

September 9, 2021  
Union Presentation

Counsellors Class Definition response speaking notes – U11

Since our last meeting, we have met with counsellors to solicit feedback on the class definition proposals.

In summary, counsellors felt the CEC proposal did not reflect the work they do. They expressed that the CEC class definition seemed to be solely focussed on personal counselling. They were troubled by your focus on clinical counselling. Counsellors do engage in clinical counselling. However, they also engage in academic advising, culturally based traditional counselling, developing accommodation plans, training, advocacy, and establishing and maintaining community partner relationships.

After receiving feedback from counsellors, our team reread both proposals carefully. We feel that there are commonalities between both proposals. We believe the updated proposal we are presenting to you today incorporates culturally appropriate referrals with the addition of the words “and through an intersectional lens” in the first paragraph. We have also added your words “through various modes of delivery including one-on-one and group counselling (as a non-instructional activity)” to a).

We would like to reiterate that our class definition is not granular in nature. Like the other class definitions, it helps clarify the limits of the range of services offered by counsellors. Counsellors have always worked as part of interdisciplinary teams and this class definition speaks to that fact, by providing parameters that clarify the important role of counsellors within those interdisciplinary teams, and in Ontario colleges generally.

General comments

With respect to your response today on various of our proposals, we do have a few initial comments.

Over the past few dates at the table, you have several times referred to the notion of a strike this round, as well as to binding arbitration, back-to-work legislation, and that we would be unlikely to achieve anything through a strike. You have also made reference to the causes of the 2017 strike, and referred to it as bitter and protracted.

It is important to note that the faculty team has not once to date raised the spectre or threat of a strike. Our stated goal from the very beginning has been to negotiate a collective agreement that satisfies the demands our members sent us to the table with. You have asked for, and we have agreed to, extra dates to help facilitate this goal.

We simply do not agree with your assertion that the 2017 strike was caused by issues related to intellectual property, academic freedom, and shared governance. There were a number of unresolved issues on the table, and the CEC team's refusal to discuss key issues that faculty had identified as central to that round was, from a faculty perspective, what prevented a settlement at the table. We also dispute your interpretation of the Kaplan award that followed, including but not limited to proposed change to the class definition of a professor.

We also disagree with your assertion that because these issues were raised in 2017, they should not be raised again this round. Indeed, a fundamental principle of collective bargaining is that it is a living process. Issues that remain unresolved for either side are raised in multiple rounds until they are satisfactorily addressed. This has certainly been a trait of CEC team proposals over multiple rounds of bargaining, as well as faculty. We have noted that several of your arguments against our proposals echo recurring themes from previous rounds as well.

An interesting item to note is that many of these issues (staffing complement, governance, intellectual property rights, etc.) had been referred to the provincial task force comprised of industry partners, students, support staff, government representatives, administrators, and faculty. This task force, if you recall, was cancelled by Doug Ford's government shortly after their election.

Your use of employer-favoured arbitration decisions is helpful, as it reinforces the exact reasons our members have raised these issues. While we appreciate that you may find them instructive, they do not provide us with rationale for why our proposals are not possible.

We simply do not agree with your assertion that our shared governance proposals go against existing legislation, and the article you've cited is, effectively, simply an op-ed piece.

We appreciate you taking the time to listen to our response. We may have more detailed comments after we hear from you tomorrow. We would add, however, that while you have repeatedly asserted that you have areas of concern, you have yet to table any significant or detailed proposals to address these, nor any substantive counter proposals to our full non-monetary package tabled early August. Instead, you appear to be simply responding without suggesting any new proposed specific solutions. We look forward to seeing actual proposed contract language that reflects the changes that you are seeking as the foundation for discussions going forward.