



# Special ADR Edition

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## **The ADR Committee Recommends Disaffiliation**

By: David Adley (Chemistry), Janice Harvey (History), David Olesik (Economics)

### **Crisis at FAC**

FAC has been going from one crisis to another. In 2005, several unions threatened to leave over the 173/salary restructuring dossier and one held a vote. By 2006 the fact FAC teachers were under the Decree when a majority had voted to sign the Entente created a new focus for conflict. Valleyfield voted to leave FAC and Lionel-Groulx voted to remain but only by 11 votes. In 2008 Lionel-Groulx again initiated a disaffiliation process. This time, they voted 196-13 to leave FAC. As a result of these 2 unions leaving, FAC's annual income was reduced by \$310,000 and it was forced to suspend 1.5 positions from their elected structure (information and non-perms) as well as the pedagogical magazine, *Factuel*. As of June 2009, the non-perms position remains cut, and 2 other positions (Vice-President of Communications and one of the people working on Pedagogy) are officially cut as well.

For years Dawson had been fighting its own battle at FAC (with mixed results) to have the voting structure changed to remove the rule of one union, one vote, irrespective of size. These new events raised new concerns about FAC's viability and about its ability to represent Dawson teachers effectively in the next negotiations. It was in these circumstances that the DTU's Executive Council decided to look into our affiliation and examine where Dawson teachers would be best served.

Dawson's vote potentially takes place starting April 14. Another FAC college, Carleton, will vote on disaffiliation in the week of April 20. And Andre-Laurendeau has sent an official notice to begin discussions on the question.

After studying the advantages and disadvantages of the two federations, the ADR Committee believes that FNEEQ has the most to offer the DTU.

### **Negotiations**

Being in a federation that represents the large majority of Cegep teachers (37 of 59 unions, or 14,000 Cegep teachers as opposed to FAC's 3,500) seems to be both prudent and necessary. The last negotiations demonstrated the lack of respect with which the government sees the right of collective bargaining. In the next negotiation period, this will only be aggravated by the economic crisis.

Negotiating as a member of FNEEQ offers several advantages other than simply size and the accompanying *rapport de force*. More resources are available to support the work of the negotiation team which is elected to work solely on negotiations unlike at FAC where

3 of the 5 members also run the labour relations service. In FNEEQ we would also be part of the CSN-FTQ common front and part of a possible enlarged common front that will make a common deposit in October. We are relieved to see that FAC has changed its deposit date from June to October, but it will still not be part of a Common Front.

### **A Comfortable Fit**

We believe that Dawson will fit comfortably into FNEEQ as both Valleyfield and Lionel-Groulx have found. FNEEQ is a federation with many large unions like ours and where the kinds of problems our members have are discussed regularly. FNEEQ recognizes that being a large union means having more members affected by decisions and that this reality should be reflected in the voting structure. Had we been in FNEEQ, we would not have wasted time fighting for the past two years to have a larger representation at meetings.

### **FNEEQ – A Merger of Pragmatism and Principle**

FNEEQ is both principled and pragmatic. This is shown by their ability to successfully negotiate the 173/salary restructuring dossier two years before FAC. They did not reject the proposal on the grounds of a “principle” as FAC did. Rather, FNEEQ unions acted on the principle that it was important to ensure their members got the salary on the table without having to increase their workload. They found a way to write the clause in this way and signed the agreement. Similarly, FNEEQ managed to avoid the Decree with all of its costs.

### **FAC – A Unionism of Resistance**

The position taken by FAC’s unions on the 173 dossier cost many teachers up to \$9,000 and after 2 years we signed the same agreement as FNEEQ! The inability of FAC unions to agree to sign the Entente for 2 years cost Dawson 14 positions and left FAC bitterly divided. Our committee sees no basis on which to assume that similar major strategic errors will not be made in the future. After all, the same unions are still making the decisions. FAC calls this approach a “unionism of resistance”, but it does not have the strategic sense, the leadership or the size to carry this out successfully as the last two debacles show. Can we afford another error of this proportion? Remaining with FAC for another negotiation seems like an ill-advised leap of faith.

### **FNEEQ Services**

On a more practical side, services are just as good if not better at FNEEQ. Questions like insurance are being clarified. The coverage for drugs (which represents more than 80% of all claims) is better with FNEEQ and any specific service not covered will probably be offset by the lower premium.

### **Defending Small Colleges**

We want to address the important issue Janet Wyman raised about small regional colleges. No one is against being in a federation with small colleges, it is only a problem when they have disproportionate power.

In reality FNEEQ has more small colleges than FAC-- 9 unions with less than 200 members, and another 7 with 200-300 members. FNEEQ takes a very pro-active approach to defending the interests of these teachers. Last year FNEEQ had a committee working on the problem of programs with small cohorts. Although Dawson has a few programs like this, it is mainly a problem for small regional colleges. The study is complete and has been debated since December 2008. When the negotiations start, FNEEQ will be ready to deposit clear demands based on actual scenarios. FAC, with fewer

resources, cannot do the same research and will be less able to defend its smaller unions during negotiation.

### **Changes at FNEEQ and the CSN, 1988 to 2008**

It was important to verify that the reasons Dawson left FNEEQ 20 years ago – the weight of the hospital workers (FSSS) in the CSN, the merging of FNEEQ's components, and, for some, not enough emphasis on pedagogy – are no longer problems.

The CSN now works on a basis of consensus and FNEEQ can opt out of any proposed position; it has done this several times in the past 5 years. This negates the weight the FSSS might hope to have due to its size. FNEEQ itself is now organized into three Groupings each autonomously responsible for its collective agreement, negotiations, etc.

FNEEQ's School and Society Committee works actively on pedagogical dossiers, sending articles to unions each month. In contrast, FAC has suspended its printed pedagogical publication, *Factuel*.

Translation was not an issue for the DTU in 1988 but we have become used to it. John Abbott tells us that they never asked for additional translations since they prefer to communicate with their members directly. Nonetheless, FNEEQ introduced a new policy this year and the web page and *Carnet Collegial* are already translated into English.

Thus we are satisfied that the reasons for which we left FNEEQ have been addressed.

### **What will it cost?**

The possible dues increase indicated in our full report was a worse case scenario. It might never happen as the DTU looks at ways to reduce costs. The fact FNEEQ gives a 6-month dues holiday to new unions will also help offset costs for a while. There has not been a dues increase at Lionel-Groulx, for example.

### **FAC Will Still Exist**

In closing, we would like to point out that FAC will still exist even if Dawson leaves.

Divided and weakened as FAC is, with so many examples of recent errors and no reason to assume significant changes are forthcoming, FAC is not in a position to represent us effectively. Dawson will clearly be better served in FNEEQ.

## **Are Insurance Rates Really The Issue?**

*By: Sam Parkovnick (Psychology)*

The current discussion and debate regarding where the DTU should go has me surprised and puzzled. It seems to be focused largely on insurance rates while pushing aside the prior and more important question: Do we really want to be with FNEEQ and the CSN? While we all want the best insurance rates, this was not the reason we left FNEEQ and the CSN in the first place. In fact, we, and the other cegeps that were to form FAC, left because we no longer wanted to be part of the CSN. Those cegeps that chose to remain did not feel this way.

We chose to leave FNEEQ and the CSN for essentially two reasons. First, the CSN is not a grouping of teachers' unions; teachers comprise only a small minority of the members of the CSN. The feeling was that the CSN is not very knowledgeable about or concerned

with the situation of teachers. Teachers have as much in common with other unions in the CSN as we do the National Hockey League Players' Association or a union of police officers or air traffic controllers. The feeling was, and as far as I can see, still is that we should be together with other teachers so that our particular concerns as teachers can be addressed.

The response to this, that we should stand together with the other unions in the CSN despite and regardless of the fact that they are not teachers, comes out of ideological concerns. It reflects a very different view of what a teachers' union should do. It reflects the view that a union, of teachers or otherwise, should first and foremost advance the class struggle.

The second reason we left was because of the specific positions taken by FNEEQ, the CSN, or individual officers of FNEEQ or the CSN. The positions concerned language and sovereignty, but also went far beyond these issues. Many of us disagreed with these positions, to put it mildly. It left us wondering where the prime commitment of FNEEQ on Thursday, March 26, 2009. I was one of the majority in the 1980s that wanted out of the CSN and wanted to see how the representatives of FNEEQ would respond to this. I am very much aware of the limitations of FAC and the criticisms many have of FAC and wanted to see if I should change my mind regarding FNEEQ.

To put it bluntly, I was not won over. I don't see the CSN as the answer any more today than I did in the 1980s. And the presentation highlighted a third reason for being wary of going back to FNEEQ and the CSN. In the 1980s, the response to the initiative to disaffiliate was nothing like FAC's response today. All I remember were threats and legal action. Today, we learn about a secret meeting between FNEEQ representatives and some members of the DTU, including one member of the DTU Executive, something I cannot see FNEEQ tolerating. In thinking about whether to rejoin FNEEQ and the CSN, we should keep in mind that disaffiliation will not be as easy as it was in the 1980s or as it is today from FAC.

I do not want to leave readers with the impression that I do not see the problems with FAC or even see FAC as a long term solution. I simply do not want us to jump from one problematic situation to another, particularly as it may be very difficult to get out of FNEEQ should we again decide to do so. Instead, I think we should step back for a bit and think where we want to be. Part of this will be to seriously question representatives of FAC and the CSN regarding more than insurance rates. This cannot be done properly at a meeting like that of March 26, 2009 when we had perhaps an hour at most to ask questions of the FNEEQ representatives. Part of this is to look at alternative options. An option I would like to see explored is to unite all cegep teachers in one union outside the CSN.

## **TO DISAFFILIATE, RE-AFFILIATE, OR NOT?**

*By: Bob Keaton (Political Science)*

(Bob served as the first President of the Dawson Teachers' Union, and later as Vice-President)

Not an easy decision to make. So many factors to take into account, so many arguments, both pro and con, and so many views.

Myself, I hesitated to get too involved in this crucial debate since I will be retiring on June 12th, after 39 years of teaching, and I thought it only fair to leave the decision to

those among us who will continue on at Dawson College for years to come, and especially those younger teachers who have so much more at stake. However, as those of you who know me can attest, I have always found it difficult to turn aside a good debate. So let me share with you some thoughts about this matter.

Let me start by first expressing my full respect for the extraordinary work and commitment of those DTU leaders who led us safely through the unknown some 21 years ago when the Union decided to disaffiliate from FNEEQ, and create, along with other disillusioned CEGEPS, the Federation autonome des Colleges (FAC). It was a courageous decision, and, for the most part, FAC proved to be effective in many areas of concern to our members. I should mention that, although there were many valid reasons for disaffiliating from FNEEQ at the time, I voted against it.

But the conditions in 1988 for College teachers in Quebec are not the same as in 2009 and our decision must be based on the present and future, not the past. I would argue that FAC cannot provide DTU members with the resources and clout which will be needed in the near future negotiations with the Quebec government for a new collective agreement. The context of negotiations will be one of continued economic hard times, and public financial crisis and there is no doubt in my mind that the Government will be playing hard-ball as they seek concessions from the public sector unions.

If my rather pessimistic vision of the near future has any validity, CEGEP teachers will have to be united, coordinated, and determined in the struggle that lies ahead. Membership in FNEEQ is the only effective way to achieve that unity of purpose, and the best way to pool the resources, both financial and human, that will be absolutely essential if we are to avoid losing the gains that we have made over the past years, especially in the remunerative clauses, i.e., salaries, pensions, insurances, etc.

So, whatever conclusions one can reach as to the relative advantages or disadvantages of membership in either FAC or FNEEQ, the most important consideration has to be which of the two federations can provide CEGEP teachers with the most power, the most clout, the most resources as we attempt to negotiate decent collective agreement ahead. In my mind, the answer is clear. Affiliation with FNEEQ.

## **Don't Throw The Baby Out With The Bathwater! Fac, Dawson & The 173 Hours\***

*By: Janet Wyman (Biology)*

Teachers who lost money during "the 173 hours" debate are angry and are blaming FAC for their loss. The question about what happened then was posed to the FAC delegation during their visit to our General Assembly on March 26th, and I continued digging for more information. Members are confused about this issue and need to be aware that Dawson teachers were instrumental in swaying FAC not to support the "173 hours". Here are the results of the vote at the various DTU assemblies:

- During the first consultation in February of 2003, the governmental proposal was rejected at Dawson with 61 for, 0 against and 1 abstention.
- During the second consultation in May of 2003, a mandate to negotiate on items outside FNEEQ's entente was passed at Dawson with 155 for, 3 against and 7 abstentions.

- During a third consultation in February of 2004, a motion to reject the government's proposal was passed at Dawson with 101 for, 8 against, and 5 abstentions.
- And finally only during a fourth consultation in May of 2004 did Dawson accept the government's proposal.

Since Dawson teachers in fact voted in great numbers against "the 173 hours", we ought, I think, to take some responsibility for the fallout\*\*, and not just blame FAC.

\* 173 Hours: the Quebec government's requirement that teachers account for their activities within their 173 hours of employment.

\*\* This issue was tied to the implementation of a revised structure for the salary scale (the current single salary scale as opposed to the former grid scale). The new scale gave greater increases to teachers with less scholarship and/or experience and very small increases to those with high scholarship and/or experience. That is probably why a strong majority of Dawson teachers who tend to have high scholarship and experience, voted against the 173 hours.

**From what I have been able to gather, here is a play-by-play of what happened in 2002-2004:**

In the fall of 2002 the three union federations (FAC, FEC, FNEEQ) were preparing their negotiating demands, including a reduction in workloads. The PQ government chose that moment to announce that it wanted Cegep teachers to agree to an additional 173 hours of work per year (i.e. work that would not be credited by the CI formula) and that this agreement would have to be in place before negotiations on collective agreements could begin. This extra work was a trade-off for a revised structure for the teacher salary scale. Not surprisingly, all three federations rejected this demand as, after consultations with our general assemblies, a priority demand for all federations was a reduction in workload.

In December 2002 all three federations were having parallel discussions with the government in Québec city and had agreed to share information gleaned at the negotiating tables and not to sign an agreement with the government before consulting with the other federations. With no advance warning, FAC and FEC received a phone call from FNEEQ announcing that they had signed an agreement with the government to accept the 173 hour proposal with minor amendments. It turned out that FNEEQ had been pressured by the CSN to settle the issue quickly, to clear the table of any negotiating issues prior to the spring 2003 election in the belief that this would aid the re-election of the PQ. FAC and FEC tried to continue discussions with the Treasury Board on the revised salary scale (which included recognition of masters degrees and doctorates) but the partie patronale continued to insist on an agreement on the extra workload as part of the package. As a result, FAC and FEC broke off the talks before Christmas.

In January 2003 the FAC Intersyndical Council decided it was essential to consult general assemblies on whether members should concede and sign a FNEEQ style agreement or continue the struggle. A very large majority of FAC unions, including the DTU (61-0-1) voted to continue the struggle. Many FNEEQ unions were opposed to the settlement but in the end they were in a minority and FNEEQ signed the entente. With renewed mandates, FAC and FEC continued the discussions with the government, but in March, FEC decided to sign the same agreement as FNEEQ. This left FAC alone to fight this battle. It was obvious that FAC general assemblies would have to be consulted and in

May a second round of consultations was undertaken. Once again, FAC unions rejected the idea of agreeing to a settlement on the government's terms. In the case of the DTU, the vote was taken by referendum and result was 155-3-7. As a result of the strong position of general assemblies, FAC maintained its position on the 173 hours. Yet another consultation followed in February 2004 and again, the DTU rejected the 173 hours by a vote of 101-8-5. Finally in May of 2004 with the negotiations stalled and our negotiating cartel with FEC in jeopardy the DTU and a majority of FAC unions voted for a settlement of the 173 hour issue.

It is important to understand that the DTU and the other FAC unions had defined a reduction in workload as a major priority in negotiations (which started in Fall 2003) and thus to agree to a workload increase prior to the negotiations would undercut that demand. In fact at the end of those negotiations no gains were made on workload issues. The issue was not only an increase in workload but also an attack on professional autonomy. The original government proposal included a requirement that each teacher report annually on how s/he had used the 173 hours. In addition there were serious concerns that this clause in the agreement would give college administrations an opportunity to push administrative duties on to teachers without release time, not only raising workloads but reducing jobs.