

## Explanatory notes re: U12 proposals

### HOUSEKEEPING

- **M09:** We accept the proposal for gender-neutral pronoun changes, as well as the Kaplan award implementation, but are still waiting on the rationale for the change from “Council” to “CEC”
- **Propose replacing “teacher” with “faculty member” in Article 11, and add numerals in parentheses after numbers [for example, “three (3)”].**
  - 11.01 C; 11.01 D3 Type of course ii-vii; 11.01 E2 iv; 11.01 E4 (para 2 and 3); 11.01 F1-F2; 11.01 G2; 11.01 H1-H4; 11.01 I; 11.01 J3-4; 11.01 K3-K4; 11.01 L1/L3/L4; 11.01 M
  - 11.02 A1 b; 11.02 B 2; 11.02 C 1; 11.02 D1-numbers; 11.02 D3/D4/D5; 11.02 E1/E2; 11.02 F5/F6/F7/F8; 11.02 F11; 11.02 G; 11.07; 11.09 A1/A2/A3/A6; 11.09 B3
  - 11.04 B1-B3 adding numerals/numbers and correcting capitalization
- **Propose replacing “teacher” with “professor or instructor” in the following Articles since the proposal only applies to professors and instructors, not counsellors or librarians.**
  - 11.01 A1 (a) (i); 11.02 A5 (a); 11.01 J1-J3; 11.01 K1-K2; 11.08
- **Propose replacing “employees” with “professors and instructors” in Article 26, making it correctly reflect singular or plural, case-sensitive, as well as grammatically correct in relation to “and/or”**
  - 26.01A; 26.03 A-C; 26.05; 26.06; 26.07 table; 26.08; 26.10 A/B

### Article 2

#### STAFFING

##### 2.01 A

The change in focus from our previous proposal on faculty complement based on total faculty numbers to one based on total teaching contact hours (TCH) is a compromise that should appeal to management. Currently, management claims that full-time faculty teach approximately 48% of credit TCH's. Assuming this is accurate, the college will have six (6) years to increase the full-time faculty complement by 22%. That is an average of 3.66% per year. Given this timeframe, and the current financial surplus in the system according to publicly-available financial data, colleges will be able to plan their budgets to accommodate this increase.

##### 2.01 B1

In a September 27, 2021 press release, Colleges Ontario states that, in a recent poll, “70 per cent of Ontarians support the creation of three-year degrees at colleges”. Currently, nearly half of Ontario colleges do not have a faculty librarian. For college programming to grow and remain current, and for students to have adequate academic support, colleges need an appropriate number of faculty librarians.

##### 2.01 B2

The core function of the public college system is to educate students. In order to support students fully in that pursuit, the Ontario college system needs to provide them with appropriate counselling support. It has been widely reported in the media that Ontario is experiencing a

mental health crisis. As well, the number of students requiring accommodations has risen significantly in the past decade. Support from Personal Counsellors, Abilities/ Disabilities Counsellors, Indigenous Counsellors, and Learning Strategists, particularly when integrated in faculty teams, has a direct impact on student retention. Having a minimum complement of counsellors will ensure that colleges are meeting the mental health, personal, and academic needs of all students.

### **2.03 B/C**

The proposed language strengthens the preference for full-time positions over contract positions, enhancing stability in the system.

### **2.03 D**

This new language would give preference to partial-load positions over other contract positions. This change would provide more stability for partial-load faculty. Stability within the system is better for faculty and students alike.

### **2.03 E**

This new language would prevent the college from assigning work that can and should be performed by faculty to non-faculty and takes a holistic view of faculty classifications.

### **2.03 F**

This language would avoid the practice of stacking multiple contracts and result in the hiring of full-time faculty, thereby improving stability in the system and avoiding confusion around bargaining unit work and job classification.

### **2.04**

This language ensures that faculty work cannot be outsourced to private interests.

## **Article 4**

### **NO DISCRIMINATION/BULLYING/PSYCHOLOGICAL HARASSMENT**

#### **4.01 A**

We propose the use of a critical intersectional analysis to eliminate discrimination, bullying, racism, and psychological harassment within the College system, and have adopted language used by the CEC team. This proposal acknowledges that any approach to equity, diversity, and inclusion (EDI) must be intersectional, systemic, and include practices to correct structural discrimination to dismantle colonialism and improve the working conditions for racialized and Indigenous faculty, as well as for faculty from equity-seeking groups.

#### **4.02 A10**

The Collective Agreement must be strengthened to better prevent bullying, harassment, discrimination, and racism. During the demand-setting survey process, our members reported that systemic, structural, and institutional discrimination are major concerns, particularly for faculty from equity- and sovereignty-seeking groups. Indigenous and racialized faculty are differentially impacted by this discrimination and face the daily toll of working in institutions that

have yet to fully address systemic racism and colonialism. These experiences are echoed in employer-initiated reports at a number of colleges, including but not limited to Algonquin, Confederation, Fanshawe, George Brown, and St. Lawrence. Investigation of incidents of bullying, harassment, discrimination and racism requires greater oversight and accountability, including delineated timelines, improved transparency, and prioritizing the safety of targeted faculty members in the investigative process.

## **Article 8**

### **UNION BUSINESS**

#### **8.04 B**

This minor change to Article 8 would help facilitate and make more equitable Locals' ability to participate in union/college committees and assist members.

## **Article 11**

### **WORKLOAD**

#### **11.01 A**

Clarifies definition of faculty to include full-time and partial-load professors, instructors, counsellors, and librarians.

#### **11.01 B 1**

Clarifies limits on workload for all faculty including counsellors and librarians. Ensures partial-load faculty can work more than 36 weeks.

#### **11.01 B 2**

Clarifies that all courses are subject to the same definition of a teaching contact hour, and that the teaching contact hours must be equal to the total credit hours. Ensures that all student credit hours have a faculty member assigned to them.

#### **11.01 B 3**

Defines contact hours for counsellors, allows time for complementary functions and other responsibilities, including those required by relevant governing bodies.

#### **11.01 D 1**

Updates preparation factors to recognize mode of delivery as well as type of course. These revised factors address the time required to deliver a course on a weekly basis. These factors have remained unchanged for decades despite significant changes in technology, pedagogy and universal design, the advent of and redesign of learning management systems and the need to continually update course content to remain current.

New language under chart clarifies that additional time shall be assigned as needed.

**11.01 D 3**

Defines course modes of delivery and type of course to reflect changing classroom environments and online learning.

Clarifies definition of a “new” course, and adds mode of delivery to reflect current realities of teaching and learning.

Special A and B definitions now captured directly in language in 11.01 B2.

**11.01 E 1**

Modernizes Essay/Project Evaluation factor to better reflect actual work being done by faculty when evaluating students. Again, these factors have not changed since 1985. The current formula factor for Essay/Project (which is the highest factor) only allows for 5 minutes and 24 seconds of evaluation per student per week. This does not come close to reflecting the actual time spent evaluating and providing feedback to students.

New language under chart clarifies that additional time shall be assigned as needed.

**11.01 E 2**

Clarifies different categories of evaluation and feedback.

**11.01 E 3**

Clarifies that faculty are responsible for determining the evaluation and feedback for a course, in keeping with fundamental principles of academic freedom.

**11.01 F 1**

Recognizes additional time when required to support students who need accommodation(s).

**11.01 G 1**

Clarifies that administrative and other functions such as teaching can be done remotely at the discretion of the faculty member.

**11.01 G 3**

Addresses additional circumstances affecting the workload of counsellors and/or librarians.

**11.01 L 2**

Clarifies that there must be 12 hours between the end of and beginning of assigned work.

**11.02 A 1 and (ii)**

Updated to include written workload agreement (WWA) for counsellors and librarians in order to ensure shared and clear sense of assigned work.

Clarifies process for issuing WWAs to counsellors and librarians.

**11.02 A 2 and 11.02 A 3**

Clarifies the details to be recorded on a WWA.

**11.02 A 5 b.**

Establishes weekly schedule and timelines for WWAs for counsellors and librarians.

**11.02 A 6**

Ensures counsellors and librarians have the right to dispute workload via WMG and WRA processes.

**11.02 B 2**

Establishes the right to have an Indigenous Elder/Traditional Knowledge Keeper present at WMG. The Colleges have espoused a commitment to reconciliation and, in some individual cases, decolonization. Without attempting to decolonize our Collective Agreement, we are failing to address the calls to action made by the Truth and Reconciliation Commission. As such, it is our proposal that Indigenous faculty have access to workload dispute resolution processes that include Indigenous ways of knowing and being.

**11.02 C 1**

Establishes the ability of WMG to examine issues of equity; ensures counsellors and librarians have access to WMG.

**11.02 C 2**

Clarifies and expands the list of factors that can be considered by WMG, including counsellor work, equity concerns, languages used, and coordinator and placement work.

**11.02 F 5**

Establishes the right to have an Indigenous Elder/Traditional Knowledge Keeper present at WRA. The Colleges have espoused a commitment to reconciliation and in some individual cases, decolonization. Without attempting to decolonize our collective agreement, we are failing to address the calls to action made by the Truth and Reconciliation Commission. As such, it is our proposal that Indigenous faculty have access to workload dispute resolution processes that include Indigenous ways of knowing and being.

**11.02 F 12**

Ensures that all full-time and partial-load faculty have access to workload dispute resolution processes.

**11.03**

Expanded to include all faculty.

**11.04 A 1**

Sets overtime limits for counsellors and librarians and addresses their overtime compensation, in keeping with professors and instructors.

#### **11.04 A 2**

Acknowledges emergency circumstances for counsellors and clarifies lieu time procedure.

#### **11.06**

Clarifies faculty right to work outside the college and thereby maintain currency in their respective fields.

#### **11.08**

Recognizes professional discretion of faculty during non-teaching periods.

### **Article 13**

#### **COPYRIGHT AND ACADEMIC FREEDOM**

##### **13.01 A,B,C**

Policies that grant faculty rights over the Intellectual Property (IP) that they create in the course of employment promote innovation in research and teaching at PSE institutions, provincially. This proposed language clearly acknowledges that IP is owned by the faculty members who create it, subject to the faculty member's assignment of those rights.

##### **13.01 D,E**

These proposals embody principles of both the Truth and Reconciliation Commission's *Calls to Action* and the *Tri-Council Policy Statement (2018) on Research Involving the First Nations, Inuit and Métis Peoples of Canada*. They acknowledge the rights of Indigenous people and communities over their own cultural artifacts and knowledges. They also conform to the research ethics codes that have already been established by many First Nations communities, which grant those communities ownership of, control of, access to, and possession of their cultural knowledge and data.

##### **13.02 A,B**

This language reinforces faculty members' personal investment in innovation. Similar policies at other PSEs have not harmed their research partnerships and investments.

##### **13.07**

These rights are broadly understood as Academic Freedom rights, and ought to be explicitly identified as such in our Collective Agreement. Students, parents, and employers assume and have every reason to assume that the fundamental academic decisions of a course are made by the faculty subject matter experts who are teaching the courses, and to assume that grades are assigned by faculty members who have actually taught and observed the student in the class setting.

##### **13.08 B-E**

Faculty in any PSE institution must be able to provide input directly to the individuals who are responsible for academic decision-making at the College, and provincial legislation does not prohibit this. A broad system of elected representation from the College's academic areas

ensures that the voices of faculty are faithfully represented and that academic decisions in academic areas and the College are not made without faculty input.

## **Article 14**

### **SALARIES**

#### **14.03 A3**

This updated language clarifies who can be coordinators, as well as coordinator functions.

#### **14.03 A7**

This new language brings transparency to coordinator appointments, compensation and duties.

## **Article 21**

### **LEAVES OF ABSENCE**

#### **21.03**

Culture is not necessarily religious, but can be ceremonial in nature. Faculty members may engage in cultural practices that are ceremonial and require time away from work. Participating in such cultural and ceremonial practices is equally as significant to some faculty members as religious practices. To ensure equity, diversity and inclusion, and reconciliation, ceremonial practices should be considered for leaves of absence.

#### **21.04**

The definition of family changes across culture and time. A narrow definition of family often neglects the experiences of marginalized groups and disregards issues related to privilege. To ensure equity, diversity and inclusion, the complexities surrounding families must be acknowledged and respected. Co-creating the future of the college system equitably requires a modernized interpretation of “family”.

## **Article 26**

### **PARTIAL-LOAD EMPLOYEES**

#### **26.01 B**

Redefines a partial-load faculty member to ensure that the work they perform is appropriately and equitably recognized, recorded, and compensated.

#### **26.01 C and D**

Provides partial-load faculty with a SWF to ensure that the work they perform is appropriately and equitably recognized, recorded, and compensated.

#### **26.02 A**

Ensures that partial-load faculty are appropriately and equitably compensated for all of the work they do, not just teaching contact hours (TCH).

**26.02 B**

New salary grid based upon a percentage of the full-time salary schedules set out in Article 14.03.

**26.02 C**

Ensures that partial-load faculty are appropriately and equitably compensated for all the work they do, not just TCHs.

**26.02 D**

Ensures that partial-load faculty are appropriately and equitably compensated.

**26.06 D**

Makes it easier for partial-load faculty to bridge benefits between terms with no cost to the employer.

**26.09**

Incorporates language from Employer's Comprehensive Offer of Settlement regarding statutory holidays.

**26.10 C**

Improves partial-load job security, which provides greater stability for students.

**26.10 D**

Improves equity for partial-load faculty, as courses taught solely in other contract faculty capacities are recognized in the record (i.e., registry) (1<sup>st</sup> paragraph).

Makes registry transparent for employer, union, and partial-load faculty (1<sup>st</sup> paragraph).

Incorporates language from Employer's Comprehensive Offer of Settlement regarding deadline dates for registry (2<sup>nd</sup> paragraph).

**26.10 E**

Recognizes courses taught in other contract faculty capacities, which enhances equity (1<sup>st</sup> paragraph).

(i) expands the definition of "currently employed", which enhances equity and improves partial-load job security; this provides greater stability for students.

Improves equity and job security for partial-load faculty, which provides greater stability for students (final paragraph).

**26.10 F**

Improves partial-load job security, which provides greater stability for students.

**Article 32****GRIEVANCE AND ARBITRATION PROCEDURES****32 (i) and (ii)**



As noted, to decolonize academia, conflict resolution processes must be broadened to include Indigenous ways of knowing and being. This language affords faculty the option of including an Elder or Traditional knowledge keeper in grievance and arbitration processes. As well, it allows for the opportunity to use mediation processes that include Indigenous mediators, as an alternative dispute resolution process.

## **Article 35**

### **DEFINITIONS**

Reflects classification definitions of faculty as full-time and partial-load professors, instructors, counsellors, and librarians.

## **Appendix VIII**

### **ACADEMIC COUNCILS**

#### **Point #3**

The election of faculty representatives from across academic areas at the College ensures that council members represent views that are broadly supported by faculty, as opposed to management's perspective. It also ensures that the Board of Governors has access to a perspective that authentically represents a broad range of the faculty experience, as opposed to that of an individual. The proposed FAC structure will engage faculty more broadly in the academic mission of the College.

#### **Point #5**

The ongoing involvement of the FAC throughout the academic year ensures that faculty are able to provide input on the broadest range of academic issues contemplated by the Board of Governors.

#### **Point #8**

Collective faculty opinions must be considered and must be seen to be considered in the academic decision-making process of all academic areas throughout the College. This proposed Local Academic Committee (LAC) structure features a number of faculty elected by their colleagues in their program/service area to represent their perspectives on academic issues. This will engage faculty more fully in the academic mission of the College.

#### **Point #9**

The introduction of Academic Councils will give all faculty the opportunity to provide academic leadership.

### **LETTERS OF UNDERSTANDING**

#### **Re: Equity**

To capitalize upon our shared commitment to employment equity and non-discriminatory practices in hiring, salaries, advancement, professional development, retention, and employee benefits (and all other conditions of employment), the revision to the Letter of Understanding on

Equity (which has not been revised since 1989) is updated to now include a jointly-chaired committee that will gather data and analyze employment systems, policies and practices, and make binding recommendations at both the local and provincial level. This also addresses the issue raised by the CEC team around data-collection and analysis, while incorporating structural change.

## **Classification Plans (Salary Calculations)**

### **SECTION I**

#### **CLASSIFICATION PLAN FOR PROFESSORS AND COUNSELLORS AND LIBRARIANS**

##### **FACTORS**

### **SECTION II**

#### **CLASSIFICATION PLAN FOR INSTRUCTORS**

As is currently happening in other post-secondary institutions in Ontario, and as is reflected in the *Truth and Reconciliation Commission: Calls to Action*, we are proposing that the Colleges recognize Indigenous traditional knowledge and expertise. Since Indigenous faculty use their knowledge and expertise in their work with students and the college, this expertise must be considered as equivalent in salary calculations.

The restrictions on double-counting need to be eliminated to reflect the current reality for many people pursuing post-secondary education: that the work done while pursuing graduate studies is separate from their education, and contributes to their experience for the purposes of working as a faculty member in the Ontario college system.

## **CLASS DEFINITIONS**

### **COUNSELLOR**

This modernized class definition was created in consultation with counsellors and reflects the actual work being performed by Personal Counsellors, Abilities/ Disabilities Counsellors, Indigenous Counsellors and Learning Strategists. It delineates accurate parameters for counsellor work in Ontario colleges.