



VIUFA Chief Steward

2023-24 Report

Please let me begin with a message of thanks to the VIUFA membership for allowing me to serve as Chief Steward for a third consecutive year. I am grateful for this opportunity and continue to learn about your individual employment conditions, your interests and concerns, and the challenges you face such as they are reflected—or not reflected—in Policy and Procedure, institutional practice, the Collective Agreement, and broader jurisprudence that governs Labour Relations.

I would also like to offer a renewed message of thanks to our Labour Relations Advisor, Neil McLeod, for his guidance and commitment to supporting VIUFA members, the VIUFA Executive, and the VIUFA Stewards. Neil and I wish to thank the VIUFA Table Officers, the VIUFA Executive, and your Area Stewards, with whom we continue to work closely on a number of difficult files. Many thanks to Laura Buechler, VIUFA's Office Manager, for helping us with intake, tracking, triage, and general management of our Labour Relations caseload. I'm grateful to my colleagues in the English Department for their continuing support of my VIUFA duties.

Since April 2023, we have tracked and responded to approximately 250 faculty queries that come by email or phone call, scheduled meetings or drop-ins, happenstance connections on campus, and HR referral. There are many more routine calls that we have responded to, but not necessarily tracked or kept records on. Based on our tracked files, we estimate the case load has increased by about 25% since last year. The severity, complexity, and consequence of the cases have increased by a greater margin.

All measures of increase are due to the budget circumstance. While some of our queries are still for routine questions (e.g. ROFR, Unassisted Leave, Vacation, Professional Development, Regularization, Salary Placement), most have required close examination of the Collective Agreement, research, and fact-finding for each circumstance. Many of your calls this year have needed sustained action that can take weeks, months, or even years before remedy. We appreciate your patience and understanding in this regard.

Further to the Labour Relations work, Neil and I have continued to support a range of VIUFA activity through our participation in Executive Meetings, Table Officer Meetings, FPSE Contract Administration Review Committee (CARC) Meetings, Joint Labour Management Committee Meetings, and Contract Negotiation. We are especially grateful to the VIUFA President, Gara Pruesse, and to our Chief Bargainer, Jane Wodlinger, for their work helping us to navigate the changing labour relations landscape in parallel with the critical focus of contract negotiation.

As of April 23, 2024, we have forty-three (43) active files listed on our shared Steward File Inventory document, and a range of more general labour relations matters that we continue to monitor with support from the VIUFA Executive, including in the Collective Bargaining and Joint Labour Management Committee contexts. Some of the general patterns in our work are represented in the enumerated categories below; the order is not necessarily intentional and the list is not exhaustive.

1. **Layoffs.** We continue to respond to a rising number of VIUFA layoffs that variously flow from the budget crisis, institutional restructuring, or program cancellations recommended and approved through University Governance. The time and nature of VIUFA response is determined by the exact circumstance of each case. For example, neither VIUFA nor HR has a voice in Senate proceedings. We will continue to prioritize job preservation as our most critical function in supporting VIUFA members. VIUFA remains active in the Targeted Labour Force Adjustment activity under Article 6.15, which is meant to save jobs.
2. **Regularization.** Regularization in different areas of the University is somewhat less predictable than normal as a result of ongoing budget mitigation strategies. In many cases, faculty retiring from regular positions are not being replaced with regular hires. Sessional faculty and LTCs have been used to cover some or all of the remaining workload, but we have also seen regular retirees not replaced at all. In those cases, we are tracking workload creep and the operational needs of impacted areas. Under the Agreement, the Employer must report to VIUFA any unencumbered workload temporarily paused from Regularization or Regular Job Posting. We will soon consider the unencumbered workload report as part of our annual Regularization eligibility review.
3. **Grievances.** VIUFA currently has two live Grievances. The Grievance process is tightly structured and we do not move forward in this way unless the facts and provisions of the Agreement support such an escalation, and unless we are satisfied that there is no better way forward. In these cases, we work closely with the VIUFA President and Table Officers, the VIUFA Executive, our FPSE Representatives, the FPSE Contract Administration Review Committee, and the FPSE Grievance Administration Review Committee. We are optimistic about resolving the current Grievances, and we are in the early stages of considering several new ones.

4. **Investigations.** We continue to respond to a growing number of investigations that follow from student complaints or management concerns. The process for each investigation is determined by the nature of the complaint, how it is routed through management or HR, and Policies and Procedures that may be invoked. We have seen external investigators used by VIU and also investigations conducted by Deans. In any investigation circumstance, VIUFA's role will likely include ensuring representation where it is wanted; tracking procedural fairness; helping to form responses to the complaint and the investigation report; analysis of the correlation between the facts and how they are interpreted, the consequence of any possible employee error, and what level of Employer response (i.e., discipline) occurs. We are especially interested in the initial intake and assessment process for student complaints, as well as the consequences for making frivolous, vexatious, or malicious claims against VIUFA members. We are actively engaged in general dialogue with the employer about procedural fairness for any investigation process.

5. **Workload / Class Size.** The relationship between Workload and Class Size is established in the Collective Agreement, in the JLMC Sub-Committee Report on Class Size (2022), and in the practice of workload assignment. As VIU continues to mine the budget for cost savings, we anticipate that Class Size Maxima will become more critical. While we understand that local knowledge and local interests can shape attitudes towards class size, VIUFA has a responsibility to ensure that the terms of your Collective Agreement are bargained at the table. We ask that Departments understand how their discussions about class size with Deans might unintentionally fracture VIUFA's position that Class Size and Workload are contractual and must be negotiated by the signatories of the Agreement. Please let us know if you are being asked to increase your class sizes, or if your class sizes have been unilaterally increased by Deans in a way that impacts your workload.

In closing, thanks once more to your Personnel Stewards Committee: Laura Suski (Social Sciences), Greg Arkos (Science and Tech), Deborah Colette (Health and Human Services), Bonnie Davidson (Education), Dana McFarland (Library), Zora Soprovich (tiwšɛmawtx^w), Al Stremming (IT), Deborah Torkko (Arts & Humanities), and Johan Latulippe (Management). We have called on the local Stewards more regularly this year and always appreciate their direction when the right way forward may be unclear.

Our colleagues on the Personnel Stewards Committee work hard on your behalf to offer direct representation, to track trends in labour relations, and to seek additional training and professional development so that they can answer your questions and concerns. We still hope for more opportunities to strengthen connections among the Stewards in order to promote broader understanding of labour relations across VIU, to bolster solidarity, and to develop future Chief Stewards for service to our membership. Please reach out if you are interested in this work.

We are happy to answer any questions you may have about our work over the last year or how the Collective Agreement is applied in your area, so please don't hesitate to reach out for friendly discussion. My hope is the message of thanks and commitment to serving the VIUFA membership prevail in this report.

In Solidarity,

Clay Armstrong
Chief Personnel Steward,
Vancouver Island Faculty Association