



Faculty team calls for strike vote to support bargaining

The union has requested that the Ontario Labour Relations Board (OLRB) schedule a strike vote for September 6. Your team needs your support. We are asking you to be sure to vote YES and show college management it is time to take our bargaining seriously.

There are only three weeks left in our current Collective Agreement. Management has had two and a half months to negotiate, and they still haven't addressed our key issues. Their only replies to date have been "no" or to suggest changes that expand management power.

Only when management truly understands faculty resolve will settlement be likely. A

strong strike vote increases the pressure on management to negotiate. The possibility of a strike is a powerful incentive for management to give more serious consideration to faculty proposals.

With a strike mandate, there is also pressure on the Minister of Training, Colleges & Universities and the Liberal government.

Job action is not the inevitable end result of a strike vote. Further negotiating will take place. In 45 years of history, twelve strikes votes have been held, resulting in only three strikes. In total, out of nearly 2,000 academic weeks, only ten weeks were lost.

College management wants major take-aways

Included in the colleges' demands are the introduction of a half-hour teaching "hour" and the creation of a new category of teachers who would be called "facilitators."

The colleges claim that the half teaching hour would only be used to split courses into blocks of 1 ½ or 2 ½ hour classes, that there would be no ½ hour classes per se and

continued on page 2...

NEGOTIATIONS 2012

COLLEGE FACULTY



they did not “intend” to reduce course hours. However, faculty counter-proposals that would actually put such restrictions into the contract language were rebuffed by the colleges.

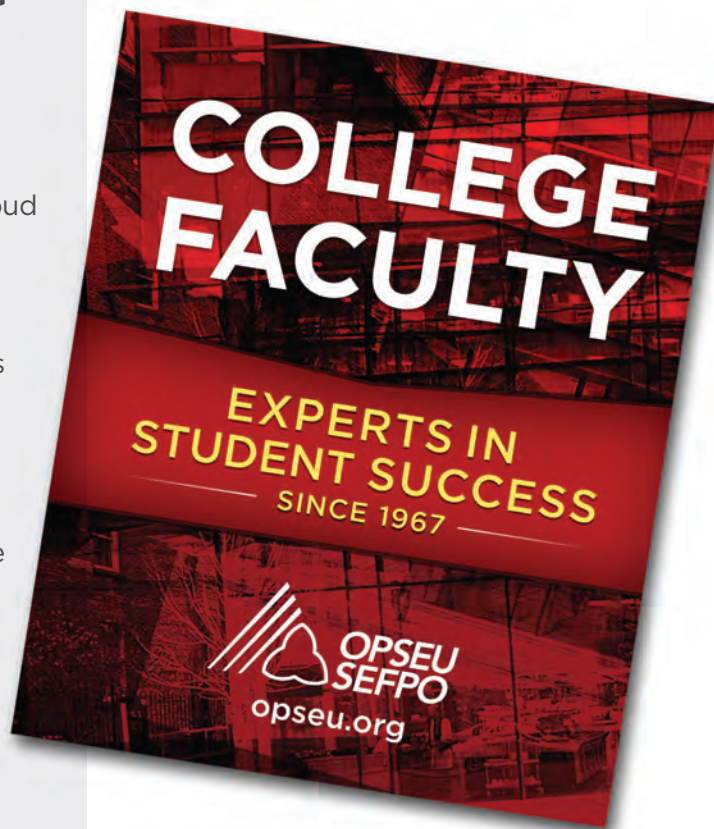
Persons hired as facilitators would teach for 24 hours per week at significantly lower rates than professors, instructors, or partial-load teachers. The current proposal would restrict facilitators to nursing programs for now, but this new category would open the door for facilitators in any program that has a clinical, studio, lab, or field placement component.

We cannot agree to a lower-paid, higher-workload group of teachers nor to half-hour classes. Either of these demands would be a huge step in the wrong direction for faculty. College management may be hoping either to impose these demands upon us or to win them through a forced offer vote, as happened in 2010 by a 51% margin. A strong strike vote will add to the pressure required to prevent these demands from being imposed.

Vote to protect the future

Improvements do not always come as a direct result of a strike, but follow in subsequent rounds. We should all be proud of the gains made in previous rounds of strong bargaining:

- the Workload Formula
- 1,000 full-time hires over the five years following the SWF’s introduction
- the Joint Wages and Benefits Taskforce which settled long-standing compensation issues
- protection of the cumulative sick leave plan
- the Workload Taskforce with an independent chair which made recommendations including “mechanisms that will enhance collegiality, professional development, and academic freedom”



continued on page 3...

NEGOTIATIONS 2012

COLLEGE FACULTY



Conciliation update

Your bargaining team has completed two days of conciliation, August 14 and 15, 2012. This is an important development in bargaining as the Collective Agreement expiry date of August 31 is fast approaching.

At this time, bargaining is not moving towards a settlement. The union tabled all of the faculty proposals in June and presented detailed explanations to the colleges. The colleges have now presented their initial offer. This offer fails to address any key faculty demands in a significant manner.

There is still enough time to negotiate a deal

The colleges have shown no inclination to bargain towards a settlement that meets the needs of both parties. They have concessions on the table. What they have on the table does not address any of the faculty concerns. There is enough time to negotiate a deal, but the days are quickly disappearing.

Now is the time for pressure

Frequently, negotiations are about pressure on the parties. Deadlines create some pressure; students returning creates a lot of pressure; the government can add pressure, but in the end real pressure to address faculty needs has to come from the faculty. The faculty proposals have been dismissed at the bargaining table because the employer does not believe the faculty have the necessary resolve to support the contract improvements they are seeking. We know you will prove them wrong.

Call for faculty support in a strike vote

Faculty resolve is demonstrated through a strike vote. Sometimes the calling of a strike vote

is enough pressure; sometimes the employer waits to see the results of that vote; sometimes, when the issues are contentious enough, there can be a strike. Strikes have been rare in our 45 year history – settlements following strike votes have been the norm.

College management has ignored key faculty union proposals

After more than two and a half months for negotiations, the colleges have done nothing that indicates a serious intention to negotiate a fair and reasonable settlement.

- **The faculty union proposed better treatment of partial-load teachers.**

The colleges' reply is to allow partial-loads under a current contract to apply for another contract only if their courses are re-offered. They have added conditions that create a threshold around service and prior experience that would exclude most partial-load faculty from the right of first refusal. They have also removed language that would provide seniority in partial-load hiring.

- **The faculty union proposed that new employees would get full credit for all of their educational qualifications.**

Management's response was to expand the manager's power to grant higher salary based on their personal discretion. Now it is off the table.

- **The faculty union proposed to keep coordinators from performing supervisory functions.**

Management's reply is to re-state management's right to direct all work assignments.

On everything else, including every key proposal on academic freedom and online teaching, the colleges say flatly "no".

continued on page 4...

The faculty union has been bargaining hard

In an effort to get some movement on faculty issues, the union has agreed in principle to a colleges' demand regarding changes to the no discrimination Article. The faculty union also made a major move towards a key colleges' demand to fundamentally alter the grievance arbitration system to single arbitrators. In both cases the faculty union reply proposals add language to safeguard faculty rights.

The critical issues between the parties are straightforward

The faculty say, "Give the experts in their fields the right to make the decisions regarding how their students learn in that discipline." The employer says, "We are not giving up our power."

The faculty say: "Treat partial-load teachers with respect by giving them greater rights in teaching and job security." The employer says, "We are not giving up our power."

The faculty say, "On-line teaching is different, so update the workload formula to reflect reality." The employer says, "There is nothing in the formula about different kinds of delivery, so we are not going to add it."

The faculty say, "We respect the realities of comparator groups in compensation, so should you." The employer says nothing.

Clearly, pressure is needed.

Perhaps the scheduling of a strike vote will be enough. It will certainly add to the pressure.

For more information on the recent settlements of comparator groups, check <http://bit.ly/Q2Q402>

The process of conciliation

Bargaining is currently in conciliation, one of the stages of collective bargaining. The following information outlines the process now that we have reached this key stage.

On the request of either party, a conciliator from the Ministry of Labour is appointed to help the parties work toward a settlement. The conciliator meets with each side and determines where bargaining stands. Either party can call for a conciliator's report, also called the "no board" report, at any time signaling that bargaining has stalled.

The "no board" report is a significant step in the bargaining process. It triggers a timeline that could end in a possible lockout or strike. Once the Minister of Labour receives the conciliator's report and releases it to the bargaining parties, a "cooling off period" of 17 days is triggered. During this cooling off period, both sides are blocked from initiating a strike or lockout.

Any lockout or strike requires that 5-days advance notice be provided to the other side. However, any unilateral change of working conditions (i.e., imposition) by the employer is conditional only on the expiry of the contract and the expiry of the cooling off period. There is no further notice period required before management can impose new terms and conditions of employment on members of the bargaining unit.

The conciliation timelines drive the earliest possible date for lockout or strike. These timelines do not affect the timing of a strike vote, which can be called at any point in the process and is a strategic decision, only limited by how quickly the Ontario Labour Relations Board is able to organize the vote.

A strike vote is an important bargaining strategy. A successful strike vote will ensure that faculty are able to respond rapidly to stalled bargaining or imposition by the colleges.

continued on page 5...

NEGOTIATIONS 2012

COLLEGE FACULTY



What you can do right now

- Print out your bulletin and share it with your colleagues.
- Be prepared to answer questions about negotiations. You can support bargaining by providing positive and informed answers to questions among your colleagues and in the classroom.
- Visit the negotiations website for more information at www.collegefaculty.org
- Join the Ontario College Faculty Facebook page for ongoing updates.



Your bargaining team

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