

THE INSTRUCTOR CUPE 3912

Special points of interest inside

Articles include:

- *CUPE National president denounces Harper's antics; the NWTF at the Convention in October*
- *Report on MSVU grievances and on MSVU CA changes*
- *Report on CCGEU convention*
- *Report from SMU VP*
- *New Contracts at all Universities*

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CUPE National Women's Task Force and the CUPE National Convention

Carmel Forde

Members of the NWTF have long argued that CUPE must build power for women in their diversity: women of colour, disabled, transgendered, queer, and young women. Many delegates find it outrageous that Harper's government has denied funding to NAWL. Tuesday afternoon's task force report at the CUPE convention (October 16, 2007) was controversial. CUPE National President Paul Moist was critical of Harper's strategies. Helen Kennedy and Barb Moore (president at CUPE 3912)

argued for the important role of feminist advocacy groups in advancing feminist work, and against the withdrawal of funding for Canadian Research Institute for the Advancement of Women, for Feminist Alliance for International Action, and other groups. Delegates applauded the task force's hard work, the scope of its 54 recommendations and its intentions to keep fighting to bargain better wages for women, support union education, and mentoring initiatives.

Women's economic insecurity is a major obstacle across Canada, where women earn 30 per cent less than men and are over-represented in part-time, casual and temporary jobs. "CUPE has a long and proud history of breaking ground and breaking barriers, including the inroads made by Grace Hartman. We must renew our fight to raise women's wages, secure a national child care program and decent pensions so women don't retire into poverty," (continued on page 2)

Grievances and Settlements at MSVU

Robert Lanning VP MSVU

Since the end of the Winter Term of 06-07, there have been three grievances at MSVU and all three settled in favour of the member and the Union. Two grievances concerned the removal of members from the precedence list as a result of claims of unsatisfactory overall performance by the Chair of their respective Departments (Article 13.6.2.3). This effectively amounts to dismissal as all precedence is lost and, therefore, a member

becomes the applicant with no seniority. However, the Union's assessment of these claims, especially the use of the Chair's Evaluation form, showed there were many unanswered questions about how one's "Overall Performance" was determined. We questioned the meaning of various categories of evaluation such as "Timeliness in attendance to duties" and "Departmental review of course and program

content" and "Adherence to Departmental and University policies." We were able to settle these grievances in favour of the CUPE members, in part, because the University could not show a consistent interpretation of what these and other categories actually meant. In one case we also showed that, mathematically, the Chair's evaluation just did not make sense: a majority of categories (continued page 3)

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CUPE /National Women’s Task Force (from page 1)

said task force co-chair, Barb Moore (Nova Scotia) in the opening presentation to delegates. Susan Zander, president of CUPE 728 (Surrey Schools) spoke to the need to fight the right-wing attack on women’s hard-fought gains and Prime Minister Harper’s cuts to equity supports such as the Court Challenges program. Commenting on her local’s fight for pay equity, a CUPE 391 (Vancouver Public Library) member spoke about how her employer refuses to understand how the gender gap in wages affects her library co-workers. “I don’t pay 71 per cent of my electrical bill or other household expenses,” she said. “Women... want the door to equality thrown wide open,” said Moore.

For more information contact: Paul Moist, CUPE national president, 613-558-2873 (cell) or Helen Kennedy, CUPE NWTF co-chair, 416-561-3163 (cell)

Think green,
recycle your
newsletter

“Applicants are now required to provide a package which shall include an updated cv, letters of reference..”

Important changes to the Collective Agreement at MSVU (from page 4)

Vice-President of the Union on or before July 15 of each year. The amended listing will be used for reference to positions available during the following September to August period inclusive.

Article 13.13. The cancellation fee paid to a member for a course that is cancelled by the University now includes courses scheduled for Summer Sessions

Article 13.14.1 refers to a page on the MSVU website. This change was agreed to by both parties so that members would know fairly quickly who received a posting. This may be especially useful for grieving suspected violation of the precedence requirement. This page can be found at <http://www.msvu.ca/FacultyRecruitment/parttimepostings/closed-postings.asp>.

Article 17.5 now includes a larger sum of money for “professional development,” namely funding for presenting academic papers at conferences.

Article 19.5 offers us a short leave period for bereavement.

Article 22.4.1 has an important new addition. Step One of the Grievance process now states that a member “shall be accompanied by a representative of the Union when she meets with her dean.” The previous Collective Agreement gave members a “choice” as to whether to have a union representative with them.

Article 24 concerns stipends and the requirements for reaching Steps Two and Three on the stipend scale, which is also included in “Schedule A” in the Collective Agreement.

Robert Lanning VP MSVU



Read your collective agreement on line.
www.cupe3912.ca

“This effectively amounts to **dismissal, as all precedence is lost, and .. a member becomes the applicant with no seniority**” (see R. Lanning’s article on grievances)



Grievances and Settlements at MSVU

gories were ticked "Satisfactory," while fewer were ticked "Unsatisfactory;" yet the "Overall Performance" was deemed unsatisfactory.

During the course of investigating these grievances, I discovered that not all Chairs use the same form for evaluations; many members I approached about this had never even seen the evaluating tool.

A third grievance occurred when the University awarded a course to someone who had less precedence than a more senior CUPE member (Article 13) by introducing new "requirements" for teaching a course that had not been required when the course was

posted only a few months previously. In the end, it cost the University twice as much for the course in question: one stipend for the person who taught the course, and another for the CUPE member who met all the qualifications and had more seniority but was passed over when the position was awarded.

Grievances come about when there is evidence that the employer has violated the Collective Agreement or when there is evidence that the Agreement has been poorly interpreted or administered. The procedures for filing grievances are contained in Article 22. It is important for members to know that when they feel they

have a grievance, the Union, through the CUPE Vice-President at the relevant university, must be notified immediately. Once the Union determines there is a legitimate grievance the process begins.

We don't win all grievances, nor do we always achieve all we set out to do when we launch a grievance. However, the above demonstrates that the Union advocates for its members. It is safe to say that none of these grievances would have had the beneficial outcome had the CUPE member attempted to resolve it alone.

Robert Lanning, CUPE VP MSVU



“Not all chairs use the same form for evaluations; many members I approached had never seen the evaluating tool”

3rd Annual CCGEU Conference Takes Place in Fredericton

Troy Winters TA VP DAL

The 3rd annual meeting of the Canadian Coalition of Graduate Employee Unions took place at UNB Fredericton in late August. Our local helped organize, and sent two delegates. The conference opened with a rally at the Premier's conference to oppose Atlantica. I heard some passionate roundtable discussion on casualization of labour on campuses,

international student issues, the coalition work between graduate student-worker and student unions, membership engagement and development, and collective agreement strategies and goals, as well as bargaining tactics/successes at the local level. Most of the other graduate Maritime universities have begun organizational drives to unionize their graduate employees. UNB has completed a card

signing, and is awaiting legal decision, while Memorial has struggled in the courts for the last two years with their certification hearings. UPEI was able to send a representative to learn how to get their card signing process underway. The next conference will be hosted by University of Western Ontario, and the state of the graduate employees unions is strong!

Graduate employees at Memorial struggled in the courts with certification hearings for the last two years

SMU Part-time Faculty Attention Pays Off

CUPE 3912.....The Fall semester saw a number of part-time faculty engage with the union and administration to see that the collective agreement (CA) is applied in a manner which protects the gains made in negotiating the last CA and that the changes are implemented as agreed. A number of very astute members who had applied for teaching assignments in the Fall/Winter terms had to work diligently to see that their

rights were protected and their schedules respected. The members had made themselves familiar with the new CA and this resulted in the union positions being quite solid. The result was that no grievances had to be filed and the members were able, on the whole, to have the work they wished even though the final schedules had to be an accommodation. Winter semester is approaching and staffing deci-

N. Murray VP SMU

sions are still being made. Members are advised to communicate regularly with the Department chairs/secretaries to have their wishes considered and check the CA to ensure the process is adhered to- it is more difficult to resolve situations the closer to class starts than it is with good lead time. As a union member it is wise to become knowledgeable about your CA and make your experience positive.

CUPE 3912 is bereaved by the passing of **John St Amand** on October 31st. John served our union and many others for many years; he was a tireless union activist. He served as a campaign organizer for over 30 years for the CCU. Our members will miss John and mourn with Marilyn, his partner.

Solidarity Forever, John.

CUPE 3912 has its main office at Dalhousie, 4th floor of Killam Library, Room 4854.

KNOW YOUR RIGHTS! READ YOUR COLLECTIVE AGREEMENT! On the web!

We're on the web!
www.cupe.3912.ca
Or by phone: 494-8872

CUPE 3912 serves the part-time faculty and teaching assistants at MSVU, SMU and Dalhousie since 1997, and has signed its fourth collective agreements this year with these universities. Our president is Barb Moore (president@cupe3912.ca), the Secretary-Treasurer is M. Earle (treasurer@cupe3912.ca), VP Dalhousie is J. Davie (vp-dalpt@cupe3912.ca), at MSVU it's R. Lanning (vp-msvu@3912.ca) and at SMU it's N. Murray (vp-smu@3912.ca). Members can get involved by coming to meetings, seeing what your union does for you, and joining in!

MSVU, DAL, and SMU unions have new contracts this year. **Please ensure** you've read yours and understand all the changes (however small they really are). It is **crucial to the strength** of our union that our membership knows its rights, and is prepared to **grieve** when a member is not treated fairly. Speak to your VP if you believe there is **un-fair treatment** in your departmental hirings.

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Important Changes to the Collective Agreement at MSVU

Robert Lanning VP MSVU
Dept. of Sociology and
Anthropology

By now all members teaching in the Fall and Winter Terms at MSVU have received the new Collective Agreement. I have detailed some changes in an email to members in the Summer. Here, I want to draw attention to the Articles in the Collective Agreement that have changed significantly.

Please refer to your hard copy or the online version in the "Documents" section at www.cupe3912.ca.

Article 11, Sexual & General Harassment and Fair Treatment, has significant language changes; the most relevant "policy" re-

ferred to in the Article is the MSVU Fair Treatment Policy.

Article 13.3 includes a new statement with regard to qualifications for postings. Now, qualifications can include, but are not limited to, "having taught the course previously."

Article 13.5 and **13.5.1** include a significant and important change in applying for postings. **Note carefully.** Applicants are now "required to provide an application package which shall include a letter of application, an up-to-date C.V. and the names of two references for positions in each Department to which they apply." Applying for multiple position in one Department can be done with a single application package. Further (Article

13.5.1) applicants "are responsible for providing proof of credentials upon request. The employer may require proof of credentials once for each credential listed on a CV or updated CV."

Article 13.12.1 requires members to respond to the Union, preferably through their Vice-President, regarding any discrepancies between their own accounting of precedence and that of the University. **Note the timeframe for doing so.**

13.12.1 Any discrepancies or questions regarding the accuracy of the precedence list shall be reported to the Office of the Vice-President (Academic) on or before July 1 of each year. An amended list shall be provided to (continued on page 2) the

