

CARNET COLLÉGIAL

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Fédération nationale
des enseignantes et
des enseignants
du Québec

FEBRUARY
2011

11

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BUILDING A JUST SOCIETY IS STILL POSSIBLE!

All the same...

Subsequent to a revolution, to which the adjective “quiet” was appended after the fact, Québec society has more decidedly pursued a political orientation that we might qualify as social-democratic, comparable to what prevails in Scandinavia. Our institutions thus reflect many values consistent with such a vision of society. Our market economy is subject to regulation, the State ensures broad access to health care and education for all its citizens notwithstanding their financial situation, we enjoy a progressive income tax system, secularity and pluralism.

Rightfully considered for a long time as a centre of the road model, this paradigm is increasingly perceived today as being inspired by left-wing ideology. There has thus been a shift, perhaps caused by the neo-liberals who have become more radicalized, without ever admitting one of the most catastrophic consequences of the politics it advocates: namely, the ever widening chasm between the rich and the poor.

Yet, the social safety net is becoming more porous, as health services become more and more privatized, for example. Little by little, from one budget to the next, the fundamental values that underlie social justice are being undermined, ceding precedence to Big Business and shareholders’ interests over those of our fellow citizens. Slowly but surely, there’s an effort to convince the population that the difficulties of public finance, inescapably, compel the State to diminish its role, as if this option itself was devoid of any kind of ideological inspiration.

All the same, companies are not paying their fair share of the tax pie, the banks continue to report record earnings, while legions of working people have still failed to find work after the economic crisis. Yet, somehow the idea of taxing financial transactions is rejected out of hand, premiums to corporate bosses continue to escalate even when they’re fired. Yet, the number of homeless individuals is on the rise, the number of people living under the poverty line is growing, tuition is increasing, etc.

Meanwhile, a sustained effort to entrench a pay-for-use philosophy is also under way, even for many basic services provided by our health care and education systems.

We must say NO to budgets that embody these trends. We have to clearly and emphatically demonstrate that there are other alternatives to neo-liberalism, that the improvement of public finance along with the preservation of universal public services is a matter of political will.

Casting a ballot every five years isn’t enough. We must occasionally take to the streets to overtly manifest our attachment to social justice and to our values. Other alternatives are possible.

I hope we’ll see many of you at the March 12 demonstration.

Micheline Thibodeau
FNEEQ Vice-President

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CARNET COLLÉGIAL is a publication of the *Fédération nationale des enseignantes et des enseignants du Québec*. FNEEQ represents almost 27,000 members in CEGEPs, private schools and universities. It is the union federation most representative of higher education across Québec.

Redaction Committee : Yves de Repentigny, Micheline Thibodeau, Jean Trudelle and France Désaulniers - Collaboration: Yves Sabourin - Translation: Allen Gottheil - Photos: France Désaulniers and Dreamstime - Layout: Sylvie Patenaude - Printing: Gibraltar - Print run: 2,000 copies - Legal deposit: Bibliothèque et Archives nationales du Québec, Library and Archives Canada. ISBN-13 978-2-923606-25-5. This publication is printed on Québec-manufactured paper made with recycled fibres.

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Teachers

CEGEPs Experiencing Difficulties in Recruitment

For several years now, several Unions of the *Regroupement cégep* have been describing some of the difficulties being encountered in their Colleges in terms of the hiring of new teachers. As a result, a survey was conducted amongst the Unions of the *Regroupement cégep* so as to sketch a more accurate portrait of the situation.

Yves de Repentigny
Regroupement cégep Coordination Delegate

Yves Sabourin
Bargaining and Mobilization Committee Member

The massive hiring of new staff is the primary cause of the difficulties in recruitment. Indeed, since the early 2000s, departures due to retirement are becoming increasingly frequent and the number of students attending college has increased by some 10%¹, which has led to the hiring of an ever greater number of people wishing to teach in our Colleges. Accordingly, as of 2007, the Placement Office has annually been opening about 2,000 positions and teaching jobs, while the number of excess teachers has been very low.

According to *Looking Ahead: A 10-Year Outlook for the Canadian Labour Market (2006-2015)*, a study conducted by Human Resources and Skills Development Canada, "...Over the next ten years, about two thirds of all job openings (those due to new job creation plus those due to retirements) are projected to be in occupations usually requiring a post-secondary education or in management occupations (the foregoing requiring more often than not a post-secondary education)." The second cause of our difficulties in recruitment thus stems from the fact that other employers

are soliciting the kind of people we need to recruit as well.

This situation is likely to continue over the coming years since we project that the number of retiring CEGEP teachers – about 20% over the next five years – will significantly exceed the drop in the number of college students – 11% over the next five years – being projected by *the ministère de l'Éducation, du Loisir et du Sport (MELS)*. If we take into account the additional resources that were agreed upon during the most recent round of bargaining, as well as the development of continuing education that should occur over the coming years – Québec being markedly behind in this field – all indicators point towards massive hiring not letting up.

What the Unions are observing

In the course of our survey, a very large number of Unions, from Montreal and vic-

nity, Québec City, the Eastern Townships, Gaspésie, Côte Nord, Saguenay–Lac-St-Jean, Mauricie, Abitibi-Témiscamingue and the Ottawa Valley described the many difficulties encountered in recruiting new teachers. They manifest themselves by:

- the low number of applications received, sometimes even none at all, when a job is posted;
- an increasingly high number of candidates who do not meet the normal job requirements;
- tasks being split-up so that active teachers accept work overloads;
- hiring retirees or technicians for field work or laboratory work;
- the postponement of course start dates;
- the rescheduling of courses in the evening;
- the interruption of courses for a few days or weeks, indeed its postponement to the next session, due to a dearth of substitutes.



1 Source : MELS, Direction de la recherche, des statistiques et de l'information; SIPEEC, version du printemps 2007.

To all this, the Unions add that:

- CEGEP Human Resources Departments and administrators are devoting more and more time to recruitment and the implementation of school-to-work transition measures to help retain new teachers on the job;
- continuing education is also being affected, since the ACS have also had to be put off due to a dearth of teachers capable of giving the courses;
- several College administrations are limiting some of the leaves being granted (Voluntary Working Time Reduction Program, deferred or advanced compensation, etc.), especially in the departments that are experiencing difficulties in recruitment.

There thus appears to be a genuine disparity in remuneration, particularly at the entry level, but it remains considerable throughout one's career.

The disciplines experiencing recruitment problems that are mentioned most often include English, Literature, Computer Science, Mathematics, Nursing Care, as well as certain technician programs in physics, computers and health care. One should not however presume that the other disciplines are free from recruitment problems and job retention dilemmas.

According to our survey, the reasons cited most often to explain the difficulties in recruitment are related to working conditions and the more generous remuneration paid to other analogous jobs available in the labour market.

Some people mention that the candidates who are retained will sometimes refuse the teaching assignments given to them when they become aware of the working conditions, or they will sometimes leave precipitously after only a few weeks on the job.

Remuneration in other analogous jobs

To substantiate the reasons evoked, we did some research on remuneration. Our findings were as follows:

- in other Canadian Provinces, the remuneration of college-level teachers is more generous than that paid to CEGEP teachers in Québec. The salaries, both at the entry level (a more than 30% disparity) and at the end of one's career (between 6% and 18% disparity) are better than ours, even taking into account differences in the cost of living;
- according to data from the *Institut de la statistique du Québec* (ISQ), remuneration in other jobs in the Province of Québec, which require a similar level of education as that required of CEGEP teachers, is clearly more generous than ours. A disparity ranging from 30% to 60% in favour of the other professions at the entry-level and from 15% to 49% at the end of one's career can be observed, when comparing with engineers, computer professionals, professionals in the physical sciences (physicists, engineers, biophysicists, chemists, biochemists, geologists, mathematicians, microbiologists, scientific researchers, laboratory heads, bacteriologists) and lawyers;
- according to the ISQ, the remuneration of technicians during their first year in the job market is close to and often

exceeds, in some cases, the salary of step 1 teachers.

The Outlook

Remuneration seems to us to be the most important factor, in the short term, which must be addressed to avoid aggravating the shortage. Moreover, during our recent round of bargaining, we did succeed in improving entry-level remuneration by decreasing the length of time spent in the first four steps. Even though this doesn't completely eliminate the entry-level remuneration disparity vis-à-vis other analogous jobs, it is definitely a step in the right direction.

The second important factor to avoid aggravating the situation is to ensure that the workload is not overly burdensome. Over the next few years, we will therefore do our best to make sure that the additional resources agreed upon during negotiations truly helps to reduce people's workload.

Finally, we must also continue our fight to reduce precarious employment in our Colleges, because this too is an obstacle to successful recruitment.

In view of urgency of this problem, and because the hiring situation is most likely going to deteriorate over the next few years, we presented our findings to the management bargaining committee, inviting them to work together with us to analyze the situation and to promptly identify feasible solutions. We are awaiting their response. ●

Solutions All the Way Around!



Micheline Thibodeau
FNEEQ Vice-President

Since then, we have organized a day of workshops during a meeting of the *Regroupement cégep* in November 2010 so as to better gauge the state of the situation in the CEGEP system, and more specifically, the needs of its teachers. At this time, we observed that the situation is very different from one college to the next. The reality experienced by these teachers cannot be described in any other way than by noting the tremendous disparity in services, information and integration of the role that they are required to play.

At the meeting of the working group on the obligation to accommodate special educational needs in a college setting, convened by the *Commission des droits de la personne et des droits de la jeunesse* (CDPDJ) in November 2010, the *ministère de l'Éducation, du Loisir et du Sport* (MELS) tabled its Proposed model for organizing services for students with a learning disorder, psychiatric disorder or attention deficit disorder, with or without hyperactivity.

In the last issue of *Carnet collégial*, we published an article on the obligation to reasonably accommodate students with attention deficit disorders, learning disorders or mental health problems. We also examined a few of the most conspicuous problems that we have to deal with in trying to foster the success of these young people, while still taking into account the teachers' needs.

This in itself is good news to the extent that we can finally organize our thoughts on the matter based upon the orientations of the MELS. Amongst the key elements, we should note that the Ministry delegates to the Colleges virtually the entire responsibility for integrating these young people via the establishment of institutional policies. Amongst the statements that make up its proposal, there is that of a needs-based approach: those of the students, but also those of all the personnel, which, is a step in the right direction. Accordingly, integration becomes a shared responsibility by all the actors. The model also stipulates the obligation to undergo a diagnostic assessment in order to access the services.

During the meeting, FNEEQ reacted to the presentation by emphasizing the Federation's interest in a systemic approach based upon the needs of everyone concerned. Meanwhile, we also pointed to the problem of access to a diagnosis for these young people, notably due to how expensive it is, between \$800 and \$1,400, which is very unwarranted. And this doesn't even take into account the fact that there are no accepted criteria for the diagnosis of a learning or attention deficit disorder, which thus gives

rise to a lack of consistency within any one given CEGEP or from one CEGEP to the next with regard to the same disorder. We then asked for the establishment of a centre for accessing a diagnosis, whose costs would be borne by the Government and we insisted upon establishing a level of funding that would be able to meet the Minister's goals. For now, we have not received a response.

Meanwhile, the decentralization of the integration measures likewise appears to us as problematic to the extent that we know, subsequent to the *Regroupement cégep* meeting, that the situation varies tremendously across the college system. So once again, the question arises regarding how does one ensure the equity of the services provided from one CEGEP to the next?

We believe in the necessity of concerted action between student organizations and the Union Federations representing all the personnel who work in our college system to determine parameters that will then facilitate interunion work in the CEGEPs with regard to the formulation of institutional policies. This is the mandate that we gave to the *Regroupement cégep* last February 17 and 18, 2011. ●

Against Undermining the Value of Degrees!



Micheline Thibodeau
FNEEQ Vice-President

The work being done on safeguarding pay equity and salary relativity will have an impact upon our remuneration. For those teachers who are just entering the college system and as a reminder to those of us who have more experience, we will try to summarize the situation in the next few paragraphs.

In 1996, following much pressure, notably from the Province's Union organizations, the National Assembly passed the Pay Equity Act. The purpose of the latter was to rectify salary disparities that were the result of systemic gender-based discrimination. This Act compelled employers to implement pay equity programs prior to November 21, 2001.

This exercise "forced" the employer, in this instance, the Treasury Board, and the union organizations to agree upon a method to evaluate predominantly-female and predominantly-male job categories in order to compare them and then agree upon pay adjustments to bring the female job categories in line. In 2001, an agreement was reached between the Interunion coalition and the Government on a job evaluation rating table using points and factors. The job evaluation had to take into account the following criteria, as stipulated in the law: the employee's effort, responsibilities, qualifications and working conditions.

Once there was an agreement on the job evaluation rating table, one then had to conduct a job survey in order to evaluate these jobs. Workers, chosen randomly, from all the female, male or mixed job categories were then asked to respond to the evaluation questionnaire. The latter were compiled by

the Treasury Board, and in parallel, by the Union organizations. The findings were compared and ultimately salary adjustments were made to the female job categories in stages.

The CEGEP teacher salary structure

Our salary structure dates back to 1967. This structure was imposed upon school commission teachers and then applied to CEGEP teachers. At that time, and until 2002, it consisted of several salary scales, which were a function of the number of years of a teacher's education. Until 1995, a premium was paid to people with a Doctorate, which was then integrated into the salary scale. Each scale consisted of 15 levels that one could climb based upon one's years of experience. Several modifications were made over the years, without however challenging the principle of the importance of one's years of education and experience.

The 2002 agreement on the salary structure

In order to properly understand why we agreed to modify our salary structure in 2002, one has to explain the bargaining situation of elementary and high school teachers at the time. In 1998, parallel to the public sector negotiations, the CEQ (now the CSQ) was working on the salary relativity issue with the Treasury Board. This work ended up increasing the number of hours spent in the teaching establishment and progressively introducing a single salary structure, thereby establishing the principle that regardless

the level of education that was recognized, everyone could ultimately gain access to the highest level of pay. This union organization argued at the time that education was a factor of systemic discrimination. It was probably as a result of this line of reasoning that it placed little weight on recognizing teachers with a Doctorate.

Since we shared the same salary structure, FNEEQ had to energetically intervene with the Treasury Board regarding the scales with 16 years or more of education to argue that the value of the work of College level teachers couldn't be less than that of elementary and high school teachers and, to recognize our job category as distinct from that of teachers working in the school commissions. We were adamant in reaffirming the importance of recognizing one's level of education, all the more so given that we work in higher education.

In 2001, when it was agreed to extend our discussions on pay equity, the Treasury Board indicated to us in a letter of intent that CEGEP teachers formed a distinct job category from that of elementary and high school teachers, without any gender predominance, what we then called a mixed job category. In this sense, FNEEQ's goal had been achieved, namely, to formally distinguish our job category from that of school commission teaching staff.

In 2002, we undertook and completed the work on our own remuneration. This was when a single 17-level scale was gradually introduced (identical to that of the elementary and high school teachers), which led to an



increase in the remuneration of a sizeable number of our members, however, those people who were already at the top of the scale with 19 years of education and 15 years of experience, did not profit from the exercise. We did win a new level which recognized a Masters degree and confirmed the recognition of a Doctorate from the third cycle by introducing two additional levels, a 19th and 20th level.

What has happened to our salary structure since 2002?

Since 2002, several adjustments have been made to our salary structure as a result of

our work on pay equity. This is why: the elementary and high school teacher job categories were recognized as predominantly-female. Their pay scale consists of only the first 17 levels. Under the principle that CEGEP teachers cannot be remunerated less than school commission teaching staff, the adjustments were also applied to all our 17 levels, but not to the Masters and Doctorate levels, mentioned above.

Accordingly, the value of the recognition of a Masters degree and a Doctorate from the third cycle has not stopped deteriorating over the past 10 years. Indeed, in the early 2000s, the salary disparity between the top level of

the “19-15” scale and that of the Doctorate was 7.38%. Taking into account the adjustment announced in connection with the safeguarding of pay equity (1.14%), on December 20, 2010, this disparity will have dropped to 3.8%! Although the 2002 negotiations on our salary structure enabled us to have a Masters degree and a Doctorate recognized and to confirm that college teaching was part of higher education, this recognition means very little today.

Salary relativity work

Finally, the salary relativity work should have been started right after the pay equity discussions. The Government itself had decreed as much in 2005. During the last round of bargaining, it postponed the time limits after the completion of the safeguarding of pay equity. Unfortunately, no other date was scheduled, at least in terms of the application of the adjustments.

Although the ink on the next agreement is not yet dry, all the more so given that the “article to article” exercise is not yet complete, we have already told the President of the Treasury Board that we find the situation UNACCEPTABLE. It would be absurd, in higher education, to accept that the Government could undermined the value of Masters and Doctorate degrees.

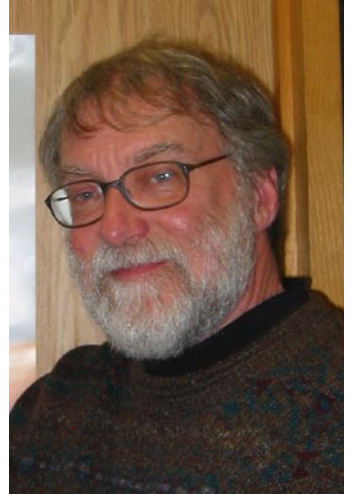
In addition to the many key dossiers that have been referred to one or another of the collective agreement committees, here is yet another one, a significant one, that we will have to pilot energetically and promptly, before people with a Masters Degree end up being remunerated less than people with a Bachelors! •

The Evaluation of a Teacher's Schooling

A Dossier That Never Stands Still

France Désaulniers
Communications Advisor

The *Comité national de rencontre* (CNR), does that ring a bell for you? Claude Racine, a CEGEP de l'Outaouais teacher, has been representing the FNEEQ on this committee for several years now. We wanted to dig a little deeper into the work being done by the CNR in connection with one of its mandates, namely, the evaluation of a teacher's years of schooling.



Q *Claude, what exactly is the provincial committee (CNR)?*

The CNR is a parity committee, whose mandates are set out in article 2-2.05 of the collective agreement. One of the roles of this committee is to examine complaints related to the evaluation of a teacher's years of schooling. It is also mandated to look into the effects of modifications to the network. The new agreement has also given it several new related mandates: continuing education, programs with few teachers, special needs pupils, the recognition of equivalence, etc. It is made up of representatives named by FNEEQ (CSN), the *ministère de l'Éducation, du Loisir et du Sport* (MELS) and by the *Fédération des cégeps*.

Q *What can you tell us about the mandate regarding the evaluation of a teacher's schooling?*

In fact, it concerns the evaluation of a teacher's years of schooling and the recognition of a Masters degree for remuneration purposes. These two elements have a huge impact in determining a person's salary level. When an individual contests the evaluation that has been made of their education, the CNR is where the matter will eventually be debated.

Q *If I feel that I've been wronged or that I have doubts regarding the years of schooling that my employer recognizes, what procedure do I follow?*

Well, the individual or the Union can submit a complaint. A description of the process, as well as the complaint forms, are on the FNEEQ Web site. The complaints must be transmitted to the CNR secretariat, with a copy sent to the College, the Union and FNEEQ. Of course, one must submit all the relevant documents, as well.

There are two aspects that have to be examined. The first one involves the length of a person's studies, while the second involves the nature of the degrees received: did the individual get a Masters or the equivalent, a Doctorate or the equivalent? In the case of a Masters, one also have to examine its relevance in terms of teaching but, honestly, in the context of higher education, like in our colleges, I believe that any Masters degree should be deemed relevant, at any rate.

Q *Once the complaint is submitted, what happens next?*

Normally, the committee meets three times a year, but these days, it is meeting more often, in view of the number of cases we have to deal with. These meetings are preceded by preparatory meetings during which the committee members identify the questions in dispute. At this point, we might ask the teacher for additional information to complete the dossier and we will establish a deadline for providing



the required documents. The committee members will usually begin examining a complaint at the first meeting following the submission of the complaint.

Q *What can you tell us about the decision?*

When the decision of the committee members is unanimous, the decision is final and is transmitted to the teacher, the College and the Union. If there is no consensus, the complaint is sent to a review committee – the same representatives who are then joined by a President or President-arbitrator – and the latter’s decision is also final, and will be sent out in the same fashion.

Q *A message to the teachers?*

Well, I would invite anybody who has the least bit of doubt to ask their Union for assistance! It’s very important that teachers submit their dossiers, because the Ministry adjusts the rules by drawing upon the cases that are evaluated, as teacher’s complaints are frequently vindicated. Several anachronisms remain and the

CNR’s decisions are useful for bringing all these rules up to date.

The situation in terms of evaluating one’s years of schooling has changed substantially over the years. There has been a lot of hiring in the CEGEPs - the number of dossiers being evaluated has tripled – and the dossiers are more complex, with more schooling having been done abroad. It should be pointed out that the education evaluation system was set up 40 years ago and that, at the time, the Ministry did the evaluations, but since the 1990s, the procedure was decentralized and since then, the colleges are the ones who evaluate the teacher’s schooling, namely, when someone new is hired or when there is a review that is done when a teacher completes additional studies. Even though several CEGEP administrations give this task to the *Fédération des cégeps* and the latter boasts a certain expertise in this area, the likelihood of a skewed interpretation of the rules is high.

As I was saying, the system evolves when new complaints are submitted and they give rise to modifications to the rules, because

new interpretations will be established based upon specific cases that are evaluated. But in all honesty, the system is slow in taking new realities in the education field into account. A few examples? The double-D.S.C.s, these three-year programs that the colleges promote quite a lot, well, they then turn around and reduce them to two years when the time comes to hiring a new teacher who has completed such a program; PhDs from abroad that are acquired in under 19 years – I’ve even seen some completed in 16 years! Combined Master-Doctorates and accelerated programs evaluated almost like mail-order diplomas... In a future issue, if the opportunity arises, I’d be happy to talk to you about some of the many contemporary issues and challenges in the area of evaluating a teacher’s years of schooling.

Hence, my recommendation to all teachers? And not without a little touch of humour, I’d say... ”taking care of business could pay you some handsome dividends!!!” ●



Social Networks

Internet Use in the Workplace



Jean Grenier
Union Staff Representative

At work, and away from work, Internet use and messaging systems are now part of our daily lives. Although these technologies help make our internal or external communications more efficient, or at least faster, and provide us with immediate and extraordinary access to myriad databases and sources of information, they can also be counter-productive and cause us to waste an incredible amount of time. They can also unfortunately become the source of conflict that inescapably gives rise to their own unique consequences.

This is the context in which employers are becoming increasingly interested in how their employees make use of the tools that are made available to them to do their jobs, and the contents that are transmitted over these media.

E-mails, social networks and Internet for personal purposes

Let's recall certain scenarios that often arise in our workplaces. In some cases,

the computer belongs to the employer. In others, the teacher uses their own personal computer connected to the College's network. Or then again, the employee might use his work e-mail address for personal purposes.

The employer is entitled to expect that the tools that he makes available to his employees are used exclusively for work purposes. In addition, it is widely recognized that the employee is obliged to perform a satisfactory amount of work in exchange for the remuneration that they are entitled to be paid, which in the case of college teachers is insufficient, but that's a whole other story! This is the context in which the jurisprudence regarding disciplinary action has recognized that the improper use of these tools during working hours can be assimilated with time theft vis-à-vis the employer and might justify the imposition of disciplinary action. Not only will



this kind of case lead us to examine the frequency of use and the amount of time devoted to such activities, but also, in certain cases, the nature of the sites visited will be on the table. Already, in our ranks, in some preliminary cases that have been

argued, one has probed the use of this information and these communications technologies during class time, as well as during meetings or conferences stipulated in the agreement.

The boundary between privacy and public life

In such situations, we also have to take into account the rights and obligations of each of the parties. In addition to our collective agreement, other laws give us guidance. In this regard, certain sections from the Québec Civil Code and Charter of Human Rights and Freedoms are worth quoting. To begin with, in terms of the labour contract, section 2085 of the Québec Civil Code stipulates that: "A contract of employment is a contract by which a person, the employee, undertakes for a limited period to do work for remuneration, according to the instructions and under the direction

or control of another person, the employer." section 2087 stipulates that: "The employer is bound not only to allow the performance of the work agreed upon and to pay the remuneration fixed, but also to take any measures consistent with the nature of the work to protect the health, safety and dignity of the employee." And finally, section 2088 indicates that: "The employee is bound

not only to carry on his work with prudence and diligence, but also to act faithfully and honestly and not to use any confidential information he may obtain in carrying on or in the course of his work."

This same legislation spells out our right to have our reputation and privacy respected. In particular, sections 35 and 36, which stipulate that:

35. Every person has a right to the respect of his reputation and privacy. No one may invade the privacy of a person without the consent of the person unless authorized by law.

36. The following acts, in particular, may be considered as invasions of the privacy of a person: 1) entering or taking anything in his dwelling; 2) intentionally intercepting or using his private communications; 3) appropriating or using his image or voice while he is in private premises; 4) keeping his private life under observation by any means; 5) using his name, image, likeness or voice for a purpose other than the legitimate information of the public; 6) using his correspondence, manuscripts or other personal documents.

Although we're talking here about a fundamental right, namely, respecting a person's privacy, the courts have had a tendency to recognize, unfortunately perhaps a little too quickly, the employer's right to meddle should he have reasonable grounds to

believe that an employee is making improper use of the tool. We should therefore understand that the employer should not be systematically reading our e-mails or monitoring the sites we visit. However, once a contentious dossier is built, and the employer had reasonable grounds for doing so, "before" its constitution, the jurisprudence will unhesitatingly not consider as private or rather deem as public any information published on a person's Internet profile, on any site such as Facebook. This recognition will be all the more clear-cut if the number of friends is high, or if the employee exercises little reserve in terms of accepting presumed friend invitations. The analysis will also examine the confidentiality parameters selected by the employee, although this control will be particularly difficult to exercise since many people consent to publishing their comments for friends of their friends. It's more than likely that the analysis of the case would be influenced by the fact that the employee's friends are work colleagues or even students from the same College.

As we can readily observe, an individual's right to privacy is consequently quickly circumscribed. To this, we have to add in our obligation towards the employer, namely,

the obligation of loyalty. Indeed, the latter obligation is the one that will ultimately be opposed to our freedom of expression.

Freedom of expression under the Charter of Human Rights and Freedoms must peremptorily take into account the rights of others, as stipulated in the same Charter, uphold their dignity, their honour and their reputation, whether they are students, colleagues or hierarchical superiors. Our restraint in this context must also be exercised in terms of the images or photos that we make public. Various photos that we might publish on social networks might be very good-natured, but may also have negative consequences on my image, that of the College or my colleagues and could, if made accessible, whether voluntarily or not, give rise to unfortunate consequences. An inappropriate image will be all the more distressing, particularly in an employer's eyes and ultimately in those of a grievance arbitrator, given the essential and significant role that teachers are expected to be playing vis-à-vis their students.

Defamatory libel is relatively simple to identify, but other comments, which in some cases may denigrate, accuse, criticize, whether knowingly or not, could be sufficient, even though far subtler, to undermine the bond of trust that is necessary between an employer and his employees or even be considered as psychological harassment by a work colleague. We will most likely encounter, we fear, relations between people in the same College or within the same department becoming strained or problematical due to comments made, without any malicious intent, on one of these pages that leave their traces.

Although these are all contemporary technological trends or platforms, their popularity will undoubtedly give rise to increasingly litigious cases and various forms of disciplinary action, associated with them, thereby generating regrettable consequences. ●



UN BUDGET ÉQUITABLE

UNE QUESTION DE

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- ✓ RÉPARTITION DE LA RICHESSE
- ✓ EMPLOIS DE QUALITÉ

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