

Issue 7
September 2009

SPECIAL BARGAINING EDITION

THE NUFA NEWS

The *NUFA NEWS* is the newsletter of the NU Faculty Association. We report on issues that concern you. This first issue of the 2009/2010 academic year is focused on FASBU bargaining, on the issues that surround the current cycle of bargaining. We have not forgotten our CASBU Members and encourage all CASBU Faculty to read this issue if only to anticipate CASBU bargaining, slated to begin 2010.

The articles in this number of the *NEWS* discuss some of the broad issues informing our negotiations. For an in-depth, session-to-session account of what is taking place in *the room*, see the NUFA website,
www.caut.ca/nufa/collectivebargainingupdates.htm.

The Collective Bargaining Committee and the Administration meet regularly and for the *NEWS* to delve into too much detail about what has been offered (and what has been rejected), for example, would be irresponsible. Things can change fast. And I hope they do.

As always, we encourage your feedback.
Rob Breton

In this issue:

- MESSAGE FROM THE PRESIDENT.....1
- CONTINGENT FACULTY AT NIPISSING.....3
- CHAIRING SMALL PROGRAMS4
- MERIT PAY.....6
- *NNEWS* IN BRIEF.....7

MESSAGE FROM THE PRESIDENT

Todd Horton



Last week, as I was preparing to meet new faculty for the New Faculty Orientation (NFO), I stopped to have a chat with a long-time colleague. She inevitably asked about the current state of negotiations and as we engaged further she raised a very interesting point. She said to me that she was pretty well versed on the specifics of the issues at the table but that when it came time to articulate these issues to an outsider she was confounded as to what to say. I thought about this point over the next couple of days, talked to several other colleagues and want to respond to this colleague and to all NUFA members who need to understand but want to hear less “insider language”. What is NUFA bargaining for?

It is always about creating and structuring a working environment in which we can conduct our work and design our lives. Specifically, NUFA is endeavoring to help create:

- the highest quality education and a working environment where faculty can engage students through teaching and research
 - ◊ One of Nipissing University's mottos is "one student at a time". It's an appropriate motto as this is and has been a student-centred institution. However, to continue to live up to this motto we need to ensure we can meet, know and work with our students. This is directly related to issues about class sizes, mandated uses of alternative modes of delivery, adequate research time, etc.
- a working environment conducive to recruiting and retaining qualified faculty who will help make NU a top-notch university and who will invest their lives in the North Bay community
 - ◊ Nipissing University needs to have suitable incentives to draw the best and brightest to the university and the North Bay community – and keep them here to enhance the university's reputation, obtain research grants, and engage students in knowledge construction. Spin-off benefits from long-term retention are deeper community roots, the purchase of homes, enrollment in schools, shopping in stores, and the paying of taxes. This point is directly related to our proposals on limited-term appointments, academic workload, benefits, and financial compensation. We already employ some of the best and brightest in their fields, but in the last 45 months we've lost 27 tenured or tenure-track professors – the very people we hoped would stay and become part of our academic and local community. We can do better for them and the many others who are starting to view Nipissing as a "stepping stone" to their next opportunity.

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- a working environment that can be recognized as the "Ontario Standard" when compared to other universities in the province.

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◊Nipissing University used to rank at or above the average in most areas related to working environment in the province. As time has passed we have increasingly fallen behind our comparator universities— Laurentian, Brock, Wilfrid Laurier, and Trent. In some areas we are completely out of whack with others. For example, the issue of benefits for working professors aged 65 and over. Currently, Nipissing is the only university in the province that does not extend benefits to these hard-working professors. For NUFA, this is an issue of equity; yet it characterizes NUFA's general belief that Nipissing

professors are worth the very best, but at the very least are worth the Ontario standard.

The day-to-day process of collective bargaining is difficult. Sometimes when you're immersed in the writing of proposals and counter-proposals you forget that people need to understand your core principles even though these very principles inform the hundreds of words that get typed on the page. NUFA has an incredible collective bargaining team and they've been working tirelessly to obtain an agreement. However, my long-term colleague reminded us all that you do have to communicate your values, articulate what is driving the process and encourage people to support the team. I hope we've gone some way to address this need. Onward!

CONTINGENT FACULTY AT NIPISSING

Gillian McCann



On March 9, 2009, the University Administration proposed increasing the number of 4/4 LTA positions (teaching-stream positions) from seven to fifteen. (In the last round of negotiations, the admin and NUFA had agreed to seven 4/4 positions as part of a transition to a new workload for tenured and tenure-track faculty.) On August 20, 2009, the admin proposed all faculty with a LTA appointment (three-year appointments, two-year appointments, etc.) be assigned a teaching stream workload of at least 3/4 and up to 4/4. *Ed.*

Of the many issues that are on the table during negotiations, the issue of contingent faculty is one of the most important. The term contingent faculty has a wide variety of meanings and in its most general sense refers to academic faculty who are not tenured or tenure track. At Nipissing this form of employment takes the form of Limited Term Appointments (LTAs) and currently comprises approximately 33% of the bargaining unit. This figure does not include courses paid through a stipend. The controversy over contingent faculty was one of the core issues that sent York University out on the picket and resulted in a protracted strike last year.

NUFA is hard at work bargaining for the regulation of this form of employment. So why have so many in the academic community come to see to contractual positions as problematic? There are many reasons. One has to do with issues of equity. Studies such as the one conducted by Linda Muzzin and the Ontario Confederation of University Faculty Associations (OCUFA) reveal that women and visible minorities are over-represented in non-tenured academic work. Many worry that the teaching stream becomes a kind of ghetto from which it becomes increasingly more difficult to escape the longer one remains non-tenured. As contingent faculty have heavy teaching loads, and often work through the summer, they are limited in the amount of research that they can do and this can mitigate against being competitive for tenure-track positions.

Another argument against the expansion of contingent faculty is that it fundamentally undermines the mandate and workings of the university. As the OCUFA Background Paper on teaching-only positions notes, this approach to hiring encourages a commodification of education which, along business lines, sees contract workers as an efficient and cost-effective mode for "delivering" courses. The American Association of University Professors (AAUP) has argued that the increased use of contingent faculty in the US reflects "a slide from providing education to providing training." As colleges already perform this function extremely efficiently in Canada, this represents a bleed-over that undermines both institutions and puts into serious question the ability of universities to run as centres of research, teaching, and learning.

Another concern related to contingent faculty is that this stream essentially creates a two-tier system in which an increasingly small group experiences the full spectrum of academic life, such as research, sabbaticals, and publishing. Universities are by their very nature research-based as this sets them apart from colleges and other institutions that train students to fulfill particular positions and trades. Even someone who truly loves to teach without research can quickly become uninspired and burnt out.

The use of contingent faculty has a serious impact on small institutions like Nipissing, where faculty/student relationships are such an intrinsic part of the institution's philosophy. With 4/4 positions, how can LTAs make time for all their students? How can they write lengthy, detailed comments on student papers? A revolving door policy in relation to staff also mitigates against faculty's commitment to students. While LTAs may wish to commit fully to their institution, the tenuousness of their position requires that they constantly be looking for employment elsewhere.

Beginning in the early 1990s, many believed and embraced the idea of contingent faculty and teaching-only positions as the solution to a variety of challenges, including the double cohort. Increasingly, faculty associations across the country, who have witnessed the real implications of this growing trend, have sought to limit or entirely eliminate these positions. As with out-sourcing and contract work of all kinds in other sectors, the issue of contingent faculty is now being seen as a direct threat to the future of the academy. Many now see that it does not serve either the students or the faculty. Because of this it is an issue that has increasingly become a line-in-the-sand for faculty associations.

CHAIRING SMALL PROGRAMS

Susan Srigley



The Administration wants to eliminate any and all compensation for Department Chairs where the number of full-time faculty is less than four. For departments with a full-time faculty complement of four to seven, the admin proposes a reduction in compensation to a stipend or a reimbursable allowance equivalent to a three-credit overload. For departments with a full-time faculty complement of eight or more, the current course release of six-credits would be reduced to three, with a few other options. See their Bargaining Proposal, 29.4 (page 55). The administration has not moved on this proposal as of August 27. *Ed.*

What are some of the issues that department Chairs and Program Coordinators of small programs face in this current round of collective bargaining? Already, program coordinators receive no recompense for the work they do on behalf of their programs, which now includes meetings with the Arts and Science Executive (along with Chairs), as well as course programming and completing course loading sheets, budgets, curriculum development, hirings and other program administration. The Administration would now like to take away stipends/course releases for Chairs of small programs. This effort is fuelled by the assumption that if your program is small, you have less work to do than if you were chairing a larger department. Let me share with you from my experience and those of my colleagues (our department worked on this list together), a few reasons why we think that Chairs of small departments, *in particular*, are especially deserving of a course release/stipend.

THEY MORE OFTEN HAVE TO SERVE AS CHAIRS: Chairs of small departments end up being Chair far more regularly than in larger departments. In departments of 4 faculty members, with potentially 2 of those un-tenured, that means rotating the Chair position *every*

two years. This is also an equity issue. We are judged by our service, research and teaching the same as our colleagues in larger departments and yet we have to serve as Chair more often, thus taking up valuable research and preparation for teaching time.

PROGRAM/CURRICULUM DEVELOPMENT: Smaller programs need to grow—they cannot maintain the status quo but need to expand to stay viable in a numbers driven world. We can attest to the amount of work it takes to propose new programs and then develop the curriculum to service them. Without an active Chair (with adequate time) to drive this process forward small programs are condemned to remaining small and thus perpetually at risk. And don't forget the notion of 'small' is all about how you count the 'bums on seats'. By way of example, the 'small' RLCT program services nearly 800 students per year (now offering four sections of Intro) and the 'small' GESJ program around 500 each year. If they're not strictly speaking 'our' students then they're the students of 'big' programs who presumably need us.

DISTRIBUTION OF TASKS WITHIN DEPARTMENTS: (this is related to point #1). In larger departments, when there are projects such as curriculum reviews (the most recent example of which was for the workload transition to 3-2), rolling plans, academic plans, strategic plans, and perhaps the most onerous of all, UPRAC reviews, the department is able to distribute the work and form sub-committees in order to share the burden of these departmental tasks. Add to these larger tasks the ongoing demands of such things as hirings, NSO, March and Fall UP Close and it's easy to see just how much work the program Chairs and Co-ordinators of small programs are doing, often single handedly. Where small departments have 2 or 3 full time faculty, the whole department is always the sub-committee, doing all of the work, all of the time, under the guidance of the chair.

INTERDISCIPLINARY PROGRAMMING: The workload involved in interdisciplinary programming which is often a staple of smaller programs and a significant asset to the university itself is phenomenal! It requires co-ordination across many different programs and departments, often doubling or tripling the meeting workload of Chairs. Some programs, GESJ being a notable example, have taken interdisciplinary programming so seriously that they develop courses which often serve at least one if not two other programs. Scheduling and staffing those courses is logistically complex and again increases the workload of the Chair. However, it is in the *financial interests of the university* to encourage deeply interdisciplinary course programming and visioning because it actually *saves* money - you have fewer faculty serving a wider range of programs.

REPRESENTATION ON EXECUTIVE COMMITTEES: One of the reasons the Department of Humanities and Cultural Studies fought so hard for dividing the various programs up into distinct departments was to have an increased voice and representation for the smaller, more vulnerable programs. This means being heard by Deans and ultimately upper administration when it comes to the particular issues that face smaller departments. Without this representation, the Chairs and Coordinators of smaller programs lose their voice in an administrative economy that values size as the primary way of measuring value. Perhaps it is worth reminding everyone of the adage about quality when we are endlessly asked to account for ourselves in terms of quantity.

WHY MERIT PAY IS A BAD IDEA

Larry Patriquin



In their proposal of March 9, 2009, the Administration introduced the idea of ‘an award for merit pay.’ In August, they massively revised their proposal. But as of August 28, they have included very few details of how their merit scheme might work (how much merit pay would be available to distribute to faculty; what precisely would happen to the current Progression Through the Ranks, and so forth). We strongly suspect that the entire proposal has little to do with merit (they first proposed eliminating the Research Awards). We suspect that the administration, plain and simple, wants to decrease the payroll. *Ed.*

WHY MERIT PAY IS A BAD IDEA

1. Creating Income Disparities: A similar number of merit pay awards can greatly alter faculty members’ lifetime incomes, depending on when the awards are received.

2. Variation between Disciplines: Merit pay creates salary anomalies between disciplines, especially in the earlier stages of Members’ careers, with, for instance, faculty in the sciences likely earning more than faculty in the humanities (where typically fewer research “products” are created in the same span of time).

3. Discrimination against Women: Female faculty who have one or more children will have difficulty competing for merit pay on a level playing field with colleagues who are not in a similar situation.

4. Higher Productivity? The main assumption behind merit pay is that we can increase faculty productivity, but many faculty are already working 50 to 60 hours a week. Besides, there is no straightforward way to measure annual rates of productivity in the academy.

5. Perverse Incentives: Because merit pay systems inevitably have a tendency to favour

quantity over quality, they may create “perverse incentives” which encourage individuals to, for example, send their work out in the form of “least publishable units.”

6. Just One More Peer Review? In tenure and promotion reviews, we are judged against a set of *criteria*. In the case of merit pay, you are evaluated directly against your *colleagues* in *all disciplines*, resulting in “apples and oranges” comparisons.

7. Sands of Time: Handing out merit pay increases requires that some people, a group of administrators or a committee of faculty, assess the applications for merit. This process takes an enormous amount of time which could be better spent on other activities.

8. Rowing in the Same Direction: Merit pay is almost always divisive, creating animosity, jealousy, bitterness and resentment.

9. Merit Shmerit: Most merit schemes have a cap on the number of awards. The problem is that a significant number of faculty who have strong, consistent records will be penalized, even though their records are not that different from most of those who will collect a bonus of a few thousand dollars.

We can tweak these schemes, but try as we may we will never be able to eliminate the most serious drawbacks of “merit.”

For a much more detailed version of this article, see: www.caut.ca/nufa/

IN BRIEF

Thanks to Nancy Maynes and the entire NUFA Social Committee for their work in organizing the post-New Faculty Orientation social at Zorba's Grill on Thursday, August 20th. We had a very good turnout as people enjoyed the atmosphere, food and meeting their new colleagues. Join us at our next gathering coming soon!

The NUFA President has had several meetings over the summer with the President of the Nipissing University Student Union (NUSU), Marianne Den Haan, to discuss issues of common interest. NUFA was happy to host NUSU at the NFO social, meeting with Anna Fitzsimmons, VP External, and Ryan Lahti, VP Internal. Great to meet with you Ryan and Anna!

The NUFA Executive has set aside \$5,000 to assist eligible students facing various forms of financial hardship. It has charged the Scholarship Committee to establish criteria, an application and review process, and begin developing a promotional campaign.

Committee to Oppose the Cutting of the Library Acquisitions Budget

Last year the acquisitions budget for the library was slashed. To give you a sense of the scope of the problem: in 2003-04 about \$23,000 was allocated to buy books and materials for English Studies. In 2008-09 the figure was \$12,303.87. In 2009-10 it is \$7,317.42. In fields such as English or History, major new research is published in books. We cannot teach without them. A group of us -- faculty, librarians and students -- are meeting to brainstorm a response. Please join us on Tuesday, Sept 8 at noon in Rm H303, or if you can't make it or want more information, contact James Murton at x4402 or jamesm@nipissingu.ca.

Ottawa and York have recently settled their contract negotiations. Trent, Western and the librarians' group at Brock have applied for Conciliation.

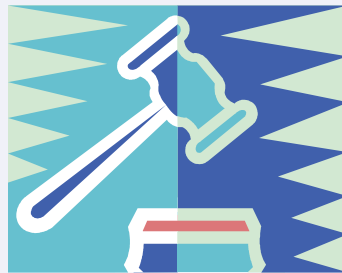
The NUFA President met with Peggy Morrison, President of OPSEU Local 657 for Canadore College faculty, to discuss issues of mutual interest. They have agreed to continue talking and find areas where they can be mutually supportive.

The Wall has been refurbished and will be reopening Monday, August 31st. NUFA encourages faculty to drop in and show their support for students!

The NUFA Executive agreed to sponsor the Near North Voices, a student-faculty-community based choral ensemble to the tune of \$200. We look forward to attending a performance in the near future.

NUFA wishes the new and returning students a fun-filled Frosh Week and a great start to the 2009-10 year!

NUFA GENERAL MEETING



**WEDNESDAY, SEPTEMBER 9
7:00 – 9:00 PM
ROOM: F210**

*Come Hear an Update on Collective
Bargaining Negotiations
& Show Your Support*