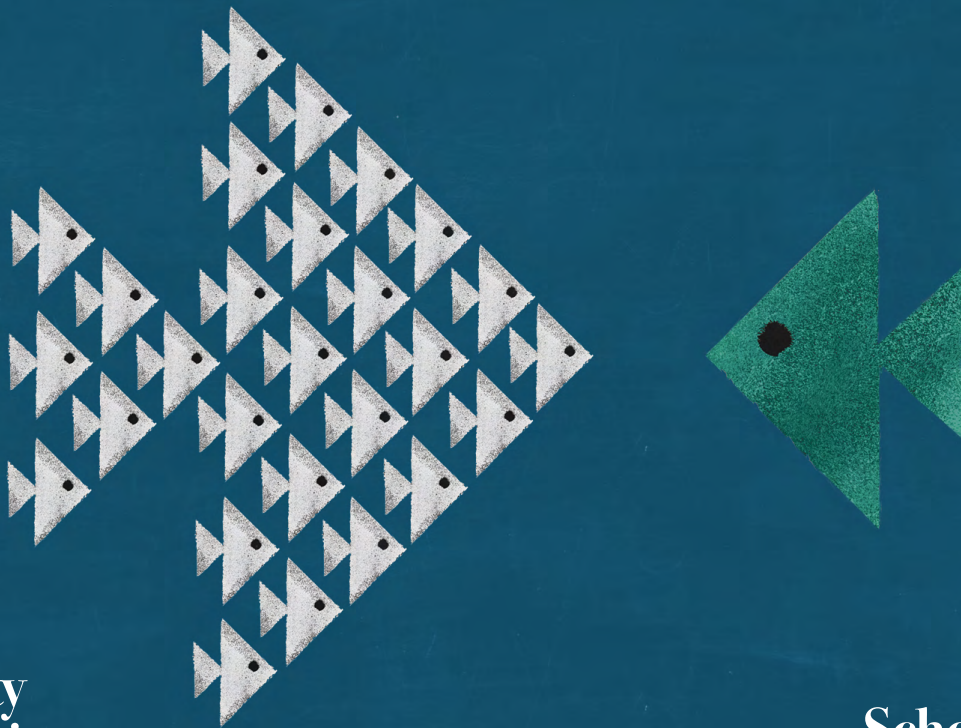


faculty times

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Faculty Times is an official publication of the University of Western Ontario Faculty Association. Articles do not necessarily reflect the views of UWOFA.

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President's Column



The need for consultation

By Stephen G.A. Pitel, UWOFA President

One of the themes I have identified so far during my term as president of UWOFA is a lack of consultation on important issues between various parts of the university and UWOFA. Certainly there is a great deal of consultation – UWOFA is frequently asked for its input on a wide range of issues – but there should be more. It has been frustrating to have to complain about the process before moving to address the substance of an issue: procedural complaints can appear petty and obstructionist. But until we can shift the culture of our institution so that consulting with UWOFA is a matter of course, we will face situations in which we have to elbow for a seat at the table.

Intellectual Property

In June 2017 we heard that the Board of Governors was planning to adopt a new policy and procedure on intellectual property. We wrote to the Board with two procedural concerns. The first was that this change would directly affect our members but we had not been consulted at all. The



second was that this policy and procedure dealt with matters that appeared to UWOFA to fall within the jurisdiction of the Senate, yet they had not been circulated, discussed or accepted by a Senate committee or the Senate as a whole. We had concerns about the substance of the changes, but we had to begin by fighting for a consultation process. We were pleased to hear that shortly after receiving our letter the Board removed this matter from its June agenda.

In September, the Board of Governors again signaled its intention to proceed with the new policy and procedure. In response to more submissions about process from UWOFA, it allowed for a period of consultation. Neither the Board nor the university took the lead on a consultation process, so this was taken up by UWOFA.

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We circulated the proposed changes to our members and called for input. We took the matter to the Senate, challenging it to identify whether it should have a role in reviewing the changes. We submitted a detailed set of comments on the substance of the changes in late October 2017. It is fair enough for the university to want to update its policy on intellectual property, but proper consultation with those to whom it applies is vital.

Student Questionnaires on Courses and Teaching

In August and September 2017 the university hosted two information sessions to discuss, in detail, two changes being made to the online questionnaires. Both are optional and both enhance, to some degree, the feedback available. However, during these information sessions it emerged, only obliquely, that the university has changed the core questions and the rating system. The traditional 16 questions have been reduced and varied to become 10 new

President's Column



I consider it a good day when UWOFA is able to have a positive impact on substantive issues affecting our members. To do so, procedural problems must first get resolved or be eliminated.



questions and the language corresponding to each number on the seven-digit rating scale has

changed. These are significant changes, and we were amazed that they were not explicitly explained in the information sessions. We were also concerned about the lack of consultation with UWOFA about these changes, given that the results of these questionnaires are used for a variety of purposes under the Collective Agreement. As was the case on intellectual property, before we could address concerns about the substance of the changes we had to first overcome procedural issues about the lack of proper consultation and notice.

Other Issues

Recently there have been two smaller but no less dramatic examples of ineffective consultation. First,

in the summer of 2017 members were abruptly notified of a decision by the School of Graduate and Postdoctoral Studies to cease providing examiners with a free printed copy of dissertations. Only an online version would be available for free: members would have to cover the costs of a printed copy if they wanted one. UWOFA was not consulted about this change, despite the obvious effect on our members. We pushed back on this issue and were pleased to see this decision reversed in the late summer.



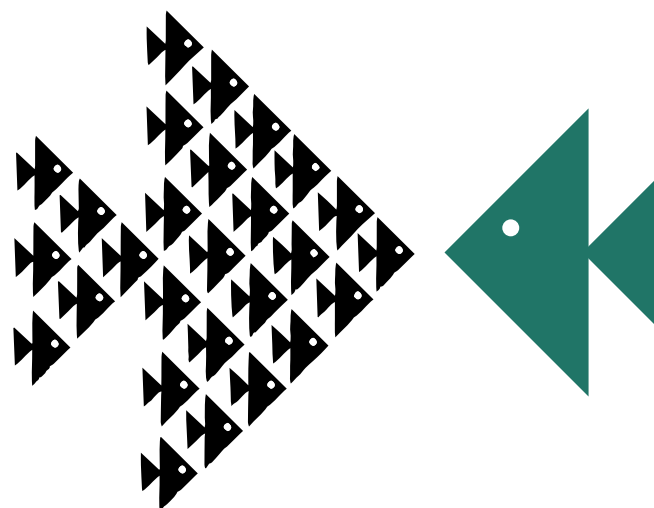
Second, in August 2017 hundreds of students suddenly lost access to archived course pages in OWL. This also affected our members, many of whom had to respond to student inquiries about the change. UWOFA raised the situation with the provost and shortly thereafter she apologized, taking full responsibility and admitting that there should have been better consultation and notice.

I consider it a good day when UWOFA is able to have a positive impact on substantive issues affecting our members. To do so, procedural problems must first get resolved or be eliminated. My hope is that in time the channels of communication will open to the extent that more elements of the university and its administration routinely involve UWOFA in its consultation processes at an early stage. ■



Stephen Pitel is a professor in the Faculty of Law

Opinion



Faculty collective bargaining preparations underway

By Jeff Tennant, Chief Negotiator

As many readers are no doubt aware, our Faculty Collective Agreement expires on June 30, 2018, and so we expect to be at the negotiating table in the spring of 2018.

The Faculty Association has already been at work for several months getting ready for collective bargaining. This past spring, the Faculty Representatives Council met with president Ann Bigelow, deputy chief negotiator Johanna Weststar, and me, chief negotiator Jeff Tennant, to work out a timeline for bargaining preparations and to plan our approach to communications around negotiations.

The Board of Directors and Collective Bargaining Committee (CBC) held an all-day retreat on September 6 to review UWOFA's processes for negotiation preparations and for bargaining, and to have an initial discussion of potential issues that might be raised as we develop our bargaining mandate (our goals) for this round. Since then, the CBC has been meeting to work on mandate development, taking categories of potential issues identified from various sources (notes taken by our professional officer over the

past few years, priority matters for bargaining for other faculty associations in the province and in the country) and studying them carefully in subcommittees.

It is of course too early to say anything definitive about what our goals will be or what the big issues will be in this upcoming round of negotiations, because we need to hear from you, our members, before we can determine UWOFA's bargaining mandate. You will have received the first of our surveys, the "3 X 3 survey". Watch for another survey with more specific questions on a range of issues coming in the next few weeks.

In addition to surveys, we are planning various initiatives to enhance communication between the Association and our members as we prepare for bargaining and as we negotiate for you at the table. The Representatives Council will play a major role in those endeavours, so expect e-mails and face-to-face communication from your unit-level representative. We are working on other means of communication through existing



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social networks as well. In addition, deputy chief negotiator Johanna Weststar and I will be asking to visit department meetings in January and February to ask for your input on the mandate as it is being developed.

The CBC is planning to present the proposed mandate to Members and to the Board for approval in late February. In the meantime, we want to hear from you, so stay tuned, and don't hesitate to contact your unit representative with any suggestions you have. A list of faculty representatives can be found on the UWOFA website at www.uwofa.ca. ■



Jeff Tennant is an associate professor in the Department of French Studies.



Tess Hooks, former UWOFA Grievance Officer, receives CAUT Bernice Schrank Award

At the November 2017 meeting of the Canadian Association of University Teachers, Tess Hooks, former UWOFA Grievance Officer, was presented with the Bernice Schrank Award to honour her commitment to grievance work.

At UWOFA Tess chaired what is now the Committee for Contract Faculty, was elected to the Executive Committee and served on multiple sub-committees. She served on negotiating teams and contract committees. She also served on CAUT's Contract Academic Staff Committee and its Collective Bargaining and Economic Benefits Committee. She was the first chair of OCUFA's Grievance Committee and supported its work for several years.

The Bernice Schrank Award was created in 2013 to recognize outstanding contributions to the enforcement of academic staff workplace rights through grievance/arbitration.

YOUR UNION WANTS TO HEAR FROM YOU

Colleagues,

One of the most important things we need as we prepare to begin faculty collecting bargaining next spring is input from you, the members, about your goals for bargaining. What issues matter most to you?

To obtain this information, we will be conducting surveys. There will be other opportunities for input, such as meetings, but the surveys are a very important tool for us.

Stay tuned for information about an upcoming survey.

Opinion

Family scholarship plan has helped hundreds attend postsecondary education

By Paul Benedetti

Like many immigrants who came to Canada to forge a new life, my parents were big believers in the power of education.

My mother was the first person in her family to complete high school. My father graduated from a polytechnic in Italy. Both were very smart. And both believed deeply that the road to a successful life was through school. In Hamilton where we grew up, there were still good jobs making steel on the factory floor of Stelco and Dofasco. But, as far as my parents were concerned, we were all going to university. Period.

But there was a hitch.

We had five kids in a single income family. And these were the days before you could save money in an RESP, if there was any money left to save.

So, my father sat us all down at the dining room table and said, "You can go to any university in the world – as long as it's McMaster." And that's what we did.

If memory serves correctly – and that's not a sure thing – my tuition in 1974 was about \$600. The deal was the kids paid for our own tuition and my parents paid for books, the clothes on our backs and the roof over our head. The food was pretty good too. Today, sending a child to university costs ten times that much – \$6000 or more. And that's before residence, travel, food, toiletries and what I feel is an inordinate amount of money spent on frappuccinos, but that's another story.

We have three children, all of whom I am glad to say, went on to postsecondary education, either college, university or both. My wife and I did our best to build up an RESP for the kids, but it wasn't enough.

That's why I was thrilled to find out about the UWOFA Dependents' Tuition Scholarship which awards as much as \$4900 per year for students attending postsecondary education. What I found even more remarkable was the money could be used not solely at Western but for any college or university in the country. The scholarship helped us send our children to the schools of their choice.

Last year (2015-16) the fund distributed more than \$1.2 million, helping 272 young people attend college or university. Since 2009-10, the Dependents' Tuition Scholarship Plan has awarded more than 2000 scholarships to the children of Western's faculty, librarian and archivist members.

I believe education will help our kids lead a productive and meaningful life and the UWOFA Dependents' Tuition Scholarship Plan helped us make that a reality.

My parents would be proud. ■



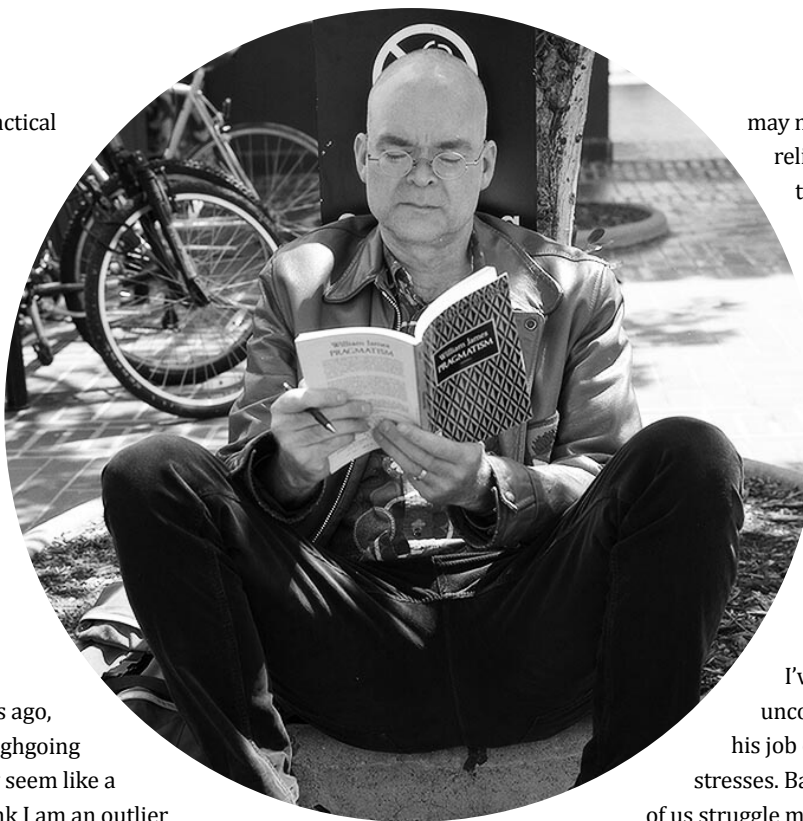
Paul Benedetti is a lecturer in the Faculty of Information & Media Studies

Mental health services available through Employee Assistance Program

By Matt Stahl

One of the most useful and practical benefits to which we UWOFA members are entitled is our employer's provision of individual, couple, and family counseling and mental health benefits. I myself have benefited enormously. Employee Assistance Program (EAP) counselors have helped me to get a handle on perilous (if productive!) work habits, to learn how to deal with situations that used to baffle me, to develop habits and skills that I should have become handy with years ago, and to cultivate a more thoroughgoing optimism of the will. This may seem like a lot—it is a lot—but I don't think I am an outlier among faculty members. Okay, maybe I am an outlier, but the upshot is this: I believe that my use of our EAP services has enabled me to be a better person, partner, colleague, researcher, and teacher, and I believe these services would benefit many of my UWOFA colleagues.

Many of us—I hope most of us—emerged into adulthood better adjusted than I did. It may be fair to say that, for most of us, our employment and employer create or at least exacerbate many of our needs for counseling and mental health services. Nevertheless, however satisfying it may be to make that wry assertion, doing so



may not provide any actual or durable relief. There is no need to rehearse the list of potentially personality-warping pressures and perverse incentives faced by faculty at all levels. Most of the faculty members I've come to know in my nine years at UWO are principled, conscientious, honorable people. (To quote Bilbo Baggins, "I don't know half of you half as well as I should like; and I like less than half of you half as well as you deserve.") But not one of the faculty members I've met or befriended here is uncomplicatedly content in her or his job or without personal or family stresses. Based on my experience here, most of us struggle more or less mightily, more or less all the time. Yet scarcely seven per cent of us take advantage of the individual, family, or couple counseling services to which we're entitled.

In fact, UWOFA members' use of Employee Assistance Program counseling services has not exceeded 10 per cent in the last 15 years, according to one long-time EAP employee, and last year's seven per cent figure represents a slight increase over those years. Maybe I am such an outlier that I just can't comprehend how different from mine are the lives of my fellow UWOFA members, but it's hard to believe that not even seven per cent of us could benefit from these services.



I believe that my use of our EAP services has enabled me to be a better person, partner, colleague, researcher, and teacher, and I believe these services would benefit many of my UWOFA colleagues.

FSEAP is a non-profit corporation owned by Family Services Canada, a registered charity. FSEAP-Thames Valley is the local agency under contract to UWO to offer UWOFA members counseling, credit, nutrition, and other services.

Employee Assistance Program services are practical and useful, and all members should be aware of their availability and of the expertise and dedication of EAP counselors, even while the politics of such services may be critiqued on the basis that they facilitate the personalization and depoliticization of stresses caused or exacerbated by actions of the very employer encouraging us to make use of these services. I exhort all UWOFA members to take a look at FSEAP's frequently-asked-questions page: www.uwo.ca/hr/benefits/eap/faq.html ■

Matt Stahl is an associate professor in the Faculty of Media & Information Studies

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- Clinical consultation for managers and union representatives
- Critical incident management and response



UWOFA scholarships awarded to students across all faculties

The University of Western Ontario Faculty Association (UWOFA) awarded scholarships to 36 students at a reception held on campus on Wednesday, Dec. 6.

The Faculty Association scholarships have been awarded annually since 1971. They are given to students across all faculties at Western, and recognize academic accomplishments in the previous year.

"UWOFA aims to promote and protect the well-being of Western's academic staff and to benefit the intellectual community at Western in general," said Stephen Pitel, UWOFA president. "Recognizing in the tangible way excellent scholarship in the student body makes that concern concrete."

Students and their families gathered together for the reception along with UWOFA past presidents, members of the Board of Directors, provost Janice Deakin, deans and associate deans.



UWOFA: To be continued

By Stephen G.A. Pitel

It might be natural, when in a new environment, to seek out familiar things. As a lawyer, on becoming vice-president of UWOFA in the summer of 2016 one of my first steps was to seek to understand the legal framework within which UWOFA operated. I had no idea that what I thought would be a relatively simple review would turn into a major project.

One of my first questions was whether UWOFA was incorporated. It was, under letters patent issued by the province of Ontario in 1986. But those letters patent were in the name of “The Faculty Association The University of Western Ontario”, an inelegant mouthful, and not UWOFA. Our legal corporate entity had a name we otherwise rarely used in our day-to-day operations.

Of greater concern was the fact that UWOFA’s key governance document was its constitution. Corporate entities do not have constitutions: they have documents which incorporate them and then by-laws made

by the corporation. The statute under which UWOFA was incorporated does not provide for having something called a constitution. So the origins of our constitution needed to be explored.

Various inquiries revealed that prior to 1986 UWOFA was an unincorporated association. Such an association is able to have a constitution, and so it did. As far as I could determine, in 1986 UWOFA was advised to incorporate, which it did by obtaining its letters patent. But it otherwise took no steps to change its governing documents to bring them into the proper form or content for a corporation. For most purposes, it continued to govern itself as though it were an unincorporated association. From time to time the constitution was amended to reflect new developments, but not to reflect the requirements of the statute. For over 30 years this incongruity has persisted.

Once this was discovered, an important decision had to be made. UWOFA is not

required by law to be incorporated: it could be the bargaining agent for its members as an unincorporated association. So one solution was to surrender the letters patent and return to the pre-1986 situation. The other was to maintain the corporate form and bring the governing documents into compliance with the statutory requirements.

The Board of Directors sought advice from Goldblatt Partners LLP and received an opinion recommending staying incorporated. There are several advantages to being incorporated. A corporation is in a better position than an unincorporated association to hold and administer UWOFA’s property and to provide protection to individual officers, directors and other agents from liability for acts done on behalf of UWOFA. Accordingly, in the fall of 2016 the Board of Directors resolved to remain incorporated and to take the necessary steps to bring the governing documents into line.

The choice that then faced UWOFa was whether to revise the governing documents to align with the current Ontario statute, which is dated and likely to be substantially revised in the future, or to transfer from Ontario to Canada to take advantage of its recently-revised corporate statute. The former meant possibly two different revisions – one now and one when the Ontario law changes – or revision based on predictions about what the law might become. The latter was more straightforward since the context is known and unlikely to change. For operational purposes, it does not matter whether UWOFa is incorporated provincially or federally. Our lawyers advised us that other clients had transferred their not-for-profit corporations from Ontario to Canada to take advantage of the more modern statutory context. The process of transferring from one jurisdiction to another is called a continuance. We decided that we would seek a continuance from Ontario to Canada.

In the spring of 2017 the Board of Directors and the membership (by online vote) approved the following motion: “That UWOFa, through one or more of its officers, take the steps necessary to continue UWOFa under the Canada Not-for-profit Corporations Act under the name The University of Western Ontario Faculty Association and with a financial year-end of October 31”.

In the summer of 2017, UWOFa took the steps necessary to leave Ontario and to move to Canada, replacing the letters patent with articles of continuance. The effective date of the continuance was September 7, 2017. As part of the continuance, UWOFa did a name change so that going forward the corporate name would be the one it generally uses.

The most elaborate part of the process has been replacing the current constitution and bylaw with a series of numbered bylaws which conform to the federal statute’s requirements. Bylaws two through eight



The process of transferring from one jurisdiction to another is called a continuance. We decided that we would seek a continuance from Ontario to Canada.

have been prepared internally and address discrete matters including job descriptions for officers, terms of reference and staffing of committees (including the Faculty Representatives Council and the Librarians and Archivists Stewards Committee), the role and development of policies, meetings and votes of the bargaining units and negotiations. Bylaw one is the most important bylaw, dealing with fundamental issues such as membership, directors, officers and meetings. It has been prepared working with our lawyers at Goldblatt Partners LLP. The spirit has been, for the most part, to retain the current operational approach while complying with the requirements of the statute. But we have taken the opportunity to update some of the language for greater clarity and to eliminate some elements of the current documents which are no longer practical or sensible.

Some of the key changes are:

(i) aligning our membership with those who are in the bargaining units. We have eliminated the optional joining of UWOFa by those for whom we do not bargain and the associate member category for those who retire. All known members of these types

have been canvassed about this change and no objections have been raised.

(ii) removing ex-officio directors. The people who formerly held such positions can still attend Board meetings as needed but there is no need for them to be directors themselves.

(iii) clarifying the role and responsibility of the Executive Committee.

(iv) making UWOFa’s audit requirements explicit.

(v) moving the financial year end to October 31 from April 30. This is to comply with the statutory requirement that the annual meeting must be within six months of that year end, given that we want to continue to hold the annual meeting (at which we elect directors) in the spring.

In addition, while not required by the statute, we have chosen to provide that all bylaws are amendable on a 67% majority (rather than 50%) of members voting. This mirrors the requirement in the current constitution, provides for a certain degree of stability and avoids possible confusion about which provisions would require a 67% majority and which would require only 50%.

In September 2017 the Board of Directors unanimously adopted bylaws one through eight. Those bylaws were then confirmed by an online vote of the members in late October. That completed the process. UWOFa is now on a sound corporate footing.

While many people have contributed to this process, I would like to particularly thank the members of the 2016-17 Policy and Governance Committee, the members of the Executive Committee, Jane Laforge (UWOFa’s Administrative Officer) and Darrell Brown and Simon Archer (our corporate lawyers).

Unity Group holds event for Fair Employment Week

By Vanessa Brown

In a show of solidarity, members of UWOFA gathered with other campus unions in October to celebrate Fair Employment Week and push for labour law reform.

The public forum was organized by the Unity Group of campus employee groups representing facilities management, teaching assistants and postdoctoral researchers, graduate students, university staff, faculty members and librarians and archivists. Members of the UWOFA Faculty Representatives Council and Librarians and Archivists Stewards Council also helped make the event a success.

The event drew attention to Bill 148, the *Fair Workplaces, Better Jobs Act, 2017*. In the summer and fall months UWOFA urged Members of Provincial Parliament to vote in favour of the Bill, which includes a minimum wage increase to \$15 in 2019, equal pay provisions for part-time employees doing the same work as their full-time counterparts, fairer scheduling, and rights for all workers to join a union without threat of reprisal. The Bill became law in November.



Members of UWOFA's Committee for Contract Faculty spoke with students during Fair Employment Week about precarious employment.

"I believe precarious employment must be ended in all sectors of our economy, but of course it is the education sector that affects all of us most personally," said Ann Bigelow, a contract faculty member and past president of UWOFA who spoke at the event. "Universities, including Western, have been hiring more and more professors on short-term contracts with low wages, no job security and limited access to benefits."

The advocacy event marks the first time the Unity Group has gathered together for Fair Employment Week, an annual, weeklong campaign begun by the Canadian Association of University Teachers more than a decade ago.

"We are very excited that these unions came together in support of fair employment," said UWOFA president Stephen Pitel. "This event is timely for many reasons, one of which is the strike by Ontario's college faculty members currently underway, because fairness in employment is front and centre as an issue in that dispute. Across Ontario we must strive to replace precarious jobs with secure jobs."

Earlier in the week UWOFA's Committee for Contract Faculty set up a table in the Social Science Centre and spoke with students about the issues affecting contract faculty



Ann Bigelow, a UWOFA contract faculty member and past president, speaks at a Unity Group Fair Employment Week event in October.

members at Western. According to the university's most recent numbers, about 40 per cent of undergraduate courses are taught by contract faculty members. Some of these professors are paid only per course taught and have to teach at multiple universities to achieve a living wage. Many also do not have benefits or job security. They often share that they feel shut out of the regular workforce and undervalued in the university community. Indeed, this is a common concern among contract workers in other sectors of the Ontario workforce. ■



Vanessa Brown is UWOFA's Communications Officer