

NUFA NEWS

WWW.NUFA.CA

Rob Breton, p. 8

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Love Lost for Labour, contd.

When we returned to the table on August 20th, the McGuinty government was just tabling Bill 115, stripping Elementary Teachers of their right to strike and was about to get a zero-increase deal from the College Academic Staff (represented by CUPE). To the very great credit of both sides of the table, we remained tightly focused on getting a reasonable deal while the uncertainty flew around us. In spite of some pressure from the province, our Employer continued to bargain in good faith and we had a ratified Agreement by September 4. It feels like we just squeaked in through a rapidly closing door with just a bit of our little tails nipped off. My feeling has been, let's be grateful for what gains we were able to make, or in the words of a good friend of mine (an authority on the disaster movie genre), "save what you can and keep on moving." However, it is hard not to see the current climate as an engineered "crisis."

The panic in bargaining generated by the attack on labour rights and the conservative "reform" agenda of governments is part of a concerted push to reduce the independence of public

universities and the professoriate. It is tempting to feel a little temporary relief with the resignation of Premier McGuinty. For one thing, the prorogation of legislature has caused the draconian, and probably unconstitutional, *Protecting Public Services Act* to die on the table (jeeze, the titles of these things—calling Mr. Orwell!). If made law, this bill would require that "the Management Board of Cabinet issue 'mandates' that set out criteria by which employers and bargaining units would be required to negotiate a new collective agreement" (OCUFA website, Q&A). If these mandates are not met, the collective agreements would be sent back to the parties for further negotiation or simply be replaced by the Minister's own version of a compliant agreement. The content of these mandates would focus on achieving zero compensation but could extend to "such other matters as the Management Board of Cabinet considers appropriate" [Section 5 (3)]. Tempting though it is to see this danger as having passed, I think it very likely that this kind of radical intervention in bargaining and in the management of

university workplaces is likely to return in some form. Whether this particular bill comes back to the table once the new Liberal leader is chosen, or whether similar, maybe worse, legislation is introduced after an election, the threat both to collective bargaining and university self-governance is real and ongoing. Also tempting us to step down from the action-mode is the resignation of Glen Murray from the MTCU. After all, it seems clear that he has been the principle driver behind the "reforms," which now seem focused mainly on moving courses and degrees online, on "expanded credential options" and on institutional specialization. At the fall OCUFA Board of Directors meeting, then-Minister Murray emphasized working *with* COU and universities (he's listening now, it would seem) and claimed that the "SMAs" represented only carrots, not sticks. Even then, the scope and speed of change had been reduced from the proposals in the spring and summer, so now it is hard to say how much "reform" will actually go ahead from the Glen-Murray-era MTCU.

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Again, let's not relax too much. In the end, the big ideological driver here is "austerity" and as OCUFA President, Constance Adams points out, austerity is a choice not a foregone conclusion: "Austerity is not inevitable—it is the result of political decisions. Our job is to remind the government and the public of this fact." (OCUFA brief on their "Education and Mobilization Plan"). And by "we," she means not only OCUFA but all Faculty Associations and their Members. At the moment, Ontario politics are pretty fluid, and much could happen in the next few months. For the most part, it's not looking good for us, and by "us" I mean Nipissing, small, northern institution with brand-new, untested leadership, and Ontario universities in general.

What can we do to help educate the government and the public about the importance of maintaining strong independent universities and strong unions? Above all, I think we need to be visible and vocal with our students and the North Bay community. We also need to make ourselves known and heard in the province, and one way to work towards this would be to contribute to OCUFA's "Education and Mobilization Plan," presented at the October 27 Board meeting. Among other strategies, they hope to build a network of contacts within individual associations of members who are interested in political action, so if you are one of these kinds of people, let

Angela, me or another member of the NUFA Executive know. They are also hosting a conference "Academia in the Age of Austerity" in January. In his September Memo "Assault on Labour Rights and Post-secondary Education," Jim Turk, CAUT's Executive Director, issued essentially a call to arms for Faculty Associations across the country: "This is the most serious attack on post-secondary education of which we are aware, and most certainly, if this is allowed to happen in Ontario, will become government policy in other provinces. . . . All of us need to be monitoring government policy initiatives, informing our members about the scale and seriousness of what is underway, and taking as vigorous action as possible."

The NUFA Executive will continue to stay informed and pass the news on to you. We will participate in CAUT and OCUFA to help with the joint efforts in lobbying, public education and monitoring of policy shifts. In the end though, we need to take action and to be better advocates for our profession and for the value of our institutions.

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An Unusual Set of Circumstances

REPORT BY HILARY EARL, NUFA CHIEF NEGOTIATOR, 2012

I've been involved in organized union work since 1993. Before my foray into the union, I was a politically active university student who spent most of my time protesting. When I wasn't doing that I played intercollegiate basketball. In other words, I've been on one type of team or another essentially my entire adult life. I was not, I confess, ever the leader of any of these groups; my position was always one of support.

Since arriving at Nipissing in 2005, I have been a member of the Collective Bargaining team (CBC). In the last round of negotiations (2009), under Larry Patriquin's outstanding leadership, I sat at the bargaining table, I was on Larry's left and Rob Breton was on Larry's right. We made an excellent team, but it was an awful experience. Not because I don't enjoy team work, I clearly do and our CBC meetings were often the highlight of my week – you folks don't know what you're missing! The problem was the exceedingly negative ways in which our adversaries personalized the negotiation process. Not only were we disrespected repeatedly at the table, but it was very clear that the administration did not respect labour-relations which made the experience almost unbearable. For

me it meant that I did not sleep well (if at all) during that entire year. To this day I get knots in my stomach if I think about it. You may recall from one of my earlier reports, the 2009 bargaining team negotiated with administration and/or met an absurd number of times – 249 to be specific. Imagine my horror then when Larry told me that he would not lead the negotiation team in 2012, and that he had a cunning succession plan that included me as the Chief Negotiator! My first reaction was an unequivocal “NO”, absolutely NOT! I did not think I was dispositionally suited for the task, nor was I keen to take on something that had been so negative and all-consuming. As you know by now, that all changed largely because there was no one else to do the job, so I “agreed” to be the Chief Negotiator for the 2012 round. As it turned out, with the support of an incredibly selfless and committed team which included Mark Crane, Todd Horton, Gyllie Phillips, Angela Fera, David Borman, Manuel Litalien, Jennifer Barnett, Natalya Brown, Rob Breton, and Christine Grandy, as well as a union executive that unequivocally supported the bargaining team, the task was made much less daunting than I imagined. I'll let you in on a little secret too – I enjoyed it. Yup. I enjoyed the steep

learning curve. I enjoyed each and every one of our meetings, even the 12 hour marathon sessions. I enjoyed the debate, the awful food (not really) but most especially I enjoyed the fact that for the first time since I've been involved in organized union work – that is 20 years now – I encountered an adversary who seemed to respect the process and our contribution to it and that made it a much better experience.

As you are all aware, not only was this round of bargaining conducted against a backdrop of extreme financial constraint and increasing government scrutiny of the Broader Public Sector which threatened to derail the entire bargaining process, our own institution was in flux, rudderless at one point. For the first time in Nipissing's 20 year history, the administration hired a professional negotiator, John Brooks, a partner at Toronto law firm Hicks-Morley, and a seasoned negotiator for university administrations (he is the University of Toronto's labour lawyer).

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AN UNUSUAL SET OF CIRCUMSTANCES, CONTD.

This was a big decision for a small institution. Negotiators are expensive and Nipissing, as we all know, is not a rich institution. From my perspective though, it was money well spent and I would strongly urge them to do this again. Not only did a third party ensure the process would not be protracted, but it also removed the personal element from negotiations and at an institution where community is the most important element of day-to-day operations, I cannot overstate what a difference this made. I slept.

In terms of the negotiations themselves, the Employer came to the table with major demands of their own, demands that had we relented, would have fundamentally changed the structure of the Nipissing University faculty and the way we perform our jobs and experience them. The Employer's initial proposals included punitive measures that would have severely limited our Members' ability to carry out research and take sabbaticals to renew research agendas. They proposed language that would have allowed the Deans sole discretion in determining workload pointing very clearly to a potential return to a 3-3 teaching load, something we fought very hard to eliminate. They also

proposed language which would have made tenure and promotion much more difficult to achieve. They demanded claw backs for remunerating chairs, while also elevating them to mini-deans. And of course, they came to the table with a very austere financial package. At the beginning of negotiations, our prospects seemed grim.

Under considerable financial and political pressures, the Collective Bargaining team did its best to achieve a collective agreement we could be proud of, one that contained improvements in language and which was not punitive. With the exception of one concession on overload and individualized teaching, we were largely successful. We even made some significant gains and we did this all within a framework of fear and austerity.

Now that negotiations are over for 24 months, we need to think about the pressing issues that confront us. The provincial government is seriously thinking about pooling the pensions of the Broader Public Sector. Where Nipissing fits into that proposal is not yet clear since we are in a bit of unique position in that we are one of only a handful of universities in the province who are

in defined contribution pension plans. The pressures that we experienced during bargaining have not gone away. Universities and the way they are funded are under a magnifying glass. Perhaps this round of bargaining was just a bit of good luck, I cannot say for certain. What I can say is that without you and your support we never would have been able to achieve what we did. We are a strong and united community, unusually so in the province. Let's stay that way, work together, and hopefully in the future we will achieve everything we set out to do. On that high-note, I am officially signing off till the new year. I am going to try and complete some long overdue academic work.



The Politics of Collective Bargaining, or

HOW I LEARNED TO STOP BEING SO CYNICAL AND BELIEVE IN PEOPLE POWER

Mark Crane

I remember, back in the summer of 2009, weighing the pros and cons of agreeing to sit as chief negotiator for CASBU. On the plus side, I thought it would be a good way to get to know some of my colleagues, and, if I was really lucky, to make some modest contribution to my professional community. But I was crippled with fear that I was just not up to the task. I was too cynical about politics.

I don't mean politics in the sense of the recent American presidential election (though there is much to be cynical about in that arena) but in its broader conception as a system where relations of power are contested and negotiated. It's one thing, as a historian, to study these relations of power in the past; it is quite another to muck up one's hands with them in the present. Of course, some people would argue that everything we do is political; all the more reason not to add a bunch of meetings to this already considerable burden. More fundamentally, however, I just couldn't bring myself to believe that I could make the membership's voice heard, and even if I could, it probably wouldn't matter anyway.

As I mulled this over I was reminded of Plato's advice (and I'm paraphrasing here) that those who think they are too smart to get involved in politics are punished by being governed by those who are dumber. On second thought, maybe it was the memory of my mother saying "You think you're so smart – why don't you get off your lazy ass and do something!" Regardless, a crack had developed in my cynical armour, and I agreed to do it.

Over the next ten months I was incredibly fortunate to work with an excellent team of dedicated volunteers to produce a package of proposals to bring to the table when our contract expired at the end of April. The preparations were such a positive experience overall – working with that team is certainly a high point in my career thus far – that we went to the table with a great level of confidence in our purpose. Yet more cracks were appearing in my cynical armour.

What none of us realized was that we were walking headlong into the lion's den of both institutional and provincial politics. First, it took the administration over three months to even respond to our request to start bargaining! Once we got to the table, things got off to a promising start, but a month or so into the process the administration imposed a pause on bargaining when the Ontario government "requested" the broader public sector to reach agreements with zero net increases in wages. Seeing as CASBU wages were by far the lowest in the province, there was no way we were going to go along with that. By November, negotiations reached an impasse, and both sides agreed to bring in a conciliator. As you can imagine, my cynicism was returning with a vengeance.

What checked its progress, and stopped it from completely overtaking me, was an overwhelming feeling of solidarity. I felt it from the members on the team (you know who you are), who never wavered in their prime directive to get a fair deal for our members. I felt it in the hallways from the full-time faculty who never wavered in

their support for us. I felt it from colleagues from across the province and country at OCUFA and CAUT collective bargaining meetings. I felt it when, a couple of months later, members overwhelmingly ratified a deal that made considerable gains for our most vulnerable members. The feeling of solidarity simply trumped all the reasons to give up.

This is something that we will do well to remember as CASBU begins preparing for its next round of bargaining in spring 2014, and generally as we sail into the perilous waters ahead. The political situation in the province is more uncertain than ever; the provincial parliament has been prorogued, whatever that means. When they come back in the spring, they could move quickly to bring in wage freeze legislation for the broader public sector, or just as likely a provincial election will be triggered. Who knows where that will lead? This state of affairs is like candy to a bred-in-the-bone cynic: an austerity agenda that threatens slash-and-burn tactics for postsecondary education, politicians waiting in the wings to make political hay of the Liberals' missteps, collective bargaining rights under attack; all sure signs that the world is indeed going to hell in a handbasket.

All the more reason, I say, to remember this one simple dictum: as long as we remain united, we are strong. If we all stand together our voices can be heard, and it will make a difference.

Non-Monetary Gains

- Only authorized representatives have access to *Official Files*, for the purpose of administering the CA or consent of the Member or where required by law
- Members on a *Three-Year Limited Term Appointment* will have a Normal Workload but are eligible to apply for a Research Intensive Workload
- For *Academic Workload*, Members may request a pattern of teaching in two terms, one of which is spring/summer
- Option to spread the impact (of reduced pay during *Sabbatical*) equally over twenty-four (24) months (i.e. 92.5% of nominal salary in each of two years)
- Association has access to confidential contracts for each senior administrative position



Monetary Gains

- One additional *Course Release* for the Association during a non-bargaining year along with the two course releases during a collective bargaining year and in connection with preparing for and/or conducting negotiations for a renewal Collective Agreement
- *ATB* consists of May 1, 2012 increase of 1%; November 1, 2012 increase of 1% (non-compounded); May 1, 2013 increase of 1%; November 1, 2013 increase of 1% (non-compounded); May 1, 2014 increase of 1%; November 1, 2014 increase of 1% (non-compounded)
- Increase to pension plan contributions in 2013 to 9.5% and in 2014 to 10% (less CPP contributions)
- Increase to PER from \$1,800 to \$1,900 in 2013 and \$2,000 in 2014

Highlights of NUFA Gains in 2012-2015 Collective Agreement

for more information visit

www.nufa.ca

Fruition, not Tuition

ROB BRETON, VP, NUFA

Ontario has become one of the least affordable provinces in Canada for people seeking a university education. Recently, the Canadian Centre for Policy Alternatives released a report documenting how the government has shifted the cost burden of higher education onto students and their families. The report – *Education and the High Cost of Learning* – shows that for students who do not receive Ontario’s 30% Tuition Rebate, the province is the least affordable province for both middle- and lower-income families. With the rebate, Ontario becomes the fourth-least affordable province for middle-income students and the second-least affordable place for lower-income students.

According to the Ontario Confederation of University Faculty Associations, “The province is currently dead last in terms of per-student operating funding provided by government. Ontario’s universities receive 25 per cent *less* funding per student than they did in 1990, despite a huge increase in enrolment over

the past two decades.”

NUFA’s position on tuition is clear: students pay too much for their education because government does not pay enough. Everyone benefits when education is made affordable to those who wish to learn. Imagine if employers were taxed with providing young people with the breadth and depth of knowledge universities provide. How much would it cost them to generate the kind of thinkers that universities create, the kind of minds that are prepared not just to *innovate* but to imagine and invent? We need properly funded universities; faculty associations, including NUFA, have a new role to play in agitating for that funding. This is not just for us but for our students and for the quality – and affordability – of the education they deserve.



“NUFA’s position on tuition is clear: students pay too much for their education because government does not pay enough.”

NUFA SCHOLARSHIP COMMITTEE ANNOUNCES...

Three students were awarded Learning Opportunity Awards (LOA):

Alain Carlson
Nathan Mountain
Christine Nussey

All three students attended the Annual Society for Neuroscience Conference which was held this year in New Orleans, with over 30,000 attendees. Alain and Christine presented their research on *Exploratory Behaviour in Planaria (Dugesia dorotocephala): Effects of Solitary and Social Housing*.

NUFA congratulates these students for their initiative in pursuing research and learning beyond the classroom.

The NUFA Scholarship Committee has four rounds of applications in an academic year. The next deadline is December 15. Details and applications may be found on the NUFA website at www.nufa.ca under Forms and Applications.

NUFA WINTER SOCIAL!

Tuesday, December 4th
4:30-7:30pm

RAVEN & REPUBLIC

The NUFA Christmas Social will be held on Tuesday, December 4th from 4:30pm to 7:30pm at The Raven and Republic, 261 First Ave W. Drinks and appetizers will be served. NUFA will provide 2 drink tickets for each attendee. Family and spouses are welcome. We kindly ask that attendees bring one gift item for an older child (11 years and up) to be donated to Big Brothers Big Sisters of North Bay.



OCUFA & CAUT UPDATES

OCUFA (Ontario Confederation of University Faculty Associations)

“Education and Mobilization”

OCUFA has released their plan for a member-led activity at university campus and community levels. Some of the aims of the plan relate to *collective bargaining* and *post-secondary reform*. Specifically,

- prevent the introduction/adoption of **anti-labour legislation** that strips faculty of their **fundamental rights**; and
- move the government off its current **reform agenda** in higher education and ensure that universities and faculty maintain the **authority to govern themselves**; if “reform” is inevitable, then ensure that our members are **meaningfully engaged** in an alternative reform process that acknowledges **the realities of the university sector**, promotes the integrity and autonomy of academic decision-making, and embraces “made in Ontario” solutions; and
- build public recognition of the need for a **university sector that balances teaching, research, and community engagement**.

NUFA needs to get involved and join the organized push-back against the government’s austerity agenda. We would like YOU to get involved with colleagues, with students, and with the community. Please join our ad hoc committee and help us to form a network of members and to formulate a plan for local advocacy, public education and profile raising!

If you want to be involved, or get the complete OCUFA “*Education and Mobilization Plan*,” please contact Gyllie Phillips at gyllianp@nipissingu.ca or the NUFA Office at nufaoffice@gmail.com, extension 4499.

CAUT (Canadian Association of University Teachers)

“The Past Matters”

CAUT has unveiled a national campaign exposing the threats to Canada’s cultural institutions and historic sites and proposing what must be done to reverse the damage. The “Canada’s Past Matters” campaign will highlight how federal funding cuts and policy changes are putting the survival of libraries, archives, museums and historical sites across the country at risk.

For more information, check out the website at:

www.canadaspastmatters.ca and see how you can get involved.