

# WHY DOESN'T THE EMPLOYER TRUST FACULTY?

YUFA Bargaining Backgrounder #2  
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A unique feature of working in the university is the practice of collegial self-governance. It is based on the principle that faculty colleagues should collectively and democratically determine the academic direction of their programs and of the university as a whole. Collegial decision-making has long encompassed hiring, tenure and promotion, the appointment of academic administrators, the development of new courses and programs, and the determination of workload. The underlying principle is that, as experts in their disciplines, faculty are best positioned to make academic judgments. Alongside academic freedom and tenure, collegial governance is widely recognized as one of the pillars of the modern academy. In fact, *these three depend on each other*. As our colleagues who served on YUFA's **Task Force on a Strategic Vision for York University** put it in their report,

This tradition of governance is rooted in the autonomy and freedom of academic scholarship and the professional competence that academic training and peer regulation is meant to assure. The right of scholars, teachers, and librarians in the university to make decisions about the academic life of the institution is pivotal to our identity and practice as professionals. It is our academic freedom (p.5).

Collegial decision-making over academic matters is enshrined in both the **York Act** and YUFA's **collective agreement**. In fact, the collective agreement is essential to making these collegial rights real. The collective agreement spells out the processes through which these practices are to take place and provides a mechanism—the grievance procedure—to seek redress when these processes are violated.

**76% of YUFA members believe that strengthening collegial authority should be a high priority in this round of bargaining.**

It is difficult to deny, however, that the tradition of democratic collegial governance at York is now in crisis. Whether in department, faculty council, or Senate meetings, at YUFA membership meetings, or in YUFA's October 2014 bargaining survey, faculty repeatedly point to the erosion of collegial governance at York as a major concern. The overwhelming feeling is that the Employer simply does not trust faculty to make good decisions, whether in hiring, tenure and promotion, or the selection of senior academic administrators.

## **The Erosion of Collegial Processes at York**

### ***Interference in Hiring, Tenure and Promotion Processes***

In our collective agreement, YUFA and the Employer “acknowledge the importance of collegial assessment in the process of evaluation of candidates for appointment” to the tenured faculty and librarian complements (Art. 12.18 and 12.19). However, senior administrators have steadily substituted their judgment for that of faculty. In a number of cases, Deans have ignored or reversed collectively decided unit hiring priorities, altered hiring short lists without sound academic rationales, and overturned the decisions of hiring committees by declaring a failed search when a preferred candidate was not selected. This has resulted in outstanding candidates going to other universities, depriving the York community of many new and dynamic colleagues.

In the tenure and promotion process, the Dean’s “letter of transmittal,” which customarily expressed whether the Dean agreed or disagreed with the recommendation made by a unit’s Adjudicating Committee, has become problematic. YUFA has seen instances where Deans assess faculty files with their own criteria, often not found in units’ tenure and promotion documents. In other words, some Deans have transformed themselves into another level of adjudication and are increasingly substituting their judgments for those made by colleagues sitting on tenure and promotion committees. Decanal interference in these matters has become increasingly routine. For faculty, this has been both demoralizing and maddening. It says to us that our expert judgment—about our programs, our disciplines, our professional standards—is not to be trusted.

### ***Closed Searches for Senior Administrators***

Faculty once had a significant role to play in the selection of senior administrators. As colleagues who temporarily take on the role of academic leadership, senior administrators were expected to have the confidence of the faculty they represented. Candidates for these positions did a public presentation about their priorities and approach, and faculty and other community members were able to ask them questions and provide feedback to the selection committee. In fact, our collective agreement “acknowledge[s] the importance of collegial participation in the selection of individuals for appointment to academic administrative and librarian administrative positions” (Art. 12.27).

However, in the last decade, faculty’s role in such decisions has been severely curtailed. Closed searches for senior administrators have become the norm. Those faculty that do sit on such search committees are sworn to secrecy, impairing their ability to actually consult with and represent their colleagues’ wishes in these processes. In the case of candidates from other universities, a secret short-list means not being able to find out what their administrative approach or record has been at their home institution.

York’s former VP Academic and Provost Patrick Monahan articulated the rationale for moving from open to closed searches in a 2013 article in *University Affairs* entitled “**A better way for selecting university leaders.**” In it, Monahan justifies the York Board of Governors and Senate’s decision to do

away with open presidential searches in 2005. According to Monahan, the practice of having presidential candidates make a presentation to Senate “was found to be both superficial and easily politicized” and “discouraged many desirable individuals from applying for the job.” The confidential search process, which uses a common rubric to score candidates, was expanded to deans’ searches in 2008. Monahan claims that “this more evidence-based process has not in any way compromised the crucial value of ensuring broad-based faculty support for the academic leadership of the institution.”

The idea that faculty are not capable of making systematic or clear-eyed judgments about the people they want to lead their faculties and their university is deeply troubling. So too is the idea that people who would seek administrative positions are fearful of open search processes. For a profession that is centred on peer review and subjects faculty to an enormous amount of scrutiny in order to be hired and to achieve tenure and promotion, this reluctance is both difficult to understand and a double standard. Shouldn’t the importance of these leadership positions require *more*, not less, scrutiny? Shouldn’t faculty and community members be able to hear about and decide between competing visions for their institution? Shouldn’t one of the qualities we seek in a senior academic administrator be a commitment to openness, transparency, and accountability?

## **What YUFA is Doing**

Given these developments, and the strongly expressed views of the membership, YUFA has made the strengthening of collegial rights one of the major priorities of the 2015 bargaining round. Some of our proposals that would make real improvements to faculty’s meaningful decision-making role include:

- The right of faculty to have a meaningful say on candidates short-listed for the positions of Dean, University Librarian, Vice-President Academic (Provost), and Vice-President Research and Innovation. This would include the right to participate in a ranked ballot vote on short-listed candidates and to have any candidate with 50% + 1 “unacceptable” votes be removed from consideration;
- Limits on the ability of Deans and the University Librarian to remove candidates from hiring short-lists (except in cases where procedures have clearly not been followed) and removal of any power to add names to a short-list;
- Removal of Deans’ power to write a second transmittal letter in tenure and promotion files that are sent back to an adjudicating committee for reconsideration;
- Limiting the criteria that Deans can use to either concur with or dissent from an adjudicating committee’s recommendation to those that exist in a unit’s approved tenure and promotion document; and
- The right to have any online courses developed by an external body (such as the proposed **Ontario Online**) be subject to the normal collegial processes for developing curriculum and deciding whether such courses will be included in degree programs.

To date, the Employer has said no to these proposals. YUFA wonders why, since none of these cost the Employer a dime.

## What You Can Do

**Write To Us:** YUFA invites colleagues to write to [yufa@yorku.ca](mailto:yufa@yorku.ca) with your perspectives on and/or experiences of the erosion of collegial governance. Our goal is to collect your experiences, while ensuring confidentiality, and use your voices to convey to the Employer that their continued disregard for the expertise, judgment and autonomy of faculty members has a significant cost for York University as a workplace and as a teaching, learning and research institution.

**Need more information about the 2015 Bargaining Round?  
Want to get involved?**

[www.yufa.ca/bargaining](http://www.yufa.ca/bargaining)

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