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A production of the
Communications Committee:
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THE NUFA NEWS

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PRESIDENT'S REPORT

Todd A. Horton

As the 2009-10 academic year comes to a close, it is important to look back and report on NUFA's activities. As a largely volunteer organization, NUFA survives on the hard work of the Executive and committee members, each person devoting numerous hours to help make the Association run as efficiently and effectively as possible. My thanks to all who generously offer their time and service.

This year started with a focus on the already initiated FASBU contract negotiations. May through November witnessed the continued work of the FASBU Collective Bargaining sub-committee whose diligence, stamina and tenacity resulted in a three-year collective agreement for the full-time academic staff. After a much deserved respite, the group is back making preparations for the next round of bargaining.

The new tenure and promotion process, instituted for the first time last year, continues to evolve. It is now housed in the collective agreement, includes procedures and standards, an appeal process and NUFA observers throughout. The challenge continues to be adherence to the timeline once the process has begun. For various reasons, including the challenge of receiving external letters of reference in a timely fashion, dates will have to be reconsidered on an ongoing basis.

This year has seen challenges in other areas as well, most particularly with the denial of several sabbatical applications. This has not been the case at Nipissing in years past but a new attitude is in the air and undoubtedly Members will increasingly face questions about their research commitments. While this may not be atypical in academia generally, NUFA must remain vigilant to less than credible denials and is committed to using the grievance process where appropriate to ensure Members can continue to nurture their research programs.

As stated earlier, the year began with a focus on bargaining and is ending in the same way. CASBU is preparing to begin contract negotiations early next month. The CASBU Collective Bargaining sub-committee is prepared and ready to go. I commend them for their commitment to working on their colleagues' behalf.

Looking forward much remains to be accomplished. First up is the **Annual General Meeting (AGM) set for Tuesday, May 4 at 3:30 in F210** and a motion to amend the NUFA constitution. The Constitution Committee has proposed

and the Executive has approved changes to the composition of certain committees. Removed are limitations requiring committee membership to be from certain faculties. This makes participation on committees easier and will hopefully engage more of the membership in NUFA.

The AGM will also see the tabling of a motion to raise the NUFA mil rate (your association dues). NUFA has the lowest mil rate of all certified associations in Ontario and among the lowest in Canada. Yet, Nipissing University is growing in size and complexity and to adjust requires additional funding to meet membership needs. The vast majority of new funds derived from a raise in the mil rate will go to hiring an office coordinator to assist in handling NUFA business. Your support on this initiative is very important for our future.

Lastly, the AGM will witness the most important order of business for any association, the nomination and election of executive and committee representatives for the coming year (see the table on page 5). NUFA is a radically democratic organization in that each year we go to the membership for rejuvenation and revitalization of our representative bodies. Officers of NUFA have no authority beyond what the membership vests in us. Thus it is important to participate as a nominee at some point to ensure the Association's vibrancy but vitally important to be present for elections to show your support and to have your views heard as to who will speak on your behalf. Quorum is required for a meeting to proceed so I encourage, entreat and hopefully can anticipate your attendance at the AGM on **Tuesday, May 4th at 3:30 in F210** (videolinks to Brantford and Bracebridge TBA).

Next year is going to be both exciting and challenging. Significant changes are forthcoming to Nipissing and to the university system generally over the next number of years but with your support and participation, NUFA will be there to protect and advocate for your rights. Remember, what our predecessors built up can easily be torn down without continued vigilance. See you at the AGM in May!



Update on CASBU Collective Bargaining

The CASBU Collective Bargaining team is nearing completion of their proposal for the next CASBU collective agreement. The team has approached the university to schedule the first meeting and is awaiting their response.

When the Ontario budget was released recently indicating a salary freeze for all public sector employees, there was some concern from CASBU members regarding the impact it might have on negotiations. As per "A Compensation Freeze" below, this does not impact our members.

The CASBU bargaining team represents a fairly diverse group of employees with various interests: full-time members (including Lab Instructors, Seminar Leaders and Service Course Instructors), and part-time, per course instructors (including those for CCE and ABQs). There are two main goals for the new collective agreement that the team has identified. The first goal, after analyzing members' surveys and through discussions with members, is to provide stability for part-time members. CASBU's part-time instructors are the union's most vulnerable members and the team hopes to stabilize their existence at the university. The other key goal for negotiations, considering the various discrepancies that currently exist between CASBU and the other bargaining units on campus and throughout the province, is to close the gap and create greater equality.

CASBU is ready to work with Administration to establish a fair and equitable collective agreement that acknowledges the important contribution that CASBU members' make within the Nipissing community.

A Compensation Freeze? There is NO Compensation Freeze for University Faculties

Rob Breton

The 2010 Ontario Budget includes a Public Sector Compensation Restraint To Protect Public Services Act. In addition to freezing salaries of MPPs, it will also freeze compensation plans for all non-bargaining employees in the broader public sector for two years. According to CAUT, the Canadian Association of University Teachers, and OCUFA, the Ontario Confederation of University Faculty Associations, the budget should have no direct impact on university faculty members. The budget announced a series of restraints for public-service employees and universities are not part of the public service, and our employers are not the provincial government. OCUFA confirmed that, “assurances were given to the OCUFA representatives in the lock-up that this part of the legislation would not apply to any of our members.”

The province has the power to legislate a wage freeze for university faculty members. Bob Rae did just that to the entire MUSH sector (municipalities, universities, school boards, hospitals) in the early 1990s (you’d think they would name a library after him). Changes to the legislated rules for collective bargaining would have to be written as definite changes, as they were by Rae. But this government has not imposed itself on the bargaining process. Granted, much of the language describing the Act is vague. The Act states that there is no funding for wage increases in collective agreements for the next two years. Seems definite. But universities have never received dedicated funding for wage increases. The goal of the Act appears to be to give universities moral power so as to encourage compensation restraint. The province has in effect said ‘please follow the provincial lead by restraining wages.’ Moral suasion is not legislation and if employers want to talk morality, there is much to talk about. Without doubt, employers will try to insist that they must freeze wages because of the government’s Act, but there is no actual legislation in place to enforce a compensation freeze in our sector.

The government is setting up a Public Sector Compensation Restraint Board, an appointed Board that will have the authority to determine whether employees are covered by the Act. After the first Faculty Association or employer appeals to the Board, we will know more.



Report on the Nipissing University Personal Harassment Committee

Gillian McCann

The committee members are Cindy Brownlee, Dean Hay, Dan Pletzer, Jenny Mackie, Lucie Moncion, Al Carfagnini, Gillian McCann, Connie Vander Wall, and Ryan Lahti (this will change Sept.10). There are also three student Rep positions that will also change in September.

Since September 2009, the Committee has met 6 times. In these meetings we re-drafted the Harassment policy for Nipissing to update it and bring it in line with the Ontario Human Rights Code. One of the major changes to the policy includes a different protocol for cases which would take advantage of the expertise of Jenny Mackie, who is now the permanent Human Rights/ Human Resources advisor. The committee included representatives by all stakeholders, including the Board of Governors, NUSU, Administration, and NUFA. This re-drafted policy has been sent out for comments to the broader community and once agreed upon will be printed out for students, Faculty, and staff and posted on the Nipissing University website.

Grievance Update

Susan Srigley

CAUT Grievance Workshop:

NUFA and CAUT hosted a successful Grievance Workshop at Nipissing on February 5th & 6th 2010. Michael Piva from CAUT facilitated the workshop and we had 9 participants. I would like to thank several dedicated executive members for joining us over the weekend, as well as a number of NUFA members who wanted to learn about the grievance process and become more involved within the Association. Participants included: Todd Horton, Joe Boivin, Catherine Murton-Stoehr, Susan Srigley, Sal Renshaw, Jeff Scott, Adam Adler, Mike Parr & Thomas Ryan. The focus of the workshop was sabbatical denials (a timely theme!). We had the opportunity to work through the grievance process from beginning to end on a case study presented by CAUT.

One important reminder coming out of this workshop: Timing is crucial in grievance handling. Please familiarize yourself with the articles on Grievance & Arbitration in the Collective Agreement, and be sure to contact your grievance officer as soon as you feel there has been a contravention of the collective agreement.

OCUFA Grievance Workshop:

I attended the OCUFA (Ontario Confederation of University Faculty Associations) Grievance Committee meeting in Toronto on March 19th 2010. (Jeff Scott attended the January 22nd meeting). The subject of the March 19th meeting was Workload Grievances. Members from Associations at the University of Ottawa, York, and Queens gave presentations on their experiences with workload grievances.

Worth noting was the fact that almost every Association represented at the meeting employed either an Executive Director or (more than one) Administrative Assistants. Given the size of our Association, the people I spoke with were shocked that NUFA did not have administrative support. I believe this lack of support is beginning to show on the faces of our Executive members... In fact, many of the people who attended the meeting were in paid positions (either Executive Directors of the Association or Administrative Assistants). When NUFA participates in these workshops all the time spent is volunteer work for our Executive members.

In the various reports from members of the committee, I did also notice that sabbatical denials are on the rise across universities.

Todd Horton and I will attend the May 28th meeting. The subject for this meeting will be "Equity Issues in the Grievance-Arbitration Process." Cathy Lace will be presenting on the following topics:

- 1) the state of the law with respect to the kind of evidence entertained by arbitrators and judicial bodies ☐
- 2) the kind of evidence associations can collect and bring to bear, including the use of expert witnesses, and how these fit with the legal strategies/tactics ☐
- 3) other issues, such as the role of the human rights complaints processes, and privacy and the collection of evidence. ☐

Below is a table outlining positions within NUFA. You can indicate a nomination or willingness to stand for a position by e-mailing me at toddh@nipissingu.ca Nominations or indications of willingness to stand will also be taken from the AGM floor.

EXECUTIVE	AVAILABILITY	NOMINATIONS RECEIVED
President	1 position	1 nomination received
Vice-President	1 position	1 nomination received
CASBU Officer	1 position	1 nomination received
Treasurer	1 position	1 nomination received
Grievance Officer for APS / Education	1 position	1 nomination received
Grievance Officer for A & S	1 position	Awaiting nominations
Member-at-Large, A & S	1 position	Awaiting nominations
Member-at-Large, APS	1 position	1 nomination received
Member-at-Large, CASBU	1 position	1 nomination received
Member-at-Large, Education	1 position	Awaiting nominations
STANDING COMMITTEES		
Communication	4 positions, one of which must be CASBU	1 nomination, awaiting further nominations
Constitution	4 positions, one of which must be CASBU	1 nomination, awaiting further nominations
Scholarship	4 positions, one of which must be CASBU	2 nominations, awaiting further nominations
Social	5 positions	1 nomination, awaiting further nominations
Women's Caucus	4 positions, one of which must be CASBU	Awaiting nominations
ADVISORY COMMITTEES		
CAUT Defence Fund	2 positions – primary & alternate	Awaiting nominations
Health & Safety	2 positions – FASBU & CASBU	1 nomination (FASBU), awaiting further nominations
Pensions & Benefits	2 positions	1 nomination,
Personal Harassment & Discrimination	1 position	1 nomination
OTHER REPS		
NUFA Observers (Tenure & Promotion)	2 positions – primary & alternate	Awaiting nominations

C A S B U

MEMBERSHIP MEETING

a bargaining proposal overview

Wednesday, April 28th, 4:00

Fideli Room (F210)

(followed by a gathering at Cecil's)

N U F A

ANNUAL GENERAL MEETING

Tuesday, May 4th, 3:30

Fideli Room (F210)

(followed by a gathering at Zorba's Grill)