

OT & Workload for Technical Staff, Assistant Instructor, or Specialized Faculty

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As an [FSA Tech Rep](#) I am occasionally asked to share my knowledge and experience with our [Collective Agreement](#). This includes taking the opportunity to remind my colleagues in ITS about our rights related to overtime (Article 8.5) and workload (Article 8), and the consequences of working unpaid overtime. If you are a Technical Staff, Assistant Instructor, or Specialized Faculty, this might help you as well.

I want to say, first of all, that if you are currently putting in unpaid overtime, I get it and I've been there (and am sometimes still there), so none of this is coming from a place of judgment. I understand how it happens. I know the kinds of pressures that we're all under to get stuff done, I understand how the boundaries can get a bit squishy, especially while working from home, and I really know how folks in more precarious/temporary positions can feel those pressures especially.

Realistically, we're faced with a pretty common problem: too much work and not enough people to do it. This is a systemic problem, which is why individual solutions—like quietly volunteering your unpaid personal time to support BCIT—won't fix it, and in fact, only makes the problem harder to solve. This is because making the extra hours it's taking to complete all the work in your portfolio invisible (by working unpaid overtime):

- makes it impossible for management to see the full picture and actually see the need to increase staffing
- makes it difficult for your manager to support their requests to increase staffing with data (like stats on how much overtime they're having to approve/pay); and
- makes it harder or more intimidating for your colleagues to accurately communicate the impact of adding more items to their workload or request to be paid for any overtime necessary to complete it, because management could then turn around and ask why person A needs overtime to get through their workload when person B seems to be able to stay on top of it without overtime.

I know that part of the challenge is the requirement to get approval in advance for overtime you need to work, and that requesting this approval continually can be intimidating, is sometimes demoralizing, and, in itself, time-consuming. But not getting the actual hours of work you're doing on the books inevitably contributes to the problems above and continues to put pressure on your colleagues to also not ask. It's a kind of unintended collective action, if that makes sense.

It can be intimidating to stick up for your rights and the rights of your colleagues to your manager. Making management fully aware of how many hours of work are required to complete the necessary and assigned work, and ensuring that you are all being fairly compensated for that work, together, is also a very necessary step towards actually making things better and I urge you to do it. Because of the disproportionate experiences of vulnerability for those in temporary or more junior positions, I particularly urge those of us in permanent and senior roles to step up and take some of the heat on this to make space for our temporary or more junior colleagues to exercise their rights and be fairly compensated for their hours of work.

To remind you, in the [Collective Agreement](#) a normal week of work is defined as 35 hours for Technical Staff, Assistant Instructors, and Specialized Faculty (Article 8.5.4). We are not salaried workers, but hourly workers for whom overtime must be paid. We can work 10 hours of paid overtime per week (averaged over each term) in non-emergency situations, but if workload consistently requires more than that, it's a violation of the [Collective Agreement](#). Overtime cannot be required of you outside of emergency situations, you can refuse to work overtime, and the Collective Agreement is explicit that refusal to work overtime cannot be considered a factor in any application for any other position or performance appraisal.

If you do refuse overtime, and are subsequently ordered by a manager to do it in spite of your refusal, do not argue but instead contact the FSA as soon as possible. If you feel you're being pressured to do overtime, you can certainly ask if it is in fact an order and if so, ask for it be given you in writing.

In addition to requesting approval to work any overtime you need to work in order to get through your workload (and hence, be fairly compensated for doing it), another avenue is to attempt to make more effective use of the Article 14.2 departmental decision-making parts of the [Collective Agreement](#). The FSA regularly reminds BCIT management that they need be open to Article 14.2-type discussions.

For more information about Article 14.2, see the article on page six of the [January 2020 FSA Voice newsletter](#), "That Manager's Bad Decision Might be Mine? Departmental Planning Powers in an Environment of Collegial Governance." The Department has rights and responsibilities under Article 14.2 to set workload, schedule, and other relevant aspects of delivering the mandate of the department. If your Department has not had discussions about Article 14.2, consider talking to other FSA members in your Department about to approach management to open the discussion.

Thank you for your time. None of this is easy, and adding anything to your tottering pile can feel like just too much, and I get that. But it's important. You can always [reach out to the FSA](#) if you are concerned about your rights.

