

AUFA Communicator

Acadia University Faculty Association Newsletter

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The AUFA President Communicates

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Since this is the first Communicator of the academic year, I feel I should say “Welcome Back,” but here we are, half way through the semester already! For most of us, September 5th seems to have faded to a dim memory – the weeks in between having been filled to the brim with teaching, lots and lots of service work, and maybe a bit of progress on research projects if we’ve been successful in carving out the time. Indeed, a common topic of conversation nowadays is the difficulty everyone is having in juggling these three demands. With increased class sizes and a steadily decreasing number of full-time faculty available to meet with students and sit on committees, it’s no wonder we’re all feeling overwhelmed.

There’s been no shortage of work at the AUFA office, either. Our Union Officer, Jane Longley, has been busy working on members’ behalf. The Executive has been meeting almost every two weeks since May to make preparations for negotiations next spring, as well as responding to appeals for support from other faculty unions, liaising with the Grievance Committee, initiating a review of our management systems, and handling other matters.

As a recent “Reality Check” circular pointed out, we were not able to welcome any tenure-track faculty this Fall. However, I was pleased to meet many other new colleagues at the New Faculty Orientation in August. I gave them a brief history of the association and explained that AUFA represents all full- and part-time faculty, librarians, archivists, instructors, lecturers/lectrics, and PAD lecturers at Acadia. Having attended the New President’s Workshop run by CAUT in April, I was also pleased to share with them my new awareness that we are one of the most democratic and forward-looking academic associations in Canada. We are unusual in holding monthly general meetings to encourage members to participate in decision-making, and in being committed to transparency and inclusiveness. However, to have a vote, it is still necessary to sign a membership form. If you haven’t done so already, you can find a copy here: acadiafaculty.ca/signup.pdf.

An engaged and united membership is important at any time, but it will obviously be crucial for us to work together even more closely over the next two years as we prepare for negotiations. I have responded on

The AUFA President Communicates (cont'd)

AUFA's behalf to several requests for support from sister faculty associations suffering through difficult negotiations, and "Reality Check" #3 will bring us up-to-date on recent settlements. But it's clear from the communications we receive from CAUT, ANSUT, and other organizations that our negotiations are occurring in the context of a general attack on labour by the federal and provincial governments. I'm sure you've all read about the situation in Ontario and are aware of continuing cuts in funding to universities in Nova Scotia. A recent letter from the Canadian Bar Association regarding proposed amendments to the Income Tax Act illustrates how determined the federal government is to undermine labour organizing in Canada in myriad other ways. The CBA is concerned about the threats to privacy and Charter rights raised by proposed financial disclosure procedures for labour organizations. In addition, they predict a huge escalation in costs to pension and benefit plans with unionized beneficiaries as a result of the amendments. Even more worrying is the fact that restrictions on the operations of labour unions are being imposed in the guise of amendments to tax law (www.cba.org/cba/submissions/pdf/12-52-eng.pdf). We must therefore not forget that our negotiations take place in a larger context, or that we have a vast network of support to draw on should we need it.

I encourage everyone to get involved in the deliberations about changes we would like to see to Articles 21 (Pay), 25 (Professional Development Funds), and 26 (Insurance and Benefits) in our collective agreement. The Financial Benefits Committee is the AUFA committee responsible for drafting proposals to put forward at the negotiating table. They need to hear what members want, so it's up to us to let them know. Even if you missed the roundtables, you are welcome to forward comments to me until the end of November.

Best wishes for the second half of the fall term.

Respectfully submitted,
Gillian Poulter
AUFA President



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Chief Negotiator's Report: A Question of Leverage

As the next round of negotiations approaches, your team has been preparing. And the first issue we have been contending with is the fact that this round is different from others AUFA has gone through in recent years. It is a financial re-opener rather than a full round in which all articles of the collective agreement are up for negotiation. In this round, we are only negotiating Articles 21, 25, and 26 (remuneration, personal and professional development, and benefits). All other articles of the agreement remain in effect until 30 June 2014. And the most significant of these, at least from the perspective of a negotiating team charged with getting the best deal for union members, is article 6.10, which says that "There shall be no strikes or lock-outs for the duration of this Agreement, except if the Parties have bargained collectively, pursuant to the Trade Union Act of Nova Scotia, and have failed to conclude revisions to the Collective Agreement."

What this means, effectively, is that we cannot threaten to strike. We enter this round of negotiations with little leverage to move the other side to accept union proposals. As a team, therefore, we have been preoccupied with one central question: how do we get what our members ask us to get when we have so little leverage? There are no easy answers to this question but the course we have been taking to find answers merits scrutinizing, and I am willing to share some of my own conclusions from what I have learned.

In April of last year, several members of the newly elected team headed to Halifax for a meeting of Nova Scotia Chief negotiators sponsored by ANSUT and CAUT. The purpose of the meeting was to discuss the importance of concerted negotiations within the province: that is, to recognize that we are part of a larger community of organizations negotiating for faculty associations at other universities, and to acknowledge that our actions have implications for those other faculty associations. In principle, if one faculty association does well, others will have something to build upon.

The good news is that some of the universities in our comparator group – St Mary's, in particular – have been doing well. And that is a form of leverage. We are in the same market, competing for the same faculty and students, and if we want to maintain our position within that market, we have to work under comparable conditions.

However, the converse of the principle above is also true. If one association loses ground or sets a poor precedent, others will be forced to fight to maintain their ground at their institutions. As a member of the last negotiating team, I can admit that we lost ground on financial matters and complement. This loss resulted in a net loss in leverage at our comparator institutions – and at NSCAD, in particular. Acadia and NSCAD were in similar situations. Successive administrations at both had mismanaged institutional finances to the point where it seemed that the very survival of the institutions required severe compromises from the faculty associations. AUFA's concessions on complement and salary, which came first, were clearly used as a template by NSCAD's administration to win similar concessions from their faculty association, FUNSCAD.

I left this meeting with a better understanding of the provincial context in which we were about to begin negotiating and a broader sense of our still limited leverage. The next step was to bring the entire team together for the first time, to begin to focus on the local context and our particular conundrum with leverage in this re-opener.

Chief Negotiator's Report: A Question of Leverage (cont'd)

Neil Tudiver of CAUT came for a day to lead two discrete but related sessions. The morning session was a debriefing attended by members of the old and new negotiating teams. We had a frank discussion about what happened during the last round of negotiations, about what worked and what did not, and about how we ended up with the 13th Collective Agreement and a re-opener in the third year. Not surprisingly, one of the conclusions we came to was that our current collective agreement was the result of Acadia's financial circumstance at the time, and the team's perception that the membership seemed to have very little stomach for any sort of labour action given those circumstances.

The afternoon session, attended only by the new negotiating team, focused on strategy, and the problems of negotiating with little leverage. It was a useful discussion, and the group did come up with some strategies for dealing with the re-opener. For obvious reasons, I will not be revealing any of those strategies here, except to say that they are necessarily general because the membership has yet to give its team a mandate.

I will, however, relay the personal conclusions I drew from the meeting. And I admit that it might come off as somewhat obvious, but again, it speaks to the issue of leverage animating my report. It is this: the membership is our leverage. YOU are our leverage. As a team, we are only as strong as the collective will of our members. If the membership is weak or divided, our team will be weak. If the membership is strong and unified, our team will be strong. We might not have recourse to the ultimate leverage of a strike this round, but if the membership drives us, if they give us the mandate and the support we need, if they heed calls to action when they are called, we will all do well. And if the membership is weak and divided, we will have no leverage. And regardless of how well other universities in our comparator group do, we will do poorly and fall further behind.

So what's it going to be this time, folks?

Respectfully submitted,
John Eustace
Chief Negotiator



The Media Committee

The job of the Media Committee is to represent the AUFA perspective by communicating with our members and with other groups both on and off campus. As we prepare for the next contract negotiations set to start by May 1, the committee is now focused on the most important task: providing reliable information to AUFA members on our employment conditions, and on how our experience working as professionals on a university campus compares to that of our colleagues in our region and all across Canada. We have now sent out the second of a series of “Reality Check” news circulars designed to put our situation in perspective, and to act as a strong voice that can respond with constructively critical analysis to the administration’s take on things.

To make sure we can truly represent “the AUFA perspective” – which is always as varied as the opinions of our individual members – we would appreciate your feedback on these news circulars, and on any other issues important to our members. Please drop me a line or stop me in the hall anytime!

Respectfully submitted,
Stephen Ahern
Chair, Media Committee

A Guide to AUFA Grievance

AUFA Grievance Quick Facts

- The grievance process brings representatives of both signatories to a collective agreement together to determine appropriate redress for violations of that agreement.
- Grievance is the mechanism by which we defend the collective rights and protections won for us at the bargaining table by AUFA’s negotiating teams.
- Grievances can be launched, at the discretion of the Association Grievance Committee (AGC), on behalf of a single AUFA member, on behalf of a group of AUFA members, or on behalf of the membership as a whole.
- The AGC receives and investigates complainants at arm’s length from the AUFA Executive. This helps to ensure a fair reception for all complainants, and enables the Executive to act as an appeal body in cases in which complainants disagree with an AGC decision not to pursue grievance.
- AUFA has full carriage rights with respect to grievance. This means that it is the right and the responsibility of the association, rather than of any individual member or group of members, to determine whether and how grievance will proceed.

A Guide to AUFA Grievance (cont'd)

- The AGC cannot file grievances against an AUFA member. Only administrators can be grieved by the association.
- The members of AUFA's 2012-2013 Association Grievance Committee are Senior Grievance Officer Jessica Slights; Junior Grievance Officers Paul Abela and Rachel Brickner; and Research Officer Erin Patterson. You can contact the AGC at Jessica.slights@acadiau.ca.
- CAUT brought its day-and-a-half long Grievance Handling Workshop to Acadia this summer, providing members of the AUFA Executive and the AGC an opportunity to explore best practices in grievance work with Bernice Shranck, former chair of CAUT's Academic Freedom and Tenure Committee, and one of the most experienced faculty association grievance officers in the country.

The AUFA Grievance Process: A Primer

Most Acadia faculty members probably know that their union has a grievance process, but few fully understand exactly how that process works. This column offers a brief overview of how grievances are handled by AUFA.

The Association Grievance Committee (AGC) is a four-member standing committee of AUFA responsible for investigating potential violations of the collective agreement. The AGC also offers support to AUFA members seeking to understand the language of the collective agreement. It is appropriate for any AUFA member who has questions about contract language, who becomes aware of a possible violation of the collective agreement, or who feels that the way something is handled on campus may be a violation of her/his rights to contact the Senior Grievance Officer (SGO) to request an interview.

The AGC is often able to respond to queries about contract language via telephone or email, but complaints about practices on campus require a face-to-face meeting. Once an AUFA member has contacted the SGO with a complaint, it is the SGO's job to meet with the complainant and one of the AGC's two Junior Grievance Officers. At this confidential interview, the complainant has a chance to describe her/his concerns, and the grievance officers have the opportunity to ask questions designed to elicit as thorough a description of the complaint as possible. When the

A Guide to AUFA Grievance (cont'd)

meeting is concluded, the grievance officers share an account of the complaint with the full AGC, and the committee works collaboratively to investigate the matter with an eye to determining if the complaint constitutes a grievance. This investigation might involve interviewing people on campus, consulting relevant files, following up with more questions for the complainant, and/or consulting with CAUT or with AUFA's legal counsel.

If the AGC determines that the complaint ought to be recognized as a grievance, the grievor's name and the nature of the grievance are shared with the AUFA Executive, a group of faculty members bound, like the AGC itself, by a duty of confidentiality. The AGC then proceeds under Article 18 of the collective agreement in an attempt to resolve the grievance. It is worth noting that the process specified in Article 18 emphasizes the responsibility of representatives of both the administration and the association to try to resolve disputes informally; only once such attempts have failed may formal grievances be filed. While some matters can be resolved successfully at the informal stage through conversation with administration, others require the filing of formal paperwork by the AGC (see Article 18, Appendix I). In cases in which meetings with administration fail to produce resolution, the AGC must seek permission from the AUFA Executive to pursue arbitration (see Article 19).

Arbitration, the final possible step in the grievance process, brings the matter in dispute before an external arbitrator whose decision is final and binding on both parties, and whose award in the case becomes a matter of public record. Although the AGC remains actively involved in the proceedings, at this stage AUFA engages legal counsel to consult and to present the case in the course of the formal proceedings. Individual grievors are protected from legal debt as all grievance cases belong formally to the association, which is thus responsible for paying lawyers' fees and for sharing with the employer the other expenses of the arbitration process. Arbitration can be costly and time-consuming for the association, but it is sometimes the only way to ensure fully fair hearings for members and robust protection of collective rights fought for at the negotiating table.

Of course, not all complaints from members to the AGC meet the criteria for grievance. Sometimes members' concerns fall outside the purview of the collective agreement, and other times the complainant's conviction that the agreement has been violated is not confirmed by an AGC investigation. In these cases, the AGC explains why grievance cannot proceed and, when appropriate, offers possible alternative venues through which the complainant might seek recourse. In cases in which the AGC determines that a complaint cannot be grieved, the committee's ruling can be appealed to the AUFA Executive. If the appeal is successful, the Executive will instruct the AGC to proceed to grievance under Article 18 following the process described in the previous paragraph. Should the Executive uphold the AGC's decision, or if the member chooses not to appeal a negative decision, alternative solutions to the complaint may be available, but the avenue of formal grievance under the collective agreement is closed.

A Guide to AUFA Grievance (cont'd)

There is a misconception in some quarters that grievance ought to be used only as a last resort because it is an unnecessarily adversarial means of addressing concerns best dealt with more "collegially." Unfortunately, in the context of collective bargaining, "collegially" is most often synonymous with "the way the employer wants it done." While it is certainly the case that some matters are best resolved through frank conversation among colleagues or through existing administrative hierarchies recognized in the collective agreement, violations of the collective agreement are best addressed through the confidential, incremental, and collective process of grievance.

Respectfully submitted,
Jessica Slights
Senior Grievance Officer

Do you need to contact someone on an AUFA committee?
Find her or him at acadiafaculty.ca/committees

Welcome New Faculty

AUFA extends a warm welcome to new faculty. Pictured below are five new faculty members at the KC Irving Centre.



(Photo: J. Longley)

From left to right: James Sedgwick, Melony Robinson, Tom Peace, Alice Cohen, Mary Sweatman.

LAC Cutbacks: Why You Should Care

“All history was a **palimpsest**, scraped clean and reinscribed exactly as often as was necessary.”
– George Orwell, *Nineteen Eighty-Four*.

As many Members know, Library and Archives Canada (LAC) has been under attack by the Harper government for some time. The Canadian Association of University Teachers (CAUT), supported by a number of other organizations such as the Canadian Federation of Students, came to its defense. Fewer Members may be aware, however, that on April 30, 2012, in a move archivists refer to as Black Monday, Library and Archives Canada made a number of financial cuts aimed at devastating the Canadian archival system. These cuts are part of the \$9.6 million that LAC is expected to lose over the next three years from an already greatly thinned budget.

The cuts more or less eliminated the Canadian Council of Archives, which coordinates the Canadian Archival System, effectively reversing 26 years of archival development. The Council was responsible for coordinating the work of over 800 archives across Canada using funds from the National Archival Development Program (NADP) for both major cooperative projects and the development of small and medium archives, including university archives. Successful projects included the development of Canadian archival descriptive standards and the description of the University of Manitoba's Manitoba Gay and Lesbian Society archives. The NADP was also eliminated along with almost all the archives advisors in every province.

It is important to note that these cuts are not ideological. In fact, the Canadian archival system was approved under the Progressive Conservative government of Brian Mulroney. But the current federal government is not interested in evidence based research. There has been a distinct Disneyfication of Canada's past with the recent \$29 million spent on the celebration of the War of 1812. Instead of nuanced and complex history, our history is quickly being reduced to two-dimensional, easily digested, selected narratives.

Why should academics care about these financial cuts and dire changes in focus?

The records you will need to do any non-governmental historic research could be gone. LAC and the provincial archives will only collect government records and the university archives will likely stop collecting as they fill up with offloaded collections from LAC. Access to whatever records remain at LAC will be increasingly restricted. Digitization of records will be commercialized, but this will only represent a tiny fraction of Canada's records. Can the commercialization of access to whatever records remain be far behind? One can imagine a "pay per view" approach in the future. And while digitizing records increases access, migration issues will be enormous as formats for electronic records change over time. Finally, there has been a devaluing of archivists and librarians with Masters and PhD degrees at LAC in favor of career bureaucrats.

LAC Cutbacks: Why You Should Care (cont'd)

If you haven't signed CAUT's petition, go to: www.savelibraryarchives.ca. Then sign a petition to save the NADP: www.change.org/petitions/make-it-better-write-a-letter-help-save-canada-s-national-archival-development-program.

Respectfully submitted,
Shelley Sweeney, PhD, Head
Archives & Special Collections
University of Manitoba



Have any ideas for future newsletter articles? Drop us a note and let us know what's been going on.



Dates to Remember

November 15

The DRCs shall review all applications . . . and make recommendations to the URC according to the following schedule: (a) Renewal: no later than 15 November of the academic year in which the appointment terminates. [Art. 12.21(a)]

Decisions shall be announced [research monies] by 15 November [Art. 25.55(c)]

The LRCs shall review all applications . . . and make recommendations to the URC according to the following schedule: Joint Continuing Appointment and Promotion or Promotion to Librarian III: no later than 15 November of the academic year in which the appointment terminates. [Art. 51.21(a)]

December 1

The Employee shall submit his or her application [for a leave of absence] to the Dean or University Librarian, with a copy to the Head, by 1 December of the year preceding that for which leave is being sought. [Art. 24.71]

A more comprehensive listing of dates can be found on AUFA's website: www.acadiafaculty.ca/calendar.

Editorial Policy

The *AUFA Communicator* is the newsletter of the Acadia University Faculty Association (AUFA) and is intended to keep its members and the Acadia Community up to date and informed. The *AUFA Communicator* is published quarterly during the academic year and serves the following purposes:

1. to provide a means for the free exchange of ideas, views, and issues relevant to the AUFA and the Acadia community
2. to provide feedback and information useful to the AUFA to maintain its effective operation in fulfilling the objectives of the AUFA and its membership
3. to provide documentary records of matters pertaining to the AUFA
4. to serve all the functions of a newsletter

The Communicator Committee, under the direction of the AUFA Executive, takes responsibility for the contents of the *AUFA Communicator*. The opinions expressed in authored articles are those of the authors and do not necessarily represent the opinions of the Communicator Committee. **We encourage your contributions (letters, articles, article summaries, and other pertinent information).** Anonymous material will not be considered for publication; however, under special circumstances, the *AUFA Communicator* may agree to withhold the author's name. The Communicator Committee retains the right to edit and/or reject contributed material.

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