

# Okanagan Bulletin

ISSUE 1 OCTOBER 2008

In your hands you have the inaugural issue of your Faculty Association's *Okanagan Bulletin*, a supplement to *Faculty Focus* which is tailored specifically to our members in Kelowna. Published once a term, the *Okanagan Bulletin* will inform you about plans, decisions, problems and events relevant to you in your work at UBC Okanagan. This first issue profiles your Okanagan Faculty Association Committee and professional staff as well as highlighting forthcoming events and giving you updates on our current projects on the campus. For future issues, we welcome articles, questions, and suggestions from all of you!

ELIZABETH HODGSON  
UBC FACULTY ASSOCIATION PRESIDENT

## A Review of Recent Workload Grievances

JIM JOHNSON CHAIR, OKANAGAN FACULTY COMMITTEE

**A GRIEVANCE IS** any dispute between the Faculty Association and UBCO administration regarding the interpretation, application, operation or alleged violation of the Collective Agreement. While most grievances arise from concerns and complaints made by individual members, legally all grievances are between the union and the employer.

Grievances generally follow three stages: In the first informal stage, we attempt to resolve the grievance through dialogue with Human Resources. If the grievance is not resolved, it moves to the second stage, the written grievance. Formal written grievances are sent to the Provost (Dr. Alaa Abd-El-Aziz) who acts as the University's representative in settling the dispute. If the grievance remains unresolved, the third stage is to send the grievance to arbitration to have a neutral third party (a professional arbitrator) hear the grievance and issue a binding resolution.

Whenever possible the UBCFA prefers to settle grievances informally. Recently, it has become increasingly difficult to do so collegially, and more grievances are being formalized. This is a trend we are working closely with the Provost to reverse. To date, no UBCO grievances have had to go to arbitration.

Over the past several years the Association has dealt with a large volume of grievances concerning the teaching loads of faculty members. These grievances fall roughly into four categories:

First, there have been several instances in the Barber School and the Faculty of Health and Social Development

where departmental workload policies were not developed collegially by the members of the department, as they must be. In some cases, to our astonishment, Deans had been directly interfering with the development of departmental workload policies. We were able to resolve all of these grievances when the university agreed that "it is the responsibility of the department to collegially establish workload guidelines".

Second, we have dealt with cases in the Barber School and the Faculty of Creative and Critical Studies where the University attempted to assign faculty members a higher teaching load upon return from a leave. Faculty cannot be required to make up the courses they did not teach whilst on any leave by having to teach extra courses upon their return. This issue was successfully resolved and the University agreed to "the inappropriateness of the practice of demanding an increase in workload upon return from a leave."

Third, we received multiple complaints from Heads and other faculty members in the Barber School that the Dean was interfering with individual teaching load assignments. We recently resolved this matter when the University agreed that "the Dean will not be involved in assigning individual faculty member's teaching loads unless specific concerns have been raised by a member" and "Deans are not involved in the individual assignment of workloads."

Finally, we have been dealing with multiple cases in the Barber School where departmental teaching load policies included provisions for assigning differential teaching loads based on research productivity. This is a very serious matter. All members of the professoriate are obliged to do research,

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see *WORKLOAD*

## WORKLOAD

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and all members are evaluated on the quality of their research output for the purposes of merit awards, performance salary adjustments, and promotion. To assign individual faculty members additional teaching as a punishment for below average research output is to deny them equal opportunity to compete for merit awards, performance salary adjustments, and promotion, and may constitute an effective demotion or even constructive dismissal. The last thing members with slower research output need is less time to do research! We were able to resolve some of these grievances when the university agreed on a workload determination process that required departments to develop teaching load policies that: a) specify a standard teaching load for all professors measured in standard 3-lecture hour courses (i.e., 2-2 or 3-2), b) clearly delineate how non-standard teaching like labs, graduate student supervision and the like is to be measured in terms of 3-credit courses, and c) outline the conditions under which faculty would get teaching load reductions (eg. for major administrative duties, for new pre-tenure faculty, or for significant tasks like program development).

The parties agree that a departmental teaching policy cannot include different teaching loads for faculty based on their involvement in research. Under our *Collective Agreement*, all members of the professoriate are expected to be involved in research, although it is understood that not all faculty will be

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*The last thing members with slower research output need is less time to do research.*

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equally productive (obviously; otherwise there would be merit awards for everybody). We do not have different “tiers” of the professoriate with different research expectations. Everyone’s merit, PSA and promotion are based on the same standards.

There are still four grievances outstanding involving three departmental policies that have yet to remove the differential workload provisions, but we hope to get these problems cleaned up reasonably soon.

There is one emerging issue involving teaching loads that has not yet generated any grievances, but has the potential to do so, and so we are actively discussing this matter with the Provost. The resolutions to the workload grievances discussed above require departments to establish standard teaching

loads that apply to all members of the professoriate, but do not specify what the standard load should be. That is a matter for the department to decide (subject to its obligation to ensure that the teaching needs of the department are met). Most departments at UBCO have settled on

loads between 2-2 and 3-3, which are comparable to, or even slightly higher than, loads at mid-sized universities like the University of Victoria. However, loads in Vancouver are typically much lower. We are concerned that UBCO faculty members will not receive fair and equal treatment in the UBC tenure and promotion system, based as it is largely in Vancouver and within that context of teaching and research conditions. We have already alerted Dr. Abd-El-Aziz to our concerns and are working with the Provost to be proactive on this matter. **OB**

## OUC Transition Rights

**JIM JOHNSON** CHAIR, OKANAGAN FACULTY COMMITTEE

**WHEN THE GOVERNMENT** set up the UBC system in 2005 they caused UBC to take over the university operations of OUC. Legally, that made UBC the successor employer of a large number of people in Kelowna. In the case of a successorship, employees in the organization whose ownership has changed have what is known as Verrin rights, which allows them to refuse to accept employment with the successor employer and accept lay-off instead. In 2006 the Labour Relations Board of BC ruled that faculty members in the Okanagan who had been employed prior to UBC taking over the operation in 2005 could retroactively assert their Verrin rights, opt not to accept employment with UBC, and receive severance “as if this option

was exercised at the time of the successorship.” I thought that it was a very strange ruling, but nonetheless that’s what they ruled.

I’m not sure how many people took advantage of the ruling, but there were certainly some who did. For reasons I’ve never understood, UBCO decided that it would refuse to pay severance to faculty members in the Barber School who decided to retroactively assert their Verrin rights and accept lay-off and severance. Two members were affected and brought their concerns to the Faculty Association. We had to go back to the Labour Board and get a second ruling to force the University to comply with the first one. Although it took a while, the Labour Board did finally rule in our favour and the two members will now receive the severance pay to which they were entitled. **OB**

## Meet Your Okanagan Faculty Committee Executive

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The Okanagan Faculty Committee (OFC) considers matters and develops local activities specific to the Okanagan campus, assists in implementing the *Collective Agreement* in respect of Association members at the Okanagan campus, and provides a forum for the expression its members' views on all matters within the Association. The Okanagan Faculty Committee Executive consists of:



**JIM JOHNSON, CHAIR**

250.807.9241 | [ja.johnson@ubc.ca](mailto:ja.johnson@ubc.ca)

Jim Johnson studied Economics and Political Science at McMaster University, where he graduated with a Ph.D. in Economics in 1987. He joined the Economics Department in 1989, when the university was known as Okanagan University College, and currently holds the rank of Associate Professor. He has also held academic positions at Wilfrid Laurier University, McMaster University, UBC Vancouver, and the University of Saskatchewan.

Prior to the University becoming part of the UBC system in 2005, Jim held numerous elected positions in the Faculty Association including Secretary-Treasurer, Chief Negotiator (5 years) and President (5 years). He has also served on the BC Federation of Labour's Legislative and Research Committee; the BC Ministry of Skills, Training and Education's Standing Committee on Evaluation and Accountability; and the BC Ministry of Skills, Training and Education's Key Performance Indicators Working Group.

He currently serves as the Chair of the Okanagan Faculty Committee of the UBC Faculty Association, and a representative of the joint faculties of the Okanagan Senate.

His primary areas of research are Labour Economics, Industrial Relations, and the Economics of Education.

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**MICHAEL PIDWIRNY, FIRST VICE-CHAIR**

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Michael Pidwirny graduated with a Ph.D. in Physical Geography from Simon Fraser University in 1994. In 2005, he was offered an Associate Professor position at UBC Okanagan in Unit 2: Biology and Physical Geography, which resides in the Barber School of Arts & Sciences. Michael has also held academic positions at the University Of Winnipeg, Simon Fraser University, Okanagan College, and Okanagan University College.

Michael currently serves as the First Vice-Chair of the Okanagan Faculty Committee. One important activity of this UBC Faculty Association position is being a member of the Personnel Services Committee (PSC). This committee investigates violations of faculty members' rights under the language of the *Collective Agreement*. Most cases brought to the PSC are resolved informally without going to an official grievance or arbitration.

Michael's primary areas of research deal with land cover/use change, biodiversity issues, and landscape genetics.

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**LAURA HOOKER, SECOND VICE-CHAIR**

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I came to UBCO as "heritage faculty" from OUC. I love that phrase, it makes me feel all quaint and rustic. I spent eleven years at OUC as a Biology College Professor, Lab Instructor and Associate Professor. During my time there (as in Institution, but really, here, as in location) I spent two years on the executive of the OUC Faculty Association, a number of years on the Faculty Association Council, and two years on Education Council. I got to know many faculty during this time, and was always very interested in the issues of an emerging educational institution.

Now, I'm in Unit 2 Biology and Physical Geography of the Irving K. Barber School of Arts and Sciences, but...I think... I can also say that I'm in the Biology Department...I think. My teaching and research interests are in the field of Aquatic Ecology, which may go toward explaining my occasionally being baffled by human behaviour. Despite this, I've enjoyed meeting the new faculty that have come to UBCO, and again, participating in the growing pains of an emerging educational institution. I'm very interested in seeing the development of a *Collective Agreement* that works for UBCO.

On a more personal note...I don't have much of a life, but what I have seems to be centered around careening on skis down trails in the trees, or in the summer, careening on bike down trails in the trees. Then I have a drink of good wine, although not to the point of careening.

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## UBCO MEMBERSHIP SERVICES OFFICER

DEENA RUBULIAK

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*Elizabeth Hodgson, UBCFA President: What brought you to the UBC Faculty Association, Deena?*

DR: While working for an academic union at SFU, I received an e-mail that said UBCFA would be hosting the next tri-national COCAL conference on academic labour. I decided to join the planning team and worked closely with several members of the UBC Faculty Association. It was a great experience. The people were fantastic, and although we were knee deep in work, we always made time for a good laugh. I had been at SFU for a number of years and was ready to move on when I saw the posting for the Membership Services Officer position at the Association.

*EH: You've been up at UBC-Okanagan many times now; what do you enjoy most about working here?*

DR: There's a lot I enjoy about working at UBCO. It is a unique campus and still going through the transition process, so there is always something new to do or think about; it's never boring. Although it sounds clichéd, I'd have to say that over the past year I have really enjoyed working with our members on that campus. There are some really great people at UBCO.

*EH: Tell us about one project you've been proud of.*

DR: I don't know that there is one particular project above all others; I love that I get to do a number of different things on a daily basis. If pressed, though, I am proud that I've been able to develop a sound understanding of our collective agreement, a new work environment and culture at the new University in the year since I joined the Association. I draw motivation and inspiration from my job every time I am able to help a member work through a difficult situation, or to improve the working lives of our members and help make UBC a great place to work. 

## MARK YOUR CALENDARS!

WEDNESDAY, OCTOBER 29 2PM - 4PM LOCATION: TBA  
Promotion & Tenure Seminar

THURSDAY, OCTOBER 30 12:30PM SCI 331  
Fall General Meeting &  
Panel Discussion: *Where Do the Children Go?*  
*The Daycare Crisis at UBC featuring*  
*Mark Rheault, Assistant Professor, Unit 2*

WEDNESDAY, DECEMBER 03 3:30PM - 6PM ARTS ATRIUM  
UBCFA End-of-Term Celebration

## WHO TO CONTACT

### PRESIDENT

Elizabeth Hodgson, English, 2.2651, fa.pres@ubc.ca

### MEMBERSHIP SERVICES OFFICER

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### OKANAGAN FACULTY COMMITTEE

#### CHAIR

Jim Johnson, Economics, 7.9391, ja.johnson@ubc.ca

#### FIRST VICE-CHAIR

Michael Pidwirny, 7.8758, michael.pidwirny@ubc.ca

#### SECOND VICE-CHAIR

Laura Hooker, 7.9551, laura.hooker@ubc.ca

### UBCO OCCUPATIONAL HEALTH & SAFETY COMMITTEE

Blythe Nilson, Biology, 7.9555, blythe.nilson@ubc.ca

Linda Allan, Psychology, 7.8729, linda.allan@ubc.ca

Judy McAulay, Nursing, 7.9977, judy.mcaulay@ubc.ca

*\*There is one vacancy on this committee.*

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