

FA Executive July 1, 2011 – June 30, 2013

President:	Jacqueline Holler
Vice-President:	Erik Jensen
Past President:	Lee Keener
Secretary & Member-at-Large	
SLI representative:	Julie Orlando
Treasurer:	Raymond Cox
Members-at -Large:	
Faculty representatives	Karima Fredj Jennifer Hyndman Stephen Rader Gail Curry
Librarian representative	Wendy Fellers
Term representative	Kerry Reimer
Grievance Officer:	Donna Plourde
Executive Director:	Helen Sideen
Administrative Assistant:	

SPRING GENERAL MEETING



Friday, March 23, 2012
12:00 pm – 1:30 pm
5-123 Gathering Place
Light lunch will be provided
(All Members are invited to attend)

Faculty Association Upcoming Events:

Presidents’ Roundtable: “Internationalization”

- Panel: Gary Wilson, Catherine Nolin, Carolyn Russell & UNBC Students
- Topics for discussion will include:
 - ✓ Canadian Student Mobility (exchanges, field schools etc.)
 - ✓ International Students studying at UNBC (benefits and challenges)
 - ✓ Internationalization of Curriculum
 - ✓ International Development Cooperation
- March 29, 2012, 3:00 pm – 4:30 pm

CAUT Workshop on Promoting Inclusivity

- Open to all Faculty Association Members interested in key equity issues in the post-secondary sector, and strategies to address these issues
- Rescheduled to April 2012 (date: TBA, will be posted shortly)

CAUT Workshop on Association Governance

- Open to all Members serving on the Executive or Members interested in becoming active on the Executive
- May 7 & 8, 2012 – registration now open

A MESSAGE FROM THE PRESIDENT

Jacqueline Holler, President

With the semester break behind us, we look forward to the very busy conclusion to another academic year. For the Faculty Association Executive, ED, and Negotiating Team members, our key focus in the coming months will be achieving a Faculty Agreement that recognizes the work of our Members and protects their rights. Negotiations are, of course, always best when supported by a sound contextual understanding gleaned from research. In this issue of our *Newsletter*, Chief Negotiator Darwyn Coxson provides an excellent—if somewhat shocking--report on salaries at UNBC, our **CDI model**, and salary progression or stagnation. You will no doubt find the information and graphs most informative.

Darwyn writes eloquently about the financial impact of the 2006 change that eliminated merit to base and substituted a small number of larger, one-time-only merit awards. These awards no longer went to base salary. In the last round of negotiations, as you know, we eliminated that process too, in favour of a system that we felt was more fully available to all of our members. (See Article 77 of the 2010 agreement.) Sixteen \$3000 **University Achievement Awards** are now available in categories of research, teaching, service, and professional practice, mentorship or stewardship. Working groups were struck to define criteria, and the first competition for these awards will be rolled out very shortly. No such system is perfect—and indeed, Members raised significant complaints about the previous merit award system. But we want to be sure that these prizes--and the criteria and process by which they are awarded—serve the interests of our Members and do what they are intended to do: recognize excellence. After this first competition, therefore, we will be hosting an information session and soliciting feedback for the improvement of the process. Your input at any stage is welcome; and for now, we urge you to nominate yourself, and others, for these new awards.

While negotiations and Agreement issues are high on our agenda, the business of the Association never stops. One of the many issues that we are watching with interest is **copyright licensing**. Perhaps you, like me, received Access Copyright’s email of 30 January--with its accompanying media release trumpeting the licensing agreement with Western and U of T. Bringing these large flagship institutions into the licensing fold is no doubt a feather in AC’s cap. But is it good news for faculty and students? The CAUT thinks not, calling the agreement “a bad and unwarranted deal” that “threw in the towel on the copyright battle prematurely” (for more, see CAUT’s response, available at <http://www.caut.ca/pages.asp?page=1061>).

Given the fact that the Supreme Court stands poised to clarify provisions for fair dealing in educational use of copyrighted materials, the Western and U of T agreements do seem hasty. And the agreements, which provide for a flat fee of \$27.50 for each student FTE, also include potentially onerous reporting requirements and provisions around the emailing of hyperlinks by faculty. I believe there are reasons to be concerned.

In January at CAUT President’s Council, I had the opportunity to attend an excellent presentation on copyright by Paul Jones of CAUT. Paul surveyed the economic, moral, and user rights associated with copyright and addressed the concept of fair dealing at

length. As many of you are no doubt aware, the USA has a far more expansive definition of fair dealing (or fair use) than we do, permitting, for example, the viewing of copyrighted films in classrooms and the creation of multiple copies of works for bona fide educational purposes. Canadian legislation appears to be moving in quite a different direction, and we as researchers, educators, and creators of content have a strong stake in having our voices heard.

Any system of copyright must balance creator and user rights, of course; and digital media have challenged some of the traditional systems that maintained that balance. But there are numerous examples that suggest we should be cautious in swinging the pendulum too far to the side of creator rights. CAUT promotes an expansion of the concept of fair dealing as an essential buttress to both academic freedom and the day-to-day business of education. Other academics are also actively studying this; Meera Nair of SFU promotes a concept of “fair duty”. Dr Nair maintains an active and interesting blog on copyright issues: <http://fairduty.wordpress.com/>. Other scholars who study copyright also provide useful information; see, for example:

- *Howard Knopf:
<http://excesscopyright.blogspot.com/>
- *Sam Trosow:
<http://samtrosow.ca/>
- *Ariel Katz:
<http://arielkatz.ca/archives/category/blog/copyright>

UNBC-FA will be monitoring this issue closely over the coming months, and we urge you to follow it too and to participate in discussions as we pursue our own institutional path.

CONGRATULATIONS!

Warmest congratulations to all of our Members with successful applications on promotion, tenure or continuing appointment. The Faculty Association, in association with the University, looks forward to celebrating the achievements of our Members during the Spring public recognition event.

UNBC-FA CONSTITUTION REVIEW

As previously announced in our July 2011 and December 2011 Newsletters, the Faculty Association Executive struck a working group to review the Faculty Association’s constitution. The work and proposed changes to the constitution by the working group are progressing. Recommendations will be put forward to the FA Executive Committee later this Spring, and subsequently put forward to the Members for consideration and approval at the Fall 2012 AGM.

If you have any comments or suggestions on the review of the constitution, please send your comments to: dplourde@unbc.ca or fac-assoc@unbc.ca.

FULL-TIME UNBC FA MEMBERS DONATE TWO YEARS’ SALARY TO UNBC

Darwyn Coxson, Chief Negotiator

In 2006 the University and Faculty Association negotiated a significant change in the way in which career salary progression occurs at UNBC. Prior to (and in the first part of) the 2006 Faculty Agreement, increases in salary comprised two parts:

- 1) a career development increment (CDI) of \$1111; and
- 2) for the majority of eligible Members, a merit award of \$1000, both of which were

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applied to base salary. This two-part system for career progression is typical of many Canadian Universities. When the 2006 Faculty Agreement merit pay awards added to base salary were abandoned, CDI became the only way in which salary progression occurs within rank at UNBC.

Unfortunately, when we discarded the part of our annual salary increase that previously came from merit awards, we did not put in place any compensating change in the value of career development increments. This stands in marked contrast to other Canadian Universities that do not have merit awards, where CDI values are typically above \$2000 (e.g. Athabasca), and often closer to \$3000 (e.g. UPEI). If we look at CDI values for a mid-rank Associate Professor at UNBC, the CDI award at UNBC is now one of the lowest in Canada (Figure 1).

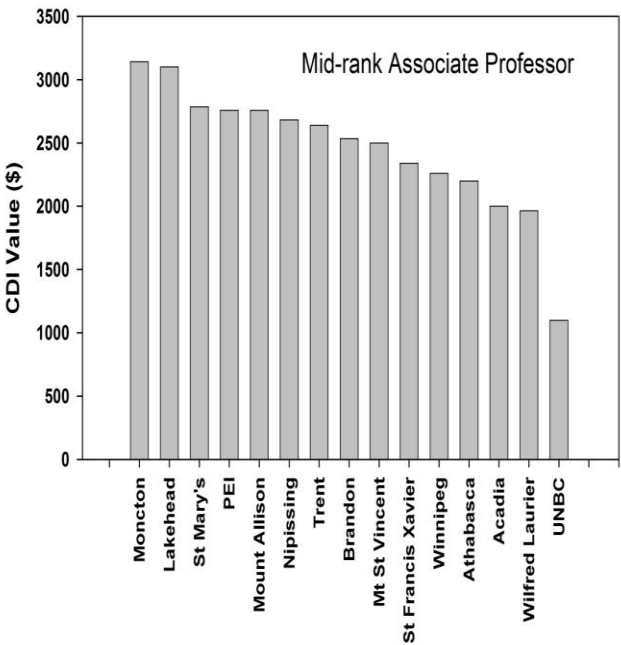


Figure 1. Career development increment values at Canadian Universities (2011 data, from Statistics Canada).

The impact of having such low CDI values as the sole means of achieving career salary progression within rank is quite dramatic when considered over a Member’s career (Fig. 2). Even when we take into consideration (2x) CDI awards in the first few years after promotion at UNBC, our career salary progression lags well behind that of other Canadian institutions, especially for Full Professors. If we compare the salary progression of a newly appointed faculty member at UNBC with that of a newly appointed faculty member at the University of

Prince Edward Island, the UNBC faculty member will eventually have career earnings that are \$280,000 less than their counterpart at UPEI. The same trends hold true for other Faculty Association Members, such as Librarians and Senior Lab Instructors, who have the same CDI-based wage increment structure.

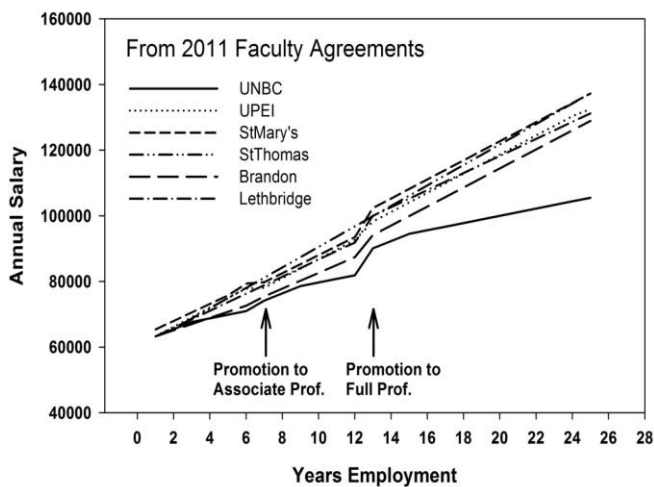


Figure 2. Comparison of salary progression between UNBC, UPEI, St Mary’s, St Thomas, Brandon, and Lethbridge, based on an appointment salary at rank of Assistant Professor of \$63,246 (or the floor, whichever is higher), promotion at years 7 and 13, satisfactory performance, and awarding of merit (where applicable, e.g. at Lethbridge). Salary progression is based on a comparison of 2011 Faculty Agreements.

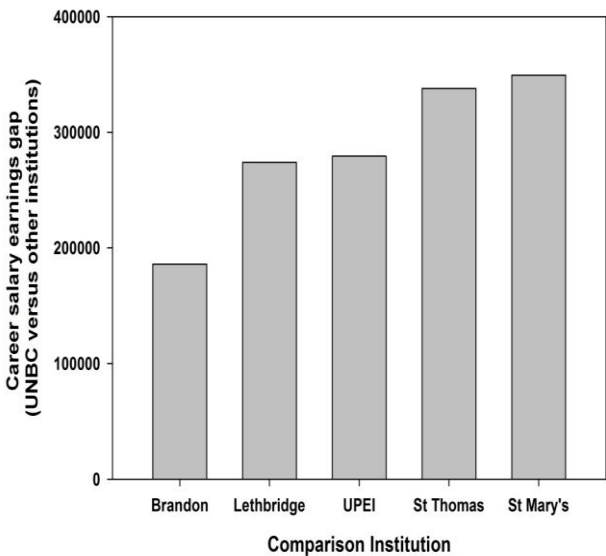


Figure 3. Difference in career earnings between UNBC and comparison institutions, based on salary progression as shown in Figure 2.

There is much talk in government news releases lately about the need for public institutions to achieve greater cost efficiencies and improve performance. One of the best kept secrets at UNBC is that each full-time FA Member has already voluntarily relinquished the equivalent of 2 years or more of his/her salary to UNBC. This represents salary that was previously a part of their agreed-upon compensation package. Although the reallocation of these funds in 2006 allowed other benefits to be awarded in that year (based on the value

of the merit awards in that Agreement) it was a short-sighted trade-off: short-term gain for long-term pain. In subsequent negotiation rounds, we have been given no further compensation for these continued (foregone) salary contributions to the University.

The question for Faculty Association Members now is: Can we sustain a research University with a career salary progression structure that is among the worst (if not the very worst) in the country? And, is it equitable to have a salary structure that progressively penalizes members the longer they are employed at UNBC?



CONTROVERSIAL UNIVERSITY GOVERNANCE BILL PASSESS SECOND READING

Robert Clift, Executive Director, Confederation of University Faculty Associations of British Columbia

Proposed legislation that would limit the role of certain faculty and staff members in university, college and institute governance jumped its second hurdle on February 20th when it passed Second Reading in the BC Legislature.

There was never any doubt that Bill 18 -- Advanced Education Statutes Amendment Act, 2011 -- would pass Second Reading, given the Liberal government’s majority in the Legislature. The NDP opposition nonetheless put up a spirited fight, with 10 speakers, led by NDP Advanced Education Critic Michelle Mungall, criticizing the governance provisions of the Bill during almost six hours of debate.

The two biggest problems in the legislation are the provisions to exclude certain faculty and staff members from membership on the Board of Governors of a public post-secondary institution, and the mechanism that would allow elected members of Boards of Governors to be removed from their positions.

If Bill 18 becomes law, faculty and staff members who are on the executive committees of their respective associations or unions and who are involved in either negotiations with the university or adjudication of grievances, would be prohibited from serving as a faculty representative on the Board of Governors.

The government argues that this provision is necessary to prevent faculty and staff association leaders from using a position on the Board of Governors to influence negotiations between their association and the university. Faculty and staff association leaders have responded by pointing out that the conflict of interest provisions for members of Boards of Governors already deal with such situations.

The Minister of Advanced Education, Naomi Yamamoto, is nonetheless intent on pushing forward with these

exclusions. She has cited a case at an unnamed university where the faculty representative on the Board of Governors, who was also part of the faculty association's negotiating team, allegedly refused to abide by the Board of Governors conflict of interest provisions.

In response, faculty and staff association leaders have provided numerous examples where members of their executive committees have been effective members of Boards of Governors, absenting themselves from discussions where they might be in a conflict of interest.

The provisions of Bill 18 that would enable the removal of the elected members of Boards of Governors are equally contentious. If two-thirds of board members agree, they can recommend to the Lieutenant Governor General in Council (aka the provincial cabinet) that an elected member be removed from the board.

Due to the composition of the board, this means that, except in the case of UBC, the board members appointed by government have the necessary number of votes to remove any elected board member. Moreover, this power to recommend removal does not apply to appointed board members.

The government has argued this provision is necessary because although it is possible for the appointed members of the board to be removed by government, there is no equivalent provision for the elected members of the board.

Faculty and staff association leaders have responded that the proposal does not provide for due process for removal, that the threshold for removal is too low, and that it is inappropriate for elected members of the Board of Governors to be removed by any process other than recall by their constituents.

Of particular concern is that Bill 18 provides no criteria as to what constitutes just cause for removing an elected member of the board. Liberal MLA Ralph Sultan argued in the Second Reading debate that "cause" was well defined in law and need not be further articulated.

NDP MLA Leonard Krog, who is a lawyer, argued that "cause" is not defined in law as it relates to government board appointments and is left open to interpretation by a Board of Governors or even by the provincial cabinet.

Other NDP MLAs contended that election to a university Board of Governors was no different than election to the BC Legislature and that there is no similar board-ranging provision that would allow MLAs to be removed from their positions.

The Confederation of University Faculty Associations of BC (CUFA BC) has been in discussions with the Ministry of Advanced Education about possible amendments that would allow the provincial government to achieve its goals while respecting the principles and traditions of governance at BC's public post-secondary institutions.

Although no amendments have yet been put forward by government, comments from Minister Yamamoto during Second Reading indicate that amendments may be forthcoming during the Committee Stage of debate on Bill 18. However, given the tone of the Minister and government MLAs during the Second Reading debate, it's not clear that any amendments would address the most contentious parts of the proposed legislation.

The date for the Committee Stage debate has not yet been set.

ON-GOING CALL FOR COMMITTEE MEMBERS

We currently have vacancies on the following Faculty Association Committees and we are actively seeking to fill these vacant positions:

- *Personnel and Equity Committee*
- *Benefits Committee*
- *Communications Committee*
- *Joint Employment Equity Committee*

The mandate and duties of these committees are outlined in the Faculty Association's Constitution, which is available on our website: www.unbcfa.ca. Please consider putting your name forward or nominating a colleague to serve on any one of these committees.

Check out these publications available on loan to Members through the FA Office:

Over Ten Million Served

Gendered Service in Language and Literature Workplaces

Michelle A. Masse & Katie J. Hogan



Let Them Eat Prozac

"...the commercial needs of Big Pharma are the natural-born enemy of Independent Scientific research."

Dr. David Healy



Universities at Risk

How politics, special interests and corporatization threaten academic integrity

Edited by James L. Turk

Faculty Association Office: The Faculty Association Office is located in Rm. 3085 Administration Building.

Office hours: Monday–Friday, 8:30am – 4:30pm

Drop-in hours: Monday–Friday, 8:30am – 12:00pm

By appointment: Monday–Friday, 1:00pm – 4:30pm

Contact Donna Plourde at 250-960-5816 or email at dplourde@unbc.ca to schedule an appointment. Information on the UNBC Faculty Association is also available on our website at: www.unbcfa.ca