

Tech Rep Meeting Minutes

January 11, 2023

Meeting Protocols

Review of support roles

Meeting is private - do not share materials or notes with anyone who is not a member.

Attendees will be invited to participate on a first-come, first-served basis, prioritizing those who have not yet participated.

Zoom attendees should be muted unless speaking.

Land Acknowledgement

Expression of gratitude to be here acknowledging we aren't perfect.

Vice President's Report

Acknowledgement of the passing of James Macadam.

In-person GM

January 25th is very important.

We will not be hybrid; we will be in-person to pass a motion to provide for legally hosting hybrid general meetings.

Please come and bring at least one or two colleagues with you.

We need 75% to pass the motion, as well as quorum.

Hybrid meetings are important for accessibility reasons. This meeting is in-person to provide for this possibility.

Special resolution to amend bylaws

There are some formatting items.

There are some updates to reflect current practices.

Questions

Is proxy voting allowed?

- No. Unfortunately not.

Is an RSVP required?

- No. Just drag colleagues on the day-of.

What is quorum?

- 50 people

When did the prohibition against proxy voting arise?

- Proxy voting was never allowed. Proxy voting is not allowed by default.

Bargaining and Board activities

Some staff and some Board did attend CAUT council.

Board had its full day policy meeting.

We don't change bylaws very often.

Farewell Michael Conlon

We are saying farewell to Michael on February 3.

Michael has made significant contributions, such as the BSN grievance resolution.

Hopeful that as the ED of FPSE, we will still benefit as he works to improve the labour relations landscape.

Approved a transition plan focused on stability and continuity. Colin will take on the additional duties of the ED. Maria will also take on additional duties. In both cases on an interim basis. The Board has also approved access to additional consulting options during the transition.

Questions

These seem like big jobs to do all of them at once. Can you talk about how the breakdown of these tasks are going to be divided?

- Our goal is stability and continuity. Colin is on 100% release already, and has an office in the BCITFSA office with staff. He is also our Chief Negotiator, so it seems like a good fit to continue with Colin. In the past, we have leaned on external consulting services to alleviate the burden. That has worked.
- Thanks for the concern. It was the Board's biggest concern as well. Emails have also expressed that concern. Three obvious gaps are left with MC's departure.
 - o The office (which we be handled by Maria with her long history at the BCITFSA)
 - o Labour relations – this is the biggest gap, though we have good staff and good counsel to lean on.
 - o Bargaining – MC has been a huge help, but we are a fair way down the road, we are exchanging monetary proposals in the next session – we also have CAUT, consultants, and MC as additional supportive resources
- OHRD has been through this transition a few occasions, and so they are quite comfortable managing the day-to-day.
- Maria does all the day-to-day from an operations perspective. Members shouldn't see any change overall. What will be lost is the higher level strategic element. MC made it clear with his new employer would be available during the transition. Also, FPSE and BCITFSA have a lot of overlapping interests.
- Key element of the temporary appointment is the shift of reporting from staff up to Board.

Colin would be responsible to the Board? Wouldn't that mean that Colin would be responsible to himself?

- Not quite. The President is the first among equals. He is responsible to the Board as a whole.
- There is no perfect model or timing for an ED transition. This may not be perfect, but we are confident that this is a temporary, working solution.

What about adding more interim LR people? Doesn't the ED need to have more of an LR background?

- When Colin took on Chief Negotiator, the VP took on duties of the President as well.
- The Treasurer will also come in as a support to the management team which includes the President, VP, ED, and OHRD.
- In the past we have used external counsel and consultants to support the LR work.
- Michael's role has shifted since BSN from managing grievances to oversight. We have professional staff to handle LR. Colin has been at BCITFSA on a fulltime basis for the past 5 years. Colin will be bringing this asset as a trade-off in losing some expertise in LR.
- We have legal counsel in Vancouver with exhaustive knowledge of collegial governance thanks to the BSN grievance.
- This isn't perfect, but, in the short term, we don't see any projected loss of service to the membership.

When does the hiring process for the ED begin?

- We want to move significantly through bargaining before commencing a formal search.
- The search process is intensive and draws on BCITFSA resources. We don't want to take those resources away from bargaining. Additionally, a new ED would draw on resources for orientation.
- Short answer: after bargaining.

State of the Union

Funding review 'update'

It's clear that the review has hit a detour. The Secretariat is silent and has met none of its milestones. We expect that there is no political sponsorship since the change in leadership and cabinet.

Clearly won't make it into budget for 2023-2024.

Bill 124 victory in Ontario

I worked to ensure that all union's joined the resistance against Bill 124, to ensure unions' continued right to negotiate directly with their Employer.

Bill 124 was struck down by a superior court.

There is nothing different from what Ford did in Ontario to what is happening in BC. We have a current government that is more generous to the labour movement, but structurally, we are still barred from bargaining directly with our employer (BCIT).

Job number 1 at FPSE will be continuing the work to rectify this situation in BC.

Adieu

I came with a largely research institute background.

I should note that this is an extremely high level of engagement, and I think this is a testament to this group. So, by way of goodbye, I want to say thank you, and encourage you to keep up the good work. The Union can't do anything without you, and you are the leaders in your department.

Bargaining Update

Review of bargaining flowchart. Still at bargaining table.

- We dealt with protocol agreement
- We dealt with non-monetary items in 9 days
- We are now poised to bring monetary items to the table (e.g. pay, leave provisions, benefits)

The mandate has been set by other public sector unions.

About half of provincial public sector employees have new collective agreements.

At this point, much of the terms of the mandate have been worked out through various different bargaining processes.

We anticipate our timeline on the basis of past rounds. Normally takes 20-some-odd days at the bargaining table. We have 2 days this month, one or two next, and will continue to make progress.

Questions

What has been done to address PTS instructor inequities?

- There are inequities. We are working to make incremental gains to reduce those inequities, which amount to 40 cents on the dollar for PTS instructors.
- This is a sectoral problem.
- Governments claim they can't afford the remedy but are consistently running surpluses.
- We hope to make small inroads on improving the working conditions of PTS members.
- This has been a priority for the bargaining committee.

LR Education: Academic Freedom and its Discontents

This is a large topic.

Academic freedom started in 19th century Germany. The idea is that the best conditions for producing intellectual product is the provision of the maximal freedom of thought and expression.

Slightly different in Canada – in 1950s and 1960s the issue was settled as the ability to freely research, communicate that research, and comment on the institute in which that research is conducted.

- Courts have accepted that post-secondary are unique employers and that employees have a unique set of rights.
- We have model CAUT academic freedom language in our CA – some of the best in the country
- Policy 5701 there is some ambiguity and disagreement regarding the application to PTS members – It is quite good language nonetheless.

There isn't any support in jurisprudence to support that members have rights to determine mode of delivery of course on the basis of academic freedom.

- More uncertain is management's right to switch one mode for another.
- It is also unclear how this would play out where the rationale provided for a change in mode of delivery was purely pedagogical. The pedagogical argument would be much stronger.
- More freedom around the selection of teaching materials, so long as it meets the minimum standard expectations.

Distinction between intramural and extramural speech. You have right to criticize BCIT. Most employers are owed a measure of loyalty. This is not the case for BCIT. You need not hold back your criticism of BCIT where that criticism is expressed politely and within certain parameters such as not engaging in personal attacks.

There is an uneasy relationship between academic freedom and civility codes. Civility codes in the US are sometimes used let go problematic personalities.

There is also an uneasy relationship between academic freedom and equity initiatives. Unions have a legal obligation to support some members who may take some very troubling perspectives. This clash is important to recognize. Happily, we haven't seen this play out here, but we should expect it to at some point as it has elsewhere in the province.

Questions

What if a student didn't read material and the instructor told them? Is that disrespectful?

- No if that is all that was said, but everything is case specific.
- The line is the difference between a terse response and a personal attack.

Open Forum

Donut draw