
◆ THE LOCAL ◆

OPSEU Local 560 at Seneca College

April, 2013

How to Get an A+ in Collective Bargaining

Larry Olivo, Chief Steward, OPSEU Local 560

For faculty who have been around a while, many will recall that getting ready for bargaining began in January or February, and moved at a slow pace with bargaining over the summer and into the fall. With the exception of 1984, 1989 and 2006 when strikes were called, eventually the parties agreed on a new contract.

The New Collective Bargaining Climate

In 2010, after amendments to the *Colleges Collective Bargaining Act* all this changed. We could only start bargaining in June prior to the contract expiring at the end of August, and the colleges were given new weapons which they used—imposing their terms of a collective agreement in the middle of bargaining to put pressure not only on the bargaining team, but on the faculty who were not ready for this. Consequently, faculty were intimidated because they were not ready.

It was a lesson learned but it is being learned slowly as faculty realize that under this new system we need to develop active strategies to maintain a strong bargaining position.

In the last round of bargaining, the union initiated pre-bargaining activities much earlier than in previous years, and utilized electronic communications systems to keep faculty up to date and involved during the spring and summer of 2012.

The improvements in communications and earlier involvement of faculty in the process paid off, so that in the late summer when management tried to strip the contract, we were in a position to ask for and probably get a strike vote. Management knew

it, and facing a strike threat, backed down. But it was a close call on timing and it wasn't a great contract that we got in 2010. It was a lot better than it would have been if we had failed to mobilize early, but there is one piece still missing.

Lessons Learned

We have learned some of the lessons about the new bargaining regime, but we need to learn the rest. Other unions subject to the *Labour Relations Act* have long been at the mercy of the kind of bargaining timetable and structure we have been under since 2010, and have long had to deal with the weapons management has been given. These unions have developed a strategy that gives them the power and leverage to effectively counter management tactics.

In addition to early and frequent communication about contract issues where we have done reasonably well, we need to develop the missing piece: and that is the taking of a strike vote *before* bargaining begins. To do this we need to start discussion of issues and determine our demands early and elect a bargaining team that is smart and strong to present our position at the table.

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SAVE THE DATE!

June 8th (Saturday) at the Delta Toronto East
(401 & Kennedy Rd) for

Ted Montgomery's retirement party.

Reception at 6:30 p.m. with buffet dinner at
7. More info to come via various channels,
including news@opseu560.org

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Why an Early Strike Vote?

You might wonder why we need to take an early strike vote. After all we hadn't done this in previous years. The reason why is not because the bargaining team has lost its reason or run amuck. The reason is because the new bargaining regime gives management weapons they didn't have before but *have and will use now*.

Remember the imposition in 2010? They simply imposed those terms because they could. And we had nothing to counter it. The result was an undermining of our bargaining position. We need to learn what other unions have learned and now do as a matter of course – they arm their bargaining teams with a strike vote at the outset so that if management tries something like the imposition, the bargaining team is not helpless and has a meaningful indication of the members' commitment to collective bargaining that it can use to force management to play fair.

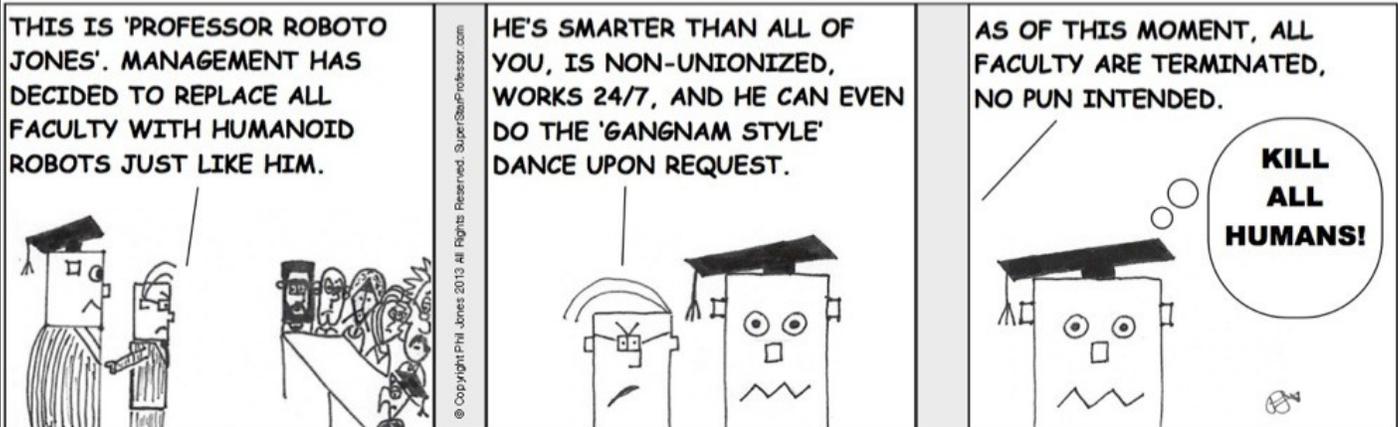
The Strongest Expression of Solidarity

A strike vote is the strongest expression of solidarity we have. Without it, our bargaining team has no means of deterring management from resorting to an unfavourable imposition of terms or other tactics that weaken our contract.

With a strike vote, the playing field is a lot more level than it was in 2010 and 2012—and our chances of getting a good deal, at the table, are vastly improved. Other unions have learned this lesson—we need to learn it too, and pass the test for 2014.



A Glimpse of Things to Come?



Used with the kind permission of our colleague Philip Jones, Professor, Business: Management and Entrepreneurship (B-ME) program, Algonquin College, Ottawa. For more of Phil's insightful commentary, see his blog at www.SuperstarProfessor.com

Your WMG Representatives

If you have any questions about your workload, you should feel free to contact any Local 560 steward. In addition, the four union representatives on the Workload Monitoring Group can provide expert 'insider' advice. The current members are:

Larry Olivo: 491-5050, Ext. 22814
lolivo@sympatico.ca

Paul Matson: 491-5050, Ext. 22434
pmatson@opseu560.org

Jonathan Singer: 491-5050, Ext. 26010
jsinger@opseu560.org

Daria Magas-Zamaria 491-5050, Ext. 33281
dariazamaria@gmail.com

If you are a teacher who does not have a 4-year university degree, this is for you:

Teachers without a 4-year university degree cannot progress to the top step and the top salary. Depending on qualifications, you may top off at step 16, 17, 18 or 19. That's a minimum loss of \$5393 and up to \$13486 annually! This has a significant impact on lifetime earnings, and on pension.

But there is a way to get to the top step. As you get near to your current top step, you can enrol in the In Service Teacher Training Program, a part time program that will, if you complete the program give you access to the maximum salary steps. If you have more than 15 years of service when you enrol you will immediately progress one step on enrolment— that's \$2696.

For more information contact the local at union@opseu560.org, or go to the OPSEU central website link to the In Service Teacher Training Program at http://www.opseu.org/caat/caat_ac/training.htm

Have a great summer,
whether you're on vacation,
teaching, on professional
development, or just
cruising!



<http://www.facebook.com/pages/OPSEU-560/181935308386>



<http://www.twitter.com/OPSEU560>



THE LOCAL is a publication of OPSEU Local 560, the faculty union of Seneca College. Please feel free to copy any original material with appropriate credit.

We welcome submissions and correspondence, which should be sent to Barbara Paterson, Secretary, OPSEU Local 560, at Newnham Campus or at 2942 Finch Avenue East, Suite 119, Scarborough, Ontario, M1W 2T4, or by fax to (416) 495-7573, or by e-mail to union@opseu560.org Call us at (416) 495-1599 or visit the Local 560 Web Site at: <http://opseu560.org>



“Indentured Servants”

An Editorial by Howard Doughty

I have recently read about "contingent" or non-full-time faculty in American universities. It is not surprising that the situation there is often worse than it is in either colleges or universities in Canada. But, then again, we are normally about a decade behind the times. So, take this as speculation about how much worse matters might become.

To put the issue in context, in my first years at Seneca from, say, 1969 to 1976, the Liberal Studies Division had about 30-40 faculty members. There was only one "part-time" person. The circumstances were special. If I recall correctly, we offered two sections of an Art History course. No one was qualified to teach it. A retired commercial artist was interested in "keeping busy." He was qualified to teach the Art course, but nothing else. So, a deal was struck to the satisfaction of all concerned. It was *not* part of a "business model" and *not* intended as a trial run for what would become the new normal. It was an anomaly pure and simple.

Now, it is hard to find out how many "contingent" (part-time, partial-load, sessional) people there are in the School of English & Liberal Studies, never mind the entire college; however, it would not surprise me to learn that the number was close or equal to the reported 76% who now live in perpetual fear and a state of more-or-less permanent limbo in the USA.

Objections to the practice of keeping a revolving door of contingent teachers are met with management claims of a more-or-less permanent budget crisis. This excuse is often followed by vague statements about this is the ineluctable "way of the future" and plaintive cries that lower, middle and even upper-management's "hands are tied," sometimes followed by a desultory shrug and maybe a quasi-empathetic smile of the "Bill-Clinton-I-feel-your-pain" sort.

The Union is doing everything it can to challenge management's chronic use of this method of budgetary (and deeply political) control. There have been some successes; however, there are immense procedural obstacles and management is doing everything it can to block or at least delay processes that would give us some acceptable remedies. And, of course, management has "deep pockets" (money enough for high-priced lawyers, not to mention an increasing rate of growth in administrative jobs and salaries, but not so much for full-time faculty positions). In short, the future looks pretty grim.

So, if things are so depressing and our options are so limited, why bother to point this out?

It seems to me that this sort of managerial behaviour needs to be kept in plain view, scrutinized and interrogated relentlessly. There is no reason to lie supine before false gods. There is no necessity to defer sullenly to whatever currently passes for reality. There is certainly no reason to acquiesce in the managerial rhetoric about "putting the student first," when policies and practices show clearly that criteria other than academic excellence are paramount in college life.

At Seneca and elsewhere, there are a number of systemic and structural problems, but I think that the dependence on contingent faculty appointments ranks very close to the top.

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Pedagogical implications of this carefully scripted, orchestrated and choreographed corporate strategy include:

- the devaluation and disintegration of anything like a collegial atmosphere;
 - the ruthless exploitation of good teachers;
 - the infantilization of faculty members who are under ever-present threat and intimidation;
- all practices unacceptable in any college worthy of the name.

We at Seneca, as well as postsecondary educators around North America and the world, are implicated in a massive transition into an educational replication of Wal-Mart: cheap stuff on the shelves and "associates" (or Associate Professors) to welcome our "customers"!

Management, for trumped-up budgetary reasons alone (for there can be no other justification), has been complicit from the outset in creating this situation. It's up to management and, more importantly, to the political masters it quiescently and unctuously serves, to come up with a solution. It can be done.

Just remember, former premier William G. Davis and his associates created the entire college system virtually *ex nihilo* between about 1965 and 1970. If they could overcome the lethargic era of Leslie Frost and an Ontario more akin to Leacock's Mariposa than to the soggy sandbox of late corporate capitalism, then surely today's best and brightest can figure out a way to extricate themselves from the sinkhole. If, that is, they were compelled to do so ... Just sayin' ... anyway from the folks at *Al Jazeera*, see:

Academia's Indentured Servants

by Sarah Kendzior, *April 12, 2013* at:

<http://tinyurl.com/c4ujra9>

How much for what?

About two years ago the union filed a Freedom of Information Request for the cost of and a copy of the report on mismanagement of the Counselling Dept. that the college commissioned after it parted company with the former director, Arthur Burke. After some legal back and forth, we got a copy of a rather thin draft consultant's report [there was no final report, apparently] . But the college initially refused to reveal the cost, and the consultant objected to release of that information. We appealed that refusal and fought an appeal by the consultant Vicky Scott, mediated, etc. and finally found out just how much it cost to hire Vicky Scott to tell the college what we have been telling them for years, and which they should have known in the first place.

The total cost to be told the obvious was \$4,455.42 inclusive of HST.



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A Strategy to Improve the Position of Partial Loads

Larry Olivo, Chief Steward, OPSEU Local 560

In the early 90's as a way of resolving a pay inequities, the province legislated a "Pay Equity Act." The colleges and OPSEU were charged with negotiating pay equity for partial-load faculty. The colleges and union agreed that partial-load teachers were a "female-dominated" group and therefore covered by the Pay Equity Act. Many of these faculty members were women working part time because of family commitments, so the government took steps to make compensation equitable. As a result, the union was able in negotiations to more fairly link partial-load pay to the full-time faculty pay scale, and to provide benefits rarely available to part-time workers.

Since then, despite a variety of attempts at the bargaining table, we have been unable to get college management to agree to any further meaningful improvements, despite the fact that in the 2010 and 2012 round of bargaining the union pressed partial-load issues. Partly this is due to management consistently refusing to negotiate these things. The reason they won't is because they are fairly certain that partial-load teachers will refuse to do what is necessary to pass the test that will bring management to the table on *their* issues.

Partial-load professors need a real seniority clause, and security of tenure. All the benefits in a contract are useless unless they can be enforced. And a partial-load faculty member who grieves to enforce a contract right they have been wrongly denied is likely to find him or herself without a contract in the next term. Similarly, because tenure is insecure, partial load faculty are prey for "volunteer" work for which they are paid little or nothing. They are afraid individually to put their heads up and given the circumstances their position is quite rational. But it doesn't have to be that way.

This spring and summer, we will begin thinking about and getting ready for the next round of bargaining to begin in June 2014. Now is the time for partial-loads to start thinking about how they can advance their interests and take steps to get what they want in the next contract — security of tenure, pay and benefit improvements, or other things they deem important.

To do this, partial-loads need to be active and get involved in pre-bargaining communications and activities as they get under way; meet together, work with the local's executive, formulate demands at the local demand setting meeting and be prepared to back those demands by sending a message to management that partial-loads are prepared to strike on the issues of improvements. This is novel for the majority of partial-load teachers who have traditionally kept a low profile on bargaining issues and on making demands of management.

Making demands individually is risky, which is why few partial loads will do it, but acting with the rest of the bargaining unit, and standing together with full time faculty at bargaining time, and being prepared to strike if you have to, is the only route that will get the kinds of improvements partial load faculty need and want. Tugging forelocks won't get you where you want to or need to go.