

Draft Minutes
YUFA General Membership Meeting
Wednesday, 20 March 2013
Michelangelo's Dining Room
Minutes taken by Heather Campbell

The meeting began at 9.36 am.

1. Motion: that the agenda be approved. Moved by Michael de Robertis, seconded by David Springer. Carried.

Arthur Hilliker introduced the meeting by reviewing the main issues on the agenda. (1) He noted that teaching load includes class size. In the 2006-09 Collective Agreement we achieved a reduction to 2.5 FCE for units who then were at 3.0 FCE. Further reductions have been achieved since then, although the Appendix R initiative failed. Last year the Employer introduced a proposal for a teaching-only stream, with a teaching load of 4.0 FCE. (2) Despite the removal of the word "minimum" in Appendix P in the current Collective Agreement, additional releases can still be negotiated, although that is not happening. Also, members are not obligated to take administrative positions if they do not feel the release being offered will enable them to do a competent job. By refusing to negotiate, the Employer has sent a clear signal of the direction in which they are moving, which the new Collective Agreement has not altered. (3) The Employer has not issued a formal written proposal, but they gave an extended verbal report at JCOAA to the effect that they intend to appoint new members of the Alternate Stream in units that have not previously had an Alternate Stream at a course load of 4.0 FCE. Executive considers this to be a violation of the Collective Agreement, and possibly a case of bad faith bargaining. It would create huge inequities within the bargaining unit, and 4.0 FCE is an impossibly high teaching load.

2. Workload (attached: Steward's Council Workload Report)

Craig Heron led the discussion of workload. He reported that in the roundtable discussions at Stewards' Council meetings, workload was the predominant topic. At the November meeting, he asked stewards to hold meetings about workload within their units. 22 units responded, and while the situation is uneven between faculties, there is a startling commonality between the reports, and the overall impression is a profound sense of crisis. The main issues are the lack of adequate administrative support; increased bureaucratization and its attendant increase in paperwork; inadequate numbers of support staff, and their frequent turnover, since they are also over-extended; the downgrading of administrative staff; repeated decanal interventions and intrusions into collegial process; and the difficulty of balancing teaching and service responsibilities.

Central to the discussion was the problem of unit workload documents, some of which have been in limbo since 2006. In response to a query, Arthur Hilliker advised that an approved workload document that assures 0.5 FCE release for coordinators is still valid. FES has been involved in a workload grievance for five years, with no resolution, underscoring the importance of getting workload documents formally approved at JCOAA. One difficulty in FES is that a great deal of teaching is graduate supervision, which is difficult to measure against classroom teaching. Also, they have some graduate classes with 50 or 60 students. Heidi Bishop advised that prior to 2006 decanal approval of workload documents was not required, so those documents are still in effect. The YUFA Caucus of JCOAA and the staff are completing an inventory of workload documents and what stage they have reached. It is important that documents are sent to JCOAA after approval by a dean, since JCOAA is the body that can formalise them. The question of research and its position in the workload issue was raised. It was noted that the VPRI structures are so onerous that they impede applications for external grants. Research needs to be explicitly addressed as part of workload. In response to a question about whether the Dean of LA&PS had the right to collapse areas into one another without consultation, Arthur Hilliker advised that this would amount to a change of practice, and that if the areas had been established by Senate Committee, Senate approval would be required to collapse them.

3. Appendix P

Craig Heron introduced the discussion of Appendix P by noting that the change in language—the removal of the word “minimum” in the new Collective Agreement—was only part of a larger issue. A pattern of reduction of course release compensation for administrative positions and elimination of coordinator positions was ongoing, and dated back to before the last round of bargaining. Many units are facing a crisis of morale, resulting in no one being willing to take on Appendix P positions. Money compensation has been raised somewhat, but nowhere near the level of the cost of a 0.5 CUPE hire. In theory, negotiation for additional release is still possible under Article 18.16, but it isn't happening. At least 82 x 0.5 FCE releases have been clawed back, while 60 have been given for additional research releases in place of merit bonuses. In response to a question as to whether YUFA has sought legal advice as to whether members can be forced by deans to serve, Brenda Hart advised that the Employer has the right to appoint if no one comes forward, and that a refusal could be treated as insubordination with a letter placed in the member's file. This in turn could be grieved on grounds of past practice.

It was observed that in the past the Appendix P provisions had been used to create equity, as teaching loads are so diverse across the institution. If it proves impossible to make progress in individual meetings with deans, YUFA needs to

consider what can be achieved by collective action. Deans seem to consider the Appendix P minima binding; if they are not, perhaps YUFA could issue a formal public statement. There is, however, a potential hazard in relying too much on workload documents, because they can be used to fragment the membership. The Employer's interests are best served when members are required to compete amongst ourselves for releases.

Situations across the university are various. FFA, for example, is deeply divided: the Dean had said she would maintain chairs' releases at 2.0, but that has not happened, and now there is internal dissention just when a coordinated response is needed. Political Science has lost 2.5 releases under Appendix P. Mathematics and Statistics has lost two coordinator positions. College Masters and Academic Advisors are under pressure: the university see them as outliers, but they are important to the student experience. Journal editors have found retroactively that their release-time has been discontinued and they have a teaching deficit they were not aware of. The university may lose journals because of such measures.

It was observed that although the Employer could have proceeded in this exact same way without the change of language, the deletion of "minimum" has certainly helped them. Why did the Bargaining Team agree to it? Brenda Spotton Visano responded that while it was part of the give and take of negotiation, the team had insufficient information. An audit had been taken before bargaining began, but many positions were not listed, and the information about top-ups was incomplete. They now knew that much more had been lost than either party knew at the time. They have asked the Employer for a complete and detailed audit. It was suggested that it would be helpful in future for the bargaining team to consult the membership during bargaining; also that YUFA needs to be proactive rather than reactive. Thanks were recorded for the hard work and commitment of the bargaining team, but it was stressed that we need to learn from this experience, in which the team lacked proper information and full input from the membership. Executive was asked to give their attention the issue of the bargaining process and bring a proposal to the membership that would address these problems.

It was observed that Appendix P was only part of the issue. The Employer is restructuring the entire working environment: the nature of our jobs is changing, and even collegial governance could be under threat. Budgetary concerns are used to advance the Employer's agenda, but are not always the issue. However, threats that programmes are at risk when members resist are being used with increasing frequency.

Concern was expressed about grievances as a vehicle for push-back, as they can take a long time to settle. Sheila Embleton agreed that the time-lags are a problem, and very frustrating, but emphasised the importance of filing nonetheless. She notes also, that grievances do get resolved through YUFA's

involvement. The main difficulty is the attitude to labour relations of this particular administration. Arthur Hilliker reminded members that YUFA now has carriage rights, so that we can proceed with a grievance without the individual's permission, which can be helpful in cases where the member is afraid of repercussions.

It was agreed that YUFA needs to have a clearly articulated strategic vision of how the university should develop in times of fiscal restraint, possibly including an alternative budget.

Motion: that the General membership Meeting instructs YUFA Executive and Stewards Council to engage a taskforce to prepare a strategic vision of the university on behalf of YUFA; the membership to be consulted before the document is prepared, and the document to be presented for commentary and ultimately for approval to Executive, to Stewards Council and to the membership. Moved by Ricardo Grinspun, seconded by Jodi Berland. Carried.

4. Alternate Stream Workload

Brenda Spotton Visano, YUFA Co-Chair of JCOAA outlined the current situation concerning the Alternate Stream workload. She reminded members that Alternate Stream appointments are in the tenure stream, and that the basis for tenure and promotion decisions in this stream are teaching, where Excellence is pretty much essential, and service. As in the Professorial Stream, teaching loads vary somewhat between faculties. Prior to the 2012-15 Collective Agreement, only certain units had Alternate Stream appointments, and the nature of the teaching was restricted in a range of ways. In the most recent round of bargaining, those restrictions were lifted, so that any unit may appoint Alternate Stream faculty. It was explicit in bargaining that the teaching load for Alternate Stream would be no more than 3.0 FCE. At the February 2013 meeting of JCOAA, there was a verbal suggestion from the Employer that they intended to table a change of practice under Article 17, establishing 4.0 FCE as the teaching load for Alternate Stream hires in units that have not previously had an Alternate Stream. At their February 13, 2103, meeting Executive passed a motion that a policy grievance be prepared in anticipation of receiving such a notice, and that the possibility of a charge of bad faith bargaining be explored. At the March meeting of JCOAA, the Employer verbally announced their intention of hiring into new Alternate Streams at 4.0 FCE, arguing that notice under Article 17 was unnecessary. In their opinion this did not constitute a change of practice because it did not affect existing Alternate Streams. The JCOAA Co-Chair advised the Employer of Executive's intentions, which quick and decisive response may have caused the Employer to pause. At the Executive meeting of March 6, 2013, the motion was passed to file the grievance and to seek legal advice concerning a charge of bad faith bargaining. The Employer has responded verbally that they consider the policy grievance premature.

In response to a query, Arthur Hilliker agreed that YUFA's position was that 3.0 FCE was the maximum course load for any Alternate Stream faculty, including new appointments, and that if the Employer were to hire at 4.0 FCE, and YUFA were to win the policy grievance, the university would owe those new faculty time; and that the role of the Dean in such hires is the same as it is now. The possibility of appointment to the Faculty of Graduate Studies was discussed: while Alternate Stream faculty are not expected to be appointed to FGS it does happen, and a 4.0 FCE course load would make such appointments extremely difficult. Units also need to consider the implications for graduate supervision should they appoint Alternate Stream colleagues, since the graduate teaching and supervision would then be shared by a diminishing number of Professorial Stream faculty. It was suggested that a teaching-only stream might be reconsidered, since 4.0 might not be an impossibly heavy teaching load, and perhaps the membership at large should be surveyed on the subject. In response, it was argued that such a stream would be inimical to collegiality, and that a course load of 4.0 FCE, according to a recent calculation, would result in a 50 hour per week workload before service. There was discussion as to how units might respond if offered such appointments at 4.0 FCE. Arthur Hilliker recommended simply refusing, but acknowledged that there would be some risk of losing professorial appointments through such action. It was agreed by the meeting that the situation would be monitored carefully, and strategies discussed and formulated if and when a written proposal is received.

Motion: that the meeting be adjourned. Moved by Craig heron, seconded by Jodi Berland. Carried.

The meeting was adjourned at 11.24am.