



Heads up



Volume 1, Issue 1

Brief articles on issues of current importance to our members

March 17, 2003

Brief Facts

- First day of negotiations scheduled for Monday, March 24.
- Roy Gane “looking into” providing secure access codes for each user of multi-user computers.
- The college fired two employees in February.
- In January, in a dramatic and unprecedented move, all 77 of Italy’s university presidents resigned to protest the latest round of steep budget cuts.
- The best, most productive workforce is a healthy, balanced, satisfied workforce — not one that’s clocking too many hours, juggling jobs with hectic family schedules, or fearing another round of layoffs.

Big Brother is Watching

According to David Butler, Vice-president, Staff and Student Services here at Loyalist College, using your college-provided computer for purposes not related to your job is misuse of college property and is grounds for discipline. Depending on the use to which the computer is put, discipline could be as severe as termination of your employment.

Recently, at a discipline hearing, Douglas Auld, President of Loyalist College, agreed with Butler’s assertion. During that hearing an employee was accused of “surfing the internet” — a misuse because it was obvious that the sites visited were unrelated to the employee’s job duties.

The college asserts (and we agree) that the college has the right to examine the contents of college-owned computers and take disciplinary action if and when they discover apparent transgressions. Of course with no controls on access to the computers, they would have a difficult time proving who was the guilty party. Nevertheless, the Local strongly advises you to refrain from questionable surfing practices.



Computers retain records of virtually all files ever stored on them and investigators can find them on the hard drive even if they have been “deleted” If you are concerned that your computer may contain questionable material, you may wish to visit a website we just discovered. It’s URL is www.evidence-eliminator.com. We downloaded their trial version and ran it the union’s computer.. It seems to have done what the company promised and did not appear to harm the computer’s operating abilities.

The Bergman saga – the final chapter

The Ontario Court of Appeal (formerly the Supreme Court) has denied Loyalist College’s appeal of the Bergman Award.

In July of 2001, arbitrator Stanley Schiff ordered Loyalist to reinstate Sherri Bergman who had been dismissed from the college for failure to comply with a pre-employment undertaking she gave the college to engage in

furthering her education. Schiff concluded that the condition was invalid because no employee can negotiate a condition of employment; that right belongs exclusively to the Union as the sole bargaining agent.

The Court of Appeal rejected the College’s contention that Schiff’s award was not

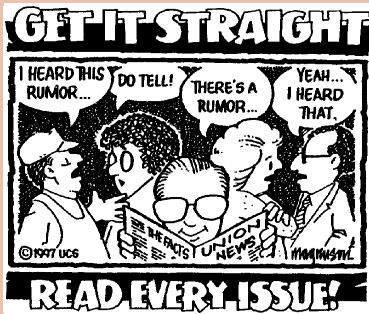
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Regional elections return incumbents

Ottawa, March 8, 2003 — The Union held its regional election meeting in Ottawa to elect representatives to the OPSEU Executive Board for the next two years. Wayne Boicey and Harry Plummer represented Local 420 at the meeting; Bernie Belanger, recovering from a brief illness, was unable to attend.

The delegates to the meeting re-elected the three incumbent board members:



Bob Eaton (Public Service sector),
Local 440,
Regional Vice-President;
Bob declared his intention to challenge Leah Casselman for the Presidency of OPSEU at the Annual general meeting to be held in Toronto April 3 to 5.



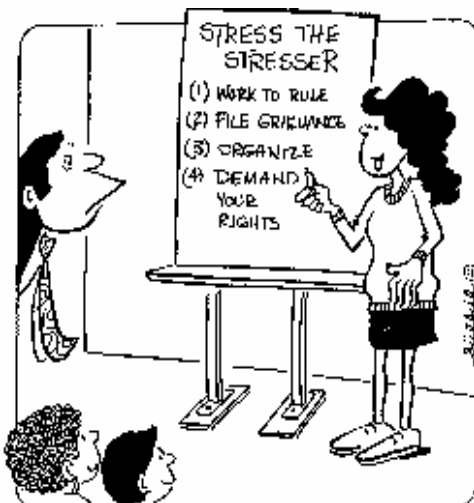
Gavin Anderson (Broader Public Service sector),
Local 460,
Alternate Vice-President;



Smokey Thomas (Broader Public Service sector),
Local 431.
(Currently First Vice-president, Treasurer of the Union “Smokey” — as his friends call him — confirmed his intention to seek re-election to that position.

Harry Plummer was also re-elected to his position as regional representative on the Constitution Committee — a powerful group that controls which proposed amendments to OPSEU’s constitution are put before the annual general meeting for consideration.

Results of interest in other regional elections include the re-election to the Executive Board of Leah Casselman, the current President; and the election of only one member of the CAAT sector, Jay Jackson from CAAT (Support) at Sheridan College.



“This is our lunch hour STRESS MANAGEMENT workshop.”

Bergman award

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“correct” and went on to confirm, not just the specific application in Sherri’s case, but the general application in all cases.

The Court has clarified that any pre-employment agreement that establishes a condition that must be met to continue employment is invalid unless it has been negotiated between the employer and the union.

If you are a probationary employee who has entered into any such similar understanding with Loyalist College we urge you to share this information with the Local so we can advise you on its standing.