

Examiner Bulletin



www.opseu240.ca

February, 2015

Prez Sez by Geoff Ondercin-Bourne

Well, we're half-way through February, 2015, already, and everyone is gearing up for midterms. I hope your semester is going well and that you're enduring the winter as all good Canadians do (Anyone going south?). Before you is our first 'full-blown' edition of Examiner since the fall, so you'll see we cover a lot of ground in this issue.



I've been asked on several occasions what I think of the new regime at the College, and my answer has been an unequivocal "I don't know". Our new president and the two new VPs have been getting their feet wet, talking to stakeholders across the College since they arrived. Now, we wait to see what decisions come down from the mountain and to what extent they reflect what they've heard in their conversations with faculty, support staff and administration.

I suspect we'll have a much better idea of where we stand in the fall when the decisions enter the implementation phase. Here's what we do know:

1. The Academic Appeals policy that opened the floodgates to appeals for any grade between 45-49% (and \$75) has been withdrawn 'for review'.
2. The Local has made its case to the College to end its relationship with Morneau-Shepell as soon as possible. However, the College's third party provider will continue to haunt Mohawk employees who are unwell, badgering them to 'quit faking it and get back to work'. That challenge remains unfinished.
3. The College wants to hire more instructors, instead of professors (and if they can get away with it, have those instructors do professors' work. Flexibility is the golden rule, you know.) We will be monitoring this development and do our best to hold management to the Collective agreement. All instructors must report to a

professor, and that professor must be SWF'd for that supervisory work. Please keep that protocol in mind if you see your department suffering from "instructor-creep".

4. President Ron McKerlie said in his welcome email that Mohawk had invested in buildings, but that it was now time to invest in people. Apparently, the folks in Technology missed that email, as plans to construct the new technology building plod along. I think the

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The information in this bulletin is intended for members of OPSEU Local 240.

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ancient Greeks called it “Edifice Complex”. I suppose the good news is that the College must be flush with cash.

5. Class sizes continue to climb, unabated. In my area, Language Studies, communications courses are now capped at 80 students, which means real class sizes of 80-90 students. Even some of our remedial classes have as many as 72 students. Talk about kicking at-risk students to the curb. Did someone say “retention”?
6. It has recently been revealed that the College has quietly (i.e. without the knowledge or input of faculty) contracted Pearson Publishing to “conduct research” on the efficacy of blended/online learning. The company will make recommendations based on its research. The appearance of a conflict of interest is troubling, to say the least, and it represents yet another step towards privatizing the College, one service at a time. However, on the bright side, Pearson is absorbing the cost of redesigning the College logo, below, to reflect the “new Mohawk”:

PEARSON COLLEGE

mohawk campus

Speaking of blending, it is on that critical issue we are seeing indications that the College might be turning a new page. In fact, one Dean announced at his Dean’s Forum in the fall that the administration was about to “pivot” on the implementation of blended learning. The term we’ve been hearing around the College is “program-based blending”, a new approach that will empower each program’s Curriculum Committee to make decisions on how and when to blend courses, with real input from faculty. If that is indeed the direction the College is headed, then this is very good news for students and for faculty. [More on Blended Learning in VP Kevin Mackay’s report, below.] So there you are, it’s not all bad news, eh?

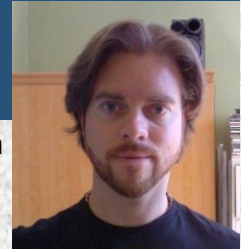
In the meantime, enjoy the time spent with your students. After all, it is they who keep us focused on what matters most



“You want your assignments back when???”

Students and Faculty Discuss Online Learning

By Kevin MacKay, Vice President, Local 240



On Tuesday, January 20th, Mohawk faculty and students participated in a **Forum on Online Learning** at the Arnold Centre. Forty-five students and professors took part, and engaged in an open dialogue on how online and blended learning are being utilized at the college. Members of the Local 240 executive attended, along with MSA president Maxwell Brown, other MSA directors, and Sam Maga from the Blended Learning Steering Committee. The event was organized by the Local 240 Political Action Committee (PAC).

The forum was a follow-up to a similar event that was held in 2011. At this first forum, students and faculty discussed three questions relating to online learning, and the responses were compiled into a **Report on Online Learning at Mohawk College**. This report noted that, while online and blended course delivery could work for some student groups, that there were several concerns about its use. These concerns were related to the fact that some students don't learn well online, that student access to suitable technology is not guaranteed, and that levels of training and support for students and faculty were insufficient.

Participants in the most recent forum sat at three mixed student/faculty tables and discussed the following questions:

1. What does research and our own experience as teachers and students tell us about where on-line learning improves student success? What does it tell us about where it fails in this task? In your own courses and programs, is a decrease in face to face class time beneficial or harmful?
2. What questions does on-line learning raise about assumed technical knowledge in students and faculty, student access to technology, appropriate levels of training and support, faculty and student workloads, and intellectual property rights?
3. Who should determine the way in which on-line learning is used – students, faculty, or administration? Who determines what kinds of programs, courses, information or skills it is used for?

Discussion on the three questions brought up several perspectives and a wide range of opinions on blended and online courses. Some students thought that online courses were good, and provided welcome schedule flexibility. However, these same students thought that online courses should be less expensive than face to face classes. This perception that online or blended courses were “cheaper” was pervasive, with students remarking that “they pay for a professor to teach them in a classroom”.

Other common remarks were that not all students want online or blended courses, that some students want and need the interactive classroom experience, and that students should have the right to choose the method in which their courses are delivered. An additional student concern was that there is insufficient consistency in how online and blended courses are designed and delivered. This spoke to the need for improved support

in developing online and blended courses, increased training, and greater I.T. resources. A final concern raised by students was that several blended and online courses required students to sign up to content held on third-party publisher web sites. This becomes daunting when in a single semester students are required to log into five or six novel web pages outside of eLearn. (See Prez Sez re: Pearson contract.)

Faculty expressed the opinion that online and blended delivery are not “one size fits all” solutions, and that professors need the ability to determine when and how to use them, based on academic criteria and student success. Several faculty noted that a relatively small percentage of students access online content, and that when evaluated on complex concepts taught only online, that student grades are very poor. Concerns were also raised about remedial courses being blended and placed fully online, and the negative effect these different delivery methods might have on less academically prepared students. A number of faculty suggested that the first semester or even first year of most programs should have little to no blended or online courses, to give students time to adjust to the post-secondary environment, and develop the skills needed for self-directed learning.

A concern shared equally by students and faculty was that the college experience is based on the social connections between students, and between faculty and students. These connections, especially those that occur in the face to face classroom, teach the interpersonal skills that are critical for professional competency. In addition, classroom interaction between professors and students can be a source of support, mentorship, coaching, inspiration, and deeper learning beyond what is attainable in online settings.

Despite the differences of opinion, there was a common theme that united the forum participants. For students, it was the certainty that people have different learning styles and preferences, and that students should have choice in how they receive their education.

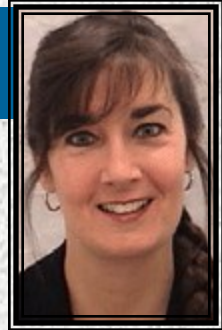
In the end, both faculty and students came away with a better sense of each other’s concerns and questions regarding online learning. Despite the differences of opinion, there was a common theme that united the forum participants. For students, it was the certainty that people have different learning styles and

preferences, and that students should have choice in how they receive their education. For faculty it was that Mohawk’s undifferentiated, top-down, “blend by decree” strategy has not worked, and will not work in the future. The only way to fix the strategy is to introduce some much-needed discernment and flexibility, and to acknowledge that technology must serve the needs of teachers and learners, and not the other way around.

The Local 240 PAC will be compiling a more detailed report on the forum results, along with a report-card on Mohawk’s online and blended learning strategy to-date. These will be available for distribution later in the semester, and may be associated with another forum.

How Not to Dig Your Own Digital Grave

By Heather Giardine-Tuck, Chief Steward, Local 240



As your Union Executive, we are here to protect your rights under the Collective Agreement and to ensure that you are treated fairly by management at the College. We have your back, and part of this involves raising awareness of new risks. The increased use of social media platforms such as Facebook and Twitter has introduced a host of potential risks for employees in the workplace. Many people are unaware that posts or tweets, written on their own time, may result in disciplinary action from the employer when they return to work the next day. The following article by Ed Canning, formerly published in The Hamilton Spectator (January 12, 2015) and reprinted with permission, clearly outlines the dangers of the digital world and how best to avoid them:

LABOUR LAW: Misuse of social media, even on your own time, puts your job at risk

Employees should be very mindful of how they use social media. Depending on what your job is, who you work for and how odious your online behaviour is, you might end up getting terminated for just cause.

The case of a Toronto firefighter whose termination was upheld at a union arbitration highlights this point.

He claimed not to realize that his tweets were publicly accessible. In them he identified himself as a Toronto firefighter and made disparaging comments about women, disabled people and visible minorities.

When these tweets were eventually reported in the media and he was called on the carpet he expressed remorse, wrote a letter of apology and took sensitivity training. That was not enough, however, to save his job.

While online comments in social media are the most recent trend, the issues are not new. Can the local bank manager convicted of drunk driving be terminated without severance? What about a supervisor convicted of sexual assault, who has lost the respect of his subordinates?

The list goes on. The story is old. The question remains the same: can you be fired for just cause for your behaviour on your own time?

The basic factors the law will consider in assessing off-duty conduct have not changed in a long time: Has the employee harmed the employer's reputation or product? Can they still perform their duties satisfactorily? Will others still work with her/him?

A new consideration has also emerged: Has the employee offended a human rights policy or code to an extent that the reputations of the employer and its employees have been significantly harmed?

In the firefighter's case, the arbitrator stated, "I have to wonder if a deaf person, a woman in labour, a homeless person, a member of a visible minority group, apprised of his comments, would welcome this man into their home in a time of need."

Ultimately the termination was upheld as being lawful.

Local 240 Officers and Stewards, Sept 2012-Aug 2014

Every situation is fact-specific. If you are posting on a Facebook page that only your friends can see and you have only 20 "friends," this may be viewed as a private comment that does not generally harm the reputation of the employer. What the shipper/receiver says online will not be nearly as important and potentially damaging as online comments from a vice-president.

The Jian Ghomeshi situation highlights this point. He was not charged criminally or sued civilly at the time of his termination, which resulted from allegations regarding his private, after-hours relationships with women. But since Ghomeshi was a very high profile face of the CBC whose image was tied up with the employer's reputation, the corporation has a lot better chance of winning at arbitration.

If the allegations had been made regarding an unknown sound technician at CBC, unless there was evidence of inappropriate behaviour related to co-workers or in the workplace, the chances of convincing an arbitrator to uphold the termination for cause would be slim.

On the other hand, if there is a more direct relationship between your work responsibilities and after-hours behaviour, being high up in the food chain is not required for the termination to be for cause.

Imagine if the company bookkeeper, who has access to the bank account, is convicted of embezzling from either a previous employer or a nonprofit for which she volunteered. The employer would have a good argument that she was in a position of trust with access to their funds, the fundamentals of the employment relationship had been destroyed and they could not, and should not be expected to, continue to trust her.

The best approach, whether you are at the top of the food chain or the bottom, is to assume the world is watching everything you do online and be aware that getting caught behaving badly after-hours can endanger your employment.

The best approach, whether you are at the top of the food chain or the bottom, is to assume the world is watching everything you do online and be aware that getting caught behaving badly after-hours can endanger your employment.

Ed Canning practises labour and employment law with Ross & McBride LLP, in Hamilton, representing both employers and employees. You can email him at ecanning@rossmcbride.com.



If You Don't Ask—You Don't Get!

By Mary Allan, Communications Officer, Local 240



I have always lived by this philosophy, and I have tried to instill this in my two children as well. As I always say, “What’s the worst that can happen? They say no.”

I am sharing this experience to provide encouragement for all members of Local 240 to speak up and to ask for fair compensation for the work which you are doing. I am living proof that only when you speak up and ask for this, will you have the chance to receive it.

I was a coordinator for the second year program in the collaborative BScN program. I enjoyed being in this role and felt that I was being compensated fairly. That is, until it was decided that my hours for coordinating would be reduced by 3 and that I would also be responsible for course planning and implementing 2 more courses... along with the other course I was course planner for and my coordinator responsibilities. As a course planner, I was responsible for reviewing, revising and developing the courses. The BScN program was undergoing a major curriculum revision and as part of this we were implementing a new course in second year. I was, therefore, responsible for developing this course. As with all of our courses, we work with our collaborative partners—Conestoga College and McMaster— so this means that there are added responsibilities to work with them and coordinate our efforts.

I referred my SWF to the Workload Monitoring Group (WVG) and was denied my request to be reinstated to the number of hours I was previously receiving. I subsequently requested that we take this matter before an arbitrator.

At the arbitration hearing, I presented compelling evidence that I was expected to do more in my coordinator’s role than I had previously and I should, therefore, receive at least the same number of hours or more.

I remember how the arbitrator had a difficult time understanding how I could be assigned more work with less time/compensation for that work. It was rather comical watching management trying to provide rationale for their actions.

The arbitrator did not have to hand down a decision in this case as the College and I negotiated an acceptable settlement. I received the compensation which I felt was necessary in order to do the work which was being asked of me. All coordinators in the BScN program also benefitted, as they now receive the compensation for which I had to fight.

The College knew that they were wrong in what they had done but were hoping that they would get away with it. That is why they agreed to settle as they could see that the arbitrator was not buying in to their arguments. They did not expect their decision to be challenged. I guess they did not know me as well as they thought they did...

The moral of this story is, “If you don’t ask—you don’t get!” So start asking!

Our Friend and Fellow Faculty Member Greg Grummett.

By Greg Neale, Steward, Local 240

As you probably already know Greg Grummett has been supporting Heart and Stoke in his community since his daughter Charlotte was diagnosed with a heart defect as a baby. He has been involved in many fund raising initiatives in the last 20 plus years. He has been bitten by the curling bug and it is wonderful that he can combine his love of others with his love of Curling. We are very fortunate at Mohawk College that we are supported to do these great things for our community. My hat is off to Mr. Grummett!

Congratulations Greg and thank you for your efforts. I am proud to have you as a friend. P.S. - I think we need pants like that in the College colours...



Curl for Stroke has rocked good cause for 20 years

By [Vincent Ball](#), Brantford Expositor , Friday, February 6, 2015 9:09:16 EST PM

Greg Grummett calls the sweep during the 20th annual Curl for Stroke bonspiel on Friday, February 6, 2015 at the Brant Curling Club in Brantford, Ontario. Brian Thompson/Brantford Expositor/QMI Agency

Curl For Stroke celebrated more than a milestone on Friday.

"It's our 20th anniversary but when you look at what's happened over the year, the progress that has been made, you can see there have been a lot of accomplishments," Sabina DiNino, a co-ordinator for the Heart and Stroke Foundation, said. "Back in the

1950s, roughly 65% to 70% of Canadians who made it to hospital after a heart attack survived.

"These days it's more like 95%."

Back in the 1950s, fewer than 20% of infants born with complex heart defects reached adulthood. Now, more than 90% of those born with heart defects make it to adulthood, she said.

In the 20 years of Curl For Stroke, the Heart and Stroke Foundation provided funding for the first ever In Utero surgery to correct congenital heart defects. Today, Canadians have access to TPA, the clot-busting drug that reverses the effects of a stroke.

Other accomplishments over the past 20 years includes the placement of more than 8,000 AEDs (automated external defibrillators) in public buildings that have helped save more than 100 lives.

DiNino made the comments during Friday's Curl For Stroke at the Brant Curling Club. The event attracted 20 teams for a total of 80 participants and received support from numerous sponsors. Brant Curling Club donates the use of the facility for the event.

Numerous other businesses contributed items for a silent auction to help raise funds for the event.

"Most of the money we raise through this event comes from the curlers," DiNino said. "But we couldn't do it without the support of our sponsors, and the money raised from the silent auction is a big help."

In addition to an entry fee, many of the curlers also gather pledges to support the cause.

Organizers were hoping to raise just over \$24,800 from this year's event. In 20 years, Curl for Stroke has raised close to \$400,000 for heart and stroke research.

According to the Heart and Stroke Foundation, heart disease and stroke are two of the three leading causes of death in Canada, and every seven minutes someone in Canada dies from either condition. Risk factors for heart disease and stroke include smoking, alcohol consumption, physical inactivity, obesity, high blood pressure, high blood cholesterol and diabetes.

vincent.ball@sunmedia.ca

Greetings from the Board

By Heather Giardine-Tuck, Faculty Representative, Board of Governors

At the Board, things were busy in the fall with the October 9th and 10th Board Retreat and the November 19th Board meeting. Highlights from the Retreat included:

A presentation by Hamilton's City Manager, Chris Murray, promoting Hamilton and sparking discussion of how Mohawk can enhance and expand our community partnerships. Given all the new faces on Council, our new President at the helm, and the revitalization of the city which is well underway, the opportunity to forge new relationships is clearly upon us.

An exciting and thought-provoking discussion of our current position as a College in view of our strategic goals and desire to move from good to great.

Our November 19th meeting provided updates from the Standing Board Committees (Governance; Audit, Finance & Infrastructure; Student Services; and, Program Development & Renewal) which included the College's Multi-Year Accountability Agreement Report, Summary of the Board Retreat and a presentation on the School of Media and Entertainment.

We are welcoming three new governors to the Board this Spring session and look forward to working with them. In addition, our new VP Corporate, Deborah Brown, and VP Academic, Christine Bradaric-Baus will be participating in the next meeting, now that they are fully immersed in their new roles.

Political Action Committee Report (PAC)

By Kevin MacKay



The Local 240 Political Action Committee has been busy since reconvening this past September. In the fall semester the PAC supported several worthy causes in the community.

- A donation was given to a Local 240 member running for Hamilton City Council.
- The PAC donated \$188 to the Sexual Assault Centre of Hamilton to support their important work.
- A donation of \$250 was given to The People's Platform (TPP) initiative of the Hamilton Civic League. TPP was an exciting exercise in democratic capacity-building leading up to the fall, 2014 municipal elections.
- A donation of \$200 was made to the Mohawk Student's Association Food Bank.

In addition to these donations, PAC members were a part of the January protests against Bill Cosby's performance at Hamilton Place. As discussed earlier in this issue, the PAC also hosted another Forum on Online Learning on January 20. The forum took place at the Arnie, and involved students and faculty.

The PAC is planning two more exciting events for the Winter semester. First, we will once more be participating in Mohawk's annual International Women's Day (IWD) programming. On Friday, March 6 the PAC will host an interactive display that asks

members of the Mohawk community “What can you do to end violence against women?” At the table we will also be raising funds for the Because I Am a Girl campaign.

The other upcoming PAC event is being finalized, with dates in either late March or the first week in April. Details have to remain scarce at this point, but we *can* say that the event involves dancing and fundraising for an amazing local charity. More information to come in the next issue of Examiner!

The PAC is always looking for new members who want to get involved in the college and in the broader community. To find out more, contact Kevin MacKay: kevin@skydragon.org

Chief Steward's Corner

By Heather Giardine-Tuck, Chief Steward

In spite of our efforts to work with management and resolve issues at the Union College Committee Academic (UCCA) table, more grievances than ever continue to be filed. This is discouraging to say the least. During his recent visit to the College to meet with President McKerlie, OPSEU President Smokey Thomas encouraged more resolution at the table versus grievances and costly arbitrations, which are not the best use of taxpayers' money. Hope springs eternal so we may get there...until we do, however, here is the status of current Local 240 grievances/arbitrations as of February 2015:

- We supported a member at arbitration to have a reclassification grievance **resolved** to the member's satisfaction, prior to being heard by the arbitrator.
- With the member's grievance denied, we will go to arbitration with a member whose Short Term Disability Benefits were denied by Morneau-Shepell and the College.
- **Resolved** a member's workload issue (failure to accommodate) to the member's satisfaction.
- Awaiting arbitration date for member whose grievance (Article 6 and Professor Classification) was denied.
- Supported a member at a Grievance Meeting (dismissal). Awaiting the College's response.
- Waiting for the College's response to a member's Grievance Meeting for return to full time employment (from layoff).
- Upcoming Grievance Meeting for member's Harassment and Bullying grievance.
- Workload Monitoring Group (WMG) Complaint—Member's workload issue (insufficient time given for online course development and preparation) denied at WMG but **resolved** before being heard at Workload Resolution Arbitration. Complaint withdrawn.

*NB With our new Collective Agreement, we no longer have Step 1 and Step 2 Grievance Meetings. In an effort to expedite the grievance process, **a single Grievance Meeting is now held** within 15 days of the grievance being filed. If the grievance is not settled at the Grievance Meeting, the individual or Union files a Notice of Intent to go to Arbitration and an arbitration date is set.

OPSEU Local 240 Mohawk College Faculty Area Stewards Sept 2014-August 31, 2016

OFFICERS

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Vice President: Kevin MacKay

Chief Steward: Heather Giardine-Tuck

Treasurer: Gaspare Bonomo

Communications Officer: Mary Allan

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Chemical & Mechanical Technology Programs	Monica Crawford	E310C x3258
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Humanities/Social Sciences Music, Academic Upgrading, DEP	Neil Jamieson-Williams	F176 x3694
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Language Studies, ESL	Leanne Forsythe	A126 x3210
Language Studies, ESL	Geoff Ondercin-Bourne President	A126 x3952 A06 x3468
Library, Counseling & Accessibility, CTRL, International	Robert Souliere	H101A Library x3936
Media & Entertainment Studies	Patrick Hanson	F108Y x3175
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Nursing: Practical Nursing, Personal Support Worker	Marie Stoneman	IAHS 227 x(53) 26760
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