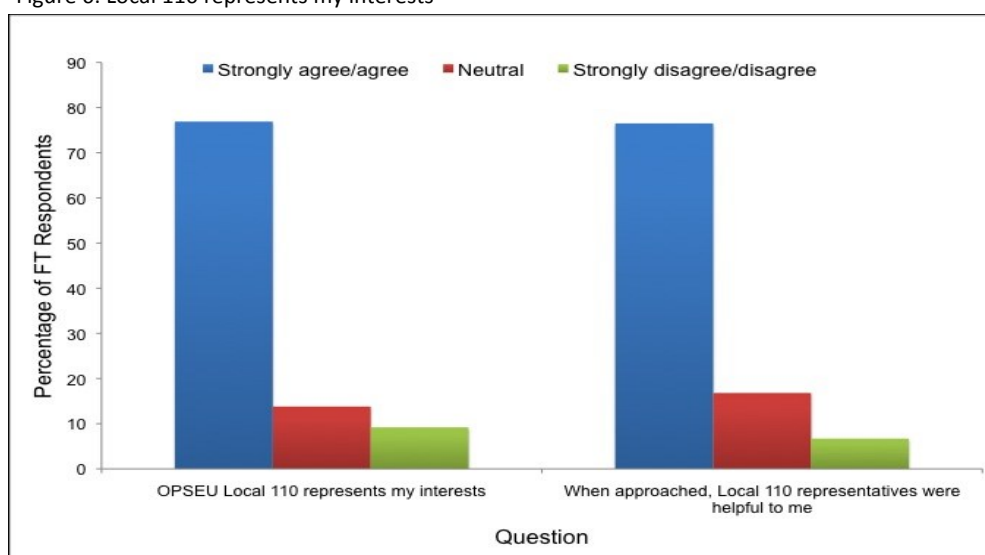
Figure 5: Harassment and bullying



Local 110 Member Opinion Survey Results (*continued*)

The survey also queried faculty opinion of the **work done by Local 110** (Figure 6). One set of questions examined to what extent members find that the Local represents them, and have been helpful when needed. Approximately 77% of respondents were in agreement or strong agreement with the statement, “OPSEU Local 110 represents my interests.” Almost 10% of respondents, however, disagreed or strongly disagreed with that statement. A strong majority of respondents (77%) reported that the Local was *often* or *almost always* helpful when approached (Figure 6).

Figure 6: Local 110 represents my interests



Summary

In 2012 faculty opinions were surveyed on a number of issues related to their experience as professors, counsellors and librarians.

Most faculty felt well-informed about the College’s mission/vision, agreed there exist clear objectives related to the College’s strategic direction, and that the College prepares itself to meet challenges. When asked whether they felt well informed about how SEM supports the college’s future direction, faculty were divided.

Full-time faculty overwhelmingly held the view that the work they perform is of high quality and contributes to the success of the college. Most faculty indicated that they were treated fairly or with respect by their colleagues, within their schools, and in their career development at the college. Almost half of faculty respondents perceived that their opinions and input were valued often or almost always, while about 20% reported their opinions and input were rarely or never valued. Forty percent of faculty indicated they rarely or never received recognition or praise when doing a good job.

Most faculty indicated that they rarely or never personally experienced harassment, bullying, intimidation or discrimination at work, however, many have experienced these kinds of behaviors from students or colleagues (both reported by about 20% of faculty) or from managers (reported by about 30% of faculty).

Finally, roughly three quarters of faculty agreed or strongly agreed that Local 110 the Fanshawe College Faculty Union represents their interests, and a similar proportion indicated the local was often or almost always helpful when approached. ☞

~Mike Boisvert

By John Conley, JHSC Co-Chair

Workplace/ workstation health: Air Quality



Whether in the classroom or the lab, work should not hurt!

If you are in pain or discomfort as a result of your employment tasks, something needs attention. I will attempt to point out some causes and possible solutions for initiating and maintaining a healthy workplace/workstation. This article will focus on air quality.

Poor quality air in our workplaces can affect our health and wellbeing both at the workplace and our quality of life at home.

Particulates in the air we breathe are an indication of poor air quality. Several reasons for poor air quality can be dirty filters in the HVAC (heating, ventilation, and air conditioning) system. The filters are to be changed regularly, in addition to the water in humidifying trays. Without such maintenance, microorganisms can be in the air you breathe causing a variety of symptoms including coughing, wheezing, chest tightness, allergic reactions, and lethargy.

Workers have become dependent on these systems from the time when buildings were 'sealed up' in the 1970's. As a

result, we are often bereft of fresh air.

Lack of outside fresh air can be the source of headaches, shortness of breath, drowsiness, lethargy and fatigue. Low humidity in the air can be a source of skin irritation, dry throat, congestion, nose bleeds, and even eye irritations.

A source of low quality air can be a lack of correct circulation. All the renovations and movement of walls, repurposing of spaces, etc. that happen often in the College can dramatically change airflow patterns, not allowing for proper ventilation.

If the air we breathe has an odour, it is a matter of immediate concern. This could be from a release of Volatile Organic Compounds (VOCs) in your immediate work area, or they may have travelled through the HVAC system. VOCs are gasses emitted from certain solids and liquids. They can cause short and long term effects on the human body. Common items we work with, such as photocopiers, correction fluid, markers and glues can be a source of VOCs. Nose, throat and eye irritations, headaches, loss of coordination, nausea as

well as damage to liver, kidney, and the central nervous system can be a result of exposure to VOCs.

We often take the air that we breathe for granted, but it can be a source of adverse health effects. Workers have the right to demand good quality air in their workplace.

If you suspect the air quality is poor in your area(s), talk with your colleagues. You may find it's a common complaint. Air quality monitoring can be requested if you suspect that your workplace air quality is unhealthy. This initial request should be directed to your supervisor. If there is not a timely or reasonable solution, then involve your JHSC representative. ☙

Local 110 JHSC representatives:

*John Conley, Co-chair
John Litzbarski, Member*

Name withheld by request

The silenced majority: Partial-load faculty

I am an Ontario college professor. I have been teaching in the college system for over 20 years. I have a post-graduate degree and good standing in my profession. But, I am a precarious worker. For the entire time that I have worked as a college teacher, I have been on contract. I am in the category called partial-load, which means that I am, very luckily, part of the faculty union. But, I still do not have the most basic protection—job security.

There are two other categories on contract—part-time and sessional—and neither are covered by the collective

agreement. What does this mean? My teaching contract lasts one term only. So, when I start teaching in September, I never know if I will still have a job in January. If I am teaching in the spring term, I never know if I will have a job the following September. If I raise a complaint of any kind about my working conditions, about harassment, or if I get on the wrong side of my boss, the dean or associate dean, I risk not getting another contract—without any explanation.

This is why I am must write anonymously. I do not have a voice in

my workplace. The surprising fact is that I am now in the majority. Seventy per cent of faculty in my college are precarious contract workers. I share this situation not only with the faculty, but also with support workers in the colleges, many who are also part-time, precarious workers.

The number of students accepted in our colleges is rising steadily—a 53 per cent increase in the last decade. The number of full-time faculty with full job protection has only increased by 22 per cent. The colleges are hiring more

(Continued on page 11)

The Silent Majority (continued)

(Continued from page 10)

precarious workers instead of creating good, stable jobs. Why? We have been told, in this age of austerity, that it is a lack of money. My college [Humber] currently has investments of over \$225 MILLION. Money is clearly not the problem. And clearly the political will is NOT THERE to create good jobs.

Ontario college faculty and support workers are both entering the next round of bargaining with our employer—the College Council. In the last round of bargaining, my union was able to win a small gain on the issue of job security. Partial-load faculty—who have worked more than two years but are not rehired to teach the courses they previously taught—can fight this through the union grievance process. This is a small but significant step.

This round of bargaining college faculty and support workers will need to stand together to continue the fight for better jobs and to maintain quality education. ☙

~Article reprinted with permission from *Newsbreak*, the newsletter of OPSEU Local 562, Humber College



By Kathryn Tamasi, 1st Vice President of Local 110

Policy Be-(a)ware

How many times do you open your Fanshawe portal a day? Do you check the portal when you are on vacation?

When you are on the Fanshawe Portal how often do you read the News and Events section?

When you read News and Events, do you follow up on the notices by checking the changes to policies?

If you are like most Fanshawe employees, the chances are you do not look at the policies except on a need-to-know basis—you know enough to get by. You might have been familiar with the policies that directly affected you when you were hired, but perhaps that was some time ago.

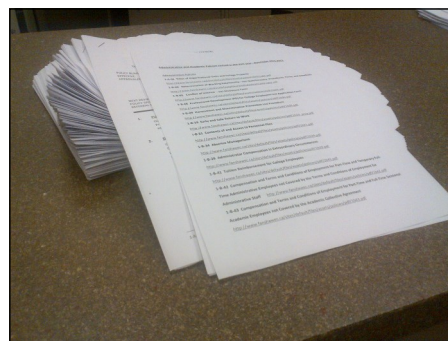
It is time to give this approach a sombre second thought!

For example, on August 13, 2013 News and Events had a notice listing **College Policy Manual Changes**. That day we were notified of **9** changes to academic and administrative policies including amendments to the following: **2-C-02 Evaluations; 2-G-04 Academic Integrity (**formerly called Academic Offences);** and **1-G-08 Terms of Reference of College Council**.

The announcement stated that these policies had been amended on the approval of the President, on the recommendation of College Council (CC), Senior Leadership Council (SLC) or the College Student Union Committee.

So the next question to ask is this: where were you on August 13, 2013? The majority of professors are on vacation during July/August. It is reasonable to assume that most did not see this notification. Yet the changes in these policies directly affect the work we do.

The description for the changes to **2-C-02 Evaluations** states, "This policy was reviewed and updated to ensure that the policy reflected current college practice with respect to all evaluation,



The pile of policies changed in 2013 at Fanshawe

not just final evaluations. Changes to the policy include clear guidelines on the expectations for professors and students on missed evaluations and the addition of a procedure that speaks to best practices to ensure that evaluations remain current to increase academic integrity."

Failure to comply with the revised evaluations policy and its accompanying procedure for evaluations **2-C-02 Procedure A: Evaluation Protocol Structure** could result in a successful grade appeal.

How could you even know a change had occurred if this was the only notification—and it was posted during the traditional vacation period? Not knowing is not a defense!

Investigation has identified that **in the last year Fanshawe College has revised--**

- 35 of 89 administrative policies governing many aspects of our employment, for example absence management, professional development, harassment, human resources, research, health and safety, copyright, intellectual property and public expression of personal opinion by employees.
- 15 of 35 academic policies including evaluations, scheduling and timetables, appeals, program

(Continued on page 12)

Policy Be-(a)ware, continued

(Continued from page 11)

and course content, course grade system, academic integrity, program revitalization, student code of conduct and student concerns and complaints.

For a full list of Fanshawe College policy changes for the last year please go to the OPSEU 110 website at www.opseu110.ca / Documents, or click on [this link](#).

In addition to the CAAT-A Collective Agreement, your rights and responsibilities as employees and professors are defined by the policies and procedures of Fanshawe College. There are over 100 policies that directly impact you.

Many of the revisions of policies are made with little or no consultation with faculty, nor with the union that represents faculty. This is a concern as the implications may not be readily noticed on a casual reading of the policies, especially when the old policy is not presented for comparison.

One important example is **1-B-54 Public Expression of Personal Opinion by College Employees (**formerly policy 1-C-01)**, amended (Feb. 27, 2013, SLC-12-08). The College provided the following notification:

This policy was due for its five-year review. It has been formatted to current standards and edited for style and clarity. Amendments reflect the growing role of social media and new wording per current law and practice. New is a reference to social media, and removal of a reference to political activity which was removed because there do not appear to be any special rules applicable to a typical College employee regarding political expression per se. The only rules were those within the Public Service Act of Ontario, which no longer covers the College. There are rules relating to elections

(e.g. voting time off or leaves to serve as returning officers) but those would not belong in this policy with its focus on expression.

Sounds like a good idea to update this policy, particularly given new directions in social media. The new policy identifies that its purpose “is to place reasonable limits on the personal Expression of College employees. Such limits protect Legitimate College Interests while recognizing employees’ freedom of expression.”

The College defines the terms used as the following:

“Express : To put into words (oral, written or electronic) or to show by look, voice or action, sign, symbol or figure, or to indicate.

Legitimate College Interest: Any right, duty or interest of any kind that belongs to or applies to the College, and which the College has a legitimate basis for asserting, complying with or protecting. Legitimate College Interest includes such matters as:

- College obligations to employees, such as the obligation to provide a harassment-free workplace;
- The maintenance of an inclusive and open College community; and
- Protection of the College’s legitimate reputational interests.

Further, the Policy states:

3.1. This Policy applies to all Expressions of opinion, regardless of the context or format, and applies to employee use of social media or other internet-based platforms for Expression.

3.2. While the College affirms the right of employees to express, as individuals, their opinions on any matter, employees are not permitted to Express opinions that substantially interfere with a Legitimate College Interest.

3.3. Employees are not entitled to Express their opinions in a manner or within a context which may be construed as representing an official College point of view or policy, except when authorized to do so by the College administration (i.e. at the level of administration to which the employee reports) or in cases where a clearly established policy entitles an individual, by reason of their function, to speak for the College.

This seems to be commonsense at a glance. However, think of the two Toronto firefighters who were fired for inappropriate tweeting in their off hours. Yes, the tweets were stupid and sexist, but not criminal. A third firefighter was let go for posting an offensive photo on Facebook, according to the National Post. Read our new Fanshawe policy... and then go to [Elizabeth Renzetti’s editorial](#) from the Globe and Mail of September 20th, 2013.

Could this happen to you at Fanshawe College? One would hope not. But the policy—especially when coupled with the fact that faculty do not have academic freedom—makes us all vulnerable to similar consequences. ☹

What can you do?

Be policy aware
Follow the policies
Advocate for policies that are developed through consultation and collaboration
Bring forward concerns with policies to your union so we can advocate on your behalf.
Seek union support as needed to deal with policy related issues.

Report by Kevin MacKay, OPSEU Local 240, Mohawk College

Assessing Education in Ontario Colleges: Notes on the Journey so Far



As a social science professor at Mohawk College, one half of my job is to critically examine the society we live in. The second half is to share this spirit of inquiry with the students I teach, and to help them develop the intellectual tools they'll need to make sound life decisions, to achieve their academic and career goals, and to become informed participants in our democracy. These twin responsibilities make the job of a college professor unique, as academic integrity is combined with a student-centered, hands-on learning environment. From my experience, seeing students light up when they discover new information, or develop new capacities within themselves, is incredibly rewarding. These moments are what professors live for, and they're what's kept me motivated over 10 years of teaching.

Since I first began at Mohawk, I've witnessed several changes to the college environment. Some of them have been positive, such as increasing student enrolment, modernized facilities, and new educational technologies. However, others have eroded the quality of education, and have made the job of professor increasingly difficult. As a result, this year I've taken a leave from teaching to work for the College of Applied Arts and Trades – Academic (CAAT-A) division of OPSEU. My task has been to turn a social scientist's eye toward the Ontario college system, and to analyze the challenges it faces. To this end, for the past two months I've been visiting with faculty at all 24 On-

tario colleges. Having completed 22 of these meetings, I'm beginning to develop a clearer sense of the fast-evolving terrain of college education today, and of the serious issues these changes raise for academic integrity, quality education, and the future prospects of our youth. In this article I offer some reflection on the journey to date.

Early History and Development

It's difficult to understand the college system without first appreciating both the wider sociopolitical context it exists within, and the history of its development. From my experience, most young faculty and nearly all students have little sense of this history, suffering from a case of collective amnesia that is echoed within the broader culture. In Orwell's masterpiece 1984, the slogan of Big Brother's totalitarian Party was: "Who controls the past, controls the future." Orwell was referring to the Party's conscious re-writing of history. However, today a more dangerous phenomenon is not so much history's manipulation, as its simple *absence*. If the past isn't mentioned, and more importantly understood, then it ceases to exist, and we in the present are left without its important lessons.

Another lesson from Orwell is that those who seek to eliminate the past are generally those who benefit most from the present set-up. Today is no different, and it's not surprising then that politicians and business leaders portray the current political and economic environment in Canada as inevitable and ines-

capable. Starting in the 1980s and intensifying since the financial crash in 2007, a narrative of competition, crisis, austerity and insecurity has been given so much weight that any discussion of past ways of thinking and doing can seem almost mythical. Times where Canadian life was guided by a spirit of cooperation, justice and fairness are merely fanciful tales, and more importantly, are simply impossible to consider in the present, grim reality.

However, history *does* matter, and when the Ontario college system was first founded in 1965, it was within a very different context. In the period after WWII, industrialized countries in Europe and North America underwent profound changes in the structure of their economies and in the way they did politics. Soldiers returned from the world's battlefields to demand a fair share of the wealth generated by industrial economies. Through the labour movement, workers gained legal recognition of unions, and secured major improvements in labour law, wages, and working conditions. Labour parties entered into politics with renewed strength, and helped pass legislation that made tax structures fair, and that committed governments to providing critical services to all citizens, not just the wealthy. Publicly funded healthcare, social services, and education became the heart of a social safety net that lifted

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working families out of poverty at unprecedented levels.

This was the environment in which the college system was founded, with government funding accounting for 75% of operating revenues, full-time professors, and small, highly interactive classes. The community colleges were intended to meet the needs of Ontario's cities for employment and economic development. They were also specifically designed to open up post-secondary education to a much larger population than had originally been serviced by universities. At its inception then, the colleges were about access to quality education, and being responsive to the needs of diverse communities.

When the college system was constituted, and for the first two decades of its existence, a kind of "social contract" existed within each institution. This contract was based on collegial relations between faculty and management. Management acknowledged faculty expertise, and left academic decisions to professors. The overarching goal that united college faculty, students, support staff, and administration was education. Even as university class sizes began swelling into the 100s, community colleges retained the intimate, hands-on educational experience that is most associated with student success.

The quality of college education was primarily advanced by the faculty union through collective bargaining. At its inception, the college faculty collective agreement was only 6 pages long. Today, it is a 148 page document that protects faculty from workplace exploitation, and that safeguards educational quality through Article 11 and the Standard Workload Form (SWF).

Although there was ample funding for the early colleges, workloads were erratic, and often unfairly distributed. Professors could teach 30 hours per week, with little time allotted for evaluation, student meetings, prep, or course development. Over time, through negotiations faculty were able to create an agreement that enabled them to do their jobs effectively, and to achieve good wages, benefits and job security. With only three work stoppages in just under 50 years,



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OPSEU Campaigns Officer – Campaign for Quality Education

collective bargaining worked, and enabled management and academic workers to negotiate the best possible working and learning environment.

Education in the Age of Austerity

In the early 1980s, the political culture in Canada began to shift, and federal and provincial governments started to embrace a "neoliberal" ideology that favoured lower taxes on the wealthy and corporations, the privatization of public services, reduced government funding of the public sector, and a corporate model of public sector administration. The highest marginal income tax rate plummeted from 80% in 1948 to 42.9%

in 2009. Similarly, federal corporate tax fell from 41% in 1960, to 15% at present. All told, after 30 years of tax cuts, income inequality reached levels not seen since the Great Depression, and federal and provincial governments succeeded in gutting their revenue streams. This led to budget deficits, which were then used as a rationale to cut services and hollow out the public sector. In Ontario, the neoliberal model hit hardest in Mike Harris' 1990s "Common Sense Revolution". Part of the "revolution" saw government funding of post-secondary education plummet, leading to severe layoffs among full time college professors and steep increases in student tuition.

As government priorities shifted, and funding for post-secondary dried up, pressures to "rationalize" the highly successful community college model have steadily mounted. Increasingly, college management have become more concerned with cutting costs than with maintaining educational standards. Class sizes have been increasing, part-time professors now outnumber full-time, and online learning is starting to proliferate – an irresistible opportunity for management to reduce the need for professors and for classroom space. The size of the management class has also begun to swell, reaching a point today where there is approximately one administrator for every three full time professors. In addition, management salaries have been steadily increasing, as college presidents and vice presidents seek payment more in line with private sector executives.

As the people within the college system most concerned with academic integrity, professors have been fighting back against austerity as best they can. Time and again, faculty have been the ones raising concerns about degrading

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educational standards, and in response, management has begun to marginalize professors from academic decisions. Whereas once faculty teams created courses and course outlines, designed evaluations, and chose textbooks, these functions are now increasingly done by managers. Whereas faculty were once acknowledged as the heart of successful college programs and satisfied students, now they are increasingly written right out of the picture. Management regularly overturn faculty grades, and dictate the form and content of courses based on budgetary, as opposed to educational, criteria. The reasonable balance between fiscal management and academic integrity has been thrown deeply off kilter, to the point where employers sitting on college program advisory councils are complaining about the skill level of graduates.

When marginalizing faculty hasn't worked, college management have resorted to bullying tactics. "Problem" faculty who criticize management priorities are targeted – either forced out through manipulated workloads or outright termination. As the number of full time faculty shrink, those remaining are struggling with maxed-out workloads and with the difficult task of mentoring an ever-changing roster of part-time faculty. In the face of this escalating pressure, workplace stress has become a serious concern, and faculty are feeling dispirited and afraid. Being a college professor, one of the most rewarding of jobs, has for many become both stressful and demoralizing.

Strengthening Faculty Input : Renewing College Education

If I was asked what struck me most about my visits with Ontario college faculty to date, it would be the recurrence of two particular narratives. The first is the story of a professor who has

poured years of hard work, passion, and expertise into the profession of education, only to see this profession slowly and painfully eroded. It is a story of frustration at how a corporate model of education has marginalized the group of people – faculty – who are most important to the task that community colleges were given – to educate our youth and give them the skills they need to succeed. The second, newer narrative is the perilous existence of part-time faculty who cobble together a living, one contract at a time.

Of course, the erosion of post-secondary education is not just limited to Ontario colleges, but extends to colleges and universities Canada-, and even North America-wide. One of the major issues we face is government's continued lack of commitment to fund education at appropriate levels. Changing this will entail changing the priorities of the electorate, and shifting the political culture. This is a large task, and one that college faculty will have to engage in solidarity with other public sector workers, and with the broader labour movement. Making these changes won't be easy, but the first contribution we can make to this larger campaign is to fight the battle that is right before us. In bargaining for more faculty input and control over the terms of our work, and in ensuring that full time professors are hired, we can renew the original vision of the community colleges as institutions dedicated to access, quality, collegiality, and respect.

College faculty will be bargaining a new contract in July of 2014, and the issues of full time work, academic freedom, and workload will once more be central to negotiations. Earlier in this article I stated that history matters, and so it is more important than ever that we remember what the college system

was like before the age of austerity. Despite generous government funding of the colleges, the professors who taught under that first, 6 page collective agreement had nowhere near the same protections, salary or benefits as professors do today. Just as working people organized to pressure governments to fund public services, so our members organized to improve their own workplaces. Today's collective agreement has so much more because of the proven ability of our members to stand together to advance the quality of their workplace and improve the quality of education.

The educational environment has been changing rapidly over the past ten years, and we face new challenges, like online learning, that are simply not reflected in the collective agreement as it now stands. Other challenges include the proliferation of management and their increasingly autocratic, hostile style, and the worrying decline of full time professors, counsellors and librarians. The collective agreement must change to account for these new developments, and it can only do so if our bargaining team sits down to negotiate with a strong mandate from the membership. In such a scenario, it is possible to change the direction of the colleges, and to once more make them places where full time faculty decide how best to deliver high quality education.

All it takes is for our membership to remember the strength in solidarity that got us this far. \$

~Kevin MacKay
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Dues evasion legislation—what it's really about

If elected, Tim Hudak has promised to introduce dues-evasion legislation (also known as right-to-work, or free-rider legislation) in Ontario. Many people, businesses and institutions welcome this move. They see unions as too strong, and responsible for some of the economic woes of Ontarians. Opponents see the attack as a wage-lowering union buster.

But at its core, what is this legislation really about? This proposal is a moral issue, not an economic one. Why? Because it's legalized theft of services provided to workers.

Let's step back a bit. First, it is true that the great majority of people are scrupulously fair. Think about those corn and fruit stands you drive by in late summer. The hand-lettered sign might say something like 'Leave \$5.00 for a dozen; \$3 for 6,' or '\$4.00 a basket.' There's often no one at the booth—but almost 100% of people leave the money. We pay for what we get.

Services are no different. Would you refuse to pay the person who sprays your lawn? Cuts your children's hair? Hands you your coffee, just the way you like it?

Being able to opt out of union dues is as unethical as taking something from others, and not having to pay for it.

Whenever I speak to people here at Fanshawe, amongst various complaints I hear as a colleague and a steward, the person invariably says, "but I love the

people I work with."

Employee satisfaction surveys show that we get support and compliments most often from our co-workers. We have natural affinity with our colleagues who work in subjects similar to ours, or experience the same highs and lows that all teachers do. We enjoy relationships of trust, friendship and support with many of our colleagues.

Dues evasion would sever these positive bonds.

Colleagues would be split into two camps: while both would receive the good pay, benefits and support that the union fought for—one camp wouldn't have to pay for them. The other would be left with the tab.

Marc Zwelling of Vector Research writes, "A union is like roadside assistance for your job. The law makes a union provide that assistance to all the workers covered by the union contract. Employees who opt out of dues don't opt out of the wages, benefits and other advantages that the union wins for them. Dues-dodgers want somebody else to pick up the cheque."

In 2012, the state of Indiana passed due evasion legislation. Last month, the law was ruled unconstitutional by a state court judge, who concluded "it was unlawful because it forced unions to provide benefits to nonmembers without just compensation" (Andrew Harris, Bloomberg News).

We know stealing is wrong. We know letting people evade their common responsibilities is morally wrong. Turns out, dues evasion legislation is illegal, too. ☹

Nothing will ever be attempted, if all possible objections must first be overcome.
~ Samuel Johnson

*Happy Holidays and Best Wishes for the New Year
from your colleagues at Local 110*



birds in hats by Alice Tams. See & buy her art at etsy.com