



Volume 2 – Issue 7

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Outsider – The Voice of the Tutor

Tutor Conference and AGM – Rob Wiznura

Mark October 20th in your calendars and plan to attend the CUPE tutor conference and AGM. The university is no longer interested in running conferences for tutors and academic experts, but they have given us some funds to run a conference in conjunction with our AGM. We are planning sessions on wellness (yoga at the desk) and technology (learning how to love PDFs); we are planning a session with members of the students' union about what a student wants from a tutor and how to be more responsive to their needs; and we are hoping to have a *fabulously prominent* guest speaker (cross your fingers on that one). There will be

a hot breakfast to start the day as well as a lunch before the longtime service awards. The AGM for your union caps the day, with snacks and deli-type food available during the meeting. The university pays a \$100 stipend for attending and will cover travel costs up to \$150 OR the full price of any bus ticket. Out-of-town guests can stay the Friday night on AU's dime. If those guests stay to attend our AGM, the local (CUPE 3911) covers the cost for Saturday night's accommodation.

So Come. Participate. Learn. Laugh. Eat. Meet your fellow tutors.

Mission Control, we have a problem. . . . Local Executive

Indeed, we do. While this item largely pertains to our Academic Experts, we all need to be aware of this situation. Unlike tutors, who receive a basic block pay for manning the phones, e-mail, and so on, Academic Experts (AEs, for short) must invoice each and every phone call, e-mail read, e-mail responded to and so on in order to receive compensation.

In short, AEs are paid piece work. Unfortunately, AU now does not want to pay AEs for all the pieces of being an employee of the university. Several years ago, in consultation with the university, we managed to settle on a generalized list of acceptable items for invoicing.ⁱ

It seems that with certain changes at the helm or some knee jerk reaction to perceived budget issues, AU has been on the attack. What has been happening with increasing frequency is that many things an AE does and claims for are being denied, effectively lowering pay. It gets even worse. Not only is there a reduction in pay, but AU has been rejecting the entire time sheet, thereby halting payment of ALL invoiced items (even those AU has no issue with) until the item or items in question are dropped by the

individual or challenged and accepted by the university.

This is a bullying tactic that is not only a violation of the collective agreement, but it also violates the Employment Standards Code. The reality is, of course, that many AEs do not have a lot of time to be challenging these items or cannot afford to be without pay. Many are resubmitting a revised time sheet. Many are so intimidated by the process of invoicing such items—to which they are legitimately entitled—that they drop them in subsequent invoices. The Faculty of Business essentially relies on our limited human capacity for conflict and our time restraints to intimidate our members. (Perhaps this is one reason the call centre model is attractive to certain parties? But I digress).

UNLESS WE STAND UP TO THIS, THE DOWNWARD CYCLE IN OUR PAY WILL CONTINUE AND AEs WILL EARN LESS DESPITE DOING THE WORK AND BECOME MORE AND MORE MARGINALIZED.

First, we need to grieve. AEs need to itemize and submit on their time sheets for all the things they do as an employee of AU and they need to file

grievances EVERY TIME a claim for work is rejected. Grieving is the legislated right of unions and AU needs to take notice of a grievance. If we don't grieve then there isn't any reason for the University to change its practice and it will continue to make money by not paying you for your work. If you have questions about the risks to you or what time will be needed then give us a call.

Secondly, AEs need to continue to invoice for the work they do, even if that work has been rejected. Until we force AU from withholding the entire pay, AEs should resubmit a revised time sheet with a follow up e-mail to AU advising them that the time sheet is being resubmitted without prejudice to your right to challenge the denied item. That wording is

Bargaining – Rob Wiznura

In some ways, this is a short item: **bargaining is not going well**. Perhaps *bargaining* is not quite the right word: We put proposals on the table which they reject. What are they offering? *Nothing* pretty much sums it up. 0% for three years. A cap on our benefits, meaning we will pay more. (Should I add that the university has actually been making money for many years from our underutilization of benefits?) They want to take back items that we just negotiated last collective agreement. They even want an item back that we won in arbitration!

To paraphrase team leader Yessy Byl, typically when you have little in terms of money, you are willing to negotiate other items, such as language, that will improve the agreement in other ways. Evidently their team does not understand that principle. Even the bargaining committee AU has put together trivializes the process. No executive member is on the bargaining team, which is unprecedented. Their committee cannot even bargain without having to consult someone outside their team before replying with their "no."

As a result of the pronouncements that a call centre model would be implemented throughout AU (which seems to be at least temporarily on hold), our bargaining team made a very specific request for information with respect to the decision making process leading up to the Board of Governors passing the motion to save 1 million dollars from the Tutor Budget by implementing a Call Centre model. Generally, Labour Boards have said that unions are entitled to full disclosure of information that affects

important: "I am resubmitting this time sheet without prejudice to my right to challenge any and all denied items."

If AEs do not challenge the denial of claims today, tomorrow will come another and another and, before we know it, AEs will only be paid for marking and still have to do all the other work associated with the job. Ignoring the problem will pull not only the individual down, but all the other AEs. No AE is alone; there are AEs who have already filed grievances as a result of these denials. If you have been denied a claim, let our administrator, Jackie Routh, know and we will provide resources to help you fight for your legitimate pay.

the terms and conditions of work once that information is requested as part of the bargaining process. We have received none of the information requested on this issue. Instead, we were told to go participate in the committee process. This isn't acceptable. The possible implementation of a call centre model throughout the university is a dramatic change in the working conditions of a large number of our members and there is a refusal by AU to engage in any discussion about it at the bargaining table. Indeed, when we started bargaining, their committee said they were unaware of the Board of Governor's motion!

Given the AU bargaining committee's refusal to provide any information about the million dollar plus cut to the tutor budget, your bargaining committee is considering the possibility of a complaint to the Alberta Labour Relations Board. (It's called "bargaining in bad faith"!)

By the way, we also asked the question: if you don't realize the cost saving by timely implementation of the call centre model (apparently it was supposed to be in place by now!) how are you planning to realize those cost savings (or any part of them)? No answer... If we do not get anywhere in bargaining, the Alberta Labour Relations Code requires a mediation process before either party can take a strike or lockout vote. The Labour Code also provides the option of both parties agreeing to take the issue of settling the terms and conditions of the collective agreement to an arbitrator. It appears that AUFA is heading that way (although in their case, they do not have an option....there is no right to strike). Musings about

where we are headed are somewhat premature but certainly the entire issues of job and income security is critical to us at this time and seem to be ignored by AU at the bargaining table.

We'll keep you posted.

We need you!

The time has come to step up to the plate. We need “stewards” to help *initiate* grievances and carry them through the first rounds. Once a grievance goes to a higher level, CUPE National’s labour representatives will step in and help, but, in most cases, the university will not want to spend the money on its own lawyers to fight the grievance, money that would likely be more than the grievance itself. If we all work together, we can make the university see that it costs them more to fight the invoices than to pay people for the work they have already done. At the upcoming AGM, we will be putting out a call for stewards. Please consider it. If we have enough stewards, we can spread the work around and extend the life of Brenda, our current grievance officer, who spends far too much of her time helping us.

PD Funding: The inside story - Theresa Ferguson

The CUPE Professional Development Fund is administered by two CUPE representatives, currently Deborah Foster and Theresa Ferguson and two representatives from AU, currently Seona Noseworthy and Cammy Peden. Wanda Kenny is the Administrator. There is \$40,000 available each year for CUPE members to attend professional development opportunities.

Applications are reviewed quarterly, starting with the beginning of the fiscal year, April 01; then around July 01, Oct 01 and mid-Dec. Ms. Kenny sends out the reminders to submit applications. Most applicants are attending conferences, ranging from the international to the local. Grants are capped at a maximum for one individual in the fiscal year. The Committee has just raised the cap to \$1500 per person with an additional \$500 possible for activities involving international travel.

After the activity, grantees submit receipts for expenses and a report on the activity to the Administrator.

The process is going through a period of change. The survey sent out to all CUPE tutors will give us some insight into the wishes of our members. One change is that we will now be posting some or all of the activity reports so that other tutors may benefit from these experiences.

For information on the rules of the Fund and the application see the forms section of MYAU under the Tutor Portal or go to:

https://my.athabascau.ca/tag.2b44ef89b4b5464e_render.userLayoutRootNode.uP?uP_sparam=focusedTabID&focusedTabID=46&uP_sparam=mode&mode=view

TIPS:

1. Submit a separate application for each activity, even if they occur in the same quarter.
2. At this point, the committee members only dream about dealing with so many applications that we have to make a decision about granting less than the cap, unless that's all that's required. If that should happen, then the quality of the application will be important. Have you filled out the section on significance of the activity for your AU work with sufficient and convincing detail?

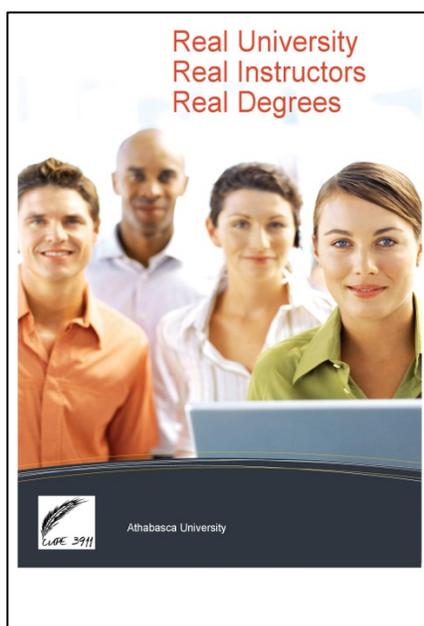
Pension Update – Rob Woznura

Yet another battle with the university, but we see some end to this one. Almost certainly people consistently working 30 or more hours per week will soon be eligible for the public sector pension. The university, naturally, is unhappy about any pension for us and has fought us every step of the way. Unfortunately for them, the pension legislation is very clear that employees of AU who work 30 hours or more, averaged over a year, MUST participate in the Public Service Pension Plan. The issue of people working between 14 and 30 hours is more complicated and we are continuing to deal with that issue. Members working under 14 hours per week are not eligible at all for the Public Service Pension Plan. We offered a proposal that would have saved the university much pain and money and would have covered **all** our members. The proposal was not accepted and, following the Letter of Understanding we negotiated in the last round of bargaining, the issue of pension has been sent to an arbitration hearing.

Publicity Campaign: Coming soon to the internet near you

We are making our case public. What case? That we are one of AU's strongest assets in providing quality education to its students.

CUPE 3911 is planning to up our profile as tutors and academic experts with some online advertising that will target students and anyone who is associated with AU. Don't ask me how the technology works, but the gist of the message is that we are real academics offering a real education at a real university. The next step will be to address the thing that AU offers that is singular and unique: individualized instruction—and why would anyone want to alter the greatest strength that the university has? Given various conversations floating around the



institution right now about a learner support centre and so on; the value of these messages should be clear.

If anyone has some recent publications that they wouldn't mind us using on a link from the ad (which aims to flesh out the pithy internet teaser), forward them to jrouth3911@gmail.com. Many of our students have little idea who or what we are. Many think that we are graduate students or moonlighting school teachers. Let's show them our true colours.

Watch the margins of the internet when you are surfing in October, for something should find you. I should mention that we are working with CUPE National.

CUPE 3911 Executives Participate in COCAL Conference – Dougal MacDonald

From August 9-12, 2012, Natalie Sharpe, Dougal MacDonald, and Glynnis Lieb, three members of the CUPE 3911 executive participated in the tenth biannual COCAL Conference which was held in Mexico City. Their participation

was supported both by CUPE National and Local 3911. COCAL, which stands for Conference on Contingent Academic Labour, brings together contract instructors from post-secondary institutions in Canada, Quebec, the

United States, and Mexico to discuss their common issues and to provide each other with advice on how to effectively organize themselves so that they can presentations, which they hope will assist the ongoing work of 3911. Natalie

and Dougal also delivered their own paper at the conference on August 10 entitled “The Deskilling of Academic Labour at Athabasca University in Alberta Canada”. The paper was one of five papers presented at one of three workshops that were part of the Conference Plenary on Changes in Academic Labour. The paper detailed the current struggle of the AU tutors against the attempt of the AU administration to arbitrarily eliminate the longstanding tutor-learner model from the AU School of Arts and Humanities and to replace it with the “call centre” model currently being learned a lot from the used in the AU School of Business.

Natalie and Dougal’s paper pointed out, in part, that the new call centre model is being imposed for cost-cutting reasons disguised as pedagogical reasons and convincingly argued that the tutor-learner model is superior

in terms of academic rigour, quality relationships between tutors and students, and providing the highest standard of learning for students. The paper was very well received by the approximately 50 members of the audience, which included CUPE National executives Margot Young and Leann Dawson. A CUPE National report on the COCAL conference can be found at: <http://cupe.ca/post-secondary/academic-workers-share-struggles>.



Natalie and Dougal’s paper is currently being rewritten to make it available for publication.

One of the COCAL highlights was the August 10 morning panel addressed by university student activists from Quebec, Chile, Puerto Rico, and the United States. The students detailed their struggles for the right to education, against tuition fee increases, and for increased investments in education. Many commonalities emerged and the different group commented on how much they learned from listening to their peers from other countries. By the end of the conference, many participants were expressing their international solidarity by wearing the “red square” handed out by the Quebec students. The theme of fighting the same struggle for the right to education in many locations echoed throughout the entire conference, with all attendees agreeing that they found great benefit in learning from the experience of others.

You are Invited!

Come out and meet your fellow tutors. Coffee, doughnuts, and more to make your Saturday morning special!

Our next meeting is Saturday, October 13th at 9:30 a.m. Watch your email for the agenda.



Contacts

Jackie Routh
Administrator

Mailing Address: 1200, 10011 – 109 Street
Edmonton, Alberta
T5J 3S8

Telephone: (780) 421 – 3276

Fax: (780) 421 – 3277

Email: jrouth3911@gmail.com or
jackierouth@athabascau.ca

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Editor: Dr, Robert Wiznura

ⁱ After settling on a lengthy list of acceptable items, the list was reduced to the “Time Sheet Guidelines.” When these guidelines were developed, both sides agreed that “other administrative duties” included all the things AEs did not set out specifically in the document that were still pertinent to their involvement with the university. CUPE had a long list of items which was several pages long, and AU advised us that they wanted a more generalized and shortened document. Instead of listing each item, CUPE agreed that “other administrative duties included things AEs did that were not specifically captured in the memo. We also consented to the generalized document because we recognized that duties change as the times change. For example, Citrix did not exist at the time we discussed the compensable duties and now it does. Given the length of time one takes to log onto the system and the frequency it cuts out, requiring one to relog into it, surely this new program involves compensable AE time.