

UNIVERSITY OF GUELPH FACULTY ASSOCIATION

The minutes of the Annual General Meeting held via ZOOM on Wednesday May 12, 2021 at 10:00 a.m. recessing at Noon; and Wednesday May 19, 2021 beginning at 10:00 a.m. 108 Members present May 12 and 84 Members present May 19.

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

Cunningham/Grogan passed

3. Approval of May 14, 2020 and February 10, 2021 Minutes

MOTION: That the minutes of February 10, 2021 be approved as distributed

Gismondi/Cormack passed

MOTION: That the minutes of May 14, 2020 be approved as distributed.

Grogan/Cormack passed

4. Order of the Day

a. Approval of 2020 Audited Statement

MOTION: That Tim Lopinski, Tonin & Co. be given speaking privileges.

Adomait/Cunningham passed

Mr. Tim Lopinski reviewed the audited statements.

MOTION: That the audited statements of 2019/2020 be approved as presented.

Marcone/Grogan passed

Budget

Dr. Brooks reviewed the budget noting for the membership that while there were significant savings during 2020/2021 we are budgeting for a return to normal. Dr Brooks reviewed the budget bringing to the attention of the membership specific areas within budget (administration, governance) where there were significant savings. He informed the membership that Membership services includes increased release time due to bargaining preparations. Dr. Brooks also noted that the constitutional and legal mandated funds had minor changes. You will note no dollar figures within the constitution and legally mandated funds for 21/22 and that is because those dollar values will be determined at the end of the year during the audit.

MOTION: That, pending the audited statements, Executive shall allocate monies to the defence fund. Such allocation shall allow \$70,000 to remain in the in chequing account; that the proposed 2020/2021 proposed year-end be approved as presented; that the proposed 2021/2022 Proposed Budget be approved as presented; that when the 2021/2022 proposed year-end is brought forward for approval, the UGFA Executive shall direct the auditor to ensure allocation to mandated funds as and where necessary; and, that Tonin & Co. be the Auditors for 2021/2022.

Brooks/Adomait passed

b. Status of COVID LOU

As we wrote in our May newsletter, negotiations with the Administration on our COVID LOU have been slow. The Administration takes a long time to return our language, and there are also a couple of sticking points.

Until we agree to the whole document, we have only tentative agreement on individual points. I can say that at this point, the Administration seems willing to give up the notion that they can compel faculty to create audio and/or video recordings of their lectures. So this is a little bit of progress. Faculty members who have medical concerns related to the pandemic can seek accommodation through the occupational health and wellness office. We don't really consider this to be a win, because it is a process that already exists.

The main sticking point is that they want the ability to compel a faculty member to be on campus when the member is afraid or has concerns about their health (unless the member gets accommodation through the occupational health and wellness office), or the health of people with whom they live. We have argued that the Occupational Health and Wellness process does not always work smoothly in the best of times — it is usually slow and sticky. We imagine that by insisting on this process, the Administration would create an impossible situation because of the capacity of that office. We are also frustrated that the Administration makes regular reference to faculty mental health and well-being with very little substantive action. This is an example of that: they have the opportunity to reduce the stress of UGFA members, and they aren't taking advantage of it. We are also frustrated at the relentlessly cheerful messaging of the University, which seems overly optimistic when weighed against the headlines. They also seem to have arrived at decisions on many of the issues we are ostensibly bargaining.

We have had four meetings with the Administration and many more meetings of the UGFA team. Our next meeting with the Administration is on Friday of this week. As I said, the pace of negotiations is slow. We are hoping that the results of the survey currently open will give us and the Administration information to move things forward. We hope that you will take the time to complete the survey. Additionally, if you want to share anything with the Association that is not covered by the survey, or if you're not comfortable completing the survey, please email the Association directly. I want to stress that the only purpose of this survey is to inform negotiations on the LOU; you are not bound to anything you may write in the survey. .

We continue to reaffirm our position that faculty members with health concerns should not be compelled to teach in person on campus in Fall 2021 if certain public safety conditions remain. The Association also reaffirms our position that individual faculty members have the Academic Freedom on how best they will teach their courses, which cannot be overridden by administrative or departmental decisions. The UGFA maintains that our desire to return to the classroom must be balanced with a consideration of the safety — both physical and psychological — of faculty. There was a lengthy discussion.

Professor Gregory queried what advice we can give to faculty in course format option. There has been confusion around what change is considered acceptable and where oversight of curriculum oversight resides. Last time it was faculty decide format. This time around when asked for approval in context of what format can faculty do, can I say that sounds fine if it meets learning objectives. The administration states that course approval is only about grading but raises questions. It sounds like they are stating that remote is not an option but we don't have definitions so as department chairs it is challenging to know what to tell faculty. As such wondering what UGFA position is on this including course format options. Professor DeCoste stated that we would continue to maintain that it is up to the instructor to determine what way is best to deliver the course. The main contention is about administration forcing members to attend campus. This means that they can't deliver more fulsome question because they don't know how many people will want to be in the classroom. This is part of the survey to gauge how many people will be comfortable coming back to F2F campus. Professor Ryan stated that this year it feels like administration wants to cut faculty out of the decision of how they do their teaching.

The question in the survey about would you be alright substituting someone else if you don't want to do the teaching. Typically teaching is determined at the department level and this could cause massive difficulty through cascading effect. If administration is thinking of cutting chairs out of the discussion it will be problematic. It is difficult for us to know how to do our jobs.

Professor DeCoste noted that administration is insisting on being able to state how faculty will teach. There was a lengthy discussion on administrative position regarding academic freedom, learning objectives and pedagogical determination.

Professor Kristyn Englert queried if there can be an requirement for people to be on campus rather than creating a double standard. Professor DeCoste stated we do not have clarity but we will continue to update.

Professor Spears queried the UGFA policy on wearing a mask/face shield. If administration states safe enough to be on campus yet not safe enough to be without a mask. The other question is what is UGFA policy on students must be vaccinated. Professor DeCoste noted that if there is a policy it is the administration's policy. UGFA takes the position that if management has a policy it is up to administration to enforce. Professor Spears stated that if students and faculty are required to wear a mask would you be able to state.

Professor DeCoste stated that management has not signalled a willingness to require inoculation. Professor Cormack stated that this is something which will factor into member decision on return to campus. There was a brief discussion.

Professor DeCoste reviewed the chat. It was noted that the security of the survey is questionable as it appears individuals may answer the joint survey multiple times. There was a query if the extension of not coming on campus due to safety includes libraries. Professor DeCoste stated absolutely it will include librarians.

In any discussion of student vaccinated we need to discuss that we want the students to be fully vaccinated. UGFA position is that when we talk vaccination we mean fully vaccinated with 2 inoculation and after 2 weeks of the 2nd inoculation.

There was a discussion on the issue of who own the recordings taken during classroom relative to the camera's installed in classrooms.

c. H&S
Professor Hathaway reviewed the attached report.

d. UPP Report
Professor Kunze reviewed the attached report.

e. P&B
Professor Gismondi reviewed the attached report.

5. Recess until Wednesday May 19 at 10:00 a.m.

6. President's Report
Professor DeCoste reviewed the attached report.

7. Vice-President's Report
Professor Kunze reviewed the attached report.

8. Committee Reports
a. OCUFA Director/Ridgetown Campus
Professor Cunningham reviewed the attached report.

b. Grievance Information Officer
Professor Cormack reviewed the attached report. There was a general discussion on the atmosphere on campus and its impact on members.

c. Academic Freedom Chair
Professor Glasauer reviewed the attached report.

d. Collective Bargaining Chair
Professor Herb Kunze was elected CBC. A bargaining committee will be established and approved by Executive and Council the fall. The bargaining preparation committee is advisory to the bargaining team. That committee will interact with the survey committee to determine the pulse of the agreement. Those with various portfolios keep track of issues and bring them forward. The committee will play a role in assembling the mandate of the Committee.

e. Bargaining Preparation Committee Chair
Professor Madan stated that he will be working very closely with Andy Hathaway. In this process we will be seeking out more volunteers for the committee. Stay tuned.

9. Other Business

As Member queried the status of the working relationship with the provost vs when during the last round of negotiations UGFA stated the relationship with the provost was broken. Professor DeCoste stated that meetings continue to be frustrating as the end result is the same. Professor Cormack stated that we have been concerned

that the role of the provost on campus has changed. We may have disagreed with Maureen Mancuso many times however, it was clear that as provost it was her job to manage/advocate and deal with faculty. It would appear that the provost no longer sees this as being their primary role and that is part of what is going on.

10. Adjournment

The meeting adjourned at 11:45 a.m.

Health & Safety Chair Report to UGFA General Meeting 12 May 2021

*"It is difficult to get a man[ager] to understand something when his salary depends upon him not understanding."
(Upton Sinclair)*

In a bureaucratic organization like the U of G, decision-making power is vested in a few senior leaders. Bureaucracies are soul-crushing for the people working in them, according to the authors of the new book *Humanocracy* (Hamel & Zanini, 2020). Bureaucratic organizations are inertial, incremental, and dispiriting, they argue, in repressing creativity and autonomy by acting to punish nonconformity and reward conformists.

Sadly, there is no way to have a human-centric organization without flattening the pyramid. People with power in a bureaucracy are reluctant to give it up and have the means by which to defend their prerogative. The good news is that faculty have academic freedoms that give us the right—and some of us the obligation—to challenge the bureaucracy and demand [collegial governance](#).

For those of us who may have (understandably) forgotten what that even means these days, it means that the protection of academic freedom, health and safety, or whatever requires demanding more than faux representation on committees and that the voices of our membership no longer be ignored.

What that means in practice is that academics are free to ask tough questions about bureaucratic drag:

How many layers of management are needed to effectively ru(i)n an organization?
Are we as faculty complicit in supporting all this nonsense from beneath a growing pile of bureaucratic chores?
How bad can groupthink get? Why all the political behaviours? And why do these behaviours, as opposed to actual competence, influence who seems to get ahead?

It has been an honour and a privilege to serve as the UGFA's Health & Safety Chair for the past two years. As detailed in my [report to the membership last year](#), we continue to view stress and work-life imbalance as organizational problems requiring organizational solutions. Rather than more webinars on self-care and resilience, recent surveys of our members identify reducing workload, better people management, and more inclusive leadership as the actual solutions for improving mental health.

UGFA will keep pressing the Administration to go beyond its tone-deaf platitudes and dubious assurances to protect the safety, health, and wellness of our members. We will continue to ensure you have a voice and seek your input to inform and strengthen our bargaining position. As Health & Safety Chair, on behalf of the Executive and other members of UGFA's Survey Committee (Pavneesh Madan, Susan Glasauer, and Stefan Kremer) thank you for your valued participation and support!

Andy Hathaway

UGFA Annual General Meeting (Part 1) University Pension Plan (UPP) Report H. Kunze

In January, 2020, I began my four-year term as the UGFA's representative on the UPP's Employee Sponsor Committee (ESC). Along with the Employer Sponsor Committee (ERSC), the other half of the Joint Sponsors, we hired [Gale](#)

[Rubenstein](#) as the Chair of the Board of Trustees (BoT), appointed trustees, and hired the CEO, [Barbara Zvan](#). They have begun hiring staff for the UPP.

Key highlights and commentary from this year:

- Following a search and interviews, we hired [Murray Gold](#) of Koskie Minsky as the ESC's legal advisor. Very recently, we hired [Cameron Hunter](#) from Eckler as our actuarial advisor. Both Murray and Cam have been involved in earlier iterations of the UPP, and both of them are highly respected in the pension and JSPP worlds.
- Having professional advisors means having to pay professional advisors! Earlier in the process, funding for this sort of expense on the labour side relied on money from either the government or the employers. Recently, following the regulatory approval of the UPP, the employers were allowed to cease their payments to the government's Pension Benefits Guarantee Fund ([PBGF](#)), essentially an insurance fund for single-employer pension plans, and instead use that money (many millions) to fund the "Build Phase" of the UPP, excluding the hiring of UPP staff. As a result, most recently, the ESC has been funded through these monies, with the looming question of what happens when the UPP goes live on July 1. To give a sense for the importance of answering the question, the ESC's professional expenses over the past year or so totaled around \$300K. With six seats on the ESC, each with equal vote, the Solomonic split of expenses would be \$50K per organization. Keep in mind that the expenses of the past year are very high compared to the expected "steady-state" cost. It is normative in the JSPP world for these expenses to be covered in whole or in part by the plan itself. Just last week, we received word from the BoT Chair that the plan would cover \$150K per year of such expenses (no rolling over). We have also presented an argument that despite being in effect on July 1, the UPP is still in a "Build Phase" for the next year or more, with the hope that residual money once earmarked for the PBGF can continue to fund our expenses during this period.
- What happens on July 1? In order to ensure a seamless switch to the UPP—meaning there is no discontinuity in the administration of the plan: the mailing of pension cheques, the receiving of contributions, the logging of pension accruals, and accessibility of service requests by members, for example—the three founding employers will take on "agency" roles, administering the UPP benefits for the UPP members whose predecessor plan they administered. That is, each employer will sign an "Agency Agreement" with the BoT defining this relationship; essentially, the BoT acquires their service while the BoT continues to develop its own capacity to be the sole administrator of the UPP. (Thinking of the preceding bullet, one might suggest that the existence of any Agency Agreement is perhaps an indicator that the UPP is still in a Build Phase.)
- Trent University will convert its faculty pension plan to the UPP on January 1, 2022. As a result, the ESC has been reviewing the associated Participation Agreement and Transfer Agreement. Remember that each institution that joins the UPP must sign their version of these documents, established through negotiations with the Joint Sponsors, who jointly approve plan entrants. As example of the complexities involved, recall that one of the key elements of the Transfer Agreements for the three founding employers: the going-concern plan liability at the moment of conversion will be established by a valuation near that time, using the same valuation parameters as the UPP. (Side note: please refer to the Financial Advisory Committee's [2021 Financial Analysis](#) for a detailed discussion of one profound parameter, the discount rate, to appreciate the importance of valuation parameters not being chosen/set by the employer.) The employer owns any shortfall, initiating a 15-year amortized payment schedule. For 10 years, yearly valuations may define shortfalls or gains on pre-UPP service, with shortfalls owned by the employer and gains staying in the plan. During the subsequent 10-year period, shortfalls are increasingly shared by the plan (meaning the employees), until at the 20-year mark, they are owned by the plan, meaning that they are shared 50-50 by the employees and employers, just like the shortfalls and gains on UPP service beginning July 1, 2021. In the case of Trent, then, since they will join the UPP halfway through the first year, the reasonable adjustment to this "past service liability" scheme is to have their period of sole ownership of such liability run for 9.5 years, with the first valuation on or around January 1, 2022, and the remaining ones at the same time as the other universities, on or around July 1, from 2022 onwards. Reading these important documents, and raising and exploring resulting questions is both time consuming and very important work.
- Names must be kept confidential, but I can report that a number of other university employers and/or employee groups have indicated an interest in joining the UPP, including contacting the Joint Sponsors to express their interest and communicate their plans. On top of this, I am aware that the exploration of joining the UPP is appearing in collective bargaining proposals at a number of institutions. The possibility that a meaningful number of institutions will work to join the UPP in the next few (or more) years is another indicator suggesting that the UPP remains in a Build Phase.

- One of my goals from the moment in Spring, 2017, when it seemed that the negotiations of the UPP plan provisions would be successful was to ensure that UGFA staff members would be able to enter the plan to finally have a proper retirement arrangement with the UGFA, their employer. This necessary framework involved introducing the notion of an “Affiliate Employer” into the mix, meaning employers who exist primarily because of their relationship with the operations of a UPP Participating Employer (i.e. a university in the plan). The road to achieving this was partially paved by the fact that the staff of QUFA, the Queen’s University Faculty Association, are plan members of the Queen’s University pension plan. As a result, minds had to be turned to the fact that QUFA would be in the plan as an organization representing its members, but would also have to be in the plan as an employer of its staff. After pressing the matter at some meetings in 2021, I managed to obtain agreement from the ERSC that UGFA staff would be able to enter the plan. The issue then became one of timelines, with a problematic question being who will administer the pension benefits of UGFA staff. Unlike QUFA staff, our staff has no pre-existing relationship with their associated University’s payroll or pension system, and, in any case, our employer expressed concerns due in part to them converting to a new Human Resources management system during this period. The ERSC offered the entry date of January 1, 2022, at the time largely because of the bureaucratic efficiency of matching the Trent University entry date; documents have to be opened and re-signed each time a new employer joins the fold. It’s worth mentioning that it is unclear when or if UTFA staff would come into the UPP, but there are other Affiliate Employers lining up: the UofT Book Store, a similar small group at Queen’s, and, most notably, the UPP itself (for its permanent staff, when hired). Last week, Gale (Chair of the BoT) reached out to me, and we had what I would describe as a very human conversation about the matter. I have repeatedly made the argument that UGFA staff is different from all of the other small groups lining up to join through the Affiliate Employer pathway, since our staff was involved in the UPP process from the start and, without their work and support, this process would not have been successful at Guelph. Unlike all of these other groups, our staff played an important role in making the UPP a reality, and they deserve that recognition and the benefit of starting the UPP pension accrual at the UPP starting date. With a heavy heart, I have to report that their entry date can’t shift earlier than January 1, 2022, the target date for all of the other groups. Despite the disappointment of that result, I should stress that I came away from my conversation with Gale having great respect and appreciation for her. As a testament to the nature of our staff, they only conveyed thanks and appreciation to me for my efforts on their behalf. We are so lucky to have each and every one of them working with us.
- In recent weeks, the ESC has received a number of presentations from the BoT Chair and CEO on the Asset/Liability studies they are running. These documents are fascinating and interesting to a [math nerd](#) like me. One of the roles of these documents is to examine what sort of projected results arise from different asset mixes. Once again, it’s in some sense linked to the interplay between the discount rate and the realized or realizable investment return, which brings “risk appetite” into the discussion, too. These sorts of studies help inform the BoT’s development of the Statement of Investment Policies and Procedures (SIPP). It seems worthwhile to discuss the roles that the different governance bodies of the UPP (ESC, ERSC, BoT) have, so I’ve attached a handout on the organizational structure of the UPP, which includes the mandates of the bodies on the first page. The second page of the handout shows the current membership of the different bodies. I’m listed as UGFA’s ESC seat holder, and you will also see UGFA’s appointee to the BoT, Jonathan Ferris, UGFA’s Membership Officer and a labour lawyer. Recall from other presentations, that Jonathan and I have acquired both the Foundations of Trust Management Standards ([FTMS](#)) and Advanced Trust Management Standards ([ATMS](#)) certificates from the International Foundation of Employee Benefit Plans ([IFEBP](#)). In both cases, the courses involved multi-day sessions with invited lecturers and lots of notes, with a high level of performance on a final examination required to earn the certificate. I thought taking final exams was in the past, but it was oddly fun to “credentialize” the knowledge gained during my years of work on the UPP!
- As a bit of evidence of the interesting new layer that the UPP work has added to my profile, in the past year, I was an invited double-panelist at the OCUFA pensions workshop, contacted by a number of faculty association representatives inquiring about UPP details, and, perhaps most notably, was invited to be on the conference advisory committee and be a panelist for the Lancaster House 2020 Pensions Conference, that otherwise featured pension professionals.

 LancasterHouse <small>Labour • Employment • Human Rights Law</small>		2020 Pensions Conference Virtual Event • December 3–4, 2020 <small>Presented by Lancaster House</small>
CONFERENCE CO-CHAIRS <ul style="list-style-type: none"> • Ari Kaplan, Lawyer and Mediator, Kaplan Law • Laura Brownell, Staff Representative – Pensions, Society of United Professionals • Paul Litner, Pension Counsel, Osler, Hoskin & Harcourt LLP 	CONFERENCE ADVISORY COMMITTEE <ul style="list-style-type: none"> • Andrea Bactor, Pension Counsel, Siskeman Elliott LLP • Herb Kunze, Vice-President, University of Guelph Faculty Association • Martin McInnis, Executive Director, Co-operative Superannuation Society Pension Plan • Paul Owens, Deputy Superintendent of Pensions, Government of Alberta • Danelle Parkinson, Director, Pension Advocacy and Legal, Ontario Pension Board • Cynthia Rynne, Partner and Senior Consultant, PBI Actuarial Consultants Ltd. 	

- In the past year, I've had over 60 two-hour UPP meetings, had many phone calls; and read and wrote many, many emails; read an enormous number of documents (typically complicated by legal and actuarial matters); reported on these meetings at UGFA Executive and UGFA Council; fielded questions from UGFA members; and been called upon for pension expertise by external organizations. From January 1, 2021, until June 30, 2021, I've been one of the two co-Chairs of the ESC (along with Colleen Burke, UofT Steel). The deep understanding of the UPP flows naturally into and plays an important role in all of my other UGFA work.

DRAFT

◆ ORGANIZATIONAL CHART ◆

Prepared by the UPP Employee Sponsor Committee, April 16, 2021

JOINT SPONSORS (JS)

▣ (SPONSORS AGREEMENT)

COMPOSITION:

Employee Sponsor Committee

+

Employer Sponsor Committee

DECISIONS:

Consensus
(Agreement of Both Committees)

KEY MANDATES:

- Sponsor Functions under PBA and ITA
- Governance – amend the governing documents, including the Sponsorship Agreement, the Trust Agreement and the Funding Policy
- Plan design – amend the pension plan, benefits and contribution rates
- Determine Level of Indexation
- Participation – approve Participation Agreements for new Universities joining the UPP
- Coverage - approve new classes of members
- Transfer Agreements – agree to asset and liability transfers when a new University joins the UPP
- Select Independent Chair and appoint Trustees (see also Labour Sponsor Agreement) and set their compensation
- Review actuarial valuation



BOARD OF TRUSTEES (BoT)

▣ (TRUST AGREEMENT)

COMPOSITION:

14 members in total for the first seven years, including:

- 1 Independent Chair
- 6 appointed by Employee Sponsor Committee (see also Labour Sponsor Agreement)
- 1 Non-union trustee appointed by the Employee Sponsor Committee as selected by non-union employees
- 6 appointed by the Employer Sponsor Committee

KEY MANDATES:

- Plan administrator – fiduciary administrator of the UPP and UPP Fund
- Responsible for Plan Investments and UPP's Statement of Investment policies and Procedures (SIPP)
- Responsible for Actuarial Valuations and all filings with pension regulatory authorities under PBA and ITA
- Responsible for member statements and communications, member record keeping, security and privacy
- Responsible for collection of contributions, delinquency control
- Responsible for hiring and supervising CEO
- Responsible for determining and paying pension benefits

EMPLOYER SPONSOR COMMITTEE (ERSC)

- Represents Universities at JS
- Composed of 6 members selected by the Universities

EMPLOYEE SPONSOR COMMITTEE (ESC)

▣ (LABOUR SPONSORS AGREEMENT)

- Represents Faculty Associations and Non-FA Unions at JS
- Composed of 6 members selected by UTFA, USW and others (based on UPP membership, per Labour Sponsors Agreement)
- Meets with Non-Unionized Employees in advance of Joint Sponsors Annual Meeting
- Appoint/confirm/remove ESC appointed trustees
- Meets with Unions and Faculty Associations not on ESC

2021.05.12

UGFA Annual General Meeting (Part 1)

Pension & Benefits (P&B) Report

S. Gismondi

I began my term as chair of UGFA's P&B committee in S20. I became UGFA's representative on the University of Guelph Board of Governors (BoG) Pensions Committee in F20.

- Both positions are now 'winding down' as the UPP comes into existence.
- Both UGFA and BoG have plans in place to monitor/report details of the UPP transition.
- Moving forward, responsibility for reporting on P&B issues is to be managed by the EBC chair, including updates/review of the UPP transition process as seen through the BoG Pension Committee. Note that our UGFA EBC chair also assumes all duties of the former salary chair position.

Update 1: BoG Pension Committee Highlights

November 16, 2020 → **NOTHING OF NOTE**

- Reviewed 3rd quarter investment reports. Underperformance (relative to benchmark) was noted, AND, the Investment Subcommittee (reports to Pension Committee) continues to review and replace managers when necessary, no matter the short amount of time before transition to UPP.
- Statement of Investment Policies and Procedures (SIPP) to be developed (for UPP).
- Discussion of Pension Plan valuation assumptions (preparation for next mtg).

March 12, 2021 → **NOTHING OF NOTE**

- Discussions with UPP leadership, namely Gale Rubenstein (UPP Chair of BoT), Barbara Zvan (UPP CEO), Henry Kim (UPP CFO & Head of Operations) and Leah Myers (UPP).
- Review of October 1, 2020 valuation results. Next valuation occurs July 1.
- Sharmilla Rasheed (UoG VP Finance & Operations) noted that the Investment Subcommittee has met with CEO, CFO and Board of Trustees Chair of the UPP specifically to review manager performance issues.

May 7, 2021 → **AGENCY AGREEMENT COMING SOON**

- If you are planning on retiring soon, nothing new and no special actions needed i.e. interact with HR as you would have in the past. Likewise, employee and employer contributions will continue to be collected and managed by UoG, but will be transferred to UPP. These arrangements will continue until the UPP BoT takes over the administration of benefits. Some informal discussions I've had with HR suggest that these arrangements could go on for several years.
- Agency Agreement is under development. I have not yet seen/reviewed it.
- BoG Pensions Committee is coming to an end. There is a meeting planned for September-October of 2021, to receive/review an update on UPP transition activities. There is a last meeting vaguely planned, to review the final conversion report.

Update 2: Various Other Things

- Since February 2021, UoG and UPP have been comparing sample member benefit calculations in order to find and reconcile any possible benefit calculation differences.
- The Pension Projection Tool is available to faculty and is intended to estimate Pension Plan benefit \$\$ for different retirement ages i.e. for retirement planning. It accounts for both the (soon to be) former UoG pension and the new UPP pension. The tool is "reasonably accurate" (as stated by HR), and also subject to a variety of assumptions. An illustration follows below.

1. Go to <https://pensions.uoguelph.ca/> and sign-on with your UoG credentials. A new page appears.

My Retirement

STEPHEN, our records show that you are receiving a paper version of your annual statements as well as the electronic version. We want you to know you may elect to stop receiving the paper version by visiting the [Go Green!](#) page.

Your personal statement

Your personal statement summarizes your situation in the pension plan on September 30 of each year.

View your statement

[Get started!](#)



Tools

Personal Statement

Pension Projection tool

My Pension

Assuming you will continue to participate in the plan until retirement, your estimated pension payable at age 65 is equal to: **\$78,570** per year.

- ▶ [View my Personal Annual Statement](#)
- ▶ [Use the Pension Projection tool](#)
- ▶ [Go Green!](#)

My Plans

- My Employer Pension Plan
- ▶ [UPP - Plan Text](#)
 - ▶ [UPP - Sponsors Agreement](#)
 - ▶ [UPP - Trust Agreement](#)
 - ▶ [UPP - Funding Policy](#)
 - ▶ [Plan Description](#)
 - ▶ [Plan: Additional Information & Forms](#)
 - ▶ [Retirement Planning](#)
- Government Plans
- ▶ [Canada Pension Plan](#)
 - ▶ [Old Age Security](#)

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PENSION PROJECTION TOOL

Stephen Gismondi

Disclaimer

The amounts calculated by the Pension Projection tool are estimates. If the personal information in the plan administration database is incorrect, or if the assumptions used differ from the actual experience, the pension estimate could be different from what you will actually receive. As of August 31, 2020 the Projection Tool has been enhanced to project benefit accrual under the UoG provisions for service before July 1, 2021 and project benefit accrual under the provisions of the University Pension Plan Ontario (UPP) for service on and after July 1, 2021. Any pension estimate created using the Projection Tool after August 31, 2020 that includes a projection of service beyond July 1, 2021 will be different than a pension estimate you may have previously created. Unless otherwise specified, any reference in the Projection Tool to Plan rules includes the provisions of the UoG Plan and UPP, as applicable.

Please note that the pension estimates from the Pension Projection tool are appropriately reduced to offset completed pension divisions resulting from a marriage breakdown.

The Pension Projection tool may not provide you with a reasonable pension estimate and the results may be incorrect if the salary and work schedule you use for the calculation is inaccurate. It is particularly important for you to estimate the salary and work schedule accurately should you be in any of the following situations:

- You are on disability leave or an unpaid leave of absence.
- You have a part-time or temporary appointment.
- You currently hold a Continuing Limited Term (8, 9, 10) position.
- You hold a reduced workload appointment.
- You have more than one appointment.
- You have a pension benefit that is lower than the prescribed small amount rules according to the pension plan provisions and the Ontario Pension Benefits Act.

If you have changed employee groups during your membership in the pension plan, i) the earliest unreduced retirement date and ii) the UoG pension reduction for early retirement dates may not display accurately on the Pension Projection Tool. This display issue does NOT impact any of the projected pension values displayed for any given date. If your date of birth is on the first day of a month, the early retirement date and normal retirement date on the Pension Projection Tool may not display accurately.

Every effort has been made to ensure that the information presented in this tool is accurate. If there are any discrepancies between the information found on the Web site and the official UoG Plan or UPP documents, the latter will prevail at all times.

If you have any questions, please contact Total Compensation, Human Resources by email at pensions@uoguelph.ca or by calling 519-824-4120 ext. 52142.

I understand and agree with the terms of the disclaimer.

[I AGREE](#) | [I REFUSE](#)

AFT

2. Select / click Pension Projection Tool icon. A new page appears.
3. Check "I understand and agree with the terms of the disclaimer.", and select / click "I AGREE".

Reminder About Two Important and Different Upcoming UPP Events

Each event requires its own registration. Registration links are shown below, the same registration links originally communicated via upp@uoguelph.ca, and communicated again to UGFA members (from facassoc@uoguelph.ca) on May 6 (email). It's very important to note that these emails also contain a password necessary for registration, and that registration is via **eventbrite**. Note that **eventbrite** is a third party company/website that issues you an **eTicket** via email (after you register), a means to control and manage who is allowed to attend these events. Your *unique meeting link* is found near the bottom of the body of the email message.

- University of Guelph Listening Session: Our Investment Philosophy – May 13 at 10:00am. <https://www.eventbrite.ca/e/listening-session-university-of-guelph-tickets-151554410321>

All-Member Information Session – May 27 at 5:30pm. <https://www.eventbrite.ca/e/all-member-information-session-tickets-151556506591>

President's Report, Mary DeCoste COVID-19 LOU

I wanted to give you an update further to the update I gave at the first part of this AGM in May 12. We had a meeting with the Admin on May 14. I was ill that morning, so I thank Herb for taking the lead for our side. We spoke with them about the joint survey on fall 2021. We pointed out that we offered to administer the survey, but the Administration cited security concerns. They then ran a survey that we discovered anybody on the planet could answer, and answer as many times as they wanted by changing their IP. So much for security. We also expressed disappointment that the survey email was co-signed Laurie Arnott, the Assistant Vice President for Faculty and Academic Staff Relations, and me, rather than by Gwen and me. It made it appear that the concerns of UGFA members are below Gwen's consideration.

We asked whether they were still holding the position that they want to compel faculty members to teach face to face (or mask to mask) even if they have health concerns that might not be able to be address by the Occupational Health and Wellness Office for any number of reasons, and they said yes. We are hoping that the survey may give us more information to address that. As we have said before, we are also hoping that a representative from Wellington-Dufferin-Guelph Public Health Unit may speak to UGFA members. We have had some back and forth with the administration to try to make this happen. Further to the survey, we discovered that when the administration sent it out, they failed to send it to UGFA librarian and veterinarian members. We thought this was an oversight, which was bad enough, but when we asked them about it, they said that it only went to UGFA faculty, because faculty are the ones who teach. We pointed out that many librarians and veterinarians also teach, but they refused to open the survey to librarians and veterinarians. For this reason, we sent the survey out ourselves to the UGFA members who had been excluded. This means that the administration will not be including this data in their survey, which is very frustrating and counter-productive. We WILL be using this data in our analysis of the survey results.

Joint Committee

The joint committee includes members of the UGFA executive committee and the Provost and whomever she chooses, presently the Dean of the College of Arts, the Chief Librarian, and others. We find these meetings frustrating. We are typically the only side that brings issues to these meetings in an attempt to resolve them. The Administration side typically does not bring anything to the table to discuss. We rarely get any answers beyond, "we will take that away and think about it." One issue I will point out that is a recurring theme in meetings of the Joint Committee is our push for a student code of conduct that may help to address to increasing incidents of bullying of faculty members by students. I know that Bill will say more about this in the grievance report.

Laurentian

Laurentian entered into a process under the Companies' Creditors Arrangement Act (CCAA), a federal legislation that allows financially troubled corporations the opportunity to restructure their affairs. While Laurentian is a public institution, the CCAA has historically been used for for-profit corporations. Never until now has a recipient of significant provincial and federal funding used this legislation. It's a court-supervised process that allows temporary protection from creditors. The idea is to emerge from the CCAA as a going-concern entity (in other words, one that can meet all of its financial obligations when they come due) and to maximize value for creditors. Generally this goal is met at least in part with a reduction of workforce. As you probably know, 100 professors lost their jobs. From a report from CAUT: "Terminated LUFA members can't receive the full severance pay guaranteed to them by the collective agreement. As creditors under CCAA, they will be ranked among the last creditors, while the banks will be granted precedence. Those who can retire, as well as retirees and all faculty members and staff, have seen their retirement health benefits abolished. The Supplemental retirement plan has also been abolished for all members; All other accrued benefits have been protected. Faculty members will also be creditors under CCAA, however they are expected to only obtain a few cents for every dollar owed to them by Laurentian. A decision on these claims might not be made by the court until August or after. As part of this CCAA process, LUFA is still mediating numerous grievances, including those on pay equity, on a stringent deadline of May 31st imposed by the court. After that, outstanding issues resulting from April's bargaining will have to be resolved with arbitrator Bill Kaplan before June 15th. There is also a deadline on pension issues that will take place between May 24 and May 30th. All this is imposed on a court- imposed limited group that includes only two LUFA Executive members, except for pension negotiations, in which other members of the Executive also contribute." OCUFA continues its activism around this issue.

CAUT (U of T censure)

The CAUT voted on April 22 to censure the University of Toronto. The vote was 79-0, with the University of Toronto abstaining. The delegate from the U of T said that they were abstaining because they felt that the whole U of T should not be censured because of the law school. They also pointed out that they had a number of open grievances on on the matter and they wanted to let that process unfold. Legal counsel to CAUT made a persuasive case for censure, the Thomas Cromwell report notwithstanding.

UGFA Council and Executive Committee Members for the 2021/2022 academic year:

Council:

COA	Mary DeCoste, Bill Cormack, and Peter Eardley
CBS	Geoffrey Power, Marica Bakovic, and Shoshanah Jacobs
CEPS	Herb Kunze, Stephen Gismondi, and Stefan Kremer
OAC	Paul Goodwin, Massimo Marcone, Susan Glasauer, and Larry Goodridge
CSAHS	Andy Hathaway, Susan Chuang, and Michèle Preyde
OVC	Andrea Sanchez, Pavneesh Madan, and there is still one needed
Lang School	Jing Lu, Louise Grogan, and Nita Chhinzer
Library	Karen Nicholson and Ali Versluis

AHL/VTH Davor Ojkic, 1 needed
Unit 2 Lezlie Cunningham and Tracy Ross
Guelph/Humber 2 Needed

Executive:

President, Mary DeCoste

Vice-President, Herb Kunze

Grievance Officer, Bill Cormack

Health and Safety Officer, Andy Hathaway

Academic Freedom, Susan Glasauer

OCUFA Director, Lezlie Cunningham

Economic Benefits Chair, Steve Gismond. I would add that Steve is the first to hold this Chair, as it is a new position on Executive as a result of approved changes to the Constitution.

Treasurer and Members-at-Large to be elected in June from Council

Thank you to the Councillors whose term is up: Andy Sherwood, Stefanie Nutting, Ray Lu, Liz Boulding, Allan Willms, Myrna Dawson, Ali Talebi, Scott Colwell, Paul St. Pierre, and Andrew Brooks.

2021.05.19

UGFA Annual General Meeting (Part 2)

Vice-President's Report H. Kunze

My first year as Vice-President has been busy, but I will limit this report to five topics.

UGFA Teaching & Academic Librarianship Awards

The Unit 2 Teaching Award nomination window closed in late November, 2020, and the Unit 2 Award Committee met in January, 2021. I'm very pleased to announce that Lezlie Cunningham has been awarded the 2021 UGFA Unit 2 Award for Excellence in Teaching!

The window for Unit 1 award nominations closed on May 7, 2021. The Unit 1 Awards Committee meets in June review the packages. The Unit 1 award recipients will be announced at the first UGFA Council meeting of the Fall semester.

On a personal note, I want to thank the nominators for putting together the packages and the nominees for their dedication to teaching: particularly in these horribly busy and stressful times, it is great to spend some time reading about the best of what we do as UGFA members.

Financial Advisory Committee's Analysis of University Finances, 2021

The FAC's [latest Financial Analysis](#) was emailed to you earlier this year. The bottom line is that the University is in strong financial condition, with a long-standing structural surplus interrupted by a comparatively small deficit of \$8M, which would have been easily removable thanks to the \$273M of set-aside, unallocated, "Internally Restricted" money. Due to the accounting principles used, actuarially-based calculations ("Employee Future Benefits") are reported as accounting line items for the current year, sometimes with huge swings from year to year. In the next Audited Statements, which are always posted after fiscal year-end, it will be interesting to see the impact of the pandemic on Ancillary revenues, which may be offset to some degree by reduced utilities and upkeep. The Provost's budget outlook includes knowledge of this past year's experience, and she has also repeatedly said that the University is in a strong financial position. There was a huge continued commitment to capital expenditures (buildings), and the President even mused at Senate earlier this year that they are looking at more new capital projects. As far as I am aware, no other faculty association produces a yearly financial analysis. OCUFA's Finance Committee has created a finance dashboard that provides the ability to browse audited financial statement and COFO (COU's Council of Ontario Finance Officers) data, create graphs, compare, etc., but my experience is that one has to actually read the financial statements, scour the footnotes, and actually study the documents.

The Tragedy of Laurentian University

Events at Laurentian University are a tragedy from so many different viewpoints. Here, I just want to make a few related comments. There is the suggestion that none of this had to happen, even at the eleventh hour, that it was a [manufactured crisis](#) to fulfill a desire to massively restructure without the constraints of collective agreements. There is the suggestion that the key culprit is a level of capital spending well beyond the means of the University. Google "[laurentian university capital projects](#)" to find a myriad of links about modernization plans and other construction

activities, all with steep price tags, all since 2015 or so. This sort of overreach should remind us that Administrators are transient, and they all want a CV line item to reflect that they built something big. Faculty, the career-long soul of the University, get to enjoy the good outcomes and are forced to live with the horrible ones. Finally, there is the suggestion that Laurentian University did not adjust their [student demographic mix](#) in a way similar to almost all Ontario universities, that is, by increasing international tuition revenue.

This Fall, the OCUFA Finance Committee (of which I am a member) will run its annual workshop, tentatively focused on the financial circumstances that gave rise to the disaster at Laurentian and what faculty associations might monitor or do to assess their institution's situation, for example, monitoring of key ratios, a component of our yearly financial analysis documents.

As part of the restructuring of Laurentian, in order to "move forward," there were also massive changes to their pension plan. Early retirement provisions (which we know are expensive to fund) were obliterated for faculty. But the worst change by far involves the pension formula. Recall that the amount of your pension is based on a "best average earnings" formula: in our Professional Plan, it's the average of your best consecutive 36 months presented as an annual salary; in the UPP, it's the average of the best non-consecutive 48 months. Loosely, this "best average" amount gets multiplied by various things to produce dollar value of your yearly pension. In either case, it's clear that for typical faculty members, you just use the average of the last three or four years' salary, respectively. In comparison, on a go-forward basis, the Laurentian pension plan will now use a *career average*. Think for a second about the average of your final three/four years' salary and the average of your salary over your entire career. Wow, young faculty at Laurentian who did not get fired in the restructuring may have found solace in the fact that they still have a job, but their pension, which will be accrued under a career average framework, was brutalized.

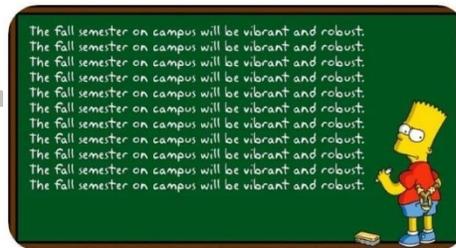
Lastly, talk persists that the government, in response to this debacle, is considering amending the MTCU Act to add more government oversight, perhaps only for institutions of concern.

Senate

My experience on Senate in no way reflects the vision of collegial governance that lives in my heart. Sure, the mostly mundane matter of course/program changes wanders through a Senate approval process. Still, it is often unclear whether such changes are the result of ground-level faculty members initiating changes or external-to-the-department administrators stimulating the change. What about the other items that get discussed at Senate (e.g. Other planning, budget)?

In my previous Senate term, various items were reported, and, at some points, a handful or fewer questions were asked, but, even when the questions challenged a stage-managed presentation or report, any response felt like lip service. I can honestly say that nothing changed in a meaningful way despite interventions by UGFA member. The rare time that Franco declared that the object of a motion for approval would be reconsidered due to a sense in the Administration that it would not be approved if the vote was called, it felt to me that we were just given a better stage-managed version the next time.

Jumping to my current term, due to being in an online setting, Senate has changed from one sort of phony collegial governance to another. The new paradigm is a more fascinating one because senators feel freer to voice their questions and opinions in the online chat. Unlike my previous term, it's not just five questions on the microphone, lip service response, and then the Administration moves along by talking about other stuff.



Many thanks to the colleague who sent me this image!

Now, a long stream of questions, comments, and follow-ups flows in the chat at a steady rate, and the Administration is more exposed than ever before for *not really answering anything*. Having experienced this at the February Senate meeting, the Administration even announced at the April Senate meeting that the chat should reflect the current topic of the Senate agenda. That is, when they say "we're moving on," people should get in line and move on—that tactic worked for the in-person on-campus Senate, but, as it turns out, worked not so well with the online version. For example, at the April Senate, when the Provost gave her budget presentation, the chat just scrolled on and on with concerns about the Fall semester and Respondus, with not one word about the budget. At the Administration's earlier Town Hall meeting, we saw a similar result. It's all fascinating on a political level—you know, the distance between where management wants to be and where the employees are, and the inability of management to close the huge gap...perhaps to even recognize the huge gap—but at a human level it is really alarming to read so many people express in the chat their reasonable concerns about Fall planning and have the Administration leadership not address those concerns in any real and meaningful way. Worse yet, on occasion, a Dean or other administrator with aspirations will disjointedly insert into the chat a statement praising the work of the Administration thus far.

Letter of Understanding 14: Workload

The letter of understanding reads, "A joint committee shall be established within 8 weeks of ratification of the Collective Agreement to review and make recommendations to the Joint Committee relative to the assigned workload of Members." The committee had one meeting at the start of 2019, a time when Tracey Jandrisits was AVP of Faculty And Staff Relations (FASR) and Gwen Chapman and Jeffrey Witchel were on as Deans. The UGFA used a mind map visual aid to walk through the many things we do in the different areas of effort, along with the large level of administrative activities downloaded to us, and we highlighted how the massive growth in student numbers has spiked the workload required in certain activities. Well, perhaps given the reboot of the Joint Salary Review committee following an arbitration, we finally had a second meeting of the Joint Workload Committee on April 5, 2021. Here, given that Laurie Arnott is now AVP FASR and Gwen is now Provost, the only carry-over from the previous meeting was Jeffrey Witchel. So, in the spirit of a reboot, we once again presented the mind map visual aid, this time also drawing connections to the looming performance metric regime: if members have to stop doing certain things that they choose to do (things that are not assigned), some of the metrics will be negatively impacted and the University will likely see a reduction in their performance-based funding.

We had a third meeting on May 12, 2021, where the Administration responded. There was talk ensuring that Performance Assessment (and CAP) better recognizes things we do, but we also talked about trying to find ways to *reduce* work. The Administration again mentioned that they are committed to the Letter of Understanding that requires growth hiring of permanent UGFA members. We discussed the notion of running a joint survey to identify "pressure points" and, certainly from the UGFA viewpoint, work that should really be shifted off of the desks of members. We will see how this evolves. I have to note that our frustration over how the Administration handled the joint survey related to the Fall 2021 COVID LOU has made us rather wary of joint surveys.

I want to thank the current committee members for increasing their workload in order to discuss workload: Steve Gismondi, Neil MacLusky, and Sandra Parmegiani.

OCUFA Report for 2021

Lezlie Cunningham

April 18, 2021

From the Board of Directors meeting on October 31, 2020:

At this meeting they introduced the new OCUFA director, Jenny Ahn.

At that meeting there was discussion over what the priorities for OCUFA should be and recognized (as a result of surveying members) that the OCUFA priorities were supporting faculty association during the pandemic. Of greatest concern was increased workload, compounded family care time, academic integrity, academic freedom and lack of collegial governance. There was also a lot of discussion over tenured hires vs contract faculty. It should also be noted that at that time, OCUFA also indicated a surplus in general reserves and will be using that to build the legal defense fund. There was much discussion about how to keep members safe due to remote teaching and express specific concern over female faculty because they generally provide child care and as such will be disproportionately affected by the pandemic.

From the Board of Directors Meeting on February 21, 2021:

OCUFA was concerned about MTCU micro-credentialing and internationalization and digital learning. OCUFA also expressed its opposition to giving private institutions degree-awarding privileges as it undermines post-secondary education.

In addition, during the winter semester OCUFA directly supported LUFA (Laurentian University Faculty Association) in an effort to save faculty jobs and positions.

OCUFA commissioned a poll of 2700 Ontario faculty, academic librarians and Ontario students which indicated that adjustments to the course delivery and campus life as a result of Covid 19 had an overall negative impact on education primarily due to lack of interaction and engagement.

Throughout the semester, there has been a lot of communication regarding LUFA (Laurentian University Faculty Association) which OCUFA is supporting through advocacy and government relations.

Unit 2 Report April 2021

UGFA has been busy this year with a number of issues with respect to the Unit 2's.

For 2020-2021 the main focus of efforts for Unit 2 were getting all the Covid LOU's agreements signed and trying to reach agreement on LOU#5 (VT and VOA program workload). This has been challenging due to lack of timeliness of responses and scheduling issues as there is a new Management team. A bit of progress was made at the mid-May meeting but the pass backs across the table are taking a long time.

In addition, UGFA Unit 2 continues push to receive letters of appointment, hiring letters, and job advertisements and data sharing which are not being forwarded to the office in a timely manner.

In early May 2021, UGFA sent a survey to Unit 2 Members asking about returning to campus. The results indicate that most Members indicated that they were expecting to complete labs on campus in the fall semester 2021. Most were expecting lectures to be alternative delivery. This has been the consistent message to the members for a while now. Also, most agreed that their workload has increased and that their mental health is suffering.

Grievance Information Officer Report Bill Cormack, May 2021

In defending UGFA members' rights under the Collective Agreement (CA), the Faculty Association has dealt with over 120 cases since 1 June 2020. These include 8 Arbitrations / Mediations, 22 Grievances, 11 Disciplinary Investigations, 9 Human Rights Complaints (members as both complainants and respondents), 17 requests for Medical Accommodation, 2 Tenure & Promotion Appeals, as well as 44 other issues that resulted in formal meetings with the Administration.

The arbitration / mediation (the latter is typically the last process before the final arbitration, but still uses the professional services of an arbitrator jointly agreed upon by the UGFA and the Administration or appointed by the Ministry of Labour) of a grievance represents the UGFA's most powerful tool to defend the CA. It occurs only at the end of a very lengthy process that begins with the identification of the issue and follows meetings with the affected members and with the Administration, the preparation and launching of a grievance, the Administration's response to the grievance, further meetings with the Administration, and consultations with UGFA's legal counsel. The costs of arbitrations / mediations are considerable: the arbitrator's fee, the fees for UGFA's legal counsel, the time spent by UGFA Staff and Executive members; but these costs are justified in terms of the strength of the UGFA's argument (legal counsel will advise against such an undertaking if the UGFA is unlikely to be successful) and the issue's importance to the entire membership.

On 17 July 2020 the UGFA participated in the arbitration of two grievances related to a single member: one concerned the Administration's breach of the member's privacy in regard to personal medical information; the other concerned the denial of the member's application for a Study Research Leave. The arbitration's outcome was successful from the UGFA's perspective, although details of the settlement are confidential as is normative. On 1 December the UGFA informed the Administration that it intends to seek arbitration for an unresolved grievance regarding the bullying of faculty members in a particular academic unit by graduate students. The date for this arbitration has not yet been set.

On 3 February 2021 the UGFA participated in the mediation of Human Rights Complaints filed by two members regarding salary inequity. The mediation's outcome was successful, but the cases reinforced the Association's frustration regarding the failure of the Joint Salary Review, established under LOU #13, to ensure pay equity for all UGFA Members. On 8 February an arbitrator delivered a ruling that denied two UGFA grievances asserting that two other members deserved a salary adjustment beyond the Administration's gender equity adjustment. This disappointment strengthened the UGFA's conviction that most anomalies and inequities result from disparity in starting salaries. This issue should be addressed in collective bargaining. On 22 February the UGFA participated in the arbitration of a grievance regarding the Administration's failure to provide data necessary for the Joint Salary Review created by LOU #13. The outcome of this arbitration was that the UGFA agreed to resolve the dispute using a professional facilitator. The first meeting of this facilitation occurred on 4 May.

A grievance is a formal allegation by the UGFA that the Administration has violated specific terms of the CA. If the Administration denies a grievance, that is responds that it has not violated the CA, the UGFA must then determine whether to submit the grievance to arbitration. In 2020-21 the UGFA succeeded in resolving several grievances through constructive discussion with the Office of Faculty and Academic Staff Relations (FASR). Despite their successful resolution, however, the launching of these grievances demonstrates the UGFA's on-going concerns about the Administration's failure to follow the CA regarding: retirement benefits; the Tenure, Promotion, and Performance Review process; disciplinary investigations and the imposition of discipline; the Administration's responsibility to protect the

health, safety, and security of members; the imposition of new electronic systems without meaningful consultation. The UGFA also launched several grievances over violations of the CA for Unit 2 (College Professors at the Ridgeway Campus) regarding: appointment letters; job ads; the Administration's failure to collect union dues; salary and position definitions.

Some active grievances remain unresolved. One will be submitted to arbitration (as noted above) and the Grievance Information Officer (GIO) has obtained the UGFA Executive's approval to proceed to arbitration with another. Both grievances involve the bullying of UGFA members by students. Multiple faculty members have been investigated for possible discipline on the basis of questionable student allegations: the UGFA regards many of these allegations as frivolous or vexatious and others as threats to Academic Freedom. As noted in last year's GIO Report, we continue to see a worrying pattern of students (graduate and undergraduate) bullying, harassing, and defaming their professors. Despite repeated requests, the Administration has failed to address this behaviour. The UGFA continues to press for a new or modified student code of conduct that would prohibit attacks against members' reputations and integrity and that would include real sanctions for such behavior. This goal should be addressed in collective bargaining.

While the UGFA did not launch a specific grievance regarding workload in the past twelve months, this issue is a serious and growing concern. We met with multiple members from different colleges who had been assigned teaching in R&D semesters, or who had been assigned "course coordinator" roles as service rather than as teaching assignments, or who had their teaching assignments and/or DOE changed arbitrarily, or who had been pressured to perform various duties while on parental or family medical leaves. In several of these cases, the UGFA did not grieve at the request of the affected members who feared that the launching of a grievance might affect their applications for Tenure. The question of member workload should be addressed in collective bargaining.

Academic Freedom Report, Susan Glasauer

Academic freedom has, according to the American Association of University Professors, three cornerstones: freedom in the classroom, in research, and in extramural utterance.

There is room for variation and the justifications have been (and continue to be) contested.

Academic freedom at Guelph is negotiated with each collective agreement. The principles of AF in our CA follow the AF principles of CAUT, and so far have carried us through the last three negotiations of the Agreement. We're coming up on negotiations for our 4th CA; in light of that, I've put together a briefing on academic freedom and what's been happening with respect to AF in Ontario.

The two extreme views of academic freedom are:

1. AF as a category of political freedom, applicable to citizens in a free society
2. The "It's just a job" view, in which AF is limited to the academic profession and limited to performance of duties (which no one but Stanley Fish, always controversial, seems to support).

Given the breadth of these extremes, there is a lot of room for the academic freedom statement of universities to range widely. The AF statement in our CA gives AF rights exclusively to faculty for their roles in teaching, research and service.

Geoffrey Stone, in *Who's Afraid of Academic Freedom* wrote: "The real threat to academic freedom comes not from the isolated incident that arises out of a highly particularized dispute, but from efforts to impose a pall of orthodoxy that would broadly silence all dissent". [(2015), eds. A. Bilgrami and J. Cole, Columbia University Press, New York]. The pall of orthodoxy that Stone refers to comes from the expanding and corrupting influence of money.

As government contributions to secondary ed decline, universities rely more on outside money and on tuition dollars. At York University, for example, tuition makes up 70% of revenues (for comparison, this is 30% at Guelph). In some programs, particularly business and management, international students are prioritized over domestic students. During the decade ending in May 2019, the enrollment of international students overall in Canada in these fields increased by 216.5%, compared to an increase of 7.7% for Canadian students (<https://www.immigration.ca/international-students-increasingly-important-to-canadas-colleges-and-universities-study>)

This affects AF by shifting the priorities of universities to ensure that students are happy customers in the short term.

Threats to AF can come from the political left and right. The case at Laurentian, where around 1/3 of faculty were let go, was driven by Ontario's government, with the Minister of Colleges and Universities Ross Romano as the public face. The firings at Laurentian reflect the provincial government's dismissal of environmental concerns, with all programs in areas related to environmental science at LU cancelled. Cuts in other programs are equally devastating.

A recent case at Mount Allison, where RCMP showed up at a book reading by mining activist Joan Kuyek, reflects the federal government's efforts to quash environmental activism in opposing resource extraction. Kuyek was hosted by Prof. Dave Thomas in the Dept. of Politics and International Relations. When the officers were asked why they were at the reading, one of them said that they were there to prevent a crime from being committed. Thomas subsequently filed an Access to Information Request. It took more than 1 year to get a response; Thomas was provided with limited information because the RCMP presence was part of an intelligence operation for the Special Projects Unit. This incident had a chilling effect on the Mount Allison community (<https://www.halifaxexaminer.ca/featured/after-reading-a-halifax-examiner-article-two-cops-showed-up-at-an-author-reading-at-mount-allison-university/>).

To go back to LU: The case at Laurentian is concerning for many reasons. Particularly concerning for AF is the application by LU for creditor protection, which allowed the government to circumvent the Collective Agreement. The bankruptcy process was described by different news outlets as a "bloodbath" which has left behind "terrorized" faculty. Judging by the proceedings so far, it's difficult to imagine that AF will be given consideration in the reorganization of the new LU. It's troubling to see how quickly the debacle at Laurentian has moved to the back burner and then essentially off the stove, as the focus now is on how LU will go forward with the remaining faculty (but apparently without their input). Some former professors have been offered sessional teaching contracts for the summer.

One especially troubling aspect about the process is that hobbling Laurentian has left the community of Sudbury feeling gutted by the losses. Universities have played a crucial role over the last century in serving "the common good". This role provides the foundational rationale for academic freedom through supporting the middle class and by providing access to students from marginalized communities as well as new immigrant communities. In the US, universities have increasingly become vehicles for creating a more unequal society (H. Reichman, *The Future of Academic Freedom*, 2019, Johns Hopkins University Press, Baltimore; pg. 18). When we consider what has been happening in Ontario recently, it should be alarming that a government body is selecting the disciplines that will be taught at one university without faculty consultation, and is increasingly courting international students who can pay high tuition fees. For these actions to be carried out effectively, academic freedom can only be seen as a roadblock.

Digital teaching and AF

Digital teaching has opened up new threats to AF.

A recent OCUFA survey found: 62% of students say that online teaching has had a negative impact on education; 76% of faculty say the pandemic has negatively affected the quality of teaching.

There is a real need to maintain and support universities against the unexamined incursion of digital technologies so that AF is still worth protecting

- Trends to develop online teaching and "atomize" faculty before Covid
- Covid has accelerated these trends (note that OCUFA and CAUT describe online teaching as "emergency remote teaching").
- If the rights of faculty to teach how they want to teach are eroded, AF goes with it – many issues of AF occur in classrooms.

Honor Brabazon at U. Waterloo published an article in *Academic Matters* about the assumptions that go along with expectations that faculty will comply with university managers in making decisions about pandemic teaching: <https://academicmatters.ca/neoliberal-response-to-covid-19/>. Brabazon asks the question: What would teaching in the Covid era look like if universities valued education and research as essential public goods?

There are concerns about how to manage the permanent record that's created when course material is recorded. Michael Poliakoff, President of the American Council of Trustees and Alumni (a nonprofit that engages on issue of academic freedom and accountability) pointed out in April 2020 that there are real problems in having a digital record of class discussions and a bureaucracy already in place to punish individuals.

(April 21, 2020; <https://www.forbes.com/sites/michaelpoliakoff/2020/04/21/what-will-covid-19-mean-for-academic-freedom/?sh=75c0f71a684c>)

Poliakoff highlighted the outstanding need to update free speech policies to reflect the digital nature of education.

AF at Guelph

There have been several cases recently at Guelph in which AF concerns have been raised. These involve grievances or potential grievances that Bill Cormack has been investigating. The intensive use of digital technologies over the past year has raised AF concerns among faculty, and thanks for your participation in UGFA's recent survey to assess the extent of those concerns. It's interesting to have evidence in hand for broad concerns about potential AF violations, yet relatively few grievances at Guelph. This highlights a particular area of concern about AF that I have: the loss of AF as

“death by a thousand paper cuts” rather than in high profile cases that are relatively rare. Examples of some paper cuts are the ownership of DE course IP by management; another is the lack of shared concern between management and faculty over IP and AF issues around online teaching.

Online teaching for some has opened up new ways of teaching courses that work surprisingly well. For others, the goals of courses can't be met by online formats. Whatever model of teaching faculty choose for the courses they teach in the fall semester, it's important that the format is the choice of the individual member and that all faculty at Guelph are supported in whatever format they choose.

Finally, we are still seeking nominations for the Jay Newman AF award!

DRAFT