Remote Control
Navigating the difficult “new reality” of online and remote teaching

By Elizabeth Hanson
President, QUFA

It is increasingly possible that we will deliver teaching scheduled for autumn 2020 “remotely.” After our face-to-face way of life was suspended on 13 March 2020, the university took care in its communications to describe the delivery mode we switched to as “remote” rather than “online.” The distinction was important, an acknowledgement that “online learning” is now a highly developed pedagogical craft requiring a lot of institutional support, and not something you get up in a week. One purpose of the careful word choice was to recognize that the situation instructors and students found themselves in was plenty stressful already, and there was no expectation of a dazzling collective technological “pivot.” In a context where everyone was groomed for “excellence,” we all needed to aim for “adequate” if we were all going to get to the end of the term. Judging by what I have heard from colleagues across the campus about low attendance at Zoom classes, blatant cheating on exams, and the impossibility of achieving “learning outcomes” that depend on the embodied encounter with the physical world, “barely adequate” may be the best we can claim, though clearly there is variation depending on the discipline and the level of study. Now, however, we are facing the prospect of a remote delivery of the autumn term, and given both the advance warning and the greater consequence of an entire term’s worth of teaching, the likelihood of pressure both from the institution and ourselves to find better ways to teach remotely. Inevitably, this effort will involve “leveraging” genuinely “online” courses.

The number of words in scare quotes in the preceding paragraph shows that the current crisis affords a nice opportunity to trot out institutional jargon, and that in turn is an indication of one concerning aspect of the situation we face: the possibility that it will accelerate trends in university teaching in the last decade, exemplified by the rise of “online learning,” which in my view are both deleterious to the institution and driven by the neoliberal politics that have eroded many public institutions in Canada, including our healthcare system. With respect to this last point though, it should be noted that while
all public institutions may have suffered from revenue shortages in the last decades, the current crisis bears on universities differently than it does on healthcare systems or indeed any institutions, including labour regulations and unions, the purpose of which is the protection of people’s health and safety. For them, the pandemic is a kind of stress test that could reasonably lead to reforms where their response to the crisis was wanting. Certainly, it appears possible that in the US, where so many social systems seem to be flunking the test, the pandemic could be a catalyst for radical social change. For universities, in contrast, while the pandemic has caused a highly unusual disruption to normal functioning, it has not exposed structural problems with respect to their core mission, with one possible exception: the increasing reliance on foreign student tuition, and indeed tuition revenue generally in the operating budget.

This last point is relevant to grasping the problem posed by “online learning” even as we acknowledge it as a valuable resource in this crisis as well as in normal times. The expansion of online course delivery, including the resort to blended courses, arose in the context not only of the possibilities new technology afforded, but also of a funding situation in which the only way universities could significantly increase revenue was by increasing enrolment. (This is true not only in Ontario but in the public universities of the UK, the US, and Australia as well, where the burden of funding has shifted from block operating grants to tuition.) In this respect, expanding online offerings is in the same basket of strategies as the increased recruitment of foreign students. Much of the discourse around online courses focuses on questions of pedagogy. Are the online courses as effective as classroom ones? Is the “flipping” online delivery permits more effective than ordinary lecturing? There has also been concern about intellectual property issues, though these seem to have gradually ironed themselves out, leaving only a nagging disquiet on the part of some course developers. And there are questions about labour such as whether it is more or less work to teach online? All these questions are important but, in my view, they miss or merely graze the main point, which is that the push to increase online course offerings has been from the beginning entwined with a drive to normalize withered faculty complements and, in the process, to change the social role of universities.

I am not saying that all or even most proponents of online learning intend this goal. Moreover, there is enduring good reason for what we used to call “continuing and distance studies,” and new technology has permitted this form of study to be pursued more effectively. In particular, the expansion of possibilities for those already in the work force or situated in remote places to acquire new skills and credentials is a boon. However, if we go back just eight years to 2012, the year of the “massive open online course” (MOOC), we can clearly see the aim of withering the faculty complement that informs “online learning,” the idea that a handful of the very best professors could teach millions, obviating the need for the merely good professor, ignoring not only all the human work those merely good teachers did in nurturing students to become knowledge-seekers, but also the fact that scholarship is an edifice built not by a few brilliant boys, but by many minds and ideas.

The neoliberal cast of the enterprise was evident in the contract between the MOOC start-up, Udacity, and San Jose State, part of the California postsecondary system that used to be free to Californians, but had come to rely on increasing tuition as a result of the tax cuts dating back to 1980. That venture failed from its own delusions as well as fierce resistance from faculty. But the same thinking was evident in the effort in Ontario in 2014-2015 to establish the Ontario Online Institute (OOI), which would offer a single online course in a range of basic subjects for all students in Ontario, eliminating wasteful duplication across the province. This plan sparked an unseemly scramble at Queen’s where departments facing the threat of the activity-based budget model saw financial salvation in winning the prize to undercut the viability of departments in the same discipline at other universities. Fortunately, the Council of Ontario Universities (COU) managed to explain to the Wynne government that such “waste” was essential to universities’ survival insofar as...
running large classes locally was how they paid for smaller ones. The megacourse idea was abandoned, and the OOI settled down into the more sensible eCampus Ontario, essentially a service that permits Ontario universities to share online courses and students. But the same intention—to diminish the need for teachers on the public payroll—was evident again this year in the Ford government’s proposal that high school students have to earn four (then two) high school credits via online courses delivered by an “entity” that could be a private company.

My impression is that, here at Queen’s, things have settled down since 2015. The experiment with blending courses in the Faculty of Arts and Science came to an end, though I believe that courses that were still blended run as such. The 2015 collective agreement established settled procedures around the design and revision of courses. There is an online Bachelor of Health Sciences that has now begotten an online courses. And revision of courses. There is an online Bachelor of Health Sciences that has now begotten an online Bachelor of Health Sciences that has now begotten an online Bachelor of Health Sciences that has now begotten an on-campus program, an interesting inversion. I believe that Arts and Science Online controls which courses are offered when, not departments. God only knows how many online courses and programs the Smith School of Business offers. We have arrived at a place where online offerings are a normal part of the university’s operation; they generate some skirmishes, but they also haven’t spelled the end of the university as we know it.

My purpose in rehearsing some episodes from the history of online courses, though, is first, to remind us of the role that both pushback and the intrinsic limitation of the practice played in the containment of “online learning,” and second that “online learning” has historically been advanced in hostility to the idea of university faculty as a social good worth paying for. Remember, moreover, as my columns earlier this year on faculty complement demonstrated, at Queen’s we continue to have a faculty-student ratio of 1:29.5 (as opposed to 1:20 two decades ago), and the hiring that had been planned before COVID-19 merely prevented further deterioration in the ratio. And, in the ten years for which we analysed the faculty complement data, the ratio of continuing adjuncts to full-responsibility faculty in our bargaining unit has gone from 6:1 to 11:1.

So, here is where we find ourselves as the economy hurtles into depression, and the university budget sustains a direct blow from loss of tuition revenue: turning—of peculiar necessity—to the resources of online course delivery. We should be grateful for them. But also prepare to hear about “opportunities for innovation,” and please reply that, while you are grateful for help in teaching remotely, emergency measures end with the emergency. If at the end of the shutdown we have more educational developers, that’s only a good thing if we are also hiring Classics and English professors, geographers and scientists, in quantity. Lest this position seem self-interested, let me say that it stems from a vision of what the university is for: the highest-level pursuit of knowledge in all its manifestations, technical and policy know-how, curiosity-driven science, social critique, the understanding of culture past and present, and art. If this assertion sounds banal, it is worth remembering that it is emphatically not the idea of the university expressed in the SMA3 and performance-based funding, nor of the earlier Liberal governments that tied funding to student numbers. In contrast, the vision I describe focuses on faculty as exemplars of a way of being, beneficial not only in what they produce but in the version of life they make imaginable to others. From this perspective, more faculty is better for everyone.

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ANNOUNCEMENT
Fund for Scholarly Research, Creative Work, and Professional Development (Adjuncts)

We are currently in the midst of unprecedented times in the face of the COVID-19 pandemic. Information is changing daily, particularly with respect to travel. It is important to keep abreast of changes on the Queen’s University COVID-19 information Web site, which is subject to the limitations imparted by the Public Health advisories related to the coronavirus pandemic.

https://www.queensu.ca/facultyrelations/queens-university-faculty-association-qua/professional-support-programs/fund-scholarly-research-and

Fall 2019 and Winter 2020 (for Members who have been awarded funds): Cancellation fees will be covered by awarded funds. The Committee has agreed that a Member can propose a new project for their fund if they are unable to complete their originally proposed research, creative work, or professional development, and can request an extension if necessary. Please submit your request for review to fro@queensu.ca. Any unused funds will go back into distribution for the next round.

Spring 2020: The fund will be accepting applications for the next round as usual. The fund deadline is 8 June 2020.
Since we moved to remote working in mid-March, QUFA has been working hard to adjust to the “new normal” and figure out how best to manage our Member affairs. If you have been reading the e-mail updates from QUFA President Elizabeth Hanson, then you know we’ve been concluding collective-agreement (CA) negotiations on the 2019-2022 contract, including finalizing the structure of the voluntary phased retirement program. As soon as that work is completed, we will move on to negotiating a letter of understanding (LOU) on how to manage work in pandemic and/or social distancing circumstances.

QUFA Governance

On the other side of the coin, QUFA also has obligations to its Association Members to convene a general meeting to review and approve next year’s budget and elect new Executive committee members. To clarify, if you pay dues to QUFA, you are a Member of the bargaining unit and have the right to vote on CA matters. You may also elect to join the Association, at no additional cost, and participate in its governance by voting in elections, on proposed budgets, and on other governance matters. If you haven’t joined but would like to, please complete a membership form online (please see the link below).

Spring General Meeting

Normally, we have a spring general meeting (SGM) in April. As we were not sure if we would be able to manage such a meeting virtually, the Executive took the decision to postpone that meeting while we figured out how it could best be arranged. QUFA Executive and Council passed a policy that would allow QUFA to delay this meeting until the campus reopens. Given the uncertainty of when that will happen, we have decided to hold the SGM virtually so as to remain compliant with our Constitution. We are now ready to convene the SGM in May using a virtual platform (the choice of platform will depend on numbers of attendees).

You will receive an e-mail announcing the SGM that will ask you to RSVP your intention to attend. We need to know who will attend to determine numbers so that we have the right meeting platform, and so that people can be registered to vote online for candidates for open Executive positions.

Elections

If you have attended an SGM in the past, you know that the assembly is asked to affirm acclaimed candidates for Executive positions. Those assembled would also vote in the case that an Executive position was contested and an election needed to be held.
QUFA Executive and Council have approved an elections policy that would govern how a vote would be conducted with a face-to-face meeting (please see the link to QUFA policies below). In the face-to-face scenario, we have provisions for nominations from the floor, as well as advance nominations, and conducting secret ballot votes. In the virtual world, we need to adjust these practices to ensure that we can hold an online ballot that includes all candidates. As designing the ballot and setting up the vote for Association Members who attend the meeting only will take someadvanced planning, we will ask that anyone intending to run for an open Executive position indicate their intention and submit their statement of interest by 7 May 2020 at 1.00 p.m. This will allow us to get all the statements up on the QUFA Web site and to alert Members of the coming acclaimation and/or election in time for you to indicate your intention to attend the meeting. When we have the RSVP list by 14 May 2020, we will create an online ballot for all positions and send it to those with the right to vote. The vote will open and close during the meeting time so that we can announce the results during the 21 May 2020 meeting.

Other Association Business

As other votes and approvals are normally conducted by an open show of hands, we will use the “raise hand” or other similar function of the platform we use to move those motions. Background materials will be circulated in advance as usual. We hope to bring you a summary of changes to the CA, including details of the phased retirement program, an update on the switch to Manulife for extended medical benefits, and a review of the LOU we negotiate to govern continued remote working. It will be an information-packed meeting, so we hope you will make the time to attend.

Summary of Important Information

New Policies, including the election policy and campus closure policy, can be found here:


The SGM is scheduled for 21 May 2020, from 1.00 p.m. to 3.00 p.m., and will be conducted using an Internet meeting platform such as Zoom or Microsoft Teams.

All QUFA Members are asked to RSVP their intention to attend the SGM by 14 May 2020 to QUFA Office Administrator Elizabeth Polnicky, at ep43@queensu.ca.

Association Members who RSVP “yes” will be registered to vote in the elections for Executive positions and will receive a Simply Voting ballot by e-mail in advance of the meeting.

To join the Association, fill out the membership form here:

https://www.qufa.ca/memberservices/membership-form/

All candidates for open Executive positions are asked to submit their nominations and statements of interest to me at jermynl@queensu.ca by 7 May 2020 at 1.00 p.m. so that their statements can be posted on the QUFA Web site and their candidacy can be advertised to attending Members by 14 May 2020. Please see the box in this issue of QUFA Voices detailing which Executive Committee positions are currently open and how to proceed with a nomination.

For this election, no nominations “from the floor” (during the 21 May 2020 meeting) will be accepted.

Leslie Jermyn can be reached at jermynl@queensu.ca.

GRIEVANCE CORNER

The Duty to Accommodate in the Time of COVID-19

A brief guide to the management rights of the university during the COVID-19 pandemic

By Peggy Smith
Grievance Officer, QUFA

The introduction of the Children’s Haggadah (the telling of the Passover story) advises children that freedom means different things for different people. As children, they are told that “boys and girls who are free have the right to enjoy schools, libraries, playgrounds, movies, birthday parties, baseball and tennis games, and walks in the park.” This past weekend, the only freedom that remained intact was a visit from the Easter Bunny, who was deemed to provide an essential service. With schools, daycares, and playgrounds closed, parents have been left to educate and care for their children at home.

QUFA Members are also experiencing a loss of freedom arising from the sudden an unexpected orders from the university to finish the academic year, to shift to a remote learning format, to deliver the remainder of the material from home, and to close or limit research laboratories. In the past weeks, I have received multiple e-mails from QUFA Members who are feeling more like circus jugglers than academics. COVID-19 has introduced a “new normal” as the barrier between work and home has suddenly been stripped away.

The impact of an extension of remote learning into the fall will mean different things for different people. Some Members might question the right of the university to organize the workplace in a way that was never contemplated in the collective agreement (CA). Others may question
their ability to work from home, as their home is too small, the Internet too unstable, and their family responsibilities overwhelming. Others may need to request extra time and/or support based on current accommodations in place owing to recognized disabilities.

To address these concerns, I am providing a brief summary of the applicable legal framework that applies to the exercise of management rights, and what QUFA will be doing to assist you to protect your rights going forward.

The University’s Right to Manage

Article 8.1 of the CA requires the university to manage “except to the extent modified by the terms of this Agreement,” and to exercise their right “in a fair and equitable manner consistent with the provisions of this Agreement.” Given the current state of emergency, an arbitrator would apply a broad and generous interpretation to the definition of a “fair and equitable” exercise of management rights.

The Occupational Health and Safety Act

Article 8.1 must be also interpreted in view the statutory obligation under the Occupational Health and Safety Act to provide a safe and healthy workplace for the university community. The university must comply with the provincial directives issued to address the public health issues presented by COVID-19.

The Ontario Human Rights Code

The Ontario Human Rights Code continues to apply to the exercise of management rights during the COVID-19 pandemic. QUFA Members have the right to be accommodated based on disability and family status to the point of undue hardship. In the determination of undue hardship, the Code restricts the factors the university can consider to costs, health and safety, and sources of outside funding. The Supreme Court of Canada has further clarified that the right is to a reasonable accommodation, not a perfect or preferred arrangement (see Hydro-Québec v. Syndicat des employé(e)s de techniques professionnelles et de bureau d’Hydro-Québec, section locale 2000 (SCFP-FTQ), 2008 SCC 43).

As health and safety are the driving factors behind the requirement to move to remote teaching, any request to accommodation by simply relieving that requirement would likely be dismissed as undue hardship. However, depending on the availability of classrooms with cameras and features that are specifically designed to allow Members to deliver lectures to a remote audience, there may be opportunities for some accommodation of Members needing an alternative to a home office.

Depending on individual circumstances, requests for special equipment, teaching assistants, IT support, or the ability to move courses to a particular time slot would also have to be considered as reasonable requests, and undue hardship would be considered based on the costs and sources of outside funding available to provide such support.

Here is a link to some additional questions and answers produced by the Ontario Human Rights Commission:


Bill 186

In March 2020, the Ontario Government passed Bill 186, The Employment Standards Amendment Act Infectious Diseases. This Act extends job protection to all employees that have to take time off work because of COVID-19-related issues, including the need to care for children at home, the need to care for sick family members, or the need to take the required fourteen-day isolation time. All provisions of the CA will have to be interpreted and applied in accordance with the spirit of Bill 186. For example, the Act states that you are not required to produce a medical note to support COVID-19-related leaves. That right is reflected in the COVID-19 leave note produced in last month’s edition of QUFA Voices. Bill 186 will also assist QUFA in enforcing job protection for our most vulnerable adjunct Members.

QUFA Is Here for You

The CA currently contains a number of job- and wage-protected leaves for qualified QUFA Members. These include sick leave, compassionate leave, academic leave, reduced workload, personal leaves, and the right to request a deferral in the tenure clock. However, many of the systemic barriers to a full and successful remote delivery of courses are not captured by the applicable labour laws or the CA. These include issues such as the need for Internet and devices, assistance in the development of new accessible online courses for students, and a way to ensure our Members do not carry the full burden of administering student accommodations.

QUFA is working with Queen’s to create a letter of understanding about how things will work in a pandemic-altered university. It will be helpful for us to hear from you about the challenges you’re facing now or will face if remote teaching and research restrictions continue into the summer and fall. Please e-mail me your concerns and questions to help us plan.

Peggy Smith can be reached at smithpe@queensu.ca.