

# MAFA NEWSLETTER

Mount Allison Faculty Association

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Retiring members (l to r) Paul Bogaard, Rebecca Burke, Jack Stewart and Lex Wilson were fêted at MAFA's annual Retiring Members' Party in April. We wish them well in their future endeavours! (Photo courtesy of M. Fariña and J. C. Martínez)

**It's been 76 days since the expiration of our two collective agreements...**

## **NEW MEMBERS' PARTY!**

All faculty members and librarians (and their partners or spouses) are invited to attend the annual MAFA New Members' Party.

Please join us on **Friday 17 September beginning at 4:30 pm at the University Club** (President's Cottage,

between the Avard Dixon and the Biology buildings). There will be great food and wine. In addition, every adult who attends will receive one drink ticket for other alcoholic beverages. Spouses and families are welcome, and child care costs and local taxi fares will also be reimbursed (on request, we will be happy to supply you with a blank receipt form at the welcome table).

We hope that you will be able to attend.

## PRESIDENT'S MESSAGE

Welcome to new faculty and professional librarians, and welcome back to members returning from leaves.

The summer has been busy as usual for all of us. Here on campus it has been particularly busy with negotiations for a new Collective Agreement. Negotiations are proceeding extremely slowly. The old agreement expired on June 30, but stays in force for one year or until a new agreement is reached. Even after more than 35 meetings between the two negotiating teams, very little is signed off. The slow progress is starting to be a matter of concern.

MAFA applied to the provincial government for conciliation in late June and the conciliator has met with the two sides, starting in late August. In conjunction with the arrival of the conciliator, MAFA held a members' meeting on negotiations. After the end of the meeting, we had a straw strike vote, where **92.1%** of the 114 members voting voted yes to the question: "As a member of MAFA, I am willing to take job action, including a strike, in support of MAFA's bargaining positions."

We will probably have more members' meetings as negotiations continue.

The most important part of my message in this newsletter is to invite everyone to our New Members' Party, on Friday, September 17, 2010, starting at 4:30 pm, in the University Club. Besides the free wine, food, desserts, etc., for the new members the highlight of the party is undoubtedly meeting old members. Spouses, partners, children, etc. are invited. Child care expenses are reimbursed.

I hope to see you all there.

Rick Hudson  
President

## STRIKE CONTINGENCY COMMITTEE REPORT

During the summer, the Executive named Bob Rosebrugh and Peter Brown co-chairs of the Strike Contingency Committee. Peter and Bob then sought other members. The Strike Contingency Committee now includes the following members and subcommittees: Michael Fox, is chair of the Communications Subcommittee, and Rhianna Edwards and Elaine Naylor are chairs of the Picket Line Subcommittee; Peter Brown and Vicki Meli are in charge of strike services, and David Fleming and Bob Rosebrugh

will take care of finances.

## GRIEVANCE REPORT

MAFA is pursuing three grievances at the moment.

1) Hiring outside the bargaining unit. Union grievance, filed May 10, 2010. Members will recall that MAFA filed a union grievance in 2009 over the Employer's advertisement of an IT Specialist in the Library (to be appointed to the MASA bargaining unit). MAFA believed that the duties and responsibilities of that position were properly the duties and responsibilities of a professional librarian (in the MAFA bargaining unit). The Employer denied the grievance and MAFA filed for arbitration.

On the afternoon of the first day of arbitration MAFA and the Employer agreed to use the arbitrator, Bruce Outhouse, as a mediator in an attempt to resolve the dispute. A mediated settlement was reached and signed by both parties on November 12, 2009. When the position was readvertised the Employer revised the job description but did not follow the language to which it had agreed in the settlement. MAFA filed a union grievance, citing the violation of Articles involved in the original grievance (12,01, 12,02, and 12.09) as well as the violation of the mediated settlement. The Employer denied the grievance and MAFA filed for arbitration on June 18th, 2010. MAFA and the Employer have agreed to use Bruce Outhouse, the original mediator, as arbitrator in this dispute. The arbitration has been scheduled for November 29th, 2010.

2) Hiring outside the bargaining unit. Union grievance, filed August 4, 2009. This grievance concerns the appointment of the Director of the Ron Joyce Centre for Business Studies as an administrator outside the bargaining unit. MAFA filed a grievance on the grounds that the responsibilities associated with this position are the responsibilities of members of the bargaining unit. The Employer denied the grievance and MAFA filed for arbitration on September 17<sup>th</sup>, 2009. The arbitration was initially scheduled for September 29, 2010 but the arbitrator to whom MAFA and the Employer had agreed was forced to withdraw for health reasons. The arbitration has been rescheduled for December 1, 2010, and will be heard by Bruce Outhouse (following the Library IT arbitration).

3) Academic freedom and management rights.

Individual grievance, filed July 20, 2010. MAFA filed this grievance at the request of an individual member to address a violation of both academic freedom under Article 9 and the duty to manage which attends the management rights that the Employer enjoys under Article 4. The Employer denied the grievance on September 2, 2010. MAFA is now consulting with the member.

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) and 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.

### MAFA LOOKING INTO EVALUATION IRREGULARITIES

If you received an evaluation this summer that causes you concern, you are encouraged to contact the MAFA office. MAFA is looking into irregularities in evaluation and may be able to report on this in future issues. You are also encouraged to contact MAFA if you should have received an evaluation over the summer but did not receive it.

### ARE YOU GETTING MAFA EMAILS?

Several MAFA members have said that they have not

been getting MAFA emails, and one member suggested that MAFA emails were being directed away from his Inbox in MS Outlook. For example, if you are looking at this hard copy and did not get it in electronic form, you can email the MAFA office and make sure your email address is correct. You can also check and see if MAFA emails are being redirected away from your Inbox.

### WANT TO GO PAPERLESS?

We now live in a world in which many people want to minimize the use of resources like paper. Every year, MAFA asks members to contact the office if they want to receive only the electronic, PDF version of this newsletter. People who said last year that they are content to receive just the efile will continue to receive it. If you get a hard copy over the next few days and you only want to get the efile, please email your preference to us.

Also, if you've changed your mind and want to get the hard copy, please email MAFA and let us know that you want to be added to the paper copy list.

### SCHEDULE OF EVENTS, 2010-11

Please mark this date on your calendar:

**New Members' Party**, Friday, September 17th, 4:30 pm, University Club.

### MAFA 2010-2011 EXECUTIVE

*Richard Hudson - President (Commerce)*

*Gina Grandy - Vice-President (Commerce)*

*Peter Brown - Past President (English)*

*Jeff Lilburn - Collective Bargaining (Library)*

*Loralea Michaelis - Grievance (Political Science)*

*San Patten - Unit 2 (Sociology)*

*Robert Rosebrugh - Treasurer (Math and CS)*

*David Thomas - Membership (Political Science/  
International Relations)*