

## **Concerns with CEC's Lack of Engagement in Bargaining**

The parties have now completed 24 days of bargaining. Today, on Day 25, as we prepare for conciliation, we remain concerned about the CEC's delays, concession language, and the overall sincerity of the CEC's stated commitment to bargaining a negotiated settlement. Said plainly, the CEC's words are inconsistent with their actions.

### **Concessions and Academic Control**

No less than 30 concessions have been tabled by the CEC, while rejecting thoughtful counter proposals focused on advancing the central concerns from the members delivering quality college education to students.

After careful review, these concessions are quite serious in terms of the negative impact they would have on members' working conditions and students' learning. Many of the CEC's proposals have far reaching implications.

### **Academic Year**

For example, the CEC has tabled two proposals ([M2](#) and [M12](#)) with the stated objectives to both "modernize" the academic year and create "flexibility in scheduling of high demand programs such as apprenticeship". These concession proposals create new and significant barriers for

faculty to access: vacation periods, overtime provisions, and professional development and complementary functions performed during the balance of the academic year during non-teaching periods. They also permit the Colleges to fill sessional appointments in full time vacancies, for longer periods of time. None of these concessions are in the best interests of students' learning. Students deserve to have consistent teachers who have the time needed to create and adjust curriculum that meets the needs of their industry while keeping pace with changing conceptual constructs driving industry standards. As we have noted, the world is changing quickly and students require well-prepared teaching environments and educators.

In addition, expanding the two-tiering of faculty workloads only aims to further exploit already marginalized faculty in the system. This is not equitable, but you are already aware of this fact. Given your statement that you intended to continue to make efforts to "...acknowledge and address language and process issues which may contribute to barriers to creating an equitable, diverse and inclusive workplace" ([Opening Statement](#)) in this round of bargaining, these proposed changes are disappointing.

This is all the more surprising given the CEC's stated purpose with these proposals was to create accessible educational opportunities for students. Since the Colleges already have the ability to both operate on a year round basis and create

“flexible” work arrangements with faculty and union consent, it is clear that there are other motives informing these proposals.

## **Modes of Delivery**

In another example, the CEC’s [M12](#) Workload proposal also appears to have introduced definitions of new course types. For example, three of the four CEC definitions of modes of delivery include asynchronous hours associated with a course type. These “definitions” also do not match the examples used in the Workload Task Force survey and seriously devalue faculty workload. Instead of following the neutral chair’s recommendations, the CEC has attempted to circumvent the Workload Task Force by creating a disingenuous shell game.

For example, the CEC proposed a marginal increase in time to deliver a course they define as “multi-modal flexible” for the first time, while at the same time they have reduced the number of teaching contact hours assigned, and reduced time for delivering it in the future. For full transparency about the impact of this proposal on our members’ workload, on October 1st, we requested SWF and Partial-Load contract examples, with these proposal details illustrated. On October 8th, we are still waiting.

## **Precarity**

We see this pattern replicated elsewhere. The CEC has tabled two other proposals/responses ([M11](#) and [CEC response to U6 Union Representation](#) ). Read together, it is clear that in order for our partial-load members to have equitable access to union participation, the Union must agree to a newly proposed probationary period which could take our partial-load members more than two years to achieve. This proposal creates another barrier to employment security to an already precariously employed faculty group, while asserting more managerial control of their working conditions.

The overarching pattern that these proposals seek to deliver to management in this round of bargaining is academic control. We find this ironic given that this is an accusation that the CEC has often leveled at various bargaining teams.

### **Lack of Engagement in Meaningful Bargaining**

The CEC began its opening statement by stating that the goal in this negotiation was *“to work with you towards the co-creation of solutions that will both support the needs of college employees and contribute to the long term sustainability of Ontario’s publicly assisted colleges.”*

In fact, on the first day of bargaining the CEC did not come to the table with any actual proposals but with a series of values

and goals, the exact same from the previous round of bargaining, which we were told would inform your process in this round of bargaining.

We think it is important to revisit some of those values and goals at this stage in the process, to see whether they have actually informed your decision making.

The following was the CEC's first stated goal:

*1) First and foremost, we aim to respect the bargaining process by maintaining the highest degree of integrity and engaging in rational and informed discussion.*

We question your commitment to this stated goal. How rational is it to expect that faculty accept your delays in the bargaining process by not engaging in most of our proposals until the middle of September, a full two (2) months after bargaining began, including two (2) months with all non-monetary proposals and the released WTF report, and two (2) full weeks with all faculty proposals?

In the month of July alone, the CEC asked us no less than 55 questions, to which we provided fulsome responses within 48 hours. Yet, none of our responses were met with any further responses or dialogue. Further, when we asked for a further breakdown of, in our view, the overinflated costs you have tabled to our non-monetary responses, the CEC chose to not

respond at all. The CEC continues to stand by this unsubstantiated estimate in their most recent communications, and they have ignored our subsequent requests for data about how they arrived at this exaggerated figure. How are these actions respecting the bargaining process with integrity?

Now, the CEC has recently posed additional questions and requested unhindered dialogue around responses to our analysis of your concessions. As the CEC is well aware, we have already explained in detail the answers to most of your questions in our rationales posted publicly and provided those to you directly. Our efforts at transparency are designed to ensure members have a clear perspective on what takes place in bargaining, particularly at the table. While we agree that fulsome discussion at the table is important, we cannot enter into sidebar discussions that lack the same transparency with members.

The following was the CEC's second goal:

*2) Second, we aim to negotiate a fair and reasonable settlement for faculty that is within our means and aligned with our goals and values.*

The CEC's use of "packaging" (M12, M13 and Response to U15) on September 25 is inconsistent with your aim to negotiate a fair and reasonable settlement. "Packaging" is not

bargaining. It is akin to the use of an omnibus bill with a few sweeteners designed to hide poison pills, as our review of your concession language has indeed revealed.

Do you expect that members choose lesser rights than they currently hold? Does it seem fair or reasonable to accord no respect to members who have fought hard over the years to achieve those rights in previous rounds that you have now targeted to eliminate? To reiterate, we will not bargain concessions. Those rights are not ours to give away. They were bargained in the past, and they belong to future workers.

### **Conciliation Ahead**

Our collective agreement has now expired, but our desire to negotiate a fair and reasonable settlement has not diminished. As we enter conciliation, we are reminding the CEC that our goal is to negotiate meaningful improvements that actually address the material wages and working conditions of the members who bring the students' educational experiences to life. If we are to accomplish this, the CEC must:

- drop their use of delay,
- remove concession language from the table, and
- negotiate meaningfully with members' proposals, (which have now been fully available to the CEC since September 10th).

It is time for the CEC to seriously entertain the vision of the College system that the membership has brought forward through our democratic processes. We have submitted changes to the collective agreement that aim to provide students with the highest quality learning environments. Let's work together to deliver on the core mission of Ontario's public colleges: teaching, learning, as well as student support provided by counsellors and librarians.