

## Labour Disruption Policy

### 1. General policy:

In the event of a) a legal strike by employees of the University, b) of a legal strike at a campus or site of the University by non-University employees, or c) of disruption to public transportation services to or from a campus or site of the University due to a labour dispute (hereafter a “labour disruption”), it is the University's policy to take every reasonable measure to remain open. We will endeavour to maintain instruction in all courses, provide access to core library services and internet connectivity, oversee examinations as scheduled, and provide student services. The University respects the right of students, as a matter of conscience, to refuse to cross a picket line in a labour dispute. This policy should be read in conjunction with the Board Strike Policy (HR7).

### 2. Ad Hoc Senate Labour Disruption Preparedness Committee,

In the event of a labour disruption under this policy occurring or, in the opinion of the Senate Nominating Committee, being imminent, the Senate Nominating Committee may appoint an Ad Hoc Labour Disruption Preparedness Committee with the terms of reference and membership set out below:

#### Terms of Reference

- to implement, as appropriate, procedures and guidelines to follow the general policy articulated immediately above
- to ensure the academic integrity of the university
- to appoint an academic arbiter
- to revise, interpret and apply the labour disruption guidelines; and
- to convene an "operational labour disruption committee" to oversee day-to-day labour disruption-related issues

#### Membership\*

Vice-President Academic and Provost or an associate vice-president academic as designated by the vice-president, Chair

Vice-President Students

Chair, Senate Academic Policy Committee

Three Deans

Two student senators (one undergraduate / one graduate)

An undergraduate or graduate student nominated by the Alma Mater Society

Registrar, Secretary

\* As an exception to the *Rules and Procedures of Senate*, Members of the Ad Hoc Committee are authorized to appoint proxies in the interests of timeliness.

### 3. Academic Arbiter

There shall be the appointment of a senior faculty member to serve as an academic arbiter for students who have sought to resolve their concerns with their Faculties but feel that they have been treated unfairly. Such concern must, in the opinion of the arbiter, be directly related to a labour disruption under this policy. The decisions of the arbiter related to that concern constitute the resolution of an appeal to the Senate under Section 40 (g) of the *University Act* and are final.

#### 4. Guidelines

The guidelines that follow are adapted, with some revision, from guidelines approved by Senate in 1994, 2003 and 2012 as "The Academic Position of Students in the Event of a Strike." It is understood that Senate has endorsed the following guidelines, but that they may need revision in the light of specific situations occurring immediately before, during, or at the conclusion of a labour disruption. The Ad Hoc Labour Disruption Preparedness Committee is delegated the authority to revise the guidelines as needed.

## GUIDELINES

### ACADEMIC POSITION OF STUDENTS IN CASE OF A LABOUR DISRUPTION

The University hopes that a labour disruption does not occur but if one does the following is intended to help undergraduate and graduate students understand their rights and responsibilities. This information is based on Senate guidelines that were adopted in April 1994, December 2003 and February 2012. The core principles of these guidelines are: academic integrity, fairness to students, staff and faculty, and timely information. Information related to a strike or potential strike will be available at an appropriate time on the university website at a URL accessible from the UBC homepage ([www.ubc.ca](http://www.ubc.ca)). Watch this site for additional information.

#### 1. General Statement

In the event of a) a legal strike by employees of the University, b) of a legal strike at a campus or site of the University by non-University employees, or c) of disruption to public transportation services to or from a campus or site of the University due to a labour dispute (hereafter a "labour disruption"), it is the University's policy to take every reasonable measure to remain open. We will endeavour to maintain instruction in all courses, provide access to core library services and internet connectivity, oversee examinations as scheduled, and provide student services. The University respects the right of students, as a matter of conscience, to refuse to cross a picket line in a labour dispute. This policy should be read in conjunction with the Board Strike Policy (HR7).

The processes detailed in these guidelines do not guarantee students the same learning experience that they would have received in the absence of a labour disruption; however, the primary obligation of the university is to ensure the academic integrity of all academic programs. Faculty members are responsible for teaching their courses and students are responsible for fulfilling course requirements.

Note: Throughout this document:

1. "Student" refers to both graduate and undergraduate students.
2. "Dean" refers also to "School Director", and may refer to designates as indicated in the attached list.
3. "Strike" refers also to job action, rotating job action, and other forms of labour disruption

#### 2. Important distinctions

There is a difference between what constitutes a rotating strike/job action and a full strike/job action. For this reason, the measures that need to be followed in the event of either of these situations differ.

A full strike occurs when a group of employees decides to stop work, refuses to work, or refuses to continue to work. When there are pickets at the "gates" of campus, it is a full strike. When the target of the strike is a building or buildings and the picket line moves from time to time, it is a rotating strike.

### 3. If a Student Chooses Not to Cross a Picket Line

#### Notification

- a) Students intending not to cross picket lines as a matter of conscience must, within two working days of the university receiving notice of a strike inform the Dean of the Faculty in which they are registered or in the case of graduate students, the Dean of the Faculty offering their program of study. Students must inform the Dean in writing (i.e. letter, e-mail, or fax) providing their full names, their UBC student IDs, and the course(s) in which they are currently registered. Contact information for Faculties is attached.
- b) Students may not declare their intentions retroactively. If students do not inform their Faculty of their intention not to cross picket lines, the University will assume that they are attending classes and are responsible for all course and lab material taught during the strike.
- c) Students who change their mind as a matter of conscience either to cross or not to cross about crossing the picket line must notify the Dean of the Faculty in which they are registered ~~of this change within one day~~. Students cannot retroactively claim that they have changed their minds.

#### Strike situations

- a) The procedure for confirming that students will not cross a picket line is the same for a rotating strike and full strike. If there is a rotating strike and students do not wish to cross the picket line, then they will be choosing not to attend classes taught in buildings behind a picket line.
- b) In the case of a "rotating strike" of short duration (i.e., 5 academic days or less) individual faculty members are in the best situation to determine, in the first instance, the extent to which their courses, seminars, graduate supervision, labs, practica, etc., have been affected by the strike and what remedial action is required.
- c) Students who have declared that they will not cross a picket line must attend classes that are not directly picketed and that they can reasonably expect to access.

#### Examples:

- If one or two University entrance gates have picket lines, students are reasonably expected to use alternate entries to campus and are expected to attend class.
- If there is a picket line at Building A and your class is in Building B, students are expected to attend class.
- If there is a picket line at Building A and a student's class is in Building A, you are that student is not expected to attend class. If the picket is later removed, he/she is expected then to attend scheduled classes in Building A.

Students are responsible for remaining informed about whether picket lines are in effect at UBC by utilizing reliable sources of information, such as the UBC website.

#### NOTE:

The following guidelines are applicable to any kind of strike whether full or rotating. Where a difference in procedures occurs, or where a scenario is only applicable to a specific strike (full or rotating) a distinction will be made.

#### STUDENT'S ACADEMIC RESPONSIBILITY IN THE EVENT OF A STRIKE

- a) Students not crossing picket lines will be responsible for fulfilling course requirements and, insofar as possible they will be evaluated on the work they are judged to be able to do under the circumstances (e.g. required readings, essays/ reports, web-based material). Academic standards should be consistent for all students, whether or not they cross a picket line. Students are responsible for learning any material they may have missed as a result of a labour disruption. The only course-related material that will not be examinable or assessable is material uniquely available in a classroom or lab (etc.) that is not covered in make-up sessions.
- b) Students who miss an essential component and/or a scheduled examination as a result of refusing to cross a picket line may be expected to attend make-up sessions and/or to write examinations scheduled during supplementary-examination periods. This is especially likely in degree programs with professional accreditation requirements, where graduation depends upon completing essential material.
- c) For purposes of communication and for ensuring web-enabled learning material is easily accessible, the university will provide students with unlimited dial-in connectivity for the duration of any strike.

4. If a Class or Other Specific Component of a Course Section (e.g., a lab, tutorial, seminar) is not Held Because of a Strike (e.g. instructor does not cross picket line)

#### ADMINISTRATIVE AND STUDENT RESPONSIBILITIES IN THE EVENT OF A STRIKE

- a) Department Heads will ensure that every reasonable effort is made to make alternate arrangements for classes for which an instructor is absent as a result of refusing to cross a picket line. However, classes may not be relocated to a non-picketed location.
- b) Unavoidable cancellations or room changes will be posted in or near the appropriate Department, School, or Dean's office in a place visible to students and/or on appropriate departmental or faculty web pages, and emailed to affected students.
- c) If classes are not held or if a student chooses not to cross a picket line, then students will be evaluated on all the required readings or other material for which they could reasonably be expected to be responsible (including all course sessions not affected by a picket line). They will not be evaluated on material uniquely available in a classroom or lab (etc.) that is not covered in make-up sessions.
- d) Students who, as a consequence of the strike, are unable to fulfill course requirements (e.g. because the strike has made it impossible to obtain necessary and unique library materials) are responsible for informing their instructors or, if the instructors are absent, the Head of the Department or the Dean of the Faculty in which the course is being conducted.

These guidelines shall not alter the academic standards associated with the missed activity, nor shall they relieve the student of the responsibility for mastering materials covered.

## 5. If a Mid-term or Final Examination is cancelled because of a Strike

- a) Faculty members will attempt to examine or otherwise evaluate students according to the normal evaluation plan for the course.
- b) Mid-term examinations may need to be rescheduled, and may be held in the last two weeks of classes if necessary.
- c) If there is a minor disruption in the examination schedule an attempt will be made to modify the examination schedule in order to hold all examinations close to their scheduled time.
- d) If there is a major disruption an attempt will be made to provide an evaluation without a final examination. This means that evaluation may differ from what was initially provided by an instructor on a course outline.

## 6. Teaching Assistants, Tutors, Markers, and Other Student Employees

- a) All UBC Teaching Assistants, Tutors, and Markers are members of CUPE Local 2278. They have the legal right to refuse to perform their normal teaching assistant, tutor, or marking duties by refusing to cross a legally established picket line as a matter of conscience.
- b) If Teaching Assistants, Tutors, or Markers refuse to cross a picket line, they will not be paid for the work that they would otherwise have done. The University anticipates that Teaching Assistants, Tutors, and Markers will not be performing their respective CUPE 2278 duties but that many will be performing their non-union duties (e.g., research, course related work).
- c) Graduate Research Assistants, Work Study students, or other student employees are expected to attend to their duties as usual, however, if they refuse to cross a picket line as a matter of conscience, they will not be paid for the work that they would otherwise have done.

## 7. Disruption of Public Transportation Services

In addition to those general guidelines above that are applicable should picket lines appear on campus or at a UBC site, the following guidelines apply in such a case where public transportation services to or from a campus or site are disrupted:

- a) These guidelines shall not alter the academic standards associated with the missed activity, nor shall they relieve the student of the responsibility for mastering materials covered.
- b) It is important to differentiate between expected or unexpected transit disruptions. An expected transit disruption is when at least 48 hours' notice has been given for disruption of a relevant transit service or of the transit network. An unexpected disruption is any other disruption of a relevant transit service or of the transit network.
- c) In the case of an expected transit disruption, students and faculty members have an onus to make alternative transportation arrangements to meet their academic obligations as scheduled. With the understanding of that onus, academic concessions may still be granted, but only in extraordinary circumstances.

- d) In the case of an unexpected transit disruption where alternative arrangements may not be reasonable made to attend courses on a given day, students may apply for academic concession to their instructor or faculty as appropriate.
- e) Department heads and faculty deans will ensure every reasonable effort is made to make alternative arrangements for classes for which an instructor is absent due to a transit disruption.
- f) Instructors are encouraged to use alternative/remote delivery methods for instruction where possible if they expect their or their students would have difficulties in commuting to or from campus or a UBC site.
- g) In the case of a disruption to the transit network, individual instructors are best situated to assess the extent to which their courses, seminars, graduate supervision, labs, practica, etc., have been affected by the strike and what remedial action is required.
- h) Students who miss an essential component of a course (in the opinion of the course instructor) as a result of an unexpected transit disruption may be expected to attend make-up sessions.
- i) Formal examinations are expected to proceed as scheduled. Instructors, invigilators and students must make all reasonable efforts to arrive on time for examinations. This includes private transportation (including private vehicles, taxis and bicycles) carpooling/ridesharing, and where reasonable, walking.
- j) In cases of extraordinary financial need other hardship for students, emergency bursaries of up to \$100.00 per exam period may be granted to offset the costs of private transportation services (e.g. taxis) to and from examinations at the discretion of the Registrar.

#### 8. If a Student Has a Concern about How Their Individual Academic Situation Has Been Dealt With Because of Strike or Public Transportation Disruption-related Action

If students have been unable to resolve issues with their course instructor (or other process as per usual practice in some professional faculties), they should attempt to resolve their concern with the appropriate Head or Dean. Students who have sought to resolve their course-related or program-related concerns within their Faculties but feel they have been treated unfairly can contact Dr Angela Redish a senior faculty member who has been designated to serve as academic arbiter via email to [Vancouver.senate@ubc.ca](mailto:Vancouver.senate@ubc.ca) .

#### Other Information

Instructors will be expected to ensure that:

1. Students have a clear and up-to-date course outline in which required readings and assignments are identified;
2. Students know they are responsible for having access to the required textbook(s)/readings/Web material;
3. Students know where the Department office is so they can check for the posting of information on classes cancelled or otherwise interrupted;

4. The evaluation of student performance at the onset of a strike is complete, up-to-date, and available to the Department Head.

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