

JACFA GENERAL ASSEMBLY

Tuesday, September 14, 2010

Penfield 204

5:30 p.m.

Guests: Yves de Repentigny and Bruce Toombs from FNEEQ

Faye Trecartin, JACFA President, called the meeting to order. She requested that all speakers state their full names and departments. She also said that anyone who wanted to speak a second time would be put on a speakers list which would be used after everyone had a chance to speak once. She requested that everyone stick to a two-minute time limit. Finally, she informed us that we will be voting on FNEEQ motions and that we can't amend them.

01. Adoption of Agenda

Pierre Gauthier moved to adopt the agenda.

Andy Cuk seconded the motion.

Passed unanimously

02. Adoption of Minutes

Stephen Bryce moved to adopt the minutes of May 12, 2010

Ed Osowski seconded the motion.

Passed unanimously

03. Announcements

Stephen Bryce: We are circulating a petition in support of locked out journalists from the *Journal de Montréal* who are fighting to keep their jobs and the products of their labour. They are a CSN union.

Ute Beffert: October 5 is International Teachers Day and you are invited to a soup lunch celebrating it. We are also planning a college-wide, family Christmas party.

1. Faculty Question Period – Special invitation to New Faculty

2. Sectoral Table Agreement in Principle

VOTE

Motion: Be it resolved that JACFA accept the Agreement in Principle reached on June 13, 2010 at the Sectoral Table, between the Comité patronal de négociation des collèges (CPNC) and the Fédération nationale des enseignantes et des enseignants du Québec (FNEEQ (CSN)). - FNEEQ Motion

Stephen Bryce: There are two agreements in principle, the central table (June 23) and sectoral table (June 13) agreements. It is a five-year collective agreement and we had demanded a three-year. A summary was distributed in your mailboxes and the full texts are posted on the JACFA website. The agreements are a trade off. We wanted more teaching resources in order to lighten our workloads. We got that: 403

additional teachers in volet 1 plus thirty more FTEs in chair release, province wide, spread out over five years. The 403 FTEs include more resources for student supervision, which affects us at John Abbott. More than half of the new resources are going towards supporting students. Levels one through four of the salary scales are changing. Teachers will move up the first four levels every six months (instead of twelve). Pay relativity in the top scale – the MAs and PhDs – has not yet been resolved, however. Major problems with the seniority list have been corrected. In the past people felt pressure to always take *suppléance* and ContEd courses to stay ahead or jump ahead of others on the list. With the new contract, the seniority list will be fixed on October 15 of each year. *Suppléance* will continue to count towards a full workload but it will no longer affect seniority. For new teachers, hiring priority will be determined by the order in which people were first hired at the college. Regarding scholarship, under our current contract, professional experience is counted equal to teach experience but only up to ten years of professional experience. Over ten years, professional experience counts for only 50%. Under the new contract, all professional experience will be counted equal to teaching experience.

David Desjardins (Economics): *Suppléance* won't count toward seniority. Will night courses count for seniority?

Stephen Bryce: Yes, but it will not be added to seniority until the following October 15, then it will have less of an effect because the most anyone can accumulate in a year is one year of seniority.

Bruce Toombs: Night courses are hourly paid teaching.

Stephen Bryce: The financing formula for teacher allocation will be changed. The current PES formula does not give small programs in small colleges enough resources. This issue has been referred to a parity committee, which will come up with a resolution.

The flip side of this proposed agreement is that we made a concession to the other side's priority – accountability. We refused their worst demands. In order to get what we wanted, we had to give them some of what they wanted – more clearly defined duties for chairs, departments, and faculty members within departments. They want put in writing in our contract specifically all the things we need more resources for. In the previous contract, there is only a brief description of the duties of program committees. The proposed contract sets out general duties and how committee members are selected. Departmental roles have been more extensively defined. First, departments have to clearly set out how workloads are distributed. Second, departments must approve course outlines. There is a big change regarding department chairs. In the past, their role was to report to the college on a variety of subjects. Now there are a bunch of new verbs used to define duties – the list has expanded to several pages. Where did they come from? We said in the *Teaching Profession* document that we did these things already. We are getting an offer of more resources and we are accepting a much more detailed description of duties. Regarding changes to faculty duties, faculty is still obligated to go to department meetings, but now must also participate in activities required for the functioning of the department. Teachers can be asked to do some of the work, not just the chairs. The management wanted, and got, a change in MEDs. Teachers who are eligible to retire without an actuarial penalty (age 60 or 35 years) who decide not to retire and stay on with MED status will now get 60% of their salary, not 80% as in the past. The

JACFA Executive has taken the position that we should support this new agreement, which is controversial in FNEEQ. We think that the benefits are worth the costs. It is very important that we have a negotiated agreement and not a decree – a good thing in the way we feel about our work and in our ability to mobilize in the future. Now Yves and Bruce will talk about the context of these negotiations.

Bruce Toombs, Cegep Negotiation and Mobilisation Committee, FNEEQ: I want to give the context. I feel the need to explain myself. At the end of May our negotiation table was stalled. The employers were not inviting us to speak or negotiate at all. We wanted to know what they had on the table. Up to that point, as far as we knew, they were going to offer us a few hundred – 275 FTEs. We needed more but we also knew we had to be focused in how we demanded more. The negotiations moved into to June. We had been hearing of many sectoral agreements being made in other areas. We were called back to the table and presented with a final offer which was more or less what we have today. We fought them on the issue of coordination because they were not offering additional resources that would be necessary for people to do the new duties [specified for coordinators]. They came back with more resources after we went to the Minister of Education's office. We had to accept some of the things which Steve pointed out to get these. The MEDs concession is a loss. It's not great. I don't like it. We didn't think we were getting enough. The big clincher for us – if we don't take it, it's off the table. The Minister said, "Take it or leave it." We asked ourselves, "Do we have the mobilization to fight it?" If you look at all the collective agreements negotiated since the 1960s this is more FTEs than all collective agreements combined. We felt that it would be irresponsible not to take it. If you look at the long list of duties, much of this is already in the collective agreement, word for word. It is reorganized and reworded, but the major change is in the role of the coordinators. We believe that this new part reflects what coordinators already do.

Faye Trecartin: First we will discuss and debate both of the agreements and then we will vote by secret ballot.

June Riley (Economics): Can you give me more details on the pay scales 18 through 20?

Stephen Bryce: We wanted the salary scale to be fixed. We want the same progression for these levels as between the other levels. But neither the central table nor the sectoral table was able to resolve this.

June Riley: Why don't we get the same pay progression?

Stephen Bryce: The different progression came because of the resolution of pay equity for men and women. We are not a "predominantly female" job category, but our salary scale was adjusted because ours is linked to that of the primary and secondary teachers (who are predominantly female). However as they do not have a level for a Masters degree (our level 18) and did not negotiate an increase for their PhDs (levels 19 and 20), the progression there did not change. Now that pay equity has been resolved, adjustments for "mixed" categories such as cegep teachers are supposed to begin, but the government would not negotiate this as part of our collective agreement. These negotiations are supposed start towards the end of the year.

Roy Fu (Humanities): In terms of the unresolved issues, first, what are the mandates of the parity committees? Second, I have a general question. The tradeoff looks pretty good on the surface. But I am wondering: what do you think the employers are getting out of it? What are we standing to lose?

Bruce Toombs: Regarding question one, one of the mandates of the committees is to study the conditions of teachers in clinical and health tech teaching situations. There is often clinical preparation time and training that is not compensated. This will be studied and some FTEs are reserved to resolve this problem. They will also fix the financing formula. Regarding your second question, why do they want this agreement? In the short term, they want to clarify what the coordinators do, so they can say that is their job. The old collective agreement was vague. On the up side for us: They can not add things. It is an exclusive list. They probably want to turn coordinators into little bosses in the long term, but this agreement does not do so.

Yves de Repentigny, FNEEQ: Management always fears that people are not working hard enough. They want more control, and to control the “weak links.”

Paul Jones, (Humanities): I think that we are reaping what we sowed. There is a dynamic in negotiations. The only way we can stop it is to scream at these guys to say settle down. Many people got no raises. We have to understand, what we got we are paying for out of our pockets. It is a shame. I think we got panicked by this. The mobilization was not satisfying. What we are being offered, we almost deserve.

David Desjardins (Economics): I am the coordinator of Social Science Research Methods. The long list seems offensive on top of all that we do already. I do all the duties of chair, including the Rubik’s cube of scheduling. If I follow the laws to the letter, I may end up doing less – I hope. We have meetings every two weeks. All the coordination positions are not created equal. They do not have equal workloads. Now the administration is going to have a club to get them in line with what I have been doing all along.

Christine Tellier (French): Does this mean we are going to have fewer students in the classrooms? I was hoping, during the negotiations, for a raise. But I didn’t get a pay raise under pay equity because I am at the top of the pay scale. This gives us at the top nothing. Sorry to be so negative.

Bruce Toombs: Regarding student numbers, the expectation is that no one will have more than four preps. Those additional FTEs should reduce the class size because there will be more resources; that is why we went for this. Regarding pay equity, this targets everyone, not just women. Pay relativity is still on the table and has not been decided.

Marcia Kovitz (Sociology): My impression is that we are supposed to be thrilled at the additional teachers. But when I started, the maximum number of students was in the 20’s. It’s now in the 40’s.

Ryan Young (Creative Arts): By how much will our classes be reduced?

Bruce Toombs: This is still a model. They have never put enough resources in teaching. We don’t consider this satisfactory but it is acceptable in this round of negotiations.

Yves de Repentigny: We have simulations. The CI for the supervision coefficient is .04. If you have 3 classes with one preparation, you get 12 units of CI for supervision time. The ideal is .045 for 400 of PES, the maximum amount of students: At 143 students, you would get about 34 or 35 students. So courses with 4 hours would have about 35-37 students.

Gayle Irwin (English): Is the extra 50% for experience retroactive?

Bruce Toombs: Probably not. It probably applies to a non-permanent at the start of a new contract.

Fiona Tomaszewski (History): Right now we do not have enough space at John Abbott. If they reduce the class size there just will not be enough space.

Bruce Toombs: If you go over your CI, you will get paid more.

Fiona Tomaszewski: The new building will not help.

Anjili Babbar (English): I have a follow up question to Gayle's question. Can you explain how the date of hiring works in calculating seniority?

Yves de Repentigny: With the new collective agreement, there will be a new way of calculating seniority. On Oct. 15, you would get the seniority for what you did the previous year (including Cont Ed) up to one year, but if you were not working before that, your place on the list will be determined by the date of hiring.

Anjili Babbar: Would this affect seniority in the department already?

Yves de Repentigny: It would not affect people there already, but those hired during this year.

Faye Trecartin: We have now reached the end of the speakers list. Now let's move to the central table agreement-in-principle.

3. Central Table Agreement in Principle

VOTE

Motion: Be it resolved that JACFA accept the Central Table Agreement in Principle regarding the length of the collective agreement, the retirement plan, wage parameters, parental rights and specialized workers. - FNEEQ Motion

- **Rally Vote (if defeated)**

Be it resolved, that JACFA rally to the majority position taken by the CSN on the Central Table Agreement. -Executive Motion

Stephen Bryce: The central table is for everyone in the public sector. In terms of our concerns it covers pensions, pay, and parental rights.

The agreement on salary gives us a 6% raise over 5 years. Is that enough? It's not a lot. It is not much more than what they originally offered -- 5 % over 5 years. We could lose purchasing power, but that depends on whether or not the GDP provisions take effect. We are definitely going to get 6% ... and maybe we will get more. Potentially, we could get 3.5% more, plus 1% more for inflation, or a total of 10.5%. The provision in the new collective agreement says that if the government's predictions of nominal GDP are exceeded, we will get more in the third (up to 0.5%), 4th (up to 1.5%) and 5th (up to 1.5%) years of the contract. In order to get these, the

economy has to grow. The CSN economists believe this is likely to occur because in an economic recovery, growth often exceeds predictions. They also point out that nominal GDP includes inflation, which provides us with some protection for our cost of living. However, if inflation is high, then we may end up losing purchasing power. So it will not be necessarily good to get these additional increases. GDP growth is a good measure to use because an increase means increased resources available to the government. Many unions are unhappy because they believe that it is not enough of a raise.

The pension plan stuff is good. We were facing a rate increase from 8.19% to 11%. This would have been a big chunk more coming out of our salaries. This will not happen with the new system. The most we will be paying will be 9.19% next year. The complicated part of this is that we do not pay pension contributions on all of our income. There will be a shift of the exemption from 35% to 25% payment of our income. The overall effect should be that our pension contribution rates will go down. People in higher income categories (such as most cegep teachers) will benefit more. The government will make up shortfalls in contributions. We made a demand about indexation. From 1983 to 2000, the indexation formula was the CPI (Consumer Price Index) minus 3%. If the plan surplus is over 20%, it will be changed to the post-2000 indexation formula of CPI of 3% with a minimum of 50% of the CPI. Right now you can contribute to the plan up until 35 years of service, but under the new contract, it is up until 38 years. Finally, there is a new deadline for drawing on pension credits from other plans that date from before 1973. In general, we got what we demanded for pensions. We beat back actuarial penalties and large increases. We did good work on pensions.

In the area of parental rights there are not many new things. Our new collective agreement is brought up to date with legislative changes. There was a change regarding paternity and adoption leave. In a case brought to the Quebec Human Rights Commission, it was ruled that an employer and the union had denied a birth father his rights by giving him less leave than an adoptive father. Now all fathers will be eligible to receive five days paid plus five weeks paid leave from the QPIP that will be topped up to 100% by the College. The leave provisions for parental responsibilities are being expanded to all family members including care for spouses and elderly parents. Now you can honestly declare why you need leave. The number of sick bank days that can be used will be increased from 6 to 10, and if used up, you can take unpaid days. Does anyone have questions?

Paul Jones: What are they comparing the nominal GDP to, the real GDP that year?

Yves de Repentigny: The estimates in the agreement will be compared to the actual nominal GDP increase for Quebec that year from Statistics Canada.

Allen Weiss (Humanities): Why can't we buy back pension credits if we already have more than 35 years?

Yves de Repentigny: The government is not willing to pay the additional costs.

Roy Fu: In order to get our full 1% how much does inflation have to be? What is the government's interest in indexation based on? Its prediction of nominal GDP?

Bruce Toombs: We think that that government generally has an interest in projecting low nominal GDP increases, then announcing that they have exceeded them. These figures are from the Finance Department's estimates. Your point on inflation is well taken – who knows?! The indexation is one for one, meaning if inflation is 1% more than what we get as an increase after the GDP adjustment, then we get 1%.

Paul Jones: I am going to vote against the central table agreement. This is propaganda, which says that we are the privileged workers in society. This new agreement is based on the assumption that we are already doing too well. The famous common front! It was upsetting that they were negotiating in June.

David Bourgeois (English): Are the two agreements linked in anyway? If we reject one and accept the other, are we saying no to the whole deal?

Yves de Repentigny: To have a resolution and a new collective agreement, we must have an agreement at both the central and sectoral tables.

Stephen Bryce: The sectoral agreement is only about cegep teachers, so if we reject it, negotiations will continue. But the central table is for everyone in the public sector. We will therefore hold a rally vote if the central table agreement is rejected – we cannot negotiate that alone.

Violaine Arès (Humanities): I am distressed -- do we have to pay for the province's economic problems? However, there are people who seem to think that if we reject this we will lose. In the last round, because of the decree, we lost a raise because people rejected the government's offer.

Renée Lallier (English): This will be the last round of agreements that I will see. I have seen a lot. I don't think we have it that bad. We do work with flexible hours and we love what we do. We have it pretty damn good. I am going to vote for this agreement, maybe holding my nose.

Yves de Repentigny: We look at the context and the intrinsic value when we look at an agreement. Can we get more within the context? In June, the Charest government had already passed the budget; he painted himself into a corner. There is no more room for negotiation, because the budget is already set. So we either let this negotiation process drag on or we use heavy pressure tactics. In June, we said to the other CSN unions that we wouldn't accept any impoverishment. We will go on strike rather than get a decree. We were the most mobilized union federation in CSN. We said on June 24, if we reject this, and then don't rally with the other unions, we would be stuck. It is better not to reject it.

Paul Jones: The best option is to reject the central table deal then rally. People have to recognize that the public sector people set precedents for non-unionized workers. It is a much more political argument. The public sector drives the minimum wage economy.

Faye Trecartin: There are no more speakers on the list. I need four scrutineers to collect and count the ballots.

Scrutineers: *Marcia Kovitz, Roxanne Millette, Paul Jones, Alex Panassenko.*

The vote began at 7:20 p.m. and the vote count ended at 7:44 pm.

Results:

Both motions were passed:

- *112 ballots were counted.*
- *Sectoral Table agreement: 110 in favour and 2 against*
- *Central Table agreement: 99 in favour and 13 against*

Peter Solonysznyj (History): I would like to move to thank the JACFA Executive and thanks to Bruce and Yves.

Faye Trecartin: Anyone care to move to adjourn?

Stephen Bryce moved to adjourn.

Frank Lo Vasko seconded the motion.