

**Delegate report to the UPEIFA Executive
Meetings of CAUT Council and the Provincial Associations, April 29 - May 2, 2004
Prepared by: Wayne Peters, CAUT Delegate and President-Elect**

Recently, I attended the 56th Council Meeting of the Canadian Association of University Teachers (CAUT) as the delegate for the UPEIFA. While there, I also attended the meeting of the provincial associations that represent university faculty associations in each of the provinces. This report will summarize some of the more interesting issues addressed at each of these meetings. For your information, the agenda for each is attached. Let me know if there is an item for which you would like to see the background information.

1. CAUT Council Meeting

• Agenda Items 6 & 7 - Presentation on Employee Benefits

Presentations on this topic were given by the Canadian Benefits Consulting Group (retained by CAUT) and by Neil Tudiver, CAUT Chief Negotiations Officer. The key points made were that **unions must be educated consumers** when it comes to negotiating benefits and that **unions must be directly involved in the management** of benefits plans. The insurer will not respond to the union when the plan is managed by the employer.

Other key points that were made are:

- this is a primary area in which the employer typically saves \$ at the expense of the employees
- ask key questions: What do we have now? What are our priorities? What is the real cost?
- benefits must be considered as part of the compensation package and negotiated as such
- major challenge to get benefits on the negotiating table in the first place
- tax implications of premium co-pay model are important
- CAUT now looking at implementing a benefits plan for retirees
- CAUT willing to facilitate workshops in this area

• Agenda Items 8 a) and 25 a) - Report on Administration and Finance

CAUT's budget for 2004-05 is approximately \$5M. Approximately \$3.8M of this comes from membership fees from approximately 34,000 members across the country. Our portion of this is budgeted at approximately \$31,600. FYI: The total faculty salaries paid out across the country is approximately \$2.6B.

• Agenda Item 9 c) - Freedom to Publish

CAUT is initiating a campaign to raise awareness and to undertake actions to enhance the freedom of academic researchers to publish. This is in response to cases worldwide, including one in Canada (Olivieri at UofT), where the funding industry has fought to suppress the publishing of unfavourable research results. Presently, collective agreements typically refer to the individual's right to publish which leaves individuals open to coercion from funders to sign away these rights as a condition of funding. Also, exceptions typically allow funders to impose publishing delays of one, two or more years. CAUT's proposed action includes the implementation of two policies at every post-secondary institution in Canada.

- The intent of the first policy is to ban universities from accepting or administering external funding that limits freedom to publish except in unusual circumstances and for no longer than 60 days, and to further enshrine the right to disclose information about risks to research participants or the general public that become known in the course of research.
- The intent of the second policy is to oblige the institution to make public the text of all donation and funding agreements over \$100k.

- Agenda Item 10 a) - Privacy and Confidentiality Certificates
CAUT lobbying to include in collective agreements clauses that would ensure confidentiality of research participants, i.e., drug users who participate in research.
- Agenda Item 10 b) - Maternity and Parental Leave
CA clause that holds employer responsible for full maternity or parental leave benefits should the federal government bail out of the program. Saint Mary's have a great clause.
- Agenda Item 10 c) - Civil Liberties and Human Rights
This issue results from challenges to academic freedom due to decisions taken to protect us after Sept 11 terrorist attack. Need balance between civil liberties and security.
- Agenda Item 10 d) - Federal Budget
This was not a great budget for education - no increases in transfers to the provinces.
- Agenda Item 10 f) - Trade Agreements
Education seen as a "tradeable service".
- Agenda Item 10 h) - Canadianization
Establish university-wide appointments review committee to ensure that hiring recommendations are made in a manner consistent with policies to hire Canadians and permanent residents first. Foreign candidate appointments must satisfy the university-wide appointments review committee. Saint Mary's has a good one.
- Agenda Item 11 a) i) - Academic Status and Governance for Librarians
A new CAUT policy was adopted that reinforces that librarians should be recognized as full partners with faculty members including protection and access to concepts such as academic freedom, tenure and promotion policies, academic governance, etc.
- Agenda Item 11 a) ii) - Assessment of Academic Programs and Courses
A new CAUT policy was adopted that stresses that program assessments should have reference to academic quality only and must not be used to evaluate performance of academic staff.
- Agenda Item 11 a) iii) - Distance Education
A new CAUT policy was adopted that recognizes that distance education provides a manner by which access to post-secondary education can be increased. However, it can be misused by the employer to increase managerial control over academic staff and/or as a way to save money. Among other things the policy recommends that language be negotiated to ensure copyright ownership remains with the creator of the course and that the course be taught by fully-qualified academic staff.
- Agenda Item 11 a) iv) - Pay Equity
CAUT is committed to pay equity for all members. All pay differentials, where discriminatory in nature, must be eliminated.
- Agenda 11 b) ii) - Outsourcing
A new CAUT model clause was adopted that attempts to define the circumstances under which the employer may hire outside the bargaining unit.
- Agenda 11 b) iii) - Intellectual Property
A new CAUT model clause was adopted that, among other things, includes language that secures the right of members to disclose information about risks to research participants or the general public that become known in the course of research (see Item 9 c) above), and requires that the Association be a party to all negotiations leading to written agreements or contracts for issues of copyright or patents.
- Agenda Item 11 e) iv) - Educational Courses and Workshops
CAUT has many workshops and other educational resources available with respect to areas such as grievance handling, media training, intellectual property, collective bargaining, and others.

- Agenda Item 11 e) v) - Occupational Health and Safety

The Association must protect member's rights when it comes to OH&S including issues such as air quality, stress, asbestos exposure, violence and others. We should consider establishing a safety officer and build relationships with campus safety officer and other unions on campus.

- Agenda Item 11 g) - Resolution of Pensions

A motion was passed stating that university Boards of Governors are incontrovertibly in a conflict of interest when making decisions regarding pension plan surpluses putting plans at risk and that universities must have no claim on surpluses in a pension plan. The motion obligates CAUT to provide support and resources to members seeking to establish jointly sponsored and/or trustee pension plans.

2. Provincial Associations Meeting

Where more than one university exists within a province, provincial associations exist to represent the local university faculty associations. The provincial exceptions for this are Newfoundland and Labrador and PEI where the faculty associations at Memorial and UPEI respectively are, by default, the provincial associations, as well as the local associations. The report submitted by PEI is attached.

Issues identified:

- efforts by colleges to achieve degree granting status; what constitutes a degree? academic freedom for instructors? government responsibility to universities?
- efforts to ensure that universities are subject to freedom of information acts
- efforts to remove mandatory retirement
- government trend to require universities to start earning \$ to supplement core funding
- need for appropriate FA representation on university Boards of Governors

PEI items reported:

- new UPEIFA collective agreement
- reduction in government grant to UPEI
- "applied degrees" at Holland College

3. Some issues of concern for UPEIFA

- "applied degrees" at Holland College; implications for UPEI? should we be doing anything? what?
- government lobbying on behalf of UPEIFA
- educating ourselves with respect to benefits and pensions issues

Respectfully submitted,

Wayne Peters
UPEIFA CAUT Delegate and President-elect
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