

MAFA NEWSLETTER

Mount Allison Faculty Association

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PRESIDENT'S MESSAGE

A new MAFA Executive took office at the start of May and I would like to begin by thanking all new and returning executive members for their service to the Association. It has been a busy summer. In addition to developing a new MAFA Grievance Policy designed to complement changes made earlier this year to the MAFA Constitution and By-laws and preparing for arbitrations surrounding a number of linked grievances (see Grievance Report, below), the Executive has this summer begun preparations for the next round of collective bargaining.

As members will know, our two collective agreements are set to expire on June 30th 2019 and the next round of bargaining will begin next Spring. The Collective Bargaining Committee has been struck and has started to meet. Chaired by Collective Bargaining Officer David Fleming (Science), the committee also includes Sarah Fanning (representing Part-time faculty), Anne LePage (Libraries & Archives), David Rogosin (Arts), and Erin Steuter (Social Sciences).

As announced previously, and as discussed in more detail below in the Collective Bargaining Report, for this upcoming round we will use a system of sub-committees to examine major articles and issue areas in the full-time and part-time agreements. The Collective Bargaining Committee is in the process of striking the sub-committees and will be working with each sub-committee through the fall term. Your participation in this process will be crucial as we get ready for this next round. Please consider serving on one of the sub-committees and plan to attend open

meetings that will occur during the fall term. For more information about how you can get involved with preparations for bargaining, please contact David Fleming, myself, or another member of the executive or of the CB Committee, or drop by the MAFA Office.

Finally, the next section of this newsletter offers an update on academic staff complement, and once again the numbers provide cause for concern. The complement of full-time faculty and librarians has dropped from an already low 149 to 146. As the table below makes clear, there is a disturbing trend developing, with the four years with the lowest number of FT academic staff since 2005 all occurring within the last five years. This trend raises questions about the employer's commitment to sustaining and advancing the academic mission of the university. The decline in full-time academic staff complement will no doubt also be carefully considered by all members as we move forward with preparations for the next round of bargaining.

Jeff Lilburn
President

THE CURRENT STATE OF MOUNT ALLISON'S FULL- AND PART-TIME ACADEMIC COMPLEMENTS

This year, for the fourth time in the last five years, full-time complement has dropped below 150. By comparison, for the nine years from 2005 – 2013 full-time complement was never lower than 152 and was 160 or higher for three of these years.

Academic Staff Complement, 2005 – 2018		
Year (in Sept.)	Full-time complement	Part-time complement
2018	146	37
2017	149	47
2016	151	46
2015	142	43
2014	146	46
2013	156	49
2012	160	48
2011	162	39
2010	155	32
2009	154	35
2008	157	34
2007	160	28
2006	152	35
2005	152	36

Full-time numbers include all academic staff except for those on maternity, child care, administrative leave or disability. Part-time numbers count individuals and exclude the small number of full-time members who also teach on a part-time basis. No information is provided on part-time work volume. This year, unlike all past years represented in the table, the part-time complement is engaged only in on-campus teaching; to date no correspondence courses have been authorized for the fall or winter terms. The decline in part-time numbers can, in large part, be attributed to this.

Numbers only go back to 2005 because that was the first year after the full-time bargaining unit was expanded to include full-time sessional contract staff, instructors and teaching post-docs. MASSIE teachers are also not included in the data, since they have only recently been added.

Geoff Martin
Executive Director & Professional Officer

COLLECTIVE BARGAINING REPORT

As of this summer, we have now entered the final year of our existing full-time and part-time collective agreements. In preparation for the upcoming round

of collective bargaining (2019), MAFA has formed a Collective Bargaining Committee. The committee will be responsible for reviewing the existing agreements, consulting with members about possible changes, and making recommendations for bargaining priorities.

The Collective Bargaining Committee will be creating a series of subcommittees to examine various contract articles and issues of interest. Beginning in the Fall term, the subcommittees will invite members to provide feedback and discuss possible ways forward. This model of preparing for negotiations has previously been used by MAFA, most recently in the 2010 round. Examples of potential subcommittees could include Collegial Rights, Tenure and Promotion, Equity, Monetary Issues, Workload, Evaluations, Union Rights, Librarians' Issues, Benefits, Part-time Issues, Sabbatical/Librarian Leaves, Grievance and Arbitration, Appointments, Intellectual Property, Childcare and Dependent Care, Academic Freedom and Privacy, Department Heads, and Retirement.

If you have a special interest in a particular subcommittee, please contact with any member of the Collective Bargaining Committee, or contact the Chair of the committee (David Fleming, dfleming@mta.ca). More information will follow.

David Fleming
Collective Bargaining Officer

GRIEVANCE REPORT

Upon beginning my term as Grievance Officer on May 1, 2018 there were two open grievances. Both of these grievances have been settled, as follows:

2017-05 – Union Grievance, filed October 2017. The grievance concerned violations of the Collective Agreement by a Dean whose canvassing of students for feedback about a particular course yielded feedback about other courses taught by other faculty members, which was then passed along to the Heads of the members' departments. MAFA alleged violations of Articles 4, 7, 9, 14, 16, 17, and 35 of the Full-time Collective Agreement. The grievance was

settled in a Memorandum of Agreement between MAFA and the Employer which was signed by both parties on April 23, 2018. MAFA agreed to withdraw the grievance and the Employer affirmed that none of the information which was collected will be used for any purpose whatsoever and that the Deans “shall not canvass students for information about any other course or Employee through student questionnaires delivered in classes taught wholly or in part by the Dean.”

2017-07 – Individual grievance, filed October 2017. The grievance concerned the Employer’s actions in the handling of a workplace harassment complaint. MAFA alleged violations of Articles 4, 9, and 11 of the Full-time Collective Agreement. The grievance was settled in a confidential Memorandum of Agreement between MAFA and the Employer which was signed at the end of July 2018.

There have been a number of new grievances filed since the last Executive Newsletter in March 2018, as follows:

2018-03, -05, -07, -08, -09 -- Five individual grievances, filed in May, June, and July 2018. 2018-04 and -06 -- Two union grievances, filed in May and June 2018. This group of seven grievances is concerned with serious procedural defects in the Employer’s application of its equity policies in addition to procedural flaws in the policies themselves. MAFA has alleged violations of the “fair and reasonable” provisions of Articles 4 (Management Rights), 11 (Employment Equity and Non-discrimination), and 9 (Academic Freedom). The Employer has denied all grievances and MAFA has filed for arbitration. Discussions are under way with the Employer to consolidate the grievances and to finalize the composition of arbitration panels.

2018-10. Union grievance, filed August 2018. This grievance concerns the Employer’s commitments on the compensation of part time studio courses in Fine Arts; because these courses involve six contact hours per week rather than the usual three hours in the rest of the arts and social sciences, MAFA is arguing that they should be compensated accordingly. The Employer has denied the grievance but settlement discussions have begun.

2018-11. Individual grievance, filed August 2018. This grievance concerns issues of equity and collegial governance in the Employer’s assignment of teaching in the member’s department. MAFA has cited violations of Articles 4, 12, and 18. The grievance was presented on August 30 and MAFA is waiting for the Employer’s response.

With thanks to Dave Thomas, the first member of MAFA’s new Representation Panel, to Geoff Martin, and to members of the Executive for their critical acuity and assistance with the grievance portfolio. Many thanks to individual grievors for your commitment and resolve in coming forward with issues.

Loralea Michaelis
Grievance Officer

DE BENEDETTI PRIZE AWARDED FOR 18TH YEAR



At MAFA’s Annual General Meeting in April 2018, George De Benedetti presented the 2017-18 De Benedetti Book Award to Shannon Power.

The Prize is awarded annually to a Mount Allison student “from any discipline who has a good academic record and who has demonstrated significant involvement in student, university-wide, and/or broader community issues in areas including but not limited to: social justice activism; labour rights and/or union activities; or advocacy work.”

Shannon was very active on campus, as an organizer with Divest MTA for 3 years (2015-2018), including

participating in civil disobedience action in Ottawa against the Kinder Morgan Pipeline in Fall 2016 and assisting in planning the Divest MTA campout and Centennial Hall protest. She also worked as an intern with Sexual Harassment and Assault Response and Education (SHARE) during the 2016-2017 academic year, after volunteering for SHARE for 2 years prior.

**SIGNIFICANT ARBITRATION DECISION
ON USE OF STUDENT QUESTIONNAIRES
FOR TEACHING EVALUATION**

Over the last number of years there has been significant discussion at Mount Allison on the subject of student surveys and their role in the evaluation of faculty teaching effectiveness. Below is an extract from the Ontario Confederation of University Faculty Associations' (OCUFA) summary of an important interest arbitration decision at Ryerson University that we think will be of significant interest to members. Especially noteworthy is the fact that the arbitrator based his reasoning on the same leading social science research which MAFA used in developing its own position on student surveys in the last two rounds of bargaining.

Excerpts from the OCUFA report:

A recent arbitration award between the Ryerson Faculty Association and Ryerson University has established an important precedent for faculty associations, and lends support to others who have been arguing that student questionnaires are deeply problematic instruments for the purpose of evaluating faculty members' teaching effectiveness.[...]

Arbitrator William Kaplan lends critical momentum with his award. [...] He accepts that SETs do have value as the principal source of information from students about their experience. However, he states that, while SETs are "easy to administer and have an air of objectivity," insofar as assessing teaching effectiveness they are "imperfect at best and downright biased and unreliable at

worst." [...]

He accepted the expert evidence of Professors Philip Stark and Richard Freishtat that student evaluations of teaching cannot be used to assess teaching effectiveness. [...] The evidence provided by Stark and Freishtat shows that SET results are skewed by a long list of factors, including personal characteristics (such as race, gender, accent, age, and physical attractiveness) and course characteristics (including class size, subject matter, traditional teaching vs innovative pedagogy, etc.).

The complete OCUFA summary of the award can be found here: <https://ocufa.on.ca/blog-posts/significant-arbitration-decision-on-use-of-student-questionnaires-for-teaching-evaluation/>

Kaplan's award, and Freishtat's and Stark's pivotal reports are also available online:

Ryerson University v Ryerson Faculty Association, 2018 CanLII 58446 (ON LA), <<http://canlii.ca/t/hsqkz>>

Richard L. Freishtat, *Expert Report on Student Evaluations of Teaching (SET)*. Prepared for the Ryerson Faculty Association and the Ontario Confederation of University Faculty Associations. September 30, 2016.

Philip B. Stark, *Expert Report on Student Evaluations of Teaching (Faculty Course Surveys)*. Prepared for the Ryerson Faculty Association and the Ontario Confederation of University Faculty Associations. October 10, 2016.

DO YOU WANT TO GO PAPERLESS?

MAFA sends newsletters out both electronically and in hard copy. If you do not wish to receive the hard copy of the newsletter, please email mafa@mta.ca.



JOINT LIAISON REPORT

Since the last newsletter, there were five Joint Liaison meetings on March 23, April 20, June 1, July 4, and July 17. Katherine DeVere-Pettigrew, Leah Garnett, Diana Hamilton, Geoff Martin, and Jeff Ollerhead were all present at the March 23 and April 20 meetings. Katherine DeVere-Pettigrew, David Fleming, Leah Garnett, Geoff Martin, and Jeff Ollerhead were all present at the June 1 meeting. The same members attended the July 4 meeting, with the exception of Leah Garnett. On July 17, Sabine Beisser, Nauman Farooqi, David Fleming, and Leah Garnett attended.

We have discussed the following topics:

- Plans for Faculty Evaluations and CDRs for 2018
- Reminders to convene Joint Committees
- Presentation of and feedback on the Student Survey Scantron report
- Procedural issues regarding the posting of spring session courses and Continuing Part Time Appointments
- Contract problems related to misinterpretation of First Right of Appointment requirements
- Questions about communicating changes in correspondence courses to faculty and students
- Procedural questions regarding letters of appointment, the assignment of courses, and

departmental consultation in the assignment of courses

- Maple League course programming and administration
- Request for the timeline for moving to key card access to academic buildings and questions about data collection through a key card system
- Member concerns about Financial Services policy on research/teaching purchases
- Questions regarding compensation for stipends
- Questions about a pending WorksafeNB case
- Questions regarding work load implications of the library joining Novanet
- The allocation of office space during sabbaticals
- Consultation on documents compiled by Deans
- Provost’s presentation to the NB Legislature Select Committee on Public Universities
- MAFA proposal for an MOA to create Part Time Continuing Appointments in the Library

Respectfully,

Leah Garnett
Vice President

CAUT SPRING COUNCIL AND ACCFA ANNUAL MEETING

In April, MAFA VP Leah Garnett and I attended CAUT Council. This multi-day meeting is held twice a year in Ottawa and is the venue for discussion and approval of CAUT policies and for the exchange of information about issues faced by academic staff associations across the country. The Spring meeting of Council is also the venue for the election of members to the CAUT Executive Committee and for appointments to standing committees and we congratulate Lorelea Michaelis on her three-year appointment to the Academic Freedom & Tenure Committee. My term on the CAUT Librarians and Archivists Committee ended at this meeting of Council.

Spring Council featured several invited guests and speakers including Science Minister Kirsty Duncan who spoke at some length about the importance of federal government support for fundamental research. A number of CAUT policy statements and model clauses were reviewed and several member resolutions were passed. Two of these may be of particular interest to readers of this newsletter: a resolution moved by the Dalhousie Faculty Association expressed concern that the principle of collegial governance is threatened when searches for senior academic administrators fail to include open presentations by short-listed candidates. Another member resolution, moved by the York Faculty Association, condemned actions and policies of the York University Board of Governors and Senior Administration for their attempts to broaden the Board's jurisdiction in ways that undermine the authority of Senate over academic affairs.

In June, Geoff Martin and I attended the Atlantic Canada Council of Faculty Associations (ACCFA) annual meeting which this year was hosted by the FNBFA here in Sackville. Presentations and discussion focused on employer-side trends in collective bargaining, including the role played by the Canadian Association of University Business Officers (CAUBO); on how the trend towards greater reliance on contract academic staff is not just a cheap labour strategy but also about increasing managerial control; on issues associated with administration-led indigenization initiatives occurring within a context of austerity; and on issues arising out of free speech debates on our campuses.

Jeff Lilburn

COMING EVENTS

All MAFA members are encouraged to attend these coming events:

2018

Friday 21 September 4:30pm University Club, **New Members' Party**

October 22-26, Fair Employment Week

Tuesday, 4 December 3 pm (Room: Flemington 116 [Auditorium]), **MAFA General Membership Meeting**

Tuesday, 4 December 4:30pm University Club, **MAFA End of term social event**

2019

Friday, 5 April (Time: 3 pm) (Room: Avarad Dixon G12), **MAFA Annual General Meeting** and Election of Executive for 2019-2020

Friday, 5 April 4:30pm University Club, **Retiring Members' Party**

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MAFA 2018-2019 EXECUTIVE

Jeff Lilburn, President (Library)

Leah Garnett, Vice-President (Fine Arts)

Matthew Litvak, Treasurer (Biology)

David Fleming, Collective Bargaining (Physics)

Loralea Michaelis, Grievance Officer (Politics and International Relations)

Toni Roberts, Part-time Officer (Sociology)

Lori Ann Roness, Membership and Advocacy Officer (Sociology/MASSIE)

The Past President position is currently vacant.