

# MAFA NEWSLETTER

## Mount Allison Faculty Association

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It's only

**281**

**days until the expiration of our two collective agreements...**

**Reminder! The MAFA New Members' Party is this week, on Friday, September 25<sup>th</sup>, at 4:30 pm, at the University Club. Everyone is welcome.**

### PRESIDENT'S MESSAGE

I hope all will turn out for the MAFA party on Friday. New faculty and professional librarians who have not yet signed up for MAFA membership will be able to get their memberships at the door.

This year promises to be busy because collective bargaining with the Employer will start at some point prior to the end of the academic year. Meetings of the collective bargaining subcommittees will start soon. Already the Collective Bargaining committee has done extensive work preparing documents for the committees to use as they check with our members to see what you want in the next collective agreement. Our chief negotiator, Steven Law (Economics), has been named, and MAFA will proceed to naming the entire negotiating team over the next few months.

We are still spending a lot of time on grievances. Geoff Martin (MAFA Professional Officer) and I met with the University President and the Provost on the RJCBS grievances, and later Jeff Lilburn (MAFA VP) and I met with the University Provost and the VP Administration on the same issue. As the Grievance report says, a partial solution was reached, but we are proceeding to arbitration on the remaining issues.

In any event, right now, our main activity is Friday's party.

Rick Hudson, President

### GRIEVANCE NEWSFLASH

MAFA and the Employer have reached a partial settlement of union grievances over the recent appointments to the Ron Joyce Centre for Business Studies (RJCBS). One of the grievances, concerning the letter of appointment which appointed a member of the bargaining unit to a tenure track position in the RJCBS, has been completely resolved: a new letter of appointment has been drafted which appoints the member to the Department of Commerce.



The second grievance, involving a series of issues related to the appointment of the Director of the RJCBS, has been partially resolved: the process for appointing Department Heads, which is outlined in Article 18 of the Collective Agreement, has been initiated.

Unfortunately MAFA and the Employer have been unable to reach agreement on the more substantial question of whether or not the Director of the RJCBS should be a member of the bargaining unit. MAFA believes that the responsibilities of the Director are the responsibilities of members of the bargaining unit. MAFA filed for arbitration on this matter (along with the related matters of the processes by which the Director was appointed and granted tenure) on September 17th. Dates for the hearing have not yet been set.

MAFA continues its preparations for the arbitration on hiring outside the bargaining unit in the Library. That arbitration hearing will be held on November 3 and 4.

Loralea Michaelis

### **In case you were wondering . . .**

The phrase "hiring outside the bargaining unit" refers to the Employer practice of hiring individuals to do the work of bargaining unit members without actually appointing them to the bargaining unit. MAFA, like every other union in Canada, is created by a certification order issued by its provincial Labour Board. The order defines the bargaining unit and successive collective agreements elaborate upon this order, detailing the work of bargaining unit members and identifying excluded positions.

By "hiring outside the bargaining unit" Employers attempt to reduce the numbers of bargaining unit members (for instance, by claiming that the individuals in question are doing the work of managers) or to reduce costs (for instance, by appointing individuals to a lower paid bargaining unit). In the particular case of academic unions, individuals who do the work of bargaining unit members but are appointed outside of the bargaining unit do not have academic freedom.

Furthermore, if the Employer is successful in the case of the RJCBS Director, we may see more departmental heads converted into managers, particularly in larger departments, which is thankfully a rarity in Canadian universities.

### **MAFA'S LAWYER PROVIDES 'VOLUME DISCOUNT'**

MAFA is pleased to announce that we have negotiated a discount on the hourly rate we pay our lawyer. Owing to the increased amount of work our lawyer is doing for us, in the area of grievance and arbitration, he has offered us a 10% discount for general counsel, and more importantly, a 20% discount on grievance, arbitration and hearings.

Of course, his hourly rate is still pretty high. MAFA is trying to minimize the sums we spend on the lawyer (including by making use of advice from CAUT), but we will do what is necessary to defend our collective agreements, especially where the composition of our bargaining units is concerned.

### **HOT OFF THE PRESS ON COLLECTIVE BARGAINING**

MAFA has recently appointed Tim Reiffenstein (Geography and Environment) as chair of the Childcare subcommittee of the Collective Bargaining Committee.

This now brings the number of active subcommittees to 17.



In addition, MAFA has added the mandate of "Working Conditions" to the Collegial Rights subcommittee, chaired by Ivan Cohen (Classics). If you

would like to join either of these subcommittees, please contact the chairs or the MAFA office.

### **STRIKE SIGNS LOOKING FOR A HOME**

MAFA would like to thank Cathy Baker (Mathematics and CS) for storing MAFA picket signs in her garage for ten years!

Do you live in Sackville and have dry, extra storage space? If so, these strike signs are looking for a new home. If you're interested, please contact the MAFA office.

### **MAFA MEMBERS ATTEND EDUCATIONAL ON NEW BRUNSWICK LABOUR HISTORY**

On May 1<sup>st</sup>, Erin Steuter, Kathleen Lord, Professional Officer Geoff Martin and I attended a day-long Canadian Labour Congress (CLC) Labour History Workshop in Moncton. The purpose of the workshop was to provide an overview of labour history in Canada and in New Brunswick.

Spanning the period from the late 1700s to the present, the workshop paid particular attention to key events and milestones such as the formation of the first craft unions, the Winnipeg General Strike of 1919, and passage of significant labour legislation. The day ended with a discussion of more recent times, and how the last few decades have seen the development of a pattern of attempts to undermine the labour movement and reverse earlier gains in working conditions and the interests of workers and citizens.

CLC offers its workshops on a semi-regular basis. If you are interested in attending a future workshop, please

contact the MAFA office.

Jeff Lilburn

### **CAUT REPORT**

Most members will be aware that MAFA is a member of the Canadian Association of University Teachers, which provides MAFA with a great deal of assistance in the areas of preparation and conduct of collective bargaining, and assessment of grievance and arbitration. The CAUT also advocates for post-secondary issues at the federal level.

The CAUT is governed by a Council, which meets in the Spring and Fall of the year. At these meetings, MAFA is represented by the President and sometimes by another Executive member.

However, we contribute to CAUT in other ways. I work on the Contract Academic Staff (CAS) committee, one of eight CAUT committees. These committees do the bulk of the work in drafting policy statements and model clauses, and committee members see all of the work in the “pipeline” before it goes to the CAUT Council for approval. They also organize workshops and conferences. The focus of the CAS committee is on improving the terms and conditions of work of full- and part-time academic staff who are employed on a contract, rather than tenured/tenure-track basis.

These meetings are also a good forum for the informal sharing of ideas. For example, Canadian Union of Public Employees (CUPE) Local 3902, the part-time faculty at the University of Toronto, have just joined CAUT and now has a seat on the CAS committee. It’s nice to see improving relations between CUPE and academic staff associations in CAUT.

Geoff Martin

### **CANADA REVENUE AGENCY MAKES FAVOURABLE CHANGE TO TAXATION OF TUITION BENEFITS**

In response to a federal Tax Court ruling, the Canada Revenue Agency has recently decided that tuition benefits that go to an employee’s dependents will be deemed as income for the dependent student and not as a taxable benefit for the employee.

This is now reflected on the Mount Allison Human Resources web site and HR is in the process of contacting members who are currently affected by this.

### **SCHEDULE OF EVENTS, 2009-10**

Please mark these dates on your calendar:

**New Members’ Party**, Friday, September 25th, 4:30 pm, University Club.

**Fall General Meeting**, Tuesday, December 8th, 1:30 pm, Avarad Dixon G12

**MAFA 25<sup>th</sup> Anniversary Celebration** – Tuesday, December 8th, 4:30 pm, University Club

**Spring Annual General Meeting**, Monday April 12th, 3 pm, Avarad Dixon G12

**Retiring Members’ Party**, April 12th, 4:30 pm University Club

### **DO YOU TEACH ON A PART-TIME BASIS?**

If so, you are eligible to apply for funding from the Vice-President (Academic and Research) in support of your “professional responsibilities.” The Vice-President has \$6141 at his disposal in this academic year, and eligible items include “the purchase of books, subscriptions, supplies and travel expenses,” among other possibilities.

Please note that full-time members, in Unit 1, are not eligible to apply for these funds. When you apply, please send a copy of your application to the MAFA office. Your application should reach Dr. Stephen McClatchie by October 13, 2009.

For more information, see article 29.01 in the unit 2 collective agreement.

### **MAFA 2009-2010 EXECUTIVE**

*Richard Hudson - President (Commerce)*

*Peter Brown - Past President (English)*

*Jeff Lilburn - Vice President (Library)*

*Rob Cupido - Unit 2 (History/Continuous Learning)*

*Maritza Fariña - Membership (Modern Languages and Literatures)*

*Zoe Finkel - Collective Bargaining (Geography and Environment)*

*Gina Grandy - Treasurer (Commerce)*

*Loralea Michaelis - Grievance (Political Science)*

## Collective Bargaining

The MAFA Collective Bargaining Committee welcomes all faculty to the start of a new round of negotiations. Our collective agreements with the Employer expire in July 2010 and our committee is in charge of preparing a package of items that would improve our working conditions.

There will be several opportunities to share your views on how to improve the collective agreements so stay tuned for announcements regarding participation in focus groups on particular bargaining issues in the coming weeks. In addition, we will be posting some options from other universities' contracts in the newsletter to initiate a dialogue about how these might work at Mount Allison. The Collective Bargaining sub-committees are: Academic Freedom/Privacy Rights; Appointments; Benefits; Childcare; Collegial Rights/Working Conditions; Department Heads; Equity; Student Evaluations; Intellectual Property; Librarian issues; Monetary issues; Retirement; Sabbatical/Librarian leaves; Tenure and Promotion; Union Rights; Unit II; Workload.



### Collective Bargaining Dialogue #1: Child Care Provisions

Many of our members have let us know that obtaining access to licensed and affordable child care is a concern that they would like to see addressed in the current negotiations. Here are some of the ways that other universities have dealt with the issue in their collective agreements. Let us know your thoughts by coming out to the child care subcommittee meetings (stay tune for dates and times) or contact the MAFA office ([mafa@mta.ca](mailto:mafa@mta.ca)).

1. University provides a licensed child care facility for students, faculty and staff. Guaranteed and/or subsidized spaces for children of faculty for daytime and after-school care.  
Currently available at Memorial, Cape Breton, Moncton, MSVU, Western, Guelph, McMaster, Ottawa, Trent, Athabasca, Brandon, UBC, Calgary, Manitoba, Saskatchewan, SFU, Victoria
2. University partners or contracts with existing child care facility to provide guaranteed and/or subsidized spaces for children of faculty for daytime and after-school care.  
Currently available at UPEI, SMU, Sainte-Anne, StFX, Waterloo, Laurier, Bishops, Concordia, Regina
3. University reimburses faculty for child care expenses that meet Canada Revenue Agency criteria for the Childcare Expenses Deduction.  
Currently available at: UofT, Queens, Alberta (up to \$2,500 per year).

The members of the collective bargaining committee are: Zoe Finkel (Chair), Jeff Lilburn, Helen Pridmore, and Erin Steuter. The chair of the Childcare Subcommittee is Tim Reiffenstein (Geography and Environment).

Feel free to contact [mafa@mta.ca](mailto:mafa@mta.ca) with any bargaining ideas or suggestions.