

NEWS & *views*

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION

November 2006

From the President

We are at the mid-point of the fall term and for those of you new on the campus I wish to welcome you to the University of Manitoba. All the best in your endeavours. For those of you recently arrived, I look forward to meeting you at our new Members' events at the Association offices and at various other venues on the campus. To my 'seasoned' compatriots, I am sure that we will resume our camaraderie and dialogue in the months ahead.

Based on compilations from the questionnaire sent to you in the spring and communications with the UMFA office, our Collective Agreement Committee is in the stage of setting priorities and drawing up positions for the upcoming round of negotiations to begin in late winter or early spring. In your responses to the questionnaire and your input at the constituency meetings, you have identified a wide range of issues. Prior to going to the collective bargaining table, in the late fall or early winter of this academic year, I'll see all of you at a general membership meeting where positions will be presented and ratification of UMFA bargaining proposals will occur.

Recently, we finished the initial three days of hearings before the Manitoba Labour Board. The administration is attempting to remove

positions from the UMFA bargaining unit. In short, the attempt to remove is directed at those term instructors within the Faculty of Physical Education and Recreational Studies with coaching responsibilities. The hearings are scheduled to resume for an additional three days in November.

The days and weeks ahead will see much work done as we walk on our various paths and carry our various bundles. In the end, we are all academics with the goal of advancing knowledge through teaching, research and service. I look forward to walking with you and encourage you to get engaged in your Faculty Association.

--Tom Booth

Aurora

UMFA is interested in your experiences with the University's new system. Please e-mail us and tell us how Aurora is working for you.

On the Grievance Front

The UMFA office receives several calls a month from Members asking for guidance on matters related to employment at the U of M. Here are some of the issues about which Members have called us for information or advice:

- Maximum untenured period for members whose contracts began in January rather than in July
- Denial of salary increment
- Calculation of research/study leave credits
- Course re-assignment without prior consultation
- Tenure and promotion procedures/denials
- Annual evaluation concerns
- Denial of research/study leave
- Respectful Workplace Policy complaints

Some of these concerns can be addressed quickly and easily. Others, however, represent possible breaches of the collective agreement, the legal document governing employment conditions for UMFA Members. These may become grievances, formal complaints filed against the administration. Where the collective agreement has been violated the procedures that govern grievances are described in Article 32 of the collective agreement.

Here are some of the issues upon which UMFA has filed Association grievances over the last few months:

- Grievance over the administration's attempt to remove term Instruc-

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tors in the Faculty of Physical Education and Recreation Studies from the bargaining unit. Under the Labour Relations Act, UMFA has also filed an “unfair labour practice” complaint against the University administration over this and an application for a Labour Board ruling on this issue. Hearings completed on November 8th.

--Grievance filed over a review of a program by an external body that included negative anonymous comments about individuals, and the use of these anonymous comments in the determination of work assignment.

From the Contract

Like many legal documents, the collective agreement between UMFA and the U of M administration can be complicated and hard to follow. In this space, we'll take some time to explain the significance of articles in the agreement, and to remind Members of the rights that these articles define.

Article 9. Vacations

Article 9 states that each UMFA member has 27 working days of vacation “in every full year of service.” This means time during which you are not accountable to the University. These days are in addition to the 11 statutory holidays identified in Article 8. This also means that regardless of when you begin your contract with the University you have an immediate entitlement to those 27 days, subject to the provisions of Article 9.

This article also says that a member who does *not* work during the Christmas/New Year's break designated by the University “shall count these days off as part of vacation entitlement.” This phrase has caused some confusion. Some Department Heads, Deans or Directors may automatically be counting days when

the University is closed as Member “vacation days,” but that is not what the article permits. The contract states that Members must declare their vacation times to their Deans/Directors. In the absence of that declaration, Members are presumed to be working, even when the University itself is closed. UMFA Members routinely work when the University is closed—marking papers, doing research, preparing classes, and attending conferences.

The Association would like to remind Members to make certain that days when the University is closed **are not automatically being deducted from your vacation entitlement**—unless you have declared those days as vacation, and so informed your Dean/Director.

Board and Executive Activities

Sex and Salary Study

A Special Meeting of the Executive Council was held to discuss the report “Sex and Salaries at the University of Manitoba: Systemic Discrimination in a Canadian University.” A full discussion of the report, implications and possible remedies to be sought took place. External legal advice was sought and a meeting with the University President was requested.

A meeting was then held with the University concerning the study. Agreement was reached on joint funding of a new study of gender and salary at the U of M. A joint committee of 6 members, 3 appointed by the administration and 3 by the Association, will engage an independent researcher and set the parameters for the study.

Canadian Centre for Policy Alternatives Membership

The Board of Representatives recommended to the Annual General Meeting that UMFA become an organizational member of the Canadian Centre for Policy Alternatives—Manitoba. This recommendation was accepted and CCPA publications have begun to arrive.

CAUT Defence Fund Appointees

The appointments of Sharon Taylor-Henley as CAUT Defence Fund Trustee to the CAUT for the term July 1, 2006 to June 30, 2009 and Brenda Austin-Smith as the alternate from July 1, 2006 to June 30, 2007 were confirmed by the Board of Representatives. Sharon and Brenda join UMFA's other trustees Dennis Felbel and Tom Booth. Dennis also serves as the Defence Fund's Treasurer.

UMFA Denounces Board of Governors Conduct at First Nations University

UMFA followed the lead of the CAUT and denounced the conduct of the Board of Governors and senior administration of First Nations University of Canada. The CAUT statement supported by UMFA stated that "The self-serving and personally motivated actions of the Governors and acting senior administrative officers have done severe damage to important principles of academic freedom and scholarship at the First Nations University of Canada and, accordingly, have seriously undermined the value of the education and research at the First Nations University of Canada."

UMFA Donates to YAR

A donation of \$300 was made to the Youth Activist Retreat. The Youth Activist Retreat is an annual retreat started in 1999 which brings together young people who want to build caring cooperative environments in their high schools, universities, workplaces and the wider community.

UMFA Donates to Graduate Employee Unions Conference

The conference is a forum for labour activism and post-secondary education. A contribution of \$1000 was made to the Graduate Students' Association to support the conference.

UMFA Supports Presentation by Dr. Emily Toth

UMFA sponsored a presentation by Dr. Emily Toth, Professor of English and Women's Studies, Louisiana State University and author of *Ms Mentor's Impeccable Advice for Women in Academia*. The event took place on September 27, 2006.

Western Regional Meeting

Oct. 12-14, 2006

UMFA representatives joined over 40 other representatives from approximately 20 faculty associations and provincial organizations in Western Canada for a meeting in Lethbridge, Alberta to share information about issues and the actions taken to address these issues. Common themes centered on mandatory retirement, workload, job-related stress and the difficulty in negotiating fair salary settlements. There was also a report from the CAUT on initiatives regarding the preservation of academic freedom, with President Greg Allain pointing

out that there are now more investigative committees than ever before looking into violations of the rights of academics. CAUT is very concerned about the intentions of the current federal government with respect to copyright legislation and on the funding cuts already made to Aboriginal programs, skills and literacy training, social policy research and funding for Status of Women Canada. The problem is compounded by the restrictions Prime Minister Harper has placed on access to MP's and to members of the government caucus.

How to Contact UMFA

Email: faum@umfa.ca

For a specific staff member:

lguse@umfa.ca
byapps@umfa.ca
jpringle@umfa.ca
jzwiép@umfa.ca

By foot:

West wing, St. Andrew's College
Fort Garry Campus

By mail:

100-29 Dysart Rd.
Winnipeg, MB R3T 2M7

By telephone/fax:

474-8272 fax: 474-7548

www.umfa.ca