



## John Abbott College Faculty Association Newsletter



Photo by Richard Leveille

JACFA at the Climate March in downtown Montreal on September 27, 2019

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## 2020-2023 Negotiation Updates

Tanya Rowell-Katzemba and Roy Fu

### Central table demands deposited with Treasury Board

After more than a year of consultations, our Central Table demands were finalized and submitted to the Treasury Board by the *Comité de coordination du secteur public et parapublic* (CCSPP) of CSN, on October 29. Here are some highlights of the demands:

- Salary demands over three years: \$3 per

hour (year 1), 3% or \$1/hour (whichever is better, year 2) and 3% or \$1/hour (whichever is better, year 3).

- Inflation protection for salary increases: annual increases be minimum 1% over rate of inflation
- Timeline for fossil fuel divestments: be com-

pleted by 2023, three years from signing of agreement

- Participation in pension fund: age limit be increased to 71 years.
- Employee group health insurance: employer makes significant contributions to premiums.

The \$3 per hour demand is

(Continued on page 4)



## Labour relations reports

Ethan Mombourquette— Director

### JACFA proposes local entente on General Offer of Services

Several times over the past few years, the JACFA Executive has approached the College about replacing the current process by which internal candidates apply for their jobs (on multiple postings, and multiple times per year) with a simpler system called a General Offer of Services, or GOS. The idea of a GOS is that, rather than applying for individual jobs, non-permanent teachers would, once per year, fill out a form declaring their interest in all teaching positions offered in their discipline(s) for the entire year. Then, when a teaching position becomes available, the College would simply go down the list of teachers who have offered their services. Those teachers could then either accept or reject the position, until either the position is filled, or in the event that no internal candidate is interested, the College hires a new teacher for the position.

Previously, the College has been very hesitant to explore this possibility with JACFA. But they have recently indicated an

openness. As such, the JACFA Executive will work to create a draft proposal of an agreement on a General Offer of Services with the College. In the event that a tentative agreement is reached, that agreement will be brought before the General Assembly for approval and/or amendment. (Ed. Note: For more details on GOS, see *General Offer of Services* on p. 6)

### College turns down JACFA proposal on Voluntary Workload Reductions

Article 5-14 of the Collective Agreement allows full-time teachers with at least three years seniority to reduce their annual workloads by up to 60%, with a salary adjusted accordingly, without loss of pension or seniority benefits. However, the CA does not require the College to grant more than six workload reductions per discipline, or more workload reductions than the equivalent of 10% of a discipline's allocation.

Last year, several teachers' workload reductions were denied because the department had already reached its maxi-

mum of six reductions, despite the fact that granting the additional workload reductions would not have resulted in any hiring, since there were teachers in the disciplines without any work. In light of this, JACFA requested that the College make exceptions to this policy going forward, allowing more than 6 workload reductions per discipline, so long as granting the extra reductions would not result in new hiring. Unfortunately, the College rejected the proposal. As such, the current policy of the College is that no more than 6 teachers per discipline may be taking workload reductions at the same time.

### College reports on teaching surplus

Recently, the JACFA Executive received a report from the College outlining the projected and real spending out of the teaching, "E" budget ("E" for "*Enseignement*"), the state of the teaching surplus over the past 5 years, and the College's projection for the teaching surplus next year.

According to their calculations,

*(Continued on page 3)*

## JACFA invited to participate in planning of College Strategic Plan consultations

Tanya Rowell– Katzemba\*— Vice President External

***The College recently convened the Strategic Plan Steering Committee to set in motion consultations on the College Strategic Plan for 2020-2025.***

The mandate of the committee will be to lead and facilitate the consultation process and provide cross-community representation. It includes representatives from all three unions on campus, JACFA, JACPA, and JACASPA, along with the managers' association, JACMA, the Communications Department, and College directors.

Mandated by law, the College Strategic Plan will set goals for the entire college community for the upcoming five years.

All members of the college community will be invited to participate in the consultations for the plan, that began November 2019. They will involve several rounds of online feedback and town hall meetings, culminating in a final online vote at the end of February. Students, staff and faculty will be able to provide input on the specific orientations of the Strategic Plan; this may involve commenting on orientations that have already been proposed during the consultation process, or submitting entirely new orientations for consideration. The College is aiming to have a total of ten orientations to be part of the final

Plan. For more information on the consultation process and how to participate in it, please see [this consultation document](#)<sup>\*\*</sup>. This information can also be found on your Omnivox Portal.

<sup>\*Ed. Note:</sup> Tanya Rowell Katzemba is the representative for JACFA on the Steering Committee.

<sup>\*\*</sup> Since publication of this document, participants of the Strategic Plan Town Hall on November 29, made recommendations for the next iteration of orientations, for further consultation in the Winter.

## Labour relations reports

while we had previously been draining the surplus by approximately 5-8 FTEs per year, the cuts of 6FTEs that were made for the current academic year were sufficient to stabilize the budget. The College's projection is that the surplus will actually grow this year, from its current 3.6 FTEs to about 8 FTEs.

Our analysis of the projection is that, while the projected surplus is likely a little high due to the small, unaccounted-for decline in student enrollment this year, there is definitely some cause for optimism in

terms of maintaining a balanced allocation project. As always, we will continue to monitor the situation closely, and will provide an update to the General Assembly when we have further information.

### College will offer hiring committee training

The College has informed JACFA that it will be instituting mandatory training for hiring committee members beginning sometime this year. We

don't have many details about the precise nature of the training, except that it will be roughly 3 hours long, and will contain sections about confidentiality and employment equity. Stay tuned for more details•



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designed to favour lower salaried workers, who normally benefit less, dollar-for-dollar, with percentage salary increases. While

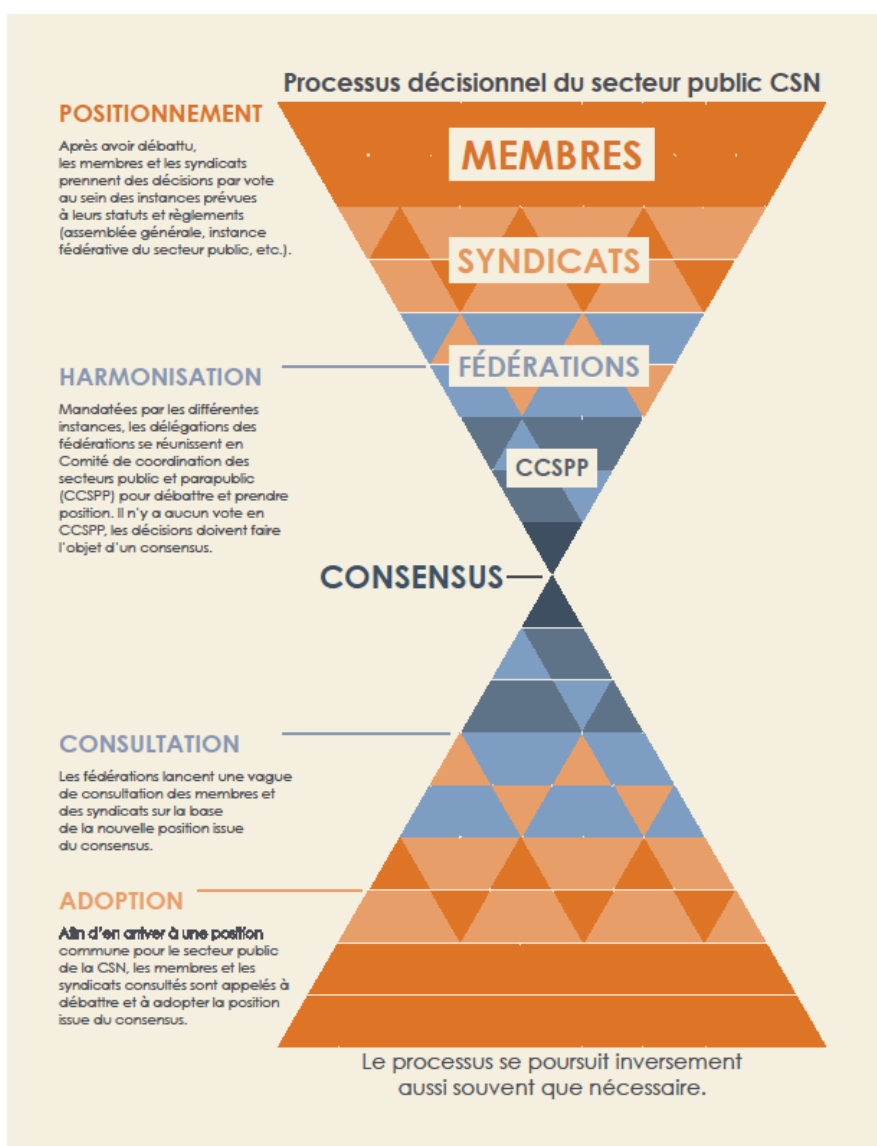
not part of the actual demands, the CCSPP also adopted a position that we do not accept a lump sum payment, such as those received during our current contract for the second and fifth year of the agree-

ment. This was a position taken at the JACFA General Assembly.

## CSN's emphasis on bottom-up consultation effective for JACFA

Based on lessons learned from the last round of negotiations, local unions and federations put sustained pressure on the CSN to engage in more meaningful, grass-roots consultations with members on what they want to see in their collective agreements. This eventually led to CSN committing to a more bottoms-up consultation approach, represented by the “inverted pyramid”. The impact of this approach has already been felt locally at JACFA, where we have seen many of our local positions reflected in the final version of the Central Table demands. In the latest round of consultations, many of JACFA's amendments to a previous draft were adopted, including the shortening of the fossil-fuel divestment timeline from five to three years, the increase of inflation protection from 0.5% to 1%, and the refusal of lump sum payments.

Having local demands and amendments reflected in the final Central Table demands is no easy feat because of the multiple levels of approval that are needed:





demands/amendments from local unions are brought to the federation for debate and approval; if approved, they are then brought to the CCSPP, which consists of representatives from four different CSN federations, multiple job categories in various sectors, such as the public

service, health and social services, and education, representing a total of 150 000 workers. Demands and amendments are accepted by CCSPP only when all four federations unanimously agree.

The JACFA Executive is encouraged by this democratic shift, and will

continue to advocate for this approach throughout the negotiation and mobilization period.

## FNEEQ takes a different approach to formulating and negotiating sectoral demands

For this round of negotiations, FNEEQ is opting for a slightly different approach in the formulation and negotiation of its sectoral demands, which covers aspects of our Collective Agreement particular to Cegep teachers. Instead of submitting all of its detailed sectoral demands to our employer all at once, as it has done in the past, FNEEQ is submitting a more general set of de-

mands that do not contain the precise details of our ask. It subsequently plans to define those details in stages as negotiations progress. FNEEQ's negotiating team has in fact divided our sectoral demands into six distinct blocks, each based on a set of themes; they plan to define the details in each block over the course of six successive stages. During each stage, local unions will

have the opportunity to provide input and feedback. The JACFA executive intends to bring the first block of sectoral demands for detailed consideration at the December 18 General Assembly. Based on the feedback at that GA, we will determine the optimal mode of member consultation for subsequent blocks.

## No Common Front or sectoral alliance

Unlike the last round of negotiations, CSN public-sector unions— 150 000 workers strong, will not be taking part in a Common Front alliance at the Central Table negotiations with other union centrals, such as the CSQ, and the FTQ. Attempts were made, but apparently the parties could not agree on a common set of demands, which is one of the basic conditions of forming an alliance. In total, 500 000 public sector workers will be negotiating with the

Treasury Board during this round of negotiations.

Similarly, at the sectoral table, FNEEQ was not able to reach an agreement on an alliance with the other Cegep-teacher union federation, FEC, despite a successful alliance last time. Talks broke down due to the disagreements over the formation of the negotiation committee and the consultation time-

line. The relationship between the two federations was also soured by the fact that FEC recently raided a FNEEQ union at CEGEP Baie Comeau, where FEC actively sought to have that teachers' union change federation allegiances, despite a non-raiding agreement\*



## General Offer of Services: A more streamlined way of applying to teaching jobs

Alexandre Panassenko— Treasurer and Labour Relations Officer

***It sometimes happens that newly hired faculty (more specifically, teachers who worked at a different college before coming to John Abbott) ask us if we use a General Offer of Services (GOS). While this is not a practice right now, the JACFA Executive and Human Resources are currently discussing adopting a local agreement on the use of a General Offer of Services at John Abbott College.***

### What is a General Offer of Services?

A General Offer of Services is essentially a form that non-tenured teachers fill in and submit to Human Resources, by which they automatically apply to any job posting that may come up in their discipline(s) in a given academic year. It's a practice that is in the FEC

(*Fédération des Enseignantes et Enseignants de Cégep*) collective agreement, it was part of the old FAC (*Fédération Autonome du Collégial*) collective agreement, but it was never in the FNEEQ collective agreement. When FAC was dissolved (circa 2009), Dawson College and Vanier College came back to FNEEQ and they wanted to keep this practice. They were able to do so through local agreements. In 2012, the JACFA Executive approached Human Resources to see

if there would be any interest in implementing the practice at John Abbott. However, because HR would have had to deal with two parallel processes (the GOS and the regular postings/applications), they were not interested in the GOS. Since then, a clause was added to our latest collective agreement that allows colleges to use a GOS if the Union and College agree. The clause also exempts HR from going through the regular posting process if they adopt a GOS process, provided that both parties agree.

### How would the GOS work?

Non-tenured teachers who wish to exercise their hiring priority for an academic year (for the day division, continuing education and/or summer courses) would submit their GOS in the month of April preceding the academic year (for instance, a GOS submitted in April 2020 would be valid for the 2020-2021 academic year). During that year, when teaching loads become available, HR would not have to publish the job posting, and teachers would not have to apply. HR would contact the teachers who submitted their GOS and who have priority to inform them of the available workload. Teachers could then either accept or refuse the load that is offered. In the case that a load is refused, the

teacher's GOS would still remain valid for the academic year, and teachers would still have priority on future workloads that may become available. Teachers' hiring priority could be exercised within the parameters of the collective agreement, which means up to 55 units of CI within a semester, and up to 1 Full-Time Equivalent for the academic year. In the case where no internal candidates have a hiring priority through a GOS, HR would have to proceed with the job posting as they do now.

If a teacher is hired by the College after the deadline to submit the GOS (for instance, a newly hired teacher at the start of the Fall semester), then that teacher would have 30 days to submit a GOS to the College that would be valid for the academic year.

### What are the pros and cons?

There are advantages and drawbacks to the GOS. The main inconvenience would be the case of a teacher forgetting to submit their GOS. In such a case, that teacher would not have a hiring priority at all in the following academic year, unless all teachers who submitted a GOS in that discipline have work and the College needs to hire more teachers. The College would then proceed with a job posting,

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and the teacher could then apply to exercise their hiring priority. Note that a similar situation happens almost every year! It's not uncommon that teachers forget to apply to a job posting, which usually results in teacher who has less seniority getting the job instead. This does not usually cause too many problems, as other job postings often come up, and the teacher who forgot to apply rarely forgets twice. This potential problem for the GOS could be mitigated with an active reminder campaign, where non-tenured teachers are sent email reminders during the period when the GOS's is to be submitted.

The main advantage to the GOS is that teachers only need to apply once per year. Under the current system, teachers have to apply for job postings for the Fall semester in late May or early June, then sometimes again in August, in November or December for the Winter semester, and potentially sev-

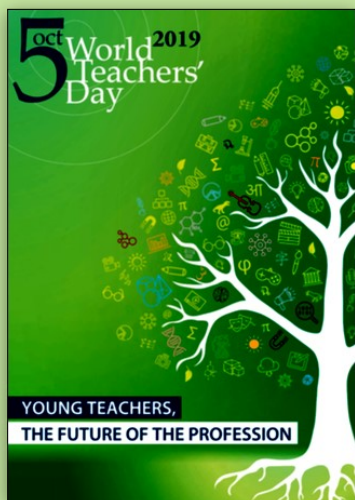
**“The main advantage to the GOS is that teachers only need to apply once per year”**

eral more times during the year. It's easy to miss a job posting. Sometimes, the job postings can also be confusing. In the day division, a job posting can be for a post, a full year contract, a replacement charge, a part-time charge, etc...While JACFA recommends that teachers apply to all job postings and let HR sort out who is supposed to get which job, it sometimes happens that a teacher will miss out on a full-time contract because they applied on the wrong job posting. We've seen a situation where a teacher missed out on acquiring tenure by applying on the wrong job posting- and the teacher who was next on the seniority list obtained

their tenure! With the GOS, you would apply only once, and that application would be valid for all the job postings of the year, eliminating that potential problem. The GOS form would also have three distinct categories of applications: day division, continuing education and summer courses. This way, teachers may apply to the day division only, if they do not wish to teach in continuing education for instance, or could apply for all at once for all postings in the day division, continuing education and summer courses.

### Let us know what you think!

As mentioned earlier, we are only at the discussion stage for now. Before we come to an agreement with the College on this procedure, we will consult the general assembly on the matter. In the meantime, you may send your questions, comments or concerns to [Alex Panassenko](#).



### JACFA Social: World Teachers' Day soup lunch!



From left to right: Josée Tessier, Patricia Laforce, Francine Trudeau



From left to right: Chelsea Privée, Sasan Ghinani, Bronwen Lloyd-Hughes, Rob Burnes, Tanya Rowell Katzemba



## Social Science program revision proposal greeted with a mixture of relief and concern

Stephen Bryce\*— Vice President Internal

***After a storm of protest over the proposed Science program revision forced the Ministry of Higher Education to slow down that revision process last year, everyone was holding their breath while waiting to see what the proposed Social Science program revision would include.***

The Ministry released the Writing Committee's proposed revised competencies and goals for the program in May. Members of the Writing Committee were forced by the Ministry to maintain strict confidentiality over all aspects of the proposed revision up to that point. To *almost* everyone's relief, the proposal largely represents an evolution rather than a revolution for the program. It includes specific initiation competencies for each discipline (currently there is one shared generic competency for all disciplines), and revisions of second level, existing Methods and optional competencies, as well as the possibility of offering transdisciplinary and experiential learning courses. The proposed changes have been generally well received, with a couple of notable exceptions.

The first set of problematic proposed changes involve reducing

Math courses to 60 hours (from 75 hours) and excluding Math teachers from teaching Quantitative Methods. These changes will have a profound impact on both pedagogy and the allocation of teaching resources to the discipline. The Ministry from the start of revision process stated repeatedly that they wanted this revision to be zero cost, but this proposal is anything but— FNEEQ estimates that the combined impact across all of its colleges will be the loss of 43.9 full-time equivalent Mathematics teachers.

The second problematic proposal involves the addition of a new "Methods" competency for "*Méthodes de travail intellectuel*" (Eng. Trans: study skills). This was in response to the universities' assessment that new students arrived there with deficiencies in this area. This 30-45 hour competency was added without also adding any additional hours to the program, meaning another course must be cut somewhere in the program. (Social Science is among those programs with the fewest hours of program-specific courses with 705-750 hours, as compared to, for example, the Science program with 900 hours, or Visual Arts with 945 hours.)

In June, the Ministry announced

that the consultation process on the proposed revision was to be twenty weeks ending on November 1 (eight of the weeks during the faculty vacation period!).

On August 30, FNEEQ convoked a meeting where union representatives and Social Science program representatives from each of its colleges came together to produce a common statement:

- Denouncing the inadequate time and restrictive format allowed for the consultation period
- Demanding that hours be added to the program to accomplish the revision
- Calling for measures to be included for the preservation of jobs
- Asking that future program revisions include consultation with teachers throughout the process and that the "cone of silence" be lifted so teachers can consult others in the revision process
- Demanding that province-wide program committees be set up to promote communication and consultation throughout the revision process.

At John Abbott, the Social Science



Program Committee has led a consultative process with the concerned departments. Despite the constrained schedule (the Ministry recently announced a one-week extension to its November 1 deadline!), the program committee has worked together to prepare our College's response. According to the Ministry's planned timeline, the final revised program should be released sometime in winter 2020 ▪

\* Ed. Note: Stephen Bryce is a representative on the JAC Social Science Revision Committee

## Welcome! Congratulations! Thank you!

The JACFA Executive would like to welcome all of our new colleagues who joined the faculty recently, to congratulate those who received their permanence this fall and to thank retirees for many years of their services.

### Newly hired:

- Lawrent Bigio, Paramedic Care
- Mauricio Buschinelli, Computer Science
- Louise Castonguay, Police Technology
- Andrew Cawston, Paramedic Care
- Bianca Hennies-Brigidi, H/P/R
- Gabriel Herta, Mathematics
- Gabriel Larco, Computer Science
- Yannick Legault, French
- Noemi Marin, Physical Education
- Maria Michelakis, Dental Hygiene
- Andrew Plimer, Physical Education
- Vikram Singh, Computer Science
- Sorin Voinea, Business administration

### Permanence:

- Samantha Cadotte, Nursing
- Philippe Chaput, Mathematics
- Cameron Connor, Mathematics
- Hortense Dawkins, Nursing

- Elizabeth Dee, Nursing
- Theresa Emery, Dental Hygiene
- Evgeni Kiriy, Engineering Technologies
- Patricia LaForce, Dental Hygiene
- Maria Lewis, Nursing
- Jamie Macaulay, Visual Arts
- Kathleen MacNamara, English
- William McClelland, English
- Maria Oabel, Nursing
- Afroditi Panagopoulos, Psychology
- Geneviève Raymond-Parent, Physical Education
- Medoune Seck, Economics
- Kristina Swiercz, Nursing
- Tara Walker, Business Administration

### Retiring at the end of Fall 2019:

- Michael Drolet, Theatre
- Karen Oljemark, Physical Education



## JACFA keeping a close eye on proposed JAC satellite campus: CEC Vaudreuil

Tanya Rowell-Katzemba and Roy Fu

***JACFA recently learned that John Abbott College is partnering with Cégep de Valleyfield and Cégep Gérard-Godin to propose a Centre d'études Collégiales (CEC) in Vaudreuil. Projected to open in 2021 at the earliest, the project is pending approval from Quebec's Ministry of Higher Education.***

CEC's are essentially satellite campuses run by an established, parent college. In the past, they have been used to render post-secondary education more accessible in underserved rural areas (for example, the CEC in Charlevoix), since setting up a full-fledged college would not be viable. In more recent years, however, college administrations in the metropolitan areas have been using CEC's as a hedge against declining student enrolment, a problem which is increasingly plaguing francophone CEGEPs. According to our sources the Vaudreuil project began as an initiative from Gérard Godin for precisely such reasons. Similarly, a CEC in Pointe-aux-Trembles has been proposed by the CEGEPs in the area.

At the proposed Vaudreuil CEC, the plan is to offer 11 different

programs, rolled out over two phases: 2021 to 2024, and 2024 to 2027. Out of the 11 programs, John Abbott intends to offer three: Pathways Tremplin DEC (081.06), Social Science (Intercultural Profile), Business Administration (410.B0). The proposal anticipates 500 to 1000 enrolled students for all three colleges.

While many details are still undefined in the proposal, the CEC will be administrated according to a "shared governance" between the parent colleges. Practically, according to communications to JACFA from the College, this means that each college will have its own teachers, staff, and students, co-existing alongside those from the other two colleges. John Abbott Students at the CEC will take courses only from courses offered by John Abbott teachers, and follow John Abbott rules, etc. Teachers and staff will be considered employees of their respective colleges and be governed by their respective Collective Agreement and College Policies. This means that there would be up to 9 different unions (3 colleges times 3 sectors: teachers, support staff and professionals) active at the CEC.

The JACFA Executive is keeping a

**"FNEEQ has called on the government and the Cegep federation to collaborate on developing standards for judging the feasibility and desirability of new CEC proposals"**

close eye on this project because of the potential impact on working conditions caused by creation of a CEC, including:

- Accessibility of workplace for those without a car, as the proposed campus is off-island
- Costs associated with displacements to an additional campus (parking passes, time, gas)
- Departmental cohesion, and support for newer teachers, due to teachers in the same department working on two different campuses.
- Adequate provision of essential support services for teachers, such as IT, office, functional bathrooms (due to what we hear about experiences at the

recently –opened CEC St. Constant, which include lack of adequate and secure teacher offices and basic facilities , we have cause for concern)

On top of the above concerns, there is also the additional potential issue of dealing with a multi-headed administration. For instance, in urgent situations, who will ultimately be responsible for repairing broken facilities in a timely manner?

Currently the JACFA Executive is researching the ins and outs of CEC's

by speaking with our counterparts at Valleyfield and Gérald Godin, and those responsible at FNEEQ. We are also in conversation with other unions at JAC, JACASPA and JACPA, and have agreed to keep each other informed. Once the fact-finding process is complete we will likely be bringing the issue to a General Assembly for further discussion.

Meanwhile, at FNEEQ, member unions are worried about the haphazard way in which CEC's are being approved by the Education Ministry, in particular in its apparent disre-

gard for the impact on student enrollment at surrounding colleges when CEC's open. FNEEQ has thus called on the government and the Fédération des Cégeps to collaborate on developing standards for judging the feasibility and desirability of new CEC proposals. It has also called for a moratorium on the approval of new CEC's , until such standards are agreed upon by all three parties▪

## Health and Safety Report

Stephen Bryce

The College's Health and Safety Committee met for the first time this year on October 28, a late start to due to the fact that no one has been hired yet to replace Josée Lanouette as Health and Safety officer. The following is a summary of what occurred at the meeting.

- The College's new Security Director, Mario Gagné, came to meet the committee. He has now taken on the responsibility for crisis management. He outlined the changes that have and continue to take place with John Abbott taking over its campus security, including its move to a new office on the first floor of Stewart Apartments.
- He emphasized is that if there is an emergency, **the first contact should always be to Security** at local 6911. Students with health issues or who are in crisis should not be brought directly to either Health Services or Counselling in Student Services.
- It was reported that the College is working on updating its policies and procedures regarding hazardous wastes on campus to make sure that the appropriate systems are in place in accordance with the new provincial and federal standards in this area. This will be a major item on the Health and Safety Committee's workplan for this year.

If you have any concerns about Health and Safety on campus, please do not hesitate to contact us at the JACFA Office (x5506 or [jacfa@johnabbott.qc.ca](mailto:jacfa@johnabbott.qc.ca))▪



## New College Sexual Violence Policy comes into effect

Stephen Bryce

*As of September 1, 2019, Policy No.24 "[Concerning the Prevention of Sexual Violence and the Promotion of a Culture of Consent at John Abbott College](#)" came into effect.*

This policy, required by a law adopted by the Quebec government in 2017, replaces parts of our previous Harassment and Conflict of Interest policies, which were also revised by the Board of Governors last June.

The new policy's definition of sexual violence is broad and applies to acts both on and off campus. Here is the definition of sexual violence:

*"Sexual Violence is a broader term referring to any "sexual act, attempt at sexual contact, comment or advance of a sexual nature, or targeting (directly or indirectly) of an individual's sexuality using coercion". This implies that these acts of sexual violence are committed against an individual who is non-consenting or unable to consent. It is also acknowledges that some acts of sexual violence, such as some types of coercion, may not always fall within the scope of what is prohibited by law*

*at this time, but falls within the scope of this definition and Policy. Sexual violence includes sexual assault, sexual coercion, sexual harassment, sexual misconduct and abuse of power. Sexual violence also includes acts or speech which takes place via technology (social media, online chats, blogs, etc.). (Article 1.3).*

For teachers, two major changes to the previous policies should be noted.

The first is that Quebec law (and now the College policy) requires all college employees to undergo training each year regarding sexual violence. John Abbott has decided to do this by means of an online training module that will be implemented starting next semester.

**The College has said that this training will be mandatory.** That means teachers who do not complete it will likely be subject to disciplinary sanctions from the College. Last year, teachers who had

not participated in the College's mandatory Emergency Training sessions had disciplinary letters placed in their employee file.

The second major change is in the implementation of a new "Code of Conduct" (found in Article 9) for teachers or anyone in position of authority over someone else at the College. Article 5 establishes that "it is prohibited to engage in an intimate, romantic and or sexual relationship with a student without respecting the limitations outlined in this policy". The new Code establishes that a teacher and a student (in the same program) are in an unequal power relationship that makes a student's consent to any relationship problematic or impossible. Any existing relationship must be disclosed to the College's Secretary General so that measures can be taken to avoid real or apparent conflicts of interest in the academic process▪

To avoid situations which may become problematic, the JACFA Executive recommends to teachers that:

- \* They correspond with students through official College means (e.g. MIO) rather than through personal email, texts, phone calls or social media( Facebook, Messenger or Instagram). We have already seen instances where these types of communication have proved problematic for teachers.
- \* They not meet with students off campus
- \* They avoid touching students, even if the intent is simply to be supportive, encouraging or comforting. (This may not of course be possible in some teaching situations.)
- \* If someone refuses to leave your office or class, do not remove them yourself– call Security at 6911.



# Syndical tool-kit

Ethan Mombourquette



## How to report absences for religious holidays

Canadian and Quebec law guarantees that workers who need to be absent from work due to religious obligations must be given leave to do so, and cannot be penalized for such observances. This becomes a bit complicated when applied to teachers, since when a class is missed, it cannot be made up. So, the teacher may be absent, but there is no obligation by the College to provide a substitute for the missed class.

Several years ago, the College instituted a trial program by which teachers who were absent for religious reasons could have their classes covered by another teacher without being required to use one of the days in their sick bank. The replacement teacher would then be paid for their substitution work at hourly rate. Unfortunately, the College recently de-

cided to discontinue this practice. As such, according to the College, if you need to be absent to observe a religious holiday, you now have three options:

1. You may simply cancel your classes. In this case, you should report your absence on Omnivox, enter "Religious Holiday" as the reason for your absence, and indicate that your classes are cancelled for that day. In this case, the College **will** deduct a day from your sick bank.
2. You may have your classes covered by suppléance. In this case, you should report your absence on Omnivox, enter "Religious Holiday" as the reason for your absence, and indicate that your classes will be maintained. In this case, the College **will** deduct a day from your sick bank.

3. You may ask another teacher to cover your classes without receiving extra pay (often done by swapping classes with a teacher). Once it is clear who will be covering your class, you should fill out a Planned Faculty Absence Form to let the College know who is responsible for that section. In this case, the College **will not** deduct a day from your sick bank.

The JACFA Executive disagrees with the College about the appropriateness and legality of the first two options above. In our opinion, a teacher should not be required to use one of their relatively scarce sick days simply because of their religious affiliation. The Executive will continue to pursue this issue with the College, and will provide an update if and when the situation is resolved.

## What are *Administrative Evaluations of Teaching*?

Regular evaluations of teaching that new teachers undergo during their first three semester, and that more senior teachers undergo every five years, are **formative** only, and cannot be used as evidence to support any disciplinary decisions made by the College. However, when the College receives a serious student complaint, the College may perform a second, supplementary evaluation of teaching called an **Administrative Evaluation**.

Administrative evaluations follow

roughly the same process as regular evaluations of teaching with two key differences:

1. In an administrative evaluation, your Program Dean may modify the regular evaluation questionnaire to include more specific questions meant to address their specific areas of concern.
2. The results of an administrative evaluation can be **summative**, meaning that the College may use them as evidence to support a decision to take disciplinary

action against a teacher.

Over the past several years, the number of teachers being given administrative evaluations has increased dramatically, as the Deans become more accustomed to using the tools provided for them by the College's Policy 12 on the Evaluation of Teaching. If you are informed that an administrative evaluation will be performed on you, we strongly encourage you to contact the JACFA Executive immediately, so that we may help to guide you through the process.



## Opinion: JACFA needs to assert its place in the political realm

Roy Fu-President

***Lately, JACFA has been more politically active than usual. In recent meetings, our General Assembly has sought to engage with several issues beyond the traditional syndical sphere. Last April, it took a position against Quebec's Law 21, on (so-called) religious neutrality and secularism; this past September, it passed a series of motions calling for action on the climate change crisis. In both cases, the political engagement has entailed more than mere political posturing; it has involved the commitment to union action and resources.***

Amidst this heightened local political activity, it is an opportune time to question the role of unions in relation to the broader political sphere, particularly when they engage with issues that do not directly involve the defense of members' rights or the negotiation of better working conditions: why should we engage with less-directly syndical, political issues? How can we justify such engagement, particularly when it involves the expenditure of union resources?

These questions are in part political and in part philosophical. They often crop up when unions debate extra-syndical issues. While not

prominently featured at our recent GA debates, these questions have come up in discussions at the JACFA Executive and in my informal exchanges with members. At FNEEQ, they are a perennial feature of political debates. Incidentally, the CSN prides and distinguishes itself as a union central that takes extra-syndical, political issues to heart; over the years, it has established regional Central Councils specifically to mobilize on extra-syndical fronts.

All this to say, as one of the people charged with charting JACFA's political direction, I have given questions of our political involvement quite a bit of thought. And I think now, given the moment we find ourselves in, would be a good time to reflect on those questions at a more profound level.

In a nutshell, unions *need* to incorporate broader political engagement in their work because the defense of workers' rights and union rights requires more than the mere application of collective agreements and the performance of basic syndical tasks, such as resolving work place grievances, collective bargaining, and union mobilization. It also requires broader political engagement from unions and union members, to ensure the maintenance and creation of certain legal, political, and economic

conditions that are essential to the survival and thriving of unions.

While it may not be readily apparent in our day-to-day interactions with unions, syndical work is supported by a set of legal, political, and economic conditions, without which union work would be rendered much more difficult, if not impossible. Legally, unions are enabled by laws that circumscribe unions' right to exist and the scope of their work—including the right to strike, and the degree of their autonomy. Most of these legal parameters are enshrined in labour laws, which in Canada reside largely within provincial jurisdictions. The importance of labour laws to the existence and effectiveness of unions is apparent when we compare the strength of labour movements across different jurisdictions: places with more union-favourable laws tend to have stronger union participation. Quebec, for instance, with stronger union protection laws relative to Canadian and North American norms, has one of the highest unionization rates in Canada, at 38.4%, compared to 30.1% for the whole of Canada<sup>1</sup>. (While the Quebec example here serves to illustrate a point, legally, Quebec is far from being an ideal host to the union movement, with many laws in place designed to undermine unions and union work. In that

Photo by Richard Leveille



Members holding the JACFA Banner at the Climate March on September 27, 2019

sense, we have our work cut out for us in terms of fighting for better labour laws.) Conversely, in the U.S. where laws governing union accreditation, strikes, and union autonomy are much less favourable to unions, the unionization rate is only 10.5%<sup>2</sup>; and in the American states where there exists anti-union, “right to work” legislation, the unionization rates are even lower<sup>3</sup>.

Beyond labour laws, union work is also legally supported by the Charter of Rights and Freedom in its guarantee of basic rights, including the right to assembly, the right to association, and the right to freedom of expression. Certain court rulings based on the Charter have also had the effect of expanding syndical rights. For instance, the 2015 *Saskatchewan* ruling by the Supreme Court of Canada recognized collective bargaining and strikes as rights protected by the Ca-

nadian Constitution<sup>4</sup>.

As apparent from the above comparison of labour laws across jurisdictions, union work is also heavily affected by the political environment in which unions exist. Places that have governments and public political discourse that are more favourable to notions of democracy, and social and economic justice tend to have greater support for union work. The latter usually translates into more union-friendly laws and a political climate that is more supportive of union actions, such as collective bargaining and strikes.

A third basic condition that affects the scope and effectiveness of union work is the political economy. That is to say, economic conditions that are favourable to the creation of steady jobs with humane working conditions and fair wages tend to be more con-

ducive to union organizing. Over the past 40 years or so, in industrialized G7 countries, this correlation has been readily apparent, albeit in a negative sense. In Canada, for instance, we have witnessed the weakening of the union movement caused by the loss of hundreds of thousands of good, unionized, manufacturing jobs to automation and the transfer of factories to places with cheaper labour and more lax labour and environmental regulations. It bears mentioning that ecological sustainability should also be counted as part of our economic conditions. Simply put, no sustainable ecology means little to no chance of a long-term viable economy.

The dependence of union work on the surrounding legal, political and economic context means that unions need to be politically engaged beyond their immediate sphere of day-to-day business; they need to be active in preserving the legacy of legal, political and economic rights and benefits that have accrued over the past century, rights and benefits that were largely attained through decades of struggle by the union movement, and by the civil rights and women’s movement; and when conditions permit, they need to work on building on that legacy by fighting for greater social and economic justice, and greater democracy.

The need for unions to step up to their broader political role has become even more acute in recent

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Dear *Advocate*:

In the spirit of protesting against Law 21, on so-called secularism and religious neutrality, I have made a small selection of wearable strainers for followers of the Church of the Flying Spaghetti Monster (Pastafarian) and, of course, the ever popular Quebec flag yarmulke.

Jim Katz  
Department of Psychology



### JACFA Upcoming events:

End of year General Assembly

Wednesday December 18 at 9:00 a.m. (p-204)

Followed by

Annual Christmas Lunch at 12:00 p.m. (Château Vaudreuil)



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years, where we are experiencing accelerating economic disparity and environmental degradation, the re-emergence of racist nationalism in mainstream politics, and growing disregard for our democratic institutions and the rule of law. We do not need to turn overseas, or to our southern neighbour for glaring examples. The evocation of the Notwithstanding Clause by the Quebec government to over-ride basic Charter rights, via Law 21, should

be a stark reminder that such historical trends are not just knocking at our door, but have entered our privileged abode. In the face of such trends, we the citizens, and we the union movement, remain passive and disengaged at our own peril▪

<sup>1</sup>Statistics Canada: Table 14-10-0129-01 Union status by geography

<sup>2</sup> Bureau of Labour Statistics, U.S. Department of Labor. News release. Janu-

ary 2019. USDL-19-0079

<sup>3</sup> Combs, Robert. "ANALYSIS: Are Unions Really Weaker in Right-to-Work States?" Bloomberg Law Analysis. May 13, 2019.

<sup>4</sup> Saskatchewan Federation of Labour v. Saskatchewan, 2015 SCC 4, [2015] 1 S.C.R. 245