

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

U13 UNION PROPOSALS

October 12, 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 _____

New to:
 Article 2
 STAFFING

2.04 There shall be no contracting out of faculty work.

*All other articles remain status quo

Amend to:
 Article 11
 Workload

11.01 D 1 Weekly hours for preparation shall be attributed to the ~~teacher~~ faculty member in accordance with the following formula:

TYPE OF COURSE	RATIO OF ASSIGNED TEACHING CONTACT HOURS TO ATTRIBUTED HOURS FOR PREPARATION
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New — 1:1.10
 Established A 1 : 0.85
~~Established B 1 : 0.60~~
 Repeat A 1 : 0.45
 Repeat B 1 : 0.35
 Special A as indicated below
 Special B as indicated below

RATIO OF ASSIGNED TEACHING CONTACT HOURS TO ATTRIBUTED HOURS FOR PREPARATION BY
TYPE OF COURSE

<u>Mode of Delivery</u>					
	<u>New</u>	<u>EA</u>	<u>EB</u>	<u>RA</u>	<u>RB</u>
<u>Face-to-Face</u>	<u>1:1.75</u>	<u>1:1.50</u>	<u>1:1.10</u>	<u>1:0.60</u>	<u>1:0.50</u>
<u>Online</u>	<u>1:2.00</u>	<u>1:1.75</u>	<u>1:1.50</u>	<u>1:0.60</u>	<u>1:0.50</u>

Hybrid	<u>1:2.25</u>	<u>1:2.00</u>	<u>1:1.65</u>	<u>1:0.75</u>	<u>1:0.65</u>
Multiple Mode A/Synchronous	<u>1:2.50</u>	<u>1:2.25</u>	<u>1:2.00</u>	<u>1:1.00</u>	<u>1:0.85</u>

Managers shall provide additional attributed hours as needed, including with respect to the workload variables set out in 11.02 C 2

11.01D 3 For purposes of the formula:

Mode of Delivery

- i. “Face-to-Face” refers to a section of a course which a faculty member is delivering together with students in the same physical space at the same time and is synchronous.
- ii. “Online” refers to a section of a course which the faculty member is delivering entirely through online delivery, either synchronously or asynchronously.
- iii. “Hybrid” refers to a section of a course which the faculty member is, at different times, delivering partly online and partly through face-to-face instruction, and this delivery remains the same for all students for the duration of the course.
- iv. “Multiple Mode A/Synchronous” refers to a section of a course that the faculty member is delivering through face-to-face instruction as well as online at the same time, and may involve a streaming or recorded component.

Type of Course

*Article 11.01 D3 amend only (i) to:

- i. "New" refers to the first section of a course which the ~~teacher~~ faculty member is
 - teaching for the first time. (This definition does not apply to a new ~~F~~full-time ~~teacher~~ faculty member who has previously taught the course as a Partial-Load, Sessional or Part-time employee, ~~nor to courses designated as "Special" as defined below~~); or

- teaching for the first time since a ~~major~~ **significant** revision of the course or curriculum has been approved by the College; **or**
- **teaching in a different mode of delivery for the first time.**

* Article 11.01 D3 delete (vii) and (viii) and add new:

- vii. **Hours for coordination of courses or programs (as referred to in 14.03 A 3) assigned to a faculty member on an ongoing basis, in lieu of teaching or in a non-teaching period, shall be attributed on an hour for hour basis and recorded on the SWF**

*Article 11.01 D3 (ix) remains status quo but renumbered to (viii)

11.01 E 1 Weekly hours for evaluation and feedback in a course shall be attributed to a ~~teacher~~ **faculty member** in accordance with the following formula:

In accordance with the following ratio depending on which form of evaluation is most prevalent

RATIO OF ASSIGNED TEACHING CONTACT HOURS
TO ATTRIBUTED HOURS FOR EVALUATION AND FEEDBACK

Essay or p Project	Routine or Assisted	In-Process
1:0.03055 per student	1:0.015 per student	1:0.0092 per student

Managers shall provide additional attributed hours as needed, including with respect to the workload variables set out in 11.02 C 2

11.02 B 2 **As requested by the faculty member, an Indigenous Elder/Traditional Knowledge Keeper shall be permitted to attend the WMG in an advisory role.**

*All other articles remain status quo

Amend to:
Article 13

Intellectual Property

13.01 ~~Except as may be otherwise mutually agreed between the employee and the College, a work commissioned by the College, or produced pursuant to the employee's normal administrative or professional duties with the College, shall be and remain the property of the College. Other works produced by an employee shall be and remain the property of the employee. Nothing contained herein shall adversely affect any rights an employee may have under the *Copyright Act* (Canada) and in particular the subsection addressing "work made in the course of employment".~~

In order that a faculty member has control over the direction, integrity and use of their academic work, as a general principle, ownership of all types of intellectual property, whether copyrightable or patentable material, shall rest with the faculty member who creates it, even if it is produced during the course of employment and with the use of the employer's facilities and resources, except in those cases where there is a written contract to the contrary that identifies the specific work/product and assigns the copyright or patent to the employer.

*All other articles remain status quo

Amend to:
Article 26

PARTIAL-LOAD EMPLOYEES PROFESSORS AND INSTRUCTORS

26.01 C Each partial-load professor and instructor shall have a workload that adheres to the provisions of Articles 11.01 and 11.02 and shall result in a workload which is no more than 72% of the maximum full-time workload specified in Article 11.01 B 1.

*All other articles remain status quo

Amend to:
Article 32

GRIEVANCE AND ARBITRATION PROCEDURE

Grievance Procedure
Grievances

32.02 Failing settlement of a complaint, it shall be taken up as a grievance (if it falls within the definition under 32.11 C) in the following manner and sequence provided it is presented within seven days of the immediate supervisor's reply to the complaint.

Grievance Meeting

- i. An employee shall present a signed grievance in writing to the College President or his/her designee setting forth the nature of the grievance, the surrounding circumstances and the remedy sought. The College President or his/her designee shall arrange a meeting within 15 days of the receipt of the grievance at which the employee, a Union Steward, and an additional representative designated by the Union Local shall be present if requested by the employee, the Union Local or the College. **The member may request an Elder or Traditional Knowledge Keeper/Carrier to attend and such a request shall not be denied.** The College President or his/her designee may have such persons ~~or counsel~~ attend as the College President or his/her designee deems necessary.
- ii. **The parties agree that mandatory mediation with an Indigenous mediator/arbitrator is an alternative to the grievance process and is triggered at the faculty's request. If the mediation breaks down and the mediator determines that the parties cannot come to a settlement, then the Indigenous mediator/arbitrator can issue a binding decision.**

*All other articles remain status quo

Amend to:
Letter of Understanding
Re: ~~Employment Equity~~ **Equity, Diversity, and Inclusion**

The parties recognize a shared commitment to achieving employment equity within the college system. This, therefore, will confirm the understanding reached at negotiations between the parties that:

1. At the local level, the parties **shall establish a jointly-chaired committee (including equal representation from the union and employer) to research and make binding recommendations annually on** ~~will work together to facilitate:~~
 - the implementation of employment systems, policies and practices, including matters relating to **compensation and** child care, that are non-discriminatory **and equitable** in nature and effect; and

- the implementation of practices and policies to enhance the hiring of, and transfer, promotion, training and developmental opportunities of, persons from designated groups; and
 - generating data as to the current representation and distribution of the designated groups; and
 - examination of recruitment and practices of hiring into the bargaining unit of persons from designated groups; and
 - the removal of any barriers that may exist in employment policies and the monitoring of data relative to employment equity; and
 - the attainment of appropriate representation of targeted groups identified by the Province of Ontario.
2. At the provincial level, the parties shall establish a jointly-chaired committee of the EERC (including equal representation from the union and employer) to research and make binding recommendations for each subsequent Collective Agreement ~~will work together~~ to ensure that all provisions of the Agreement are non-discriminatory in nature and effect.
 3. At both the provincial and local level, the parties will work together to enhance the participation of individuals from populations identified by the Province of Ontario as designated groups in the day-to-day administration of the Agreement. This could include, but not be limited to, the administration of Articles 7, 9, 11, 32, 33, Appendix II and IV.

The designated groups referred to above are considered to be, for the purpose of this letter:

- Women
- ~~visible and ethnic minorities~~ Racialized people
- ~~disabled persons~~ People with disabilities
- ~~native persons~~ Indigenous (First Nations, Inuit and Métis)
- Lesbian, Gay, Bi-Sexual, Trans, Queer and 2-Spirit (LGBTQ2S*)
- Francophones

Renew all Letters of Understanding with changes to the following;

- Employment Equity (see proposed LOU Equity, Diversity, and Inclusion)
- Remove Intellectual Property (see Article 13 proposals on Intellectual Property)
- Remove Counsellor Class Definition (see Class Definition proposal on Counsellors)
- Remove Short-term Disability Plan (Joint Task Force)

Amend to:

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~~ 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.