

MAFA NEWSLETTER

Mount Allison Faculty Association

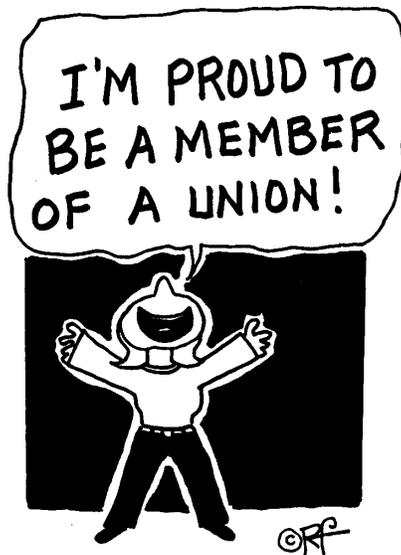
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October 4, 2010

It's been **96** days since the expiration of our two collective agreements...

PRESIDENT'S MESSAGE

Let me start with some good news, by recognizing the very successful New Members' party earlier this month. I want to thank all those involved in organizing the party.



Negotiations, as you can read elsewhere in this newsletter, are proceeding very slowly. This is a matter of some concern. While negotiations never go quickly or smoothly at Mount Allison, this year's negotiations have

been exceptional. Normally, smaller items get settled, some important items get withdrawn by one side or the other, and negotiations come down to major issues.

Every negotiation period at Mount Allison (but not elsewhere) uses the provincial conciliation service. It seems that agreement just doesn't come at the table here without the conciliator. In the last two negotiations, agreement was reached with the help of the conciliator. But in the previous three negotiations, in the 1990s, we had two strikes and only one agreement after conciliation. This time, the conciliator, Rick Merrill, first came to campus over a

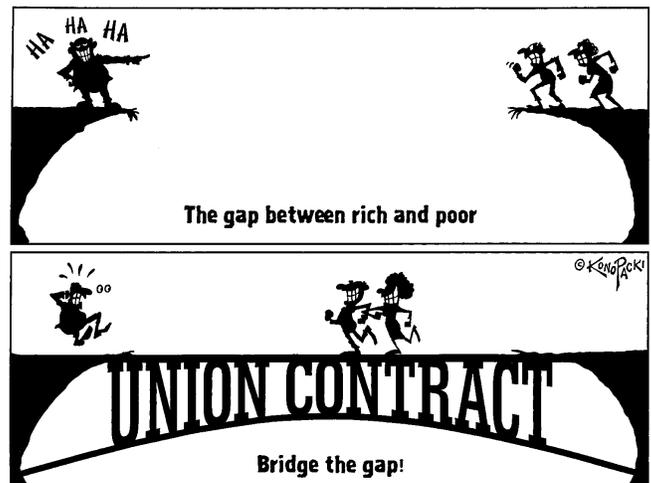
month ago, on August 19, and has been back several times, but an agreement seems as far away as ever.

You'll read elsewhere in the newsletter about some actions taken by the administration which are, I believe, unprecedented in our union-management relations here. I won't comment on them, but it would be best if we all come to realize that it is possible to reach a collective agreement through negotiations at the table.

Rick Hudson, President

LABOUR RELATIONS NEWS

MAFA learned in the middle of September that the Employer had taken actions which, in our view, implemented some of the proposals it had made at the table. In MAFA's view, these actions were a violation of the collective agreement, and they were also a violation of the "statutory freeze" (under the law, no



changes can be made to terms and conditions of employment for one year after the expiry of the collective agreement), and would open the administration to charges of bargaining in bad faith. We have made a complaint to the province's Labour Board.

COLLECTIVE BARGAINING UPDATE

There have now been 45 meetings between the two teams, and not much has been signed off. Conciliation has been going on for over a month, but, unfortunately, this time, conciliation doesn't seem to be working. On October 4, MAFA asked the conciliator to return to Fredericton and write his report

If conciliation ends -- a decision only the conciliator can make -- the conciliator will report to the minister who will take the next step in the process.

A MESSAGE TO MAFA MEMBERS

The following message was sent to MAFA members following a rather strange email from the Communications Director:

You have received an email from the university's Communications Director about collective bargaining, which contains some curious statements.

At the bargaining meeting of September 28 between the Union's and Employer's bargaining teams, the MAFA representatives announced that conciliation was not working and we would be asking the conciliator to return to Fredericton and report to the minister.

The Employer's chief negotiator had already announced he would be unavailable to negotiate for the following two weeks -- until October 12.

MAFA representatives recommended that dates for further negotiations be set on the return of the Employer's chief negotiator.

As far as MAFA is concerned, no one has "walked away from the table." The end of conciliation is not the end of bargaining. The bargaining ends only when there is a new collective agreement.

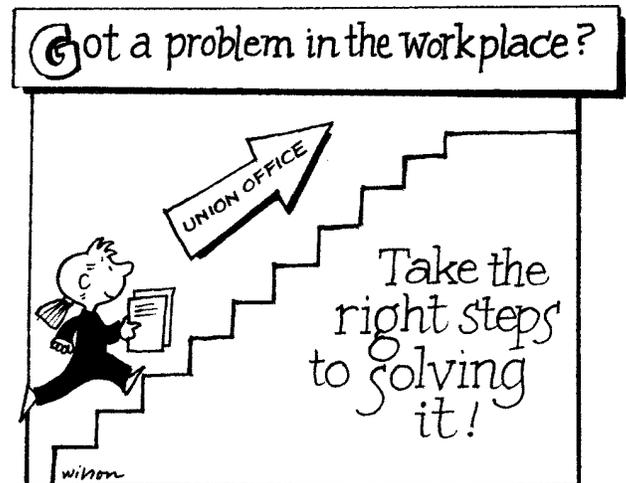
Richard Hudson, President

GRIEVANCE REPORT

Since the last newsletter, MAFA has added two more grievances to its grievance file, bringing the total to five.

Ongoing:

- 1) Hiring outside the bargaining unit. IT Specialist position in the library. Union grievance, filed May 10, 2010. Arbitration scheduled for November 29th, 2010.
- 2) Hiring outside the bargaining unit. RJCBS Director. Union grievance, filed August 4, 2009.



Arbitration scheduled for December 1, 2010 .

- 3) Academic freedom and management rights. Individual grievance, filed July 20, 2010. Step 2 filed September 18th. Grievance meeting with the University Grievance Officer is pending.

New:

4. Evaluations. Individual grievance, filed September 30, 2010. A member received an evaluation which is in violation of a number of provisions in Article 14 as well as other Articles in the Unit 1 Collective Agreement. Step 1 meeting with the evaluating Dean is pending.
5. Evaluations. Union grievance, filed September 24, 2010. The Employer confirmed that the Director of the RJCBS signed evaluations for a number of faculty members for the 2009/2010 academic year. Article 14.01 of the Unit 1 Collective Agreement requires

that the evaluation of faculty members be carried out by a Dean (as defined in Article 1.01). Meeting with the University Grievance Officer is pending.

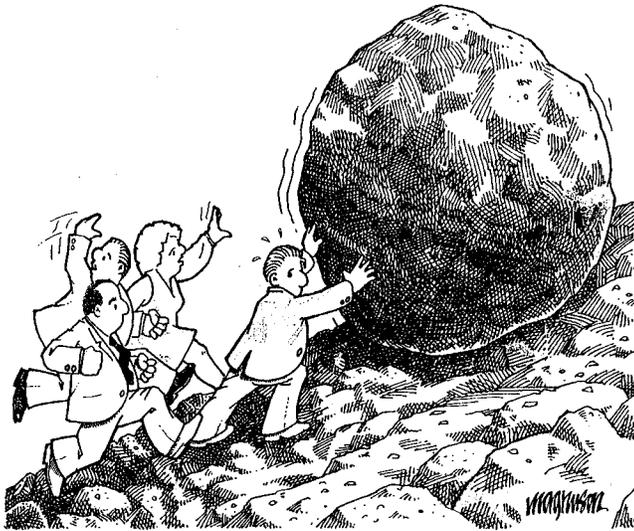
Loralea Michaelis

EVALUATIONS

Employees are evaluated by their Deans or by the University Librarian – every two years for those with tenure, and every year for others.

According to the collective agreement, the evaluation must state that the employee's performance was "Satisfactory" or "Not Satisfactory" for each of Teaching, Research, and Service. While the Dean or University Librarian may write comments, the final evaluation is limited to the terms "Satisfactory" or "Not Satisfactory". Some deans have used a form where they check a box next to "Satisfactory" or "Not Satisfactory".

MAFA has been told by the Employer that some evaluations have said something other than "Satisfactory" or "Not Satisfactory". In particular, some evaluations may have said "Satisfactory, but



...". In our view such an evaluation would be a violation of the collective agreement and could confuse committees who examine the evaluation in making decisions (such as the Tenure & Promotion committee).

MAFA does not receive copies of the evaluations but we would urge anyone who has received an evaluation which says "Satisfactory, but ..." or

anything else other than an unqualified "Satisfactory" or "Not Satisfactory" to contact MAFA's Professional Officer, Geoff Martin at mafa@mta.ca, 364-2289, or in room G-5 of Centennial Hall.

PART-TIME MEMBER AWARDED RESEARCH AND CREATIVE ACTIVITY STIPEND

MAFA would like to advise its members that Prof. Dan Steeves (Fine Arts) has been awarded a 2010-11 Mount Allison Part-Time Research Stipend.

Professor Steeves, a well-known print maker, will work on a new series of prints in which he reflects on a number of his recent experiences, including a visit to a concentration camp in Mauthausen, Austria; coping with a loved one's medical battle; and appreciating the "beauty of the Bay of Fundy's metaphoric landscape."

He will receive a standard stipend at the 2009-10 rate (\$5220) as salary support for his creative activity. MAFA has been informed that having received only three applications in September, the Employer will open a competition for another research stipend early in 2011.

STRIKE CONTINGENCY COMMITTEE REPORT

The Strike Contingency Committee has been meeting to plan in case job action becomes necessary. Our work has been guided by the CAUT Strike Manual which summarizes experience from the many Academic Staff strikes across Canada. We are following a time-line that will ensure that MAFA is prepared for job action.

Several subcommittees have been struck to carry out the necessary preparations. They are:

Strike Support Subcommittee (responsible for Strike Headquarters, food and transportation)

Picket Line Subcommittee (picket signs, picket captains and teams, picket locations and scheduling)

Communication Subcommittee (assisting the Executive and Negotiating Team in preparing information and dissemination to members, students

and media)

Finance Subcommittee (receiving strike pay from the Defence Fund and donations from other Associations, payment for strike activities and strike pay)

The subcommittees are being staffed and you may be asked to join one, or better still, please contact mafa@mta.ca or a member of the Committee if there is a subcommittee you would like to work on.

Members of the Strike Contingency Committee are:

Peter Brown, Rhianna Edwards, David Fleming, Mike Fox, Vicki Meli, Elaine Naylor, Bob Rosebrugh

pm University Club

MAFA 2010-2011 EXECUTIVE

Richard Hudson - President (Commerce)

Gina Grandy - Vice-President (Commerce)

Peter Brown - Past President (English)

Robert Rosebrugh - Treasurer (Math and CS)

Jeff Lilburn - Collective Bargaining (Library)

Loralea Michaelis - Grievance (Political Science)

San Patten - Unit 2 (Sociology)

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

SCHEDULE OF EVENTS, 2010-11

Please mark these dates on your calendar:

Fall General Meeting, Tuesday, December 7th, 1:30 pm

Spring Annual General Meeting, Friday April 8th, 3 pm

Retiring Members' Party, Friday, April 8th, 4:30
