

Q_{uestion}:

I received an assignment to develop new course and program designs during May and June. Do I have to do this work?

A_{nswer}:

If the assignment is in the form of a SWF, Yes.
See full description below.

If the assignment is not on a SWF, No.
See Article 11.08 below

Under the Collective Agreement, you can be obligated to teach a maximum of:

thirty-six (36) weeks if you are in a post-secondary program

thirty-eight (38) weeks if you are in a post-secondary program.

At least one person in your program will be required to teach (contact hours, preparation , evaluation) for the College to justify converting the “non-teaching” period into a “teaching period”, which makes the period SWB-able.

After your applicable maximum teaching weeks, the College can ask you to continue teaching even up to the end of June. You can claim overtime for these hours, or you can disagree with the teaching assignment.

See below for a more detailed description of your rights and responsibilities.

The period from when the teaching weeks in your Program are finished to the last week of June is called the “Non Teaching Period.” The “typical” non-teaching period is described in Article 11.08 below.

11.08

In keeping with the professional responsibility of the teacher, non-teaching periods are used for activities initiated by the teacher and by the College as part of the parties’ mutual commitment to professionalism, the quality of education and professional development. Such activities will be undertaken by mutual consent and agreement will not be unreasonably withheld.

Such activities will neither be recorded nor scheduled except as in accordance with 11.01 G 1.

11.01 G 1

Where preparation, evaluation, feedback to students and complementary functions can be appropriately performed outside the College, scheduling shall be at the discretion of the teacher, subject to the requirement to meet appropriate deadlines established by the College.

DURING YOUR NON-TEACHING PERIOD:

- Designate (and take) carry-over vacation days during your non-teaching period days - up to 30 June.

- Declare and use your ten (10) professional development days. You have control over when you can arrange Professional Development days, and the request cannot be unreasonably denied. Development days can be arranged and taken at any time during the academic year, but NOT during either the two month vacation period (post-secondary), or the one month vacation period (continuous intake) unless you voluntarily choose to break your vacation period for professional development and this arrangement must be a mutual agreement between you and your supervisor. Unused Professional Development days cannot be carried over to the next year.

11.01 H 1

The College shall allow each teacher at least ten working days of professional development in each academic year.

11.01 H 2

Unless otherwise agreed between the teacher and the supervisor, the allowance of ten days shall include one period of at least five consecutive working days for professional development.

You may experience one of two options that can occur during your non-teaching period:

- You do not receive a SWF.
- You receive a SWF if you are assigned work and/or scheduled to teach.

IF YOU DO NOT RECEIVE A SWF

Articles 11.08 (repeated again for context), 11.01 B 1, 11.01 F, and 11.01 G 1 (repeated), basically state that, during the non-teaching period, you are at liberty to review and plan for the next academic year at your own pace and place.

11.08

In keeping with the professional responsibility of the teacher, non-teaching periods are used for activities initiated by the teacher and by the College as part of the parties' mutual commitment to professionalism, the quality of education and professional development. Such activities will be undertaken by mutual consent and agreement will not be unreasonably withheld.

Such activities will neither be recorded nor scheduled except as in accordance with 11.01 G 1.

If you do not have a SWF during the "non-teaching period", also known as "The balance of the academic year", your rights and responsibilities are described in Articles 11.01 B 1, 11.01 F, and 11.01 G 1.

11.01 G 1

Where preparation, evaluation, feedback to students and complementary functions can be appropriately performed outside the College, scheduling shall be at the discretion of the teacher, subject to the requirement to meet appropriate deadlines established by the College.

11.01 B 1

Total workload assigned and attributed by the College to a teacher shall not exceed 44 hours in any week for up to 36 weeks in which there are teaching contact hours for teachers in post-secondary programs and for up to 38 weeks in which there are teaching contact hours in the case of teachers not in post-secondary programs.

The balance of the academic year shall be reserved for complementary functions and professional development.

Workload factors to be considered are:

- (i) teaching contact hours
- (ii) attributed hours for preparation
- (iii) attributed hours for evaluation and feedback
- (iv) attributed hours for complementary functions.

11.01 F

Complementary functions appropriate to the professional role of the teacher may be assigned to a teacher by the College. Hours for such functions shall be attributed on an hour for hour basis.

An allowance of a minimum of six hours of the 44 hour maximum weekly total workload shall be attributed as follows:
four hours for routine out-of-class assistance to individual students
two hours for normal administrative tasks.

The teacher shall inform his/her students of availability for out-of-class assistance in keeping with the academic needs of students.

IF YOU RECEIVE A SWF

If the college issues a SWF to you for the non-teaching period, you need to know the procedures and your options.

The College could assign teaching and/or program/Course development:

Teaching involves contact hours, preparation factors, and attributed evaluation types that calculate to a total of attributed SWF hours. Each hour of review or course development is added to the total on your SWF on an hour-for-hour basis.

Article 11.01 D 3

...

(ix) Hours for curriculum review or course development assigned to a teacher on an ongoing basis, in lieu of teaching or in a nonteaching period, shall be attributed on an hour for hour basis and recorded on the SWF.

After your program's student academic year is finished:

11.01 B 1

Total workload assigned and attributed by the College to a teacher shall not exceed 44 hours in any week for up to 36 weeks in which there are teaching contact hours for teachers in post-secondary programs and for up to 38 weeks in which there are teaching contact hours in the case of teachers not in post-secondary programs.

If you teach in a post-secondary program:

- You can be SWF'd for up to six (6) weeks of teaching or Program/Course development at regular pay rates if you teach in a post-secondary program. (40 weeks) You may have less than six weeks eligible for SWF assignment for the following possible reason(s): You were assigned and SWF'd for work during Orientation Week; you were assigned and SWF'd for work during Break Week.
- You can also be SWF'd for up to four (4) more weeks of teaching or Program/Course development but you must agree to the assignment, and you will be paid Overtime. (see Articles 11.01 K1, 11.01 K 2, and 11.01 K 4 – 180 days below)

If you teach in a non-post-secondary program:

- You can be SWF'd for up to two weeks of teaching or Program/Course development at normal pay rates if you teach in a non-post-secondary program, and if you do not arrange up to ten (10) working days for professional development.
- You can be SWF'd for up to four (4) more weeks of teaching/Program Development, but you must agree to the assignment, and you will be paid Overtime (see Articles 11.01 K1, 11.01 K 2, and 11.01 K 4 – 190 days below)

Rationale:

An "academic year" is ten months, unless your program is continuous intake, in which case the academic year is twelve months. (See Articles 15.01A, Article 15.01B, and Article 15.01 C below for details)

A "teaching week" can be a timetabled teaching hours in either 5-day or compressed format, or five contiguous "non-contact" days such as orientation week and break week. (see Article 11.01 K 2 below)

Continuous Intake Faculty: Please read the details of the Professional Development Articles 11.01 H1, 11.01 H 2, and 11.01 H 3 below carefully, as the College has the obligation (see "shall") to find a way to work PD into your schedules. Unused Professional Development days cannot be carried over to the next year.

In solidarity,
John Innanen
Chief Steward,
Faculty Union Local 237

SUPPORTING ARTICLES

11.01 B 1

Total workload assigned and attributed by the College to a teacher shall not exceed 44 hours in any week for up to 36 weeks in which there are teaching contact hours for teachers in post-secondary programs and for up to 38 weeks in which there are teaching contact hours in the case of teachers not in post-secondary programs.

11.01 K 1

Contact days (being days in which one or more teaching contact hours are assigned) shall not exceed 180 contact days per academic year for a teacher in post-secondary programs or 190 contact days per academic year for a teacher not in post-secondary programs.

11.01 K 2

Weekly contact hours assigned to a teacher by the College may be scheduled into fewer than five contact days and such compressed schedule shall be deemed to be five contact days.

11.01 K 4

Compensation for work in excess of the maxima set out above shall be paid by the College to the teacher on the basis of:

(i) 1/180 or 1/190 respectively of the teacher's annual regular salary for each contact day in excess of the 180 or 190 contact day annual maximum;

(ii) 0.1% of the teacher's annual regular salary for each teaching contact hour in excess of the 648 or 760 teaching contact hour annual maximum.

Such compensation shall be for the greatest amount and shall not be pyramided under this clause or under 11.01 J

15.01 A

A full-time employee who has completed one full academic year's service with the College shall be entitled to a vacation of two months as scheduled by the College. A full-time employee who has completed less than one full academic year's service with the College shall be entitled to a two month vacation period and shall be paid the remainder of the employee's prorated annual salary.

15.01 B

A teacher assigned to teach for an additional month (11th month) over the normal teaching schedule of the equivalent to ten months as part of a continuous 12 month program shall be entitled to a vacation of one month, as scheduled by the College. Such teacher shall also receive a bonus of ten percent of the employee's annual regular salary for the additional eleventh month of teaching assignment to be paid on completion of such assignment. A teacher assigned to teach in the eleventh month for less than a full month will be entitled to a pro-rata amount of the ten percent bonus referred to above, to be paid on completion of such assignment.

A member of the teaching faculty teaching in a continuous program shall not be required to teach for more than 12 consecutive months without a scheduled vacation of at least one month.

15.01 C

It is understood that the above provisions for vacations are not intended to prohibit Colleges from scheduling non-teaching periods at Christmas and New Year's or at any other mid-term break.

END