

Examiner



Pres Sez

by Sam Maga, Local 240 President



Local 240 Pulls Out of *Development and Performance Management Committee*

If you attended a presentation of Mohawk's "Performance Management Plan"



Code of Conduct: a blank cheque?

and "Code of Conduct", you probably heard that the college needs consistency in employee behaviour. However, you may not be aware that by signing such a document, you could be held liable for its vague and draconian provisions.

A teacher that attended one of these sessions told me consistency is important. The teacher expected consistency when purchasing 1% milk knowing that the fat content is maintained by the dairy. The teacher had similar expectations when purchasing Belgian chocolate and prescription medications.

How can management expect conduct and performance that's consistent across the college? The variety of programs, as well as individual faculty strengths and passions is to Mohawk's benefit, not something to be quashed. How does consistency mesh with a strategic plan that fosters innovation? Essential to innovation is creativity, initiative and passion.

Twenty-first century companies understand how to draw out those sought-after discretionary behaviours of employees such as creativity, initiative, passion and innovation.

Only positive leadership and management can improve employee engagement and develop a positive culture.

You can buy expertise, hope for loyalty and dictate obedience, but what you end up with is a culture of fear and dysfunction. What shapes the culture of Mohawk College is the behaviour of leaders and managers. Only positive leadership and management can improve employee engagement and develop a positive culture.

To obtain a competitive edge over other post secondary institutions Mohawk College needs to draw out employee qualities that create sustainable value. The feedback our local has received about the employee performance and conduct plan indicates an unsettling decline in teacher morale with this latest edict. Consequently, we will no longer participate in this flawed process.

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Should I sign the Performance Management Plan and Code of Conduct?

Local 240 is telling members **not** to sign the Performance Plan and/or Code of Conduct. We do, however, encourage members to carefully examine their SWFs and sign if in agreement or refer to the WMG if not in agreement. The SWF form is shown in the Collective Agreement, but there is no such form for professional development or performance.

Article 11.01 B 1

Total workload assigned and attributed by the College shall not exceed 44 hours in any week for up to 36 weeks in which there are teaching contact hours in post secondary programs and for up to 38 weeks in which there are teaching contacts hours in the case of teachers not in post secondary programs.

The balance of the academic year shall be reserved for complementary functions and professional development.

Most teachers at Mohawk College are assigned teaching for two and a half semesters or 35 weeks. In addition to the 35 weeks of assigned work, there are 10 days of professional development or 2 working weeks and a week at the end of a semester for student promotion. For most teachers this means there will be approximately 3 weeks that are available for

Local 240 cannot accept a form that is not in the Collective Agreement. If the college uses their currently proposed document, Local 240 will file a grievance.

complementary functions and 2

of these weeks are student breaks during a semester.

There is no need to create a Development and Performance Agreement to cover such a short period of time during the academic year, a fact made clear in the following Collective Agreement article regarding non-teaching periods during the academic year.



Last chance. Are you going to sign?

Article 11.08

In keeping with the professional responsibility of the teacher, non teaching periods are used for activities initiated by the teacher and by the college as part of the parties' mutual commitment to professionalism, the quality of education and professional development.

Such activities will be undertaken by mutual consent and agreement will not be unreasonably withheld.

No SWF will be issued but such activities may be documented. Where mutually agreed activities can be appropriately performed outside the College, scheduling shall be done at the discretion of the teacher, subject to the requirements to meet appropriate deadlines.

Local 240 cannot accept a form that is not in the Collective Agreement. If the college uses their currently proposed document, Local 240 will file a grievance.

Local Bargaining and Individual Bargaining

There is still some confusion over how the OPSEU CAAT Academic Division bargains. Even with the recent changes to the Colleges Bargaining Act, we still maintain central bargaining: the 24 colleges bargain as a provincial unit, all at the same time. With this process

of collective bargaining, the CAAT Academic group has achieved significant gains to workloads, wages and benefits. Local and individual bargaining can erode these gains.



How Are You Affected by Local Bargaining? - Local Agreements

There is a provision in the Collective Agreement for a local application of Article 11 (Workload). Mohawk College and Local 240 have used local agreements to deliver the Skilled Trade programs for decades. Viewed as controversial by other CAAT academic locals across Ontario, the Mohawk local agreements are used to create teaching workloads for apprenticeship programs that require 25 hours of weekly student instruction over an 8 week semester.

College management says these local agreements minimize the use of part time teachers and maintain program quality. Apparently management thinks that part time teachers erode the quality of the apprentice experience.

These local agreements provide 6 weeks of lieu time to compensate for working more than the 20 teaching contact hours maximum. There is even a provision for moderate increases in class size in local agreements. The problem now is that class size has doubled and the college is expecting teachers to do more teaching contact hours per week. One of our members had to agree to teaching 27 hours per week to avoid being laid off. The increase to teaching workloads within these local agreements is quickly losing the support of those members and the officers of Local 240.

Decades of individual bargaining has not achieved any gains on wages or benefits for our members teaching Continuing Education courses.

Individual Bargaining: The Canadore Award and the Loss of Academic Work

Local 240 is implementing the Canadore arbitration award. For some full time teachers this will be hard to understand. The College has been very clear that Continuing Education work will not be on SWFs because of the high cost. The college is only interested in a status quo Continuing Education arrangement with full time teachers, so they can keep costs down and bargain individually with teachers.

Local 240 can't accept the current arrangement. There can't be a separate contract with your employer especially when full time teachers have a SWF contract. Decades of individual bargaining has not achieved any gains on wages or benefits for our members teaching Continuing Education courses. In fact, when the local first addressed this issue with college management, a comment was made about a 50 cent increase to satisfy the union. At our last meeting, management said there was nothing more they would offer to Continuing Education teachers. CE teachers are paid \$30-\$36 per hour at Continuing Education, less than 1/3 of the average wage of a Post Secondary Partial Load Professor. It is Local 240's position that starting September 2012, if full time teachers are assigned Continuing Education courses, these courses must be on SWFs to protect members rights and benefits under the Collective Agreement.



Blended Learning: *Let's put students at the heart of all we do* By Geoff Ondercin-Bourne, VP



It's been almost a year since Local 240 released its Report on Online Learning, and we seem to be stuck in neutral where blended learning is concerned. Little has changed in terms of the College's overall direction, despite clear evidence that a significant number of students are less than impressed with Mohawk's version of blended learning. Just to refresh your memory, here are some key definitions of various forms of online learning, which appear on the College's website:

Web-facilitated

Some course content is available online i.e. course outline and assignments, although courses are fundamentally traditional, face-to-face delivery.

Web-enhanced

The web is used to deliver substantial course materials and activities with no reduction in face-to-face time.

Blended

The web is used to deliver substantial course materials accompanied by a strategic reduction in face-to-face contact. Online and face-to-face learning spaces are thoughtfully integrated maximizing the unique characteristics of each, in order to enhance the quality of the learning experience.

As we know from our student feedback, students are extremely pleased with both the **web-facilitated** and **web-enhanced** features of e-Learn. However, as for the reduction in face-to-face time, which is central to management's definition of **blended** learning, a good number of students have yet to be convinced that it gives them value for their money. Rather, we received comments that suggest less in-class time short-changes their learning experience to the point where some of them believe their tuition fees should be discounted. This view is a clear indication that, for many students, being in class an important part of their education—far more important than the College realizes.

Faculty are behind our students 100% on the issue of blended learning, and we think the administration should be equally supportive of students' concerns. Therefore, we encourage the

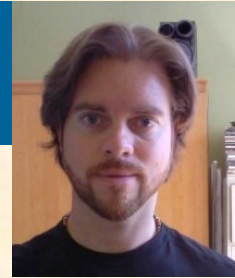


College to review its definition of blended learning and revise it to meet the needs of the people it serves—the students. That does not mean that there is no place for online learning that takes place outside the classroom. Where it makes sense from a pedagogical perspective, by all means, blend. However, the College would be well-advised to listen to those students who believe that web-facilitated/web-enhanced course delivery is what they need. In the words of one of our

respondents, **“It should be an option, not just pushed on students.”** Flexibility and diverse delivery methods will make Mohawk the college of choice.

PAC REPORT

by Kevin Mackay, PAC Chair , Local 240 Communications Officer



2012 has been a busy year already for the OPSEU Local 240 Political Action Committee (PAC). The committee has been meeting regularly and getting involved in some exciting initiatives within the College.

Recent activity actually started just before the Christmas break, when the **PAC donated \$200 to the Mohawk student food bank**. The donation was gladly accepted by the MSA, who noted the extra need for services that emerges around the holidays. The PAC is also looking at making another donation to the food bank in the next two months, as financial pressures on students also tend to mount near the end of term. Being able to help students in this direct manner is a great use of the PAC's time and budget. If we want to address issues of poverty and social inequality in our community; what better place to start than right here at the College?

PAC-sponsored EVENTS

1. Mohawk Food Bank donation
2. Ideas in Action Conference
3. SACHA donation
4. International Women's Day
5. Jack Project

The next initiative the PAC engaged was to co-sponsor the first **Ideas in Action Conference** at Mohawk. This one day teach-in on social justice and environmental issues took place on Saturday, January 28th, and involved over 80 students, faculty and community members. The PAC sponsored the event along with students from the Mohawk Social Justice Society, an MSA club.

Ideas in Action included a **morning keynote address on the importance of student activism in post-secondary education**, and closed with a panel discussion on Canadian foreign policy in the Middle East. Panelists included Ken Stone from Hamilton Coalition to Stop War and Independent Jewish Voices, Diane Blanchard, a United Church minister and member of Canadians for Justice and Peace in the Middle East, and PAC member and social science professor Kevin MacKay. The panel talked about the Canadian government's increasingly aggressive approach to the region, including threatening unprovoked war on Iran and providing unconditional support for Israel's illegal military occupation of the Palestinian territories.

Other speakers at Ideas in Action addressed issues of tenant's rights, anti-oppression, self-care for activists, the Alberta Tar Sands, the Occupy movement, and First Nations solidarity work. Delicious food for the event was provided by Food Not Bombs, and fair trade/organic coffee was provided by Homegrown Hamilton. Community organizations that set up information tables included the Sexual Assault Centre of Hamilton and Area, Common Cause, Katimavik, the Mad Student's Society, Occupy Hamilton, Hamilton Copwatch, McMaster OPIRG, the Hamilton Young NDP, and Amnesty International. Use of the Arnold Centre and Heath Lounge in the Student Centre was provided by the MSA, who's excellent staff made the conference flow smoothly.

In February, PAC purchased 6 tickets to provide a **\$150 donation to SACHA's (Sexual Assault Centre Hamilton) annual fundraiser**, Chocolate fest. It was sweet success that Local 240 was able to make a contribution to such an important local initiative; they were very grateful. Check out SACHA at <http://sacha.ca/>

PAC REPORT continued...

By Kevin Mackay, PAC Chair , Local 240 Communications Officer

The PAC is also looking to help out with upcoming International Women's Day events on campus, and with an amazing initiative called The Jack Project. The Jack Project deals with youth mental illness and suicide, and seeks to raise awareness of these issues and improve support for youth in crisis.

Finally, the PAC is also looking to make the Ideas in Action Conference a regular event, perhaps happening in both the fall and winter semesters. For the next conference we're hoping to get even more faculty and students involved and to raise the profile of social justice and environmental concerns on campus.

If you're interested in the PAC's activities and want to express support or get involved, please email Kevin MacKay at kevin.mackay@mohawkcollege.ca. All are welcome, and supporting the PAC doesn't mean you have to commit lots of your scarce time (we're all faculty, we all mark, we know what its like!).

Question frequently asked by students after missing a class: Did I Miss Anything?

Tom Wayman From: *The Astonishing Weight of the Dead*. Vancouver: Polestar, 1994.

Nothing or Everything?



Nothing. When we realized you weren't here we sat with our hands folded on our desks in silence.

Nothing. None of the content of this course has value or meaning.

Take as many days off as you like: any activities we undertake as a class I assure you will not matter either to you or me and are without purpose.

Nothing. When you are not present how could something significant occur?

Everything. I gave an exam worth 40% of the grade for this term and assigned some reading due today on which I'm about to hand out a quiz worth 50%.

Everything. A few minutes after we began last time a shaft of light descended and an angel or other heavenly being appeared and revealed to us what each woman or man must do to attain divine wisdom in this life and the hereafter.

This is the last time the class will meet before we disperse to bring this good news to all people on earth.

Everything: Contained in this classroom is a microcosm of human existence assembled for you to query and examine and ponder.

This is not the only place such an opportunity has been gathered, but it was one place.

And you weren't here



Greetings,

The Workers' Action Centre WAC is an organization that works tirelessly to organize and engage non-union workers so that they are able to advocate for and enforce their rights under the law. All of us are affected when the floor of wages and working conditions are driven down, not just those at the very bottom.

A recent report based on a survey of 520 people in low-wage and precarious work situations revealed how widespread the problem of wage theft is.

Most of those workers are who are recent immigrants, racialized workers, women and non-status and low-wage workers. Those workers are often missed in standard surveys.

The WAC is organizing an important campaign to Stop Wage Theft.

WAC work on a shoe-string budget, yet through meetings and workshops, campaigns and media outreach, and community-labour partnerships, the Centre is able activate thousands of people in precarious work each and every year. Many of these individuals go on to become organizers and activists themselves, helping to spread and deepen this community-union movement.

The organizing role played by the WAC is critical. Yet, unlike the organized labour movement, non-union workers have no structural mechanisms to raise the financial resources upon which all their organizing work is based. In order to retain the independence necessary to effectively organize workers in precarious employment, the Centre has not accepted funding that would compromise their organizing work. To continue, they rely on the donations they receive from individual supporters and like-minded allies.

That is why I am urging your Local to support the Workers Action Centre by making a donation. Whether the amount is \$100.00 or \$1,000.00, every cent the Workers Action Centre receives is well-used. You'll see from the enclosed letter and accompanying materials, the Workers Action Centre helps workers organize for their rights, provides multi-lingual workshops and materials to educate workers about the *Employment Standards Act*, campaigns against bad bosses, and mobilizes for better legal protection and working conditions for all workers.

I encourage you to make a donation of whatever you can afford to help ensure the work of the Centre continues and expands. Support the campaign to Stop Wage Theft.

For further information visit [Workers' Action Centre | Stop Wage Theft](#)

Sincerely and in solidarity,

Smokey Thomas

Grievance Report – February, 2012

By Ann Bennett, Chief Steward



STAFFING GRIEVANCES

Article 2 – Staffing: Referred to arbitration, November 2011 for 26 positions

Electrical Engineering, 5 positions. Aviation, 1 position.
Chemical & Environmental, 5 positions. Practical Nursing, 15 positions.

Tentative dates are: March 9, April 11, April 17, May 2, 2011 respectively.

Article 2 Staffing: Step 1 grievances filed February 10, 2012 for 72 positions

Architectural Technology: 4 positions. BScN: positions. Business Administration: 3 positions.
Business Management: 2 positions. Child & Youth Worker: 6 positions.
Early Childhood Education: 3 positions. Graphic Design: 4 positions
Language Studies: 14 positions. Medical Imaging: 4 positions. Mechanical Engineering: 6 positions.
Motive Power: 2 positions. Music: 8 positions. Public Safety & Security: 6 positions.
Social Service Worker: 3 positions.

WORKLOAD COMPLAINTS

WMG: Workload Monitoring Group & **WRA:** Workload Resolution Arbitration

Nov 22, 2011 requested: extra .5 hour prep time per section for unusual course delivery
-requested 1 hour per section under complementary hours for on-line portion of course that is missing from contact hours, but is in POS **WMG OUTCOME:** no resolution,
REFERRED to arbitration for Feb 2, 2012 –to continue Feb 24, 2012

Nov 17, 2011 –requested to teach a particular course based on experience and expertise rather than allowing a part timer to teach it **WMG OUTCOME:** no resolution,
REFERRED to arbitration for Feb 2, 2012

Nov 21 2011 –requested: NEW prep factor for a course with major revision to manual and NEW prep for a course being blended the first time **WMG OUTCOME:** awarded NEW prep factor for major revision but not for blended delivery

Nov 18, 2011 –requested a NEW Prep factor for a course being blended for the first time.
WMG OUTCOME: request denied

Nov 21, 2011 –requested NOT to be in overtime and –requested a NEW prep for a significant change in software **WMG OUTCOME:** request denied

Jan 24, 2012 –requested extra prep time for the imposition of a new text book by A. Dean
WMG OUTCOME: no resolution, **REFERRED to arbitration** for Feb 24, 2012

News from here and there

By Geoff Ondercin-Bourne, VP



Only in China you say?

If you believed ‘thought control’ was only the prerogative of authoritarian regimes, think again. China has merely been a laboratory for any government looking for effective methods to reign in free speech in the name of *national security*, or as we like to say in the west, *copyright infringement*. Even censorship is being privatized in our increasingly corporate culture. Kinda makes “free enterprise” sound like an oxy moron, eh?

Have a look at the article, below, for an update on the **Stop Online Piracy Act (SOPA)**. While U.S. legislators retreated from their commitment to this bill, you can bet the farm on a tweaked version of SOPA reappearing in the very near future. For Mohawk faculty, the question is, “What impact would such widespread censorship have on our teaching?” I think we know the answer.

Internet blackout protest sends message to U.S. legislators

Amy Goodman, rabble.ca

January 19, 2012

BIG BROTHER



“Wednesday, Jan. 18, marked the largest online protest in the history of the Internet. Websites from large to small “went dark” in protest of proposed legislation before the U.S. House and Senate that could profoundly change the Internet. The two bills, SOPA in the House and PIPA in the Senate, ostensibly aim to stop the piracy of copyrighted material over the Internet on websites based outside the U.S. Critics, among them the founders of Google, Wikipedia, the Internet Archive, Tumblr and Twitter, counter that the laws will stifle innovation and investment, hallmarks of the free, open Internet.”

[Read more...](#)

On another front....

Employees are being forced into a race to the bottom in order to shore up company profits and CEO salaries in the private sector, as well as big pay increases for senior management in the public sector. The article, below, discusses how you are being asked to tighten your belt, so the 1% can loosen theirs up, just a smidge.

The Assault on Public Services

Sam Gindin and Michael Hurley, [Canadian Dimension](#)

December 7, 2011

“The aftermath of the deepest capitalist crisis since the Great Depression has provided political and economic elites with an opportunity to lock-in two longer-term changes: a reduction and privatization in public services on a scale not seen before, and — with private sector unions devastated by job loss and unable to significantly expand unionization — weakening the remaining stronghold of unionism, public sector workers.” [Read more...](#)



Who says corporate crime doesn't pay?

Hot on the heels of U.S. Steel's announcement that there will be no steel production at the former Stelco plant, Caterpillar follows through on its threat to steal Canadian jobs and move them to Indiana, which has just passed anti-union "right to work" (right to scab?) legislation. I can hear Charles Dickens sharpening his pencil.

CAW Outraged at Closure Announcement at Electro-Motive in London Canadian Auto Workers Website February 3, 2012

"CAW President Ken Lewenza is expressing his anger and frustration at what is he calling the "callous move" by Caterpillar to suddenly close its London Electro-Motive Diesel plant, announced this morning.

Sadly, the closure doesn't come as a total surprise to the union.

"Caterpillar had no intention of keeping this plant open," said Lewenza. "From day one, we believed that Caterpillar was trying to provoke a crisis, by forcing deep cuts that were not possible," said Lewenza. [Read more...](#)

Another US company "targets" Canadian workers

To make it a trifecta, Target 'Canada' has decided that for former Zeller's workers, the lowest price is indeed the law. We're in a race to the bottom, folks, and don't think the public sector will be far behind. Here's a thought: let's boycott Target.

Save Zellers workers' jobs The United Food and Commercial Workers February 06, 2012

Incoming Target plans to fire all workers, then allow them to re-apply. [Read more...](#)



Editors: Ann Bennett
Geoff Ondercin-Bourne
Phone: 905-575-1212 Ext.3468
Email: ann.bennett@mohawkcollege.ca
geoff.ondercin-bourne@mohawkcollege.ca

Got an issue you want to examine?

We welcome your contributions but reserve the right to edit for length and appropriateness. Please submit your article, email, letter or cartoon to our editors.



Examiner is intended for the membership of OSEU Local 240

A Final Thought: The Drummond Report (or lies my economist told me)

By Geoff Ondercin-Bourne, VP

In 2008 the banking industry led the world economy into the biggest meltdown since the depression. So how did Ontario respond? We hired one of those bankers, for \$1500, a day to tell us how to fix our economy.

But, you say, Canadian banks behaved prudently and did not follow the lead of their US and UK counterparts over the abyss. Indeed, but only because of long-standing government regulation of the banking industry. Without those regulations, Don and his buddies would have behaved no differently from bankers in any other country. Greed rules, be it on Bond St., Wall St. or Bay St.



Yes, Stephen, like Don, is a practitioner of the dismal “science”.

economy than Stephen Harper can teach us about democracy (or interpersonal communications, for that matter). As for Dalton McGuinty—good grief, he hired Don Drummond. Need we say more?

The Drummond Report is a set-up job designed to turn back the clock on the rights that Canadians fought for throughout the 20th century. It is our home-grown Shock Doctrine, here to make bankers and CEOs richer at your expense.

Let's face it; Drummond can teach us no more about the



With friends like these....