

From the President:

In appreciation of Amy Fell

I'm sure I had seen Amy around campus at various FSA Tech Rep meetings, General Meetings, or even on the picket line during the 1999 strike, but my first memory of her comes from the spring of 2000. The FSA was holding a question and answer session for candidates running for FSA President and Vice-President. Amy stood up and asked a question that showed her commitment to the FSA and to BCIT. In that one question, I could see the depth of her knowledge, understanding and the intelligence she brought to it. She showed a vision for the FSA that I also wanted.

Amy first arrived at BCIT as a student living in residence. After graduation she was hired into the Registrar's Office, then migrated to Student Services and ultimately to her position in Program Advising. Amy brought a wealth of experience and knowledge to the FSA when she became involved first as a Tech Rep, then an FSA Board member, then on to FSA VP and finally as FSA President from 2005 to 2012.

The FSA's Executive Director, Paul Reniers, recalls some of Amy's accomplishments (he calls them felonies!):



PAUL DAYSON PHOTO

- Amy was the youngest FSA president and also the longest serving.
- She was the first FSA president to take maternity leave, and her personal grievance resulted in an amendment to the Collective Agreement with maternity leave receiving the same privileges as other forms of leave.
- She significantly revised the FSA's Executive Director's position and oversaw the expansion of the FSA office.
- She participated in three rounds of bargaining with BCIT, and another three rounds with our CUPE staff.
- Importantly, she also built effective working relationships for the FSA as an equal with other PSE unions.

One of our longer standing Directors had this to say:

"I feel privileged to have served with Amy on the FSA Board of Directors for the last five years. During my time on the Board, Amy has led the FSA through many challenges and has ensured the FSA is well prepared to meet future challenges, whatever they may be. The FSA has become a much stronger and more capable organization in large part due to Amy's excellent leadership."

Taco Niet, M.A.Sc., P.Eng.

I feel very fortunate to follow in Amy's footsteps. Amy's leadership has left the FSA a better place than when she first arrived. Relationships with management are more open, giving the FSA and our members an opportunity to be proactive and more involved with any change that takes place at BCIT. Amy's original vision to strengthen the FSA's identity and to bring about meaningful communication has definitely started to grow strong roots.

Amy, I wish to express the enormous gratitude of the members and the Board, as well as my own – thank you

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FSA Past-President Amy Fell.

PAUL DAYSON PHOTO

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for the tremendous job well done. The dedication and effort which you have put into the role of FSA President has left the organization in a place to move forward and with positive options for the future. Your service has been above and beyond the call of duty, for that I thank you most warmly.

We wish you all the best as you continue on the path to receiving your Masters in Leadership and any future endeavours you take on. Your future is bright.

I must also take this opportunity to thank all our members who turn up to General Meetings and encourage others to attend. I thank you for asking your questions and taking the time to contact the FSA when you face challenges. Thank you for supporting your Tech Reps and the valuable work they do; ensuring they have the time to attend meetings, providing them with questions and letting them know challenges that you or your department might be up against. Thank you for sharing the successes your department has made – in sharing these successes we can help each other grow. It is your involvement that makes the FSA a strong organization. We can't do it alone.

*Teresa Place
FSA President*

Bylaws resolutions slated for consideration at Annual General Meeting

The FSA's Board of Directors have finalized proposed revisions to the FSA's Bylaws and will bring them forward for consideration by the members at the Annual General Meeting to be held on October 24.

A pdf of the proposed revised bylaws is now posted at bcitfsa.ca for members to review. Notice of the special resolutions will be posted on the website and emailed to members at the beginning of October.

The need for revised bylaws became apparent during a policy review session in November 2010, where the Board realized that some of the terms of our current bylaws are problematic, contradict the Society Act or are confusing or unclear. Rather than continuing to work with bylaws that have significant issues, the Board decided to take on the task of updating them.

The intent of the revision is not to make radical changes to the FSA but rather to bring the bylaws into line with current legislation and to ensure the bylaws put the FSA on solid footing to meet potential challenges.

If you have any questions relating to the FSA Bylaws feel free to contact Taco Niet, who is the Director leading this initiative for the Board.

A direct pdf download of the proposed Bylaws is available at bcitfsa.ca/filebrowser/download/1276. This pdf as well as the FSA's Constitution and existing Bylaws are available at bcitfsa.ca/executivedocs.

FSA Annual General Meeting

**Wednesday, October 24, 2012 at 2:30 p.m.
SE6-233 (Telus Theatre)**

**Special Resolutions amending the Bylaws of the Faculty and Staff Association
are to be debated and voted upon at this meeting
The wording of the Special Resolutions and amended Bylaws
are available on line at bcitfsa.ca.**



Disappointing summer of bargaining leaves BCIT, FSA no closer to agreement

by *Paul Reniers*
FSA Executive Director

After a lengthy hiatus to work out implications of the legal dispute regarding memoranda of agreement, bargaining between the FSA and BCIT resumed in June with six days of negotiations. We entered June with a message to members and the employer that, after two years without a contract, we needed to have an agreement for members when they returned to campus in September or we would ask them for direction on what we should do to bring an agreement about. Sadly, we're not much closer to a new contract.

We proposed a bargaining schedule to help us get through the remaining issues. The employer didn't want to keep to a schedule. The environment at the bargaining table was amiable and, at times, even collaborative but no significant resolutions were achieved.

Despite having six bargaining days in June and being unavailable in July and August (we offered to meet through the summer), the employer told us they would not receive their mandate from the provincial government for 2012-14 until the second week of July. Without a mandate, the employer was unwilling to make any move at the table. We expect the provincial mandate to be about as restrictive as the 2010-12 mandate, which offered us nothing.

Despite the friendly mood at the table, we left the June sessions feeling very disappointed. We believe there are many

Representation. Negotiation. Advocacy.

significant things BCIT could do without a mandate or within the very narrow terms being set by the government. We have yet to get an explanation of why BCIT will not consider maternity leave top up for its largest employee group, even though that benefit is listed as one of the reasons why BCIT was recognized as one of BC's top employers. We believe it's entirely within BCIT's authority to convert auxiliary PTS contracts with regular and temporary contracts where instructors work full time during the day, yet they have made no move to do so. To resolve the preferred candidate issue, they continue to insist that the union give up its rights while offering no new rights to temporary employees. The provincial mandate does not prevent them from taking steps to better define AI workload but they have shown no openness to doing so.

BCIT already could have taken these and other steps to advance bargaining but has not. These negotiations are hard enough given the restraints imposed by the provincial government. The employer is making it even harder. BCIT cannot and should not use the provincial mandate as an excuse for not taking the steps it can to get a reasonable contract.

We are trying to schedule more bargaining dates for the fall. With the provincial mandate received, all issues well surveyed, and the proposals more focussed, considerable progress in bargaining should be possible. The FSA Bargaining Team will report to members at the Annual General Meeting on October 24 and seek further direction.

FSA pursues grievances for AIs

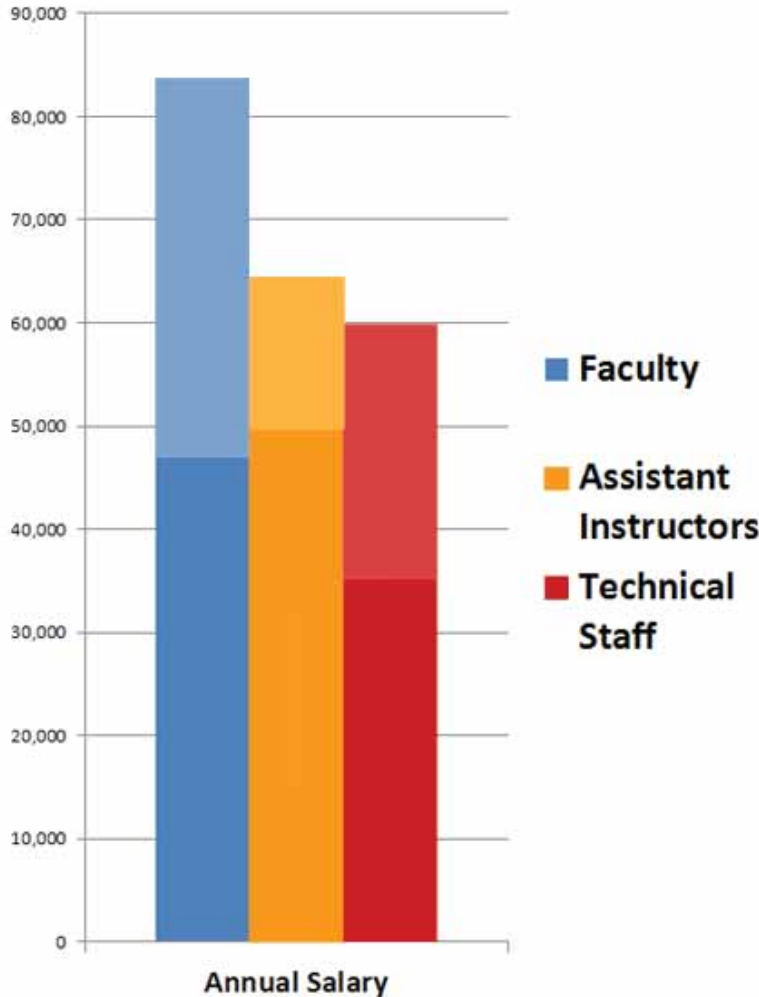
by Paul Reniers,
FSA Executive Director

The FSA has initiated grievances on behalf of two members to seek compensation for faculty responsibilities assigned to them as Assistant Instructors. Through the grievances, we want to clarify when a member is assisting or supporting an instructor and when one is actually working as an instructor.

The distinction between AIs and Instructors has been an issue since even before the AI category was created in 1988. The matter previously went to arbitration in 1993, although the arbitrator noted that his decision was very particular to work done at the time by Nursing AIs in clinical settings. The current grievances relate to more traditional classroom lab settings.

The FSA has made several past attempts to correct inequities between the AI and Instructor classifications through bargaining, but the definition of the Assistant Instructor classification has remained largely unchanged. We also recognize that there are significant differences between the work assigned to AIs from department to department and, in some cases, even within departments. The grievance route is an alternative approach to address the problem for AIs who choose to come forward to have their specific issues examined without trying to change a classification that works well for some individuals and their departments.

Growing inequity between Faculty and AI compensation has also fueled our decision to grieve. Increases to the Faculty pay scale have significantly outstripped increases to the AI scale. Faculty at the top of scale receiving the PD allowance now make \$21,836 more than an AI at the top of scale.



By comparison, the difference between AI and Tech Staff top of scale is only \$4,519, about a fifth of the Faculty-AI differential. When an AI and an Instructor are both given the same contact hours for a lab with the same responsibilities for preparing, presenting, and evaluating, that difference in pay is very hard to tolerate or justify.

As a remedy to these situations, the FSA is seeking compensation as Faculty for the AIs wanting to have their issues examined. Unlike past efforts, we are not seeking reclassification or directly to change the AI classification. We hope that, as a result of these grievances, members will be paid appropriately for the work that they have done and that instructional work will be assigned appropriately in the future.

While we pursue these grievances, we are also advancing AI interests in bargaining. We have proposed that AIs have an amount of unassignable time in proportion to their contact hours. Currently, AIs work a 35 hour week with up to 20 contact hours. We have had examples where departments try to assign non-contact duties to AIs with full loads of contact hours. We are asking BCIT to recognize that AI contact time also requires additional time within the 35 hour paid work week for preparation, marking, student questions, collaborating with colleagues, administration, and other matters.

The AI category can be seen as an attempt to prevent members from working like faculty when they are being paid like Tech Staff. In some situations, this injustice continues. Where it does, the FSA wants to address it. If you feel that this is your situation, contact FSA Executive Director Paul Reniers at preniers@bcit.ca.

The Low-down on Administrative Allowances

by *Christine Nagy*,
FSA Labour Relations Representative

What are administrative allowances and who gets paid them?

Administrative allowances are paid to FSA employees who are appointed to administrative positions within a Department or Program. These positions have various titles such as: "Program Head", "PTS Coordinator," "Clinical Coordinator," "Team Lead" and "Department Coordinator". The appointment process is governed by Article 5.2.4 of the Collective Agreement, which provides that recommendations for appointment are "made by the Department through the Manager" (Article 5.2.4.1).

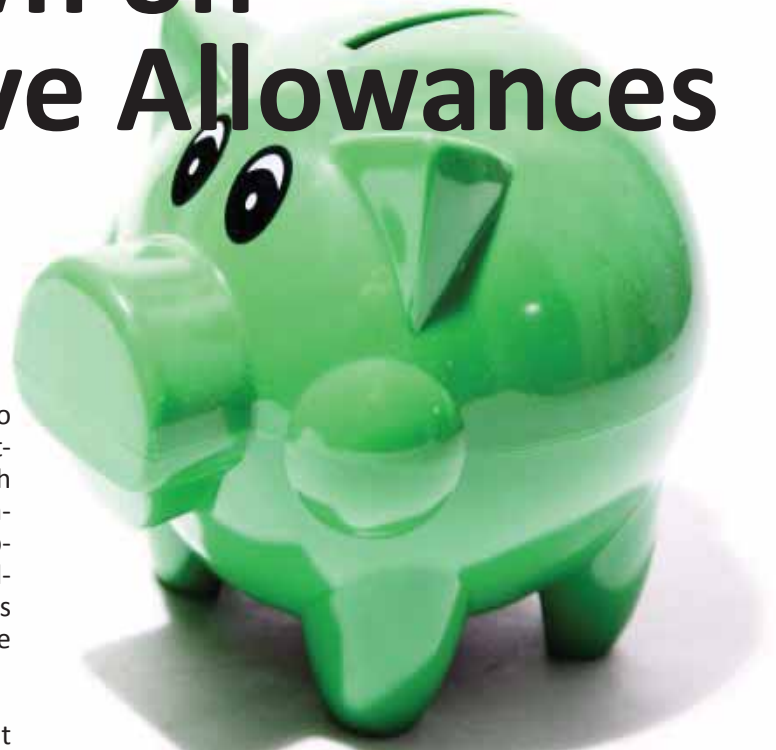
Administrative allowances are paid biweekly and are set at two different rates: Level 1 is \$117.24 and Level 2 is \$57.80 (Article 15.6). Which level you receive depends on an assessment of the factors set out in Appendix 5 (AP5.2.5) of the Collective Agreement (p. 122). If you are receiving a Level 2 allowance but think you should be getting the Level 1 allowance, please contact the FSA.

Are you receiving less than a full administrative allowance, and if so, what should you do?

If you are being paid less than a full (100%) allowance - including if you are sharing an allowance with one or more colleagues – please contact the FSA.

Why is this important?

Several years ago, the FSA discovered that the Institute was automatically prorating allowances (and thereby paying less



than a full allowance), based on a member's percentage of FTE or "active service". This was happening in cases where the member was still performing all of the duties that gave rise to earning the allowance. The FSA filed a grievance, objecting to this policy and taking the position that BCIT is not entitled to prorate allowances based on a member's percentage of FTE or service.

In September 2011, the Institute allowed the FSA's grievance and agreed that it would rescind its proration policy. At the same time, the FSA notified BCIT that it would review all future cases where members get less than a full administrative allowance because the default should be that members are paid a full (100%) allowance. **If you are receiving less than a full allowance, we encourage you to contact the FSA.**



Advocate for your salary scale placement

by Paul Dayson,
FSA Communications Officer

Where you are placed on the salary scale when hired will have a major impact on your take-home pay, on your lifetime earnings, and eventually, on your pension benefit!

Initial Placement

Selection committees play an important role in a new employee's initial placement (Articles 5.2.3.3.5; 11.2.1; 11.4.1; 11.6.1). Under the FSA Collective Agreement, the Dean or equivalent is mandated to review the new employee's placement on the salary scale (Articles 11.2.5; 11.4.3; 11.6.4). FSA selection committee members need to exercise their role and recommend the step at which new employees should be hired.

Pay attention to your initial placement. An analysis of where you have been placed on the salary scale will accompany your appointment letter via the placement form for your respective job classification. Examine your placement form closely, and question anything you think is incorrect. There is a six-month time limit (from the date of appointment) on your right to appeal your initial placement (Articles 11.2.6 for Faculty; 11.4.4 for Assistant Instructors; 11.6.5 for Technical Staff), so act right away if you believe a mistake has been made. Contact your Human Resources Advisor to have your placement reviewed. If you are not satisfied with the response, please contact the FSA.

If you fail to receive satisfaction from taking the steps above, you have the right to appeal to the Institute Placement Committee (IPC) for a review of your initial placement.



Advancing additional steps through service

- Full-time members advance an additional step on their anniversary date (April 1 or October 1) each year. Part-time employees advance on the first of the month following the completion of the equivalent of an annual workload of a full-time regular faculty member.

Advancing additional steps through achievement

Steps can be granted for:

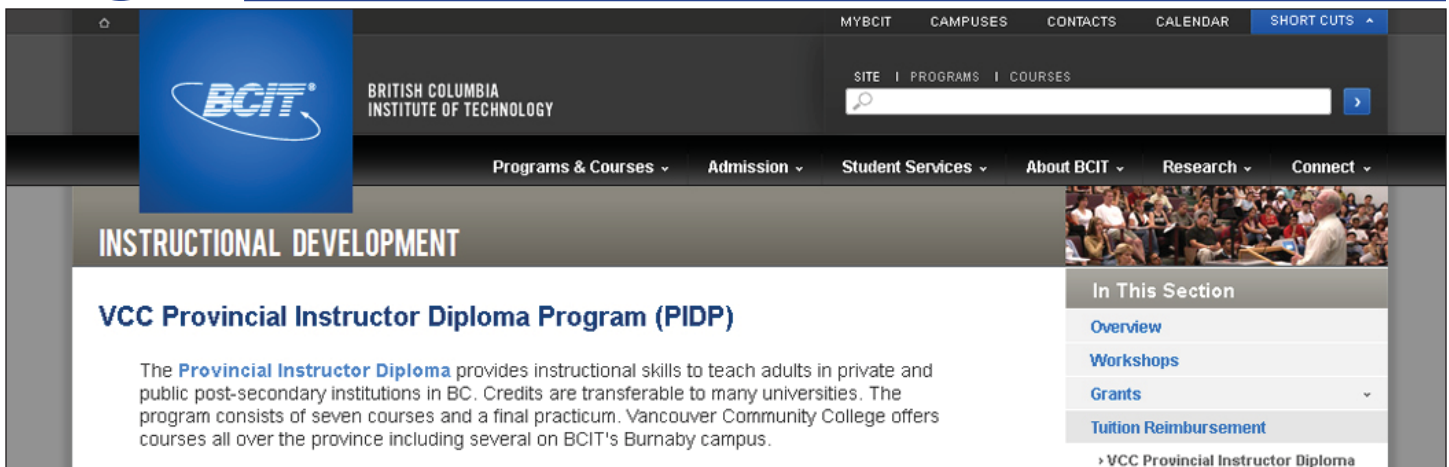
- Additional education (Articles 11.3.7; 11.5.5; 11.7.4). This can include obtaining your Bachelor or Master's degree, or other professional credential. Recently, BCIT has begun awarding a step to members for completing the Provincial Instructors Diploma.

- Achievement and bringing recognition to the Institute (Articles 11.3.7; 11.5.5; 11.7.4). This could be through one's professional activities, research, publishing and/or community profile.

Members should apply (using the pdfs linked below) as soon as possible to the IPC if they wish to appeal their initial placement, or if they believe they qualify for a step increase due to additional education or other achievement. Do not delay, and encourage new colleagues to examine their placement!

Appeal of Initial Placement PDF:
bcit.ca/files/hr/pdf/fsa_appl_appeal_init_place.pdf

Application for Advancement PDF:
bcit.ca/files/hr/pdf/fsa_appl_advancement.pdf



Upgrading opportunities for your teaching skills and professional advancement

by Paul Dayson,
FSA Communications Officer

Instructional Skills Workshops (ISW)

Available to all FSA instructors, Instructional Skills Workshops are normally offered all year round during the evenings, weekends and academic breaks. The workshops comprise a program of 24 hours of facilitated instruction in small groups of about six colleagues.

Designed to give instructors the skills they need in the classroom, the program covers instructional techniques, lesson planning, basics of marking and giving feedback.

The ISW is free and is credited as a course towards the Provincial Instructors Diploma. To find out more visit: bcit.ca/ltc/instructors/workshops/isw.shtml

Provincial Instructors Diploma (PID)

The PID is designed for someone who has been teaching in the classroom, wants to take it to the next level and move into the academic side of the theory of education. It is useful for curriculum design, program design and teaching methods, but can still be valuable to instructors.

The PID is recognized by the placement committee as an upgrade that results in a step increase on the salary scale. To take the PID, FSA members must complete the ISW (above) as a prerequisite.

Funding for FSA members interested in taking the diploma is available through the Instructional Development Commit-

tee's Instructional Skills Development Fund which supports activities and resources directly related to the improvement of teaching and learning. See bcit.ca/idc/ for more information on accessing this funding. Professional development leave may also be available, and to access this, you should speak with your program head.

To learn more about the PID as a learning opportunity, visit bcit.ca/idc/diploma.shtml.

The Instructional Development Committee

The IDC also has resources, links and other workshops available on its website at bcit.ca/idc/.

Looking forward: an Intermediate Program?

BCIT could be looking at creating an additional level of instructor education. BCIT Vice President of Education and Research Paul Dangerfield said there is a need for more practical workshops to be developed like a five- to 10-day program that bridges between the ISW and PID programs to assist people from industry become excellent teachers.

Dangerfield said, this comes out of a conversation on educational quality and teaching excellence with staff in the Learning and Teaching Centre, the deans and members of faculty in the open forums. Dangerfield holds these forums on the first Friday of each month during the academic year, rotating through each of BCIT's campuses. Streaming of previous sessions is available at BCIT's Fiveforward website (commons.bcit.ca/fiveforward/) for those interested in the discussion.

FSA delays plans for office renovation

*by Paul Dayson,
FSA Communications Officer*

The FSA has delayed its plans to perform renovations of its office over the summer.

The FSA notified members of our intention by email in May and only one member registered an objection to the plans. The Board decided it was prudent to delay the work until after the October Annual General Meeting. It was felt that this would provide an improved tendering process and better meet members' expectations.

The renovation is intended to increase the privacy of members seeking assistance and the security of FSA staff and data, while creating a more organized entry to the FSA office.

The renovations planned would cost approximately \$15,000 and include:

- Converting the current small interview room into a reception area

- Moving the public entrance to the FSA office from the door immediately adjacent to the exterior doors to SE 16 to the door that currently enters into the small interview room
- Eliminating the interior access to the boardroom and the hallway leading to it
- Creating a new small interview room in the space now making up the hallway to the boardroom and part of the executive office
- Reducing the width of the current executive office
- Installing a door between the new reception area and the passage way to the interior offices and work areas

Any members who would like to come over to walk through the plans, please email Paul Reniers at preniers@bcit.ca to arrange a meeting.



Curriculum Development Contracts are not piece work

*by Paul Dayson,
FSA Communications Officer*

Members have asked what they are accountable for when doing work on a curriculum development contract. Do they need to continue working until the project is complete or until they have worked the hours indicated in the contract?

Under the FSA Collective Agreement, curriculum development contracts are premised on the developer being paid for each hour worked. The developer's contract does not require that they continue to work indefinitely until a product meets the manager's satisfaction. The employee has an obligation to undertake their responsibilities diligently and with care and to work the hours for which they are paid. The manager must ensure that their expectations are reasonable given the time provided and they get the work that

they need done in the time for which they are prepared to pay for. If the manager does not manage the contract and the time spent adequately, they will have to pay for any additional work required. If the contractor under performs, future employment is at risk.

Put another way, a curriculum development contract at BCIT is an auxiliary employment contract. Developers are BCIT employees for a limited numbers of hours. Developers are not independent contractors who agree to a contract price for the work and take the risk on their ability to produce an adequate product in a reasonable amount of time to earn a good hourly rate. The hourly rate is set by Article 15.18 of the collective agreement. The manager responsible for the contract takes the risk about whether they can get an adequate product in the time for which they have contracted.

PSE unions stand up for members' right to participate in institutional governance

by Paul Dayson,
FSA Communications Officer

In April, the provincial government adopted the Advanced Education Statutes Act – Bill 18 – which amended a number of laws that govern BC's post-secondary institutions. Since it was first introduced into the legislature last fall by then Minister of Advanced Education Naomi Yamamoto, representatives of faculty and staff at all of BC's public post-secondary institutions and other critics have alleged it undermines the role played by those who work and study at BC institutions.

The Act restricts members from sitting on both the Board of Governors and a union or association – such as the FSA – that engages in collective bargaining with the institution. Faculty representatives at two BC post-secondary institutions have already been forced from their boards as a result.

Bill 18 also gave the Board of Governors at BC's universities, colleges and at BCIT the ability to oust a board member with a two-thirds vote and it bars elected representatives from



BCGEU president Darryl Walker and FPSE president Cindy Oliver speak to reporters outside the Robson Square Law Courts, where the two unions filed a court challenge to Bill 18.
BCGEU PHOTO

serving as the chair of a board. This procedure is poorly defined in the Act and is open to abuse since it effectively gives the power to the government appointees to oust elected students, instructors and staff who don't toe the institution's official line.

While the Ministry has said that these changes are necessary to prevent conflicts of interest, representatives of these groups argue that this is a blatant attack on students, staff and faculty.

In June, the Federation of Post-Secondary Educators (FPSE) and BC Government and Service Employees' Union (BCGEU) filed notice of a constitutional court challenge to the Act. Court documents detail how the passage of Bill 18 has forced one of FPSE's faculty-elected Board members at Vancouver Island University (VIU) to be removed from that institution's Board of Governors because the member also sits on the local faculty association executive.

CALLING ALL BCIT EMPLOYEES



Friday@4 presents:
Col. Panic at Professor Muggs

Friday, Sept. 21, 3 - 5:30 p.m.

Live Music • Free Burger and Beverage Draw
Free Appetizers • 50/50 Draw for the United Way
Bring a Friend for Your Chance to Win Awesome Door Prizes

FSA Director By-Elections and Board Appointment

The FSA Board has two new Directors, Brian Ennis and James Booth.

When nominations in the FSA By-Elections for Directors-at-Large closed on May 1, only Ennis, an Assistant Instructor in Mechanical Engineering, had been nominated for the two open positions. FSA Returning Officer Colin Jones duly declared that Ennis had been nominated and acclaimed to the position. Ennis joined the Board for his first meeting on June 6.

At its June meeting, the FSA's Board of Directors discussed the vacant position and chose to appoint James Booth, an Instructor, in the School of Computing and Academic Studies' Physics department, to the Board. His first meeting was the August 29 board meeting.

FSA reaches new Collective Agreement with its CUPE staff

*by Paul Reniers
FSA Executive Director*

FSA staff members, represented by CUPE 1004, ratified a new collective agreement with the FSA in July. The agreement was the result of several bargaining sessions held between April 2011 and April 2012 and renews the agreement that expired April 30, 2011.

The new agreement provides for general pay increases for two percent a year each year for a three-year agreement expiring in 2014. The agreement also restructures the pay scales for the critical representative positions and settles on a salary scale for the new Labour Relations Administrative Analyst position, bringing the total cost of the contract to about eight percent over three years. The FSA Board of Direc-

tors believed that they should negotiate an agreement with staff that represents fair compensation such as we expect for FSA members rather than tie the staff to an unreasonable provincial mandate.

The agreement also establishes a performance development system for FSA staff comparable to the PDS which FSA members have access to. The parties agreed to implement such a system two contracts ago. That system has finally been detailed in a way that can now be carried out.

Other significant changes bring the FSA staff agreement more in line with the FSA-BCIT contract in the areas of discipline, recall rights, and the use of professional development expenses.

Finn appointed as PDS Coordinator

Steve Finn of Renewable Resources will serve as Professional Development System Coordinator with 0.5 FTE release for the period June 1, 2012 to May 31, 2013. We were very pleased Steve chose to make himself available for this posting. Steve has experience with the PDS as an Instructor, an Assistant Instructor, and in PTS, and has a strong history of working with the FSA and with management on Institute committees and in program leadership.

Updated contact information for the PDS Coordinator will be provided when it is available. In the meantime, Steve can be reached at Steve_Finn@bcit.ca and at 604.432.8857.

The BCIT Faculty and Staff Association Team

Board of Directors

- Teresa Place, President
- Silvia Raschke, Vice-President
- Steve Finn, Treasurer
- Jim Booth, Director-at-Large
- Alistair Calder, Director-at-Large
- Brian Ennis, Director-at-Large
- Joe Newton, Director-at-Large
- Taco Niet, Director-at-Large
- Kathryn Stewart, Director-at-Large
- Ted Rutledge, Director (Associate Members)
- Amy Fell, Past-President

Staff Members

- Paul Reniers, Executive Director
- Heather Neun, Senior Labour Relations Representative
- Christine Nagy, Labour Relations Representative
- Tess Rebbitt, Labour Relations Representative
- Sascha Swartz, Labour Relations Administrative Analyst
- Maria Angerilli, Executive Assistant
- Paul Dayson, Communications Officer
- Marian Ciccone, Office Assistant

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