



# Changes on the Horizon

On September 1, 2008 Kwantlen University College officially became Kwantlen Polytechnic University. The provincial government's announcement in the spring put an end to months and months of speculation and uncertainty about our name.

Much uncertainty remains with respect to the kind of institution we will become. KFA members need to be front and centre in the decision making processes that determine our future.

We need to remain strong on the issues that have given us the working conditions we have. We need to continue to work towards improvements in our professional lives and working conditions and guard against enticements that look and sound good but lead to inequities in the end.

The Canadian Association of University Teachers (CAUT) strongly advises that all university faculty associations be unions and bargain strongly for rights and protection, including academic freedom. The Kwantlen Faculty Association is a certified trade union under the labour relations code and from our beginning years, it has been our tradition to advocate for our members' rights and professional concerns.

The KFA has been involved in collective bargaining, grievance handling and governance issues throughout our history. We were members of CIEA (College Institute Educators Association) when they lobbied government to change the College and Institute Act in the 1990's to grant us collegial governance by way of board membership and Education Council. In effect, bicameral governance has been a part of Kwantlen for over 13 years.

Kwantlen's newly formed senate has recently voted on a number of very important issues. The resolutions on

membership and representation and the right to vote for all faculty members were passed.

We wrote about these issues in our KFA special bulletins, available online at <http://www.kfa.bc.ca/bulletins>.

We supported the "learner support" faculty's bid to have the right to vote for their senate representative and the right to have representation on senate. We also supported voting rights for all faculty members.

The KFA will continue to advocate on issues of concern for our members. There are those who think "educational issues" are not union issues. We disagree.

The Kwantlen Faculty Association constitution states the following:

2. *The purposes of the association are to:*
  - 2.1 *protect the welfare, professional interests, and working conditions of its Members;*
  - 2.2 *assist in protecting and enhancing the freedom and quality of teaching, thought and enquiry within the university college;*

Our constitution, our principles that the KFA membership adopted in 2006, and our members will continue to guide us as our transition to a polytechnic university continues.

I want to highlight our principles on faculty autonomy, protection for existing Kwantlen faculty, and equity:

***Faculty autonomy*** – *Kwantlen must commit itself to the maintenance of a shared governance model that recognizes faculty autonomy in educational matters and promotes the full democratic participation of all its members.*





### Did you know?

The company that decides on who are the best employers in Canada does not ask the employees or their unions for their opinions.

### Coming Soon:

Section 40 of the University Act defines the powers and duties of the eight faculties (administrative divisions) at Kwantlen--Business, Social Science, Science and Horticulture, Design and Communication, Community and Health Studies, Trades and Technology, Humanities, and Qualifying Studies. What does this mean to you? Stay Tuned for:

**KFA Special Bulletin # 3—  
Powers and Duties of Faculty.**

# Grievances and Arbitrations

The Kwantlen Faculty Association works to protect the welfare, professional interests, and working conditions of Kwantlen faculty. In this labour relations capacity, we find, from time to time, that violations of the Collective Agreement have occurred and that our members have been harmed. When that occurs, we file grievances through the process outlined in the collective agreement, and when that fails, we proceed to arbitration.

The Kwantlen Faculty Association has filed 27 grievances over the last year. Since January 2008, we have had three arbitrations turn into mediated settlements. We have received an arbitration decision from Vince Ready on regularization and the definition of ongoing work, which went in our favour. We had another arbitration this August with Judi Korbin, again on the issue of regularization and the right of the employer to post work to prevent regularization. We await that decision.

As Kwantlen evolves towards meeting its mandate to develop as a Polytechnic University, I anticipate we will continue to file grievances and go to arbitration. Despite what you might have heard, in fact, our collective agreement is alive and well. A September 10, 2008 legal opinion provided to Senate by the employer ends with this statement: *“Finally, it should be noted that the continuation of Kwantlen University College as a university and the designation of faculties will not affect the validity, term or content of the two collective agreements. Those remain in place.”*

What have been the issues that have given rise to grievances?

As noted, regularization has been a key issue (on behalf of 9 individuals) and a policy grievance on behalf of at least 10 individuals who have been regular part

time but working at 100% for 2 or more years. Other issues include the following:

- Improper conditions attached to the initial appointment(2)
- Unfair discipline (2)
- Contracting out in International Education (3)
- Bargaining unit work
- Unfair evaluation
- Personal Harassment (3)
- Layoff notice given while member is on sick leave
- Improper layoff (2)
- Copyright violation
- Seniority miscalculation (FTE)
- Improper use of Non-Regular Type 1 contracts

We have also dealt with many other faculty member concerns and achieved informal resolution. We also deal with member to member conflicts, providing separate representation for each of the parties. Those matters are very difficult for all concerned, and the resolution may sometimes be elusive. Faculty associations across Canada struggle with how best to deal with these situations, and no one has yet found the magic cure.

We are all now in a time of fast transition and uncertainty, and tensions can mount. We need to work through differences and find common ground. The next while will provide us with challenges and opportunities, and we can rely on our collective agreement and the protections it provides.

**Maureen Shaw**  
Vice-President—Grievances

**Did you know?**

If you travel outside of Canada, your Kwantlen coverage for medical expenses is only \$25,000. Make sure you purchase excess medical insurance any time you travel, even it is to Bellingham for the day.

**Did you know?**

Under our collective agreement, you are eligible for 5 days of paid leave for family illness. See Article 13.08

**Faculty Performance Review Committee**

The joint Management/KFA Performance Review Committee continues its work towards addressing concerns around performance review. The committee has done an extensive review of all documents involved in the performance review process, including documents involved in the historical evolution of the process. Currently, we are conducting focus groups with members of the KFA as well as administration about various elements of the Performance Review. Meetings have been arranged with the KFA table offices, Chairs and Coordinators, Directors and Deans. Open sessions are also being arranged on each campus for all faculty to participate. As soon as dates have been confirmed we will be publicizing them through email and on our website.

Later this term, the committee will consider all of the feedback before starting the next set of consultations.

You can find the Letter of Understanding #3 on our website at <http://www.kfa.bc.ca/ca> and Faculty Performance Review documents are on the Kwantlen H/R website.

Please feel free to contact me if you have any thoughts or information regarding this or other issues.

I hope to hear from you at one of the focus group meetings.

**Bob Davis**  
Vice-President, Negotiations

**Changes on the Horizon**

(Continued from page 1)

**Protection for existing Kwantlen faculty** – *no loss of position, rights, or benefits for Kwantlen faculty shall result from any change in name or status.*

**Equity** – *Kwantlen must uphold the equal rights of all faculty and support measures that maintain its structures of equitable compensation and treatment.*

We have the chance to create a university that works for all of us, for who we are and what we want to become. We want to preserve the best of what we

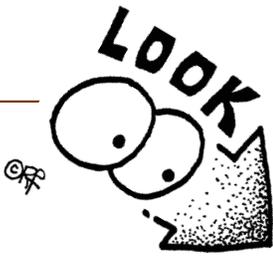
have and avoid the worst aspects of the university models. We need to be informed and participate in transition decisions and discussions.

We can and must work together in the best interests of all our members. Remember that through all this, the KFA is all of us and we will continue to work together to create the university and working conditions we want for ourselves.

**Terri Van Steinburg**  
President

**Becoming a University: Myths and Realities**

Did you miss the special presentation by Jim Turk, Executive Director of the Canadian Association of University Teachers? Visit our web site at <http://www.kfa.bc.ca> for a summary of the presentation highlights.



MARK YOUR CALENDARS!

**GENERAL MEETING**

FEBRUARY 19, 2009

RICHMOND CAMPUS,  
ROOM 2550

#### Letters to the Editor?

Send them to Panteli Tritchew, Panteli.Tritchew@kwantlen.ca, with the subject title "KFACTS Editor."

#### Have you recently moved?

Be sure to let us know! Send an email to Erica.Todd@kwantlen.ca

☰ Kwantlen Faculty Association  
12666-72<sup>nd</sup> Avenue  
Surrey BC  
V3W 2M8  
Tel 604.599.2200  
FAX 604.599.0797



**We're on the Web!**

Visit us at:

<http://www.kfa.bc.ca>

## Unions and the United Way

The partnership between labour and the United Way has allowed both movements to channel their collective energies toward a common goal—to effectively address community issues and needs, and to work to provide a broad range of accessible, high quality social services.

Services cannot exist without financial support. Every fall labour supports United Way efforts through donations and volunteers. This year



Kwantlen Polytechnic University and the KFA have sponsored David Evans as a Loaned Representative to the United Way's Fall Campaigns.

Why support the United Way? In these times of significant community and economic change, being able to turn to the community for support, whether for a little boost or for on-going assistance, can be critical for you, or someone you know. This makes your gift to United Way as important as ever.

## Retirement: There's More to it than Money

*There's More To It Than Money* is an interactive workshop that will be presented by the Post Secondary Branch of the BC Retired Teachers Association and is geared towards those who are about to retire. The workshop is designed to follow and complement the College Pension Plan's Retirement Seminars.

The College Pension Plan Retirement Seminar provides essential information about the pension that plan members can expect to receive and the choices that must be made to achieve the optimum financial arrangements for each retiring educator. But there are two basic questions that must be answered when any individual is thinking about retirement: "Can I afford to retire?" and "Am I ready to retire?"

*There's More To It Than Money* focuses on these two basic questions. Teachers need to consider the second question just as carefully as they consider the financial implications of retirement. We want to direct attention to the many factors that go into the fashioning of a future that is truly rewarding.

Retirement living brings with it life-altering situations and a wide variety of choices, some financial, some legal and

all to do with life-style. Achieving a workable balance when teaching days are over, and making retirement fulfill dreams doesn't just happen!

If you are close to retirement, or are just interested in learning more, register for both of these important seminars/workshops:

College Pension Plan  
**Retirement Seminar**  
January 30, 2009  
1-3:30 pm  
Surrey Campus, G1205A.

**Register online at:**  
<http://college.pensionsbc.ca/>

BCRTA (Sponsored by the KFA)  
**There's More To It Than Money**  
February 6, 2009  
1-4 pm  
Surrey Campus, G1205A

**Register by email to:**  
[erica.todd@kwantlen.ca](mailto:erica.todd@kwantlen.ca)