



# Kwantlen Faculty Association

## **FALL 2016 GENERAL MEETING UPDATE**

Your KFA – Knowledgeable, Fair, Approachable

The Kwantlen Faculty Association held our Fall General Meeting on Wednesday, October 26, 2016 at the Richmond Campus. We set our meeting during Fair Employment Week (October 24-28, 2016), which is designated annually by academic unions across North America to raise awareness about the exploitation of contract academic faculty and staff. Below are some highlights from our meeting.

### **Opening Remarks from FPSE**

George Davison, President of the Federation of Post-Secondary Educators (FPSE), brought a provincial perspective to the assembly. He noted this general trend: overall funding for post-secondary education is decreasing, while tuition costs keep increasing. As well, the provincial government's Skills for Jobs Blueprint has had a negative impact on post-secondary education as institutions are pressured to leverage their offerings towards programs and courses that conform to the Blueprint's agenda. George further noted that FPSE will continue to lobby the province for increased post-secondary funding, as well as free tuition for Adult Basic Education and English Language Training.

### **Constitutional and Funding Motions for Approval**

Wording changes to By-Law #7 were approved so that about half of the Executive are up for election each year.

The 2015-2016 Audited Financial Statements were approved, as was a \$1,000 Bronze level sponsorship for Kwantlen's KDocs film festival and a \$1,500 donation to the Education and Training Employees Association Hardship fund.

### **Issues and Activities At Kwantlen Polytechnic University**

Bob Davis, KFA President, spoke about issues related to Fair Employment Week and the increasing numbers of contract faculty across North America. Bob emphasized that the KFA has bargained hard over the years to provide our faculty with work entitlement under the provisions of regularization and that we remain vigilant on this critical job security issue. Bob was pleased to report that the KFA has been included in search processes for administrative positions that are outside the collective agreement.



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### **Keynote Address: Let's Make It Fair—Contingent Labour In The Academy**

Dr. Sarika Bose, Contract Academic Staff Representative from the University of British Columbia Faculty Association, presented an engaging talk on how the increase in contingent (contract) faculty impacts not only contract faculty, but regularized faculty and students as well. Dr. Bose noted that the increasing reliance on contract faculty by university and college administrations across North America is based on false economies of scale that either subtly or explicitly erode faculty professionalism and academic freedom. Dr. Bose argued that many contract faculty are required to teach at multiple institutions, with multiple preps under adverse conditions such as last minute hiring, no office space to hold student meetings, lack of computer resources etc. and that this compromises the quality of teaching. Often, these faculty are not properly mentored within the department or oriented to the institution.



(Dr. Sarika Bose, Contract Academic Staff Representative from the University of British Columbia Faculty Association)

Contingent faculty who teach under these conditions are scrambling financially and do not have the luxury of professional development funds or time, or time to pursue their own scholarship. Through no fault of their own, their professionalism is undermined simply by circumstances.



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Bose further noted that faculty who work from contract to contract and teach at multiple institutions lack the time and energy to commit to extracurricular “service,” so these needs have to be picked up by “regularized” faculty within the department.



(Dr. Sarika Bose, presenting an engaging talk on how the increase in contingent (contract) faculty impacts not only contract faculty, but regularized faculty and students as well.)

### **Additional Reports**

At the conclusion of the meeting, Bob Davis stated that a written report would be provided to the membership highlighting grievance updates and Labour Management Relations Committee and bargaining activities. The report is attached below.

### **CURRENT DISPUTES WITH THE EMPLOYER**

The dispute resolution processes used by the KFA are detailed in Article 17 of the Collective Agreement: 1) Informal resolution, 2) A formal grievance process consisting of three steps, and 3) Arbitration, which is an avenue for resolution beyond the grievance process. Some of the disputes currently active at various stages of the dispute resolution process include the following:



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### **Continuing & Professional (CPS) Studies**

The KFA views that various CPS offerings do not follow the provisions of our Letters of Understanding with Kwantlen and that there have been process violations in determining the application of definitions to CPS offerings and violations in the determination of bargaining unit or non-bargaining unit status of course and program offerings. While the process issues are currently being resolved, the Employer and the KFA disagree about the bargaining unit status of certain CPS offerings, including Beekeeping, and KPU Advantage Tutoring. The KFA and Employer have not been able to reach settlement through the three steps of formal grievance process, so this issue is being taken forward for arbitration approval with the FPSE.

### **Compensation for Regular Faculty Members for Additional and Overload Work**

Although this issue is close to resolution, there are still a few details to be ironed out. This grievance arose when we became aware that regular faculty members were being paid at NR1 rates for some of their work. The KFA maintains that Article 9, titled “Salaries – Regular and Non-Regular Type 2 Faculty” must apply to all work performed by all regular faculty. A faculty member’s status as a regular faculty member and the benefits that pertain to that status cannot be arbitrarily revoked for some certain portion of that member’s work, whether the member is a part-time regular faculty member or a full-time regular faculty member. We believe we have reached agreement in principle regarding resolution and are in consultation with the Employer as to the details of the resolution memo.

### **Assignment of Other Duties**

Article 2.03 of the Collective Agreement describes what should occur when faculty members are assigned significant work in addition to their normal duties. The practice of the Employer has, in the view of the KFA, been inconsistent with regard to practices in assigning work requiring release time of at least a semester or more. Our remedy is that all the provisions of Article 2.03 be consistently applied and followed for every assignment requiring release time of a semester or more. This includes following proper search processes for all of these semester or longer releases. The Employer has agreed and the grievance is resolved.



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### **Excessive NR1 Contracts**

For quite some time, the KFA has been in communication with the Dean of Arts' office regarding the number of NR1 contracts issued in the Faculty of Arts. The KFA is deeply concerned about the precarity of faculty work and we are vigilant about the increasing precarity that seems to be happening in Arts.

NR1 contracts are only to be used in restricted situations. According to the Agreement, "non-regular Type 1 faculty may only be hired for specialized requirements, experimental offerings, timetabling anomalies, substitution, vacation replacement, short-term emergency circumstances, work that is not expected to be ongoing or work that does not provide them with an assignment that qualifies for non-regular Type 2 status at the August 1 assessment date."

A previous grievance was filed on this matter at the end of 2014, and the resolution reached was that the situation would be corrected in future by bundling work into NR2s and other appropriate measures. We have been closely monitoring the situation in Arts and in all other Faculties to ensure excessive numbers of NR1s are not being issued.

We are awaiting the Employer's response at Step 2.

### **Labour Management Relations Committee**

The Labour Management Relations Committee (article 18.05 of the Collective Agreement) serves as an open forum for the free and candid discussion of matters of mutual concern to the Faculty Association and the Employer. Several issues are currently being discussed.

The KFA has requested emergency procedures in case of fire, medical emergency, earthquake and active threat be posted in each room; emergency contact information be posted in each room; and classrooms be equipped with locking doors and closable window coverings in case of active threat. We have also discussed CCTV Security Cameras (use, placement and monitoring); the KFA has made several suggestions regarding the CCTV Security Camera policy and the Employer has agreed that the cameras will become operational only when the appropriate signage, as required by the Public Sector Surveillance Guidelines, has been installed.



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The LMRC Chair/Coordinator sub-committee, as mandated by LOU# 15, has been working on a survey that will identify Chair/Coordinator issues and inform recommendations by the parties for the next round of negotiations. This survey will be distributed in the New Year.

A sample of some of the other issues that have been discussed include Service Recognition, Retirement Recognition, access to email for retired members, Cloverdale campus cleanliness, acetate rolls and overhead projectors, classroom repurposing/reassignment, and classroom configuration.

Minutes from LMRC can be found on the [SharePoint](#) site.

Please don't hesitate to contact [Gillian Dearle](#) or [your LMRC campus rep](#) if you have any questions.

### Improvements to Salary and Benefits

We can look forward to improvements to our salary, benefits, and PD funds in 2017 as a result of gains made in the last round of Collective Agreement negotiations.

- Salary for NR1, NR2, and regular faculty will increase by 1% on the first day of the first pay period after February 1, 2017.
- Hearing Aid Coverage increase from \$600 every five years to \$1000 every three years, effective January 1, 2017.
- PD fund allocations to respective groups will increase from \$550 to \$625 per FTE, effective January 1, 2017.
- We will now have access to Substance Abuse Rehabilitation Coverage effective January 1, 2017. Upon physician referral and subject to the terms of the Extended Health Benefits plan, charges for a provincially licensed Substance abuse rehabilitation Facility, when not covered by a medical plan, will be reimbursed to a lifetime maximum of \$25,000 per eligible insured.

Sincerely,

Bob Davis, Diane Walsh, Gillian Dearle, Suzanne Pearce, Panteli Tritchew

cupe 1004