

UNIVERSITY OF GUELPH FACULTY ASSOCIATION

The minutes of the meeting held May 31, 2012 at 10:00 a.m. in UC 103

1. Call to order

The meeting was called to order at 10:05 a.m.

2. Approval of agenda

MOTION: That the agenda be approved as distributed.

Krell/Meckling passed

3. Approval of Minutes

MOTION: That the minutes be approved as distributed.

Meckling/Colwell passed

4. Committee Reports

4.1 Collective Agreement Chair

Professor Mahone reviewed the last round of negotiations. He noted that a report is available (attached) in the UGFA Office. There was a discussion on the difficulties that faculty members and UGFA face with regard to the Research Ethics Board. He noted that the UGFA will be commencing an internal review of the REB in relation to the TCPS shortly.

4.2 Treasurer

Professor Colwell reviewed the audited 2010/11 report.

MOTION: That the audited financial statements for the year 2010/11 be accepted as presented.

Colwell/Cormack passed

Professor Colwell noted that UGFA has used Tonin, an accounting firm in Guelph, as the auditors for some time.

MOTION: That Tonin & Co be approved as our auditors for the year 2012/13.

Colwell/Gillies passed

Professor Colwell began a review of the 2011/12 and 2012/13 budget years. Due to difficulty, the presentation was delayed while copies of the budget were made available. Susan Hubers apologized to the membership and Professor Colwell for the error made by the UGFA office. Professor Colwell then reviewed the budgets (attached) and he noted that the \$6/month surcharge which was placed on the dues for eleven months (July-May) will cease. The purpose of this surcharge was to aid UGFA in obtaining mandated dollar values with the arbitration and defence funds.

MOTION: That the membership accept the summary financial report as presented.

Colwell/Adomait passed

MOTION: That the proposed budget for 2012/13 be accepted as presented.

Colwell/Mahone passed

Professor Adomait suggested it would be appropriate to maintain the \$6/month surcharge.

MOTION: That the temporary levy of \$6/month be continued for the 2012/13 year. The funds will be distributed equally between the defence and arbitration funds.

Colwell/Mecking passed

4.3 Pension & Benefits

Mr. Gilles presented the attached report. There was a discussion on accrual rates, plan sponsor responsibility, jointly sponsored pension plans (JSPP's) and the government review which is occurring.

4.4 Salary

Professor Kunze reviewed the attached report. It was noted that Stats Canada will no longer be providing information on faculty salaries. It was noted that it is possible that CAUT and/or OCUFA may choose to pay for a 'special run' of this information.

4.5 Grievance

Professor Nagy presented the attached report. Professor DeCoste stated that the UGFA is facing many issues including the possibility of a University Policy on Civil Discourse. It was also noted that management has been imposing discipline at a higher level than is required, often by-passing a simple letter of discipline and instead moving straight to suspension without pay of various time lengths. It was queried what types of issues UGFA has been dealing with, and it was noted that it is a very broad range of issues from academic misconduct to not complying with reporting external remunerative activities.

4.6 OCUFA

Dr. McEwen stated that the membership should review the OCUFA website as there are many interesting items on their website. It was noted that OCUFA started a 'daily clips' this year and that it has provided useful information.

4.7 Academic Freedom

Professor Cormack stated that in October AUCC issued a new statement on academic freedom. Professor Sheeshka wrote to Dr. Summerlee on this issue. Professor Cormack asked that the membership remember that it is the collective agreement language on academic freedom which stands. It was then noted that the proposed civil discourse policy would have a bearing on academic freedom and as such should not be implemented at all. Professor Cormack stated that the call for nominations for the Jay Newman Award will be sent out this fall. It was noted that the terms and conditions of the award state that there must be an external award winner at least biennially and as such, for this year, only

external nominations will be considered as Professor Bill Woodward (retired) won the award this past fall.

4.8 Health & Safety

Professor MacInnes reviewed the attached report and noted that the Joint Health & Safety Committee has been meeting regularly.

5. President's Report

Professor Sheeshka reviewed the attached report.

6. Vice-President's Report

6.1 Teaching Awards

Professor Carter informed the membership that the 2012 Distinguished Professor Teaching Award winners are: Jack Trevors, OAC; Brad Hanna, OVC; Jay Lampert, COA; Evie Adomait, CME; John Dawson, CBS.

6.2 Executive/Council

The new Executive is: Kelly Meckling, VP; Scott Gillies, Collective Agreement Chair; Herb Kunze, Salary Chair; Scott Colwell, Pension & Benefits Chair; Bill Cormack, Academic Freedom Chair; Jan MacInnes, Health & Safety Chair; Mary DeCoste, Grievance Information Officer; Jim Mahone, OCUFA Director.

The listing of the new Council was then reviewed and it was noted that positions remain vacant within CPES, OAC, CSAHS and CME.

Professor Carter then thanked the retiring Executive members, Éva Nagy, Bev McEwen, David Josephy, Karen Finlay and Judy Sheeshka. Professor Sheeshka was presented with a gift of thanks.

6.3 UGFA Service Award – Thom Herrmann, Psychology (Retired)

Professor Carter stated that there can be no doubt that Thom's work with the University has enhanced the lives as well as advancing the cause and public profile of the faculty, librarians and veterinarians at the University of Guelph.

The leadership that Thom provided for the UGFA over a period of decades is remarkable for its duration, diversity and consistent grasp of the big picture. Thom was an active Member of the UGFA executive in the years prior to unionization and a big supporter of the drive and need for unionization which eventually occurred. He was frequently chief negotiator and played an instrumental role in dealing with salary, pension and long terms salary and benefits. He played an important mentorship role for the members of the negotiating team. Both Kelly and I were recruited by Thom to be on his team. We are still involved in the association today.

He used his tremendous sense of humour to diffuse strained interactions with members and conflicts with the administration.

Thom has been a dedicated faculty member and tireless advocate for UGFA and Members. For many years Thom was the face of UGFA serving on numerous committees and advocating for the improvement of conditions of employment of UGFA members. The membership has benefited tremendously from the thousands of hours Thom spent working on their behalf. His dedication to the job and his willingness to sacrifice his own interests in the name of a greater good were sincerely appreciated by everyone.

As noted in the letters of support, I am surprised that Thom has not been nominated for this award before now. I cannot think of anyone more deserving.

7. Other Business

There was no other business.

8. Adjournment

The meeting adjourned at 12:15 p.m.

CAC Report – AGM 2012

The negotiations of the current Collective Agreement concluded on July 28, 2011 and signed by the respective negotiating chairs following approximately 400 hours of planning by the negotiating team and associated committees and over 100 hours at the negotiating table. Members of the negotiating team were Scott Gilles, Scott Colwell, Ed Cater, Ros Stevenson, Herb Kunze, Sue Hubers, Denise Sanderson, Bill Cormack, Cathy Gartley and Jim Mahone (Collective Agreement Chair). The contract was ratified by the Membership on August 8, 2011.

The summary of results of the 2011-2012 negotiation of the UGFA are presented below.

Article #	Article Title	Outline of Resolved Issues This is a 3 year contract
2	Definitions	Addition of OVCHSC
3	Recognition	Members of Board of Governors now represented by UGFA
4	Administrative Appointments	Members of Board of Governors now represented by UGFA
8	Conflict of Interest and Conflict of Commitment	We have agreed that no Member shall engage in External Employment within a 150Km radius of OVC, in her/his area of specialty that is in direct competition with OVC/AHL. Current Continuing Appointment/Probationary Members with an appointment of 80% or less are exempted from this restriction
9	External Remunerative Activities (ERA)	Teaching of Overload shall not count as ERA however, will be assessed during promotion, tenure and review.
11	Dues Check-Off	Dues may now be collected in a manner which is not limited to 'monthly'
13	Correspondence & Information	Additional information to be provided to UGFA
14	Members Official File	Clarification on "Assessment File"
15	Maintenance of the Scholarly and Professional Environment	Minor editorial changes
18	Faculty Member Rights and Responsibilities	Members may request to have teaching placed over three semesters but the third semester will still be deemed to have been an R&D semester
19	Faculty Appointments	For CL Appointments the university

26 32	Librarian Appointments Appointments for Veterinarians	shall use reasonable efforts to provide 12 month contracts
21 28 34	Tenure & Promotion for Faculty Continuing Appointment, Promotion – Librarians Continuing Appointment, Promotion - Veterinarians	For clarity, we have provided identifiers such as “Progress Template”, “Performance Assessment Template”, etc. The timelines for initial submission of documents when applying for Tenure (applies to faculty only) has been amended to May 15 th . For Promotion to Full Professor, Librarian or Veterinarian the date for initial submission of material is also May 15 th .
23	Overload Teaching	One course overload allowed and it does not form part of External Remunerative Activities. Course is evaluated by T&P. Remuneration increased to \$8K
24	Transfer, Redeployment or Buyouts of Faculty and Librarian members due to Restructuring or Academic Program Reorganization	This article now applies to Librarians. There is a new clause which allows the Provost, in consultation with the UGFA, to allow for additional buyouts in response to substantive changes in curriculum, strategic directions or structure of a department/school.
25	Rights and Responsibilities of Librarians	Scholarship must be a minimum of 10%
30	Responsibilities of Veterinarians	Clarification of the role of the Co-Executive Director, Laboratory Services Division and the roles of the Dean in both OVC and OAC.
31	Workload and Hours of Work for Veterinarians	NEW LOU# 4 added (see end of document)
33	CAP of Veterinarian Members	Article revised so that 33.1 to 33.3 has been included in article 32 and 33.4 to 33.6 are in addressed in Article 34.
35	Professor Development and Consultative Leaves for Veterinarians	Has been re-titled to Professional Development and Leaves for Veterinarians. There are now two sections, the first is Short-Term Professional Development leave and the second is Longer Term Professional Development Leave.

37	Redeployment or Severance of Veterinarian Members due to Reorganization or Significant Change in Demand for Services	Maintained Redeployment Committee and buyout component.
38	Academic Fraud & Misconduct	Any investigation related to allegations of misconduct shall be conducted as per the investigation process in Article 39
39	Discipline	Clarified to ensure that any investigation of an allegation is separate from any discipline.
41	Health & Safety	Inclusion of 'competent supervisor' so that Member must now be appointed versus assumed to be the supervisor. Requirement for Supervisors to complete training as required.
42	No Discrimination and Harassment	General clarification and updating of terminology
43	Accommodation of Members with Disabilities	Inclusion of the 2011 Accommodation Partnership Agreement within the collective agreement.
46	Vacation and Holidays	Carry-forward days reduced to 30
48	Compassionate Leave	Retitled to Family Medical Leave and Personal Emergency Leave. Timelines made more explicit.
51	Research Policies	TCPS and legislated requirements is the sole basis for policy or regulation involving human subjects
53	Compensation	<p>Cost of Living Increase for 3 years 1.5%, 1.75%, 2.0%</p> <p>Salary Floors increased by Cost of Living Increase (above)</p> <p>Annual Career Increment for 3 years \$2,100 each year</p> <p>Merit Pool Amounts \$700, \$750, \$800</p> <p>Competitive Increase \$750, \$625 \$500</p> <p>PDR values</p>

		<p>\$1700, \$1750, \$1800</p> <p>Course Overload increased to \$8,000</p> <p>Minimum Chair Stipend increased to \$10,000</p>
	Pension	<p>Increased Contribution July 1, 2012 – additional 1% July 1, 2013 – additional 1.5%</p> <p>Guarantee that UGFA will have 1 of 2 representatives on the BofG Pensions Committee</p> <p>Guarantee that UGFA will receive all financial documents/filings related to the Professional Plan</p> <p>Elimination of Rule of 60 Sept. 1, 2011</p> <p>Change from Rule of 85 to Rule of 87 effective June 30, 2013</p> <p>Elimination of Termination Benefit (pre -55 and no pension) effective June 30, 2012</p>
	Pension Continued	<p>Written agreement of UGFA for plan text amendments (except those required by legislation)</p> <p>Guarantee that the University share of normal cost is 125% of UGFA contributions.</p>
57	Research Ethics Appeal Board	Typographical errors corrected

Letters of Understanding (LOU)

1	CUPE Local 3913 Unit 2	LOU maintained (no new creation of sessional lecturers)
2	Teaching Workload Norms	LOU remains with additional language on interpretation of percentage effort in the area of teaching to assigned workload
3	Distribution of Effort	Deleted – all members have DOE
NEW 4 replaces	Work Scheduling of Veterinarian Members	The University will consult, at least 30 days in advance, except in emergency cases, with a Member prior to making significant changes to his/her work schedule.
5	Career Progress and Peer Review for Veterinarian Members	Deleted – this LOU required a committee to create the peer review process. This was completed
6	Course/Teaching Evaluations	Members continue to have the right to choose if student evaluations are done on paper or electronic
7	Method of Nomination and Election to T&P Committee	Remains unchanged
8	Wage Equity Study	Deleted
9	Sick Leave	Remains unchanged
10	Voluntary Retirement of Members	This LOU on the one year buy-out upon retirement expires June 30, 2012
11	Benefit Cost Savings Committee	Deleted
12	Creation of REB Appeals Committee	Deleted as it was completed during the life of the last agreement.
13	Teaching – Professional and Managerial Staff	Remains Unchanged
14	Human Rights & Health & Safety	Inclusion of bill 168 within the Human Rights
NEW 16	Performance Review of Veterinarian Members by Director Outside of the process indicated in Article 34	Clarification on the Activity Update Report.
NEW	Non-Pension Post Retirement Benefits	Creation of committee to explore feasibility of providing (at no cost to Management) non-pension retirement benefits to Members who take commuted value.
NEW	Jointly Sponsored Pension Plans	Agreement to continue discussions

Pension and Benefits Committee Report to UGFA AGM

May 22, 2012

Prepared by: Scott Gillies, UGFA Pension and Benefits Committee Chair

The P&B portfolio has been very active this year again, with many changes being negotiated and brought into effect for the Professional Pension plan. Summaries of key changes are noted below in Item #1. In addition, 2011-2012 has seen the unprecedented involvement of the Province within the university sector pension plans through legislative actions and directives to bargaining agents in an effort to influence the outcome of collective bargaining in our sector.

1. Negotiated Changes to Pension Plan Arising from Collective Bargaining

The following changes were negotiated as part of the recent round of collective bargaining.

a) *Increases to Member Contribution rates*: the pension contribution rates of Members will increase by an aggregate of 2.5% over a three year period (2012-2014).

b) *Removal of the 'Rule of 60' Early Retirement subsidy*: previously, Members could be invited to retire at age 60 with no early retirement penalties regardless of years of pensionable service.

c) *Change to the Factor 85 to Factor 87*: on pensionable service starting after July 1, 2013, Members can retire with an unreduced pension if their Age is 62 or greater and they have at least 25 years of service under the plan (totalling 87 points). *Note*: Members who had years of service under the old Factor 85 Rule retain this accrued benefit – at retirement, a pro-rated calculation occurs to determine what, if any, early retirement penalties or subsidies will apply.

d) *Removal of All Pre-Retirement Subsidies*: Removal of all early retirement subsidies for Members who leave the pension plan prior to age 55 (minimum retirement age under legislation) to the legislated requirement in the Pension Benefits Act

e) *Right of UGFA to Nominate Pension Plan Representatives*: UGFA now has a guarantee to elect its own representative (one of two professional plan representatives to the BoG Pension Committee) subject to Board approval

f) *Commitment from the University to Greater Information Sharing*: University has committed to better and timelier sharing of pension related information with the Association

2. Legislative Initiatives to Reform Pension Plans

A) *Solvency Process* – The University has now concluded most collective agreements with bargaining units across campus. Every bargaining unit has agreed to some combination of increases to employee contributions and benefit reductions (all groups have eliminated the Rule of 60 and the majority, all pre-retirement subsidies). The University believes it is on track to meet its Solvency relief

target (an actuarial calculation of future cost savings based on calculations specific to our two pension plans). If the Province agrees that our University has met its 'savings target' and is 'sustainable', then the University would enter Stage 2 of the Solvency Relief process and be given 10 years over which it could pay off the accumulated solvency deficit for both pension plans. The University will file a plan valuation in summer 2013 at which point we will learn whether Guelph will be granted this solvency relief.

B) *Drummond Report and Provincial Budget Initiatives* – The Drummond report did mention pension plans in the Broader Public Sector (BPS) as one area that needed to be addressed by the government. As with the previous Expert Commission study on Pensions in Ontario (Arthurs Report, 2009), the Province views jointly sponsored pension plans or JSPPs (where large, pooled pension plans are jointly governed by unions and employers and financial risks are shared equally) as a key strategy.

Along with tackling public sector compensation through some combination of negotiations and legislation (as is currently underway in provincial bargaining with the Teachers' Associations), the Province appears intent on affecting some kind of change in university pension plans. This is especially true of universities that have single-employer sponsored pension plans (or SEPPs) like Guelph. The Province committed funds in the past year to study the feasibility of university sector plans pooling their funds to achieve greater cost savings while still maintaining separate individual plans.

Other ongoing directions from the Province on university pension plans as reported through the BoG Pension committee include:

- Government expects single employer pension plans (SEPPs) to transition to a 50/50 cost share model for current/going concern funding of plans (probably *not* including solvency costs)
- Government will support conversion of current SEPPs to jointly sponsored plans (JSPPs) through incentives (no specifics) and the development of legislation
- Government plans to introduce a legislative framework in fall 2012 to facilitate pooling of assets of smaller public-sector pension plans, including those in the university sector, through either a new investment management entity or by building on existing large public sector pension plan investment structures.

3. P&B Committee Meetings

The P&B Committee for 2010/11 was dissolved in early 2011 and its mandate was folded into the collective bargaining team mandate as part of this past summer's re-negotiation of our Collective Agreement.

The Board of Governors Pension Committee continues to hold two meetings per semester.

Information continues to be shared through this venue about our plan's performance, changes to pension plans and information from the provincial ministries. In spring 2012, I was nominated and confirmed as the UGFA Plan representative to the BoG Pension committee for a two year term.

Ad Hoc Committee – the *LOU #15 Non-Pension Post Retirement Benefits* requires that an ad hoc committee, with three representatives each from the UGFA and the Employer, be formed. The UGFA representatives for this committee have been named – Scott Gillies (Past P&B Chair and incoming Collective Agreement Chair), Herb Kunze (Salary Chair) and Edward Carter (VP and incoming President). The Committee is charged with examining issues around providing non-pension

retirement benefits (e.g. post-retirement health benefits), to Members who opt to take the commuted value form of pension payment. The committee has not yet met.

OCUFA Ad Hoc Committee – the OCUFA has created an informal standing committee to keep all member faculty associations apprised of developments in our sector and to advocate to the province and liaise with COU on pension issues. A meeting of representatives of OCUFA associations on pension changes is expected this summer.

4. Member Communications and Engagement

A number of Member communications, some directed from UGFA, some developed in coordination with the Administration, have been distributed to Members. Regular updates from the BoG Pension Committee have been provided by the P&B Chair to the UGFA Executive Committee and UGFA Council.

In particular, two UGFact communications were issued in the fall of 2011 describing and detailing the nature and impact of pension plan changes on Members, providing examples of some of the more obscure impacts (in particular, the pro-rating of early retirement subsidies resulting from the change in Factor 85 to Factor 87).

Salary Report to Annual General Meeting, May 31, 2012

The Recent Past

The following table summarizes the Collective Agreement salary negotiation results.

	July 1, 2011	July 1, 2012	July 1, 2013
Cost of Living Increase (CLI)	1.50%	1.75%	2.00%
Competitive Increase (CI)	\$750	\$625	\$500
Annual Career Increment (ACI)	each year: \$2100		
Performance Increment (PI)			
<ul style="list-style-type: none"> Overall 'Good' 	each year: \$450		
<ul style="list-style-type: none"> Overall > 'Good' 	each year: $\frac{Pool - (\$450 \times \# Good)}{(\# > Good)}$, where $Pool = P \times (\# Members)$		
	$P = \$700$	$P = \$750$	$P = \$800$

The settlement translates roughly into an average yearly increase of 4.3%. Care is required when interpreting this result:

- our pension contributions will increase,
- CLI+CI+PI in 2011 more or less matched the increase in the Consumer Price Index.

Using government data, the average across Canada of major wage settlements in 2011 was 2.1% in the private sector, 1.7% in the public sector, and 1.5% in the education sector. Restricting our view to universities, our settlement results seem to be comparable to our neighbours. Statistics Canada data for 2011 put us in fifth place amongst universities in Ontario, so having comparable settlements will hopefully mean that we maintain or improve our standing. Of course, we can't guess what effect retirements and future settlements at other institutions will have.

Other Collective Agreement results related to salary/compensation include

- \$500 increase in overload stipend, no longer regarded as external remuneration;
- \$2500 increase in minimum Chair/Director stipend;
- Increase in PDR of \$50 per year; and
- Ranks for Veterinarian Members.

The Near Future: Things to watch

The Government

Around the time we entered into the previous round of negotiations, the provincial government was asking for 0% salary increases from the "broader public sector." Negotiation processes and arbitrators generally ignored the request. In March 2012, the government announced it wanted a two-year public sector wage freeze, as talks with doctors and teachers were set to begin. Since then, the *Ontario Medical Association*, the *Elementary Teachers' Federation of Ontario*, the *Ontario Secondary School Teachers' Federation*, and the *Association des Enseignantes et des Enseignants Franco-Ontariens*—representing doctors, elementary teachers, high school teachers, and teachers in French-language boards, respectively—have all walked away from the discussions with the government.

Hanging over everything is

- the threat of a legislated wage freeze in the budget,
- the pressures of recommendations in the Drummond Report, and
- the question of pension fund liability.

The government's actions (and even their negotiation requests) will likely foreshadow the salary situation we will face in our next round of negotiations.

Administrational Growth

Analysis of the most recent Sunshine List data suggests that the ratio of Administrators earning \$100K or more to *all* UGFA Members is closing in on 1:7. If we restrict the comparison to Members

earning \$100K or more, the ratio is 1:6.66. A similar phenomenon seems to be occurring at other Universities. Because of its financial implications, this phenomenon connects directly to salary and workload issues for Faculty Associations.

A recent, brave opinion piece that saw press online, and even in our local newspapers, observes, *“Across the continent, administration has become a growth industry at a time when budget constraints are said to compel the reduction of full-time faculty positions. [...] If you wonder why universities are expensive to operate today, follow the money to the administrators and their support persons.”* (Dr. Barry Cooper, Political Science, University of Calgary, Permalink: <http://www.education.canbits.ca/?p=6>)

UGFA Annual Grievance Report for 2011-2012

Guelph, AGM May 31, 2012

This report is a brief summary of the activities of UGFA Grievance Information Officers during the year. It was a very active year and in dealing with the numerous issues and cases.

There are 33 active cases (42 resolved issues)

Policy Grievances:

These grievances are filed by the Association when it becomes aware of Management practices that contravene the Collective Agreement. Four Policy Grievances were filed:

- Transparency/workload issues
- Receipt of Appointment letters
- Position description
- T&P guidelines consistent with the agreement
- Financial Compensation inconsistent with regulations in the collective agreement

Group Grievances:

- One group grievance was filed (salary versus vacation days)

Individual Grievances:

Informal grievances were initiated by 27 Members. Some of these cases have been resolved at the Decanal level, with agreement of Management, the Member and the UGFA.

11 formal Individual Grievances were filed by the Association, which has carriage of all formal grievances:

- Accommodation
- Position description
- Breach of privacy

- T & P issues
- Human rights/ workplace harassment
- Teaching workload
- GTA support

One of them (teaching workload) was solved by negotiated settlement with the assistance of an arbitrator.

In total, grievance/discipline/human rights discussions were held with 75 members during the year. Many problems and issues were discussed, including

- Teaching workloads, DOE,
- Perception of academic marginalization
- Age discrimination
- Academic changes e.g. course and program changes
- Human rights complaints and processes

Although no formal Grievances were filed (other than the cases specified), the GIO and Association advised the members of their rights under the Collective Agreement.

Discipline:

These are cases where the Management has invoked the “Discipline and Dismissal” Article of the Collective Agreement. Discipline Cases do not necessarily result in grievances, but the UGFA is always closely involved. In most cases, we ask for assistance from our legal counsel, and this can be a major expense for UGFA. Five discipline cases have been handled this year:

- One of the discipline cases went for arbitration – the disciplinary measures against our member were reduced.
- Two cases were solved with reprimand
- Two cases ended with dismissal
- There are 9 cases in process, two of them most likely will go for arbitration

Promotion and Tenure Appeals:

Since this was an off year, this year was not as busy for appeals as last year.

There were no appeals regarding tenure

Note that the Appeals are filed by individual members; UGFA does not have “carriage” of Appeals, but is happy to provide advice and assistance, including accompanying the Member to the Appeal hearing if requested.

Long term disability issue – the member took early retirement

Other important issues:

A DFR (Duty of fair representation) investigation request was made against UGFA by one of our members but the case was not heard.

CAUT is investigating OVC management at the request of UGFA. They have met many members over 4 days and we are waiting for their report which is expected in the fall.

ERA (External Remunerative Activity) and IP are also often heard issues.

Bill 168, the newest component of the Ontario Occupational and Safety Act, has been utilized by members on three different occasions.

Emerging issues: civil discourse policy

We would like to acknowledge and thank the President (Judy Sheeshka), vice-President (Ed Carter) and Executive in their advice/decision. In particular we would like to thank Susan Hubers for her insight/ knowledge/wisdom/resources that were used over the year to help and serve you.

Profs. Éva Nagy and Mary deCoste
UGFA GIOs

AUCC Statement on Academic Freedom

What is academic freedom?

Academic freedom is the freedom to teach and conduct research in an academic environment. Academic freedom is fundamental to the mandate of universities to pursue truth, educate students and disseminate knowledge and understanding.

In teaching, academic freedom is fundamental to the protection of the rights of the teacher to teach and of the student to learn. In research and scholarship, it is critical to advancing knowledge. Academic freedom includes the right to freely communicate knowledge and the results of research and scholarship.

Unlike the broader concept of freedom of speech, academic freedom must be based on institutional integrity, rigorous standards for enquiry and institutional autonomy, which allows universities to set their research and educational priorities.

AUCC Statement on Academic Freedom

Why is academic freedom important to Canada?

Academic freedom does not exist for its own sake, but rather for important social purposes. Academic freedom is essential to the role of universities in a democratic society. Universities are committed to the pursuit of truth and its communication to others, including students and the broader community.

To do this, faculty must be free to take intellectual risks and tackle controversial subjects in their teaching, research and scholarship.

For Canadians, it is important to know that views expressed by faculty are based on solid research, data and evidence, and that universities are autonomous and responsible institutions committed to the principles of integrity.

The responsibilities of academic freedom

Evidence and truth are the guiding principles for universities and the community of scholars that make up their faculty and students. Thus, academic freedom must be based on reasoned discourse, rigorous extensive research and scholarship, and peer review.

Academic freedom is constrained by the professional standards of the relevant discipline and the responsibility of the institution to organize its academic mission. The insistence on professional standards speaks to the rigor of the enquiry and not to its outcome.

The constraint of institutional requirements recognizes simply that the academic mission, like other work, has to be organized according to institutional needs. This includes the institution's responsibility to select and appoint faculty and staff, to admit and discipline students, to establish and control curriculum, to make organizational arrangements for the conduct of academic work, to certify completion of a program and to grant degrees.

Roles and responsibilities

University leadership: It is a major responsibility of university governing bodies and senior officers to protect and promote academic freedom. This includes ensuring that funding and other partnerships do not interfere with autonomy in deciding what is studied and how. Canada's university presidents must play a leadership role in communicating the values around academic freedom to internal and external stakeholders. The university must also defend academic freedom against interpretations that are excessive or too loose, and the claims that may spring from such definitions.

To ensure and protect academic freedom, universities must be autonomous, with their governing bodies committed to integrity and free to act in the institution's best interests.

Universities must also ensure that the rights and freedoms of others are respected, and that academic freedom is exercised in a reasonable and responsible manner.

Faculty: Faculty must be committed to the highest ethical standards in their teaching and research. They must be free to examine data, question assumptions and be guided by evidence.

Faculty have an equal responsibility to submit their knowledge and claims to rigorous and public review by peers who are experts in the subject matter under consideration and to ground their arguments in the best available evidence.

Faculty members and university leaders have an obligation to ensure that students' human rights are respected and that they are encouraged to pursue their education according to the principles of academic freedom.

Faculty also share with university leadership the responsibility of ensuring that pressures from funding and other types of partnerships do not unduly influence the intellectual work of the university.

Environmental Health and Safety Report

This has been a relatively quiet year on the environmental health and safety front with few items brought to the attention of UGFA or Central Joint Health and Safety Committee (CJHSC) by our members. Nevertheless, this been a busy time for JCHSC, and to deal with all the items coming forward the meeting schedule was revised so that there are now monthly rather than bi-monthly meetings.

Quite a few items on the agenda are specific to particular workplaces and worker groups and don't have a direct effect on UGFA members. Some of the items that do impact on our members include:

1. There are ongoing activities associated with Bill 168 (Violence & Harassment in the workplace). By now most everyone will have seen the booklets and attended training sessions on how to recognize and deal with violence and harassment in the workplace; as well surveys are being conducted to evaluate the risk of violence at all levels within the university.
2. The CJHSC is hoping to have closer connections with the local committees. Towards this end there will be the meeting in June of the Central committee and the Local committees. In addition to hearing from a representative of the Ministry of Labor, this session is described as a "meet and greet".
3. "Policies" regarding cyclists and other quiet vehicles (golf carts) on sidewalks are being revisited again. The approach will likely be at the education level and with the posting of signs at crosswalks.
4. A number of initiatives are underway to improve personal security by creating policies and providing personal alarms for those for working alone working alone at night (e.g. in the Large Animal Clinic). This issue is also being dealt with in individual departments, especially with respect to undergraduates in laboratories.
5. Work is being done in a number of buildings with regard to indoor air quality (e.g., in the Central Animal Facility were there seems to be unique problems---the CJHSC awaits this final report). As well, the CJHSC was given a lengthy presentation by Steve Nyman from Physical Resources. The bottom line here is that in most buildings there have electronic systems in place to control and measure various parameters e.g., temperature, humidity, CO2 levels etc. Depending on the building, HVAC systems are programmed to change parameters throughout the day or the week; however, the air quality should be well within accepted ASHRAE standards.
6. There has been turnover in the staff in Environmental Health and Safety. Most notably Chris White has left to go to Ryerson University and has yet to be replaced. A workplace inspection

position has been created and should be filled shortly. This person will help local committees and do inspections where no local committee is in place.

7. "Scents in the Workplace" is also being revisited. There are many competing factors associated with this issue (e.g., should we ban flowers on campus?). Occupational Health and Wellness will be involved and there will be a campus wide awareness program will be run again.

8. The University is also working to improve the level of Certification Training on campus. Level 1 Certification will likely be run early August or late September. It is less clear what Level 2 training will consist of or how or when training will be delivered. For those who started into this process, please note that it is designed so that a certified worker could evaluate work places other than their own.

9. The Hazchem System is being looked at to see if the system could be improved to ensure key information is available to the Fire dept. etc. with less effort on the part of the researcher.

UGFA members are reminded that if they are aware of a health or safety issue, they should approach a member of their local committee and if there is no local committee, they can go directly to EHS. At any time, they should feel free to contact UGFA or they can contact me directly.

Report from the President

We began this past year in the midst of our contract negotiations, and by the end of July, we were in mediation/arbitration. The outcome was an excellent contract, which included the retention of our defined benefit pension plan, no losses of benefits, and one benefit enhancement.

Beginning in the fall, our focus shifted to serious issues in OVC, which appeared to result from a 'perfect storm' of communication failures, a budget crisis, and faculty feeling intimidated and alienated. After much careful consideration, we approach the Canadian Association of University Teachers (CAUT) to ask if our concerns warranted an investigation by CAUT, and the answer was 'yes'. By the end of December, Executive voted to ask CAUT to conduct a third-party investigation of the concerns brought forward by OVC faculty. CAUT then approached faculty in other institutions it felt were qualified to be external reviewers, and there was some delay in finding two people who were at arm's length to Guelph, willing, and available to conduct the investigation. Drs. Clare Card and Paul Handford were selected and came on Monday, March 26 and Tuesday, March 27, for two very long days of interviewing OVC faculty and staff veterinarians, as well as some members of UGFA's executive and the Provost. There was such an overwhelming response to their visit, that the team returned to finish interviews (including interviews requested by OVC students and Steelworkers), during the third week of April. It will take some time for this team to produce their report, but we hope to receive a copy by the end of the summer. The report will include recommendations, and will be directed to the Provost.

In addition to these activities, I have performed my regular functions as Chair of the UGFA Executive and Council, and a member of the Joint Committee (UGFA + administration representatives). I also am a member of the Academic Freedom Committee. This year brought a record number of grievances and disciplines, and I participated in many meetings with faculty to provide assistance where I could.

Other activities:

Attended International Benefits conference (Vancouver) Sept. 10 to 14

CAUT Council (Nov. 2011); CAUT Defence Fund conference calls;

Attended the OCUFA Council meeting in Oct. 2011, and the Southwestern Ontario 'Listening Tour'.

Assisted in 2 faculty arbitrations; 1 T&P appeal presented to the University Appeals Committee.

Respectfully submitted, Judy Sheeshka