

---

---

# THE BOTTOM LINE

THE NEWSLETTER OF OPSEU LOCAL 420

No. 18

[www.opseu420.org](http://www.opseu420.org)

October 2006

---

## THE BOTTOM LINE IS BACK ONLINE!

Over the years OPSEU Local 420 has always had a newsletter. The name has varied, but it has always been used as a vehicle through which faculty communicate about issues that concern our professions, our colleagues, our students, and our college. This past March *The Bottom Line* became the latest incarnation of our newsletter. It enabled faculty to get word on the state of the strike in a timely manner.

I accepted the responsibility of launching *The Bottom Line* in March at the request of our Local Executive Committee, and at their request I do so again. I have little experience editing and publishing newsletters. So, with the hope of bringing you a product that catches your eye and stimulates your mind, I will try to improve my skills; for example, by attending courses for editors offered by both OPSEU and the Canadian Association of Labour Media. Hopefully, some of their advice will trickle down to your monthly newsletter.

It must be made clear that this is not *my* newsletter – it's yours! All members of our local are welcome, and in fact, expected, to contribute articles outlining their opinions, advice, and knowledge on issues that concern us and our union. In the event someone wants to replace me as editor, for any number of reasons too long to speculate about here, so be it! To me, it is in our best interests to have everyone weigh in on the responsibility for communicating with each other. With communication comes understanding, empathy, and the strength of a shared vision for a better teaching and learning environment for all at Loyalist College. With that, let's get started. – *W. Rendell*

### WHAT'S INSIDE?

President's Report – <i>B. Belanger</i>	2	Overtime Claims – <i>T Montgomery</i>	6
Retirement Roast	3	A Vision for Loyalist – <i>P Dockrill</i>	10
State of Counselling – <i>Editorial</i>	4	<i>Labour Pains</i>	11
Counselling Office	5	<i>Graphics source: www.calm.ca</i>	



## **PRESIDENT'S REPORT**

*Bernie Belanger*

---

It has been quite a year! Having avoided a strike for 17 years, we finally hit the pavement in support of a new contract. The new contract provided improved salary gains resulting in a 15.33% increase by the end of the contract in 2008. We also received an extra hour for out of class assistance and administrative tasks. The old "5 alive" is now recorded as six hours on the SWF. Most of our other workload demands remain unresolved as Arbitrator Kaplan chose not to deal with these demands. The final issue that has come out of the strike will be settled in the next few months — the issue of overtime for work made up during the strike. Based on settlements from the last two strikes, I am hopeful that a settlement will be favourable to us this time.

### ***Part-timers' Right to Unionize***

OPSEU is involved in a new labour fight revolving around the issue of part-time college employees' right to unionize. We are the only province in the country that does not allow part-time college employees the right to collectively bargain. Part-time employees do not have any security for the work that they provide the college, and they continue to be hired and terminated at the whim of the college. It would be in all of our best interests if the province amended the Colleges Collective Bargaining Act to include part-time employees as a bargaining unit. Faculty and students would benefit by having more securely employed part-time teachers, who would have stable pay, and health and pension benefits. To learn more about the issue, please go to [www.collegeworkers.org](http://www.collegeworkers.org)

### ***New Digs for Locals 420 & 421***

Our Union office has finally been relocated out of the broom closet located in the Northumberland wing, to 3L15! We are still moving stuff around, but certainly the new office is a big improvement to the old "hole in the wall". Come up and see us!

### ***Grievances Settled Early***

Great strides have been made in terms of labour relations between the local and the college. To date we have settled all complaints at either step one or step two of the grievance process. By not going to arbitration, both the local and the college have saved considerable financial resources that can be used elsewhere. It is my hope that the cooperation we now have will continue into the future.

*Retirees & New Hires*

To our retiring faculty, Mary Taylor, Beth Siurna, and Ron Bennett, we send good wishes for a rewarding retirement, and thanks for your years of service! I'd also like to welcome the new faculty hired this summer! They are:

<i>NEW FACULTY</i>	<i>PROGRAM</i>
Bridget Ferguson	Esthetician
Vern Belos	Human Resources
Gerry Byrd	Automotive
Sue Deans	Environmental Technician
Kathryn deGast-Kennedy	Justice Studies
Dave Hollis	Electrical Techniques
Hamish Mackenzie	New Media
Barb Remington	Nursing
Garrett Schultens	Electrical Techniques

*Harry Plummer*

Harry Plummer has also retired from Loyalist College. We will certainly miss his stewardship of the local and his knowledge of grievances past. However, he will continue to keep our financial records as a motion was past to keep Harry on as an accountant / bookkeeper at the last General Membership meeting.



**Join the President and Vice President of  
OPSEU along with members of our  
negotiating team during a celebratory roast  
and tribute for Harry Plummer**

**Friday, October 20, 2006 at *Occasions by the Bay***

**Tickets cost \$35.00 single or \$60 couples**

**To reserve seats at the dinner: call Eugene Tay (613-969-8989) or e-mail [rsvp@opseu420.org](mailto:rsvp@opseu420.org)**

## STATE OF COUNSELLING

*Editorial*

---

How does eliminating counsellors from the college contribute toward a learning-centered environment? The Sept. 23<sup>rd</sup> edition of *The Pioneer* dealt with this question.

Catherine O'Rourke, Director of Counselling and Access Services states in that article that, "we want to bring the services to the students". However, the new service actually sends students out into the community to search for the same supports they used to receive on campus. Wait times to get counselling at reputable organizations in the community can be months in length.

O'Rourke went on to say that "you might have a three-week wait at a busy time of the year with the old system". Other sources tell us that this was *not* the case – students in crisis were always seen immediately under the old system. Also, during the busiest times of the semester students would only have to wait a maximum of a week and a half to see a counsellor in non-crisis situations.

O'Rourke stated that "students didn't know where to go with the old system. Often times they would go to the wrong person and then they would be sent somewhere else and it got frustrating". She stated that "Jodie Russett talks to students and puts together a full individualized plan for each student". However, when interviewed, new student mentor Deborah O'Shaughnessy said, "if students don't know who to come to [then] come to me. There are so many new resources here at Loyalist and we want the students to know about all of them. That's sort of my focus, acting as a gateway to peer tutoring, counselling, the new mental health practitioner, and the testing center". Isn't that Jodie Russett's responsibility? We are not sure how this new system is any clearer. In fact it seems much less clear.

We are also concerned by the adoption of a medical model for dealing with mental health issues. How do students feel about being referred to the "Mental Health Practitioner" as opposed to a counsellor? We can't think of another college in the country that believes in labeling people and stigmatizing people the way that this will. Our society has evolved away from institutionalizing people who have mental health concerns. We have moved toward practices that allow people to go on with their lives as normally as possible.

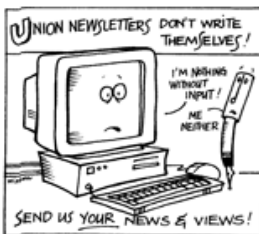
Counselling at Loyalist has been a long-standing service, which has been overwhelmingly endorsed by faculty. It has now been dismantled. The student of

---

today comes to us with considerably more challenges and as a result requires skilled, qualified counsellors. Many faculty members believe that the Counselling Service contributes significantly to student retention and the perception that Loyalist College is a caring community.

The college has not provided a clear reason why counsellors are being eliminated in favor of a mental health practitioner and mentors. It appears that the new system is jumbled, confused, and overlaps considerably with the duties of counsellors and professors. There is nothing that is learning-centered about these moves.

Whose agenda is being met? Why has this been done? Who is really benefiting?



## IN YOUR INBOX!

*Emails You May Have Missed*

*Cathy Waite wrote recently,...ok, it's paraphrased below...*

**COUNSELLING SERVICES HAVE MOVED TO ROOM 3H1**

**APPOINTMENTS CAN BE BOOKED AT EXT. 2519 OR SPEAK TO JODIE RUSSETT UPSTAIRS IN SAL**

**DROP-IN HOURS FOR STUDENTS REQUIRING IMMEDIATE ASSISTANCE AND WITHOUT AN APPOINTMENT ARE MONDAY, WEDNESDAY, AND FRIDAY MORNINGS FROM 9 – 11 AM**

**FEEL FREE TO CONTACT CATHY DIRECTLY SHOULD YOU HAVE ANY QUESTIONS, OR SUGGESTIONS, OR IF SHE CAN OFFER ASSISTANCE IN ANY WAY**

**CATHY WAITE, M.S.W., R.S.W.**  
Counsellor, Loyalist College  
(613) 969-1913, ext. 2240

## IN YOUR INBOX!

*More Emails You May Have Missed*

---

*Strike overtime claims and strike overtime grievance emails have also been an issue...*

### **Faculty, send your strike overtime claims to Bernie by October 20<sup>th</sup>!!**

Fully document overtime work that was necessary for you to complete the Spring 2006 semester, "**without over reaching.**" No exaggerating; just list the extra work that you had to do to complete the semester

#### **To file claims:**

- 1) Send any separate notes or verbal instructions you were given as a "semester completion" strategy from your Dean;
- 2) For guidance on format and for what to include, look to an overtime request outlined in a .pdf file, attached to Bernie Belanger's email to all faculty dated 13 October 2006

## POST-STRIKE WORKLOAD CLAIMS

*Ted Montgomery*

*Reprinted from a CAAT Academic Negotiating*

*Team Memo, 11 October 2006*

---

We have received some questions regarding the workload claims for work done after the March 2006 strike.

### **What happened after the Strikes of 1984 and 1989?**

In **1984**, the arbitrator took the position in his award that the faculty would be asked to complete some, if not all, of the work that was lost during the strike. The colleges would make up the work in a variety of ways; but, no matter how that was done, the faculty should be compensated for it. Accordingly, Arbitrator Paul Weiler made, as a part of his award, a one-time monetary payment of \$1000 to each faculty member to reflect that work. Every full-time faculty member on staff got the \$1000. Weiler recognized that faculty would work overtime to get the semester restarted after a strike.

---

---

In 1989, the arbitrator took the position that he could not be sure whether the colleges would make up the lost work or just let it go. He wrote that the claims for overtime would not “crystallize” until after his award. Accordingly, Arbitrator Martin Teplitsky set up a system whereby faculty had to claim and establish that they did make up work. Complaints had to be individual and particularized to the person’s circumstances, with some detailed explanation. Not all complaints were granted. Unlike in 1984, no money was awarded to faculty who did not file a claim. The panel set up in 1989 awarded basically 3 different amounts which, as best I can recall, were \$700, \$1400, and \$2100. [Faculty at one college, used as a test case, received a different amount]. Just as Weiler had done, Teplitsky recognized there would be overtime caused by a strike, but was only willing to give compensation to those who claimed it.

Both in 1984 and in 1989 there was an acknowledgment that faculty in some way would be making up for all or part of the work lost during the strike and that they therefore ought to be compensated for that work. It is a straightforward principle.

#### **What has happened so far following the 2006 strike?**

The panel to hear claims from faculty has been set up. No meetings are scheduled as yet. The process that will be followed is very similar to that used 1989. Once again, claims may not have “crystallized” until well after the end of the strike. Some college semester completion strategies emphasized that fact. The union has asked that all claims be in their hands by October 27<sup>th</sup>. For those who may have continuing issues beyond that date, simply make a note of that in your claim.

At least three colleges have already provided faculty with additional compensation for make-up work as a result of the strike.

- Mohawk College gave all full-time faculty 15 hours of pay at the overtime rate. Partial-load faculty were given 3 hours overtime pay.
- Cambrian College compensated faculty for 9 hours of make-up work at the overtime rate and also gave partial load teachers 3 hours of extra pay.
- Sir Sanford Fleming has compensated full-time faculty for 15 hours of additional makeup work, while partial-load faculty received a pro-rated amount.

Other colleges have made some monetary compensation available on an individual basis and at the college’s discretion.

The union locals at Mohawk and Cambrian have taken the position that faculty retain the right to claim additional overtime compensation where the amount awarded by the college was not sufficient. The compensation was unilateral.

It is unimaginable that these three are the only colleges where make-up work was performed. Of course, all colleges should be providing faculty with compensation for the make-up work. If your college has not been fair enough to pay you for the extra work required of you after the strike, then you will have to claim it as faculty did after the strike in 1989

### **What about the Semester Completion Strategies?**

All colleges advised the students that they would be putting in place strategies to complete the semester. Some went so far as to say that work would be added to subsequent semesters. Accordingly, the colleges have tacitly acknowledged that there would be make-up work. Many colleges have asserted that this work can be accommodated without any extra payment for it. While the colleges are entitled to request that make-up work be performed, it is patently unfair to have the employees do work for which they receive no compensation.

Many faculty have reported that they are having to teach material this semester that should have been covered in the previous term causing extra preparation.

The colleges received their funding without reduction for the periods of the strike. The monies provided by the government are intended to reflect the educational services delivered to the students. That includes the teaching, preparation, evaluation and feedback, and support assistance that the students received. You may recall that students were clamouring for a refund of at least some of their tuition. They did not get a refund. They did not get a refund because the colleges took the position that the work would be made up, curriculum adjusted, and special efforts made to ensure semester completion. Well, all of those efforts take time not previously credited to the faculty. All those efforts form the basis of *bona fide* claims for compensation for additional work.

### **Why should I claim?**

If you did make-up work for that which was lost during the strike or if you did extra work to re-tailor your courses in respect of the strike, or if you are still doing extra work, then you are entitled to appropriate compensation for that work.

If the colleges cultivate amongst themselves the view that they can not only absorb the damage of a work stoppage, (whether strike or lockout) complete the semester to their satisfaction, weather the storm of student protest, and realize a windfall from

---

---

unpaid faculty salary, we can be sure they will be willing to repeat the situation of 2006 all over again.

Those colleges that have paid for overtime, while they have undervalued the work, have nonetheless recognized and abided by an important principle. It is not a new one. It applied in 1984 and in 1989. The denials of overtime and compensation made by most of the colleges are self-serving and patently unrealistic.

If you do not claim what is rightfully yours, then you provide an incentive for the colleges to be intransigent in the future. We cannot leave them with the prospect of using a strike or lockout as a method to achieve fiscal efficiency.

### **What can we expect will happen next?**

In 1989, the colleges had one lawyer reply to every claim from every college. Every claim was denied by the colleges. Not one faculty member was deemed worthy of getting any compensation. At the end of the day, the overwhelming majority of claims were awarded some compensation. To be sure, the claims were not gone over with a fine-toothed comb and errors were made by the board of arbitration. Nevertheless, several million dollars were paid out to faculty as compensation.

Of course, there is no guarantee that there will be any payment. However, that some colleges have this time publicly accepted and acknowledged that compensation is due will weigh heavily in favour of further compensatory awards.

As in 1989, individual faculty members will not get to present their cases one-by-one in front of the arbitration board. That would be far too costly and time consuming. That means that the claims must be concise and readable, with enough information for the board to grasp the issues and make a determination.

### **What should each faculty member do?**

If you have not filed a claim as yet, you should very carefully consider doing so. If you had no extra work as a result of the strike, then you have no claim. However, if you picked up some of the missed curriculum, if you had to spend extra time with your students out of class, if you had to revamp your tests or exams, if your counselling duties were extended such that they could not be done within your allotted hours, if, following the strike, you had any work over and above your accustomed work, you should be filing a claim.

Talk with your local union representative for more information about how to file.

**For the negotiating team, *Ted Montgomery*, Chair**

---

---

## MY VISION FOR LOYALIST COLLEGE

*Pat Dockrill*

---

Since we have been hearing so much about re-visioning the college, I would like to put forward my own vision for Loyalist College. Mine is based on over 30 years of teaching in a small college. I believe it puts the student first; in *reality*, not theory.

I envision a college in which:

- 1) my students and I are given timetables that will not require major revisions;
- 2) my students will enter their classrooms and there will be desks, and chairs set up in a somewhat orderly fashion. The tops of the desks will be clean and the chairs will be safe to sit on;
- 3) my students will enter a classroom and another class and teacher will not be booked in that same room;
- 4) my students will enter a classroom and there will not be desks, chairs, and room dividers piled in corners and in the front and back of the class. The fire door will not be blocked by a pile of desks and chairs. Basically, the room will look like a classroom, not a storage closet;
- 5) my students will enter the classroom and there will be a clock, and it will be set at the correct time;
- 6) there will be chalk, a functioning overhead projector, and a screen in every classroom. When we have achieved this, the next step is to have Power Point projectors, hand held remotes (so we can move more than 3 feet from the wall) and up-to-date laptop computers for each faculty member;
- 7) my students will have student success mentors *and* access to *counsellors* (at least one of each gender will be available);
- 8) my students will have access to functioning computers in SAL, WebCT during the first week of class, and enough computers in the lab in which they are taking their Computer Technology course;
- 9) the areas of the college the students use, such as classrooms, faculty offices, the cafeteria, and student services, will be cleaned and maintained regularly;

- 10) class size will not exceed 40. No faculty would have more than 150 students to evaluate in a semester. Faculty would be able to know all of their students' names and know a little bit about them as people;
- 11) faculty would be given time for curriculum development;
- 12) every decision will consider how the student will be affected. As examples: a) do students need a new entrance to the college or decent classrooms? b) would students want new office space for administration, or more classrooms to accommodate scheduling?;
- 13) resources would be allocated to areas that directly impact students first;
- 14) classes would be between 8 am and 5 pm, with no one day's classes extending over a period of time longer than 6 hours.

This vision is based on Maslow's Hierarchy of Needs, which tells us we must meet the most basic needs before moving to higher level needs. We will not attain enlightenment if we are starving. Once the basic needs are met we can, and should, move onward and upward, but if our resources are so limited that we cannot, then let's remain focused on the basics.

---

## LABOUR PAINS

*Courtesy: Canadian Association of Labour Media*

---

