

ANNUAL COMMITTEE REPORTS

Contract Academic Staff Committee

Co-Chairs: Kathleen Fraser and Marilyn Norman

The Committee, co-chaired by Kathleen Fraser and Marilyn Norman, has had a spirited year. By the end of April, we will have held four meetings. The group attending has been gradually expanding as we develop a network of informed Academic Colleagues and mentors, building Stewardship within the Union. We have representation from most areas of the University and also representation of all types of Contract Academic Staff, Full- and Part-time. We have drafted Terms of Reference, appended at the end of this Report. In addition, the co-Chairs have written two articles for the Faculty Times, one on the accomplishments of the Collective Agreement and the other a consideration of achievements of the past ten years. This past October, we organized a Meet-and-Greet session with fabulous food and drink at the Grad Club to mark Fair Employment Week. We are thinking about FEW 2008 and the possibility of bringing in a resource person from CAUT in Ottawa. We are participating in the 10-Year Anniversary Party at the Grad Club on April 11, 2008.

We have a representative on UWOFAs Equity Committee: Gaile McGregor. We are also represented on UWOFAs Salary Committee by Kathleen and Marilyn, a Committee which will be gathering province-wide data on Part-time stipends in preparation for the next round of negotiations. Outside of the University, Anne Skoczylas represents Contract Academic Staff at CAUT, attending meetings several times a year and updating the Committee on national issues.

Committee for Contract Faculty

UWOFA

Terms of Reference

Mission

- To represent the interests of Contract Faculty at The University of Western Ontario and within the Faculty Association. Contract Faculty include Full-Time Members of UWOFA on Limited-Term Contracts, some of whom have Permanent status, and Part-Time Members on Limited-Duties Contracts.
- To promote solidarity and understanding among Contract Faculty and between Contract Faculty and the larger UWOFA community.
- To promote communication and consciousness-raising
- To bring forward issues of concern to the UWOFA President, Vice-President, and Board and to Contract Faculty

Composition

Co-Chaired: one each of FT and PT
 Open Membership
 Communications Person
 Two Part-Time Members of the UWOFA Board
 President and Vice-President, UWOFA (*ex officio*)

Representatives to other UWOFA Committees

Salary

Equity

Representatives to other Bodies

CAUT

Frequency of Meetings

A minimum of three per year.

Faculty Dependents' Scholarship Program Committee

Chair: Vaughan Radcliffe

The Faculty Dependents' Scholarship Program Committee (Vaughan Radcliffe, Chair; Mike Carroll; Angie Mandich) provides oversight to the FDSP program and where needed reviews cases for program eligibility. This year the committee proposed that the scholarship program be enhanced to cover studies at accredited community colleges, the scholarship amount to be at half the university rate. This change was approved by the UWOFA Board and came into effect for the 2007/08 academic year. The Committee will monitor the use of this new provision and review this policy and the scholarship award amounts over the summer, after we receive financial reports from UWO.

Grievance Committee

Chair (July 1, 2007 to December 31, 2007): Albert Katz

Chair (January 1, 2008 to present): Tess Hooks

Case Officers: Eric Buckolz, James Compton, Cary Daniel, Paul Hanford, Albert Katz, Jacques Lamarche, Marilyn Norman, Terry Sicular, Bryce Traister

Ex Officio (non-voting): Mike Carroll, Kim Clark, Mike Dawes, Abhijit Gopal,

Professional Officer: Don Heslinga

In the period from April 1, 2007 to March 31, 2008, the Professional Officer has received 413 calls from Members making inquiries about provisions in our Collective Agreement and about how those provisions impact on their own employment situations. Many of these inquiries involve multiple conversations, meetings with the Member, and conversations with various other people in our attempts to get information and resolve disputes. The largest number of inquiries received by UWOFA pertained to questions related to Compensation and Benefits (155). This is perhaps not surprising given that

during this period faculty were implementing a new Collective Agreement with provisions for scale increases, performance-linked career progress, and a career trajectory fund. Other inquiries ranged from questions about Promotion and Tenure to Retirement and Resignation. There has been a 77.25 percent increase in the number of inquiries received by UWOFA over this year.

Many of the inquiries made to UWOFA raise questions about a possible violation of Collective Agreement provisions. Most of the complaints that emerge out of these inquiries are resolved informally. However, 68 complaints were passed on to the Grievance Committee and were processed further. This represents a 65.8 percent increase in the number of cases taken on by the Grievance Committee over this last year. One might interpret this increase as a reflection of increased tension between the Employer and UWOFA. On the other hand, as Grievance Officer, I interpret the increase as a reflection of a mature union that is using the Grievance and Arbitration provisions of the Collective Agreement effectively. UWOFA is also a big union. With over 1400 Members, UWOFA is the largest certified faculty union in the country.

Complaints by Collective Agreement Article	68
Academic Freedom	2
Academic Responsibilities	3
Annual Performance Evaluation	10
Appointments	13
Certificate	1
Compensation & Benefits	8
Copyright	1
Discipline	9
Health and Safety	1
Letter of Understanding A	1
Official File	1
Promotion and Tenure	10
Privacy	2
Responsibilities of Members (Librarians and Archivists)	1
Workload (1 librarian)	5

In the table below you can see the distribution of these issues as a function of the Article in the Collective Agreement we believed to have been breached. Issues related to Appointments and Promotion and Tenure continue to dominate the work of the Committee, but concerns with Annual Performance Evaluation, Discipline and Compensation and Benefits are also common.

The next table depicts demographic information regarding the type of Grievance and the distribution by Faculty. The majority of Grievances involved Full-Time Members. Over one quarter (27.9 percent) of the Grievances were disputes between UWOFA and the Employer about how the Collective Agreement was being misinterpreted or improperly implemented (Policy Grievances). The Grievance cases are distributed across several Faculties. The complexity of each case varies considerably.

Complaints to the Grievance Committee:		68
Individual (Two Librarians)		49
	Full-Time	44
	Part-Time	5
Policy		19
Complaints and Grievances by Faculty and two Librarians		68
<i>Individual - Informal Meetings</i>		40
Arts		5
Education		2
Engineering		3
FIMS		1
Health Science		5
Ivey		6
Law		1
Libraries		2
Music		1
Schulich		6
Science		6
Social Science		2
<i>Individual - Grievances</i>		9
Arts - Promotion and Tenure: <i>1-Settlement & 1-Arbitration</i>		2
Education - Appointments: <i>Settlement</i>		1
Engineering - Promotion and Tenure: <i>Arbitration</i>		1
Ivey - Annual Performance Evaluation: <i>Arbitration</i>		1
Law - Compensation and Benefits: <i>Arbitration</i>		1
Schulich - Promotion and Tenure: <i>Arbitration</i>		1
Science - Appointments: <i>Settlement</i>		2
<i>Policy - Meetings</i>		9
Academic Freedom - Arts: <i>Outstanding</i>		1
Annual Performance Evaluations-Schulich (Robarts): <i>Outstanding</i>		1
Compensation & Benefits: Administration		3
Pension Dual Membership: <i>Dropped</i>		
Orthopaedic Claims: <i>Outstanding</i>		
RRIF for non-residents: <i>Outstanding</i>		
Health and Safety - Science: <i>Resolved</i>		1
Privacy - Adobe: <i>Dropped</i>		1
Promotion and Tenure - Ivey: <i>Outstanding</i>		1
Workload - Health Science: <i>Dropped</i>		1

Policy - Grievances		10
Appointments - Student Teaching: <i>to Arbitration</i>	1	
Certificate - Schulich - Number of Associate Deans: <i>Withdrawn</i>	1	
Compensation & Benefits	2	
Pension ABCP: <i>at Step 2</i>		
Pension Membership re sign up-Human Resources: <i>Outstanding</i>		
Copyright-Syllabi: <i>to Arbitration</i>	1	
Letter of Understanding A - Health Science: <i>Resolved</i>	1	
Official File - Student Evaluations: <i>to Arbitration</i>	1	
Privacy - Human Resources: <i>Withdrawn</i>	1	
Workload	2	
Engineering: <i>Minutes of Settlement</i>		
Ivey: <i>Minutes of Settlement</i>		

The Grievance and Arbitration article of our Collective Agreement obliges UWOFA and our Members to attempt to resolve disputes at an informal level before filing a grievance. For most grievances there are three steps in the grievance process. A dispute can be resolved at any of these three stages. The exceptions to this three step process are the Policy Grievances and Grievances arising from the denial of Promotion and Tenure, which are initiated at Step 2 of the grievance process. Below is a table that indicates the outcomes of the work of the Grievance Committee's. It should be noted that many grievances are settled at the informal stage of the grievance process.

Grievance Committee Results: Outcomes from Actions Taken

Individual Grievance at Informal Stage		40
Dropped	9	
Going to Step 2	1	
Resolved	21	
Still Outstanding	9	
Individual Grievances Filed (125% increase over last year)		9
Settled at Step 1	1	
Settled at Step 2	1	
Settled at Step 3	2	
Going to Arbitration	5	
Policy Grievances at Informal Stage		9
Dropped	4	
Still Outstanding	5	

Policy Grievances Filed (42.8% increase over last year)		10
Dropped at Step 2	1	
Resolved at Step 2	1	
Minutes of Settlement at Step 2	2	
Withdrawn at Step 2	1	
Withdrawn at Step 3	1	
At Step 2 and outstanding	2	
Going to Arbitration	2	
Total		68

The primary role of a union is to serve its members and protect their rights. It would be impossible to do this without the commitment of a number of people who I would like to acknowledge. First among those to thank is Don Heslinga, our Professional Officer. He is usually the first person many of our Members contact to answer questions and deal with their concerns. Second, I would like to thank the volunteers who serve on the Grievance Committee. It is because of the very hard work of these volunteer case officers and our professional officer that we are able to bring so many cases to a successful conclusion.

Librarians and Archivists Committee

Chair: Kristin Hoffmann

Members: Tom Belton, Bev Brereton, Bruce Fyfe, Bill Guthrie, Denise Horoky, Elizabeth Marshall

The Librarians and Archivists Committee was established in October 2007. Since then, we have focused primarily on establishing the goals of the Committee, which are:

- to communicate with UWOFALA Members about matters important to the Bargaining Unit,
- to coordinate communications between UWOFALA Members and UWOFALA's officers and Board, and
- to provide a forum for UWOFALA stewards to keep in touch with one another.

In the past six months, we have hosted a reception for UWOFALA Members, established an email *Information Bulletin*, and worked to strengthen the Steward system by expanding Committee membership to include all UWOFALA Stewards. We have taken the lead in representing Librarian and Archivist Members in discussions with the Employer about the establishment of a Librarians and Archivists Council. Finally, we have distributed a survey on defining Academic Activity for Librarians and Archivists, a topic that has raised many questions for our Members since ratification of our first Collective Agreement.

Pensions and Benefits Committee

Chair: Mike Carroll

The purpose of this committee is:

- to monitor all policies and procedures relating to pensions and benefits for UWOFA Members with a view to identifying areas that are problematic;
- to address queries from Members as to their rights and responsibilities in connection with pension and benefits; and
- to monitor Members experience with pension and benefits issues in order to identify issues that should be brought to the attention of the Contract Committee in the year prior to the next round of negotiations.

Over the past year, Don Heslinga and I have both been very much involved in responding to Member queries about the new Health Care Spending Account and have been the point of first contact for Members whose benefits claims have been denied. In several cases, after investigation, it was determined that some of these denials were in violation of our Benefits Contract, and the matter was turned over to the Grievance Committee.

Policy and Governance Committee

Chair: Mike Carroll

Members: Bev Brereton, Kim Clark, Paul Handford, Tom Murphy, Vicki Olds, Clive Seligman

The purpose of this committee is to review and develop proposals that improve the governance of the Association. Over this past year, the Committee met monthly in order to systematically examine each clause in the Association's Constitution, and each Association Bylaw, to see if there were any gaps that needed to be filled and procedures that needed clarification. In the end, the Committee proposed a number of changes and revisions to both the Constitution and Bylaws. The proposed Bylaw changes were approved at the General Meeting of March 27th. The changes to the Constitution were approved in a mail ballot held in April.

Chief Negotiator's Forum Report

Mike Dawes

The Forum took place in Ottawa, 080404 to 080406. The topic of the forum was "Building a Defensible Collective Agreement".

The first substantive session was given by Peter Simpson, on "The Character of the Collective Agreement". Over years, a CA matures to reflect the particular nature of the institution and thus contains specific local features. Such a document can be read as a narrative of the history of negotiations, but over time the circumstances which gave rise to provisions may be forgotten or may no longer apply. A reading of the CA from this

point of view can be instructive when preparing for bargaining. P.S. suggests reviewing any clause which has not been opened for 2 rounds. Pay particular attention to the “silences” in the CA, i.e. topics which appear to be omitted, since they may signal areas of internal dissent, where the union can't find the words or agree on the words to be brought to the table. There is a trend for arbitrators to take into account how agreements were achieved, i.e. context, timing, etc. so it's important to keep detailed negotiating notes.

The second session was to have been given by Doug Lorimer on “Preparing Defensible Language” but he was busy with the CAS strike at Laurier, so a somewhat abbreviated session on how careful language that may appear innocuous can turn out to have considerable consequence. Example: At Laurentian, the union had negotiated a max course load. Some units were above, so there were transition provisions. Deans were to come up with plans, and “the unit plans will not lead to an appreciable increase in fulltime complement”. The Employer tried to use this to have no increase in some units; arbitrator Kaplan did not agree, on the grounds that if the parties had intended no increase they should have said that.

The third session was given by Jeff McKeil, on “Exclusive Agency”. Of course, UWOFA doesn't meet the party line at all in this respect what with no real control over starting salaries, no direct access to candidates during the hiring, no control over market increases, and discretionary merit pay, so it's always one of the embarrassing topics. However, there is more that we could conceivably do, even outside negotiations. At Ryerson, every new hire is interviewed by the association (voluntarily, of course). This is producing a database of facts that the Employer doesn't have, regarding what candidates were told, what room there was for negotiations, etc.

In the breakout discussion that followed, it was clear that lack of control over starting salaries is a widespread problem. It was also observed that a practical negotiator must balance concerns; we need to have those who want market supplements onside when we want to get a strike vote.

The fourth session was given by Rhonda Love, on “Ensuring Fair Procedures in Collective Agreements”. There was considerable discussion of the value of words like “just”, “fair”, “equitable”, and “reasonable”. M. Piva observed that even apparently laudable words can foster a limiting culture. For example, “every Member has the right to be represented...” encourages a culture of representation of individuals rather than advocacy for the collective.

The fifth session was given by Neil Tudiver, on “Common Weaknesses in Collective Agreements”. This was the most hands-on session, with study of specific examples of language taken from collective agreements, examined for weakness and potential improvement. (To be fair, there was some of this in other sessions too.)

To my relief, no UWOFA contract language was singled out. As Neil pointed out, CAUT helps with advice for negotiations and also works to prevent unions agreeing to harmful precedents. Just as a gain for one can lead to gains for others, losses and bad precedents can lead to losses for others. Practice and skill in examining language for weakness is important during negs as well as in the preparation.

The sixth session was given by Bernice Schrank on “Strategies for Defending the Collective Agreement”, but in spite of this title it was mostly about how to organize and prepare for negotiations. Bernice observed that the process is full of contradictions – we negotiate on behalf of Members, but we don't get to choose them. They can be indifferent or even hostile. More can be achieved if Ms are integrated in the process, which should not be unstructured – leadership is required. Voting is a dangerous way to deal with negs; voting for a NT or drafting team is disastrous. Negs are not about being nice; constituency councils are not the way to go. We need infrastructure that provides feedback but not votes; full participation within a structure; participation without undermining the negotiations. Bernice recommends a centrist model, with oversight and leadership. Liaison and communication are essential, and must be planned in advance. The Board must talk to the Ms repeatedly, reminding them who's on the team and what's on the table. Committees can have volunteers but considerations like “balance” and “new blood” should not override experience on the NT. It's a good plan to have Mship questionnaires but don't promise to release the results – the E will read them even if the Ms don't. It's hard but crucial to develop networks of people who can be trusted. Identify your supporters and keep their identities to yourself. Ensure you can get feedback you can trust from every BU M.

Vic Catano mentioned that there is a CAUT policy on selection of NTs.

Some participants felt that an argument by authority, i.e. confirmation of centrist policies by a policy statement from an organization widely viewed as centrist, might not be very persuasive.

The final session was given by Michael Piva, on “Recent Bargaining Trends”. It is becoming common wisdom that when there's money available, the E goes after rights. University incomes have risen by 9%; expenditures by only 6.1%. A surplus in a university is money that has not been spent on the university's mission! Regarding workload, we're silent on everything except classroom teaching and scheduled hours. We did this to ourselves – arguing for teaching relief to cope with increased research expectations has backfired. We are now complicit in ratcheting up those expectations. It's a bad trend – extra teaching is punishment.

Participants asked where MP was getting the figures about university revenues and expenses; he referred them to CAUT Facts & Figures Vol. 10 #1 April 2008.

Salary Committee Report

Chair: Jim Davies

Members: Greta Bauer, Ann Bigelow, Kim Clark, Mike Dawes, Kathleen Fraser, Vince Gray, Michael Lynk, Marilyn Norman, Terry Sicular, Graham Smith

The committee met twice this year. It examined analyses of Full-time salary trends using Statistics Canada data, including new compilations developed by OCUFA in cooperation with Stat Can this year. These new compilations make possible better analysis and comparison with other universities since the sample is defined to capture only FT faculty members who are normally part of the bargaining unit. Associate Deans and higher ranking administrators are excluded, for example. The committee also touched on trends and patterns in PT and L/A salaries.

The work of the Salary Committee suffered a serious setback with the passing of Al Heinicke, who had long generated a large volume of high quality analysis of salary trends and related matters for UWOFA. His dedication to, and enthusiasm for this work were outstanding. Members of the Salary Committee recognize that in Al's absence more will be expected of them, especially as UWOFA prepares the ground for coming negotiations.

ANNUAL REPORTS FROM UWOFA REPRESENTATIVES ON UWO COMMITTEES**Workload Committee**

Members: Jim Cote, John Meyer, Bob Scott

The Workload Committee has one more scheduled meeting on April 28. We just had a two-hour meeting on Monday (April 7) during which we went over the data the Administration has produced on teaching workloads and interview Debra Dawson concerning how the TSC advises faculty on time management issues associated with new technologies, especially email. Alan Weedon and I will be drafting a report for review at the April 28 meeting based on the literature review I conducted last summer.

Joint Committee

Chair: Mike Dawes

Members: Elizabeth Bruton, Mike Carroll, Aniko Varpalotai

For the year 07-08 UWOFA's reps on the JC are Elizabeth Bruton, Mike Carroll, Mike Dawes (co-chair), Aniko Varpalotai, Albert Katz/Tess Hooks (*ex officio* observer), assisted by Don Heslinga. The Committee has met 5 times so far this year; the next meeting is scheduled for April 30, 2008.

Some of the matters discussed:

September, 2007:

L/A:

- nominations and elections for committees,
- renewal of Library Directors and Department Heads,
- job description sub-committee,
- annual report and review process, fairness and reporting period,
- chief negotiator release time,
- accrued vacation reduction to comply with CA

Faculty:

- editing of the faculty CA,
- inventory sheets in official files,
- course combinations in Education,
- Employment Equity Guide,
- Personal Wellness Accounts to be renamed Health Care Spending Accounts to comply with CRA,
- Distance Studies Letter of Understanding,
- Annual report format,

Both:

- Amalgamation of Bargaining Units,
- New Senate regulations on posting course outlines,
- Pension fund exposure to non-bank Asset-Backed Commercial Paper

November, 2007:

L/A:

- nominations and elections,
- renewal of directors and heads [completed],
- Job Description sub-committee,
- ARR forms, process and period,
- vacation rollover,
- CN release time,
- benefits web page,
- restrictions on Academic Activities
- preparation for negotiations – one-year rollover concept.

Faculty:

- editing of the faculty CA,
- Distance Studies,
- planned telephone upgrade (VOIP),
- ABCP exposure,
- Althouse working conditions during renovations,

- Alternative Workload documents for Robarts,
- HCSA coverage,
- Copyright for syllabi, Senate requirement to publish,
- Limited-term retirement notice requirement.

January, 2008:

L/A:

- Nomination and election process,
- Library Council,
- academic activities,
- clarification of professional practice vs. service,
- Library Workload Committee compressed timelines,
- benefits web page.

Faculty:

- Distance Studies,
- publication of CA,
- ABCP exposure,
- Telephone upgrade questions and responses,
- copyright, syllabi, Senate,
- L-T retirement,
- Centre for Environment & Sustainability,
- video monitoring.

February, 2008:

L/A:

- academic activities,
- library council,
- benefits web page,
- job description sub-committee terms of reference,

Faculty:

- copyright, syllabi, Senate,
- centre for E&S,
- Limited-duties ranks,
- Robarts AWL,
- Dental Sciences Building to be closed for a few days this summer – early warning,
- Distance Studies.

Both:

- “safe campus” presentation from Elgin Austen,
- video monitoring reports
- telephone upgrade [JC discussion completed].

March, 2008:

Info:

- revised MAPP 1.23 working its way through BoG.

L/A:

- benefits web page,
- nominations and elections,
- flexibility for members in annual report since LibWkldCttee report was so late,

Faculty:

- Centre for E&S – joint working group set up to oversee application of CA,
- LD rank [completed],
- Distance Studies,
- LT retirement notice.

Both:

- video monitoring – UWOFA prefers status quo [item complete for now],
- synchronization of retiree benefits with Ontario Drug Benefit.

In addition to meetings and between-meeting work (both continuation of matters raised at meetings and also in preparation) the Joint Committee oversees the work and considers the reports of sub-committees. Currently there are several at various stages:

- Distance Studies [completed]
- Academic Resp of Members (faculty)
- Career Trajectory Adjustment (faculty) [ongoing]
- Student evaluations of teaching [report sent to JC]
- Workload Study Group (faculty) [on track for completion by end of May]
- Job Description Template (L/A) [report in preparation]