

Chapter 6
EMPLOYEE RELATIONS SUBCOMMITTEE REPORT

complaints, accident reports, security reports, and reports that are mandated by collective agreements (self-directed hours, seniority reports, etc.) are reported on a regular basis including on annual intervals.

Outputs/Outcomes

The subcommittee focused on outputs since outcomes intend to measure educational activities as per Glossary of Evaluation & Accountability Terms compiled by SCOEA.

The subcommittee attempted to review outputs based on employee information and knowledge of policies, procedures, and provisions of collective agreements at all levels. It was difficult to measure how these programs and agreements are understood and received by the College Community.

For example a review of our formal complaints and grievances data has revealed that we did not have a significant number of complaints or grievances since most concerns were dealt with on an informal basis rather than formally. The Committee of Common Concerns (Administration/Faculty), the Standing Committee (Administration/PPWC), and departments have been able to resolve the majority of issues on an informal basis.

The long term impacts of our policies, procedures, and collective agreements while not reviewed annually, are reviewed during the course of its application and interpretation by Administration and the employee groups mentioned above. The Administration and employee groups through various committees have regular discussions to meet the needs of the College in the most effective and efficient manner based on the limited resources at their disposal.

Schedule for Conducting Reviews

Listed below are reviews conducted in past years: The subcommittee reviewed the status of each policy and/or program and identified documents that are currently under review and/or requiring review in the coming year.

<u>Policy/Program</u>	<u>Date</u>
Administrative Personnel Policy	1997 - review in progress
Self Funded Leave Program	Not identified
Clean Indoor Air Policy	1990
HIV Policy	1993
First Aid Attendant Policy	1997
Fire Safety Plan	Is Current
Safety Policy	1990
Hazardous Waste Policy	1990
Utility Failure Policy	Is not current
Human Rights Policy	Review in Progress
Professional Development for Admin Staff	1990 - review in progress
Conflict of Interest	1990

Employee & Family Assistance ProgramNot identified
Harassment1990

Collective Agreements

Findings and recommendations of the subcommittee are as follows:

Administrative Personnel Policy: This policy was last revised in 1997 and is currently under review. This document contains a general statement of philosophy which describes the

Clean Indoor Air Policy: This is a November 1990 policy. It is effective since no smoking takes place inside the buildings. There is a high awareness for this policy evidenced by signs, which are posted at key entrance points designating CNC as a clean air facility.

Observations:

This policy requires revision to reflect that there are no designated smoking areas within college buildings. It is not specifically indicated what office is responsible for this policy.

HIV Policy: This policy is written in plain language and the responsibility for its administration is clearly identified.

Observations:

The policy language begins with a “philosophy”, followed by a “forward” as related to “employees” and “students”, rather than being written as “policy” followed by “procedures”

It is difficult to measure the effectiveness since it is not known if this policy has ever been used. Should this policy stand by itself or be a part of a broader disability management policy?

First Aid Attendant Coverage Policy: This policy is not current but it is written in plain language. Employees are aware of this policy and the administration of it seems clear.

Observation:

This policy requires review for currency and process.

Fire Safety Plan: This policy is current but too detailed and extensive containing fire codes and regulations. The policy identifies regular review procedures and indicates the responsibility for its administration.

Observations:

This policy is not public knowledge and due to its detailed nature (why would employees need to know of the fire codes), the subcommittee felt that no one would read it. The policy requires review for simplification and utilization.

Safety Policy: This policy is written in plain language and is effective. However, it is not entirely public knowledge (i.e. confusion regarding entrance back into the building, leaving doors open, etc.). The policy does not identify a review process.

Observation:

Policy requires review and broader communication.

Hazardous Waste Policy: This policy is written in plain language and is public on a “need to know” basis. The policy does not identify a review process and is not current.

Observation:

Policy requires review and communication.

Utility Failure Policy: This policy is written in plain language but is not public. The policy does not identify a review process and is not current. The policy describes the responsibilities for administration.

Observation:

It is unclear how effectiveness can be measured. This policy requires review and communication.

Human Rights Policy: This is a new policy that has been developed by the College's Diversity Group. It is in the process of submission to the College Board with a recommendation for approval.

Professional Development for Administrative Staff: This policy was last reviewed in 1990. The policy is written in plain language and it is public. The policy does not identify a review process and is not current. This policy will be included in the review of Administrative Personnel Policy.

Conflict of Interest: This policy is written in plain language and it is public. The policy does not identify a review process and is not current.

Observation:

This policy requires review for currency and process.

Employee & Family Assistance Program: This program is written in plain language and seems effective. The evaluation of this program is complicated due to the requirement of confidentiality. This policy is well known and program information is readily available through the Human Resources Office, **College Counselling Centre, and Union Officers.**

Harassment Policy: This is a November 1990 policy. It is written in plain language but it is outdated. The policy seems effective since a few formal or informal complaints have been

- The Collective Agreement is a comprehensive document between the College and the Faculty Association covering all aspects of faculty appointments. Its strength in being comprehensive is also a weakness in that few people, whether management or faculty employee, are sufficiently familiar with the rights and conditions of the agreement to effectively administer or enforce the agreement.
- Not all of the agreement is written in clear language. As well, sections such as Workload are so complex that it is difficult for anyone who does not work with the collective agreement on a regular basis to understand how all the factors of Workload are put together.

The agreement is effective and enforceable on the parties. The Committee of Common Concerns consisting of faculty and administration members is an effective vehicle for

improvement to medical travel expenses. There was also a reduced benefit for dental cleanings. Extended health coverage increased from 80% to 95%.

- 5 *Salaries:* The Provincial Salary Scale indicates the steps, current scale and April 1, 2000 salary.

Letters of Understanding: The following Letters of Understanding apply to the College and local discussions have yet to be resolved:

- Σ Letter of Understanding 2: Secondary Scale Revisions CNC
- Σ Letter of Understanding 3: Regularization of Named Individuals at CNC
 - Σ Letter of Understanding 4: Secondary Scale Review
- Σ Letter of Understanding 5: Distributed Learning and Technology in Education

Local Agreement: The second part is the Local Agreement. The Local Agreement's sections include: introduction, faculty association security, grievance procedure and arbitration, faculty responsibilities, types of faculty appointments, seniority/layoffs/recall/resignation, faculty evaluation, personnel records/discipline/suspension/discharge, technological change, workload, salaries, leaves, professional development funding, health and welfare benefits, employee rights, general provisions, and letters of agreement.

- 1 *Introduction:* This article identifies the parties to the agreement and includes the Faculty Association's certification under the Labour Code. It also includes the term of the agreement and an essential list of definitions for terms used in the agreement.
- 2 *Faculty Association Security:* Among other provisions this article denotes that membership in the Faculty Association is a condition of employment, provides for leaves for union business, lists the union's rights to information, and sets rules for a labour management committee (the Committee of Common Concerns).
- 3 *Grievance and Arbitration:* This article describes the informal and formal grievance procedures. Named arbitrators are listed, as are the timelines for the arbitration process. This provides the mechanism for dealing with any complaint or difference between the parties respecting the agreement.
- 4 *Faculty Responsibilities:* This article identifies the responsibilities of full and part time faculty. These statements of responsibilities for teaching faculty, librarians, counsellors, study skills instructors, and lab demonstrators serve as job descriptions for faculty. More detailed duties for Coordinators are listed in Article 5.5.
- 5 *Types of Appointments:* This article defines sessional, probationary, and faculty appointments for full time faculty, as well as part time appointments. Selection procedures for coordinators and their release time provisions are also included.
- 6 *Seniority, Layoffs, Recall, and Resignation:* This article provides the employment rights of faculty including seniority, conditions for layoff, severance, and recall. The new non-

regular seniority rights language addresses many of the inequities that existed between sessional and part time faculty in the past.

- 7 *Evaluation of Faculty:* This article states that the primary purpose for full-time faculty evaluation is to assess performance in order to improve professional competence and effectiveness, but that it may also be used for administrative decisions such as renewal or termination of faculty contracts. The evaluation of part-time faculty is also indicated. Rights of faculty during evaluation and consequential decisions are covered.

This article has a requirement that the college's Evaluation Policy and Procedure be reviewed annually with faculty. This has not been done annually, but a major review and revision of the policy with extensive consultation is now being completed.

- 8 *Personnel Records, Discipline, Suspension, and Discharge:* This article covers employees rights to their personnel records and the union's restricted right of access to these records. It also includes procedures for discipline and/or suspension, and the process for appeal.
- 9 *Technological Change:* This article includes a general definition of tech change and gives language for specific situations such as introduction of courses transmitted live.
- 10 *Faculty Workload:* This article identifies how faculty are classified and gives the workload configurations for seven different faculty types. It also covers issues such as major curriculum revisions, travel, non-teaching functions, and professional development.
- 11 *Salaries:* This article describes criteria for the placement of full-time and part-time faculty. It also refers to salary increments and the salary schedule for full-time faculty employees.
- 12 *Leaves, Paid and Unpaid:* This article identifies entitlement to vacation and statutory holidays. The policy also describes provisions respecting educational leave, exchange leave, jury duty and court appearances, compassionate leave, sick leave, maternity/adoption leave, paternity leave, parental leave, short term and extended leaves, political and partial leave, and self-funded leave. This section contains a new provision on job sharing.
- 13 *Professional Development Funding:* This article describes the professional development funds, classification and allocation of professional development funds, committees, procedures for educational leave, and procedures for short-term professional development activities.
- 14 *Health & Welfare Benefits:* This article describes the pension plan, employee family assistance program, medical insurance plus extended coverage, lens coverage - full time faculty employees, group life and disability insurance - full time faculty employees, dental plan - full time faculty employees, benefits - Continuing part time employees,

bridging benefits for continuing part time and sessional faculty, benefits for faculty on long-term disability, moving expenses - full time faculty employees, changes to contracts, and early retirement incentive plan.

- 15 *Employee Rights*: This article describes provisions respecting no discrimination, employment of workers with disabilities, harassment, academic freedom, indemnity against judgements resulting from normal course of employment, and health and safety.
- 16 *General Provisions*: Includes the following areas: appointment of administrators, management performing teaching duties, copyright, subsidiary employment - full time faculty employees, and governance - education council.

Schedule A: Full time Faculty Salary Scale

Schedule B: Part time Faculty Salary Scale

Letters of Agreement: Letters of Agreement are attachments to the Collective Agreement and must be renewed or incorporated into the agreement if they are to continue. Current Letters of Agreement include Transition of the Northern Collaborative Baccalaureate Nursing Program, and Adjunct Appointment Committee, NCBNP.

Observations

Because there is new language in both the Common Agreement and the Local Agreement, the language exists in both parts on a given issue, a joint training session for Union Stewards/Executive members and Human Resources personnel and Deans/Directors/Managers will be essential.

Support Staff Collective Agreement

The Collective Agreement governs the terms and conditions of support staff employment.

- Σ The Collective Agreement is a public document and is given out to all support staff and appropriate management.
- Σ The agreement seems to be written in clear language.

This agreement is effective and enforceable on the parties. The Standing Committee, consisting of members of administration and union, is an effective vehicle for

- 2 *Recognition*: This article describes the recognition of the Union as the sole bargaining agent for support staff. It also refers to the management rights of the college.
- 3 *Definitions*: This article defines employee categories: full-time, part-time, regular, seasonal, special, and casual. The probationary period is also described in this section. Other areas include: job related knowledge; and work performed under government, foundation and other funding partnership grants.
- 4 *No Discrimination*: This article describes provisions regarding human rights and union activity.
- 5 *Union Membership & Security*: This article refers to provisions requiring union membership as a condition of continued employment. It also describes conditions under which employees shall not be required to become union members. New employees and change in employment status are other areas in this section.
- 6 *Union Dues and Deductions*: This article describes provisions relating to union dues, dues deduction, union notification to the college, college indemnity, and cancellation of dues assignment.
- 7 *Union Rights & Activities*: This article includes: recognition of shop stewards, contacting at work, time-off for union business and activities, right to refuse to cross picket lines, meetings called by the college, use of college rooms, notification by the union, employee orientation, and union-college relations.
- 8 *Position Descriptions & Job Evaluation Procedures*: This article provides a comprehensive list of terminology and refers to the Joint Job Evaluation Committee (JJE). This committee is responsible for job rating decisions. Other areas include: reconsideration of existing positions, salaries for new positions, new positions, and procedures for disputes/resolutions and appeals.
- 9 *Promotion, Transfers and Staff Changes*: This article identifies areas concerning job posting, promotions, familiarization period on promotion, familiarization on transfer, written information on employees, and written reason.
- 10 *Seniority*: This article recognizes the principles of seniority for lay-offs, recalls, and job postings. It defines seniority and refers to seniority lists, accumulation of seniority, accrued seniority, loss of seniority, seniority retention, recall, and recall provisions.
- 11 *Layoff*: This article deals with lay-off consultation procedure, lay-off procedure, displacement, and lay-off provisions.
- 12 *Resignations*: This article describes provisions concerning resignation notice, absence without leave, and failure to report for duty.

- 13 *Hours of Work:* The provisions of this article include: standard work day and standard work week, modified work week, relief periods, work week definition, regular work week and work day, split shifts, posting of shift schedules, and short changeover.
- 14 *Overtime:* This article defines overtime and describes right to refuse overtime, overtime compensation, call out provisions, overtime minimum, and overtime breaks.
- 15 *Dismissal, Suspension and Discipline:* This article describes rights to shop steward presentation, right to grieve, unjust cause, progressive discipline, adverse reports, personnel files, suspension, and dismissal.
- 16 *Adjustment of Complaints:* This article covers provisions with respect to grievance procedures, time off, waiver of time limits, failure to comply with time limits, committees, grievance steps, college grievance, early intervention, and arbitration.
- 17 *Career Development:* This article deals with purpose of career development and on-the-job-training, training leave, support for job related training at CNC, college courses, and skills development.
- 18 *Statutory Holidays:* This article describes paid holidays, holidays falling on a Saturday or Sunday, employees required to work on a paid holiday, paid holiday during vacations, payment for statutory holidays, and college holidays.
- 19 *Vacations:* This article describes annual vacation entitlement, vacation scheduling, pay cheques, and no termination, lay-off or loss of seniority.
- 20 *Sick Leave:* This article identifies requirements for notification, proof of illness, and family sick leave, sick leave allotment, sick leave payment, conversion, long term illness, status report, occupational disability, and retirement payout.
- 21 *Bereavement & Other Leave:* This article defines bereavement leave, leave for court appearances, elections, general leave, exchange leave, and political leave of absence.
- 22 *Maternity/Legal Adoption Leave:* This article describes maternity/legal adoption leave, and extension of maternity/legal adoption leave.
- 23 *Technological Change:* This article defines technological change and requirements for notice, and retraining/job security.
- 24 *Salaries:* This article describes salaries, rate of pay on promotion/transfer, anniversary date, leave of absence without pay, acting positions, salary overpayments, shift differential, and rate of pay for new hires into existing positions.
- 25 *Fringe Benefits:* This article describes provisions for fringe benefits for full time employees, fringe benefits for part-time employees, employee and family assistance program, coverage required by law, employees responsibility for benefits coverage, and moving expenses.

- 26 *General Conditions:* This article describes pyramiding, employee appointments, modification of agreement, contracting out, indemnity, and early retirement.
- 27 *Duration of Agreement:* This article specifies the term of agreement, continuation of present agreement, and the provision for no strike or lockouts.

Letters of Agreement:

- College Security
- Introduction of Degree-Completion Programs and College Expansion
- College Orientation Program
- Wellness Incentive Plan
- Job Sharing
- Flextime
- Self-Directed Hours
- Commitment to Reach the Pay Equity Targets
- Seniority Lists and Accumulation of Seniority
 - Bargaining Unit Exclusions
 - Pay for Staff on Union Business

Salary Schedules

- I. Pay Equity Targets Schedule
- II. PPWC - College of New Caledonia Wage Results Schedule

Observation:

It is essential to conduct joint training sessions respecting the provisions of the Collective Agreement.

Conclusion

Within the context of meeting its goals and objectives more effectively and efficiently, the College, in partnership with its unions and staff members, continues to develop and foster positive and constructive relations amongst all members of its community. In keeping with this commitment the College through the Committee of Common Concerns, Standing Committee, Relationship By Objective Committee, and a host of other joint committees resolves most employee relations' issues before such issues turn into formal complaints and grievances.

The subcommittee believes that a greater effort is required to increase the level of staff awareness and participation on matters regarding employee relations. The subcommittee's findings indicated that there is a requirement for training and information

Recommendations:

Recommendation 6.1: Policies respecting Employee Relations require a standard format.

Recommendation 6.2: Complete policy binders should be available to all employees. Distribution should include copies for support staff and faculty unions, deans and directors secretaries, and the library. Ideally, each employee should have a copy of policies with respect to employee relations.

Recommendation 6.3: College policies on employee relations should be reviewed every four years by tripartite committees.

Recommendation 6.4: On a regular basis, the college should coordinate education campaigns for policies utilizing such approaches as posters, brochures, e-mail, web pages, articles in college, union, and student newsletters, etc.

Recommendation 6.5: The application of the Self-Funded Leave Program should be clarified.

Recommendation 6.6: There is need for a disability management policy.

Recommendation 6.7: The Employee Relations Climate Surveys with faculty and support staff groups suggest:

- the need for more communication, consultation and involvement in decision making
- Σ the need for all employees to show respect and recognition to other employees
- Σ the need to improve performance evaluation procedures for both faculty and support staff
- Σ the need to make the college a safer and healthier environment to work in
- Σ the need to make college policies more public and to apply them consistently
- Σ the need to be more respectful of collective agreements