
THE BOTTOM LINE

All the news for OPSEU Local 420

No. 15

Thursday 23 March 2006

Warkentin Starts to Make Personal Attacks on Our Team! Time for Managers to Remove Her as Chair! See p. 4 for Our CAAT Team's Response!

Talks Fail Late Wednesday

Choose Your Poison: Binding Arbitration or "Final Offer Selection?"

From: OPSEU Online

March 22, 2006

The OPSEU college faculty bargaining team has called on management to agree to voluntary binding arbitration after contract talks failed to approach a settlement today.

"Three days of talks since the strike began have produced no progress that would lead to a settlement," team chair Ted Montgomery told a packed news conference in Toronto this afternoon. "It is now abundantly clear to us that no negotiated settlement is possible with the current management bargaining team in place.

"We have been clear and concise about what we need to have in order to improve education quality, but management won't address quality issues," Montgomery said. "For faculty,

no settlement is possible that does not address quality."

College management countered the union's proposal with one of its own. In an unusual move, the colleges said they would agree to arbitration by "final offer selection."

Final offer selection is rarely used. The two sides each draw up their own final offer and the arbitrator chooses one or the other. Normally in arbitration the arbitrator tries to strike a balance between the two.

The union bargaining team is considering the proposal tonight. The two sides remain in contact. Any further delays in settling the strike will mean students seriously risk losing their semester, Montgomery said.

"There is not the faintest hope that the colleges' 'Semester Completion Strategies' will actually save the semester," Montgomery said. "Without faculty to deliver courses, assign tests, and evaluate students, any credits students might receive would not be worth the paper they are printed on."

When asked about the strategies, Rick Miner, president of Seneca College and chief spokesperson for all 24 college

presidents, told the *National Post* last week that "what we're really trying to do here is buy time."

"The colleges have bought enough time at our students' expense," said Montgomery. "Now it's time for a resolution, and it's time to improve education quality."

Remarks by Ted Montgomery to a news conference on college faculty bargaining

From: OPSEU Online

March 22, 2006, 5:15 p.m., Royal York Hotel, Toronto

"We have formally proposed today that the parties agree to Voluntary Binding Arbitration as set out in the *Colleges Collective Bargaining Act*.

The faculty team has now seen several of the so-called Semester Completion Strategies. They will seriously damage the value of Ontario college credentials for this year's students, and for decades to come. Faculty are committed to quality and do not want to see this harmful action put into place.

Bob Rae identified serious quality deficits in his 2005 Report. The resolve of faculty to attend to these problems is no less than it has been since negotiations began. Rallies are scheduled for tomorrow at every college with support from ETFO, OECTA, OSSTF, OCUFA and other unions.

After 2 ½ days at the hotel, it is abundantly clear that negotiations are not going to produce a settlement that addresses the needs of the colleges and our students. For over 14 months of

bargaining and now two weeks into a strike, management has not tabled an offer that does anything to improve the quality of education for college students.

We are faced with essentially the same offer that produced the strike, with three minor amendments. One amendment is a commitment that the colleges will hire 120 more faculty over the next three years.

Over the last three years, the colleges hired an additional 291 faculty members – just to accommodate growth. Their offer this week could actually reduce hiring at the very time that the ministry has announced that it will be launching a major initiative to increase enrollments in the colleges. These hires will not decrease class size and college students will have no more time with their teachers under this proposal. Those were the promises Premier McGuinty made in May. Those will be promises broken by this offer.

The 2006 funding allocation to the colleges was \$1.076 billion. That was a \$133.5 million increase over 2005 – a 14 per cent increase. The college allocation to new faculty hires in 2006-07 was \$3.9 million which is 0.36 per cent of the

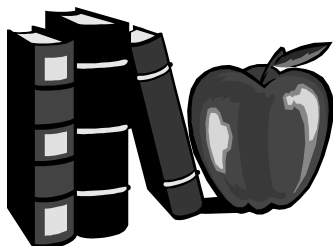
funding. The minister has announced that funding will increase in 2007. Of that \$133.5 million, \$87.3 million was in the Quality Improvement Fund. The hiring of more teachers is the first priority of that fund. The 2006 proposed hiring – which comes to the union for the first time two weeks into the strike after months of stonewalling – is just 4.4 per cent of that \$87.3 million. That is not commitment to quality. That is another promise broken.

While a negotiated settlement is preferable, that is clearly not going to happen. Knowing that arbitration is inevitable, we see no reason to keep students from their classrooms and their teachers.

An Arbitration Board will be able to hear the case of the faculty and the employer and make a ruling on all issues. The workload and quality issues are obviously critical.

Premier McGuinty has not delivered. The colleges have not delivered. It is time to get the students back in class and get a resolution of all the issues between the colleges and their faculty.”

**CAAT Academic
Negotiating Team**



Ted Montgomery, for the bargaining team

TO: CAAT Academic Local Presidents
FROM: The Faculty Negotiating Team
DATE: March 22, 2006
RE: Negotiations Update

**CAAT Academic
Negotiating Team**

While most of the reporting we have seen has been very supportive, we have seen some misinformation on various media regarding today's events.

Shortly after 4:00 p.m. on Wednesday March 22, the union asked management to agree to voluntary binding arbitration. Management countered by proposing that faculty call off the strike while talks continued and that the union take another vote on management's offer of settlement. It was at this time that management also tabled a revised offer. Details are set out below.

At the same time, the union asked that the news blackout be lifted.

The Colleges Collective Bargaining Act allows the parties to agree to send all matters in dispute to arbitration.

Within a half hour, management called us back. At that time, they rejected binding arbitration and proposed final offer selection, a very rarely used process.

To be clear, it was the union that proposed arbitration, not management. Management has suggested that the union offered to end picketing. The union did make that offer but only if management agreed to arbitration. Management rejected that offer.

We announced our proposal at a press conference open to everyone. Management called a press conference after ours but barred all faculty representatives from the room. Seeing the news reports tonight, we have learned why. The management spokesperson accused team chair, Ted Montgomery, of personally creating the strike and of keeping students from their classes. It is unfortunate and regrettable that college representatives have turned to personal accusations. As you know, the strike was supported by an 80% majority vote. Ted has chaired the last three negotiating teams, each of which successfully negotiated a settlement without a strike. The faculty negotiating team consists of seven elected members, each of whom contributes to achieve the demands set for bargaining by faculty, each of whom represents the over 9000 faculty members. All decisions made by this team are made by consensus. Every team member stands by all of the decisions we have made. Our processes are open, transparent, and democratic. We have a very experienced and representative group of faculty on the team.

Management wants the picket lines taken down and blames one individual. The management spokesperson asserts that Ted could and should “order its [the union’s] pickets down tonight. He should take down the pickets without condition.” Continuation of the strike is entirely due to management’s refusal to accept binding arbitration.

We are well aware that the pressure of bargaining can be very stressful for some individuals. The faculty team will not be engaging in any personal attacks or character disparagement. In our view, such conduct is not beneficial either to bargaining or to the relations that exist in the colleges.

The union’s revised position will be posted on the OPSEU website shortly.

We made several changes in an effort to get some bargaining going. Management has not replied.

The most significant proposal was to offer a third option in the way to address the quality of education issues. We proposed a kind of escalator clause that would give additional time to the teacher based on the total number of student teacher contact hours [STCH] per week. We proposed that a teacher with over 350 STCH in a week would receive 0.03 of an hour credit for each additional STCH. Fourteen teaching hours of classes of 25 would be the 350 STCH threshold. A teacher with 14 contact hours with classes of 35 students would be credited with 4.2 additional hours per week. All teachers would also be given 3 hours of credit for general preparation, course updating, dealing with student diversity, preparedness, subject renewal, etc. Partial-Load teachers would be given 2 hours paid as teaching hours for their similar preparation. Management has not responded to this proposal.

The centerpiece of management’s revised offer is a Letter of Understanding to add 120 faculty to the provincial sum. These will be hired at 40 per year over the next three years. The costs are \$3.8 million dollars in the first year and a cumulative total over the four years of the contract of \$23.6 million. The 2005 funding allocation to the colleges was \$1.076 billion. An expenditure of \$3.8 million is 0.35% of the total budget. Out of the \$87.3 million allocated specifically for Quality Improvement, it is 4.35%. This is the level of investment that has been offered. To put the 120 in perspective, in the last 3 years there have been 291 net new hires.

Management’s offer includes a right for a teacher to ask the WMG to consider if class size is excessive. There is no definition given for “excessive.” This does not expand the rights of the teacher or the WMG. Existing language provides this same right – “numbers of students” is already one of the variables in assessing inequitable workloads. Under the present system the WMG must have regard for class size issues if they are raised by a professor. Their proposal is no improvement.

Dental benefits are increased by \$500 and vision by \$100. However, these benefit improvements are delayed until January 1, 2007 and January 1, 2008. Historically, benefit improvements commence the month following ratification.

Management for the first time today introduced a new concession. They proposed a definition of sections that would mean that classes where groups of students are divided into smaller groups would count as only one section no matter how many distinct groups of students the teacher has. For example a large lecture class with two subsequent breakout or lab sections that now count as 3 separate sections would only count as one section.

All of the concessions of the previous offer are still there – averaging, a 12 month work plan beginning May 1 of every year, split vacation periods, 36 weeks of 44-hour assignment with or without teaching hours, loss of prep time for curriculum review and all the others. There is nothing for partial-load teachers, nothing for Counsellors or Librarians, no job security improvements. The salary offer is still below the high schools and far below Ontario universities.

You should expect that developments will come quickly at this point. Thanks to everyone for your continued support and patience. We will keep in touch.

Jeff Arbus, Daniel Bouchard, Peter McKeracher, Ted Montgomery, Harry Plummer, Sandi Webster, Damian Wiechula, The Bargaining Team



Hail to the Chief

While I have always liked and respected Bernie Belanger as a person and union president, during this strike I have come to hold him in very high esteem. His leadership, dedication, and intelligence have created solidarity in local 420. Our picket lines ring with his praises. His work ethic is remarkable, and the sensitivity with which he deals with difficult issues is outstanding. I marvel at his patience and ability to be passionate but not reactive. I could go on, and on . . . as most of you know, but I would like to conclude by saying, "Thank you, Bernie!" from the members of local 420. - Pat Dockrill

Local 421 Shows Their Support

(An email from Gord Wright, President Local 421, Loyalist College Support Staff, to his members is reprinted below. Welcome your colleagues on the line at today's Rally!)

The striking Loyalist College Faculty will be having a rally at 4:30 on Thursday, March 23rd, 2006. The rally will be at the main entrance to the College. Show your support for our Faculty brothers and sisters and join the picket line at 4:30 PM. on Thursday.

In Solidarity,
Gord Wright - OPSEU - Local 421
Union Office 613-969-1913 # 2870

LABOUR PAINS



*"The union demands are much too reasonable.
I need something I can reject out of hand."*

A Letter of Support

I just heard about our suggested move to arbitration. Good on us! I also heard about managements manipulating attempt to control the arbitration process by asking for a choice of only their offer or ours. Very transparent manipulation.

I just want to voice my opinion that arbitration that is controlled (as in by managements request) is not arbitration at all. They are concerned that real arbitration will land too far in our court. We have given too much and spent too much time putting up with their bad faith crap to back down now.

Please!!! Let's insist on full and complete arbitration and nothing less, as soon as possible.

Rick Chesworth, School of Media Studies

Su Doku


A puzzle is complete and correct when: each row and column have the numbers 1-9, and each demarked box has the same. No number may be used more than once in any row, column, or demarked box.

9	2	7			3		4	5
	4		6					9
3	6							
	9	3				4		
			3		9			
		2				3	9	
							1	3
7					5		6	
6	3		7			5	8	4

Source: www.free-sudokus.com

Fun With Numbers – Joy Warkentin’s Salary, 2000-2004

Year	2000	2001	2002	2003	2004
Start	\$101 499	\$112 753.53	\$121 924.79	\$134 069.29	\$147 407.46
Annual Increase (Cmpd)		+11.1%	+8.1%	+10%	+9.95%
Total % Increase		45.2%			
Avg Year Increase (Simple)		11.3%			
Explain percentages to your students using these handy numbers!					

WHAT’S INSIDE?			TODAY’S WEATHER	
Talks Fail	1-2		High	4°C
Ted’s Remarks	2-3		Low	-3°C
Team’s Response to Attacks	4-6		Condition	Partly Cloudy
The Support Page	7		P.O.P.	10%
<i>Su Doku, Fun With Numbers</i>	8		Wind	W 15 km/h