

Patterns and Issues in Academic Bargaining Across Canada

University Workforce of the Future...Global Perspectives May 2-5 2017

OVERVIEW

- Current Issues for Management
- Current Issues and Activities for Unions
- Trends in negotiations

Current Issues: Management

- Focus on Sustainability
- Performance Development and Evaluation
- Retention of Management Rights

FOCUS ON SUSTAINABILITY

- Regain/retain flexibility in hiring and workload determination
- Introduce teaching-intensive appointments
- Revise salary structures to align with affordability and academic priorities
- Total compensation approach including appropriate funding of pension plans

FOCUS ON SUSTAINABILITY

Myth-Busting

CAUT's position that Career Development Increments are cost-neutral is being resisted.

- » True cost = 1.5%-2.0% over economic adjustment
- » Performance-based merit vs automatic increments

PERFORMANCE DEVELOPMENT AND EVALUATION

- Crucial in post-mandatory retirement world
- Formative approach to performance management
- Seeking more flexibility in evaluation processes
- FBS *Post-tenure Assessment of Full-time Faculty Members in Universities* report

RETENTION OF MANAGEMENT RIGHTS

- Regain/retain management rights
- Preserve/strengthen collegial governance particularly Senate
- Preserve authority of Board as set out in University Acts

Current Issues and Activities for Unions

Current Issues and Activities for Unions

National view of senior leaders

“Senior leadership at too many institutions of higher education has seemingly bought into a pallid and intellectually vacuous pipe dream...They think they can transform the dynamic complexities of the academic world into a docile, streamlined, micromanaged set of corporate style...on-demand skills training centres...they believe this transformation can best be achieved by ignoring, subverting or doing away with fundamental principles of collegial governance”

Robin Vose, Past President, Canadian Association of University Teachers(CAUT)
January 2016 CAUT Bulletin

Priority Faculty Union Issues

- Co-governance/co-management
- Workload
- Evaluation
- Equity

Current Issues: Unions

Co-governance/Co-management

A more interventionist role for academic (particularly full-time faculty) unions in collegial academic governance (often expressed as a need for “a return to collegial governance” which completely elides the distinction between the desirable and necessary participation of faculty members qua faculty members, and the role of unions, thus neatly blending collegial governance and labour relations); an emphasis on “protecting academic freedom” is frequently a part of the union rhetoric.

(Overview prepared by David Graham, FBS Field Officer for Quebec, April 17, 2017.)

“Governance on the Rocks”

CAUT executive director David Robinson says the key to improving governance in universities lies with collective bargaining and academic staff engagement in the democratic bodies of our institutions. “We can walk and chew gum at the same time,” he says. “We need to be right there in the places where decisions are made and use our power and influence to defend the values of post-secondary education. *And we need to protect the collegial role of our members by building provisions into our collective agreements that clearly set out where boards of governors and senates fit into the picture.*” (CAUT Bulletin March 2017)

Current Issues: Unions

Workload

PR Campaigns for per course instructors (PCI)/contract academic staff

- PCI – research , course prep, professional activity and service
- Full-time faculty: teaching and service workloads should be reduced regardless of cost of doing so

Current Issues: Unions

Evaluation: Repudiation of all forms of performance indicators.

- Student evaluations of teaching: “biased and results are discriminatory” and impediments to innovation in pedagogy;
- CAUT policy :“...student opinion surveys should not be used in any career procedures and decision making involving academic staff.”
- Quality assurance metrics rejected as coercive management tools unrelated to academic quality;

Current Issues: Unions

Equity: “beyond gender equity”

- Aboriginal Peoples; persons with disabilities; persons who identify as lesbian, gay, bisexual, trans, queer, and two-spirited; racialized minorities
- CAUT Equity Conference to “discuss and develop ways to more effectively promote equity on our campuses by mobilizing members, negotiating and enforcing stronger collective agreement language, and building solidarity.”

CURRENT ISSUES AND ACTIVITIES FOR UNIONS

Governance Challenges

CAUT investigation shows how the private sector is increasingly dominating boards of governors across Canada's research universities.

“The critical question is to what extent the corporatization of governance shifts the priorities of universities and colleges to reflect those of the corporate sector, with fewer voices from students and staff heard at the highest levels of decision-making.”

CAUT executive director David Robinson

CAUT Bulletin

September 2016

CURRENT ISSUES AND ACTIVITIES FOR UNIONS

Governance/Compensation Trade-Off

“Striking University of Manitoba professors would consider accepting a one-year wage freeze if the university gives significant ground on governance and workload issues.”

(U of M Faculty Association president, Prof. Mark Hudson, less than an hour after picket lines went up November 2016)

More Union Issues

Compensation

Salary and benefits- Mental Health

Faculty Complement

Fixed number or formula for tenure- stream appointments; limits on non-member teaching

More Union Issues

- Campaigns re: precarious employment
Graduate and Undergraduate
Teaching Assistants and Per Course
Instructors
- Student vs employee issues
Real issue = net student funding not terms and conditions of employment
- Environment
Harassment/Respectful Workplace; Sexual Violence
Policies, Gender Equity (LGBTQ), Student activism

Precarious employment

- Per Course Instructors
 - Job security
 - Wages
 - Benefits
 - Research support
 - Workload

Hot Spots – Hot Issues

Scrutiny of finances – Disbelief of financial reality; resource allocation

- CAUT Guide to Analyzing University & College Financial Statements September 2016 and Workshops
<http://www.caut.ca/membership/resources-for-members/caut-guide-to-acknowledging-traditional-territory>
- Internally restricted funds are the place to find the “hidden money”
- Deliberate “confusion” of operating budget vs consolidated expenditures

Hot Spots – Hot Issues

Anxiety over perceived loss of control

Administrative bloat and executive compensation

- Refrain has generated government reaction: controls longstanding in BC; Bill 19 in Alberta; Ontario mandated executive compensation framework; Québec government and administrative leaves

CURRENT ISSUES AND ACTIVITIES FOR UNIONS

“Fairness for Part-Time Faculty” - CAUT campaign

- Excellence in education is best assured through the secure continuing appointment of career academics. CAUT opposes the increasing use of contingent labour to fulfil ongoing staffing requirements. Underfunding and administrative flexibility are not sufficient grounds for hiring Contract Academic Staff as a substitute for hiring Academic Staff on a full-time continuing basis.
- The implementation of this policy in collective agreements must recognize and protect acquired rights and entitlements for Contract Academic Staff.

CURRENT ISSUES AND ACTIVITIES FOR UNIONS

CUPE/SCFP and PSAC/AFPC: Increased unionization

- Certifying any academic staff not yet organized: Per Course Instructors (PCI), Teaching Assistants/Research Assistants (Grad students), ESL instructors and Postdoctoral Fellows
- About 95% of PCI unionized across Canada
 - Making student debt a major social issue
 - Long and protracted negotiations with stacks of proposals

THE LANDSCAPE: INCREASED GOVERNMENT “INVOLVEMENT”

- Approval for mandates for negotiations-primary interest is setting fiscal parameters for negotiations; retention of management rights
- Legislation to constrain Executive compensation
- Legislation setting limits on faculty and staff compensation increases

THE LANDSCAPE: SCARCE FINANCIAL RESOURCES

- Ability to successfully modify existing Collective Agreements to eliminate or alter less than helpful language (e.g. Governance, Management Rights - assignment of workload); Evaluation/Performance Reviews) can be seriously eroded when you have little money on table

Trends

Trends in Negotiations

- Increased use of mediation/conciliation to achieve negotiated agreements
- Some strikes: Manitoba (3 weeks by full-time faculty); Toronto; York University; UQAM (graduate student assistants)
- Use of arbitration to avoid/resolve strike/lockout and protracted divisive bargaining (New Brunswick, Mount Allison, Toronto, Manitoba, Ottawa)
- Protracted negotiations and bargaining to impasse by Graduate and Undergraduate Teaching Assistant unions (Toronto, York, UQAM, Winnipeg, Carleton, Guelph, Brock, Dalhousie)

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