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In Memory of Saaed Shani



We are sad to announce that our dear friend and colleague, Saaed Shahni, died on Sunday, November 17. Saaed was a member of the Electronics and Computer Engineering Technology Department and served on the CCFA Contract Management Committee for several years. We have no doubt that everyone who knew Saaed feels lucky to have met him. He was gentle, patient, thoughtful, and hopeful, and we grieve the loss of a beautiful person. Our hearts are with his family as they come to terms with losing a beloved father and husband. The CCFA will donate \$500 to the Camosun College United Way Campaign in Saaed's memory.

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Brother, Can You Spare a Dime?

Kelly Pitman, CCFA President

Three weeks ago, the National Conservative Party Convention took place in Calgary. It may have been the only location in the country in which Conservative politicians could hang out and not discuss the senate scandal. Perhaps it was partly to avoid such discussion that the Conservatives strictly limited interactions between party members and reporters. The convention was, by all accounts, unusually secretive, with the press cordoned off much of the time. Reporters and outside observers were also forbidden from observing the policy workshops and so from hearing the real debate around proposed policies.



A number of ant-union resolutions were passed at the convention, and one in particular has profound implications for the Canadian middle class, a substantial number of whom are union members. This is a resolution to draft so-called "right to work" legislation. You may have heard the term before: twenty-four American states now have such legislation. The term "right to work" may be one of the slickest slogans in politics. After all, who doesn't want the right to work? However, right to work legislation is not about guaranteeing employment or even employment training. President Obama calls it the right to work for lower pay, and this is exactly its goal.

The Conservatives aim to begin by undoing the Rand Formula, which derives from a 1946 ruling by Supreme Court Justice Ivan Rand. In essence, the formula, which forms part of the labour code in most Canadian provinces, states that anyone who does comparable work in a unionized workplace must pay union dues. The law does not, as is often thought, require all workers to be a union member. The scope of union membership must be negotiated and forms part of the (usually first) Collective Agreement (1974 for the CCFA). The Rand Formula refers only to the paying of dues.

In handing down his decision, Justice Rand argued that the only strength employees have is through collective bargaining, and that having the resources to employ this strength was crucial to workplace justice. In return for their dues, employees are guaranteed that the union bargains on their behalf and upholds their workplace rights. The other part of Rand's decision was also important: employees could no longer strike except in the case of a bargaining impasse. Since that time, any strike when a collective agreement is in effect or while bargaining is progressing (even slowly) is illegal. Unions will pay heavy fines if they walk off the job under those circumstances. Rand's ruling was meant to ensure a fair and reasonable deal for both sides.

You've probably guessed by now what the Conservative Party wants to change. Yes, they want it to be illegal to require employees to pay union dues. Many of the proponents of eliminating the Rand Formula frame it as a violation of the Charter of Rights and Freedoms, though this argument was defeated in the Supreme Court in 1991. Indeed, in 2007, the Alberta Labour Relations Board declared the Alberta Labour Code unconstitutional because it did not include the Rand Formula. Many opine that eventually the Conservatives would also like to legislate against unions having obligatory membership clauses in their collective agreements (this is the case in many states in the US).

But for now, it's the workplaces in which union membership is optional that they're going after, and here's the kicker: if the proposed policy was made law, unions would still be legally obligated to represent all employees in the bargaining unit, whether or not they were paying dues. Surely some employees, maybe many, would opt out of dues, especially since they'd still have representation during bargaining and grievances. To continue to do that work, however, the union would probably have to raise its dues to make up the difference. Which would lead to more opting out. You can see where this is going. If enough employees opted out, the union would soon be broken. So much for collective bargaining.

Workers who don't know much about labour history might shrug their shoulders and say, hey, why should I pay those dues? What has the union ever done for me? I can tell you a few things: weekends, overtime pay, child labour laws, parental leave, fair appraisals, safety regulations, dispute resolution processes, vacation pay, layoff notice, health and welfare benefits, and pensions. Even workers in non-unionized workplaces have benefitted, for to compete with union wages and benefits, many employers have had to offer better packages. In fact, exempt workers at Camosun College have disability insurance and pensions because we do (by the way, the Conservatives are going after your pension too). Moreover, the higher salaries and benefit plans help shore up the economy. With a decent pension, a retired worker doesn't need to draw on the social welfare system. With a good benefits plan, workers and their families not only enjoy better health but support a health industry. And where do we spend our wages? In our communities, buying cars and houses and I-phones and sending our kids to college.

Trust me, no factory owner or public service manager ever strolled into the lunch room and said, "Hey, how'd you like to have your dental work paid for?" or "Hey, wouldn't you like some professional development funding?" Those benefits were hammered out through years of negotiations and protected with years of advocacy. To maintain what we've achieved and achieve more, we need to keep the unions strong.

In a unionized environment, management tends to keep its bargaining proposals relatively realistic. That said, you should know that when we go into bargaining here, we see proposals for reduced and more tightly controlled scheduled development, increased time before achieving continuing contracts, cuts to benefits, shorter or no lay-off notice, and so on. Who's to say what our working lives would be like if those decisions could be made by management alone? I don't want to find out.

It's not an emergency, not yet. Labour codes are largely provincial, so changes would have to take place at the provincial level. Still, I am worried. An economy founded on cheap labour means little money for local communities. Housing, daycare, retail sales, and all the things our taxes pay for—hospitals and schools, for instance—become less accessible and less effective. Let's hope that when the Conservative party policy becomes a bill, Canadians speak out. At the convention, some members of the Conservative party did. They spoke for middle-class Canadians, for the working poor, and for the unions' role in improving labour conditions for Canadians. They were voted down. Like them, don't be fooled by the expression

“right to work.” This kind of “progress” is meant not to increase but to decrease the rights of employees, and it won’t be average Canadians who benefit if it happens.

From the Contract Management Committee

Debbie Gascoyne, Chair



EVALUATIONS:

Evaluations should be learning experiences, a way for us to help gauge our strengths and weaknesses and to continue to improve in our chosen profession, but I suspect that for many of us they can also be a source of stress. This stress is only increased if we are unsure about how fair or proper the process is.

Like so many other things, evaluation or assessment of employees is covered in the Collective Agreement. You can find the relevant clauses in Article 28. I’d like to touch on some highlights of the contents here, to cover some areas of uncertainty or “frequently asked questions.”

First, 28.01 tells us that the methods of appraisal shall be “fair and reasonable,” and that they will be developed by the dean or VP in consultation with the chairs of the School. Importantly, no changes to the methods of appraisal can be made without the approval of the union, and the agreed upon methods should be made known to the faculty members in each school. There are also maximum allowable numbers of appraisals, to be exceeded only in very specific situations.

28.02 covers appraisal of continuing faculty. First, there is discussion of the components of the appraisal. Certain components are required; the mandatory components are also limited to the following (though you may add anything you choose to add): a) student evaluation b) department evaluation c) self evaluation. Department evaluation may include chair or peer evaluation – often we find that it tends to default to the chair, especially for term employees, but it is important to be aware that you have some say in this. Appraisals must take place once in every three years, and after two successful appraisals they may be limited to a simple statement on the person’s file, although we have never properly decided on what basis the dean would make that statement.

It is important to note that, while in certain circumstances your dean or director may ask for an additional appraisal, you are entitled to respond to the

concern that gave rise to the proposed evaluation. If you disagree with the contents of any appraisal, there must be discussions between you and your dean or director to attempt to resolve the disagreement. Again, you are entitled (and, if I may say, advised) to consult the union before agreeing to any resolution, and before signing. You may state your disagreement on the appraisal document, and Article 21 (the Resolution of Complaints) may be used if you fail to come to agreement in your discussions with the dean. It is also worth noting that you have the right to see and to know who contributed to any submissions to your appraisal except the originals from students.

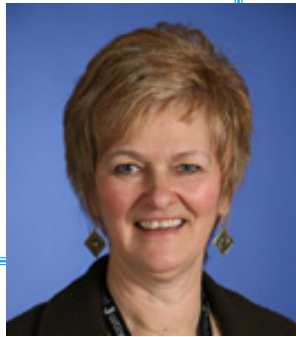
28.03 and 28.04 cover the appraisal of probationary and term employees. The components of the evaluation are the same as for continuing employees. Both probationary and term employees must be evaluated once in their first quarter or semester of employment. Probationary employees must be evaluated again when 8 or 10 months is remaining in their probationary contract. This will normally allow enough time for improvement to be made, and if the second evaluation is not successful, there must be opportunity for the employee to be re-evaluated two months before the end of a contract. For term employees, a second evaluation must take place in the second or third term, or in the second, third or fourth quarter. It is worth noting that a third evaluation is at the discretion of the school. Our belief is that this, like the third evaluation for a probationary employee, should provide an opportunity to demonstrate improvement if necessary, but if the first two are successful should not be mandatory. However, we note that many schools interpret the “may” in the contract as a “shall” and go ahead with it anyway.

Obviously, there are more details in the contract that I haven’t covered here – Article 28 is many pages long – but I think these are the most important aspects. If you have ANY questions or concerns about the process at any time, do not hesitate to contact any of the members of the Contract Management Committee.

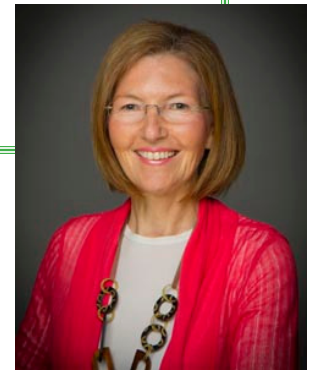
The Best Thing (About My Work at Camosun)

We're starting a new recurring feature in The Confluence. We've been asking CCFA members to tell us in one or two sentences the **best thing** about the work they do at Camosun. Please consider submitting your answer to this question to Kelly via email.

The best thing about the work I do at Camosun is the opportunity I have to meet and work with talented and passionate faculty from so many different schools, disciplines and campuses. I am regularly impressed by faculty who are truly motivated to provide students with a quality, learner-centred, educational experience. (Karin Kaercher, CETL)



The best thing about the work I do at Camosun is the opportunity to help move great ideas forward. This covers many domains, but supporting authentic learning experiences for students through the provision of service to the community is truly transformative. (Shirley Bassett, Dental)



To me, something that is uniquely Camosun is the acknowledgement and honouring of the First Nations territory that we all enjoy working and learning on. It is present in our meetings, in the art on campus, in our curriculum, and in the diversity of our staff. I feel blessed and energized to be able to work in this environment and to actually play a role in the transformation of people's lives. Camosun truly is "where different waters meet and are transformed." (Al Morrison, Management and Human Resource leadership)



The best thing about the work I do at Camosun is watching students grow, sitting across the table from a fellow professional in the community who a few years before was a terrified new student who didn't know if she would ever make it through her first month of college. (Janice Simcoe, Aboriginal Education and Community Connections)

Indulgence. Gratitude. Integration.

Its funny how things come onto my radar - seemingly in some kind of universal way that brings the seeds of a new idea.

In my coaching, it often happens that what is going on for one client flows into the conversation and resonates with my next client, or a friend with whom I'm discussing life's mysteries. Today, the notion of mindful indulgence came to the fore and it resonated with me (and them) on a few levels.



In a conversation with some amazing women the other night, the topic of being busy came up. All agreed that the words "I'm so busy" are rampant and, we decided, meaningless. Some folks seem to wear "busy" as a badge of honour, or as a justification for not being present, or sometimes as an explanation for a lack of desire to connect. This 'epidemic of busyness' has a few consequences: we aren't able to be authentic in our interactions. We don't see, or express gratitude. We don't give ourselves permission to stop and savour a moment. At the same time, the ever present tension between busyness and presence is making us hungry for something different. It is making us harder on ourselves and less able to see the abundance that surrounds us.

My client uses the words 'lazy' and 'cheat' to describe his recent inactivity, this cheating set to end with 'getting fat' on a trip so that he can return to the 'goodness' of regular exercise when he gets home. His choice of words sounds like he needs something to shame him into being healthy. And like he is 'less than' because he is tired or bored and needs a break from expectation and routine. So, I challenged him to a reframe: what if you can shift from mindless indulgence to MINDFUL indulgence?

Imagine the simple shift that this could bring: setting the intention to reset with rest and relaxation. Being mindful: this (insert indulgence here) is something to savour and enjoy. This is something for which I am grateful and want to experience fully. The fuller the experience, the bigger the gift. A moment of indulgence savoured can create a memory to last a lifetime. I can integrate the experience and it becomes a part of who we I am. How important, then, to make it a positive experience. Mindless indulgence is often followed by guilt, shame and regret. If my memories around an experience are tainted with guilt and shame or regret, they are painful and I have lost the opportunity to welcome a moment savoured into who I am. How sad - to be unintentional when we are indulgent. There is an opportunity make a shift in how we see our changes in energy and attention. It is an opportunity not to be missed.

Life bring ups and downs with my resolve: to be fit and healthy, to engage in a mature and authentic way in the world, to do the right thing in the face of adversity. These ebbs and flows translate into flurries of activity (and inactivity) which tend to bring either self congratulation or my inner critic, depending on what is ebbing and what is flowing in the moment. Today, I was able to begin to articulate a more healthy way of looking at this cycle so that rather than guilt and shame surrounding the down times, I can access a way to integrate the joy of doing nothing into who I am.

So, rather than being 'lazy', or 'cheating', I'm going to practice mindful indulgence and see how it changes how I see my life. Its something to focus on, and that's something in itself.

CALL FOR SUBMISSIONS :

We want you to contribute to the Confluence: tell us about your groovy SD project, or the creative work you are doing with your students, or what you did on your summer holidays! The deadline is ongoing, so no pressure...

Thanks.