

JOINT COMMITTEE ON THE  
ADMINISTRATION OF THE AGREEMENT  
(JCOAA)

MINUTES OF MEETING HELD

November 14, 2014

390 York Lanes

1:00-3:00 p.m.

Association: Miriam Smith (Co-Chair), Andrea Harrington, Alidad Amirfazli, Frances Latchford, Kean Birch, Richard Wellen

Employer: Barry Miller (Co-Chair), Alice Pitt, Harvey Skinner, Rhonda Lenton, John Belton

Chair: Miriam Smith

Regrets: Sheila Embleton

**Minutes**

Review and acceptance of Agenda

Review of October 24, 2014 Minutes

The Minutes were approved subject to amendments in regard to the topics of the Pan Am Games and E-learning. The Association will forward proposed amendments.

**JCOAA**

**Copyright Compliance**

The Association inquired whether the copyright support services described in the memo to go out to faculty advising of the new drop down menu for Moodle sites will be identified for faculty upon logging into Moodle.

The Employer indicated that it will follow up on the question. The Employer also noted the planned implementation date for the drop down menu of December 27.

**E-Learning**

The Employer reported that licensing options are being drafted and anticipates being in a position to forward the draft options to the Association in the next week. The Employer repeated its intent to provide the draft licensing options to the Association to review for any collective agreement concerns before implementing the licensing options.

### **Concur**

The Employer provided updates on two matters. The first concerned the Association's request for information on the privacy terms for Concur. The Employer reported that the University's Information and Privacy Office is presently drafting a document that provides details of the privacy terms. The document will be shared with the Association when it is completed. The second concerns a communication from the Finance area clarifying Concur's approval steps. The Employer indicated that a draft should be completed soon for distribution to Faculty.

The Association raised the question of whether the communication might also include information about privacy of information in view of member concerns over Concur's use of U.S. servers, and B. Miller indicated that he would raise the suggestion with Finance.

### **Inclusivity and Diversity**

The Association indicated that its Equity Sub Committee is anxious for an update from the Employer on any initiatives it is planning in response to the Equity Subcommittee's recommendations in regard to the Inclusivity and Diversity Task Force report.

The Employer reported on a recent workshop sponsored by the Provost and Vice Provost Academic that focused on the recruitment, support and retention of aboriginal scholars. A. Pitt noted that the workshop and panel discussion held the evening prior were successful and that a group will be struck to develop a University strategy on recruitment and support of aboriginal scholars. A. Pitt also reported that the Provost announced at the workshop that Hart House will be made available as a space for aboriginal students and faculty.

The Association conveyed that it understood that it would receive a written response with clear goals or initiatives based on the YUFA Equity Subcommittee suggestions in the document Ida Ferrara originally submitted to B. Miller via JCOAA. The Employer indicated that it had not intended to provide a comprehensive written response, as it communicated in its initial feedback on the recommendations in spring of 2014, but rather was intending to identify individual initiatives or projects as they arose. The Employer indicated that it would consider the Association's request for a more comprehensive written response and would reply.

### **Pan Am Games**

The Association indicated that it was worried that scope of its concerns relating to access during the Pan Am games was not properly conveyed in view of the minutes from the previous meeting. The Association raised concerns regarding members' access to campus during the games, particularly for members who require access to facilities within the security perimeter, if at issue, in order to carry out professional responsibilities with respect to teaching, research, and service. Issues of concern include the size of the security perimeter within the campus; how access to the perimeter will be facilitated; whether faculty will be subject to some type of "policing" while inside the perimeter; and the impact on classes, research and other employment activities.

The Employer expressed its commitment to provide more information as it becomes available. The Employer also indicated that it was aware of the scope of the Association's access concerns and will

convey the concerns raised in the discussion to the University groups responsible for overseeing planning for Games.

#### **Annual Report of the Joint Committee on Affirmative Action**

The Employer indicated that it was anticipating completion of a revised draft incorporating the feedback provided by the YUFA JCOAA co-chair within the next couple of weeks.

#### **LRP**

Provost and Vice President Academic Rhonda Lenton attended for discussion of the LRP agenda items.

#### **New Budgeting Model (SHARP)**

The Provost reported that efforts are underway to lock-in the new model. The AVP Finance began with the budget numbers for 2011-12 to create a time series and only with the 2013-14 numbers could Science and Engineering be properly separated. The Provost indicated that a few outstanding issues remain to resolve, two of which include space and support for research intensification. Reconciliation of the current incremental budget model with SHARP has also identified approximately \$22 Million which are not clearly attributable to any particular activity but are currently embedded within Faculty budgets.

The Provost indicated that a guiding principle in the development of SHARP has been to avoid creating too complicated a model. The Provost noted that the Vice President Finance and Administration's group has identified a set number of cost bins associated with cost drivers, identified from an analysis of "where the work is." According to the Provost, agreement among the Deans remains to be reached on a couple of items.

The Provost reported that work is also underway on a transition plan for implementation of the new budget. Within the framework of the new budget, some Faculties will remain about where they are now, some will see further revenues and others will see a diminution in revenues. At present, a 5 to 6 year transition is envisaged. Over the first three years, Faculties will close the gaps between revenue and expenditures under the current incremental model (1/3, 2/3, 100%). SHARP will be implemented in year 4.

H. Skinner noted that cross-University collaboration and interdisciplinarity must continue to be supported and that such support is built into the new budget model. The Provost further indicated that care must be taken to avoid "bad incentives" in the budget model and mentioned the example of revenue associated with teaching. In particular, the Provost noted that it is important that the model not incent Faculties to do all of their own teaching. The Association asked how SHARP addresses this issue and the Provost responded that the established cost per FFTE will provide reasonable coverage for teaching costs but will not be so high as to incent Faculties to do all of their own teaching.

The Association asked about the cost of administrating the new model. The Provost indicated that the administration of the budget is expected to be more efficient under the SHARP model than under the current incremental budget model. The Association further queried whether the model could potentially be used as a management tool to affect the costs of or the way in which costs are charged for services or resources such as space. The Provost noted that Faculties are currently being charged for various services and resources, including space but that such costs are not "visible," as they are "taken off the top" in the current central allocation of resources. The new model will make such costs

transparent, providing Faculties with the opportunity to review their costs to see whether there might be better alignments between costs and Faculty priorities. The Provost also noted that no budget model can replace collegial decision making and planning.

The Employer concluded by indicating that it will provide a presentation of the budget model once completed.

#### **Academic and Administrative Program Review**

The Association began the discussion with formal statements:

- (1) "The YUFA Executive has voted to publicly reject the AAPR reports as the basis for University planning."
- (2) "Collegial consultation must be timely, meaningful and in good faith, and follow normal processes before decisions are made, as per Article 12.28 of the Collective Agreement. The LRP must also be consulted in accordance with Article 18.29. In particular, collegial consultation means consultation must be open and that chairs and other academic administrators are not asked to abide by confidentiality agreements with management. Furthermore, meetings between Deans and chairs and academic administrators are not sufficient to fulfill the requirement of timely, meaningful and good faith consultation."

The Association indicated that it received reports that Deans, as part of their discussions with Chairs in regard to AAPR, were requiring the discussions to be confidential. The Association expressed the view that requiring such discussions to be confidential militates against collegiality. The Provost indicated that she was disappointed to hear that Deans may be requiring that their discussions with Chairs and Directors be kept confidential and that she would speak to the Deans. The Provost emphasized that that full collegial engagement is essential. The Association indicated that there would be value in a communication to faculty clarifying that they do not need to abide by confidentiality requests.

The Provost indicated that she was disappointed that the Executive Committee of the Association would take the position expressed in the first of its statements. The Provost commented that incremental efforts in the past to address the University's challenges have been unsuccessful and that if the necessary steps could have been taken to address the challenges, they would have been. She raised the question of whether the Association would reconsider its position and indicated that the senior leadership was looking to work constructively with the Association.

The Association expressed concern over the absence of feedback to individual programs regarding their scoring and resulting positioning on the scatter graph. The Association indicated that many programs were not expecting the results in the Task Force report and, without accompanying feedback on their assessment, do not have a clear basis for understanding the results. The Employer noted the Academic Task Force Chair's suggestion that programs compare their PIF with the PIF of other programs as a way better understanding the results and indicated that if, after reviewing other PIFs, the basis for results is still unclear, the Dean and colleagues could well reach the conclusion that the Task Force got the assessment wrong. The Employer also indicates that it supports the suggestion of one of the attendees at an AAPR forum that programs focus on the clusters in the scatter graph, in view of the Task Force Chair's observation that the Task Force believes that it "got the clusters right." The Employer also

conveyed Task Force Chair's observation that the program assessments each represent one assessment at one point in time.

The Association noted the suggested program categorization in the Task Force Report of "transition, change and disappear" and raised the question of whether it would be fair to say that programs "won't disappear solely on grounds of sustainability." The Provost indicated that it was critical for the Faculties to take up discussions in respect of such programs. Faculties may take the position that particular programs with low enrolments/a small number of majors need to be kept but must decide how best to do so. As an example, the Provost made reference to an exercise in the former Atkinson Faculty in which 22 departments were reorganized into 8 schools. The Association inquired whether there is an institutional role in supporting smaller programs, and the Employer responded that it believes that there will be opportunities at the institutional level.

The Association indicated that it is not opposed to the idea of "sensible solutions" that could potentially include program cuts or mergers but is opposed to the methods used in the AAPR; the Association expressed specific concern that the scoring of programs in the AAPR creates a tool that could be used to circumvent collegial academic planning, policies and procedures. Also highlighted for concern was what the Association sees as the focus on numbers.

The Provost addressed the issue of the data used in the AAPR. The Provost noted that there were challenges in trying to associate budgets at the more granular level of individual programs (vs. departments) but does not understand the significant criticisms that have been raised about the quality of the data. The Provost indicated that the current budget model is driven predominantly by FTEs and this information was used. Other data sources included the Human Resources System and research data from the Faculties. Open ended questions in the PIFs also allowed for additional data. The Provost noted that the AAPR has also provided an important opportunity to identify the strengths and weaknesses of the institutional data.

The Association responded that its concern is the focus on numbers in the decision making. The Employer indicated that there is no disagreement over the need to begin with academic merit, but we also have to look at how to achieve our academic priorities in a sustainable way. The Employer also noted that if cutting programs had been the objective, a program cutting exercise could have been initiated strictly on the basis of enrolment and other available quantitative data. The AAPR and SHARP are intended to be two additional tools to support achievement of the University's academic priorities and are not intended to replace or undermine collegial governance and accountability.

The Association raised a concern about a comment from the Employer that in view of the challenges facing the University, certain decisions have to be made "no matter what," indicating that it suggests that the AAPR is effectively a "Trojan Horse," serving as an "overlay" for decisions already made. The Provost indicated that there is a need to address the structural deficit in the Operating Budget and to address the trend of declining enrolments, but reiterated her commitment that decisions will be made collegially through the appropriate governing bodies. The Association inquired whether the appropriate governing bodies will include Faculty Councils and the Provost indicated that any decisions that properly fall under Faculty Councils should and will be in the purview of Faculty Councils. At the conclusion of the discussion, the Employer indicated that it found the discussion helpful. The Employer also indicated that the discussion underscored the importance that communications be undertaken with care and sensitivity.

### **New Campus**

The Provost apologized for the length of time it has taken to provide information on the University's submission for a new campus but indicated that there was a challenge in providing the information because the University's submission is a competitive bid. The Provost noted that she is providing Academic component of the submission but will try to be responsive in regard to questions about other aspects of the submission. As an overview comment, the Provost indicated in developing the submission, the University attempted to strike a positive tone about the University's academic plans for the new campus without all of the details worked out. The Provost indicated that a copy of the appendices listed in material provided to JCOAA will be forwarded to the Association. The information on the new campus will be discussed at the next meeting of LRP.

### **Other Business**

#### **Memorandum advising of Provostial Guidelines on Use of Online and Digital Materials**

The Association indicated that it has several concerns about the draft memorandum to faculty advising of the Provostial Guidelines, and it was agreed that the concerns will be raised in a meeting of the JCOAA co-chairs.

#### **Research Release Program**

For discussion at the next meeting of JCOAA, the Association raised concerns that practices related to the Article 18.15 Research Release Program may be inconsistent with Article and may act as a deterrent to faculty who otherwise may wish to take advantage of the Program.

The Employer noted that the Association has flagged the process in LAPS and indicated that it will review the LA&PS Program in advance of the JCOAA discussion.

#### **Student Accommodations**

The Association indicated that student accommodations are likely to be an ongoing issue for discussion. The Association referenced its concern over the recording of lectures by students and indicated that it did not at this time have comments for the Employer regarding the waiver it was provided by the Employer. The waiver is used by Counseling and Development Services for cases in which students granted the ability to record lectures as an accommodation.

#### **JCOAA Agendas and Minutes**

The Association noted for the Minutes an agreement by the co-chairs that draft minutes will be circulated five days in advance of JCOAA meetings and that a draft agenda will be circulated three days in advance of the JCOAA meeting.

#### **Article 14/retiree items**

The Association raised two matters relating to retired faculty:

- (i) The Association requested a standardized practice by which emeritus faculty may elect to be included on Department/Faculty lists.
- (ii) The Association indicated that in its view, retired faculty should have free access to all University athletic facilities (the Association indicated that it believes that access is currently restricted to certain facilities).

#### **Communication advising of change in ITC deadlines for service requests**

The Association expressed concern about a recent communication distributed to faculty advising of the

**Commented [MS1]:** The parties have noted that there was a different understanding of the agreed timeline for the provision of minutes; the Association proposed five business days following a JCOAA meeting and the Employer understood the proposal to be 5 days in advance of the next meeting. The parties will take up the issue of timelines for the minutes.

implementation of a new deadline for service requests described as “effective immediately.” The Employer indicated that it is aware of the issue and has informed the Office of the Chief Information Officer of the Association’s concerns and will follow up with the Office.

