

CUPE 4163 Component Three

Sessionals Bargaining Bulletin #1

March 2005

Canadian Union of Public Employees, Local 4163
University of Victoria's Educational Employees' Union

Results of the Bargaining Survey

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www.cupe4163.ca



The survey was an invaluable tool to identify priorities for contract bargaining that begins in April. This will shape your collective agreement. If you have concerns or suggestions, talk to your executive, union staff at 472-4778, or come out to any of the Contract Committee meetings. If you don't attend, your issues may be overlooked, or you may be surprised when a strike vote is called a few months down the line.

We had a similar response to our online survey as we have had to previous pen-and-paper surveys for the first two bargaining rounds. A good cross-section replied. We heard from sessionals in 38 Departments. By gender, 56% were female, 34% male, and 10% other or unidentified. Of all respondents, a third were long-service, while a third worked less than half-time. Units now being taught vary from 0 to 15, with a median of 4.5.

Overall, about two-thirds of you work at other institutions as well as UVic. More than half are not eligible for benefits from these other institutions, and two-thirds get no current benefits from UVic, so this will be a key issue. Half are at pay steps 7-8, and a third at steps 1-2, so the survey reflects those with a long-term stake in working at UVic as well as new employees. Few wish to increase the number of pay steps, but many want better take home pay, benefits or reimbursement of expenses. If the government-mandated wage freeze remains in

effect, we may be able to negotiate improvements to the latter two categories as a way around the freeze.

Your top priorities are pay and workload, health and leave benefits, job security, expenses, and respect for professional status.

Pay issues include keeping up with the cost of living (rather than falling behind, forced by the provincial government freeze); bringing summer pay up to the level for other terms; and added stipends for extra required work (e.g. Departmental retreats, directed studies, course challenges, supervision of honours and grad theses, email contacts, WebCT and distance education).

Benefits issues include vision care, extended health, long-term and compassionate leave. Some of our members

have taught for 10 years without becoming eligible for the university's coverage plan. We hope UVic will be open to creative solutions that will allow us to provide some type of health benefits to our excluded members.

Under job security, we want to continue to move forward with the idea that our members are continuing "teaching faculty" and not "sessional" instructors. The term "sessional" implies employment by the term, but this is not the case for the majority of our members. As an example of how this is dealt with elsewhere, SFU's contract gives the right of first refusal to an instruc-

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Sessionals: Why you need the union

Why the union needs you

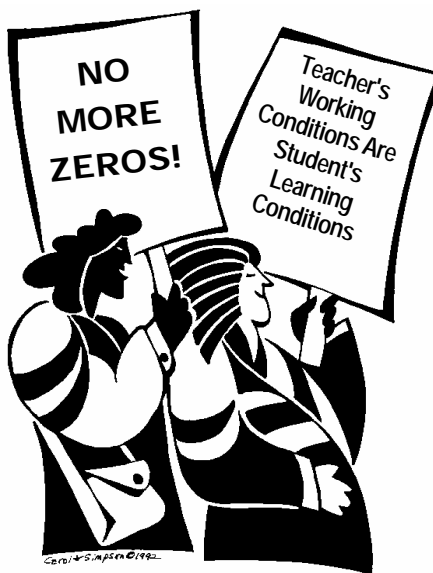
by David Millar
Component 3 president

Why you need the union

Sessionals teach more than half the courses at UVic. Organizing us is like herding cats. We hate coming out to meetings. Our free time is precious. We work alone. We are self-motivated and solitary. We do not have hours, courses or workplaces in common. Our over-riding responsibility is to our students and to our own professional standards. That's a good thing. But it makes us by nature prickly, proud, private, and isolated.

A union contract standardizes pay, hiring and firing procedures, work conditions and seniority. It protects you from arbitrary treatment. If you have ever worked for a non-union employer, you will know how important that is. Our staff cannot solve every situation, but they will try.

Some times you need protection or advice. As the saying goes, "If you have a boss, you need a union." For



instance, our staff fight grievances (formally and informally) about arbitrary decisions by Departments, mistakes in pay or health benefits, excessive workload and stress, to name only a few. If you have workplace, health or family problems -- even if the union contract doesn't fully cover the situation -- we can give you confidential advice. You do not have to face problems alone.

Why the union needs you

At the end of this term we must bargain a new contract. We need to know what improvements you need in the contract, what problems you have. What you hope for. What you fear.

All we have from the University is your email. The address lists we get are often outdated, with no phone numbers.

- Make sure the union has your updated contact information.
- If you have any doubts about your course contracts, health, safety, job security or respect for you as a person, phone the office 472-4778 or drop in at BEC 396.
- Check the website cupe4163.ca
- Ask who the union rep is in your Department.
- Attend the annual general meeting at 5.30 on March 22. Food will be provided.

The current Component Three collective agreement expires on April 30, 2005. We expect to begin negotiations with the University for the next collective agreement in early April.

Prior to the end of term, and before bargaining begins, we will hold a membership meeting for all Component Three members. At this meeting, the Contract Committee will go through the bargaining proposals, and the members will vote whether to approve the bargaining package. We will also choose a Bargaining Team at this time, from among the members of the Contract Committee.

There is still time to join the Contract Committee. If you would like to assist in preparing the bargaining proposals and determining our bargaining priorities for the upcoming negotiations with the University, please contact Sean Hillman, Business Manager, at 472-4778 or cupe4163@uvic.ca.

Sessionals, Intellectual Property and the Soft Campus Wave

By Susan Turner

Say you are a sessional hired on a semester to semester basis and you decide or are asked to launch a WebCT component for one of your in-class courses to enhance student access to course materials and learning objects. Do you own the intellectual property (IP) which is thereby created? The answer is not at all clear and that needs to change.

In November of 2000, the University of Victoria established a revised Intellectual Property Policy #1180. According to the policy, "UVic will operate under a creator-owned IP position – in contrast, for example, to UBC wherein the IP created at UBC is university-owned." (IDC News Spring 2001, p.1) The University of British Columbia has had disputes with regular faculty members over their 'if you create it UBC owns it' policy as it applies to the creation of distance education learning materials. A growing tendency, as I understand it, has been for UBC regular faculty to refuse to produce such materials under the current ownership protocols. University of Victoria is to be applauded then, for its, by contrast, progressive thinking on this issue.

Nevertheless, the language of UVic's IP policy could use some sharpening. The policy establishes, as noted, a creator-owned foundation for the production of intellectual property here at UVic. In its preamble, the policy states it will apply to IP created by: "a tenured appointment or an appointment with eligibility for tenure as Assistant Professor; Associate Professor; or Professor; Senior Instructor; Limited Term appointment with a term of more than one year; Artist-in-Residence; Lecturer; adjunct professors and honorary professors; librarians

holding a Regular Librarian appointment (regular or confirmed) or Limited Term appointment as a Librarian and includes an Archivist; graduate and undergraduate students and post-doctoral fellows and research associate appointees. (my italics)

Yet, in its Spring 2000 newsletter, the UVic Innovation and Development Corporation (IDC) stated the policy "does not apply to undergraduate students or staff" (ibid.) Well, which is it? Is the work of undergraduate students owned by those students or not? Also, the term 'lecturer' has no definite meaning at least so far as I was able to ascertain through searches of UVic policy. Traditionally, the term is used to refer to any person who stands up in front of a class and delivers a lecture. While that would include most sessionals (importantly, however, not all), it would also include persons classified under several other of the jurisdictional categories named by the policy. As a result, the term 'lecturer' is both too broad and too narrow and needs to be brought into focus. Would someone hired under, say, a four month sessional lecturer contract to design course content for an exclusively WebCT distance education offering be a "lecturer" or a "staff"? It matters since if you are staff, your work does not fall under the protection of the policy in which case UVic controls it in its entirety.

Also of considerable importance, I would argue, is the following clause in the policy:

3.3 The IP comprises course materials that are being commercialized; in which case, the University and the creator will have 50:50 ownership.

This clause represents a clear departure from the "creator-owned" model

UVic's IP policy starts out with. Is it a justified limit on the principles of that model? Say, as a sessional or "lecturer" you are asked to design distance education course materials out of in class course content you have been developing for years. Will complying mean your course content is now half owned and so half controlled by the University? How would the commercialization of such content affect your ability to use it in classrooms or elsewhere? Say, in publications?

These are issues which ought to be addressed, perhaps in the upcoming round of Component 3 bargaining. The speed with which post-secondary institutions (both for profit and not for profit) are moving to adapt to the distance and on line education or soft campus market is dizzying. The soft campus market represents a promising revenue stream, something today's universities find hard to resist. And even hard campus shoppers are looking for places to park their tuition dollars which offer on line access for their courses. Just the other day, a student complained to me that one of my colleagues was not very easy to get a hold of because this colleague didn't have WebCT access for his course. Let's get ahead of this wave before we are swept aside by it.



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tor who has taught the same course 3 times over 9 terms. We want candidates' experience and qualifications fairly compared in making appointments, and notification of appointment well in advance. We want Departments to offer orientation or training for new appointees, with written explanation of duties, standards and expectations.

Expenses are a major issue: due to overcrowding at UVic, many sessionals must equip their home office, buy software and upgrades, and replenish printing supplies. Currently, there is no provision for reimbursement. Some report shortage of resources or access to materials in their Departments. A particular concern is that class sizes and workloads continue to increase, while compensation remains the same

Respect covers a number of other issues: those on the Long Service list now have representation on Senate, but many "continuing" instructors report

being overlooked and undervalued; they want inclusion in Departmental decision-making, curriculum reviews, access to professional development and conference funding, a chance to teach upper level courses in their specialties, protection of their academic freedom – above all to be treated as members with a stake in the academic community rather than mere "temps". It is certain that the university relies heavily on our services: our members teach more than 60% of all UVic courses.

"Which of these issues are my highest priorities?" is the question you need to ask yourself. In the next few weeks, at open meetings in which all sessionals may participate, the Contract Committee will rank the issues in order of importance, develop a strategy, and nominate the bargaining team. The next Contract Committee meeting is Wednesday, March 15, at 1:30pm, in Room 108 in the Grad Student's Society building. In the first week of April, we will hold a membership meeting,

where the entire Component Three membership will have a chance to vote to formally ratify the bargaining proposals presented by the Contract Committee, and choose a Bargaining Team. If you want to shape the strategy or the team, attendance at earlier meetings in March is vital.

Professional Development for Sessionals?

In the last round of bargaining CUPE was successful in negotiating professional development for long service sessionals.

Note: ALL LONG SERVICE SESSIONALS ARE LISTED IN THE COLLECTIVE AGREEMENT.

**REMINDER:
CUPE 4163 Annual General Meeting
March 22nd
5:00pm Snacks
5:30pm Meeting Begins
At the Graduate Students' Centre**



We moved!

University of Victoria
Business and Economics Room 396

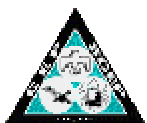
Box 1700 Stn. CSC
Victoria, British Columbia
V8W 2Y2

Phone: 250-472-4778

Fax: 250-472-4806

Email: cupe4163@uvic.ca

Do you want to write something for the CUPE 4163 newsletter? Please email your submission to Melissa at talk4163@uvic.ca



This newsletter was produced with union labour. The CUPE 4163 staff are members of the Communications, Energy and Paperworkers Union of Canada, Local 467.

Please deliver to: