

BARGAINING 2020

CONSULTATION DOCUMENT

LIST OF ISSUES

REGROUPEMENT CÉGEP

OCTOBER 2019



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LIST
OF
ISSUES

October 2019

Prepared by the bargaining and mobilization committee

Anne-Marie Bélanger
Yanick Charbonneau
Josée Déziel
Phil Lagogiannis
Julien Lapan
Sébastien Manka
Luc Vandal

Editing and formatting
Ariane Bilodeau

The issues presented herein are the result of an extensive consultation with local unions and their assemblies. Work carried out by the province-wide committees provided for in the collective agreements, as well as by the federation's syndical advisors, also informed this list.

Please note that the topics and issues presented below have not been prioritized by the bargaining and mobilization committee.

JOB INSECURITY

1. Prolonged job insecurity has harmful effects on the physical and psychological health of precariously employed teachers.
2. Non-permanent teachers face grave uncertainty, particularly when they teach in a CEGEP or discipline where workloads are unstable, due for example to the volatility of student numbers.
3. It is very difficult for non-permanent teachers who work in more than one CEGEP or workplace to make informed choices.
4. Some CEGEPs issue contracts for non-permanent teachers very late, sometimes after the drop deadline, which makes such teachers bear the brunt of the uncertainty related to student numbers.
5. Non-permanent teachers are often informed of their teaching loads and schedules very late. Their loads are often modified right up until the very beginning of the term. It is not uncommon that these changes increase their loads (by increasing the number of preparations, course hours, or students). Sometimes, what should have been a full-time workload becomes a part-time workload.
6. Each year, non-permanent teachers must contend with the possibility of being displaced by teachers placed on availability (MEDs) by other CEGEPs, who may have less seniority than they do. Sometimes there may be more than one teacher placed on availability arriving in the same department in a given term. Due to their geographic location, some CEGEPs are susceptible to receiving teachers placed on availability from many other CEGEPs.
7. Some teachers are denied certain workloads because they temporarily have teaching loads that are too heavy (see 5-4.16). This could lead to significant wage losses for these teachers.
8. CEGEPs lack flexibility when it comes to accommodating non-permanent teachers. Often, they do not allow for the splitting of teaching loads to complete a part-time teacher's load, nor do they allow teachers to withdraw from Continuing Education or part-time workloads to accept more beneficial ones in the Regular sector.
9. Non-permanent teachers who do not have access to full-time workloads must often accumulate part-time workloads, and the CEGEPs do not assist with the reconciliation of their schedules.

10. Given the nature of the teaching profession, especially in relation to the scheduling and staggering of salary payments, it is often difficult for non-permanent teachers to avail themselves of Employment Insurance.
11. Non-permanent teachers must deal with serious anxiety related to maintaining their place on hiring priority lists for their discipline, where they can be passed for reasons beyond their control. They often tend to take on too much work to avoid being passed.
12. Non-permanent teachers are not assigned certain workloads because of the difficulty in tracking the relevant postings and applying in time.
13. Non-permanent teachers often have heavier teaching loads than permanent teachers, in some cases because CEGEPs require them to have a CI that is higher than 40 for a given term or 80 for a given year.
14. The threshold for annualization (80 CI) is too high, which penalizes non-permanent teachers.
15. The number of Regular sector CI units required to benefit from 5-1.03 d) is too high. Access to 5-1.03 d) is too restrictive.
16. No matter their years of seniority or the number of consecutive full-time contracts to their credit, non-permanent teachers do not benefit from the slightest salary security measure.
17. Some CEGEPs refuse to open positions based on multidisciplinary courses. As a result, it takes non-permanent teachers who are affected more time to obtain a degree of job security compared to teachers in other disciplines in their own CEGEP, or to teachers in CEGEPs that have agreed to open such positions.
18. Some disciplines receive such a small allocation of teaching resources that teachers working in them may never have access to job security.
19. Some CEGEPs open positions based on the smallest term allocation per discipline in FTE instead of on the annual allocation, which slows the tenure process and forces some teachers to apply for Employment Insurance benefits in the winter term.
20. The conditions for obtaining tenure are often too restrictive. For example:
 - a. years of seniority acquired while on parental or disability leave do not all count for the purposes of obtaining tenure; and
 - b. the accumulation of years of seniority does not allow for obtaining tenure without a position, even if the person has accumulated many consecutive full-time years working for the CEGEP.
21. Some CEGEPs are reluctant to open positions involving more than one discipline or to hire a teacher (who has the necessary qualifications) in more than one discipline, even though this could allow some teachers in small CEGEPs to achieve full-time employment.
22. Access to some leaves (e.g., voluntary workload reduction, leave with deferred or anticipated salary) is difficult or even impossible for non-permanent teachers.
23. Job insecurity can sometimes be an obstacle to a full participation in departmental and institutional life for non-permanent teachers, despite their willingness to be involved.

24. The assignment of contracts is problematic and does not bind both parties equitably.
 25. Some colleges conservatively forecast the number of student registrations. As a result, the number of positions they open is too low.
 26. The multiple hiring processes faced by non-permanent teachers when they change CEGEPs are too cumbersome.
 27. The rules governing the opening of positions are not applied uniformly across the network.
 28. Parental leaves are not adapted to the situation of non-permanent teachers.
 29. Some colleges have difficulty recruiting and retaining new teachers, particularly because of the great difficulty of offering full-time annual assignments during initial staffing.
 30. Access to contracts in CCTTs is problematic for non-permanent teachers.
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CONTINUING EDUCATION

1. The hourly wage rate for Continuing Education and summer courses is inequitable compared to the CI-based remuneration paid to teachers in the Regular sector.
2. Continuing Education teachers do not have access to the same working conditions and benefits (leaves, insurance, etc.) as their colleagues in the Regular sector, nor do they generally have access to professional development.
3. Continuing Education teachers carry out tasks that go unrecognized, including student support (*encadrement*) and attending meetings.
4. Hiring for Continuing Education courses does not always respect the hiring priority sequence set out in 5-4.17 d). Sometimes teachers are unable to exercise their priority due to avoidable scheduling conflicts.
5. The intensive or atypical schedules in Continuing Education often lead to periods of work overload, particularly for teachers who work in both the Regular and Continuing Education sectors.
6. Continuing Education teachers do not benefit from any job security measures.
7. The Continuing Education teaching loads (*charges à la formation continue*) set out in Appendix I - 13 are insufficient, and few guidelines are provided for their use.
8. The selection committee and criteria are sometimes different for the Continuing Education and Regular sectors.
9. Not all programs offered in Continuing Education are under the responsibility of Regular sector departments, thus engendering a different work organization (compared to the Regular sector) in which Continuing Education teachers are deprived of departmental mechanisms of support and regulation.

10. Continuing Education teachers do not have access to the same services and material resources as their colleagues in the Regular sector.
11. Some matters involving Continuing Education are exempt from requiring an agreement in Labour Relations Committee (see 8-7.02).
12. Continuing Education operations lack transparency.
13. The organization of work does not allow the exchange of courses between Continuing Education and Regular teachers.
14. Some tasks performed by Regular teachers are often entrusted to professional personnel in Continuing Education, even though the latter do not have the necessary disciplinary expertise to perform them well.
15. In some colleges, the recognition of acquired competencies (RAC) takes the place of Continuing Education courses.

THE TEACHING LOAD AND ITS DISTRIBUTION

1. Accountability reporting and other bureaucratic requirements increase teachers' workloads.
2. The individual teaching load (CI) does not fully reflect the work carried out by teachers to ensure real equity within a department or an establishment, and it should be revisited on several bases.
3. Some administrations require a minimum CI for a teacher to be considered full-time.
4. The reference dates for CI calculations provided for in Appendix I - 1 are too late.
5. There are problems applying the collective agreement in relation to intensive courses.
6. Departments and programs dealing with technological change must constantly adapt, leading to work overload for their teachers.
7. Heavy teaching loads have adverse effects, including stress, burnout, presenteeism, and higher rates of leave.
8. The role and responsibilities of teachers in relation to students with disabilities or special needs (EESH/EBP) are unclear. In addition, the collective agreement does not define the terms EESH and EBP.
9. The creation of workloads for staffing purposes is becoming more complex.
10. Certain tasks related to teaching make teachers' overall workloads heavier, particularly in small CEGEPs and small departments.
11. Appendix I - 8 is obsolete.

12. In several CEGEPs, teachers are under pressure to participate in activities to promote their CEGEP, including outside of the period of availability, even though this is not a part of a teacher's duties.
13. Institutional and financial support for CEGEP teachers who conduct research is sometimes insufficient. Recognition of these teachers' research activities is sometimes non-existent.
14. There are no guidelines for the development of international activities, nor for the working conditions of teachers who participate in such activities or who take part in activities elsewhere in Quebec.
15. Some provisions relating to availability are unsatisfactory.
16. Some teachers, especially those with coordinating duties, are often required to work during the vacation period to ensure the proper functioning of the college or to avoid surplus work at the beginning of the school year.
17. Significant problems in public services, including the centralization of hospital services and workforce shortages, make it difficult to teach and to supervise stages in clinical settings.

RESOURCES AND FUNDING

1. The funding of teaching resources is not tied to the parameters of the method for calculating the allocation, which greatly contributes to the heaviness of teachers' workloads and threatens the operations of establishments.
2. The teaching resources allocated to a CEGEP do not account for several characteristics of its students, such as their profiles and their various academic tracks.
3. The resources allocated to Type 1 teaching duties in Appendix I - 11 and those allocated in Appendix I - 13 are insufficient.
4. The funding method for the CEGEP network relegates the determination of specific budgets to appendices that are difficult to revise and in which the amount of resources dedicated to teaching is not marked out.
5. The appendix pertaining to resources for low enrolment programs or programs with difficulties does not provide enough funding, and its eligibility criteria are too restrictive.
6. The funding of clinical teaching, stages, and laboratories is sometimes inadequate, particularly in Nursing, health-related technology programs, and Dental Hygiene.
7. Several resources crucial to teaching are either insufficient or lacking, particularly for professional development (including the reimbursement of fees and leaves), for laboratory coordination, for certain materials, and for technical support, e.g. in Nursing simulation laboratories.
8. The provisions related to the leave for obtaining a degree providing access to the "master's" scales and to step 18 need to be reviewed.
9. The teaching resources allocated by the Ministry during the previous round of bargaining in relation to students with disabilities or special needs (EESH/EBP) are not included in the collective agreement, are insufficient, and their implementation in several CEGEPs has not led to sustainable improvements in teaching and learning conditions. Moreover, several local administrations have refused to create positions based on these resources.
10. The teaching resources allocated to activities other than those inherent to teaching, particularly those related to coordination (of departments, programs, and stages) and to program support, are insufficient and do not account for all tasks carried out nor for local realities.
11. The local management of resources by CEGEP administrations often leads to errors and is insufficiently prescribed.
12. CEGEP administrations attribute expenses to teaching resources that should be attributed elsewhere.

13. The incomplete and sometimes imprecise nature of the statement of the use of teaching resources produced by certain CEGEPs prevents true monitoring on the part of unions.
 14. Unions do not have enough leverage over Type 3 and Column D resource distribution terms, which often lack transparency.
 15. Current teaching resource allocations do not permit an adequate teacher-to-student ratio in some practical teaching contexts, which implies health and safety issues.
 16. Not all local unions have access to the tools available to management for allocating resources.
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EMPLOYMENT, WORK ORGANIZATION, AND LABOUR RELATIONS

1. The current family-work-school balance provisions are unsatisfactory.
2. The early stages of the profession are difficult, and teachers need support when they begin their careers.
3. Some provisions of the collective agreement are not inclusive or are potentially discriminatory in relation to sexual and gender diversity.
4. Certain local administrations and their provincial counterparts are reluctant to diligently carry out the work of the Affirmative Action Committee.
5. The provisions related to sick leave and leave for family reasons are unsatisfactory.
6. Teachers are often not replaced in the event of absence.
7. In some CEGEPs and disciplines, there is undue pressure on teachers to agree to carry out additional work hours.
8. There is no mechanism in the collective agreement to accommodate teachers with a partial disability.
9. There are no prescriptions for the academic council (*la commission des études*) in the collective agreement.
10. The provisions related to dual employment are unclear and need to be reviewed.
11. The conditions for refusal of job priority and leaves for caregivers are inferior to those set out in the *Act respecting labour standards*.
12. The arbitration procedure for grievances is very long and inefficient.
13. The list of arbitrators must be updated (see 9-2.07).

14. The provisions of the collective agreement related to union activities need to be clarified, particularly for union leave associated with a post at the federal office (*bureau fédéral*).
15. The leave for internal union duties provided for in the collective agreement is flatly insufficient and does not account for the number of teachers working in the Continuing Education sector.
16. Measures to integrate teachers from other cultural backgrounds are non-existent or inadequate.
17. The collective agreement is unclear about several provisions, particularly regarding MEDs (teachers placed on availability, or *mise en disponibilité*). For example, some clauses contain mathematical formulas expressed as text, which can sometimes leave room for interpretation.
18. The five-working-day deadline before the beginning of the semester to make teacher schedules available is insufficient.
19. The rehabilitation period and disability provisions are too restrictive, lack flexibility, and are sometimes discriminatory.
20. Certain provisions regarding placement on availability (*mise en disponibilité*) are unsatisfactory.
21. The number of working days for the submission of marks is insufficient.
22. The collective agreement does not account for the particularities of departments with multiple disciplines, particularly regarding job priority.
23. The gradual retirement program permitted by the RREGOP requires an agreement with the employer and its terms are not defined in the collective agreement.
24. The vacation enjoyed by the teacher under clause 5-6.55 may only be postponed after a QPIP parental leave by agreement between the parties, which may be inequitable.

PROFESSIONAL AUTONOMY

1. Although ranking 23 recognized the professional autonomy of CEGEP teachers, it has not been formalized in the collective agreement, which therefore does not protect teachers in the performance of their duties.
2. CEGEP administrations and their administrative apparatuses interfere with departmental and program committee autonomy.
3. The increase in accountability reporting related to the *Commission d'évaluation de l'enseignement collégial* (CEEC) generates worrisome administrative pressure.
4. The role of teachers and departments within the various CEGEP bodies and committees (program committees, academic councils, college boards and boards of governors, etc.) is not recognized, and the principle of collegiality is not respected.

5. The concepts of freedom of expression and academic freedom are not sufficiently recognized and do not allow teachers to play the role they have been tasked with as members of the higher education community, within both their institution and the public sphere.
 6. The practices regarding teaching quality evaluations are often arbitrary or excessive and fuel conflict dynamics.
 7. The contribution of teachers to research is crucial and their expertise must be recognized and protected.
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REMUNERATION

1. For some tasks, CEGEP administrations apply wage rates not prescribed by the collective agreement.
 2. The number of steps in the salary scale for CEGEP teachers is higher than for all other groups of employees in the public sector, and the starting pay is too low, both of which lead to attraction and retention issues.
 3. Wages for teachers are not competitive in relation to those of their colleagues in other provinces and in the private sector.
 4. Although all CEGEP teachers now fall into ranking 23, only the higher steps of the salary scale have been fully adjusted in consequence.
 5. Master's and doctoral degrees are not valued highly enough by the salary scale.
 6. There are problems associated with the current procedures for evaluating years of schooling and recognizing degrees.
 7. Some teachers must pay to teach, e.g. for professional order membership fees and certifications related to certain specialties taught.
 8. The wages of teachers in the Regular sector are usually paid in 26 equal payments, but the pay schedule sometimes includes 27 pay periods, which leads to lower biweekly payments for a period of up to one year.
 9. Aeronautics teachers at the *Centre québécois de formation en aéronautique* (CQFA) work in a specific context requiring wage adjustments and a revision of their specific appendix.
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CONSOLIDATION AND TRANSFORMATION OF THE NETWORK

1. Privatization of services and outsourcing in the CEGEPs have become increasingly common throughout the network.
2. CEGEPs place themselves in competition with one another, which threatens the network's cohesion.
3. The absence of province-wide discipline or program coordination leads to a lack of cohesion in the CEGEP network. In addition, the program review process is opaque and its consultation mechanisms are inadequate, which creates conflicts between colleges, disciplines, and teachers.
4. The structures of regional CEGEPs hamper a development coherent with their communities and negatively affect both their operations and their institutional autonomies.
5. The uncoordinated multiplication of Centres for College Studies (*Centres d'études collégiales* or CECs), sub-centres, and service points negatively affects the vitality of the CEGEP network and leads to a decline in working conditions for teachers. Furthermore, these establishments are not always allocated the resources they need to operate effectively.
6. The collective agreement does not set out working and learning conditions for distance education (*l'enseignement à distance*). The teaching load for teachers in the context of distance education is not adequately recognized.
7. CEGEP bodies (departments, academic councils, labour relations committees, program committees) are not sufficiently involved in distance education activities.
8. The rollout of distance education is not being carried out as part of a coordinated provincial strategy, does not involve teachers or the union federation, and could negatively affect the health of the CEGEP network over time, especially for CEGEPs in outlying areas.
9. The collective agreement does not set out any prescriptions regarding distance education.
10. There are no prescriptions in the collective agreement regarding intellectual property rights in the context of distance education.
11. There are several technical and pedagogical challenges for teachers who provide distance education.
12. Distance education admits of certain pedagogical and interactional difficulties and is ill-suited for some types of courses.
13. There are many difficulties applying the collective agreement in the context of inter-institutional partnerships.
14. The development of the Continuing Education sector in the CEGEP network is disorganized and often responds to the ad hoc needs of companies, to the detriment of a multi-purpose education.

15. There are discrepancies in the trainings offered by some programs leading to the same AEC.
16. Some CEGEPs do not recognize that teachers who provide individualized training (*la formation sur mesure*) are covered by the accreditation of the teacher's union, which leads to unfair treatment and working conditions for those who provide such training.
17. Work carried out for the recognition of acquired competencies (RAC) constitutes teaching but is not recognized as such by some administrations.
18. In some CEGEPs, programs are created uniquely for the recognition of acquired competencies (RAC).
19. The CEGEP network is underfunded, and this affects CEGEPs in outlying areas in particular.
20. There are attraction and retention issues in the teaching profession.
21. Some issues that affect other groups of employees have an impact on teaching conditions.
22. In several CEGEPs, teachers are under pressure to participate in activities to promote their CEGEP.
23. Environmental issues are not reflected in the collective agreement despite the urgency of the situation.
24. Many CEGEPs offer pre-university programs in Continuing Education. These courses are becoming more popular and lead to an outflow of Regular sector students toward Continuing Education.
25. No additional funding is provided to colleges in the context of inter-institutional partnerships.
26. Inter-institutional partnerships bring problems of work organization, application of institutional policies and regulations, union representation, and support for members.

