

ONTARIO PUBLIC SERVICE EMPLOYEES UNION
ON BEHALF OF THE COLLEGE ACADEMIC EMPLOYEES

AND

The College Employer Council for the College of Applied Arts and
Technology

UNION PROPOSALS U11

Sept 9, 2021



The Union is forwarding the following proposals without prejudice

The Union reserves the right to alter, amend, change, expand or withdraw any and all proposals

Tabled _____

Amend to:
COUNSELLOR

CLASS DEFINITION

COUNSELLOR

A Counsellor is responsible for assisting students and potential students holistically and through an intersectional lens to function effectively as learners and as individuals by helping them understand, prevent or overcome personal, social or educational problems that may hinder learning or their ability to cope with everyday living.

The Counsellor's duties include:

- a) Developing and ~~maintaining~~ providing appropriate counselling programs through various modes of delivery including one-on-one and group counselling (as a non-instructional activity), to support students with mental health, personal, and/or academic issues, including:
 - developing and providing person-centred counselling support and treatment plans, both in-person and virtually;
 - providing traditional and culturally-specific counselling support and advising to Indigenous students, and building community connections with Indigenous partners;
 - maintaining timely and detailed confidential clinical records in adherence to relevant legal and privacy standards;
 - working in accordance with individual regulatory bodies;
 - referring students to appropriate internal and external supports as appropriate;
 - as part of a multidisciplinary team where appropriate, identifying and assisting with student problems, and relationship problems among students.
- b) Interviewing individuals, ~~by appointment,~~ to explore personal or social difficulties or vocational/educational decision making development, including:
 - providing one-on-one counselling and complex case management support for students experiencing significant mental health issues;
 - Providing educational/vocational information to individuals or directing them to available sources;

- ~~referring students~~ referring individuals to both internal and external service providers, as the Counsellor deems appropriate to proper professional help;
 - conducting biopsychosocial assessments and interventions, as the Counsellor deems appropriate;
 - facilitating discussion/dialogue between students, faculty and administration;
 - assisting students in developing self-advocacy skills;
 - participating in pre-admission interviewing and testing, as required;
 - assisting new students in their transition to the College.
- e) ~~Group counselling as a non-instructional activity~~
- c) ~~Testing~~ **Assessing** and evaluating ~~evaluation of~~ individuals to assist them in their personal, educational/vocational development, **including:**
- screening for depression, anxiety, ADHD, traumatic stress, and/or learning disabilities, and consequently facilitating appropriate accommodation support and/or making appropriate referrals to both internal and external resources;
 - assessing individual disabilities/abilities, and developing appropriate accommodation plans, accordingly;
 - conducting needs assessments that include consideration of psychosocial factors of students, for the purpose of exploring career options;
 - administering and interpreting a variety of psychoeducational career assessments;
 - conducting intake assessments as a triage process to assess the students' needs and appropriately match students with counsellors;
 - Conducting therapeutic assessments (including the use of scales and assessments when needed) to assist clients in understanding their unique concerns;
 - conducting an academic assessment of current and incoming students, and designing processes to assist their academic development and learning strategies.
- e) ~~Assisting administration, faculty and staff, in a consultative role in identifying student problems, dealing with student problems, and relationship problems among students.~~

- d) Providing educational/vocational information counselling to students or directing them to available sources individuals, including:
- providing current occupational and career/labour market information to individuals or and/directing them to available sources;
 - providing career counselling to students using a holistic and inclusive approach, as the Counsellor deems appropriate;
 - providing career education and counselling in orientation, transitioning programs and educational sessions;
- ~~g) Participating in the orientation of new students to the College.~~
- e) Developing and promoting student accommodation plans after assessing disabilities/abilities, including:
- reviewing documentation and providing assessments and screenings when necessary;
 - referring to external partners for additional medical documentation to secure accommodation support, as appropriate;
 - working to help College employees support and understand the needs of accommodated students and to adhere to relevant legislation and College policies;
 - evaluating documentation provided in the accommodation assessment process to make recommendations to benefit students, including accommodation and access to funding options;
- f) Responding appropriately to crisis situations affecting either the mental health or academic performance of students or the broader College community, including:
- providing crisis intervention and conflict resolution;
 - conducting suicide/homicide risk assessment and, where appropriate, initiating safety planning, duty-to-warn, and threat risk protocols;
 - providing crisis support to the college community following a tragic event;
- g) Promoting positive mental health wellness in the college and beyond, including:
- conducting group counselling as a non-instructional activity;
 - creating and facilitating clinical and nonclinical groups/workshops for students;
 - advocating for students within the College community and for mental health initiatives, policies, and procedures to support students' mental health wellness;

- participating in college, regional and provincial committees;
 - promoting fair and equal access throughout the College by eliminating barriers and ensuring adherence to the Ontario Human Rights Code;
 - creating and facilitating educational workshops for faculty, administration and staff to facilitate increased understanding of student needs and accommodations;
 - organizing and/or assisting with mental health educational or professional development opportunities for the college community through workshops, presentations, classroom visits, events, and/or online offerings;
 - collaborating with academic faculty and units to develop and support in-house mental health education, career education, and health teaching, both in and outside the classroom;
 - participating in the orientation of new students to the College.
- h) Supervising interns from postsecondary institutions on field placement/practicum
- i) Engaging in applied research related to counselling work, as needed
- j) Teaching, as assigned mutually agreed to

In addition, the Counsellor may, from time to time, be called upon to contribute to other areas ancillary to the Counsellor's role, such as student recruitment and selection, student employment, liaising with community service programs and agencies, professional development and control of supplies and equipment.

If there is a conflict between the standards of practice of a governing body and a member's work environment, the member's obligation is to the governing body.

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.