

JOINT COMMITTEE ON THE
ADMINISTRATION OF THE AGREEMENT
(JCOAA)

MINUTES OF MEETING HELD

March 13, 2015

3100 Steeles Ave. West, suite 600

3:00-5:00 p.m.

Association: Miriam Smith, Frances Latchford, Kean Birch, Sheila Embleton, Andrea Harrington,
Richard Wellen

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

Chair: Miriam Smith

Regrets: Alidad Amirfazli

Minutes

Review and acceptance of Agenda

Review of January 30, 2015 Minutes

The Employer informed the Association that the January 30, 2015 Minutes were being prepared for distribution before the next scheduled JCOAA meeting.

JCOAA

Labour Disruption

The Association clarified that it was their desire to continue meeting as a joint committee up to the commencement of collective bargaining with the Employer in order to effectively deal with CUPE 3903 strike related issues. The Employer indicated that it was fully committed to doing the same.

The Association presented to the Employer the following statement regarding the ongoing CUPE 3903 labour dispute:

It is YUFA's view that, under Article 10.01 (Academic Freedom), Article 11.01 (Professional Responsibilities), and Article 18.38 (Health and Safety), YUFA members have the right to exercise their own professional judgment and make their own professional decisions about teaching in the midst of the ongoing labour disruption.

Members' rights include the following:

- The right to decide if their courses can meet academic objectives during the labour disruption, given the lack of supports for teaching assistance, the assessment of student work, and providing ongoing feedback to students.
- The right to decide if their courses can meet academic objectives with low attendance, given that many courses rely on active learning and class discussion as key pedagogical components.
- The right to decline to alter the method of delivery of their courses by moving elements of the course online or recording lectures for online posting.
- The right to refrain from teaching their courses on the grounds that they are not able to do so while respecting Article 11.01 of the contract, i.e. they are unable to treat students fairly and ethically, to inform students of deadlines and assignments, to maintain teaching schedules without cancellation, and/or to inform students adequately of course format, assignments and methods of evaluation.

In addition, it is the Association's view that, under 18.38, members have the right to decline to resume teaching during the labour disruption on the grounds of health and safety.

The Association also delivered to the Employer a grievance, dated March 11, 2015, addressing issues related to “increase in workload; failure to provide adequate facilities and services”.

The Association raised the following items of concern related to the ongoing CUPE 3903 labour dispute:

- Concerns that YUFA members are being asked and/or encouraged to perform CUPE 3903 bargaining unit duties during the strike; particularly an alleged request by the Faculty of Health asking YUFA members to explore alternate methods of evaluating student papers.
- That Chairs be asked to refrain from “policing” bargaining unit members; that YUFA members are not asked to tape record lectures, or use Moodle for the distribution of lectures.
- That the Employer refrain from encouraging Teaching Assistants to cross picket lines or in instances where this occurs, those YUFA members are not required to engage in discussion with crossing members on the fulfillment of CUPE 3903 bargaining unit duties.
- Assurances that there will be no penalties for YUFA members who express health and safety concerns, or exercise their discretion regarding the protection of academic freedom as a result of issues related to the ongoing labour dispute and the varying effects on students.
- Specific assurances that any members who could not deploy academic integrity in the handling of their courses would not be penalized, as per the Association’s interpretation of Senate directives on remediation plans.

The Employer clarified that there was no misunderstanding between it and the Association on the relevant articles at play as a result of the Association's grievance; and further that it understood the importance of timeliness in responding to the Association's stated concerns. The Employer indicated that it will raise these issues with the Provost for discussion and respond back to the Association.

The Association advised that it has drafted an open letter to the University President outlining these concerns and that this communication would be followed by an advisory to its members. The Association stated that they are prepared to amend the open letter depending on the response from the Employer prior to the letter’s scheduled distribution date of 8pm on March 13, 2015. The Association

further indicated that it would similarly be prepared to revise its member advisory on the basis of the Employer's response.

The Employer reiterated its intent to raise the concerns with the Provost and get back to the Association.

Pan Am Games

The Employer noted that a draft communication is nearing completion and addresses many of the issues that have been raised through JCOAA. The Employer will follow up with Communications on the status of the information and update the Association at the next meeting.

Concur

The Employer updated the Association by informing them that a document is soon expected that clarifies the claim approval steps with Concur. The Association informed the Employer that it continues to receive feedback from its members that expense claims in the form of hard copy are receiving less urgent attention than electronic submissions. In addition, the Association reminded the Employer that it continues to have privacy concerns as outlined in their earlier memo to the Employer.

Inclusivity and Diversity

The Employer indicated that it had no updates on I&D for this meeting.

CV Exercise

The Association raised concerns about the annual request for updated CVs and reports on outside professional activity. Two issues in particular were the focus of discussion. The first concerns the indication in the memo that faculty "should" highlight activities undertaken in the previous academic year. In particular, a concern was raised about the substitution of "must" for "should" in the memo from one or more Deans. The Association argued that the use of "must" goes beyond the notice provided by the Employer to JCOAA regarding the highlighting of activities in the previous academic year. The second issue of concern relates to the request for a report on outside professional activities. The Association noted that Article 18.04 specifically makes reference to outside activities "of a substantial or continuing nature" and that the memo from the Dean is confusing in not providing this specification of the information to be provided in the report. The Association indicated that it has had to address member confusion over the memo, which is an Employer document.

Copyright Compliance

The Employer indicated that it will follow up with Copyright Compliance on the changes/modifications that were discussed by the committee previously (i.e. posting materials; student papers and posting back with comments).

Research Release Program

The Association requested that the Employer respond to a number of issues that were raised in relation to the program. The Employer suggested that this issue be raised in greater detail at the next meeting of the committee.

Privacy Impact Assessment

The Employer indicated that it continues to work with UIT on this. The Employer expressed its desire to consult YUFA on feedback it might have.

Workplace Accommodation

The Employer reiterated its intent to work with EWO to bring greater clarity (and visibility) to the issue of employee accommodation and access to information and services on accommodation overall.

Assignment of teaching load “credits” for Leaves and Sabbaticals

The Association expressed the view that issues related to leaves and sabbaticals should be dealt with at the unit level on a case-by-case basis.

Downloading Work to Members

The Association expressed concerns that YUFA members are being asked to engage with high school students on recruiting initiatives by the university; some faculty members feel that this is not necessarily their role. The Employer indicated that it will follow up on how recruitment activity involving faculty is organized more broadly and noted that faculty have participated in student recruitment activities in the past.

Salary Anomalies

The Association raised concerns about the content of letters (i.e. lack of clear detail and rationale) that are issued to its members after an anomalies exercise, and that the process appears arbitrary. The Employer committed to reviewing the current content of the letters and to consider ways in which the letters could be more informative.

Electronic Pay Stub

The parties acknowledged that this item can be removed from the agenda.

Sexual Violence

The Employer indicated that a sexual violence policy has been developed and that procedures are being developed to support the policy. The Employer indicated its desire to seek input from YUFA on the development of these procedures and will follow up accordingly.

Glendon CLA Posting

The Association informed the Employer that no stream was indicated in this recent posting. The Association also noted that there were CLAs in the Faculty of Health who were allegedly unaware of the stream they are in. The Employer indicated that it will follow up on these concerns.

LRP

New Budgeting Model (SHARP)

The Association asked whether a firm date could be established to review the new budget model, including numbers, by the next meeting of the JCOAA. The Employer informed the Association that no firm date has been established to review the new model with numbers but that the model without numbers is very close to release.

AAPR/ISDD

The Association reiterated its position on the importance of transparency, collegiality and timely consultation in the IIRP process. It also noted that it had hoped that equity would serve as a lense for the IIRP. In addition, the Association reminded the Employer of its request to receive response documents from each of the Faculties that feed into the IIRP. The Employer indicated that response documents will be made available to the Association.

New Campus

The Association requested an update on the status of the document being developed that will summarize the consultations that occurred with units in the development of the list of academic programs included in the University's new campus proposal. The Employer indicated that a response will be provided shortly. There were no other updates in respect of the new campus proposal.