

**From the President:**

# A measure of our pride, sharing the responsibility for our BCIT community

BCIT is at its best when management and members share the responsibility for moving our institution forward. The employee opinion surveys between 2001 and 2010 reveal that almost 90% of respondents were proud to work at BCIT and over 90% felt we make a worthwhile contribution to society. This collective pride in working at the Institute should be reflected in how engaged we are in informing its best path forward. The Strategic Plan is the destination we felt best reflected what we all want for BCIT. Continue to be a part of the journey by sparking a conversation at your next department meeting on the admissions process for your program or challenging your colleagues at coffee to take advantage of a Wellness initiative or by taking some time to chat with your students about their experience -- we all have something to contribute to informing BCIT's future. The vision of being integral to the province's prosperity requires each and every one of us to be engaged and committed in a way that we have never been before.

Through October and the beginning of November the Vice Presidents of Education, Research and International, of Student Services, and of Human Resources revealed their plans for implementing the Strategic Plan. While their plans outlined who was responsible for each component of their initiatives, it is still unclear how these plans will be carried out. A Strategic Plan needs to engage every single person in an organization and inspire them to take ownership of its objectives. Making that happen requires leadership at all levels from promoting thoughtful discussion at department meetings to seeking input on key strategic decisions by the

Leadership Team. I want FSA members to take advantage of the Operational Planning currently underway to be part of how BCIT realizes its goals.

Our September and October Tech Rep meetings helped establish how the FSA can better meet the needs of our members. There were several suggestions put forward by the Tech Reps which will bring about some exciting additions to our meetings. We have made other changes such as circulating notes and slides from our meetings which we hope will make it easier for Tech Reps and the FSA Executive to keep each other informed. A recent example was the visit by Reid Johnson, President of the Health Sciences Association, to share his thoughts on the hierarchy of rights in union membership. One of the keys to HSA's success in obtaining a balance between individual and collective rights is to provide a democratic environment where every member has an opportunity to inform how their Association moves forward.

The FSA Executive spent Saturday, November 6th working on FSA policies. While our three-step process for policy review allows us time to fully consider the issue to determine an effective solution, revisions to our policies need to reflect the will of the membership while balancing our duty to act on its behalf. To achieve this, the FSA Executive will be seeking your input on policy development through your Tech Rep giving you opportunities to weigh in on our policy revisions over the coming academic year.

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## A measure of our pride

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Much of my time as President has been spent on selection committee service this fall. BCIT is currently recruiting for several key leadership positions. Among them are Vice President, Development and Vice President, Student Services positions and in the near future the Dean of Construction and the Environment. The Memorandum on Selection Committees for Academic and Non-Academic Managers is a unique provision within the post-secondary system which allows us and our BCGEU union partners on campus the right to participate in the hiring of BCIT's leadership. By having a voice in the hiring of managers we are also responsible for contributing to their success. The FSA solicits interest for participation on leadership team selection committees through the Tech Reps. If you are interested in sitting on an upcoming selection committee, please advise your Tech Rep.

In closing, the true measure of our success in realizing our Strategic Plan is how many of us will be able to celebrate what has been accomplished five years from now. The Strategic Plan wasn't a wholesale change in how BCIT works. It was instead an opportunity to focus and chart a course for ourselves. What you do every day contributes to moving the institution forward. Take some time at your next department meeting to connect your activities with the Implementation Plan initiatives that are relevant to your area. Ask your manager to pass on the ideas, concerns and challenges to your representative on the Leadership Team. Let's connect our everyday work to the plan so we ensure we do our part in informing how BCIT moves forward.

**Amy Fell**  
**FSA President**

# Cabinet shuffle creates problems, opportunities

*By Paul Reniers*

The provincial cabinet shuffle, which took place October 25 prior to Gordon Campbell's resignation, created a predicament for BCIT. Gone is the former Ministry of Advanced Education and Labour Market Development, replaced by a Ministry of Science and Universities and a Ministry of Regional Economic and Skills Development. BCIT is under the latter ministry, along with the colleges and a myriad of economic development programs.

Being integrally associated with economic development isn't a bad thing, although the lack of a reference to education in the ministry's name has to cause us some hesitation. Regional Economic and Skills Development could be a powerful and well-financed ministry, particularly with the government so low in the opinion polls, whereas Science and Universities has less significant a profile than the former combined ministry. In political terms, being the biggest fish in a different sea may not be such a bad thing.

On Monday, November 22, Moira Stillwell -- who had been named to

continue as our minister -- announced her resignation in order to run for the Liberal leadership. Ida Chong, the Minister for Science and Universities has been named as her replacement.

Administratively and bureaucratically, we can anticipate some problems. Some ministerial responsibilities of great significance to BCIT ended up in the other ministry. These include research, innovation, and student financial assistance. This alignment risks having these policy areas oriented toward the universities with little regard for the impact on BCIT even though BCIT has more degree programs, awards more degrees, and does more research than several of the institutions in the universities' ministry.

The FSA has responded to this change with letters to the premier and the ministers that call for a strong and distinct voice for BCIT within the new ministry and specific measures to maintain ties across the two ministries. We also called for special attention to be paid within the Ministry of Regional Economic and Skills Development to the areas of research and student aid, even though responsibility for those areas belongs to the other ministry.

<b>Responsibilities of the new Ministries</b>	
<p><b>Ministry of Regional Economic Development</b></p> <ul style="list-style-type: none"> <li>Colleges and BCIT</li> <li>Multiculturalism</li> <li>Immigration policy</li> <li>Labour market policy</li> <li>Industry training</li> <li>Community development</li> <li>Regional and rural development</li> <li>Mountain pine beetle</li> <li>Columbia Basin Trust</li> <li>Public Sector Employers' Council</li> </ul>	<p><b>Ministry of Science and Universities</b></p> <ul style="list-style-type: none"> <li>Universities (including Kwantlen, Emily Carr, Fraser Valley, Vancouver Island)</li> <li>Research, innovation, and technology</li> <li>Student financial assistance</li> <li>Year of Science</li> <li>BC Innovation Council</li> <li>Premier's Technology Council</li> </ul>

Bargaining Update:

# Progress slow at bargaining table

By Paul Reniers

Collective bargaining is underway, and things are moving slowly.

As we advised members in September, the FSA won a decision from the Labour Relations Board saying that the employer could not refuse to bargain until their grievance regarding our notice to withdraw from Memoranda of Agreement was resolved.

Bargaining subsequently began on October 15 and continued on October 22. We felt that the mood at the bargaining table in these very early stages has been productive.

Unfortunately we only have four days of bargaining scheduled between now and the end of February. The employer is busy bargaining with the BCGEU and both sides have had difficulty bringing their teams together during the academic terms.



An arbitration over the MemAg dispute is scheduled for the last week of January. Although bargaining is on-going, resolving this dispute is essential to concluding a collective agreement for both sides.

In the meantime, the collective agreement and all Memoranda of Agreement remain in effect. The FSA's notice to withdraw from certain MemAgs

would take effect at the conclusion of bargaining. The collective agreement remains in effect until either a strike or lockout takes place.

While four days of bargaining over three months might not seem like much, that's four more days than scheduled for the provincial bargaining table. Parties recessed their talks on October 8. The prospects for movement at that table seemed so slim at that time, the unions and management agreed to wait until talks seemed likely to be more productive. Clearly the provincial mandate of no wage increases and no concessions of management rights has the post-secondary employers hamstrung. They are left with very little they can put on the table to make a deal look worthwhile. The unions, including the FSA, see that there are problems with employment at the institutes and colleges that need to be fixed now. "Nothing" is not a solution.

## A farewell to Ian Stockdale

After more than three years as a Labour Relations Representative with the FSA, Ian Stockdale has decided to move on to other challenges.

Ian joined the FSA staff while we were in temporary offices in NE21 following the great Guichon Creek flood of September '07. Ian proved himself by surviving those chaotic early days. Collaborative working skills served Ian well in learning BCIT's unique culture and the FSA's idiosyncratic labour relations history. Ian has always participated vigorously in group discussions and regularly finds a way to assist colleagues, soaking up as much knowl-



edge as he can along the way. As the longest serving FSA rep since Elinor Hudon's retirement in January, Ian has been a reliable go-to reference for how and why we do the things we do.

Members and managers have frequently noted Ian's ability to deal with the most difficult circumstances and people. He has built a reputation as a successful advocate for members in trouble and assisted in settling some of our most important files during this period. Many people at BCIT have dealt with Ian on RTUNES, student employees, and similar matters as he handled responsibilities for bargaining unit work issues. In this role, Ian's incisive analysis helped us get to the heart of many issues and many solutions to help serve FSA members and the BCIT community.

We are grateful for the service he has provided the FSA and its members.



## Instructional workload dispute process underway

By Paul Reniers

What may be the first Instructional Workload Dispute Committee (IWDC) under Article 8.8 is currently underway. The lack of any framework for this process provided for a slow start, but we are optimistic the matter can be resolved by the end of the year.

The dispute involves a group of eleven Communication instructors who claim that contact hours have not adequately accounted for the workloads they are facing. The sources of the problem are many, as Communication faces a tremendous variety of demands to provide instruction and services across the institute. As a service department, COMM has to meet the needs of other departments by offering 60 day school classes to more than 40 technologies. At the same time, their assessment strategies for writing-intensive outcomes must satisfy the requirements of accreditation reviews so these courses credits remain transferable. Additionally, the department runs the Technical Writing Certificate Program and the Professional English Language Development program.

The move to individual workload averages of 15 hours a week was particularly hard for COMM. The demands of some technologies COMM teaches into have led to student-to-instructor ratios of 175 and even 189 to 1. The variation from technology to technology in course length and other loading factors has meant that COMM program heads have had to patch together workloads from a variety of departments to satisfy the workload average for all 23 instructors. As a

result, some instructors teach into several diverse technologies, requiring additional liaison, co-ordination, and preparation.

The FSA's position has always been that the 15 hour average does not eliminate the need to consider a variety of other workload factors in assigning instructional loads. Article 8.8.1 remains in place:

In determining assignment of workloads for instructional staff, the following non-exclusive list of factors shall be taken into account by the Department:

- number of students per instructional grouping
- nature of courses
- number of different courses

- marking requirements
- need for, and availability of, instructional support
- concurrent instructional activities
- assigned administrative and other non-instructional responsibilities
- office hours
- whether the employee is teaching the course for the first time
- variation or changes in curriculum
- specific instructional needs of students
- assigned Prior Learning Assessment activities

Article 8.9 provides access to a similar process for non-instructional areas.

Our hope is that the IWDC will find a means to address workloads in COMM and establish a process for addressing such problems in the future.

## Remembering Michael Stepler President of the BCIT Staff Society 1985-87

Former Staff Society President Michael Stepler passed away November 3.

An Assistant Instructor in Building Technology, Stepler served as the President of the Staff Society from 1985-87. (The name was changed to the FSA in 1996), having previously served as a Director-at-Large on the Executive Committee, chair of the Collective Bargaining Committee and the Society's Treasurer.

During Stepler's terms as President, large changes took place at BCIT. In 1986, BCIT amalgamated with the Pacific Vocational Institute (PVI) the provincial trades school also located on the Burnaby campus with BCIT. There were considerable negotiations at that

time to meld the four unions that existed then, into three.

"I served with Mike for many years on the Faculty & Staff Association Executive in the 1980's and vividly remember what a hard worker, supportive team player and fine friend he was," said Jennifer Orum who served with Stepler as his Vice-President.

Stepler resigned from the Staff Society in February 1987 to work in BCIT's Personnel Department, where Orum remembers he continued to help members in his work.

Stepler is survived by his sister and two nieces.

# Balancing competing rights

## Individual and collective rights in the union environment

By Heather Neun

Much of the rights discourse in the Canadian media assumes that the rights we hold are inalienable or indivisible. This conception does not fit comfortably with the idea that different rights may be competing and may have to be balanced against one another. And yet, this is the reality for the FSA and all unions. It arises because of the FSA's status as the exclusive bargaining agent for all members vis-à-vis BCIT. With this authority comes certain obligations for the FSA.

The first is the focused and objective enforcement of the collective agreement, with a view to representing the interests of all members and advancing the collective or common good. The union's duty and authority in this respect means that the union (rather than members) ultimately has carriage of all grievances.

A second and significant obligation is the union's **duty of fair representation**, which also arises under the *Labour Relations Code*. This statutory duty obliges the FSA to ensure that the interests of individual members are not arbitrarily or improperly subordinated to the interests of other members or the collective. The duty of fair representation means that the FSA must represent each member in a way that does not discriminate or unfairly elevate the interests of one member over those of others. The FSA has to employ an objective and even hand.

So the reality in the bargaining unit is that not all rights are of equal value. They are not inalienable or indivisible. Moreover, some rights have a greater value than others: rights like seniority, which the courts and labour arbitrators



have accorded special value; and rights related to retaining employment.

Whenever such rights come into contention, as in certain selections or where staff layoffs are at play, the individual whose rights are in jeopardy must be given particular emphasis over the rights of others or collective interests.

Underlying the duty of fair representation is the principle that the interests of individuals cannot be sacrificed to the collective good. Individual members must be protected from the "tyranny of the majority", so that fair consideration is given to their specific interests.

How this balancing act plays out in concrete situations is that tensions within the bargaining unit will inevitably arise. The FSA has to decide how to balance these competing rights, whether collective versus an individual, or one individual member against another.

An example of a collective right rubbing up against an individual's right is a Department's procedural rights and decision-making in the context of a member exercising seniority rights to avoid layoff and applying to transfer or bump into the Department. In this instance, the FSA's interest is to ensure that the individual's rights are strictly safeguarded. Ultimately, this safeguarding is in the collective inter-

est because the protection of such fundamental rights in these cases ensures that those rights are effective for all members. In other words, the FSA's duty to fairly represent each member obliges it to act in this manner - but carrying out this duty also serves the collective interest, even though this greater good is not always evident to everyone at the time.

Another instance where the FSA weighs the interests of one member or a group of members in light of the collective interest is where individual rights may have to give way to the greater good. Two such examples are where the union agrees to tradeoffs in bargaining, and when the union declines to pursue a grievance or settles a grievance for less than what is provided for in the collective agreement. In these instances, the union considers how the entire bargaining unit will be affected. As the exclusive bargaining agent, the union may consider such factors as the cost of litigating a grievance and the relative significance of the underlying issue, as well as the challenging realities of negotiating and concluding a collective agreement.

In practice, the FSA has established processes for carefully evaluating and balancing these competing rights and interests. Our professional labour relations staff work to ensure that disputes and potential collective agreement violations are objectively assessed and that recommendations to the Executive are based on the FSA's legal obligations to the members, both individually and collectively.

This balancing of competing rights can create some uneasy tensions, but the membership as a whole is ultimately better served.



# Improved FSA website to launch with new functions and features

If you're a regular visitor to the FSA's website, you're going to notice that things will be looking a little different there soon. We've spent some time improving its functionality, enhancing our navigation to make it easier for you to find what you're looking for -- quickly and easily. We've also added new features and functions to our site to make it easier for you to:

- **find documents** -- such as member guides -- in our new document libraries;
- **share** your thoughts on FSA-related issues with other members in our forums;
- **stay informed** by subscribing to our RSS feed.

## Here's how we've organized it.

### About Us.

Find out who can assist you at the FSA with your specific needs and their contact information. Or learn about our mission or history.

### News and Events.

View our events calendar or browse our homepage post archive, past newsletters and media releases.

### Member Resources.

Check your Collective Agreement or get one of our publications -- such as one of our guides for members or Annual Report.

### Get Involved.

Find out how you can participate in FSA activities, or just find information on FSA committees, finances and policy.

### Links.

Link directly to convenient member-related health, benefits and campus life websites.

### Log In and Forums.

Join our new member discussion forums to share your ideas with other members.

# HSA President gives FSA Tech Reps insight into another union's workings



HSA President Reid Johnson speaks to FSA Tech Reps at their monthly meeting.

**By Paul Dayson**

On November 10, the FSA's Tech Reps received an opportunity to see how another union functions when Reid Johnson, the President of the Health Sciences Association of BC spoke to them at the monthly meeting.

The HSA represents a diverse membership of almost 17,000 across BC. Many of BCIT's School of Health Sciences graduates become HSA members upon entering the workforce including medical radiation technologists, diagnostic medical

sonographers and prosthetists; and they have represented large numbers of our members who worked in industry prior to coming to work at BCIT.

According to Johnson, the HSA is an advocacy organization at its core and faces many of the same issues as the FSA in the balancing of individual and collective rights -- questions about the basing of selection on qualifications versus seniority, and members making employment decisions about other members. He spoke at length about how the HSA uses access to democratic

processes to achieve this balance and accountability, detailing the direct election of stewards and the regional election of its board representatives, as well as the initiation of policy and bargaining proposals at the local level of the association.

Asked about bargaining progress, Johnson said it was slow but that they were "not rushing to zeros but taking our time." In the past, it was normal to have bargaining take nine, 10 or 18 months with the contract being signed almost as it expires, resulting in retro cheques for members. He called it a "get rich slow strategy."

Johnson also panned the proposed tax cut. "The tax cut announced in the Premier's recent TV address will cost the province \$600 million, while a three percent increase for our members costs \$30 million," he said. Many professions represented by the HSA face the same recruitment and retention issues faced by BCIT.

Globally, he said, decisions are being ideologically driven – illustrating this with the example of the agreement by the G20 leaders that the sole focus of funds made available by economic recovery will be used to balance budgets and eliminate deficits. "What about restoring services?" he asked.

The FSA would like to thank Reid Johnson for his time and the insights he provided to our members.

## Upcoming FSA Events

### FSA General Meeting

Wednesday, January 26, 2:30 - 4:20 p.m. - SE6 233

# Providing direction to your Association

## Your future: a rewarding experience as an FSA Director

The coming two years will be riveting, as BCIT's new strategic vision for the Institute is implemented, and the FSA negotiates its next collective agreement. The next FSA Executive Committee will be involved as these changes alter the face of BCIT and have large impacts on the lives of its employees -- working on the FSA's Executive Committee can be rewarding!

"I have gained a greater understanding of the workings of BCIT --the good and bad," said FSA Director Steve Finn. "That, and an increase in profile within the institute, has given me opportunities that may not have happened otherwise."

Our election process for FSA Directors starts in March 2011, when nominations open. Up for election are eight Director positions with two-year terms on the FSA's Executive Committee, including one position for an Associate Member from Part-Time Studies Instructors or lab assistants.

Full FSA members are eligible to be candidates for all positions except the Director (Associate Members) position. Associate FSA Members (P/T

Studies Instructors who are Associate Members, and Lab Assistants) are eligible to be candidates for the position of Director (Associate Members). Only Adjunct FSA Members (Markers, Student Employees and Guest Lecturers) are not eligible to be a candidate for any position. All FSA members may nominate and vote for all positions.

"Everyone (on the board) is a professional in their own areas and know how the institute runs from their perspective - which leads to lots of lively discussion regarding what is the right thing to do for our members and for the institute," said FSA Director Silvia Raschke.

Ask us about joining the FSA Executive. Current members of the Executive Committee are available to discuss their experiences with any prospective candidate. Executive member names and contact information are available on the FSA website at [bcitfsa.ca](http://bcitfsa.ca).

"I am involved in the FSA to work with my colleagues to make BCIT a great place to work," said FSA Director Taco Niet.

"Having been through several rounds of program/staffing cuts, I wanted to be more involved and proactive, rather than always having to react to decisions, after the fact."

**Steve Finn, FSA Director & Program Head, Sustainable Energy Manager Program**

"After being a member of the FSA and reaping the benefit of others' efforts, it feels good to give back."

**Colin Jones, FSA Director & Solutions Architect, IT Services**

"I recognize the value the FSA brings to me, as well as BCIT and its students."

**Silvia Raschke  
FSA Director, Principal Investigator  
CREATE & Project Leader, TPEG**

"What has kept me going is a wonderful membership who appreciate the extra work we put in, the opportunity to learn and do work outside of my comfort zone, and the opportunity to make a difference."

**Teresa Place  
FSA Director & Tech Staff,  
Medical Laboratory Science**

### The BCIT Faculty and Staff Association Team

#### Executive Committee

Amy Fell, President  
Terry Gordon, Vice-President  
Teresa Place, Treasurer  
Joe Boyd, Director-at-Large  
Neil Cox, Director-at-Large  
Steve Finn, Director-at-Large  
Colin Jones, Director-at-Large  
Taco Niet, Director-at-Large  
Silvia Raschke, Director-at-Large

#### Staff Members

Paul Reniers, Executive Director  
Heather Neun, Senior Labour Relations Representative  
Christine Nagy, Labour Relations Representative  
Eileen Chaban, Financial Administrator  
Paul Dayson, Communications Officer  
Marian Ciccone, Office Assistant

### Contact Us

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