

Boycott

by Robert Mills, OPSEU Local 562 Secretary/Treasurer

Members of Canadian Office and Professional Employees Union (COPE) who fuel the planes at Porter Airlines are on strike. The average income of the 25 workers is \$28,000 per year; eleven are being offered a 25 cent per hour increase and the others nothing. Porter is notorious for low wages and high employee turnover – the fuelers earn \$13 an hour in their second year of work at Porter, less

than two dollars above minimum wage. Similar workers at Pearson earn \$17. As a sign of their willingness to settle the strike, Porter has brought in scab workers to replace those on strike.

We are asking anyone planning to use Porter to boycott that airline.

For more information, visit <http://copeontario.ca/porter-on-strike-2/>



NewsBreak is a publication of the Humber College Faculty Union, OPSEU Local 562, intended to provide information and stimulate discussion. We invite your participation and welcome your contributions. All articles and letters should be signed, though in some circumstances the author's name will be withheld upon request. We encourage thoughtful discussion that respects human rights. We reserve the right to edit for libel, length, and clarity.

Articles reporting on union business will be signed and will include the author's position of responsibility in the local. Where an article has the author's name only, the views are those of the author. You may e-mail the editor: sylvia.ciuciura@humber.ca or drop materials at the Faculty Union office – H109, North Campus, ext. 4007.

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President's notes

by Orville Getz, OPSEU Local 562 President

General Membership Meeting

A general membership meeting is being organized for Wednesday, May 22. There is an announcement with further information on page 12 of this newsletter. The meeting will begin with appetizers followed by a hot lunch. The agenda will include a report on this year's OPSEU Convention as well as a trustee's report on the 2012 finances of the local. There will be an election to fill several officer positions for the second year of the two year term. An invitation to all members will be distributed at the end of April.

Sabbatical Announcement

For the upcoming academic year 2013–2014, a total of 11 full-time faculty have been confirmed for sabbaticals with eight requesting a full year and three applying for a six month leave. Just a reminder that the sabbatical application process begins each fall in early November. The application process deadline is always the first week in January. The local officers are always available to discuss your sabbatical plans and answer questions concerning the application process.

Call for Stewards

The local is asking for your help. Now is the time to consider becoming a steward in your school. You will be representing your fellow full-time and partial load faculty members in your area. Elected stewards form the Local

Executive Committee (LEC). All full-time and partial load members are eligible to stand for steward positions. Now is the time to get involved in your local. The next academic year will be an exciting one. We will once again be in negotiations, as our collective agreement expires on August 31, 2014. If you wish to observe the LEC in action, we meet the first Thursday of every month from 3:30 – 5:30 pm. Just give us a call at ext. 4007 to confirm your attendance.

Staffing Grievances

Early in March, the local filed staffing grievances in all schools in the college. Step 1 meetings have taken place and replies from the college have been received. The union is looking for considerable hiring based on statistics from the last five years. Since January 2008, the college has hired 50 new faculty over and above retiree or transfer replacements. This is an increase of 9.6 per cent in full-time faculty numbers. In the same time frame, there has been an increase of 70.3 per cent to the partial faculty numbers and a 25 per cent increase to other part time faculty numbers. Over the same five year period, full-time student numbers have increased by 48 per cent. The step 1 replies have indicated few hires are being planned in any school for September. Further discussion with the college will take place over the next three weeks as the union fights for the needed hires.



Happenings with the CAAT Pension Plan

Commentary by Darryl Bedford, trustee for OPSEU CAAT-A and president, OPSEU Local 110

2012 was a particularly interesting year for the CAAT Pension Plan. The plan continues to carefully manage risks ensuring a strong and viable fund that surpassed \$6 billion in assets this year. As a defined benefit (DB) pension plan, it efficiently met its mandate of providing income security in retirement. But the big story in 2012 was from the Ontario government.

What was the government trying to do?

Ontario was looking to freeze the employer contribution rate for five years. Your pension contributions are matched dollar-for-dollar by your college. Contribution rate increases that had already been agreed to could proceed.

The Minister of Finance also appointed Bill Morneau as Pension Investment Advisor to prepare a report on pooling investments. The thinking is that a larger pool managed by a panel of experts would reduce fees and improve returns.

The problem with this concept is that other funds will have demographic and liquidity needs that are distinct from CAAT. Our plan develops an asset mix to meet the future liability and timing of the pension promises made to our members.

With the CAAT Pension Plan's size and internal expertise, fees are already kept low. The total cost to the plan to invest \$100 in assets is about 48 cents, or less than half a per cent per year. This is far lower than the fees for retail mutual funds or the funds typically available in a defined contribution (DC) pension plan.

Don Drummond praised the structure of the CAAT Pension Plan in his report to the province. The plan is jointly-sponsored with employers and employees responsible for

making decisions together in the best interests of all plan members

Agreement with the Province

In 2012, the CAAT Pension Plan successfully negotiated an agreement with the province that provides additional contribution stability and maintains sponsors' control of plan governance, funding and investment decisions.

The agreement includes:

An exemption from having to pool plan investments in any new provincial "pooled fund."

A temporary four-year valuation report cycle, up from the previous three years. This allows more stability by providing longer periods for the plan to manage market volatility.

An exemption from any proposed special legislation determining funding decisions, which would have significantly impacted the jointly sponsored structure and decision-making that has been key to the plan's stability.

The plan will adjust its funding policy by adding a temporary "Level 1." This would only be invoked if there is a funding shortfall and is in effect until December 30, 2017. See <http://www.caatpension.on.ca/en/about-us/funding> for more detail.

Should this government or a future government fail to meet their agreed-to commitments, the plan can declare the agreement void. The Plan Sponsors' Committee believes this agreement was the best possible outcome to secure the pension promise.

continued on page 6

Chief Steward's report

by Audrey Taves, OPSEU Local 562 Chief Steward



Make-up Classes

Several managers across the college are directing that faculty make-up class (or clinical) hours that are lost due to faculty illness, stat holidays, and/or college snow days. In the past, faculty have worked with their students to ensure that missed material is covered in alternative ways in these situations. Why now are we being directed to schedule “make-up classes”? Could this have anything to do with the pressure from the college to cut course hours and credits over the past few years?

For full-time faculty, any make up time results in adding hours to your current workload. If you are required to add any hours to your current workload (ie. SWF) in any week, this is emergency overtime and must be paid as such. If a situation arises where the hours will need to be added for a longer period of time, such as covering classes for a colleague who is off on sick leave for more than a few weeks, this will require a new SWF with the teaching contact hours added along with corresponding preparation and evaluation time. Please note: the college and the union have a signed memorandum of agreement on this issue.

This is also an issue for contract faculty and we are in the process of dealing with it at the Union-College Committee (UCC). We will report back to contract faculty as soon as possible.

Invigilating exams

As we are all aware, class sizes at Humber have been increasing steadily over the years, from class sizes of 25 to 30 students back in the 1980s to class sizes of 40, 65 and over today. This change has impacted how we teach in many ways which I won't address here. However, one clear result is that while a single faculty member could monitor student behaviour during a test or examination quite

well when there were only 30 students in the class, this is not true for the class sizes we have today.

At the same time, there has been a well-documented increase in the incidence of cheating behaviour on tests and exams across all institutions.

It is clear that additional invigilators are needed to monitor classes during tests/exams today.

How has Humber dealt with this need? In many schools – it has become common to expect faculty (both full-time and contract) to “volunteer” their time invigilating classes they do not teach. Of course, those that do not “volunteer” are noted and identified as “not team players”. For full-time faculty, this leads to resentment within the faculty against those who don't “help out”, and for contract faculty this has a direct influence on whether they are hired back for the next semester. Is this the way to run a college?

Humber can assign additional invigilation hours on the SWF for full-time faculty (Article 11.02 A2) or can recognize that faculty have enough work with preparing, teaching and evaluating their students and instead should hire “invigilators” to work with faculty in monitoring tests and exams in larger classes, just as other institutions do.

As always, let us know your concerns about these issues or others. Drop by H109, call ext 4608, or email Audrey Taves. 📧

Continued from page 4

Equity adjustments

The plan struck an Equity Task Force and has acted on the recommendations. I represented OPSEU CAAT(A) on the committee. There was a need to ensure that all members are contributing at a rate that corresponds to the level of benefits they will receive from the plan.

Both tiers of the plan's contribution rates will be adjusted in 2013 to improve equity across salary levels. The already-scheduled 2013 rate increase of 0.4 per cent was announced in 2011.

The low rate applies to earnings up to the year's maximum pensionable earnings (YMPE) and the high rate to earnings above the YMPE. The YMPE is set each year by the federal government and in 2013 is \$51,100.

Part time, partial load, and sessional faculty can join the plan

There is a common misconception that only unionized faculty can join and contribute to the pension plan. Not so.

The plan uses the term "other than regular full-time" (OTRFT) to refer to these categories of employment. Once you have joined the plan, you remain a member until you leave your employment at the employer, no matter how many hours you work, regardless of employment classification.

OTRFT members must complete a waiting period of 24 months of continuous employment. Generally, if you consistently worked part-time hours during the 24-month period in question, you are considered to have completed continuous employment. Vacations and leaves of absence are included in the calculation of continuous employment.

Defending DB Pensions

Demographic shifts, concerns about adequate income in retirement, and a renewed public debate on sustainability of defined benefit (DB)

pension plans have made front page news.

Knowledgeable experts agree that DB plans are, on the whole, well-run, secure and sustainable. DB plans are efficient and low-cost arrangements that provide long-term capital investments to help build the economy.

Derek Dobson, CAAT Plan Plan Manager and CEO, and his team are active in speaking to members, stakeholders, government and professional bodies to highlight the benefits of DB pensions.

In 2011, the average annual pension amount was \$23,768. This is hardly "gold plated" as some politicians and critics claim.

You'll hear many of those same critics propose that newly-hired public sector employees be forced into a DC plan. This is bad public policy and would harm our current and future members. It would close the existing DB plan to new members; with a shrinking membership, it would only become more expensive to maintain fund stability and meet commitments to retirees as the plan would rapidly mature.

Plan Growth

This past year the plan has been busy speaking to stakeholders about an initiative that would invite interested Ontario university pension plans to join the CAAT Pension Plan.

Your representatives believe strongly that any such growth must be voluntary, that the joint sponsorship model be maintained with college faculty playing an equal role in plan governance, and that the plan not be saddled with past deficits from other plans wishing to join. We have confidence in the CAAT Pension Plan team who have taken a cooperative, reasoned approach on this issue. 🙌

Union rights campaign kick-off

by Pam Johnson, Professor, School of Creative & Performing Arts

“We must guard against being fooled by false slogans, such as ‘right to work’. Its purpose is to destroy labor unions and the freedom of collective bargaining.” Martin Luther King Jr.

On March 2 in Toronto, over 700 trade union activists from both private and public sector unions met to plan a sharp and focused challenge to the Harper/Hudak attack on trade union rights. Organized by the Toronto and York Region Labour Council, the event is the kick-off of a campaign to build labour momentum before legislation that is similar to so called right-to-work laws in the United States is tabled here.

What is being proposed by the Tories is gutting the Rand Formula, a law that says every worker who benefits from union bargaining must be part of the union and pay dues.

The move is ‘near the top of the agenda’ for the Ontario Tories led by Tim Hudak, who is loudly attacking unions. Harper has ‘officially’ dismissed the idea of introducing legislation attacking union rights, but a backbencher, Conservative MP, Pierre Poilievre, will introduce a private member’s bill on the issue.

Hudak and Poilievre use the same false language that has been used in the U.S. calling their plan “workers freedom,” and talk about a ‘flexible’ workforce. This is code for squashing workers ability to have a say in their wages, conditions and benefits and hands all this power over to the employer.

Impact

Although it would not end trade unionism, gutting the Rand Formula would mean that workers could be ‘free-riders’ in a workplace where the union has bargained wages, benefits and

working conditions. The union would still be bound to protect these workers who don’t pay union dues, an obviously unfair situation.

The resources of the union to bargain, to represent workers on grievances and advocate for workers rights on health and safety, equalities issues, etc, would also be undermined.

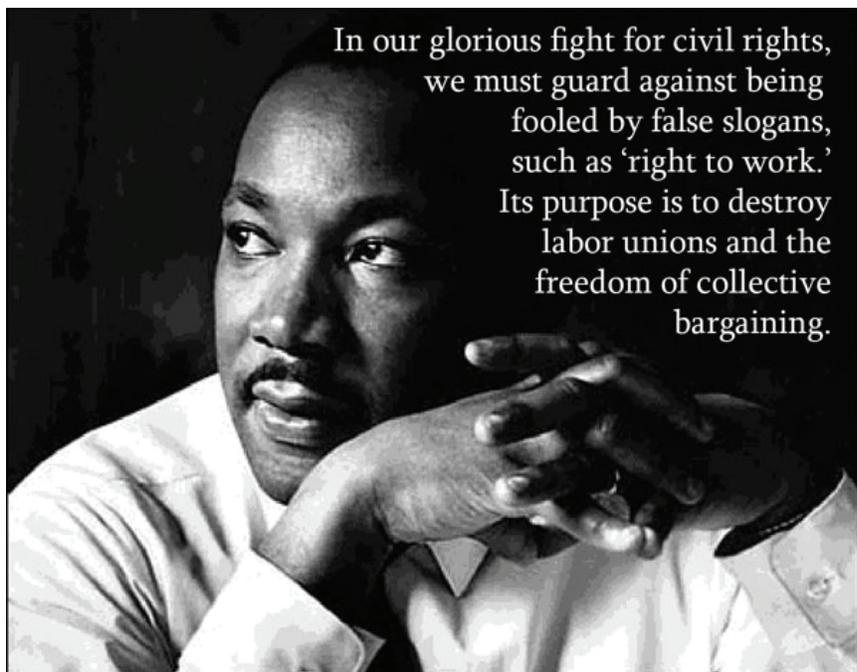
Mobilizing

The labour council campaign kick-off offered sharp, clear messages to counter the false and misleading information. It was a strong call to arms for a broad, massive mobilization.

The main message was that every trade unionist must immediately begin to organize in his/her own workplace and local to build the campaign to stop this attack.

Holding lunch time information meetings, special local meetings to discuss this issue, information pickets at large workplaces, and engaging community partners were some of the action ideas put forward.

To find out about the campaign, go to :
labourcouncil.ca.



SFQ season

by Janet Porter, Guelph-Humber Faculty Union Steward

We have started this semester's round of distributing, collecting, and analyzing student feedback questionnaires (SFQ) at Humber and at Guelph-Humber.

Student feedback questionnaires are opinions solicited by these schools from students using standardized questions and a standardized approach to distribution and collection.

The questionnaires are designed to collect information about how students feel about their courses. Please note that student feedback should not be taken by you or by your manager as assessment of faculty job performance. Job performance evaluation can only be performed by a qualified and knowledgeable academic manager. Students are not qualified to assess the job performance of faculty. The use of student feedback questionnaires to assess job

performance is problematic. This is not to say that student feedback should be ignored or is not useful, but its express use in formal assessment in decisions that relate to job performance, and/or hiring or firing decisions should not happen. As well, comments on the back of the questionnaires are private and should only be available to faculty, for their particular course(s). Faculty should be reporting lost or misdirected questionnaires to their office manager.

If you have any questions or concerns about the use of student feedback questionnaires in job performance assessment, please contact the Humber faculty union at extension 4007, visit the office at the North campus, room H109, or send a confidential email to info@humberfacultyunion.org.



SFQ's continued

by Robert Mills, OPSEU Local 562 Secretary/Treasurer

In the last issue, we talked about how the SFQs are used and their validity as an assessment tool. The article talked about its short comings as an assessment tool, its continued use for hiring purposes, and the lack of interest on the part of the students in doing it.

However, another problem that we have seen crop up is that because of the confidential nature

of the SFQ, some students have taken the opportunity to write abusive and racist comments on it.

This is not acceptable behaviour and should be reported to your manager. It's up to the college to prevent these kinds of behaviours. So next time this happens, photocopy that particular SFQ and show it your manager.

Final exam schedule at University of Guelph-Humber

by Janet Porter, Guelph-Humber Faculty Union Steward

For those teachers who are assigned courses at the University of Guelph-Humber and have been scheduled to invigilate a final exam on a Saturday:

Your faculty union contract says that a teacher shall not normally be assigned work on calendar Saturdays or Sundays. Where a teacher is assigned to work on a Saturday or Sunday, the

teacher shall be credited with one and one-half times the credit hours normally given for hours so assigned and attributed.

If your final exam is scheduled on a Saturday, you are entitled to ask for overtime pay. In the future, if your exam is scheduled for a Saturday, you can ask to have it changed to be scheduled on a week day.

Who is Rand and what's his formula?

by Robert Mills, OPSEU Local 562 Secretary/Treasurer

Do you like having sick days? How about weekends and vacation periods? Are Health and Safety practices and committees important to you? What about the 8 hour day and pension plans? These are all benefits that we have received as a result of union activity. Even those workers who don't join the union enjoy the results of union activity.

The community colleges have other benefits of being unionized. The Standard Workload Formula (SWF) constrains the managers from overloading the faculty. Because of the SWF, there are more hires than there would be without it simply because managers can't make faculty work as many hours as they used to before 1986 when the SWF came in as a result of the '84 strike. Even though the management has learned how to exploit loopholes in the formula, it still remains a major protection. Without it, we would have heavier workloads and fewer full time faculty.

Since 1946, unions have worked with the Rand Formula. This was first defined by Justice Ivan Rand in his arbitration award handed down in January of that year on the Ford Motor Company strike in Windsor. It requires an automatic deduction by the employer of union dues from the all of the employees. However, the employees do not have to be members of the union. This is based upon the premise that all employees benefit from the activities of the union. This was different from having a closed-shop in which the employees are hired through the union or a union-shop where employees must join the union after they are hired. The following quote emphasizes Rand's feelings on the matter.

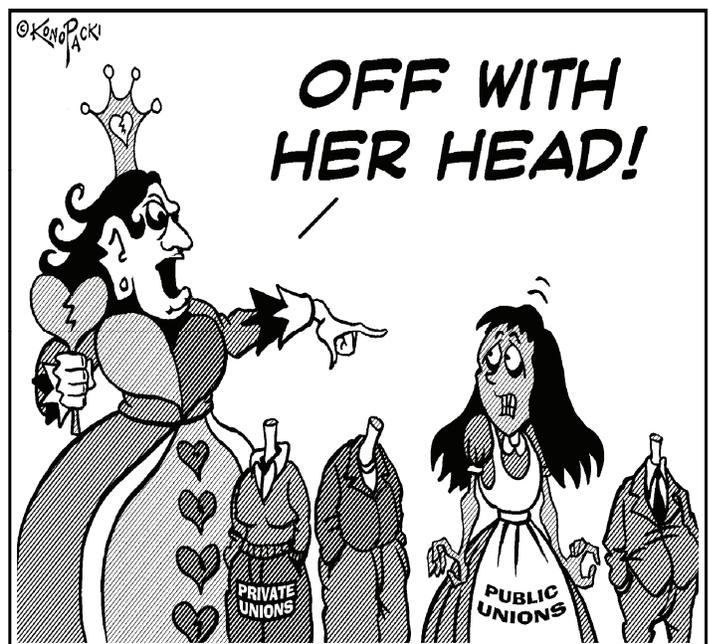
"I consider it entirely equitable then that all employees should be required to shoulder their portion of the burden of expense for administering the law of their employment, the union contract; that they must take the burden along with the benefit."

However, the Conservatives, in this case Hudak, want to remove the Rand formula while

at the same time requiring the unions to maintain all the responsibilities such as bargaining and defending employees including grievances and arbitrations. As well, the Union would have to collect dues from the union members directly – a daunting task where there are many employees. Some employees may see this as a saving worth having especially since the union will still have to protect them. However, with less dues income, the union would have to cut back on costs for arbitrations and grievances. Organizing drives could be less well supported leaving many non-unionized employees without representation in the work place. Also, programs to help others either overseas or in Canada such as OPSEU's *Live and Let Live Fund* to fight HIV/Aids in Africa (Stephen Lewis Foundation) and here (Ontario AIDS Network) may suffer from lack of funding.

The Conservatives seem to like the U.S. concept of "Right to Work" – removal of compulsory union membership and removal of automatic check-off. President Obama, however, has said that the right-to-work laws are pure politics and really just give the workers "the right to work for less money".

continued on page 12



Teaching with a hidden disability

by Adrienne Kitchin, Professor, School of Liberal Arts and Sciences

In the last edition of Newsbreak, John Steckley wrote about the nature of hidden disabilities. He discussed his wife's experience with a condition called fibromyalgia. Fibromyalgia is an often debilitating syndrome that casts its net across a wide array of symptoms. Pain, extreme fatigue along with cognitive and sleep disruptions are common and there are many other possible specific symptoms, depending on the person. This clustered effect is one of the reasons why fibromyalgia is so difficult to treat. Statistically, more women than men suffer from fibromyalgia and unfortunately, women's illnesses and complaints have often been discounted within the medical professions, to put it mildly. It took me several years to get a diagnosis, and after that, there really wasn't much in the way of treatment.

A further complication of fibromyalgia is that there is no external tell-tale marker that would indicate to the outside world that a person is struggling with such a condition. This is, in part, what makes having fibromyalgia so tough. Mostly, I look perfectly healthy and capable and unless I disclose that I have this condition, no one would ever know. And sometimes, it's just embarrassing to tell a colleague that walking *all the way* to the Guelph-Humber building (I am a partial load faculty member) is truly something that I cannot do during my busy teaching day. Saying, "I am already at my absolute max with pain and exhaustion levels," is something that would be very difficult for me to say or explain to someone who has the best of intentions, perhaps even around something fun, like having a short visit or meeting for a cup of tea.

Teaching part-time is an excellent profession for managing fibromyalgia. I do not sit at a desk for eight hours straight, and I have the flexibility in my day to go to the gym, which is an effective and lasting option for pain management. When most physicians and rheumatologists are prescribing SSRIs and heavy pain medications, I can manage my pain through less invasive means. I wouldn't be able to negotiate this time

away from the office in another job that required me to do all of my work on site.

Teaching allows for me to do the preparation, marking and reading required of teaching on my own time and in an environment which is more suitable to the specific needs of someone with fibromyalgia. As part of my particular symptom cluster, I am photosensitive which makes working in an office with fluorescent lights difficult. Also, because of the cognitive issues, I need to do my planning and marking in an environment where I can control noise levels. Because of the pain, I need to be somewhere where I can move around, change my seating and periodically do stretches. I can easily do all of these things at home. Splitting my time between teaching at the college and doing the bulk of my work at home allows for me to be gainfully employed while still managing this condition. A sad reality for many people with fibromyalgia is that they cannot work due to the complexities of the pain and exhaustion levels.

That being said, I am sure most teachers will agree that teaching is physical work. It can sometimes involve long days, with little or no break between classes. It can also involve much energetic output, and in my case, I usually need at least a little break in between classes to breathe a bit and take a moment before I move to my next class.

Some resources available to partial load faculty have been helpful. As part of our benefits, we get coverage for extended health benefits, things like massage therapy and naturopathy.

Having a hidden disability has made me acutely aware of the many different things that teachers and students can be going through at any given time. These things may not be immediately visible. As a leader in the provision of support for our students, Humber College can be seen as an example among colleges. It would be great if the college would increase support for our incredibly dedicated and diligent part-time and partial load faculty members. 

Up at the Board

by Franca Giacomelli,
Board of Governors Faculty Representative

This article is a summary of the March 25 meeting. There was lots of good news at this meeting, and I am happy to share it with you.

Degree Approval- Bachelor of Commerce, Healthcare Management

The Business School has worked with the School of Health Sciences to develop a program that will prepare students for entry-level administrative or management positions in the health care sector (or analytical jobs in health policy or consulting), in hospitals, medical offices, community care organizations, public health, professional associations and government. The Bachelor of Commerce, Healthcare Management, is a four-year degree program offered by The Business School. The first two years will develop foundational knowledge in such areas as organizational behaviour, law, economics, finance and accounting, marketing and operations. The last two years will focus on the Canadian healthcare system.

University of Guelph-Humber Proposed Budget 2013-2014

The proposed budget projects total revenue of \$51.7 million, total expenses of \$37.9 million, and net annual revenue of \$13.8 million. This is based on a target enrolment of 4,000 FTE's (an increase of 11 per cent over 2012-2013) with a 3 per cent tuition increase and continuation of current government funding model. As of March 8, total applications to the University of Guelph-Humber are up 11.3 per cent YOY vs. 4 per cent increase in the system and 1st choice applications have seen a 13 per cent increase year over year - the best performance among comparable institutions.



2013-2014 Humber Business Plan and Financial Budget

The business plan projects growth in 2013-2014 with four new degrees, three new diplomas, one certificate and one graduate certificate. Full-time enrolment is expected to increase by 5.3 per cent with an 88 per cent domestic to 12 per cent international mix. Humber presented a surplus budget with a total excess of revenue over expenses of \$31.1 million forecasted 2012-2013 year-end and \$15.9 in the 2013-2014 budget. These funds will be transferred to net assets for strategic initiatives as it is assumed that for the foreseeable future, the Ministry of Training, Colleges and Universities won't have the ability to provide any capital funds towards infrastructure projects.

Student Success Emerging Framework

The Strategic Planning Steering Committee (SPSC) has continued with student success roundtables (in January and February) and industry partner roundtable dialogues (on February 20 & 21). The student success framework – draft for consultation has been prepared and next steps include community partner roundtables (early April), virtual town hall for students (April), drafting of the strategic plan (March-April), town hall sessions (early May), and approvals.

I would be happy to discuss the details of any of the Board meetings. 🗣️

OPSEU Local 562
General Membership Meeting
Wednesday, May 22, 2013
11:30 a.m. to 2:30 p.m.
Humber Room, North Campus

Due to food order requirements, please RSVP by Wednesday, May 15. Email your reply to orville.getz@humber.ca or leave the office a message at ext. 4007.

1. Mix and mingle at 11:30 a.m. (appetizers will be served)
2. Sit-down lunch at noon
3. Elections of officers for the remainder of the 2012 – 2014 term
4. Report from the OPSEU 2013 convention
5. Financial report
 - Current state of the local's finances
 - Trustees' report for the calendar year 2012
 - Strike fund report and discussion
6. Other business

Continued from page 9

In Ontario, Hudak views unions as unnecessary and dangerous and wants to further weaken them financially. Attacking the financial security of the unions is all part of the efforts to remove worker involvement in their workplace.

Rand had something to say about this:

``...In most of the Provinces...*the social desirability* of the organization of workers and of collective bargaining where employees seek them has been-written-into laws...*The corollary from it is that labour*

unions should become strong in order to carry on the functions for which they are intended. This is machinery devised to adjust, toward an increasing harmony, the interests of capital, labour and public in the production of goods and services which our philosophy accepts as part of the good life...``

Do we want to lose a system that is working as a moderator in the workplace and that works on behalf of and for the benefit of workers? 🇩🇪