

# **History of the Thompson Rivers University Open Learning Faculty Association (1979-2010)**

Inevitably, the history of a union is a reflection of its employer's history, and the early struggles of our union for certification and recognition of our rights and responsibilities as educators echoed the challenges faced by the institution. Unions come into existence to redress the balance of power between employer and employee, and provide benefits to employees through their work which, without collective action, they might otherwise have been unable to achieve. This brief summary cannot hope to outline the specific benefits TRUOLFA has negotiated for its faculty over thirty years, but job security, the right to claim particular types of work, and the expectation of fair dealing which we may take for granted in our daily work, have been hard won and the result of countless volunteer hours. TRUOLFA's history necessarily tracks the employer's, under whatever name the organization operated at the time.

In 1978, the original institution was the Open Learning Institute, brain child of Social Credit Education Minister, Pat McGeer, and Deputy Minister, Walter Hardwick. Conceived to deliver distance education to the non-metropolitan BC population (then almost half of the province's total population), it hired 17 ABE telephone tutors, who were scattered throughout the province, in the fall of 1979, most of whom had Master's degrees, and many of whom taught at other post-secondary institutions. By 1981, OLI's offerings had expanded to university courses, and hiring continued. However, this was not university, and the tutors were in not autonomous: courses were the printed material in the packages ("pizza boxes"), and were not to be modified; teaching was to be conducted by phone, usually during specified "office hours"; payment was piece rate; and the tutors were termed markers, rather than educators.

Throughout the ten-year history of the Open Learning Institute (1978-88), the tutors, as a group, attempted to rectify the perception that they were inferior to their academic colleagues in other institutions. In 1981, a small group of tutors began organizing the original union to be called the Open Learning Institute Tutors' Association. The first executive comprised Michael Meade (President), Rocky Mirza (Vice-President), Jack Adamowicz (Treasurer), and Judy Dillion, assisted by Noel Schacter. There was much to do: dues had to be agreed to and collected, a Constitution and By-laws had to be drawn up and vetted by a lawyer, and legal certification had to be sought and ratified by the membership. Unfortunately, ratification failed: only 33% of the existing membership voted in favour when the vote was held in March 1983.(Link 1) That same spring, the membership were asked to vote on whether to dissolve and return the dues

# **History of the Thompson Rivers University Open Learning Faculty Association (1979-2010)**

collected, or to keep the dues, form a society, and continue the organization. The membership voted for the latter, and when the union resurfaced in 1991, the dues, in trust with Jack Adamowicz, were handed over to the next executive.

Rumors of a new government initiative to place OLI and the Knowledge Network under the umbrella of an Open Learning Authority gained ground in 1986, and signaled a new phase for the tutor body when the Open Learning Agency Act was tabled in the House in 1987. The Act outlined the three components it covered: the Open University, the Open College, and the Knowledge Network, all under the aegis of the Open Learning Agency. At this point, rapid expansion in enrollment, increased complexity, and the growing impact of technology on education, contributed to greater tension between the tutor body and management: tutors were still piece rate workers, still had little or no say in course development, modification or revision, and in spite of their qualifications, were not treated as “faculty” unless they were required, capped and gowned, for their students’ graduation ceremonies. The irony was lost on few.

On Saturday, April 27, 1991, fourteen Open College and Open University tutors met in the Vancouver Offices of the College-Institute Educators’ Association to discuss the formation of a certified union, an idea broached at the Tutor Workshop held earlier that year. The impetus for this meeting was, firstly, the ongoing restriction placed by management on tutors’ involvement in any aspect of the organization’s educational direction or policy, and, secondly, the continued poor payment and working conditions. Gordon Vichert, President of the newly formed Faculty Association, sent out an open letter to his “ABE Colleagues” stating the need for “professional input in the decisions and directions of the organization,” and a faculty union “to address monetary and working conditions issues.” (Link 2) This letter urged tutors to apply for membership, as with 45% of the tutors signed up, certification through the Industrial Relations Council was possible. This group drafted the first Constitution and By-Laws, and also organized the vote in July which made the Open Learning Agency Tutors’ Association a member of the College-Institute Educators’ Association. Certification was granted in November 1991, and negotiations on OLATA’s first Collective Agreement began in June 1992. Unfortunately, ill health forced Gordon Vichert’s resignation, but Jane Morton took on his role as President.

Then followed 15 months of fruitless bargaining, led by Don Stanley and David Roth for OLATA, as management refused to negotiate an Agreement. By August of 1993 with no resolution of such basic items as seniority, with right of recall and severance pay; contracting out tutors’ work for less money; definition of

## **History of the Thompson Rivers University Open Learning Faculty Association (1979-2010)**

the term “faculty”; lack of office space for tutors at OLA; no response to monetary items such as sickness and bereavement leave; professional development time and funds; medical and dental plans, and wages at a professional standard, the union called a strike vote. On 10 September, 1993, OLA informed Don Sinclair, the President of OLATA, that they would return to the negotiating table in order to avoid a strike. October saw a finalized Collective Agreement, and by December the first Collective Agreement (January 1, 1992-March 31, 1994) between OLATA and OLA was ratified by the membership. In September of 1994, the OLATA Executive informed OLA that they wished to begin negotiations on the second Collective Agreement. The Multi-Institutional Framework Agreement of 1995 formed the basis of our second Collective Agreement (April 1, 1994-March 31, 1996.)

For more than a decade, the term “tutor” had rankled with the membership and been the symbol of OLA’s refusal to treat its educators as worthy of the name. In May of 1995, OLATA struck a committee to look into a change from “tutor” to “instructor.” A name change was reflected in the 1996-1998 Agreement between OLA and the union, which was now the Faculty Association of the Open Learning Agency. OLATA had become FAOLA, and comprised not just tutors, but “all staff who are accountable for the origination, development, delivery, management and evaluation of programs and courses through the Open College and Open University and related services” (Collective Agreement April 1, 1998-March 31, 2000, p.2.) The Agreement stated explicitly: “Members of OLATA are members of the OLA Faculty.” However, the majority of the faculty were still comprised of “tutors”, and that label was not to change for another ten years, when, finally, tutors were recognized as Open Learning Faculty Members.

1995 also saw the proposal for the new British Columbia Open University, which would redefine OLA’s Open University to include the concept of affiliated colleges who would develop and deliver degree programs in partnership with OLA. The exponential growth of technology throughout the 90’s had meant ongoing changes to the distance education model. OLA, since 1988, when it had been merged with the Knowledge Network and gained an international reputation for the excellence of its educational TV programming, felt its mandate was to be on the cutting edge of the use of technology in distance education, which was now being labeled: “Open Learning.” The introduction of Web delivery for newly developed courses meant ongoing tension between the union and OLA as the parties attempted to overlay fair compensation for this work on an already existing and extremely complex piece rate system. This made bargaining more difficult, and lengthened the list of grievances the union was forced to pursue with

# **History of the Thompson Rivers University Open Learning Faculty Association (1979-2010)**

management. However, as a result of the union's efforts, and its argument that the employer must provide the tools (and training) for the employees' work, by 1999 there was agreement that OLA would provide all tutors with computers, and other necessary hardware in order to do their jobs.

In the first year of the new millennium, the union's history had been two decades of ongoing struggle with management: difficult, lengthy and expensive bargaining sessions; numerous appearances before the Labour Relations Board; multiple arbitrations and grievances (many of which were initiated to hold management to the terms of the Collective Agreements they had signed.) However, a significant change was underway, determined not by education policy or technology, but by politics.

In 2001, the NDP were defeated, and the Liberals, under Gordon Campbell, came to power. An email (Link 3) was sent from the Ministry of Advanced Education (AVED) to all OLA students explaining that a Core Services Review of the Agency had suggested changes to the organization: the board was replaced with an interim one, and the President, Jaap Tuinman, was replaced temporarily by Harry Hitchman, Manager of the Accountability Division of AVED. The union braced for an uncertain future as the Ministry's stated goal of a "more collaborative approach to online and distance learning" (Harry Hitchman's email) combined with considerable change within the Agency, concerned the union who already had a long history of fighting a rear-guard action for rights to work they thought they had already won.

On 30 October, 2002 (the date had originally been October 31<sup>st</sup>!), Shirley Bond, Minister of Education announced the closure of OLA and the expansion of BC Campus, a completely online and distance learning initiative. Much time and effort was spent on lobbying the government, and during that spring CIEA organized "silent vigils" by the FAOLA and BCGEU membership to protest the changes. The government's plan was to split the Knowledge Network from the Open University and the Open College, and the latter two entities would continue their activities under the aegis of another post-secondary institution. The British Columbia Institute of Technology was, in the spring of 2003, selected from a list of 26 who had expressed interest, but, because their faculty were unhappy about possible job losses when our faculty would merge with theirs, and vice versa, the proposal was dropped. Despite the union's best efforts, neither the executive nor membership had any voice in these discussions.

# **History of the Thompson Rivers University Open Learning Faculty Association (1979-2010)**

At the same time as OLA was being deconstructed, the University College of the Cariboo (UCC) was being transformed, and was to receive full university status as a “special purpose” university by 1 April, 2005. In 2004 the fate of the Knowledge Network was still uncertain, but the Open College and Open University were to be acquired by the new university. OC/OU operations would continue out of the Mathissi Place building in Burnaby until 2007 when all operations would physically move to the campus of the new University in Kamloops. In response to an upcoming joint meeting in Kamloops between our executive, the OLA/UCC Transition Team, and the University College of the Cariboo Faculty Association (UCCFA), the executive of FAOLA moved to change its name to the British Columbia Open University Faculty Association (BCOUFA). The concerns of the UCCFA around the merger with OLA were the same as BCIT’s and raised the same issues: should the two unions merge, or should they remain separate, and, if they merged, how much representation should each be allotted?

The name of the new university was announced in September, 2004: Thompson Rivers University, and work for the union executive centred on the merger and how best to protect the rights of the membership when absorbed by a far larger entity. The UCCFA also went through a name change and became the Thompson Rivers University Faculty Association (TRUFA). Some meetings were held in Kamloops between the two executives who were trying to get to know each other, and, in BCOUFA’s case, to give the other executive’s members some sense of what they did, and how very different our working conditions, method of payment, and relationship with the management actually were. An Interim Operating Agreement between BCOUFA and UCCFA was drawn up early in 2005 to allow for the melding of the two unions while still allowing BCOUFA to continue operations until 1 April, 2005. However, there was no agreement on the actual Transfer Agreement, and BCOUFA, while expecting the eventual merger of the two unions, was still a separate entity in 2007 when the move to Kamloops was complete. In 2009, along with necessary changes to the Constitution and By-Laws, BCOUFA underwent yet another name change to TRUOLFA (Thompson Rivers University Faculty Association), but a merger of the two unions was no closer, and, as well as opposition within TRUFA, there was marked lack of enthusiasm for the move from the TRU management.

Although relations between TRUOLFA and management have been smoother in general than in the early years, constant vigilance has been necessary to ensure that the terms of our Collective Agreements are adhered to. Frequently, they have not, and the union has been forced to grieve the situation.

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Open Learning had developed a “pilot project” to evaluate the concept of paced courses. The Dynamic Web Course Delivery Model, initiated around 2001, was the precursor to the Online paced model, that was used in the Business and Health Areas.

Mary’s thoughts: I think a paragraph on the topic of Paced Courses and bargaining related to its introduction as well as the transition to Online courses would be a great, in terms of the development of paced Web courses and challenges that were managed and continue to be managed.

The new “Online Modality”, a paced Web delivery model initiated in 2009/10, created problems of fair payment, and reasonable workload when TRU imposed a standard university concept of a four-month course onto a piece-rate system with a continuous enrollment model. This was eventually partially rectified through lengthy bargaining, an arbitration settlement and then incorporated into the April 1, 2012-March 31, 2014 Collective Agreement.

This brief thirty years of the union’s history can only touch on the major changes the group dealt with and the benefits it achieved for its membership. The name changes, the management changes, and even place changes did not affect in any meaningful way the loyalty of TRUOLFA’s members to their students or their roles as educators. From a group of seventeen, teaching solely through print and telephone, the membership is now more than 200 and growing. In fact, a few members of the original group are still with TRU-OL. In large part, this educational growth, diversity of programs and delivery modes is owing to the professionalism and commitment of the membership its union to lifelong learning in all its evolving forms.

Link 1—OLITA’s Failed Vote (1983)

Link 2—Gordon Vichert’s Letter to Colleagues (1991)

Link 3—Harry Hitchman’s Email (2001)

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This history was written by Rosaline Alexander, an Open Learning Faculty Member, and the Membership Secretary of Thompson Rivers University Open Learning Faculty Association in the spring of 2014 based on 25 plus boxes of records. Many thanks for her diligent work.

John O'Brien

President - TRUOLFA