

CUPE 3287

University of Saskatchewan Sessional Lecturers

News From Nowhere

Year 34, Number 1

February 2023 Newsletter

Dear members of CUPE 3287,

We wanted to update you on the Notice to Vote we received yesterday from the employer. Unfortunately, the offer made by the employer falls short of our expectations and does not include retroactive pay for 2022, despite the rising cost of living. **Therefore, the bargaining committee strongly recommends that you vote NO.**

Please be aware that only current employees are allowed to vote. This means that members who are not teaching in the Winter 2023 semester will not have a say. It is important to remember that retroactive pay is not only a concern for current employees but also for those who taught in the Fall 2022 semester. Your vote will have an impact not only on yourself but also on those members who do not have a voice.

We would also like to note that this is considered a *forced vote* in accordance with Saskatchewan labour law. Previously, we informed the employer that we could recommend their offer to our membership. However, they were unwilling to change their position regarding retroactive pay, and as a result, they have chosen to force a vote on our members.

The Notice of Vote can be viewed on the [CUPE 3287 website](#), and we encourage you to attend the upcoming membership meeting on February 21, 2023. We will explain our position on this matter in more detail and answer any questions you may have. Additionally, you will find more information regarding the bargaining committee's position in the next issue of the newsletter, which will be released shortly.

We want to remind you to **vote NO** and let your voice be heard. Together, we can make a difference and ensure that our members are treated fairly and with the respect they deserve.

In solidarity,

The CUPE 3287 Bargaining Committee

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President’s Report

Let me put the bottom-line up top:

Within the next few days many of you (but not all of you – see below) will be receiving via post a Notice to Vote, sent by the Saskatchewan Labour Relations Board. (The full text of the Notice to Vote package is [available here](#).) The “Best and Final Offer to Settle” included in the package is *not* being brought forward to the membership by CUPE 3287’s Negotiating Committee. Instead, this is an *ordered* vote brought about unilaterally by the University under 6-35 of the *Saskatchewan Employment Act*.

The Negotiating Committee does *not* recommend acceptance of this offer. Instead, the Committee urges our membership to reject the offer by completing and returning your ballot marked “no.”

Allow me to provide some background on how this has come about and why the Committee believes that the current offer should be rejected.

To start at the beginning...

As many of you are aware, we have been in collective bargaining with the University to obtain a new collective agreement for nearly two years. As I reported to the membership last

Fall, negotiations quickly became stagnated. From the outset, the University had essentially rejected all costed proposals (including, e.g., any significant wage increase, improvements to benefits, pension access, and additional support for our Academic Participation/Professional Development Fund). Instead, the University, amongst other things had introduced proposals that would have gutted Right of First Refusal (ROFR), making it harder to obtain and maintain and empowering the University to suspend ROFR where 'currency' has not been maintained. Of particular note: the University's 'quasi-final' wage offer at this point was an 1.5% stipend increase in 2022, 2023, and 2024 (with no increase for 2021).

Voluntary Mediation

In view of the lack of progress in bargaining, in late August 2022, both parties agreed to enter into voluntary mediation. After five mediation meetings, it became clear to the Committee that the University was not interested in actual mediation, but instead appeared to be attempting to game the mediation process (e.g., by re-introducing proposals that they had previously agreed to shed earlier in the process).

Impasse & Conciliation

Accordingly, on November 7th, 2022, our Committee advised that Minister of Labour Relations and Workplace Safety that negotiations between CUPE 3287 and the University of Saskatchewan were at impasse. Under Saskatchewan law, this then triggers a 60-day period of mandatory conciliation between the parties. But, in the event, there was little actual conciliation at our one and only conciliation meeting. On December 16th, 2022, the University simply transmitted through the conciliator an early version of its "Best and Final Offer." In that proposal, the University agreed to withdraw all of its earlier proposals, including

those that would have gutted ROFR. But the proposal also stipulated that all Union proposals withdrawn during mediation would continue to be withdrawn. In other words, with the important but relatively minor exception of new language regarding teaching assessment and performance review, our collective agreement would remain essentially *status quo*. There was one significant movement, however: the University now proposed to effectively double its wage offer to 0%, 3%, 3%, 3% over a four-year agreement beginning September 1, 2021, but with no retroactive pay.

In the view of the Negotiating Committee, this was the first significant movement on money matters that we had seen since the beginning of negotiations. A 3% per year increase over three years is not nearly enough to compensate for recent increases in the cost of living (and not even remotely enough to attain parity with sessional lecturers at the University of Regina who, at the top of their pay grid, earn fully 22% more than U of S sessional lecturers at the top of our pay grid). Nonetheless, it was the Committee's view that this *might* be an offer that we would be willing to take to membership, *if* the University would agree to make the proposed stipend increase retroactive to September 1, 2022. The University countered by offering retroactivity to January 1, 2023 (i.e., the beginning of this term) but has refused to go any further. Instead of continuing to negotiate, on February 3, 2023, the University applied to the SLRB to conduct an ordered vote.

Why the University's Offer Should Be Rejected

For one thing, the SLRB-supervised vote continues the University's pattern of attempting to get its way through hard bargaining tactics. The University is *forcing* this vote onto our membership, and force, I'd submit, is not something to which we should willingly submit. While it is entirely legal for the University do what it is doing, if it is allowed to succeed this

will only encourage the University to believe that it can get its way by pushing CUPE 3287 around.

For another, the way in which SLRB-supervised is being conducted is inherently unfair to many of our members. Under our Local's By-Laws, sessional lecturers remain members of the Union for 24 months following their most recent teaching appointment and are eligible to participate in a ratification vote for a new collective agreement. At present, our Local has over 700 members in good standing. Under the terms of 6-35 in *Saskatchewan Employment Act*, however, only *current* employees are eligible to vote. In the Winter 2023 term, that amounts to 297 individuals. Yet members who are not currently employed as sessional lecturers, but who were employed in the Fall term of 2022, clearly have a stake in the outcome of the vote. In fact, if the University's current "Best and Final Offer" is accepted, some of those members may receive no wage increase at all.

To be clear, if the imposed final offer vote fails (and I am urging you to help it fail), both parties have an obligation to return to collective bargaining. And there is good reason to believe we can yet obtain a better deal at the bargaining table—at a minimum, a deal that would provide for full retroactivity and allow for a vote conducted on our terms. The University

has a strong incentive to reach a collective agreement with CUPE 3287 *soon* (in particular, since it is currently in also in negotiations with PSAC 40004 and will be entering into negotiations with the University of Saskatchewan Faculty Association later this year).

If you have questions about the Notice to Vote or want to know more about negotiation process that has led us to this juncture, I urge you come out to the Winter Term Membership Meeting being held on **Tuesday, February 21st**, starting at **2:00 PM**, in Health Sciences **1B11** (see the agenda later in the newsletter for more information).

In addition to discussion of bargaining issues, the meeting will also include by-elections for up to three Members-at-Large, and one Trustee position. If you are a member in good standing of CUPE 3287 and you are interested in standing for election to one of these positions, you can self-nominate at the meeting or, if you will be unable to attend the meeting, communicate your consent to be nominated to another member for presentation at the meeting. As always, I encourage all members of our Local to attend.

William Buschert
CUPE 3287 President

ASPA's Arbitration Award: What it Means for DEU Instructors

As many of you will recall, the University, unilaterally and without consultation, announced a “policy decision” in July, 2020 under which instructors in courses offered through the Distance Education Unit (DEU), who previously had been represented by the Administrative and Supervisory Personnel Association (ASPA), would be moved into CUPE 3287, effective September 1, 2020. Individuals affected by this decision have suffered substantial pay cuts, loss of benefits, and uncertainty about future teaching appointments.

After the “policy decision” was announced, CUPE 3287 initiated a grievance on behalf of instructors (now members of CUPE 3287) who were suffering these negative effects. Our Local agreed to waive timelines on this grievance and did not take it to a hearing, however, on two different grounds. First, because we were then entering into collective bargaining with the University and hoped to negotiate a memorandum of agreement covering DEU instructors that would, amongst other things, set out how past work experience in ASPA positions should be counted toward Right of First Refusal and ensure proper remuneration for DEU courses. In addition, we were aware that APSA had initiated a policy grievance challenging the University’s decision. ASPA’s grievance that was subsequently taken to arbitration, a process which dragged on for more than a year.

On December 20, 2022, Arbitrator Sheila Denysiuk issued an award in the case (the full text of which is [available here](#)). In short, the award is a clear and complete win for ASPA, finding that the “policy decision” was in violation of ASPA’s collective agreement and directing the University to “return the disputed work to ASPA.” This is clearly good news for DEU instructors.

BUT: Our Local has confirmed (just before this newsletter appeared) that the University has given notice to ASPA that it will be seeking judicial review of (i.e., appealing) the award. Judicial review in a case of this sort can take up to two years (or more) to reach its conclusion. The University has also confirmed to our Local that, while the review process is underway, it will *not* be complying with the award – i.e., will not be returning the disputed work to ASPA. So, the bad news for DEU instructors: One way or another, the unsatisfactory *status quo* is likely to continue for some time.

William Buschert
CUPE 3287 President

Member Profile: Grant McConnell



Photo courtesy of Grant McConnell

When Grant McConnell is asked what he does for a living, his usual answer is “I’m an artist that teaches a hell of a lot.” Working as a sessional instructor at the University of Saskatchewan since 1985, McConnell has at one time, or another taught almost everything offered by the Department of Art & Art History including painting, drawing, and art history. His teaching career began with Fine Arts 100, a half a semester class for education students lead by Joan Borsa that covered instruction in visual arts, music, dance, and drama. In addition to his work on the U of S campus, McConnell has taught at St. Peter’s in Munster, the University of Regina, andiversity of Lethbridge.

Originally from Aurora, Ontario, McConnell started school at Mount Allyson University and later moved to Saskatoon to complete both his

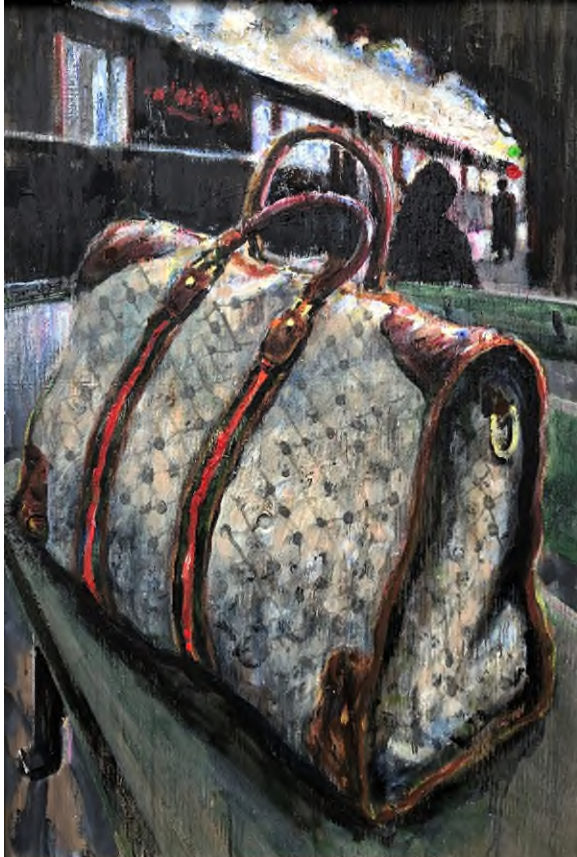
BFA and MFA. At the time, the Department of Art & Art History was relatively small, allowing instructors to focus on what they were teaching and know who was working in the department.

While studying at the U of S, McConnell had the opportunity to work with well-established Saskatchewan artists including Otto Rodgers and Eli Borstein, and accomplished art historians such as Lynne Bell.

For McConnell, teaching and his studio practice are interlocked, and one informs the other. He feels that he’s a better teacher when he’s active in the studio. McConnell describes his studio practice as “the middle that his teaching is built around.” Teaching is a responsibility that McConnell takes very seriously, and that for him there’s a vocational obligation to teach as an artist. He strives to make the classes that he teaches at least a little better every year through a lot of class prep, student engagement, and finding ways to exceed the expectations of students.

Community involvement and art advocacy is very important to McConnell. He has served as both the Saskatchewan and National chair of CARFAC (Canadian Artist Representation, Le Front Des Artiste Canadiens), previously served on the SK Arts Board, and did four years on the ACCESS Copyright Board. Recently, McConnell completed a three-year term on the board of the Remai Modern.

McConnell designed a new Art History course, Art in Practice: The Ecology in Canada, that he is teaching for the first time this term. Students



Noir from *Finer Things: A Theory of the Leisure Class Workset*, Grant McConnell, acrylic on wood, 2022
(Photo courtesy of the artist)

receive instruction on the practical side of being an artist including writing artist statements, applying for grants, involvement in artist organizations, and approaching the art market. This is something that is often overlooked by post-secondary schools and it's a course that McConnell wishes was offered 30 years ago when he was a student. McConnell has found that students are eager for this kind of content, and he has been busy answering rapid fire questions from his students.

With the recent ongoing round of bargaining, McConnell recognizes that there should be equal pay for work of equal value for what sessional instructors do in comparison to what faculty members do at the U of S. For all their work, sessionals only receive a quarter to a third of what faculty members get paid. This would not stand anywhere else, but it gets a pass in Canadian universities and inequalities in remuneration for sessionals remains unfair. McConnell continues to be astonished by the dedication of gifted sessional instructors at the University of Saskatchewan and is honored to be teaching alongside such amazing individuals throughout the university.

Patrick Bulas
CUPE 3287 News & Communications Officer

Deferred & Supplemental Exam Stipends: How to Obtain Them

Over the last few weeks, you may have received an email message from Teaching, Learning and Student Experience (“TLSE Exams”) indicating that students who you taught in the previous term have been approved to write deferred or supplemental exams. If you’ve received one (or more) of these messages, you’re probably aware that deferred exams for the Fall 2022 term are to be written during Winter Term Break Week, Feb. 21-24.

[Schedule A \(5\)](#) of our Collective Agreement specifies that sessional lecturers “who are required to set or grade special deferred or special supplemental exams shall be remunerated on the basis of twenty dollars (\$20.00) per student.” Granted, that’s not a massive amount of money (and it hasn’t been increased in years). Nonetheless, our members are entitled to it (and it can add up – some of us will be dealing with five or six or more deferred exams next week).

It's been the Union’s impression for quite some time that relatively few sessional lecturers who are eligible for this stipend actually apply to receive it. Accordingly, the Union has repeatedly asked the Employer to clarify the application process. After much discussion at SJUMC, we are able finally to provide a step-by-step guide:

To obtain your stipend for setting and grading a special deferred or special supplemental exam under Schedule A (5), send:

I) a copy of the email that you will have received from USask Exams indicating that a student's deferred or supplemental exam request has been approved, together with II) a short note indicating that the exam was completed and a grade change submitted to the undergraduate academic advisor in your college. A list academic advisors for each college can be found here:

<https://students.usask.ca/academics/advisors.php#Undergraduateadvisors>

Note that the email from TLSE Exams may contain authorization for more than one student. In which case, you can simply provide II) above for each student in a single email or include a copy of the same message referenced in I) above with every A (5) stipend request submitted separately.

Submitted by William Buschert

Employee & Family Assistance Program (EFAP)

The University of Saskatchewan is committed to offering faculty, staff, and eligible family members free access to confidential services and resources to support a healthy mind, body, and life. Services include counselling, nutrition, health, family support services, legal support services, and financial support services. The service provider for this program is LifeWorks. Staff and eligible family members have access to 24/7 confidential support by phone, online, or through the LifeWorks app.

To Access the EFAP:

Phone: 1-855-575-1740

Online: Type in EFAP or LifeWorks on the University browser or click [here](#)

EFAP Board Meeting (Remote) Thursday, January 19, 2023

LifeWorks replaced ComPsych as the USask EFAP service provider at the end of 2021. Service access and provision are reportedly going well.

The annual report for 2022 from LifeWorks, the USask service provider, is summarized below:

USASK'S EAP VIEW AT A GLANCE

Top Counselling Access:

- Anxiety (18%)
- Personal Stress (17%)
- Workplace Stress (8%)

Top Work/Life Accesses:

- Separation/Divorce (14%)
- Ownership (Legal) (11%)¹
- General Health Eating (7%)

¹ Ownership (Legal) refers exclusively to real estate and property. EFAP will not intervene in an employee-employer (i.e., contractual) matter. Intellectual property is not part of this. LifeWork's legal team can be consulted for advice but will not serve as legal consul for these types of issues.

Who accessed LifeWorks in 2022?

- 503 USask employees and 62 spouses/dependents²
- 9.19% of USask employees and spouses/dependents (industry = 12.59%; nationally =12.33%)
- Peak access period was January – March while the lowest access period was July-August

- HR was the primary source of EFAP services and programs information, followed by internal communications, previous clients, website, and a family member

² No breakdown is being provided by sector or union. When the review was done in 2020-2021, it was felt that sector/union breakdown of statistics could prove to be a barrier to individuals accessing EFAP services and violate confidentiality matters for individuals.

Types of services requested in 2022:

- counselling (88%) and work/life (12%)

Questions/Concerns

1. What measures are being taken to ensure that employees new to the University can access information about EFAP services and Programs easily?

Bill Gulka
CUPE 3287 EFAP Representative

Gwenna Moss Centre for Teaching and Learning

The Gwenna Moss Centre for Teaching and Learning provides free support to sessionals that is focused on course design, instruction, and assessment. You can access the following:

- [Register for a workshop.](#)
- Learn to use [teaching technologies](#) like [Canvas](#) (the learning management system) or [Poll Everywhere](#) (for formative assessment).
- Complete a [Certificate in University Teaching and Learning](#) to add to your resume or teaching portfolio.
- Learn what is required by policy and get help designing a syllabus based on [USask's Syllabus template](#) or using the syllabus generator within Canvas.
- Overview for new instructors at USask: <https://teaching.usask.ca/teaching-support/teaching-at-usask.php>
- Find common how to teach tips by searching [Educatus](#).
- Review the [teaching website](#) by navigating through the top headers for information and resources related to teaching at USask.
- Set up a one-to-one consultation based on your teaching needs by [emailing](#) us!
- Get support from the library <https://library.usask.ca/support/teaching.php>
- Library services for sessionals <https://library.usask.ca/use-the-library/services/sessional-lecturers.php#Libraryaccess>
- Please visit the [resource page](#) of the CUPE 3287 website for further information

Academic Participation/Professional Development and Tuition Waiver Fund

CUPE 3287 members are encouraged to apply for professional development funds, including the Academic Participation/Professional Development fund and the Tuition Waiver fund. Since July 2017 these funds have been combined and are administered directly by the Union.

Applications must be submitted electronically to cupe3287grants@gmail.com, cc'd to cupe3287@gmail.com.

Fund Guidelines

The deadline for the current (Winter 2023) round of applications is **February 28, 2023**.

- Please read these guidelines *in full* before applying for the fund: [AP/PD/TW Fund guidelines](#) [PDF, 160KB]
- To apply for a tuition waiver:
 - [Tuition Waiver Application Form](#) [DOCX, 94 KB]
- To apply for academic participation/professional development funds
 - [Academic Participation/Professional Development Application Form](#) [DOCX, 90 KB]

Note: The 2020 MOA which provided for grants in support of remote instruction through the AP/PD Fund has expired. Remote teaching supplies are therefore no longer eligible for reimbursement under the fund.

If your application to the AP/PD/TW Fund has been approved, you can contact **Sheila Arneson** in Human Resources to arrange for reimbursement (306-966-6324; cupe3287.fund@usask.ca).

Please note that all travel under this fund must be approved by the university. For more information about how to request permission to travel, please visit the following Knowledge Base article: [How do I request permission to travel?](#)

Winter Membership Meeting

Tuesday, February 21, 2023

2:00 pm

This will be a hybrid meeting:

In-Person: Health Sciences 1B11

&

Remote: Via Zoom

Zoom invitations have been sent to the membership via email. If you have not received your invitation email, please contact cupe3287@gmail.com

The agenda and minutes from the previous meeting have been distributed to the membership via email

Agenda on following page



WINTER MEMBERSHIP MEETING

February 21, 2022, 2:00 PM

Health Sciences 1B11 & via Zoom

(Zoom invitations circulated via email)

AGENDA

1. Adoption of the agenda
2. Roll Call of Officers
3. Reading of the Equality Statement
4. Adoption of Minutes, Annual General Meeting, December 12, 2022
5. Matters Arising from the Minutes
6. Motion: Acceptance of new members
7. Secretary-Treasurer's Report
8. News & Communications Officer's Report
9. Correspondence & Communications
10. Executive Committee Report
 - a. Negotiations/Conciliation Update: University's application to SK Labour Relations Board to conduct a vote on the Employer's "last offer" (per 6-35 of the *Saskatchewan Employment Act*)
 - b. Grievance & Case Work Report
 - c. SJUMC Report
11. By-Election: One (1) position as Trustee
12. By-Election: Up to three (3) positions as Members-at-Large
13. New Business
14. Adjournment

CUPE Equality Statement

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

-Mark Hancock, National President

-Charles Fleury, National Secretary-Treasurer

Contact the Union

McLean Hall, Room 35
106 Wiggins Road
University of Saskatchewan
Saskatoon, SK
S7N 5E6

Phone: (306) 966-7023
Email: cupe3287@gmail.com
Website: <http://3287.cupe.ca>



@cupe3287



Newsletter Editorial Board

Editor:

Patrick Bulas

Committee Members:

Will Buschert, Jeffrey Klassen, Eleanor Shia

If you would like to submit an article to our newsletter or would like to join our committee, please contact news.cupe3287@gmail.com