

ONTARIO COLLEGE OF ART & DESIGN
Faculty Association

Annual Report
Nov 5, 2020

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The Ontario College of Art & Design Faculty Association (OCADFA) would like to thank all the members who have taken part in OCADFA Committees

Board of Directors

Min Sook Lee, President
Surendra Lawoti, Vice-President
Chris Bennell, Secretary/Treasurer
Eric Steenbergen, Negotiations Chair
Richard Hunt, Interim Grievance Chair
Bogdan Luca, Director
JJ Lee, Director
Laura Lovell-Anderson, Director
Maria-Belén Ordóñez, Director

Camille Isaacs, Associate Grievance Chair

OCADU/OCADFA Pandemic Joint Committee

Eric Steenbergen, Negotiations Chair Charles Reeve, ex-officio
Min Sook Lee
Richard Hunt

Grievance Committee

Richard Hunt, Chair
Camille Isaacs, Associate Grievance Chair
Eric Steenbergen
Min Sook Lee
Surendra Lawoti

OCADFA Nominations Committee

Charles Reeve
Elaine Chan-Dow

Joint Health and Safety Committee

Gerald Grison
Nicole Collins

Joint Pension Committee

Stan Krzyzanowski

Student Union – OCADFA Solidarity Committee

Maria-Belén Ordóñez
Surendra Lawoti

Sessional Committee

Beverly Dywan
Bogdan Luca
Clifford Caines
Heather Gentleman
June Pak
Kathryn Adams
Laura Lovell-Anderson
Mariana Grezova
Mary Eileen Wennekers
Mehnaz Aydemir

Newsletter Committee

Ali Qadeer
Bogdan Luca
Laura Lovell-Anderson
Maria-Belén Ordóñez
Richard Hunt
Surendra Lawoti

President's Report, Min Sook Lee

Thank you for the privilege of acting as president of OCADFA. Never before have we faced the challenges and opportunities we face today, in our sector and in our society. I've been honoured to work alongside some extraordinarily creative, passionate and driven OCADFA member/activists in the past year to connect with you on our shared concerns. Our work as an association is multifold: internal and sectoral advocacy, service through contract administration, grievances & bargaining and membership engagement. With your engagement, we are committed to improving working conditions for all faculty and staff at OCAD U, protecting core principles unique to our sector such as Academic Freedom, activating our channels for collegial governance across the institution and advancing a vision of public post-secondary education that recognizes the critical role education plays in animating democracy and speaking truth to power.

Below are some of the activities I have undertaken as your President:

OCADFA supported the Ontario Confederation of University Faculty Associations (OCUFA) move to join ten unions, led by the Ontario Federation of Labour (OFL) representing more than 250,000 Ontario workers to launch a coordinated Charter challenge against the Protecting a Sustainable Public Sector for Future Generations Act – formerly Bill 124.

OCADFA formed a working committee to explore affiliation with a national union like CUPE, PSAC or a provincial one like OPSEU. The committee chose CUPE as the recommended partner. The next step is for our membership to decide through a vote on affiliation. Currently, we are members of CAUT and OCUFA, federations comprised of academic associations. These relationships provide national and provincial support for research, policy and advocacy. If the membership supports affiliation, our intention is to continue these memberships and join a larger trade union to tap into the democratic structural, political, and regulatory frameworks that have been developed by decades of worker rights organizing in Canada. OCADFA will launch an affiliation information campaign in 2021 for a membership vote on the question of affiliation with CUPE National.

OCADFA organized a Flow information session in February 2020. Concerns raised: increased class sizes, increased workload, job losses, reduced course offerings and weakened studio-based learning. We also met with Administration to voice our concerns. One concrete result from these meetings was the shelving of proposed micro-credentials.

Our Memorandum of Agreement expired June 2020. With Negotiations Chair Eric Steenbergen and members of our Negotiations Committee, developed a bargaining strategy that forefronted membership demands identified through surveys, membership meetings, grievance files and bargaining histories. We met as a bargaining team throughout the spring/summer of 2020 until Administration walked away from the table in July. We are now preparing for interest arbitration with a mediator for winter 2020.

In response to COVID-19, Administration shut down in person campus activities in March 2020. Shortly after the onset of the pandemic, the OCADFA Board of Directors began to meet weekly to ensure we were prepared and informed to protect the interests and needs of our membership. We monitored and anticipated changes that might violate our MoA or that were simply not addressed in a pre-pandemic world. We were also cognizant that many of our members who are employed on a contractual basis were facing stark challenges that needed to be supported in crisis mode. We continued weekly board meetings until August 2020.

Throughout this time, I consulted actively with CAUT, OCUFA, CUPE and other faculty associations across the country, in particular the GTA based FAs of UTFA (UofT), RFA (Ryerson) and YUFA (York University) and the CUPE locals at UofT and York. I also helped to form an informal alliance of art & design faculty associations in Canada including: Emily Carr, NSCAD and the Alberta Art & Design College. We met throughout the summer to share experiences, strategies and support our mutual interests in our field. Finally, I worked closely with our legal counsel, Goldblatt & Associates to develop sector leading language and norms on pandemic advocacy within our sector.

OCADFA enlisted University Administration to form the Emergency Pandemic Joint Committee (EPJC) to discuss pandemic related issues. We signed an LOU with Admin on April 3, 2020 on immediate issues such as stopping the tenure clock, language on intellectual property, performance evaluations and establishing a small emergency expense fund for sessional instructors teaching in spring/summer. Each instructor was eligible to apply for a \$100 reimbursement for expenses incurred from the transition to remote delivery of curriculum from home offices.

During the initial lockdown period, Senate approved the Academic Emergency Response Plan which established a committee (AERC) to endorse academic decisions and implementation including *“mode of delivery, assessment, learning outcomes of courses, extensions of term dates and assessment periods; exemptions, extensions, amendments of student policies”*. The AERC, was comprised with a minority faculty vote, had no term dates of operation and no clear channels of oversight or transparency. For many, the decisions of the AERC were presented as unilateral. Faculty were informed that class caps for Spring/Summer courses were expanded, in many cases by 50% and asynchronous delivery required. Spring/summer courses were posted without specific days/times assigned for each course. Some faculty were advised to expect larger class caps for the fall term. Class sizes have been historically determined at a faculty or departmental level, recognizing that class size is inextricably involved in modes of delivery and assessment. All decisions on pedagogy, including class size, must include proper consultation with all stakeholders. This is clear in the MoA (7.3.1). Matters of class size must follow due process such as thorough discussion in the Senate with concrete pedagogical and digital supports.

OCADFA led a successful campaign to democratize the AERC and expand faculty leadership. A public letter signed by over 40 faculty members called for our collegial governance structures to be strengthened, not weakened during the pandemic. OCADFA requested for Senate to

meet through the summer session, instead of allowing a committee of Senate, with a minority faculty vote, to have the power to make unilateral decisions on curriculum and academic matters.

OCADFA filed a group grievance on the issue of class cap expansions for Spring/Summer courses. As a result of our grievance, we signed a Memorandum of Understanding (MOU) with Administration to compensate sessional faculty for the increased workload incurred from the transition to remote delivery. The compensation was tied to training in online teaching offered by Faculty & Curriculum Development Centre (FCDC). Sessionals contracted to teach in the 2020/21 academic year who enrolled in 'Teaching Art & Design Online' were compensated **\$650** and received a certificate in online teaching.

This MOU addressed some aspects of the grievance, but there remained outstanding remedies relevant to permanent faculty which OCADFA and Administration are still in discussion on. OCADFA is advocating for compensation through workload and service reduction for permanent faculty who taught the expanded course sections in the 2019 Spring/Summer term.

OCADFA activated an OCADFA Sessional Committee chaired by Director at Large, Bogdan Luca, a faculty member in the Drawing & Painting program in the Faculty of Art and with the support of Board Director, Laura Lovell Anderson. As part of this organizing, OCADFA held a Sessional Townhall in August 2020. Members of this committee, Mary Eileen Wennekers and Cliff Caines are producing a 'Know Your Rights' handbook to be released in the fall of 2020. Faculty members Beverly Dywan, June Pak and others have been developing a Sessionals outreach campaign.

The OCADFA newsletter committee (Richard Hunt, Laura Lovell-Anderson, Surendra Lawoti, Bogdan Luca, and María Belén Ordóñez) released a special edition of our faculty newsletter 'OCADFA Notes' which presented the observations, speculations, and hopeful propositions of OCADFA members in times of COVID-19. <http://ocadfa.ca/static/ocadfa-notes/summer-2020/index.html> Special thanks to faculty member Ali Qadeer for design and layout.

OCADFA organized a fall orientation for the 2020/21 academic year on in early September. The primary issue discussed was the recent announcement of increased class sizes for the fall term. Since then OCADFA has issued a survey to members teaching in the fall term to get a clearer picture of what the impact of expanded classes has been on faculty workload and student experience. Over 100 members submitted responses.

OCADFA is currently building a grievance/campaign strategy to respond to Administration's consistent move to increasing class sizes. They did it in the Spring/Summer term and argued it was because students needed to graduate. They did it in the Fall term and argued it was a combination of FLOW and unexpected enrolment numbers. They'll do it again in the Winter term. We need to push back. The costs are: degrading academic integrity, increased workload and impoverishing student learning experience. If you are teaching an expanded

class, OCADFA is advocating for: increased TA support, workload reductions, service reduction and in some cases, compensation.

I have worked through the past year with our interim Grievance Chair, Richard Hunt to establish internal grievance policies and protocols and a grievance tracking system. We have activated the Grievance committee, comprised of ourselves, Eric Steenbergen, Surendra Lawoti and Associate Grievance Chair Camille Isaacs. The Grievance Committee meets bi-weekly to discuss specific cases and overall strategic responses. Alongside Richard, I have taken charge of group grievances and specific individual grievances.

OCADFA was one of the lead organizers behind #ScholarStrikeCanada for Black and Indigenous Lives. Scholar Strike Canada gained support from OCUFA and CAUT and faculty associations across the country. University administrations from Calgary to Vancouver to Nova Scotia and the GTA also issued public statements acknowledging the action and indemnifying participants from retaliatory measures. Over 3,000 University workers signed our solidarity statement and took part in historic labour action at the start of the fall term in 2020. During the two-day action, our live-streamed public digital teach-ins featuring activists/scholars such as Desmond Cole, Pam Palmater, Rinaldo Walcott, Beverly Bain and Bonita Lawrence and Eve Tuck, garnered over 60,000K views in 48 hrs. You can still view ALL OUR TEACH-INS HERE on our Scholar Strike Canada YouTube Channel.

OCADFA said a respectful goodbye to outgoing President Sara Diamond and welcomed the appointment of Ana Serrano as OCAD U's new President. As part of the leadership transition, OCAD U's Board of Governors mandated a third-party review of the University's fiscal situation. David Trick and Associates were hired, and to date they have completed the first stage of the review and will be entering into the next stage which is 'community consultation'. OCADFA issued a statement prior to the townhall for faculty and staff informing our community of the review and identifying particular areas of concern. Upon review of our financial condition, the authors of the review have made this declaration: "The solutions will almost certainly require radical transformation". OCADFA is concerned with recommendations that propose increasing average class sizes, reducing studio-based instruction, introducing private partnerships, loss of autonomy for OCAD U and further expansion of international students in our roster without requisite investments in supporting their success. OCADFA knows the costs of some of these radical measures are: **degrading academic integrity, increased workload and impoverishing student learning experience.**

OCADFA has been an active voice on the development of the Gradual Reopening Plans and have advocated for the inclusion of the Joint Health and Safety Committee at the table. Our OCADFA rep is Nicole Collins and the co-chairs are Sarah Mulholland and OCADFA member Gerald Grison, INTM Technician. Administration has raised the possibility of a **voluntary** Gradual Return to the Workplace Pilot Program. This would apply only to employees who have workstations in 230 Richmond St. OCADFA rejects this proposal.

Employees should not be asked to individually ascertain if they feel safe to return to work. The worksite needs to be declared safe for everyone. Full stop.

The full impact of working under a pandemic is impossible to measure in the moment. What we do know is that workload has increased by nearly 50%, section sizes have increased, members have incurred expenses from setting up home offices/classrooms and the mental health consequences have been significant. OCADFA is exploring ways to work with Administration to meaningfully address these issues.

I'd like to thank the tremendous work of the OCADFA Board of Directors in the past year and every single one of you who wrote came to an info session, townhall or general membership meeting. I'd also like to thank former OCADFA President Charles Reeve and long standing former OCADFA board member Bill Leeming and Kathleen Morris for their support of our work. Finally, I'd like to extend a very special thanks to OCADFA's Executive Assistant Connie Reid for 30 years of service to the Association and to Office Assistant, Ramona Pavilionis for her six years of work with our office.

OCADFA made a choice to restructure our staffing complement to create a new position with the Association. I'd like to thank the members of the hiring committee who worked with me to secure the appointment of our new Executive Director, who will be introduced to our members at our 2020 AGM. The ED will support OCADFA's work in bargaining, grievance handling and membership engagement. Additional duties include coordinating training initiatives for members and staff, liaising with other labour organisations and helping the Executive Committee and Board of Directors plan and implement the Association's short and long-term objectives, as mandated by the membership.

In solidarity,

Min Sook Lee
November 5, 2020

Vice President's Report, Surendra Lawoti

Since our last AGM, so much has happened. I will provide a brief snapshot of some of my activities below.

I am a Board member of the Ontario Confederation of University Faculty Associations (OCUFA), which includes members of all affiliated post-secondary institutions. Recently, the Board voted for approval of OCUFA's new Executive Director. OCUFA has not made the appointment public yet, but they will be announcing it soon. I am very excited about the new Executive Director, who brings in over 25 years of experience in the union sector, and a wide range of expertise. She will bring leadership to OCUFA with strong advocacy skills, which will be much needed with Ontario government's priorities. I am sure the new OCUFA leadership will have direct trickle-down effect to us at OCADFA.

To build solidarity with our students, Maria-Belen Ordonez and I are part of Student Union – OCADFA Solidarity Committee. We have monthly meetings with representatives of OCAD Student Union. We update ourselves with issues pertaining our respective organizations and collaborate and support each other when opportunities intersect. I hope you joined us in our recent QUARANTWEEN, a collage-making event that was led by Ilene Sova.

Before we all had to isolate and socially distance, we did freely socialize as members. OCADFA hosted WTF (What the Flow) Social to hear concerns regarding Flow curricular changes on January 31, 2020. Members came together, shared concerns, enjoyed chai, hot chocolate and tasty Jamaican patties. I would like to thank Assistant Professor Sugandha Gaur for making the many rounds of cups of chai for our members for the event.

To gauge the circumstances of our members during the COVID pandemic, OCADFA published a [digital newsletter](#), *Our Labour in Times of COVID-19* in August. If you have not seen it, you should definitely check it out. It includes, images, videos, writings by members including Tannis Nielsen, Barbara Astman, Lillian Allen, b.h. Yael, and Anson Liaw. Thanks to Ali Qadeer for the incredible design work.

Talking about labour in times of COVID, being a sessional instructor, FLOW and the pandemic has affected me immensely in my teaching opportunities at OCAD. I am currently teaching only one class in Fall and compared to many sessional colleagues who are teaching none. Despite all the insecurity and the precarity, I admire my colleagues Bogdan Luca, Mary-Eileen Wennekens, Laura Lovell-Anderson, and others who have come together to improve our working conditions through the Sessional Committee. I really hope the administration comes to their senses and we get some sort of job security through the ongoing negotiations. Job security for contract faculty and staff are the sector norm and I hope by our next AGM in 2021, my colleagues and I will be in less precarious positions so that we can sustain our life, our practices and our families.

Grievance Report, Richard Hunt

Of the questions that come to the Grievance committee, most don't lead to formal grievances. Some of them ask for clarity on the MoA and the various policies that have been established by Senate. Some though not as many as one might wish, are solved in discussions between OCADFA and the administration without a formal grievance being filed. The questions, and OCADFA actions, generally deal with differences between the Association and management of interpretations or disagreements of the application of the MoA, OCAD policies, and the Ontario Employment Standard act to our membership.

Matters coming to the Grievance Committee come from every category: TAs, sessional, permanent and contract faculty, as well as techs and academic staff. Currently many are related to the effects of COVID, such as workload increases that come from the transition online and increase in class size, or reduction of workload due to cancelled classes. In some cases, it is difficult to judge whether increases can be attributed to COVID or to Flow. Intellectual Property with online teaching has also been an area of concern. OCAD has also started to not renew some contracts that have run for many years, such as TIS and Continuing contracts.

The grievance process starts with a complaint, aka Stage one. These may be solved by better communication, or recognition that the complaint has merit.

Stage two is a grievance, in which the complaint moves to a formal stage, in which administration and OCAD have a formal meeting to solve the problem.

If this fails, the grievance may be referred to a formal arbitration, which is stage 3, in which an arbitrator is engaged to listen to both sides and make a decision. It also, if both parties agree, may go to mediation, in which a mediator tries to bring both sides together.

Sometimes, problems that could be resolved are not brought to OCADFA's attention. It's always worth asking. Having a PDF of the MoA on your computer for easy searching can be helpful if you are wondering about a particular matter, but ask OCADFA anyway, as the board is familiar with the MoA, and we frequently discuss matters that arise in formal or informal meetings. Grievances are important because to some extent they inform negotiations.

Inquiries and actions on the grievance front by OCADFA taken since I began this position at the end of February of this year address such things as workload changes for faculty in the online and Flow environment (group grievances), dismissal of employees, non-renewal of Continuing contract, interpretation of the MoA in the case of cancelled classes, pay scale placement for a new employee, course assignment of permanent and sessional faculty, merit reviews, TIS renewal, accompanying OCADFA members to meetings with administration, and requests for clarification of the MoA and OCAD policies, and matters involving the relationship of management rights to powers of Senate. Several grievances have either gone through or are in the process of undergoing mediation or arbitration.

My hope is that the upcoming MoA will provide substantially more protection for Sessional faculty.

We have logged about 40 new actions since February, most individual, ranging from inquiries to Stage 3 Grievances. Most are individual though some include small or large groups of members.

In closing I'd like to thank the many previous grievance chairs and other members of the OCADFA board as my position as Interim Grievance Chair comes to end, who have been extremely generous with their time and knowledge. Although I will not be running for this position, I will be happy to share my experience and knowledge I have gained with the next Grievance Chair.

Negotiations report, Eric Steenbergen

While there was some delay in scheduling mediation due to the tragic loss of our legal counsel, Derrick McIntosh, we are now back on track. OCAD U and OCADFA have a weekend mediation session with William Kaplan scheduled for the end of November. Kaplan will then determine whether further mediation is warranted, or he will direct us to arbitration should he see no path to a mediated settlement. The past practice has been for there to be several sessions of mediation in order to come to an agreement. The parties have not had to resort to arbitration. While OCADFA is prepared to support our positions at arbitration, we believe a mediated settlement is achievable.

There has been good progress on some shared areas of concern, notably the hiring process for Teaching Assistants, which is currently arbitrary and opaque. There are still areas where the parties are far apart, notably on proposals to reduce precarity among contract faculty and staff. OCAD U is out of step with the sector when it comes to reasonable job security measures. Secondly, as you are very well aware, we are facing substantial changes to our collective workloads through FLOW and more recently emergency measures due to remote delivery. Given these changes to workload, OCAD U faculty deserve clear and enforceable access to Teaching Assistant supports. Further, OCAD U graduate students need access to these opportunities to get the most out of their education.

I believe we have clear rationales and demonstrated need to address these challenges. I do not see a path to ratification without addressing these critical issues. The OCADFA membership has clearly articulated - through personal testimony and our surveys - the critical need for improvements. While the administration has a case for fiscal distress, they have not adequately explained how our reasonable security provisions would compromise the university's fiscal outlook. Given these facts, I am confident that we will achieve our key goals this round.

Pension Committee Report, Stan Krzyzanowski

Since becoming the Pension Committee representative for OCADFA last January 2020, I can report that the Pension Committee has met once in person, in March 2020, and once virtually, on Teams, in September 2020. The most significant topic of discussion at both meetings has been the establishment of Terms of Reference for the Pension Committee.

The Pension Committee recently came to agreement on a draft Terms of Reference, which were also endorsed by the OCADFA Board of Directors at their October 2nd meeting. The HR Committee of the Board approved the Terms of Reference at its meeting on October 15 and will submit a recommendation for approval by the Board of Governors. This is anticipated for the December Board meeting.

Eric Steenbergen is working with Nicky Davis in HR to ensure that the language in the MOA (article 4.8) is updated as well through the current round of collective bargaining.

It is expected that the Pension Committee should be operating under these revised Terms for the regular spring meeting, normally held in March.

The next Pension Committee meeting is scheduled for the afternoon of November 5, 2020, the same day as, and following, the OCADFA AGM.

Respectfully submitted,

Stan Krzyzanowski
October 20, 2020