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This one's a whopper! I feel we have given birth to the newsletter equivalent of a fourteen-pound baby. But it has been necessary. Several articles included in this issue, such as those on pay equity and parental rights, have been incubating for months while we awaited new information from FNEEQ. Alas, it has finally arrived and some of it actually deserves a celebratory cigar puff or two, if only nine metres from the College's doors.

Another reason this issue is longer than usual is that we have begun a new series on the history of our faculty association. The first article in this series has been contributed by Bob "Hammer" Hill, who taught history for 24 years before his retirement in 1997. We think you will find his reflections on the JACFA accreditation informative, amusing, and, dare I say, even moving. It is certainly one of the most eloquent pieces I have read on the importance of being unionized. We already have two other articles lined up by former JACFA Executive members, which will appear in future issues of our newsletter: one is by recent retiree Linda Collier

(HPR) on the 1983 strike and another is by Paul Jones (HPR) about his time served on the FNEEQ Executive, during the 1980s.

Inside, you'll also find an update on the evaluation of teaching and psychological harassment, a report from the FNEEQ Regroupement meeting, FNEEQ's resolutions on international issues, information about Quebec's Social Forum in August, and RRRSP investing in FONDACTION. New faculty members should also check out the article on Evaluation of Years of Schooling (Scholarship) to ensure that you have been classified correctly.

Let me also extend a warm invitation to all of you to our next JACFA social event, a luncheon on Valentine's Day, Wednesday, February 14 from 11:30 to 1:30 in the Faculty Lounge (H-101). While we may not be able to provide HOT LOVE, we will have HOT SOUP and much more.

See you then!



NEW SERIES:

THE HISTORY OF JACFA

New Faculty & the Evaluation of Years of Schooling (Scholarity)

by Jim Leeke

When a teacher is newly hired in the Cegep system, the college that employs the teacher issues an official classification of his or her schooling in the three-month period after the teacher submits the relevant documents to the employer. A similar process occurs when a teacher completes courses or a degree and submits proof to the college. A teacher has 60 days (excluding July and August) after receiving the official classification to lodge a written appeal of the classification.

The classification process is usually straightforward. The College's Human Resources Department accesses a Québec government website that contains the Manual on Evaluation of Academic Standing. The details of the teacher's education are submitted. Based on the number of credits, a classification is made. The vast majority of teachers are correctly classified according to the rules established in the Evaluation Manual.

However, there have been two cases at John Abbott in recent years that necessitated written appeals. Both appeals were successful, in large part, due to the acumen of Claude Racine, our FNEEQ representative on the provincial committee (CNR), which deals with classification appeals.

The first appeal dealt with the case of a teacher from the English Department. Ragne Raceviciute was granted a Ph.D. in 2002 from Vilnius University in Lithuania. Her Ph.D. was classified as category 18 because the Evaluation Manual had not been updated since the collapse of the Soviet system. It was established through documentation that this classification no longer applied. The Evaluation Manual was updated and Ragne's schooling was correctly classified as 19 + Ph.D.

The second successful appeal concerned History/Classics teacher, John Serrati. His doctorate is from the University of St Andrews in Scotland. John went directly from a bachelor's degree to a Ph.D. program, which involved six years of study. As his studies at St Andrews did not involve course credits, his doctorate was classified incredulously as category 17, in accordance with the bureaucratic Evaluation Manual. At John's request, the Dean of Arts at St Andrews provided a written list of courses and seminars that John participated in while at the university. The provincial committee (CNR) wisely agreed to amend the classification of John's schooling to 19 + Ph.D.

If your education has been recently classified or reclassified and you have questions about the accuracy of the evaluation, please contact Jim Leeke at local 5899.

FNEEQ in Berlin this Summer

FNEEQ is a member of Education International (EI). EI represents more than 30 million teachers and education sector workers. EI has 348 member organizations that operate in 169 countries, from pre-school to university. As the world's largest global union federation, and the only one representing education workers in every corner of the globe, EI unites all teachers and education workers no matter where they are. This summer, EI will be holding its 5th Triennial World Congress in Berlin, Germany from July 22 to 26, 2007. It will provide an opportunity for representatives of member organizations from all over the world to meet and consider the major issues affecting them. FNEEQ has decided to mobilize and send members to this largest gathering of teachers ever. More information will follow.

*Quality Education Committee
on the
Evaluation
of Teaching*

By Clea Notar

JACFA and the College's administration have been discussing an evaluation of teaching policy since 2001. The evaluation of teaching is part of the College's 2004-2009 Strategic Plan and conforms to the requirements of the Commission d'évaluation de l'enseignement collégial (CEEC). Of the 36 FNEEQ-member cegeps, seventeen presently have an evaluation policy. Of those seventeen, only five were the result of negotiated local agreements.

This past November, a Quality Education Committee was formed on campus to develop the tools to be used in the evaluation of teaching. This parity committee has been discussing the procedures and supporting resources for the evaluation process, which the administration intends to implement in the fall of 2007. I am serving as the chair of the committee. Other JACFA Executive members Jim Leeke (HEPS) and Faye Trecartin (English), as well as Associate Deans Tom McKendy, Diane McGee and Cathy Sidorenko make up the remainder of the committee.

To date, the meetings have resulted in the development and refinement of a number of drafts of a standardized student questionnaire. The questionnaire will elicit student opinion on the quality of teaching in classroom, lab, stage and other learning environments, availability to and treatment of students, assessment and planning of classes and course materials, and student participation. JACFA is highly sensitive to the wording of the questionnaire. The questionnaire must be simple, clear, and objective. Our goal is, as much as possible, to eliminate any room for student venting, for example, due to displeasure at their grades or the teacher's interference with their supposed inalienable right to text message during class.

All Day Division and Continuing Education with less than 1.5 years of seniority will be subject to evaluation. All other faculty with a minimum of 1.5 years of seniority or more will undergo formative evaluation every five years. For teachers with less than 1.5 years of seniority, the following evaluation procedures will be followed: in the first semester of teaching, the questionnaire results will be examined by the teacher and one of his or her departmental peers who has a minimum of three years Cegep teaching experience. In the second semester, the questionnaire results will be reviewed by the Associate Dean. The results will be discussed with the teacher and will remain confidential. If the Associate Dean detects serious problems, he or she will inform the teacher in writing and professional development solutions will be suggested. The Associate Dean will verify if the teacher has improved the following semester.

The Quality Education Committee is in the process of refining and testing the standardized questionnaire and will be consulting you shortly for feedback. We anticipate much discussion on this issue before the projected implementation of the policy in the fall of 2007.

Changes to Parental Rights in the New Collective Agreement (2005-2010)

by Faye Trecartin

The New Quebec Parental Insurance Plan (QPIP)

The bulk of the changes to parental rights in the new collective agreement have been made to accommodate the new Quebec Parental Insurance Plan (QPIP), which went into effect on January 1, 2006 and replaces the parental leave provision of the federal Employment Insurance Plan (EIP) for Quebec residents. As you'll note from the table below, the new plan is more generous and flexible than the federal one, but a premium is deducted from your pay cheque to cover it; EI premiums were reduced to partially compensate for this.

Eligibility in the Quebec Parental Insurance Plan (QPIP):

If you live in Quebec, you are covered by the QPIP.

For more information:

http://www.rqap.gouv.qc.ca/prestations/index_en.asp#maternite.

This webpage also includes a benefit calculator you can try before applying for benefits.

Eligibility in the federal Employment Insurance Plan (EIP):

If you live outside of Quebec, but work in Quebec, you are covered by the federal Employment Insurance Plan (EIP). QPIP deductions will still be made at source on your pay cheque and you will need to make sure that you claim this money back when you file your income tax form. *Special parental rights conditions apply in the collective agreement for teachers not covered by the Quebec plan. Please contact the JACFA office for more complete information.*

Length and Amount of Benefits

	Federal Employment Insurance Plan (EIP)		Quebec Parental Insurance Plan (QPIP)*			
	Length (weeks)	% of Weekly Income Length	Option A		Option B	
			Length (weeks)	% of Weekly Income Length	Length (weeks)	% of Weekly Income Length
Waiting Period	2**	None	None	N/A	None	N/A
Maternity Benefits	15***	55%	18	70%	15	
Paternity Benefits	None	N/A	5	70%	3	75%
Parental Benefits	35	55%	32	1st 7 weeks: 70% Next 25 weeks: 55%	25	
Adoption Benefits	35	55%	37	1st 7 weeks: 70% Next 25 weeks: 55%	28	
Maximum Insurable Earnings 2006	\$39,000		\$57,000			

* Our collective agreement increases benefits to 93% for the first 21 weeks of the leave.

** Our collective agreement provides a benefit equal to 93% of your basic weekly salary for each week of the waiting period.

*** Our collective agreement increases benefits to 93% up until the end of the 20th week of maternity leave.

...*Parental Rights*

ADDITIONAL BENEFITS AND CHANGES TO OUR COLLECTIVE AGREEMENT

Maternity Leave with Pay

If you are eligible for the QPIP and have accumulated 20 weeks of service, you are entitled to the difference between 93% of your basic weekly salary and the amount of maternity or parental benefits you receive from the QPIP for the first 21 weeks of your maternity leave (5-6.06, 5-6.11 and 5-6.13). You can extend your maternity leave with a parental leave under collective agreement and the government will continue to pay you at the rate under Option A or B of the QPIP outlined in the table.

To be granted a maternity leave, you must give the College at least two weeks notice before your departure (5-6.09).

You have the right to four days without loss of pay to visit a doctor or midwife concerning your pregnancy. These days may be taken as half days.

Paternity Leave with Pay

If your spouse delivers a child, the College will pay you for five working days at the time of birth. One of these days may be used for a baptism or registration.

A female professor whose spouse delivers a child shall also be entitled to this leave if she is deemed to be one of the child's mothers. (5-6.23)

Paternity Leave without Pay

You are also entitled to a paternity leave without pay of five weeks, which must be taken consecutively, but may be taken at any time as long as it ends no later than 52 weeks following your child's birth. For instance, if your child is born in July, you may take this five-week leave at the beginning of the fall semester.

If you decide to share the parental benefits available under the QPIP or EIP with your spouse, these five weeks could be paid (see table above).

A female professor whose spouse delivers a child shall also be entitled to this leave if she is deemed to be one of the child's mothers. (5-6.24)

Adoption and Parental Leaves

You are also entitled to a leave of ten weeks to adopt a child (5-6.36). Maternity, paternity and adoption leaves may be extended by applying for a parental leave without pay or a part-time leave without pay for up to two years (5-6.39).

Benefits While on Leave

During maternity leave, paid paternity leave and adoption leave, you will, if you are already entitled to them, continue to benefit from: life insurance; health insurance; accumulation of vacation time, sick leave days, seniority, experience; and the right to apply for a position or teaching (5.6.55)

Postponement of Annual Vacation

You may postpone some or all of your annual vacation if it falls during your leave. You must send written notice to the College at least two weeks before the expiry of the leave. Unless you reach an agreement with the College, the postponed vacation must be taken immediately after the maternity, paternity or adoption leave. (5-6.55).

For example:

You are a female teacher at Abbott, who lives in Quebec, and had a full-time workload for the previous academic year. You give birth to your child on June 16.

You decide to follow Option A under the QPIP (see table on previous page). You will receive maternity benefits from the Quebec government for 18 weeks (at 70% of your basic weekly salary) and parental benefits for 32 weeks (1st 7 weeks at 70% and next 25 weeks at 55%). The College will top you up to 93% for the first 21 weeks of your combined maternity and parental leave.

You should ask the college to postpone your vacation until the end of your parental leave and then at that time you will receive your eight weeks of vacation for a total of 58 weeks of paid leave.

OTHER CHANGES TO THE COLLECTIVE AGREEMENT

Days Off for the Care of a Minor Child

You may take up to six days per year when your presence is required to ensure the health, safety or education of your or your spouse's child. These days will be deducted from your annual bank of sick days or leave without pay. This type of leave may also be taken in half days (5-6.62b).

Pay Equity... Show Us the Money!

By Stephen Bryce

It finally looks as though we can see the light at the end of the tunnel concerning the pay equity dispute between the government and the unions representing public sector workers.

Once again, let's set the stage:

- Under the 1996 Quebec *pay equity* law, FNEEQ and the government agreed in 2001 that Cegep teachers constitute a *mixed* employment category, separate from the *predominantly female* primary and secondary school teachers represented by the CSQ. However, as our salaries were historically tied to primary and secondary school teachers, **they agreed that Cegep teachers would not be paid less than other teachers with the same scholary and experience.**
- In 2002, the CSQ accepted a partial settlement with a single 17-level salary scale for primary and secondary teachers. Salaries were increased for teachers with lower scholary (18 years or less), and retroactive payments were made for 1996-2001.
- FNEEQ reached a similar settlement in 2003, adding for Cegep teachers recognition for masters degrees (level 18) and maintaining recognition for doctorates (levels 19 and 20). FNEEQ also did not accept to increase working hours as the CSQ had in their agreement. Instead, FNEEQ accepted that *within our current workload*, we would work on projects designed by our departments and acceptable to our College – our “professional services rendered” agreement.
- In June 2006, our unions and the government announced a “final pay equity settlement” for predominantly female job categories. Primary and secondary teacher salary scales are to be adjusted by 2.35%. In our collective agreement, Annex VI-3 states “The basic salary structure for CEGEP professors is the same as that for school board teachers”. **We will therefore receive the same adjustment.**

Teachers are only one of the hundreds of job categories being adjusted. From June until October, there were two revision periods for the adjustments. No change was made for teachers. In September's *JACFA News*, we reported that FNEEQ hoped everything would be resolved by the end of the year. However, we are still waiting for the final details.

We know:

- that salaries for level 17 in the single scale will be increased by 2.35%;
- that level 20 will remain unchanged;
- that the intervals between levels 17 and 20 will be equalized (Annex VI-3).

We don't know:

- what the changes will be below level 17 – the government told FNEEQ that below this level, increases will be smaller;
- when the new salary scale will go into effect;
- when retroactive payments (for 2003 to present) will be made.

FNEEQ received the new scales late in January and is verifying them as this article is being written. We expect to receive the scales early in February and will send them to you as soon as they arrive (hopefully before this newsletter makes it to your mailbox). FNEEQ expects the new salary scales to be implemented by April, and retroactive payments for the period between 2003 and now to be made by the end of this academic year. We are still waiting to see what will be done for the period between 2001 and 2003.

Pay equity is a marathon, not a sprint. We are reaching the end of this stage, but the finish line is still not quite in sight. Now that the predominantly female job categories are settled, FNEEQ wants to begin discussing with the government the relativity of our pay scales to other groups, including levels 18 to 20 (for those with Master's and Ph.D. degrees). So you can look forward to further reports on this in the future!

News from the Regroupement

By Michel Milot

The last Regroupement CEGEP meeting was held during the Federal Council on January 17, 2007.

Grievance on Strike Days:

As you probably remember, we have filed a grievance about make-up days for the 4.5 strike days in 2005. In a report on the very brief and unsatisfying judgment, we learned that the Quebec Labor Relations Committee did not rule in our favour. We are appealing this ruling in Superior Court using Ahuntsic College as a test case. The parties agreed that the eventual ruling for this test case will apply to similar cases, such as ours. Hearings will start in March.

Reasonable Accommodation:

The *Commission des droits de la personne et des droits de la Jeunesse* (CDPDJ) has asked the CSN to participate in the debate on the reasonable accommodation of religious practices in public institutions. JACFA is now examining the types of accommodations practiced on campus. Your input is welcome.

Modifications to the RREC (General and Vocational Colleges Act Regulation):

In September's *JACFA News*, we reported that the *Ministry of Education, Leisure and Sports* (MELS) was in the process of consulting various bodies about modifications to the *College Act*. MELS has decided to consult only the *Conseil Supérieur de l'Éducation* (CSE). FNEEQ and the other CEGEP unions (the first concerned) are now asking CSE to be consulted. Recall that the proposed modifications are on six subjects: admission criteria, exit profiles, new diplomas, decentralized competencies, more flexible

academic calendars and changes to General Education (again!).

Assessment of our Last Negotiation:

A FNEEQ committee is working on the evaluation of the last negotiations that ended abruptly with a decree. Members of the FNEEQ Executive will be visiting cegep general assemblies this semester and will probably be on our campus sometime in April.

Collective Agreement Parity Committee:

FNEEQ and the CPNC have agreed to set up a parity committee in order to:

- study the impact of information and communications technologies (ICT) on our teaching loads;
- analyze current teaching practices at the college level, in particular the parameters of the individual teaching loads (CI).

In other words, we are trying to get extra teaching resources before the end of the (signed under constraint) collective agreement. Parties are meeting frequently, but the deadline of March 1, 2007 has already been deemed unrealistic.

Please note that the CI formula was created in the early 1980s to provide equity between teachers' workloads. It is certainly not a perfect formula and may be outdated—just think about new realities: working with technologies, updating teaching materials to new software, adapting content to new competencies, etc.

Getting Started: Personal Recollections of JACFA's Formative Years, 1972-75

By Bob Hill, Montreal, Jan 2007

Bob Hill taught history at John Abbott from 1973 until his retirement in 1997. He was known as "Hammer" Hill for his great skill in hammering out solutions to conflicts with the Administration in the College's Labour Relations Committee (CRT).

In April 1972, just a year after John Abbott College had opened its doors, a "Common Front" of public-sector unions in Quebec's three major labour federations walked off the job. Work stoppages erupted in the private sector as well, and by May the province was reeling under the effects of the largest general strike ever held in North America. Media stories about hospital patients in urine-soaked sheets whipped up public outrage against unions. One day a white-haired gentleman began beating me with a rolled-up *Gazette* outside the school I was picketing. When I held up my picket sign to shield myself, he snatched it away and flailed me with it as well. On the front page of his newspaper was a photo of an unfed baby crying untended in its hospital crib. When my assailant finally paused to catch his breath, I showed him the fine print stating that the feeding was only delayed, but I don't think it changed his mind.

The Common Front Strike was broken by the Bourassa government with draconian back-to-work legislation, the jailing of defiant labour leaders, and the imposition of ruinous fines on their unions. There was serious civic unrest in several parts of the province. It seemed like Quebec might go up in flames, but little of this turmoil was evident at the placid old Macdonald campus at Ste. Anne de Bellevue, where John Abbott College was born.

John Abbott College, as luck would have it, sat out the Common Front strike because its faculty association, JACFA, was not accredited as

a union until May 29, 1972, by which time the worst was over. Floating serenely as a bubble through the unrest raging on every hand, it had blossomed like a flower in the wilderness. Idealistic administrators, as yet untroubled by unions or government decrees, dreamed of moulding their own post-secondary paradise on the West Island. Some teachers fretted at not being part of a struggle so important to their livelihood, but many, fresh out of university, seemed as carefree as the students with whom they mingled. Was not their newly conceived college something fresh and different from all that had gone before – a departure from the strife and traditions of the past, a brave new "community," in which everyone – students, teachers, and administrators alike – shared common goals and hobnobbed equally on a first-name basis?

This early *ambiance*, recalled by history teacher Roy Piperburg, of "old buildings, co-ed washrooms, beanbag chairs, smoke-filled rooms of varicoloured smoke, and endless meetings necessary (or so it seemed at the time) to bring anarchy out of chaos," was still intact in December, when the government imposed "the Decree." The Decree was an arbitrary contract, dictated by Order-In-Council after all attempts to negotiate a new collective agreement with teachers had broken down. Even the Decree did not immediately affect John Abbott College. JACFA, although an accredited union, was as yet unaffiliated with any of the labour federations to

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Personal Recollections of JACFA's Formative Years, 1972-75

which the Decree applied. But John Abbott's halcyon days were numbered, for soon the fledgling college would have to emerge from its idyllic vacuum and fly in the real world of Quebec education outside.

I began teaching at John Abbott in the academic year 1973-74. One teacher on my departmental hiring committee – Gary Evans, the founding president of JACFA – seemed more interested in my previous union experience than my teaching qualifications. I told the committee that 13 years of high-school teaching had taught me that unions, whether one admired them or not, were good for teachers. My first annual salary in the Montreal school system had been a whopping \$4500; by the time I applied at John Abbott, thanks to the efforts of unions, I was earning nearly \$15,000. Even the much maligned Common Front strike had begun to deliver better pensions and other benefits. I had supported the militant unionism of the new Montreal Teachers' Association (MTA) that was superseding the docile "professionalism" of the venerable Provincial Association of Protestant Teachers (PAPT). I had headed the faculty association at Sir Winston Churchill High School, and had worked as a regional organizer for the MTA during the strike. Perhaps I should have added that I felt I had done my bit, and hoped to lay my union burden down and teach happily ever after in my new job, for I could see that Gary had other ideas.

Early in my first semester, Gary Evans persuaded me to sit on a college-wide committee convened by the Secretary-General, Victoria Shipton, to agree on hiring norms for the divisions. We reached a consensus, but when the Secretary-General subsequently disregarded it in favour of the numbers she had proposed in the first place, I circulated a memo revealing what she and the committee had really agreed to, and charged her with using us and the consultation process as mere window dressing. The norms were readjusted with commendable dispatch, but

the Secretary-General, alas, would never speak to me again. Others seemed more favourably impressed. All hopes of union retirement vanished as I was recruited to begin my second semester as JACFA's secretary under incoming president Sam Minsky.

The most important issue of Sam's presidency was the question of union affiliation – whether or not JACFA should join one of Quebec's major labour federations. Most CEGEP unions, including those of Dawson and Vanier, were already part of the Fédération Nationale des Enseignants Québécois (FNEQ) in the CSN (Confederation of National Trade Unions), a few were with the CEQ (Quebec Teachers' Corporation), and only JACFA was still on its own. Apparently the Decree was not designed with an unaffiliated union in mind, and our union, which had been a spectator in the Common Front strike, now found itself dangling in legal limbo with no contractual safeguards for its members whatever.

The idea of JACFA operating in splendid isolation was appealing to some, but most union insiders realized that, whenever a crunch came, our teachers on their own would be as helpless as babes in the woods. The Decree was no bed of roses, but at least it offered a guaranteed salary scale, acquired rights, and access to important protections like grievance arbitration. JACFA, left to its slender resources, would have found itself financially incapable of mounting a court case, or even of maintaining its own representative at Quebec during negotiations for a new collective agreement. As we explored the pros and cons of union affiliation with our teachers, our administration helped out by agreeing to abide by the terms of the Decree for the time being, even though it was under no legal obligation to do so. Then our new Director-General, Bruce McAusland, let it be known that he was prepared to be even more helpful if JACFA chose not to have anything to do with the CSN at all.

Personal Recollections of JACFA's Formative Years, 1972-75

Sometime in the fall of 1973, someone stuck his head into my office in Laird Hall and said: "Bob, you'd better get downstairs. Bruce McAusland is trying to talk a bunch of teachers out of joining FNEQ." I had not yet spoken with our Director-General, who was indeed telling a large gathering that they would find themselves much better off if they got their union and the government to ratify a local agreement with their own Board of Governors instead of joining FNEQ. He touched on hot issues that troubled many – how Quebec's labour movement had become increasingly political, radical, and separatist, and how minority anglophone concerns would get swamped in a nationalist francophone sea. Our college, he concluded, could best flourish if its teachers and administration were left to develop their "special" relationship, unencumbered by undesirable outside influences.

It was a persuasive appeal that cried out for a response. I crossed swords with the Director-General for the first time, and can still remember most of what I said. "The teachers I know at John Abbott do not want to withdraw from Quebec," I maintained, "they want to be part of it. They don't want to stand on the sidelines while others fight their battles for them; they want to participate fully in the cause of better conditions for all teachers. They don't want a special back-stairs agreement or pampered treatment in an anglophone cocoon; they are not afraid of their brothers and sisters in the French-speaking colleges, and want to stand shoulder to shoulder with them in the mainstream of Quebec's educational life." There was more I could have said, but I cut it short when I sensed from the reaction of the growing crowd in Laird lobby what the outcome was likely to be.

JACFA's special committee on union affiliation, consisting of Jim Leeke, George McKiel, and myself, submitted its report in November 1973. We made a point of giving equal space to the full range of perceived advantages

and disadvantages, but concluded with a strong recommendation in favour of joining FNEQ. By February 1974, our president and union executive felt the teachers were ready to vote. Sam Minsky's motion was passed by JACFA's assembly by a margin of 64 to 3. John Abbott's faculty had opted to work in Quebec, not Camelot, and our Director-General, denied the tame in-house union he was hoping for, would have to deal with a more militant affiliated one instead.

Union affiliation was not the only important achievement of Sam's watch. I participated under his leadership in the inaugural meetings of our college's Labour Relations Committee, and found him a lot better than I was at maintaining cordial relations with the administration. I'm not sure if Sam's congeniality would have held up later on, but it certainly paid off during that early era of good "community" feelings. His White Paper on Faculty Evaluation is a good example. The College was determined to implement a system of teacher evaluation, but teachers were just as determined not to have their classroom performance adjudicated by bureaucrats. The smile never left Sam's face as he talked the College into accepting a teacher friendly process that delegated much of the responsibility to the academic departments. Administrators would soon be wondering if they had been cajoled into accepting a pig in a poke, but there were no complaints from teachers. Sam's White Paper, at the very least, relegated a potential bone of contention to the back burner of college life for a long time.

In the spring of 1974 Sam Minsky stepped down, and I became the third president of JACFA. I have nothing but praise for my predecessors. Gary Evans was instrumental in starting our union from scratch; Sam Minsky got it up and running. My challenge, as it turned out, was to strive to vindicate the purpose for which JACFA had been organized – to defend the rights and interests of John Abbott's teachers – for the year

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Personal Recollections of JACFA's Formative Years, 1972-75

of my presidency was marked by the outbreak of the first contract disputes in our college's brief history. Because each dispute was a ground-breaker, capable of setting precedents that could influence how similar problems would be dealt with in the future, it was important to reach settlements that were satisfactory to teachers. And I wanted the administrators to understand, right from the start, that they would be well advised not to trifle with teachers' rights unless they wanted a fight on their hands. The very first of these cases is as good an example as any.

An English teacher – we'll call him Oscar – had not returned from Australia to meet his classes on September 1, and his written request to be released from his contract had been received by the College only three days earlier. The Personnel Director, Gerry Stachrowski, charged Oscar with breach of contract and unprofessional conduct, and withheld the final installment of his previous year's cost-of-living allowance. At first it looked like an open-and-shut case, and it would have been easy to simply say "good riddance" to the alleged culprit and leave him to languish in Australia with a blemish on his record and without his \$168.66. But my Labour Relations sidekick, Jim Leeke, believed the College's response might not have been appropriate, and I was inclined to agree.

As I dug deeper, a somewhat different picture began to emerge. The English chairman, Jim Hill, assured me that he had been twice notified prior to registration that Oscar would not be returning, first by Oscar's colleague, Larry Weller, and then in a letter from Oscar himself. He had informed the College immediately, and disruption had been "minimal." In fact, only one, not all four, of Oscar's sections had been cancelled. Jim Hill also confirmed that he had advised the Personnel Director in writing against taking punitive action in view of possible extenuating circumstances. In October, after reading Oscar's letter to Jim and talking with Larry, I received a letter of my own

from Australia that filled in the remaining blanks in the information I needed.

Oscar, it turned out, had met someone in Australia the year before, and had returned to spend the summer with her. By the time he should have been packing his bags to get back to John Abbott, he was in love and she was seriously ill. He kept putting off his departure, and ultimately could not bring himself to leave. Jim Leeke and I weren't sure how all this would wash legally, but it seemed like a good time to put our new union affiliation to the test. We were favourably impressed. I drove to St. Denis St. to see Lucille Beauchemin at FNEQ, explaining the situation in my best Alberta French. Within 24 hours, a CSN legal advisor was on the phone, telling me in English that there were grounds for charging the College with violation of three clauses of the Decree.

At the Labour Relations meeting of November 19, Jim, the good cop, and I, the bad one, opened up on the three administrators with chapter and verse from the Decree, supported by volleys of new information. They trooped out of the room in some confusion to regroup and check with headquarters. When they returned, the Personnel Director was red above the collar. It was the first time his expertise on the Decree had been challenged, and I knew it had not gone well for him out in the corridor. Jim and I looked at each other in a way that meant "hang tough." The next morning I was able to write to inform Oscar that he would soon be receiving a second official letter from the Personnel Director. This one would advise him that, although breach of contract would remain on his dossier, the "unprofessional conduct" letter would be removed, a cheque for his cost-of-living allowance would be enclosed, the College would apologize for its inappropriate actions, and the Personnel Director would express personal wishes for the speedy recovery of his loved one. Gerry Stachrowski, to his credit, even wished them a Merry Christmas.

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Personal Recollections of JACFA's Formative Years, 1972-75

Oscar's case, and the ones that followed, aroused considerable interest around the college. It was getting so that I could hardly leave my office without being buttonholed by teachers anxious to get the lowdown on what was going on. Believing that an informed membership would enhance union solidarity (and to spare myself having to relate each saga over and over again in the hallways), I launched a JACFA newsletter called *Communiqué* to keep teachers abreast of issues percolating at the college. A growing concern at the time was the suspicion, not without reason, that our Director-General might be conducting his own clandestine "highway 20" system of faculty evaluation by offering hitch-hiking students a lift and then eliciting scuttlebutt from them about their teachers. So it seemed in *The Strange Case of the Midnight Contract*.

The teacher in *The Strange Case of the Midnight Contract* was being mysteriously denied permanence even though he had already signed his third consecutive contract. When I asked for cause, the administrators in Labour Relations proved strangely reluctant to divulge any, trotting out instead a legal interpretation as ludicrous as it was creative – that the third contract was not really consecutive because of a one-second interval between the time the previous contract expired and the new one took effect. I consulted with the Director General to give him the opportunity to disown this curious position, but soon concluded that it emanated from him. Of all the preposterous pretences I ever encountered in Labour Relations, this one takes the cake, and my report in *Communiqué* reduced it to such a laughing stock that the wronged teacher was quickly granted *permanence* without another peep. Such episodes did more than dispel labour tensions with occasional interludes of comic relief. They tended to reinforce prevailing suspicions about "highway 20" evaluations, and also put to rest any lingering notions that John Abbott's teachers might have been better off had

we entrusted our well-being to our "benevolent" local administration instead of opting for the tender mercies of the Decree.

Communiqué was never just a newsletter. Because it proved capable of getting results by simply holding incompetent or inappropriate administrative conduct up to the light of day, it was, from the start, an effective weapon in JACFA's dispute-resolution arsenal. Some teachers, enjoying friendly personal relations with "nice guys" (as indeed they were) on the administration, were occasionally taken aback by what they read. "Are they fools or knaves?" economics teacher Charles Reid once asked me. "Both," I replied. "They're fools when they get into these situations, and knaves when they try to cover up." Years later, I learned that Charlie had since found occasion of his own to quote me more than once. I wish I could tell the story of *Communiqué's* finest hour, on the issue of "A Safe and Healthful Environment" during a period of unsanitary renovations and worse, but that didn't happen early enough to be part of these recollections. The modest *Communiqué* of my era has since given way to the handsome *JACFA News* of today, but the tradition it established, of keeping teachers informed and the College on its toes, doesn't seem to have changed a bit.

It would, of course, be misleading to suggest that JACFA's influence was appreciated by everyone. Victoria Shipton's *Pilgrims and Puppets*, John Abbott's "official history," contains a good deal of useful material, but undermines its historical credibility by demonizing unions and their members with a zeal that transcends balanced judgment. One does not have to be fond of unions to recognize that they are an important, even necessary, institution in modern society, and that their rights are enshrined in the laws of every enlightened country. To bewail their very existence is reactionary, and *Pilgrims and Puppets* does plenty of wailing, subjecting the reader to repeated eruptions of misinformation,

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Personal Recollections of JACFA's Formative Years, 1972-75

bitter tears, and bile whenever the disagreeable subject comes up.

Did you know that John Abbott College was conceived and founded by a handful of visionary “pilgrims” whose dreams of excellence were frustrated at every turn by the mediocre mass of unionized “puppets” that made up the teaching faculty? Such is the puerile symbolism that pervades this unfortunate misadventure into historical analysis. Those deemed to be pilgrims – usually administrators or members of the Board of Governors – are singled out for recognition and praise. The ignominious puppets are tarred en masse by a vindictive brush and cast out of further consideration into some kind of collective purgatory, their names unmentionable and their contributions ignored, though at one point the author slips in three JACFA surnames in the plural – “the Leekes, the Welches, and the Joneses” – so we will be left in no doubt as to their ilk. Indeed, pluck out all those pernicious puppeteers and their piddling pedagogical pawns, the pathetically paltry puppets, and we are left with a paucity of prescient paragons in these paranoid pages to praise as progressive pilgrims apart from our pouting polemicist and her peerless pals in the administration.

Pilgrims and puppets? Is this the embodiment of that “community” spirit espoused by John Abbott’s pioneers? The book’s insinuation, from its peevish title on down, that John Abbott’s teachers had cravenly abdicated their free will in forming a union is more than just a blatant falsehood. It is an appalling insult to the dedicated men and women who were doing the work of the college that mattered most of all. John Abbott must be the only college in the English-speaking world to publish and disseminate a self-history that denigrates its own teachers.

To anyone familiar with how JACFA has always functioned, *Pilgrims and Puppets* betrays an embittered mentality and a comprehension of teachers’ unions so distorted from reality as to

border on hallucination. The independent men and women I remember at John Abbott were nobody’s puppets, and I don’t recall them being particularly deferential to their union leaders either. People like Gary Evans, Sam Minsky, and I were not bosses, and we would have soon been given the raspberry had we ever tried to be. We were ordinary working teachers elected to positions of responsibility by our peers, and we remained answerable to them. We were neither mindless puppets before this democratic process nor scheming puppeteers after it. We took no orders from any higher power, and decided by majority vote in open assembly with our own members whether to participate in joint action with other unions or not. Mostly we represented our fellow teachers, sometimes we tried to persuade them, but we had no way of dominating, intimidating, or coercing them even if we’d wanted to. The Machiavellian power *Pilgrims and Puppets* attributes to us might have come in handy if we’d actually had some, but the Decree had not stacked the deck in our favour. Perhaps opponents found it politic to misconstrue our influence as power-based in order to provide themselves with a plausible scapegoat for their own failures – an unintended compliment of sorts, because it suggests that the little we ever had going for us – the sincerity of our convictions, the force of our arguments, and the ability to communicate democratically with those whose interests we served – was usually enough.

As a former teacher, I give *Pilgrims and Puppets* an “F” for its flawed methodology, biased reporting, unproven assumptions, undocumented generalizations, suppression of contrary evidence, one-sided smear tactics, and other shortcomings not always found even in student essays. As a former union leader, I invite anyone who thinks an entire faculty, or even a roomful, of real-life John Abbott teachers can be manipulated like marionettes to try it sometime. And as an historian, I can attest that this petulant

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Personal Recollections of JACFA's Formative Years, 1972-75

outpouring, despite all the work that clearly went into it, disqualifies itself as real history. That a disgruntled former administrator would not like unions is hardly surprising, but historians, even would-be historians, are supposed to at least attempt to rise above unbridled subjectivity in reconstructing the past.

Pilgrims and Puppets, as its title implies, is primarily an opinion piece. Its opinions are unsubstantiated, and (in my own humble estimation) generally range from wrongheaded to just plain wrong. Its historical content, much of it nostalgic trivia, is highly selective, censored, and tailored to suit the predilections of the author. At worst it's a hatchet job on puppets; at best it's only special pleading on behalf of pilgrims, and a poor specimen at that. I did not deem it worthy of comment when it first appeared, and if I mention it now, it is only because I am surprised to learn that unsold copies, instead of being buried in the vault, are still handed out to newly-hired administrators. One wonders if those who continue to associate the good name of John Abbott College with this dubious diatribe are not embarrassed if they have ever taken the trouble to actually read it, let alone reflect on its mean-spirited theme. For it would take more than petty innuendo about puppets to prevent any fair-minded observer from realizing that, in reality, John Abbott's teachers, in addition to its early administrators and Board members, played an important role in building a pretty fine college after all. The shame of *Pilgrims and Puppets* is its premeditated attempt, motivated by anti-union pique under the guise of history, to deny this obvious and fundamental fact.

Looking back, I offer no apologies for whatever modest input I might have made into JACFA's formative years. I'm not saying we made no mistakes, but somehow our new union managed to get from its founding in 1972 to the end of my presidency in 1975 without a single dispute going to external grievance arbitration,

and a track record of local agreements satisfactory to teachers that was well nigh 100%. Today, I have the satisfaction of knowing that I got at least one thing absolutely right. I persuaded a clear-thinking young colleague to join JACFA's executive, and groomed him as our next president. I brought him onto the Labour Relations Committee, where he developed into a formidable negotiator and a pillar of strength in college life. He may wish I hadn't bothered to mention this, but his name was Jim Leeke. The rest, as they say, is history.

In closing, I wish to acknowledge the support of all the dedicated men and women who helped shoulder JACFA's early burden, and thank them for it all over again. None of us ever received a penny for anything we did, and we had to teach ourselves to be pretty thick-skinned, for not many bouquets were thrown our way either. That's why a lump came to my throat the other day as I re-read, for the first time since November 1974, Oscar's last letter from Australia. "I want to thank you for fighting and winning my case," he wrote. "It's heartening that John Abbott now has people who won't stand by while teachers are being pushed around. The resolution of the Labour Relations Committee was everything I could have asked for. Larry writes me you worked very hard on my case. I'm very grateful for the time and energy you invested in it." Oscar, wherever you are, for another letter like that, I'd do it all again if I could.

Bob Hill,
Montreal,
Jan. 20, 2007.

Action Internationale

By Michel Milot

The great response we received from John Abbott faculty about the World Social Forum last January demonstrated that there is an interest in international issues. Therefore, I became a member, with a three-year mandate, of the Comité Action Internationale at the last FNEEQ Congress in June.

At that congress, FNEEQ adopted a series of "international" resolutions. These resolutions will guide our international involvement for the next three years. Here is a brief summary of the resolutions:

1. A resolution passed to raise awareness and mobilize against the commercialization of education. As a consequence, a mandate was given to FNEEQ's representatives to oppose the Canadian government's negotiations in the General Agreement on Tariffs and Trades (GATT) over the neo-liberalization of trade and services.
2. FNEEQ has also launched a campaign of support for the right to education for young Afghan women, as more than 50% of Afghan girls do not attend primary school. To this end, **JACFA is selling bookmarks for \$2 at our office in P-105**. FNEEQ's objective is to gather \$10,000 to buy pedagogical materials and to pay for teachers' salaries. Our contact in Afghanistan is reliable, and the money will not endanger students or teachers.
3. Our FNEEQ representatives also passed a motion to promote fair trade and sustainable development by, for example, encouraging the development of carpooling initiatives, pressuring institutions to adopt sustainable policies on recycling, healthy food, etc.
4. FNEEQ has also given its support to Amnesty International for its campaign against child labour and to the Association of University Teachers (AUT-UK), the main union for college and university faculty in the United Kingdom fighting for better working conditions and wages, and whose salaries have been frozen from 1982 to 2001! Even the most conservative British economists estimate that faculty salaries fell

by 45 percent in real terms over the nineteen-year period. This was a JACFA initiative.

5. FNEEQ is also concerned about the orientation of the Harper's government in Afghanistan.
6. FNEEQ passed a resolution denouncing the cutting of aid to the Palestinian Authority by the Canadian and other western governments following the democratic election of Hamas, and called for the restitution of this aid. FNEEQ will support actions that support this, that maintain the dignity of the Palestinian people, and that promote peace in the region. Two JACFA representatives registered their dissidence with this motion.

These resolutions are available for you to consult in detail on the FNEEQ website at the following URL

<http://www.fneeq.qc.ca/MGACMS-Client/Protected/File/S197IB9396F656LE4544Z46903VG22.pdf>

Psychological Harassment & Violence in the Workplace

By Stephen Bryce

Since Quebec amended the Labour Standards Act in 2004 requiring employers to ensure that their workplaces are free of psychological harassment and violence, there has been an explosion of complaints and grievances filed on this topic – according to the government, between April 2005 and March 2006, over 2200 complaints were filed with the Labour Standards Commission by non-unionized employees alone! In its investigation of these complaints, they found that:

- 38% were resolved by agreement, many involving financial settlements, rearrangement of working conditions, or professional assistance.
- 25% were found not to be harassment;
- 24% were withdrawn by the complainants;
- 200 were transferred to the judicial affairs divisions;
- 62% of complainants were women;
- most complaints were against immediate superiors;
- the majority were for repeated, vexatious behaviour;
- 45% accompanied other complaints for inappropriate conduct or firing;
- 33% were for harassment that had endured for one year or more; and
- 60% of complainants were no longer in their jobs.

What is Psychological Harassment?

Psychological harassment is *vexatious behaviour* that manifests itself in the form of conduct, verbal comments, actions or gestures characterized as:

- repetitive*;
- hostile or unwanted;
- affecting a person's dignity or psychological integrity, and
- results in a harmful work environment.

* A single serious incidence of such behaviour may also constitute psychological harassment if it undermines the person's psychological or physical integrity and if it has a lasting harmful effect.

What is Vexatious Behaviour?

- humiliating or abusive behaviour that lowers a person's self-esteem or causes torment.
- behaviour that exceeds what the person considers to be appropriate and reasonable in the performance of his work.

Psychological harassment may come from a superior, a colleague, a group of colleagues, a customer, a supplier...

Management Rights and Normal Conditions of Employment

Psychological harassment must not be confused with the normal exercise of the employer's management rights, in particular the right to assign tasks and the right to reprimand or impose disciplinary sanctions. Insofar as the employer does not exercise these rights in an abusive or discriminatory manner, its actions do not constitute psychological harassment.

...Psychological Harassment

If You Feel You Are a Victim of Psychological Harassment in Your Job:

There are two paths to resolving the situation:

1. Come to the JACFA office and file a grievance. Our collective agreement now includes a clause (2-5.00) that requires both the College and the Union to work together to discourage psychological harassment and violence in the workplace. If you feel that this is not being respected, you can file a grievance against the College.

This is, however, a long, slow process. Two recent cases, one at Champlain College's St. Lawrence campus (involving three separate grievances) and the other at Cégep Beauce-Appalaches (see box to the right), both required five or more days of hearings before an arbitrator, spread over more than one year from start to finish. By the time the decisions were rendered, over two years had passed since the complaints were filed. A grievance is not a fast track to resolving a situation!

2. File a complaint under John Abbott's *Policy Concerning Psychological Harassment, Abuse of Power and Violence*. First, see one of the two Resource Persons, Su Baker or David Ditkovsky, counsellors in Student Services. **This must be done within 90 days of the last act of harassment.** They will advise you whether they believe your situation constitutes psychological harassment, and will help you to draft a formal complaint. This complaint is transmitted to the Director of Administrative Services (or the Director of Student services, if the harassment has been done by a student), who must set up a Hearing Panel of three managers to hear both sides and render a decision. You have the right to be accompanied by a representative throughout the proceedings (who could be a union officer, a Resource Person or someone else of your choosing). A decision must be rendered within 30 days, and if harassment is found to have occurred, they must recommend sanctions to the Director General. The complete policy is available from Administrative Services (in English and French) and is posted on the College website (under General Information – College Policies).

The advantage of this procedure is that it forces the College to investigate immediately and take action where harassment is found to have taken place. It does not preclude complainants filing grievances if they are not satisfied with the College's findings. As far as we know, there have not been any complaints so far involving faculty that have gone through this procedure since it was adopted in April 2005.

In August 2006, an arbitrator rendered a decision on one of the first arbitration cases at the Cégep level involving psychological harassment.

The complaint arose out of a situation that was allowed to fester over many years. The harasser and his victim were both teachers in the same department at Cégep Beauce-Appalaches. The situation was complicated by the fact that the harasser was a member of the local union executive. The college administration was made aware of the situation several times over the years, but took no action. The victim was initially reluctant to file a grievance under the collective agreement, even after she replaced the harasser on the union executive. When she finally did so, almost eight years after the harassment first started, the college rejected the grievance because she had not filed a complaint under the college's "Customer Service" policy.

The arbitrator ruled in favour of the complainant, finding that harassment had occurred, that the College had known of its existence but had not taken action, and that there was no requirement to go through the College's internal procedure before seeking redress through the collective agreement's grievance provisions. He ordered the College to take appropriate actions to ensure that the harassment stopped and to compensate the victim for the damages and suffering that its inaction had caused. A further hearing was held to determine the amount of damages, but no final judgement has been rendered to date.

FONDACTION DAY

**Tuesday, February 13 from 10:30 a.m. to 3:00 p.m.
Penfield - 105**

JACFA will hold a FONDACTION day on Tuesday, February 13 in P-105. From 10:30 a.m. to 3:00 p.m., Benoit Martin from FONDACTION will be in the JACFA office to answer your questions. A JACFA representative will also be present.

FONDACTION, is an investment fund mainly intended to lend financial aid to small and medium-sized Quebec businesses in order to maintain or create jobs, to stimulate the economy, to contribute to the training of Quebec workers and to promote their participation in the development of their enterprises. FONDACTION particularly supports emerging and established companies that address environmental issues and sustainable development.

As you may know, it is possible to contribute to FONDACTION's RRSP through payroll deductions here at John Abbott. Payroll deductions give you an immediate tax reduction of approximately 70%. For example, should you wish to contribute \$2,500 to your RRSP per year, your net pay will be reduced by \$30.41. This calculation is based on a \$50,000 salary and 26 pay periods.

Why a 70% credit?

Usually, you get a roughly 40% tax credit for regular types of RRSPs. FONDACTION (like the Fonds de Solidarité-FTQ) is a workers fund and it

offers an extra 30% in tax credits (15% from Quebec, 15% from Canada).

Some people say these RRSPs are locked in...

FONDACTION RRSP redemption is more difficult than regular RRSPs. However, this is less true than before as many different criteria allow you to cash in: returning to full-time studies for you or your spouse, injecting capital in a newly started enterprise, emigration, pressing need for cash, critical financial situation, the federal government's Home Buyer's Plan (HBP) and, of course, retirement or gradual retirement.

It is now RRSP season and it may be a good time to start your payroll deduction or contribute by a lump sum. Please note that it is already too late to contribute to Fonds de solidarité-FTQ for the 2006 tax year.

See you on the 13th!



First QUEBEC SOCIAL FORUM in Montreal this Summer.

The first Quebec Social Forum (FSQ) will be held in Montreal from August 23 to August 26, 2007. The charter of FSQ was established last September and the organizing committee is working hard to prepare for this important event. The FSQ workshops and events will be held at Université du Québec à Montréal (UQAM).

The Quebec Social Forum will provide a space for groups and individuals that promote the convergence of grassroots initiatives. It is opposed to neo-liberal policies and promotes an alternative vision for the future of Quebec society.

The activities will be based on the following themes: human rights and gender equality, ecology and environment, the right to education, unions, work, democracy, etc. This forum is a scaled-down version of the World Social Forum—a direct application of thinking globally and acting locally!

FNEEQ-CSN & CSQ Intervene Against Violations of Human Rights in Oaxaca, Mexico

By Michel Milot

Last May, the teachers of the “democratic” wing of the National Teachers Union of Mexico (Section 22 of the SNTE) began a strike and occupation of the Zocalo main square of Oaxaca. The teachers are fully supported by parents and students, and they are demanding higher salaries, as well as financial support for buildings, supplies, and students, so they will not have to work. The Mexican government responded violently to their demands and, therefore, the teachers’ struggle has expanded into a mass-based coalition, the APPO (Popular Assembly of the Peoples of Oaxaca), that includes 935 groups of **unions, civic organizations, neighborhoods, churches, universities, etc.** Their demands **have expanded to include the removal of Governor Ulises Ruiz. The APPO represents the poorest people of the region of Oaxaca, who earn on average \$3 per day.**

CSQ and FNEEQ sent representatives to Oaxaca last December to express their support and solidarity for their struggle. In January, the two unions invited



representatives of section 22 to Quebec. A press conference was organized by FNEEQ President Ronald Cameron and CSQ Treasurer Alain Pelissier on January 18 with Enrique Rueda and Raquel Eufemia Cruz Manzano, teachers from Oaxaca and directors of Section 22. Georgina Tecla Yalin, of the Mexican Coordination of the Tri-National Coalition for Public Education was also

present.

Ronald Cameron stated that the repression by the police is intolerable in a so-called democratic state. “The **intervention** of the federal police resulted in 20 deaths, 60 **people have disappeared**, and 200 people were arrested, **some of them tortured. The union voted to go back to class last November, and some were then arrested in the middle of a class!**” he said.

At its last Federal Council meeting, FNEEQ adopted a motion of support to the teachers and citizens of Oaxaca, and called on its member union to do the same.



Last December in Oaxaca, on the left Alain Pelissier of CSQ on the right Christiane Malet from Comité Action Internationale of FNEEQ



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Fédération nationale des
enseignantes et enseignants
du Québec

2006 *Christmas Luncheon with Retirees*



Chantal Pelletier (PDHT), Jacques Lavigne (Creative Arts), Linda Collier (H/P/R), Victoria Alward (Foreign Languages), Raymond Graziano (Police Technology). Missing from the picture is Dana Hearne from the English Department.

Please Mark These Dates in Your Calendar

FONDACTION

February 13 from 10:30 to 3:00 p.m. in P-105

**February 14,
11:30 to 1:30**

JACFA's Valentine Soup Luncheon, Faculty Lounge, H-101

March 1st

Don't forget to hand in your mid-semester assessments