

PCLS Student Workload Protocol

2017

General

1. This Protocol has been adopted in accordance with section 23 of the 2017 Memorandum of Understanding (MOU) between PCLS and Osgoode. In the event of conflicts between this Protocol and the MOU, the MOU shall take precedence.

Purpose

2. The purpose of the Protocol is to describe workload expectations for PCLS students and to set out processes through which students can address workload concerns.

Application

3. The Protocol applies to students enrolled in the Intensive Program in Poverty Law at PCLS, during the academic term in which they are participating in the program. For greater clarity, the Protocol does not apply to PCLS summer employees during their term of employment at PCLS.
4. With the exception of sections 4, 15 and 25, the Protocol does not apply to the academic seminar that accompanies the clinical component of the Intensive Program in Poverty Law. Details regarding the academic seminar can be found in the course syllabus.

Professional Responsibilities

5. Students and PCLS staff have professional responsibilities towards clients. Where there is a conflict between this Protocol and those professional responsibilities, the professional responsibilities take precedence.
6. Students are responsible for managing their time to ensure that they meet their professional obligations and for communicating clearly and in a timely manner with supervising staff about workload challenges.

Overall Workload

7. Due to the nature of legal work in a clinical setting, and due to professional obligations owed to clients, student workload will vary from week to week. As such there is no fixed number of hours per day or per week.
8. Students should anticipate particularly busy periods during the first and last few weeks of term.
9. Despite inevitable variations in workload over time and between students, PCLS will make best efforts to ensure that overall workload is reasonable for all students.

Skills Training Program

10. Students are required to complete the PCLS Skills Training Program.
11. Much of the Skills Training Program occurs during the first two weeks of term. As such, students are required to be present at PCLS during this period.

12. Some Skills Training Program sessions occur later in the term. Students are required to attend these sessions, absent compelling reasons (e.g. hearings, scheduled Reading Weeks, etc.).
13. Students may be required to complete Skills Training Program readings or online modules.
14. This Protocol, as well as expectations and processes surrounding student workload more generally, shall be discussed with students during the Skills Training Program.

Seminar

15. Students shall be provided with one weekday per week away from PCLS for the academic seminar, including for work related to the seminar (e.g. research papers).

Community Legal Work

16. Over the course of their term, students are required to complete and to docket at least 40 hours of community legal work.
17. While some community legal work can be completed during regular business hours, students should anticipate that most of their community legal work will take place on evenings or weekends.

Intake

18. Students should anticipate spending approximately 8 hours per week on primary and secondary intake activities.
19. Each division will develop an intake schedule at the beginning of term.

Casework

20. PCLS estimates that a typical student can expect to carry the following number of cases:
 - a. Housing Rights: 15 to 20 files (including 5 to 10 active files, and 2 to 5 brief services)
 - b. Immigration: 8 to 15 files (including brief services, if any)
 - c. SAVAH: 18 to 24 files (including brief services)
 - d. Workers' Rights: 17 to 25 files (including 11-17 active) and 1 to 6 brief services
21. Students are required to fully docket the time that they spend on casework, without discounting their time.

Meetings

22. Students are required to participate in bi-monthly reflective meetings, absent compelling reasons (e.g. hearings, scheduled Reading Weeks, etc.)

Formative Evaluation Meeting

23. Approximately mid-way through the Academic term, each student shall meet with their supervising lawyer and their supervising CLW (together or separately) to discuss a formative evaluations of the student's performance in the Intensive Program. The student's workload shall be one of the topics covered during that discussion.

File Transfer Meetings

24. Students are required to participate in 2 days of file transfer meetings with their incoming or outgoing counterparts at the beginning and end of their term. These meetings may occur on either side of term transitions. Students shall negotiate mutually convenient times with their counterparts and their supervising lawyers. If students cannot agree on whether to meet before or after a term transition, they are required to meet for 1 day before the term transition and for 1 day after the term transition.
25. In recognition of the additional time that students must devote to file transfer meetings outside their academic terms, students are permitted to be absent from the clinic on the weekday usually devoted to the seminar in the weeks after the seminar has concluded (i.e. during Osgoode's examination period).

Reading Week

26. Students are entitled to take one week away from the clinic for Reading Week at times to be negotiated within their divisions, in consultation with supervising lawyers.
27. Reading Weeks must be staggered in a manner that ensures adequate resources at PCLS.
28. Students are strongly encouraged to take a full week away from the clinic (Monday to Friday). If, however, students prefer to take specific days away, rather than a specific week away, they may do so. If they elect to do so, they will receive the same number of non-seminar and non-holiday days that students would have received if they had taken their reading week during the regularly scheduled week at Osgoode.
29. Details regarding Reading Week and the academic seminar will be set out in the course syllabus for the seminar.
30. While many students use their Reading Weeks to spend time away from Toronto, it should be emphasized that Reading Week is not understood as vacation time. Instead, Reading Week is meant to be co-curricular time that students are expected to use to meet academic obligations outside the classroom setting. As such, students are expected to use their Reading Week as an occasion to make substantial progress on assignments connected to the academic seminar (e.g. research papers).

Absences

31. If students need to be away from the clinic for brief periods (e.g. parts of days, 1 or 2 days) for medical or other personal reasons, they may do so without providing medical notes or other documentation.
32. Students who need to be away for brief periods are required to notify their divisions as far in advance as possible, and must make arrangements to have time sensitive matters covered. Each division shall communicate instructions on steps for students to take in the event of such absences, including who to contact.
33. Students who need to be away for brief periods are expected to catch up on missed work at other times (e.g. cover another student's intake shift, catch up on casework, etc.), including evenings and weekends.
34. If the cumulative amount of time that a student needs to be away from the clinic is such that they cannot reasonably be expected to catch up on the missed work at other times – and thus require adjustments to their workload or other accommodations – they must follow the process set out in the PCLS Accommodations & Accessibility Protocol.

35. Students with cumulative absences of a week or longer over the course of a term must follow the process set out in the PCLS Accommodations & Accessibility Protocol.

Individual Student Workload Concerns

36. If individual students have concerns about their workload, the first step is to meet with supervising lawyers and/or supervising community legal worker to discuss these concerns. If that meeting does not resolve the issue, the student should request a meeting with the Academic Director, who will facilitate further consideration of the concerns.

37. The two-step process described in the previous section is not meant to discourage students from meeting with the Academic Director informally to discuss any concerns related to the Intensive Program in Poverty Law, including workload concerns. Rather it is meant to offer students a formal process to address workload concerns.

Accommodations

38. Workload concerns may intersect with medical, compassionate or equitable accommodations. Students are advised to review the PCLS Student Accommodations & Accessibility Protocol for details on accommodations processes.

Student Workload Working Group

39. In recognition that workload cannot be dealt with at the individual level alone, the Academic Director will convene a Student Workload Working Group, with a student representative from each division, to discuss collective workload concerns. The Student Workload Working Group will meet at least once per semester.

Revisions

40. As per the MOU, revisions to the Student Workload Protocol require the consent of the Academic Director, the Clinic Director and the Associate Dean (Academic). PCLS students and staff shall also be consulted prior to changes to the Protocol.