

FNEEQ



CSN

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Draft legislation on the Negotiating System

DECENTRALIZATION

A STUDY OF APPENDIX "A"

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NOTICE

This text follows up on INFO-FNEEQ, Volume 3, No. 1, "AN ATTEMPT TO MAKE THE DECREES A PERMANENT SYSTEM". In this previous issue a detailed explanation was given of Clair's the provisions draft legislation. We suggest you consult the previous issue for a clear explanation of the references and the concepts found in the present text.

"NEGOTIATING SECTORIALLY THE SUBJECT OF LOCAL NEGOTIATIONS AND ADAPTATIONS"

A negotiating system reflects the structuration of the society out of which it is developed. If company-by-company negotiations in the private sector are the reflection of the lack of overall economic planning in our society, centralized and sectorial negotiations in the public sector are the result of a will on the part of Québec society to see the state take over from religious institutions in the area of social and educational services.

As well this negotiating system reflects our collective will to do away with regional disparities, both in terms of working conditions and of services to the population. If Québec society has freed itself from the hold of the Church and its clerical institutions. It was not in order to submit to large or small regional enterprises or the technocrats who work for ministries or institutions.

We believe that working conditions must be the same from Hull to Gaspé; we believe that students are entitled to the same services throughout Québec and that they don't have to exile themselves from their milieus under the pretext that a single type of enterprise exists in their region and that it is thus useless to provide them with training that isn't specialized in this type of enterprise.

We refuse to negotiate with local administrations over dispositions which are outside their jurisdiction. Not elected representatives and without powers of taxation, local administrations cannot administer policies and budgets passed by the National Assembly.

We cannot accept that minority groups in our federation, such as women and non-permanent employees, cannot be given attention by and efforts made by the entire college network. Thus, no local community can effectively solve a problem to do with systemic discrimination; the system which engendered it is what has to be changed...

We want to negotiate with the real decider of the main orientations of our collective agreements. We are convinced of the need and the advantage of then referring the application and adaptations necessary to genuine negotiations at the local level, upon mutual agreement.

But we refuse to allow the government itself to decree the framework of these local arrangements without having first negotiated them. Because if the framework is not negotiated and agreed upon by the provincial parties beforehand, it will be imposed by the government's budgetary regulations. We aren't stupid: whether funding is done through strict rules or through an overall budget, the amount will be established by Québec. All negotiations having implications on budgets should first be decided upon by the "deciders".

OUR POSITIONS

- Negotiability of overall wages
- Negotiability of all working conditions
- Capacity to negotiate, on a sectorial basis, which matters we wish to refer to the local level
- Capacity to negotiate locally the local arrangements necessary for applying sectorial agreements
- Full and entire recognition of the right to strike, while assuring the harmonious maintenance of essential services in the social affairs sector

CHAPTER II:

APPENDIX "A"

During the last round of negotiations (?), the Parti Québécois government imposed its policies to a great extent. The extend of the economic crisis which hit the Western world and the population's concern with growing unemployment allowed this government to justify its economic incapacity by pointing to an enemy from within: the public sector workers. Entrenched behind an almost odious kind of propaganda, they asked us to voluntarily accept pay cuts and deteriorations in our working conditions. When we refused to do it to ourselves voluntarily, they did it for us, by decreeing...

This time, the government cannot adopt this kind of attitude without risking its already precarious political position; young welfare recipients aren't going to believe that what was taken from us unfairly was redistributed to the neediest. And this government wouldn't be as hateful as to ignore our most pressing demands on the eve of elections. But they would prefer not to have to negotiate at all: they would prefer to adopt a budget and leave the explaining of its consequences and limitations to local administrations. You might as well try negotiating the purchase of a house with the tenant...

PHONEY DECENTRALIZATION OF MANAGEMENT

The present government is an expert in meaningless but misleading formulas. After upholding the sovereignty that is not supposed to be mentioned, we're now looking at decentralization as a way of getting local administrations to bear the responsibility for policies that are decided upon by the Cabinet.

Placed between local unions which defend the most pressing demands and the government which would define mandates and budgets, the colleges would be incapable of real negotiations, even with an overall budget in hand. Anything they could award in terms of working conditions would have to come out of budgets allotted for equipment, for example, or the other way around more likely.

And the union democracy which guarantes full autonomy to each local assembly would be used against us; as soon as one union accepted a provision that was the least bit favorable for the employer, the others would immediately become intrasigent and unreasonably selfish. Within the present context of a move towards making teaching a private affair and with the competition

AN ATTEMPT TO MAKE THE DECREES PERMANENT:

among the colleges, the teachers would bear the responsibility for the decline in their institutions vis-à-vis colleges where the teachers had been more flexible. Our colleagues in private teaching institutions could tell us a lot about the “advantages” of “sub-contractors” as bosses; with a closed budget, deciding where and whom to cut, like at the Petit Séminaire de Québec, would be a painful affair.

We mustn't forget that by decreeing our wages and by withdrawing the right to strike over especially important provisions, the government is betraying the normal negotiating mechanism. We could no longer, for example, accept a lower salary increase in exchange for a lighter course load or the guarantee that we would be consulted on pedagogical issues; workloads could have priority over job security, for example, but not over decreed wages or holidays negotiated and arbitrated at the local level. We can't “exchange” what we don't have...

WHAT IT WOULD MEAN

- Maintenance of government controls over college budgets
- Increased competition among colleges
- Elimination of minimum guarantees
- Division of labour forces
- Competition among unions
- Desynchronized and scattered negotiations

Make no mistake about it; our structures and our labour organizations are not perfect and there is always room for

improvement, but they aren't who wrote the decrees. And it wasn't the present rules for negotiations which proved ineffective during the last round but rather the fact that, from the very beginning, the government announced that it wasn't going to respect those rules. And if the decrees and odious Bill III didn't prevent the last strike, who can seriously say that permanent decrees on the provincial and local levels will prevent strikes? They didn't prevent the workers at the Saint-Julien de Saint-Ferdinand d'Halifax Hospital from striking, but the fact that their strike was illegal brought out the bulldozer of repression... Faced with the prospect of a province-wide strike with incalculable repercussions, the government prefers to repress local unions one by one...

A SINGLE COLLEGIATE NETWORK: BUT SECTORIAL AGREEMENTS ADAPTED LOCALLY...

Although we're not promoting a stereotypical vision of the colleges, we're accused of being excessively in favour of centralization. And yet, the ministry and the Fédération des CEGEP were opposed to any attempt on our part to give local parties the responsibility for adapting certain clauses in the decree: branches, re-call lists for teachers without tenure, measures to reduce surplus staff, coordinators' bonuses, etc. To them, decentralization means de-contracting our working conditions in order to increase management rights; appendix “A” is the draft bill for de-contracted clauses.

We want to negotiate, on a sectorial basis, which matters would be adapted locally; we want guarantees from the real “deciders” that we could negotiate locally. We aren't crazy; we don't want

AN ATTEMPT TO MAKE THE DECREES PERMANENT:

to hear local administrators tell us "There's nothing more we can do: Québec won't give us any more money..."

We have come together in a vast majority to the FNEEQ-CSN to defend our rights, on the basis of the existence of a single collegiate teaching network. The "local colour" of colleagues does not justify the disappearance of this network; the resources and working conditions must, overall, remain the same and cannot be determined by the importance of big regional enterprises. The debate on specialized centres, for examples, needs to happen; self-financing and the risks of control which ensue cannot be discussed at the local level alone, at the risk of unduly

penalizing one college in comparison to others.

If local arrangements must be not only tolerated, but in fact encouraged, they cannot be synonymous with local "decrees"; one national guarantees that our rights will be respected and that Québec will allot the budgets necessary are obtained, then it would surely make sense to negotiate application of these guarantees locally. But what the government wants is for us to be happy with the responses from local administrators to questions involving the budget and provincial education policies. Well, since when have the workers in private industry had to negotiate with the foremen?

An autopsy on Appendix “A”

Presently our negotiations are centralized and are carried out sectorially. And certain issues such as wages are voluntarily negotiated in a common front at the central table. However, many clauses can be adapted locally in order to take into account the reality and specificity of each college (e.g., refresher courses, workloads, etc). But since the decree, and increasingly, what is guaranteed as a minimum on a sectorial basis is in fact turning out to be the maximum (e.g., time off for union activities). Local administrations for the most part don't show any real openness to negotiations.

Provisions replacing the collective agreement include 51 articles. According to the draft:

- 3 would be decreed by government (wages)
- 26 would be negotiated locally, without the right to strike and a mediator/arbitrator would be empowered to rule on them
- 9 would result from both sectorial and local negotiations
- 13 would remain at the sectorial level.

That would give us a collective agreement in which over 60% of the articles would be out of our hands or pretty well so. Wages would be decreed. As for the articles to be negotiated locally, to a certain extent we would be reduced to renewing the stipulations in the decree or submitting to the mediator/arbitrator's idea of what is best. And it would be surprising if many local administrations spontaneously agreed to renounce the perogatives they are given in the decree, especially when local negotiations are carried out without the right to strike and will be spread out over long periods of time.

If we're denouncing appendix "A", it isn't just on the basis of this description. Let's look at each of the 27 items listed in the appendix which the government wants to see negotiated on a local basis. Ask yourself about the effect that this transfer would have. All the implications of local negotiations will then appear to you and you will understand our position on decentralization and on appendix "A".

Appendix A

MATTERS TO BE NEGOTIATED LOCALLY IN COLLEGES FOR THE TEACHERS

1. Union dues
2. Time off for union duties
3. Meetings and posting
4. Information
5. Labour Relations Committee (CRT)
6. Department.
7. Selection of professors
8. Pedagogical Commission
9. Hiring (subject to the job security and priorities)
10. Seniority (subject to relocation)
11. Disciplinary measures
12. Leave for professional activities and unpaid leave (except those provided for parental leave)
13. Further Training (contingent upon the amounts allotted)
14. Availability
15. Distribution of the teaching workload
16. Recognition of local parties
17. Public office
18. Payroll modalities
19. Travelling expenses
20. Vacations (except the quantum)
21. Grievance and arbitration (on locally and regionally negotiated matters)
22. Civil responsibility
23. Health and safety
24. Access to equality
25. Parking
26. Savings
27. Sexual harassment

Thick strings... for small puppets

There are negotiating strategies, and then there are the "tricks" of the trade... Thus, we haven't numbered our demands in order of importance, otherwise the last one on the list might be forgotten.

That is why we are presenting them to the other side by issue or in the order of the articles in the collective agreement, unless we want to make a specific point about something.

But appendix "A" waives this well-known principle; items 1 to 15 in appendix "A" cover the decree, in the order of articles 3-1.00 to 8-6.01; thus, for items 16 to 21,

we return to article 2-2.00 right up to article 9-2.00, and finally, items 22 to 27, designed without any rhyme or rhythm.

Is it a message of the importance they attribute to decentralizing negotiations of different articles?

In fact, we thought of reversing the process... In our opinion, everything is negotiable; no matter is "frozen" to the point that it cannot be negotiated on a sectorial basis with a view to adapting it locally... It would suffice to come to an agreement on this point; but we will never agree to a decree,... even with an "appendix".

MATTERS TO BE NEGOTIATED LOCALLY

FORSEEABLE EFFECTS

1) Union dues (3-1.)

Weakening of the present process for establishing dues (simple notice - 3-1.02) on the basis of the legitimacy of the assembly at which it was decided and resistance to the obligation to provide relevant information.

2) Time off for union work (3-2.00)

Elimination of the union fund for local activities; already susceptible to local arrangements, this article certainly didn't allow local administrations to show their flexibility, because they refused to negotiate anything other than the minimum that was guaranteed sectorially.

Also, during every round of negotiations, there is always a never-ending battle to get time off for members of the negotiating committee. Will local administrations prove to be more open and more generous than the government in this area?

3) Meetings and posting (3-3.00)

Here's an article which appears to have been made to measure for local negotiations. But we would still need better guarantees than that for the schedule "hole" (8-4.02).

4) Information (4-1.00)

The college might agree to give the union all the information it has. However, often, the information we need is at the Ministry... in Québec City. It is centralized and compiled there. We must have access to this information.

Indeed, the right to information should be recognized everywhere and be the same for all of the colleges. It appears risky to us to rely on the good faith of certain local administrations.

5) Labour relations committee (4.200)

This is another attack against one of our last areas of consultation and surveillance; the harshness of past negotiations to maintain compulsory consultation of the CRT on certain matters may cause us to doubt the intentions of management. If we admit that some operating modalities don't necessarily have to be standardized our right to be consulted and to oversee the application of our collective agreement must be reaffirmed and enshrined in a provincial agreement. Unless we want 41 different mechanisms for settling grievances, like it's proposed further on in appendix "A".

6) Department (4-2.00)

The context of a transfer to the local level of the article dealing with departments is that of introducing the institutional analysis, the coordinator's responsibility and a change in the clause on disciplinary measures (item 13 in the appendix). Also item 15 in the appendix confirms the colleges' desire to proceed themselves with a distribution of the teaching workload.

MATTERS TO BE NEGOTIATED LOCALLY

FORSEEABLE EFFECTS

7) Selection of professors (4-4.00)

Determination of criteria and requirements is henceforth done at the local level. What we should expect is an attack on the make-up of the committee and an obligation on the part of the college to respect majority recommendations.

8) Pedagogical commission (4-5.00)

With regard to its operations and its memberships, the PC is already adapted locally to a great extent. The implication is not in terms of the adaptability of the commission to different local situations, the Ministry and the Fédération des CEGEP want to reduce it to a simple board of administration committee. The last time, it was by taking it right out of the collective agreement. This time, it's via local negotiations.

9) Commitment (contingent on job security and priorities) (5-1.00)

Does not include: contract, part-time status, exclusiveness of service, certificate of experience (remittance of documents), automatic renewal, end of contract, full load session and year, teaching outside of one's discipline, establishment of disciplines, resignation, non-award of a priority (non-renewal for reason), vacation pay upon termination, status of replacement, internal posting, posting during vacation.

Let us assume the decree does not displease local administrations. It is much closer to their demands than to ours and they conform to them very closely. They apply them to a "t" and take maximum advantage of the leeway the decrees give them. On all of these clauses, we would have the choice between the status quo in the decree and resorting to a mediator/arbitrator. The argument local administrations would then use would be their inability to pay; they would say, and rightly so, that they are bound by the Treasury Board. And by arbitrating the matter, the arbitrator is supposed to judge "fairly", so he couldn't render a decision that would be impossible for the college to apply.

10) Seniority (contingent upon relocation (5-3.00))

We have managed to ensure that recognition of seniority is the same everywhere. From now on, one year of seniority could be equivalent to 525 teaching periods at College X, 530 teaching periods at College Y and 400 at College Z (like it was in 1975).

11) Disciplinary measures (5-5.00)

This is an aspect that would facilitate firings, directly linked to teacher evaluations. The institutional analysis would not linger very long on an evaluation of learning. The positions of the Conseil des Collèges on this matter are very indicative. Everything is being set up so that the colleges can begin issuing administrative firings.

12) Leave for professional activities and unpaid leave (5-9.00, 5-14.00, 5-15.00) (except for

Presently what characterizes these types of leave is their accessibility; they are in no way linked to

MATTERS TO BE NEGOTIATED LOCALLY

FORSEEABLE EFFECTS

those provided for parental leave - 5-8.00).

measures aimed at reducing surpluses. Article 5-4.00 permitting an employee to go on unpaid leave is one of the best around. This and other types of leave must not be made contingent upon the goodwill of local administrations.

13) Further training (contingent upon the amounts allotted (7-1.00, 7-2.00, 7-3.00, 7-4.00, 7-5.00; with the exception of clauses having to do with amounts: 7-1.02, 7-1.03).

Further training under its present application is already fairly local. A committee decides how and by whom the funds are used. If there is a problem in terms of further training, it is in terms of the amounts allotted and the obligation to take refresher courses on one's own time, even when it is a matter of technological training.

14) Availability (8-3.00)

The decree did away with the hourly framework of a schedule. Are local negotiations aimed at doing away with the weekly or session framework? Intensive courses given on weekends are increasing. The same for summer sessions and intensive programs in the professional sector.

There are needs involved, it's true. However, this development has to be seen and explained in the context of entrenching the institutional analysis, regionalization of options, creation of institutional and self-financing programs. We must ensure that we will not be the victims of free competition on the part of the colleges.

15) Distribution of the teaching workload (8-6.01, 4-3.10)

There is presently no article that deals specifically with the distribution of the teaching load. Article 8-6.01 states that the distribution is done by department and that it is submitted to the college for approval. Article 4-3.10 states that it is one of the departmental activities for which the coordinator is accountable to the college. Appendix "A" makes it an object in itself. Why?

16) Recognition of local parties (2-2.00)

Will CEC and AEC students be included in the calculation of regular teaching? Do our unions represent the teachers in specialized centres? What is the sectorial field of teachers, support staff, PNEs?

17) Public office (5-10.00)

Can we afford to leave the free application of this article up to the local political context without ensuring a minimum amount of uniformity of rights throughout the entire network?

18) Payroll modalities (6-2.00)

Since wages will be decreed, we could entertain ourselves by playing at negotiating payroll modalities. But in this kind of game, we stand to lose the advantage of a salary which is spread out over 12 months. Primary and high school teachers bitterly regret having given up this clause.

19) Travelling expenses (6-7.00)

Presently, reimbursement of travelling costs is a right which is recognized for all. Only the quantum

MATTERS TO BE NEGOTIATED LOCALLY

FORSEEABLE EFFECTS

vaires from one college to another. Transferring this article to the local level threatens this right. Will employees continue, for example, to be reimbursed for costs involving in travelling to the site of a "stage"?

20) Vacation (except for the quantum) (8-2.00)

The Regulation on the pedagogical system in colleges already denies practically all initiatives to do with the school calendar. Is this the beginning of ongoing sessions by rotation of personnel? Or an indication of split, non-consecutive vacation time? As with the issue of availability, we have to protect ourselves beforehand against intercollegiate competition.

21) Grievances and arbitration (on matters negotiated locally or regionally) (9-1.00, 9-2.00)

Since almost the entire collective agreement would be local, we will see eternal haggling over deadlines, stages, arbitration, etc. Training sessions for grievance officers would probably be complex and the technical resources (union counsellors) would have to be multiplied. Also, there would be a provincial mechanism for sectorial matters and a special tribunal for employment priorities. Notices to lawyers.

22) Civil responsibility (5-7.00)

An article protecting teachers against lawsuits for actions related to their work and against loss, theft or destruction of their goods at the college. The last ruling in this area was in our favour. It had to do with losses incurred during a fire. Since then, an attack on this article was foreseeable.

Could we obtain as good a protection locally as what we have in article 5-7.00? Such stipulations always prove difficult to negotiate, even sectorially. Fires are not a common occurrence, we don't mobilize around civil responsibility more than anything else. And yet, just mention the matter to a nursing professor or a physical education teacher...

23) Health and safety (5-13.00)

Some local administrations may have the best intentions with regard to this priority area. Unfortunately, the resources allotted by Québec aren't up to their good intentions... But it would nevertheless be possible to negotiate locally a very good agreement... in principle.

24) Access to equality (2-3.00)

Systemic discrimination is a global social phenomenon, solutions cannot be local. Also, equal opportunities programs wouldn't necessarily be set up in all colleges and some of the might just be token programs.

25) Parking

In the past, most local administrations never wanted to negotiate stipulations to do with parking. And yet not provincial provision prevented them from doing so. Why are they being so open now? Is it out of fear of losing an arbitration case that is presently underway?

MATTERS TO BE NEGOTIATED LOCALLY

FORSEEABLE EFFECTS

26) Savings (6-2.09)

The inclusion of this subject in the appendix puzzles us. There is a clause in the appendix puzzles us. There is a clause in the decree which mentions deductions at source for deposit in a recognized financial institution situated on the college grounds and it has never raised any problems in terms of its application.

27) Sexual harassment

We might agree, in the context of sectorial negotiations, that mechanisms encouraging a violence-free atmosphere in the college, especially free of violence against women, might be negotiated locally. But still, the colleges must collectively assume their responsibility in this area and there must be serious guarantees that the necessary measures will in fact be applied.

APPENDIX "A"

ACCORDING TO THE DECREES

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DECENTRALIZATION OF NEGOTIATIONS

(Montreal) — The Fédération nationale des enseignantes et enseignants du Québec (CSN), representing 10,000 professors in 41 CEGEPs, estimates that the decentralization of negotiations on the local level which the Fédération des CÉGEPs would like to experiment is a mortal blow which threatens the integrity of the CEGEP system in Québec, already undermined by many recent transformations. FNEEQ is not systematically opposed to negotiations on the local level. Moreover, these already are in existence on certain matters. However, we consider the parties must first reach agreement on the provincial level.

A series of measures adopted by the government over the past few years and just recently are intended to differentiate each CEGEP by institution and by region and create variations in the quality and quantity of programmes and diplomas available and accessible to the student bodies in different regions and even in different colleges. This trend is an important reversal of one of the main characteristics of the Québec CEGEP system which is internationally recognized for its quality and its originality, i.e.: uniform quality, accessibility and courses and programmes without charge, as well as diplomas sanctioned by the entire system.

THE CREATION OF SPECIALIZED CENTRES

By changing the Loi des collèges, the government made it possible to open self-financed specialized centres which without exception, no longer have

academic ties to the mechanisms foreseen in the Colleges. The programmes in these centres are the direct responsibility of the Colleges' Boards of Directors, and the private sector representatives who will hold seats on them. As CEGEPs don't have school board's powers to raise taxes, the pressure exerted by these centres' funders (the socio-economic milieu - private firms) on the orientation of teaching, research and services to business can only increase. Already, nine centres are in operation and three others soon to be opened. This outlook will certainly contribute to making such and such a College more attractive for different fields of study, attract a select student body and kill off similar programmes in other regions.

SERVICE CENTRES

Moreover, the service centres to be set up would provide special training programmes for specific firms. These are an even clearer example of using public monies to meet private business needs. This measure of resources contributes to the break-up the CEGEP systems. These service centres are a form of company created by a group of CEGEPS to give services to firms.

SETTLEMENT ON THE CEGEP PEDAGOGICAL SYSTEM

By modifying the way programmes are determined and diplomas granted by the Settlement on the CEGEP Pedagogical System, one more step has been taken toward the disintegration of the CEGEP system.

First, the contents of the programmes

to obtain Collegiate Studies diplomas has been made each college's responsibility, in part. Beforehand, these programmes were subject to MEQ approval on the provincial level, which guaranteed their quality from college to college and from region to region. So this was yet another step towards disparities and inequalities among colleges.

The decrees stepped up this process. They eliminated the formula by which resources were distributed among departments, which guaranteed a minimum of equity based on objective criteria. Since the decrees, the resources are allotted as a global sum for each institution, based on the number of students, and are redistributed on the basis of special criteria, local priorities or the pressure exerted by many different lobbies. For example, in Hull, there are more professors per student in the French Department (the star attraction programme) and the students and teachers in the other disciplines bear the consequences.

Once again, the star system risks to attract an elite student body and eventually lead to diplomas of varying worth from one CEGEP to another, which is contrary to a Québec wide collegiate system.

AECs and CECs

Also, the Attestations d'études collégiales and the certificates, which used to be for adult students only, are now available to young students in a basic education programme defined by the college. This is one more step back-

AN IMMINENT THREAT TO THE CEGEP SYSTEM

wards because these students don't receive a general education and don't arrive in the programme with such a background.

NEW VOCATIONAL TRAINING POLICIES

The government has brought in new vocational training policies. The CEGEPS must now provide reasons for **maintaining** and not for closing a programme, which is not required of private colleges. The consequences, as we have seen in Quebec City, is a private college monopoly in certain sectors such as secretarial training. Another consequence for this option is an attempt to downgrade this subject matter by sending it down to the high school level.

TWO EDUCATION DEPARTMENTS

By establishing two Education Departments, one for the elementary and high school levels and another "higher education" department for the universities and the CEGEPs, the Government has confirmed that it sees CEGEP level education as a luxury for the people of Quebec. In the present context, it would be just one more step to eliminate free tuition. This would be no surprise.

THE FINISHING TOUCH: DECENTRALIZATION:

In this vein, the final offensive against the integrity of the CEGEP system will be launched by the decentralization of negotiations called for in the government's draft legislation, which the Fédération des CEGEP would like to

"experiment" as soon as possible. The CEGEP system won its reputation in terms of quality and accessibility due to centralized negotiations aimed at equivalent conditions and services provided in every region and CEGEP. This is why it is a recognized model in its field.

Decentralization, especially as proposed by the Fédération des CEGEP, can only step up the splintering and the privatisation now in the works. CEGEP teachers have managed to establish and maintain a quality of education throughout Québec at the centralized bargaining table. The province-wide negotiations have also made it possible for them to resist local attempts to toy with various means of controlling the curriculum. The decree gave the bureaucrats in charge of colleges an inch, but they want a mile. Back in 1982, they called for the elimination of Academic Councils foreseen in the Collective Agreement. In their brief to the Parliamentary Commission, they frankly stated that the clauses in the collective agreements prevented them from doing whatever they wanted.

UNACCEPTABLE PRECONDITIONS

But to "experiment" decentralization, the Fédération des CEGEP is so arrogant as to demand preconditions. It calls for the power to administer a comprehensive budget envelope which it can spend as it wishes. This displays a clear intent to particularize each CEGEP and give up the idea of a uniform collegial system. It means giving each college the power to administer public monies earmarked

for education as it wishes and administer them under the gun of interdepartmental rivalry and budgetary favouritism.

But what right to bureaucrats who never ran for office (the members of the CEGEP Boards of Directors are all government nominees) claim to administer public funds, with no accounts to render to anyone, or mandates secured from their funders? They have an offer to purchase the colleges, but we haven't heard that they are up for sale.

And to make the takeover easier, they also demand that the employees' representatives sitting on the Boards be left out of any discussions concerning labour relations. With permanent negotiations, they may as well call for their revocation!

A PUBLIC DEBATE ON THE SURVIVAL OF THE CEGEP SYSTEM IS A NECESSITY

FNEEQ considers the situation is critical, and we will have to study it very seriously because this is one of the most important forms of progress made by Quebec as a society which they are trying to make away with on the sly under the cover of "getting out of the rut of confrontation". This is a process the government and the CEGEP administrators have begun bit by bit by raising issues which never throw the light on the underlying question: the existence of a CEGEP system which provides each region and each discipline an educational system accountable to policies set on the provincial level.

THE FÉDÉRATION DES CÉGEP: AN ASSOCIATION OF INDIVIDUALS WHO MANDATE THEMSELVES?

The Fédération des CEGEP is firstly an amalgamation of services which the colleges set up for themselves; in this sense, this association which is financed by the colleges provides, for example, legal counsel services in many areas, particularly in the field of labour relations.

It is also a political organization and, along with the ministry of higher learning, represents the colleges on the Comité patronal de négociation des collèges (CPNC). In theory, it gets its mandates from the local colleges; it is the management equivalent of the FNEEQ-CSN.

In practice, however, as past rounds of negotiations and sectorial meetings held since the decree was imposed have shown us, this federation mandates itself and has few accounts to render. With no power in terms on budgets from the ministry and local administrations, it has always opposed on principle any agreement that has been negotiated and which assures any right whatsoever; in any case, it doesn't have to suffer the inconvenience of a strike or get itself reelected every four years. It doesn't bear the burden of its refusal to negotiate.

Thus, despite the fact that the majority of college boards of administrators stated that they were in favour of freezing workloads last spring, it continues to defend the opposite position as though nothing had happened. Were the FNEEQ or the CSN to act in the same way with regard to local general assemblies, the editorialists would become indignant, and with reason.

But the president of this federation, Luke Enrico, stated to his colleagues at John Abbott (of which he is

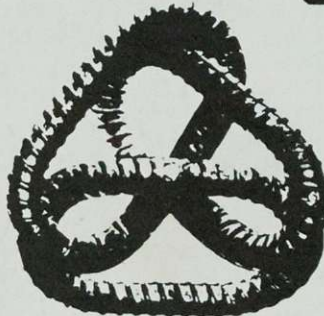
also the Director General and where the board which he chairs also voted in favour of a freeze on workloads) that his federation was autonomous and thus he was not bound by his board of directors. Even ore, not only did the Fédération des CEGEP not follow the recommendations from several colleges in favour of the freeze, but it send them a message asking them to stop taking a position on this issue. Who mandates whom?...

This same Fédération des CEGEP criticized the Clair proposal in parliamentary commission, saying that it did not go far enough in decentralizing. It was in fact the only management organization to take this position; all the others feared the process was happening too quickly. And in the perspective that the collegiate network would be the launch pad in the process of decentralization and a pilot experiment, it demanded at this same parliamentary commission:

1. "that their (the colleges') budgetary and financial system be modified so that they be given an overall budget, that can be re-worked by transferring monies from one item to another..."
2. "to modify article 12 of the Loi des collèges so that the unionized members of the board of directors not only could not vote, but also could not attend deliberations related to negotiations concerning any unionized group represented on the board."

What has happened to the integrity of parapublic organizations?... Is it by brandishing arms in this way that anyone believes they'll interest us in local negotiations?...

FNEEQ



CSN