

## **Collegial Governance, not Managerialism YUFA's Governance Proposals**

YUFA members have experienced a widespread deterioration in the employer's observance of faculty member's collegial rights with respect to matters of University governance. YUFA's [bargaining proposals](#) are designed to address the growing collegiality deficit at York by introducing a number of important amendments to our Collective Agreement. Thus far the employer has been unresponsive to our proposals and has failed to acknowledge the concerns that YUFA members across the university have expressed about the decline of collegial governance.

Our proposals are designed to restore meaningful faculty participation and input to key governance activities such as decanal and presidential searches. We are also seeking stronger recognition of Senate's authority over academic matters at York as established by the York University Act. Finally, we have developed proposals to ensure that the Board of Governors fulfills its own explicit mandate (expressed in its by-laws) to represent – and to be responsive to – a broad range of stakeholders within the University and in the community at large.

### Key Governance and Collegiality Proposals

#### **PRESIDENTIAL SEARCHES AND APPOINTMENTS MUST BE OPEN AND TRANSPARENT**

Our proposals insist on the need for York to return to its past Presidential Search and Appointment process, which, until 2005, was open to the participation of YUFA colleagues at Senate after the short-listing stage. YUFA proposes that "[t]he President shall be appointed on the basis of consultation with Senate....which means with the full Senate acting as a committee of the whole. The search committee shall provide a venue for a public presentation by each short-listed candidate and invite attendees to submit their comments in writing to the committee. Ballots shall be provided so that each short-listed candidate can be ranked in order of preference and as to acceptability, and so that written comments can be provided to the committee if so desired. Any shortlisted candidate receiving at least 50% plus one of "unacceptable" votes will not go forward to the Board of Governors for appointment."

#### **VICE-PRESIDENTIAL APPOINTMENTS**

We are also proposing that the requirement of an open search shall be restored "to all academic administrative positions at the managerial level, presently known as Vice-President Academic (Provost) and Vice-President Research and Innovation" and to all university Vice-Presidents.

#### **APPOINTMENTS OF DEANS AND PRINCIPALS**

The senior administration has recently announced a pilot project that could allow for partially open decanal searches in which the final shortlisted candidates would give an address to the Faculty Council in question and input would be sought from members of the Faculty. Unfortunately, the Employer's model only applies to cases where all of the final shortlisted candidates agree to an open stage. If even one candidate asks for a secret and confidential search, the process would remain fully closed. YUFA is proposing that the open stage be fully regularized.

#### **ROLE OF SENATE**

In relation to Senate, YUFA is proposing to enshrine the recognition of bicameral governance mandated by Section 12 of The York University Act as part of our collective agreement by

affirming the Senate's responsibility for the academic policies of the university. In particular, we are proposing language that would ensure that Senate is assured "the power to approve all mission statements, strategic and academic plans and strategic mandate agreements that have a bearing on academic policy." This proposal grows out of a concern with a recently imposed practice wherein key planning documents dealing with academic policy, such as the Institutional Integrated Resource Plan (IIRP) and the Strategic Mandate Agreement (SMA) negotiated with the Ontario Government, have only been brought to Senate for discussion and not for a vote and approval. In addition to restoring voting privileges in relation to academic planning and strategic mandate agreements, we must ensure that such documents are circulated in a timely manner, so that Senate members may review, discuss and if necessary amend them in advance of university or external (government) deadlines.

## **BOARD OF GOVERNORS**

Faculty have expressed increasing concern that the composition of York's Board of Governors no longer fulfills the mandate of membership breadth and community representation clearly enshrined in the Board's own by-laws. That document asserts that the Board's external members should:

broadly represent the public community. Without limiting the generality of the foregoing such candidates shall be reflective of the Arts, Business, Industry, Labour, Professions, Sciences and the community at large.

It is clear that this by-law has not been observed. While it is important that at least some Board members should be drawn from areas of business and finance, the current membership of the Board almost exclusively represents those areas. YUFA has proposed that a minimum number of seats be reserved for members from other sectors including (1) the public/government sector, (2) community, arts and voluntary sector and (3) labour, human rights and social justice areas.

Other proposals related to the Board of Governors seek to address problems of Board process and the exclusion of "internal" board members, particularly faculty members, from the most powerful committees of the Board. These proposals include the following demands:

- A meaningful number of members internal to the York community - including faculty members – should be elected by constituencies on campus, and not merely by Senate.
- YUFA members on the Board will no longer become excluded from YUFA, potentially losing their collective agreement rights, including academic freedom. Members of other campus unions who become elected to serve on the Board of Governors do not have to relinquish their membership in their union. YUFA is proposing that where the Board takes up matters related to members' interests as employees then recusal from those matters of governance is sufficient to avoid any conflict of interest.
- A representative number of members internal to York should be appointed to the Executive Committee, Finance committee and the Governance and Human Resources Committee of the Board (three of the most powerful governance committees at York).
- An open and transparent nomination process for external members be instituted wherein nominee statements and qualifications be circulated publically (currently, there is no nomination process for external members, let alone one that is open and transparent).

- To ensure transparency and accountability, "All members of the Board shall have the right to communicate with their constituencies, and the public generally, on non-confidential matters pertinent to the governance of York University, including the sharing of non-confidential information."

## **UNIVERSITY BUDGET ADVISORY COMMITTEE**

The President has recently established a new University Budget Advisory Committee mandated to address the budget issues underlying academic and institutional priorities. Unfortunately, in a departure from the constitution of budget advisory committees at most other universities, there is no provision for faculty and student appointees to the committee. The current composition includes only the President, VPs and Deans on a rotating basis. YUFA is proposing that the university adopt the model of other universities such as [University of Toronto](#) and [Dalhousie](#), where faculty and student members are included on the committee. This would begin to address the frequent expressions of concern at York about the lack of financial transparency.

## **CONCLUDING REMARKS**

In this round of collective bargaining, YUFA's governance and collegiality proposals represent the most comprehensive package of governance reforms to be pursued by YUFA in recent history at York. Drawn from and approved by YUFA members, these proposals seek to address the fact that the Employer has supplanted what were, until recently, normatively understood to be the collegial rights of the University's Academic Staff. Bolstered by member direction and support, these proposals provide an opportunity to cultivate a structure of governance that serves our central values, principles, and protections as the appropriate governors of academic matters and freedoms at York. This is especially important in relation to the nomination and appointment of upper level administrators (President, Vice President/Provost and Deans) *and* members of the formal bodies (e.g., Senate and the BOG) that are responsible for fair, democratic and just university governance.