

Contract Update

Issue 8 – November 3, 2009

A Newsletter from the Colleges' Bargaining Team

Conciliation Officer's report to the Minister

Both the Colleges and the faculty union (OPSEU) received a letter from the Minister of Labour informing the parties that he has been advised by the conciliation officer that, despite the conciliator's efforts, the terms of the collective agreement have not been resolved.

The Minister of Labour's letter demonstrates the distance between the positions of the two sides despite over five months of bargaining involving 25 days of face-to-face negotiations since early June.

Two Major Issues at the Table

The two major issues continue to be salary and workload.

Salary

In an effort to settle during the October negotiations, the Colleges increased their monetary offer and are proposing a settlement of 1.5%, 1.5%, 2% and 2% in a four-year deal. The new maximum salary would be \$103,464 on September 1, 2012.

No discussion about salary proposals can be made without reference to the general economy and the state of public finances. In its recent economic update, the Government of Ontario is projecting a 3.5% contraction in the economy this year. The Government also announced that it is projecting a \$24.7 billion deficit in 2009-10 without a return to a balanced budget until 2015-16.

With these projections in hand, the Government has made it clear that the Colleges cannot expect any significant increases to operating revenues. One-time stimulus money being spent on infrastructure projects, such as buildings, cannot be transferred to operating expenses.

Broader Public Sector wage settlements have followed a downward trend as each of the government's partners have had to manage within the new economic reality of restricted public finances. Almost all settlements in the Broader Public Sector are now being resolved in the 1 to 2% zone.

For example, OPSEU recently settled an agreement with the faculty employed at the Michener Institute in Toronto. In the first year, that agreement provided an initial 1% increase and a further 1% six months later for a first year increase of 1.5%. The second and third year each provided a 2% increase.

College faculty often compare salary proposals to amounts offered to secondary school teachers. During the last round of negotiations, the Colleges were able to offer faculty a salary proposal that was higher than settlements that secondary school teachers reached. This difference in offers resulted directly from the timing of negotiations and the driving macro-economic events and state of public finances at that time.

In this round of negotiations, the severe fiscal challenges that began in late 2008 have meant that Colleges cannot offer salary increases as high as those agreed to under the provincial framework agreement for secondary school settlements negotiated in early 2008.

However, it is important to emphasize that the Colleges' offer will maintain the pay of college faculty between secondary school teachers and university professors.

Workload

The Colleges' proposals on workload are grounded in the recommendations of the Joint Workload Taskforce Report. The key recommendations of the taskforce report cover four important areas:

- Improving flexibility with respect to the assigning of workload,
- Addressing the need for a consultative process when establishing evaluation methods,
- Providing increased time for out-of-class assistance when teachers have numbers of students to teach above the norm, and
- Focusing on professional standards and relationships that consider mechanisms that will enhance collegiality, professional development and academic freedom.

The Colleges have tabled proposals that address each of the four areas.

Increased flexibility

The Colleges' proposal on flexibility is modeled on the pilot project language as the task force recommended. It significantly increases the ability of faculty to design their own workload arrangements and advances the concepts of collegiality and academic freedom that were endorsed by the taskforce.

Consultative evaluation methods

The Colleges have made a proposal that incorporates this recommendation and will ensure all faculty have the opportunity to participate in the establishment of evaluation methods.

Out-of-class assistance

The Colleges responded to this recommendation and proposed to give further time or other types of assistance to teachers who have large numbers of students to teach.

Professional standards and relationships

To encourage further long term professional development leave, the Colleges' proposal increases the level of compensation available to employees taking professional development leave to a maximum of 80% of the employee's base salary. Provision has also been made to consider support for employee expenses associated with professional development. The Colleges' proposals concerning work assignment, evaluation methods and additional out-of-class assistance all include increased participation by faculty in course delivery decisions in order to further enhance collegiality and academic freedom in the system.

OPSEU's Positions

In October's bargaining, OPSEU reduced its salary proposal to 4.0% per year for two years. The union maintained its proposal for a new step in each year. OPSEU's total salary proposal would increase the new maximum salary by 14% over two years to \$109,915.

The union made few significant modifications to its position on workload issues. Its proposals continue to include many items which are not included in the task force's four recommendations. In the last round of negotiations, these workload concepts were either withdrawn by the union or not accepted by the arbitrator.

OPSEU's October 24th Update

In the spirit of maintaining an open dialogue, it is appropriate to speak to the key issues raised by OPSEU in its October 24th update to members.

OPSEU began its update by characterizing the Colleges' offer as "... miles away from where that fair and reasonable settlement lies." While this language might be rhetorical for the purpose of bargaining, the fact is that the Colleges' offer is within the range of current settlements and does address the workload taskforce issues, while the union continues to suggest a 14% increase in the maximum rate over the next two years and has many proposals that are outside the scope of the taskforce's four recommendations.

As everyone is aware, a negotiated settlement will only be achieved through active participation and negotiation by both parties.

Urgent Need to Settle

The lack of progress is very frustrating for everyone, but especially for our faculty and for our students who want certainty that their school year won't be disrupted. Despite the severe fiscal and economic position of the province, the Colleges have presented an offer that invests in our faculty and provides improvements to both their salary and working conditions.

We need certainty in costs to help us plan for the future. Colleges are already engaged in comprehensive planning exercises, as we manage through the current fiscal challenges to maintain the delivery of quality programming.

Given the growing challenges in the Colleges, we need to emerge with a settlement in November. We all remember that in 2006 negotiations dragged on and resulted in the union striking in March, which threatened the students' academic year.

Next Bargaining Date

Bargaining talks are scheduled to resume on November 10. We trust that this will result in a settlement if both parties set reasonable expectations.

Keeping you informed

Contract Update is a periodic newsletter from the Colleges' Bargaining Team to keep you informed on progress made or when significant events occur during collective bargaining. The English and French versions of this newsletter are also posted on the College Compensation and Appointments Council's website at www.theCouncil.on.ca.

Your opinion

We are interested in what you have to say and welcome your opinion. Please feel free to contact any member of the Management Bargaining Team or submit your views in writing to: info@theCouncil.on.ca.