

Negotiations News



Bargaining news for OPSEU members in CAAT Academic

#9 October 20, 2005

Management team still does not get the point

Management, in its Sept. 19, 2005 newsletter, asserts:

“We are committed to addressing student access issues that were raised in the Rae Report. As part of our proposal to **improve student access**, we have offered to increase the hours available to every teacher for out-of-class assistance from three to four hours per week.”
[emphasis added]

This statement is so mind-bogglingly misguided it simply takes one’s breath away. Let’s look at the reality.

Management’s assertion that adding an hour of out-of-class-assistance to students is a step toward addressing the access issues raised in the Rae Report shows either a monumental misunderstanding of the Report or, as is more likely, an attempt to deflect attention from issues of quality. Invoking the Rae Report, albeit incorrectly, is a crass effort by management to add validity to their offer. To say this change would increase access belittles an important issue. Rae clearly identifies the student access issue as one of barriers facing disabled, disadvantaged, and aboriginal students. Management’s attempt to connect this access issue to the teacher having an additional weekly hour is profoundly disturbing.

A look at the Rae Report will illustrate how seriously misguided management’s statements are. On student access, the Rae Report says its recommendations are intended to reduce barriers

faced by students trying to gain access to and complete higher education.

On page 31 of his report, Rae outlines three strategies to reduce these barriers and improve access.

1. Reach out and expand the opportunities for those capable of participating in higher education,
2. Make higher education affordable for students and their families,
3. Expand the capabilities of the system to meet ongoing growth.

And Rae recommends the following actions to implement these strategies:

- Set up a web portal as a source of information (p 59)
- Set targets for growth in participation for students from underrepresented groups (p 61)
- Make improvement to Aboriginal education and training strategies (p 63)
- Assist students who are the first in their families to attend post secondary education [an initiative announced in the recent Ontario Government throne speech] (p 65)
- Require educational institutions to reach out to students with disabilities (p 68)
- Promote savings for education (p 70)
- Increase grants to needy students (p 72)
- Increase access to student loans (p 75)
- Make loan repayment easier (p 79)
- Provide better service for student loans (p 81)

- Encourage gifts for student bursaries (p 83)
- Increase spaces in graduate schools (p 84)
- Spend \$500 million more annually on capital (p 87)
- Establish a provincial Council on research (p 89)

An additional hour of teacher assistance has **nothing** to do with student access. Management should go back and read the Rae Report. Their complete misunderstanding of issues such as access is shocking.

Rae found the colleges to be “Ontario’s

‘poster child’ for public efficiency gains during the past decade” and the “reward for this achievement is a diminished ability to deliver the educational services Ontario and Ontarians badly need.” (p 48) Rae found further that “the most common complaint from students, in addition to concerns about money and the affordability of their education, has to do with the quality of **contact** time with professors and teachers.” (p 17) [emphasis added] That’s contact time – class time, teaching time – not out-of-class assistance to students. Adequate time to interact with students is properly a quality issue that should be addressed by altering the workload formula to accurately reflect teaching work being done. That’s the faculty’s position.

Salary: Council ignores key comparator

The Council makes the following claim in its August 31 newsletter: “*The team explained to the Union that the settlements in the secondary school sector need to form the basis of our discussion on salaries.*”

The union adamantly disagrees. Settlements in the secondary sector **and in the post-secondary sector** need to form the basis of our salary discussions. The attempt to exclude post-secondary settlements from consideration flies in the face of the Wages and Benefits Report of Dr. William Marcotte and of previous reports that established college faculty salary comparators and set out our appropriate salary position in relation to those comparator groups. The comparators are both levels, certainly not just high schools. Faculty salaries should be at the halfway point between Ontario’s high school teachers and Ontario’s full university professors.

A salary offer that ignores one of our key comparators is absolutely unacceptable.

What management has proposed is worse than simply basing salary discussions solely on high school settlements. College management has proposed to roll back our salaries below the top high school level.

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They identify the high school framework as 2, 2, 2.5 and 3.7 per cent raises over four years. Management’s salary offer – four years at 2, 2, 2.25, and 2.5 per cent.

Their rationale for offering us even less than high schools? They say raises below the high school level “are needed” in order to make up for past increases that brought college faculty above high school teachers! The Union categorically rejects a salary offer solely based on high schools. College faculty salaries need to be increased at a greater rate than high schools – not rolled back.

The Wages and Benefits Report established Ryerson as the key comparator – not high schools. While Ryerson has changed from the time of the

Report, moving from an Institute of Technology to a full university, the basic principle in respect to college salaries has not changed.

Post-secondary salary increases in Ontario have averaged 3 per cent per year. Anything less than that would drop college faculty back in relation to the wage gap. The faculty union proposal of 4.5 per cent in each of two years would make some progress in moving college faculty salaries to where they belong relative to other education sector salaries. The

Salary: Council ignores key comparator (continued)

management salary proposal is a long way off the mark, not just in the numbers but more seriously in the principles which underlie their view of the worth and value of college faculty. Despite any protestations or claims to the contrary, their salary

offer – and, even more, its justification – plainly demonstrate that this college management bargaining team holds faculty in low esteem.

Management's consultants making invalid comparisons to inflate their compensation

The union has learned of an interesting report on college management compensation. A private consulting firm (The Avalon Group) was engaged by college management to look at their salaries. According to their report (Oct. 2004), college management are underpaid. Avalon selected a number of comparator groups to look at, 28 in all – hospitals, school boards, social service agencies, universities, etc. Obviously, the most relevant comparator groups are those in the education sector in Ontario.

Looking at the college presidents' salaries, the consulting firm selected two school boards for comparators and two universities. The school boards are York Region District which has 101,000 students and an annual budget of \$719.6M, and the Upper Canada District, which has 40,000 students and an annual budget of \$301M. By comparison, the largest college, Seneca, has 17,642 full-time students and a 2003 annual budget of \$186.5M. Sault College, one of the smaller colleges, has 2,100 full-time students and a 2004 annual budget of \$35M. The consulting firm compares college presidents to school board directors of education instead of comparing them to the principals of large urban high schools, many of which would have similar enrolments and budgets to many of the colleges. The magnitude of the duties and responsibilities of directors of education are strikingly different from those of college

presidents. Obviously, the comparison favours college presidents.

What about the universities? York and McMaster were selected as comparators. York has 38,086 full-time students and a budget of \$600M. McMaster has 23,000 full-time students and an annual budget of \$273M. Avalon makes a direct comparison between college and university presidents. To many, it might appear to be over-reaching to place college presidents' salaries and university presidents' salaries on the same level; nevertheless, that's what the Avalon Group suggests.



One has to wonder if a study with an independent chair, as was done for college faculty by Dr. William Marcotte, might well have found that college presidents' salaries should fall in the gap between high school principals and university presidents. It is certainly a reasonable hypothesis given that it is the equivalent gap to where college faculty belong.

One of the key comparator groups Avalon selected was university presidents, specifically York and McMaster; yet, when it comes to college faculty salaries, those same college managers refuse to compare college teachers to the very same level that they use for their own salary comparators. Those same college managers further propose to drag college faculty salaries down to secondary school levels.

Management committed to micro-managing

During this round of bargaining many management proposals have been diametrically opposite to the demands presented by faculty. While faculty have been demanding recognition as responsible academic professionals with the rights and responsibilities that go with post-secondary academic leadership, management has presented a series of demands to increase managerial control of all aspects of our work.

Under Article 11.01F, teaching faculty receive three hours complementary allowance for routine out-of-class assistance to individual students. Currently, when, where, and how that assistance is rendered is arranged between the professor and the students on an as-needed basis. While management has agreed that there must be an increase in this time, they have tied this to a mandatory publication of office hours and/or electronic access hours, and, inexplicably, to a far-reaching demand for averaging of teaching hours – with non-teaching weeks included in the average.

Such a system of predetermined hours is contrary to providing quality education. Management is prepared to sacrifice a flexible system in which student needs are met professionally and responsibly and replace it with an inflexible system in which managers have control. The potential benefit of the increase in time would

be more than offset by the decrease of efficiency inherent in a rigid system.

Under our current Collective Agreement, non-teaching periods are reserved “for activities initiated by the teacher and by the College as part of the parties’ mutual commitment to professionalism, the quality of education and professional development.” Such activities are undertaken by mutual consent and are not recorded. Management wants to turn this on its head by seeking the right to assign work on a SWF in non-teaching periods up to 36 weeks and further control and record work beyond the 36 weeks. They want to record every working minute, every activity performed in every non-teaching period including May and June, reading weeks, exam weeks, days when no teaching is scheduled – everything.

Lest there be any doubt about the college’s wish to control all aspects of your work, consider the following management proposal: If you are absent for five consecutive working days during a period of scheduled activities, your employment is deemed terminated. And remember, the management negotiating committee has proposed to extend the scheduled work period to the entire academic year.

This management team professes an interest in “collegiality,” then tables contract language that is antithetical to that goal. Their proposals deny and threaten faculty professionalism. They are obviously committed to micro-management.

Faculty survey has management on the defensive

As part of their investigations, the union members of the Workload Task Force engaged an independent research firm to conduct a survey on workload. The union initially saw this data-gathering exercise as a primary tool to obtain valid material to be used as a basis for the discussions of the Workload Task Force. The union also was firmly of the view that data needed to be collected to properly evaluate possible solutions to workload issues. More than 1,300 faculty responded to the survey.

Rather than engage the union in a discussion

about the issues disclosed by the survey, management chose instead to hire a consultant to conduct a cursory investigation of the union’s survey and produce a report that purports to dismiss the results of the survey. The union is particularly offended by the unsubstantiated allegations in management’s report that the faculty responding to the survey must have falsified their responses. They also allege that the union counselled faculty to input false high results and further that the data shows too much variation to be useful. None of these allegations are true. In fact, the

Faculty survey has management on the defensive (continued)

results of the survey should have been of no surprise to management. The identical concerns were raised and identified by the participants at the town hall meetings held at each and every college by the full Workload Task Force in the fall of 2004. The survey clearly reflects the same message as the meetings.

Many of the survey questions were proposed by the management side of the workload task force. Those questions, they advised the union, had been vetted through management's own research firm. The survey was developed over several weeks working with the independent research firm hired by OPSEU. The consultant who made these allegations spent a mere afternoon reviewing the survey with union staff.

Here are the three key workload-formula-related demands passed by faculty for negotiations:

1. Adjust evaluation factors to reflect the actual work involved including the depth and complexity of material and frequency of assignment
2. Adjust preparation factors to reflect the actual work involved in courses including the depth and complexity of material and preparatory research
3. Amend the workload formula to reflect the real time required to meet the educational and training needs of the students.

As you can see, the union's demands clearly were for greater accuracy in the workload formula. These demands preceded the survey. All 6,700 faculty were encouraged to participate in the survey and were encouraged to accurately report their workload. We believe that's exactly what they did. There is no evidence to suggest they did otherwise.

The management negotiating committee consistently prefers to denigrate faculty and the union rather than dealing with the detrimental effect on educational quality caused by their own decisions to increase faculty workload.

When the union selected a research firm to conduct the workload survey, it chose a company with no ongoing financial relationship with OPSEU to ensure that firm's neutrality. Management hired Forum Research to do their critique of the workload survey. Forum Research has significant ties to college management. Forum Research's clients include Algonquin, Georgian, Centennial, George Brown and Humber College. Forum Research is the firm that conducts the KPI surveys on graduate and employer satisfaction.

Forum's commentary on the workload survey also questions the use of an online survey. It is interesting to note that on Forum Research's website the following comments are made praising online surveys.

Forum Research Online offers advanced market research tools over the Web.

Management consistently prefers to denigrate faculty and the union rather than dealing with the detrimental effect on educational quality caused by management's decisions to increase faculty workload.

Forum's online surveys are an inexpensive, fast way of obtaining consumer and business research feedback. They allow quick creative changes with minimum cost and what's more they provide fast turnaround of responses ...

these responses are available only 20 minutes after the survey is completed by the respondent.

Online surveys allow you to make fast decisions and they allow online respondents to respond when it is convenient for them. Since 60 - 70 per cent of North Americans are now wired, there is a tremendous opportunity to tap into a new and cost efficient way of talking to people who want to talk to you.

Finally, it is interesting to note that Forum's website contains a sample estimator that "lets you calculate either the estimated sampling error based on a particular sample size or the required sample size to achieve a particular sampling error." Using their formula, our sample size of 1,344 participating faculty out of a possible 6,700 yields a result with a sampling error of 3.51 per cent with 99 per cent confidence level or 2.67 per cent with 95 per cent confidence level.

Steps in bargaining schedule for faculty

The steps of the bargaining schedule are set out in the *Colleges Collective Bargaining Act*. In the current round, many of these steps have been completed – notice to bargain, face-to-face bargaining, fact finding. In the event of a tentative settlement, a ratification vote would take place. In the absence of settlement, the union bargaining team will be bringing management’s “offer last received” to the membership for a rejection vote on Nov. 29. A solid rejection vote will send a powerful signal to the employer that they need to bargain toward a contract that is fair and responsible, not self-serving for management.

If, after the rejection vote, management still does not negotiate responsibly, the union will take a strike vote. Many faculty will recall that in the last round the strong strike vote led directly to settlement in the final hours before the strike deadline. That strike vote sent an unmistakable message that faculty were prepared to do what was necessary to achieve a workable and reasonable contract.

Without a settlement, the strike vote this time will happen in early February 2006. The strike deadline will be March 7, 2006.

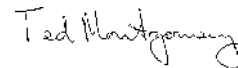
Some faculty wonder at the reasoning behind the decision to establish a March strike deadline. Remember that at each step in this process there

can be face-to-face bargaining. Between all of these dates and votes there will be ample opportunity for management to present an offer that properly responds to the concerns of faculty. The union team is committed to seeking a settlement that effectively addresses faculty concerns and demands. Time between votes will allow for this process to occur. Many faculty will remember that in the last round the strike deadline was also in March, and management at that time finally understood the significant impact that would be felt if they drove faculty to strike. Interestingly, the settlement that was agreed to by management on March 2, 2004, was the same settlement offered by the Union in early October 2003.

Look for notice of local membership meetings where a member of the bargaining team will discuss management’s offer and issues related to the rejection vote.

**To get in touch with the bargaining team,
send a message to: caata@opseu.org**

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