

JOINT COMMITTEE ON THE
ADMINISTRATION OF THE AGREEMENT
(JCOAA)

MINUTES OF MEETING HELD

December 12, 2017

390 York Lanes

2:00 p.m. – 4:00 p.m.

Association: Robert Tordoff (Co-Chair), Richard Wellen, Sheila Embleton, Paula Wilson, Alidad Amirfazli, Nick Mulé, Sonja Killoran-McKibbin

Employer: Leanne De Filippis (Co-Chair), Alice Pitt, Norma Sue Fisher-Stitt, Ananya Mukherjee-Reed, Noura Shaw

Chair: Leanne De Filippis

Guests: Parissa Safai, Rebecca Pillai Riddel

Minutes

The Association provided the Employer with proposed revisions to the minutes of the October and November 2017 meetings.

Health Learning and Teaching Fellows Program (P. Safai)

The Draft Program had previously been circulated. The Employer invited Parissa Safai, Associate Dean, Teaching & Learning in the Faculty of Health to discuss the Association's questions regarding the Draft Program. P. Safai explained that the program is intended to recognize outstanding teaching and welcomed input from the Association.

The Association expressed a concern with the concept of service release which it suggested could be confusing or ambiguous. With respect to research release, the Association queried whether this could hinder the individual in terms of not meeting the research bar for Tenure and Promotion or criteria of being research active for the receipt of research release programs. The Association requested clarification of research release as it relates to qualifying for a lower teaching load.

P. Safai compared the draft program to fellowships at other institutions where faculty members are released from teaching noting this would be counter to the purpose of the draft program which is to recognize great teachers and ensure that they continue to teach. Regarding the research release, P. Safai suggested that for internal purposes, a note in the file might suffice and research release criteria might be revised to acknowledge the role of fellows.

The Association stated that for external purposes, the individual would be penalized because most units have a release for being research active. The Association queried whether the release from research expectations contemplated by the Fellowship would automatically qualify the member for such research-based teaching release programs. The Association also queried whether the teaching load expectation would be a 2.5 load.

P. Safai indicated that the fellow would normally keep their regular teaching load, continue with students, receive recognition and would not have to serve on a local level committee. It was also communicated that for pre-tenured faculty, it would be especially helpful to have a title attached to this initiative. It would appear on the individual's CV as an honorary title. Part of this program is about contributing to teaching and learning and contributing to pedagogy scholarship.

The Association stated that is it not against the principle of the initiative, the concern is that an individual recognized as a teaching fellow may not qualify for research release under the collective agreement or other departmental level criteria. It was mentioned that some units state, in their criteria, that individuals can make a case if they do not qualify for the release program, but others do not have that option. The Association stated that it wants to ensure that the fellowship will not lead to a disadvantage of some members. The Association also queried whether this initiative has been worked out with Tenure and Promotion at the Senate level. P. Safai stated that the Association was the first point of discussion and that this step is in the plans. P. Safai indicated that she would get back with responses to the Associations questions.

CRC Equity Diversity and Inclusion Plan (R. Pillai Riddel)

The Employer distributed the document prior to the meeting to allow the committee the opportunity to review it in advance of this discussion.

R. Pillai Riddel reported on her meeting with JCAA earlier in the day wherein it was suggested that an environmental scan be done to assist the University in meeting its targets. It was suggested that the parties should discuss drawing up a Memorandum of Agreement with respect to the CRC Equity, Diversity and Inclusion plan and the Collective Agreement provisions.

The Federal Government, CRC Secretariat, will review York's report and provide feedback. As such, the Employer asked the Association whether it had any suggestions in relation to the report. It was noted that the report does not necessarily commit any

individual Faculty to any specific terms. The targets come from the Federal government and are imposed on the University as targets. Furthermore, the targets in the document do not interfere with the targets set out in the Collective Agreement, which are higher. The Association queried why the Employer had not adopted the targets stipulated in the Collective Agreement, given that they had already been agreed to by the parties.

The Association noted the report requires editing and corrections to: the stated number of faculty members; the history of York, which was never a feeder institution for U of T; language clean up; and references to publications that are no longer in existence.

The Association raised the concern that York has not met the CRC program target for women but has met the target for visible minorities/racialized groups. Treating the CRC program as an independent unit for the purposes of AA could lead to a situation in which the CRC priority could override the unit level hiring priorities. For example, a unit in which the threshold had been met for women but not for visible minorities/racialized groups, may need to prioritize women due to CRC targets rather than their own unit-level AA plan. The parties agreed to set up a separate meeting to discuss this topic and to work towards an MOU.

JCAA Side Table

The parties have agreed to a side-table framework discussion of JCAA to include three representatives from each side (co-chairs plus two others).

Teaching Load Documents

Department of Chemistry:

The Employer provided the attached document to the Association. The document summarizes the process that was followed regarding the teaching load document in the Department of Chemistry. From the Employer's perspective the teaching load document was established by the Unit and presented to the Dean for approval. The Employer also shared with the Association five letters of offer from this Unit, with varying statements of teaching load.

The Association queried what the threshold and the process is in this department to qualify as research active and noted that it will respond to the Employer shortly.

LA&PS:

The Association queried the timeline for submitting teaching load documents which it noted is not specified in the Collective Agreement. The Employer noted that the request for a date had been suggested by the Chairs and the Employer selected the last possible date in the year for departments to submit their teaching load documents. Two requests for an extension were received and approved. Two departments have submitted documents which are currently being reviewed by the Dean.

Renovations and Office Relocations

The Association queried whether there were any planned renovations that it was unaware of. The Dean of LA&PS stated that there is a leaking roof in the Ross building that needs to be fixed. There is also a large project in Atkinson which is currently underway. The Dean referred to a complaint regarding the *Renovation and Construction: Health & Safety Handbook*, which upon review does not appear to have been violated because construction had not yet begun. The Association responded that according to affected faculty members there was no meeting held by the Area Coordinator to discuss the renovation plans, nor were notices posted in the common areas affected by the planned renovations. The Association stated its view that the protocol needs to be in place even before construction commences.

The Association stated that faculty members have been unofficially notified that there will be renovations on the 7th floor of the Ross building and that there has not been a meeting to discuss this. The Dean indicated that an architect has recently been retained for this project and, as such, there are not yet any formal plans to discuss.

The Employer stated that there needs to be a nimbleness because some projects do not allow for a lot of lead time. For instance, to respond to government incentive funding opportunities which normally have a tight timeline for completion of the project / use of the funds.

The Association indicated that in its view there appears to be a pattern of last minute planning. The Employer noted that there was an error made by not providing one faculty member sufficient time to clear her office in York Lanes and that the Employer has apologized for this error. The parties agree that it is important to provide faculty members reasonable time to pack up their belongings and clear their office space.

CLA Renewals

The Association expressed concern about the call for CLA renewals in LA&PS which indicate a classroom observation is required. The Employer noted that this exercise has been run twice under the current Dean who has followed the inherited practice both times. The Employer agreed to review the two prior calls to ascertain whether there had been any variation between them.

The Association stated that it would also like to review the calls. The Association stated that a classroom visit is only contemplated in the CA under the Tenure & Promotion procedures and that it sees classroom visits for CLAs as a component of the CLA-renewal procedure as an infringement on academic freedom. The other concern is that there might be an unequal system across Faculties. The Association stated that this has been raised as a concern by some Chairs and they have indicated that they believe this to be a new practice. The Employer indicated it would follow up.

Student Accommodations

The Employer brought forward for information work it is currently undertaking to seek input from the community about academic accommodations. The Employer noted the changing landscape because of legislation such as AODA and efforts to make the University a more inclusive environment. As policies are being refreshed, the University is trying to gather input from the community with respect to academic accommodation for students with disabilities.

Respectful Workplace Policy and Program

A meeting has been scheduled for January 11, 2018 to review and discuss the revised Policy and Program. The Association stated that its view that the policy and program seem to depart from the strict legal definition of workplace harassment toward civility and respect, which in its view is too broad to be suitable for the kind of workplace that a university is, and expressed concern that it may discourage opinionated discourse and potentially impinge on academic freedom.

Article 18.15 RRP – Retractions and 2018-19 Approvals

The parties discussed the language in the CA, which states that a faculty member's teaching load cannot go below 1.0 FCE. The parties also discussed whether any cases would result in a proration of research release and what those cases might be. The Association specifically queried the case of a faculty member who is on a maternity leave and indicated its view that the research release cannot be pro-rated in instances where a member takes a maternity, parental, or other form of leave. Recognizing that the member in question is currently on leave, the Association's primary concern was to ensure that the member receive the full 0.5 release over the 2017-18 and 2018-19 years without having to apply twice. The Association's main concern is that faculty members who qualify for research release receive the full release to which they are entitled.

The topic of YUFA releases was also discussed and the Association expressed its view that faculty members should be allowed to use this as and when the individual decides, providing that they teach at least their minimum teaching load. For example, if a faculty member is at 1.0 FCE in an academic year, then this individual should be able to receive the research release and take the YUFA release the following academic year (if this does not put them below 1.0 FCE that academic year).

The parties also discussed scenarios where faculty members are on an IRL and whether the release for an individual in this circumstance would mean that the release is prorated. The Association's view is that if the member satisfies the unit-level criteria for a research release, then they must receive that release in full.

Alternative Stream Tenure & Promotion

The Association suggested that perhaps a committee containing three (3) individuals from each side (co-chairs plus two others) would be appropriate. The parties agreed to take this discussion offline.

Title Change of College Masters

The Employer informed the Association that the title of College Masters has been changed to College Head effective January 1, 2018. The parties agreed this change could be updated as a housekeeping matter following collective bargaining.