

University of Northern British Columbia Faculty Association

Newsletter 2018-05

Newsletter 2018-05: “*THE POWER OF COLLECTIVE BARGAINING*”



Ness Lake sunset over ice. Photo: Kevin Hutchings

Message from the President

Stephen Rader

Professor, Chemistry, and President UNBC-FA

This issue of the UNBC FA newsletter is devoted to our upcoming contract negotiations. You can tell that things are gearing up for bargaining from the survey that went out recently (thanks to all of you who filled it out!). I recently attended



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www.unbcfa.ca

the fall council of the Canadian Association of University Teachers (CAUT), where our very own Ted Binnema submitted a report as the recently elected President of the CAUT Defence Fund. This fund allowed us to sustain our strike for two weeks in 2015, but, happily, it saw little use over the past year. Nevertheless, when Ted sits across the table from the Employer's bargaining team, it will give him confidence to know that there is a \$30 million fund he can rely on in case things do not work out the way we hope.

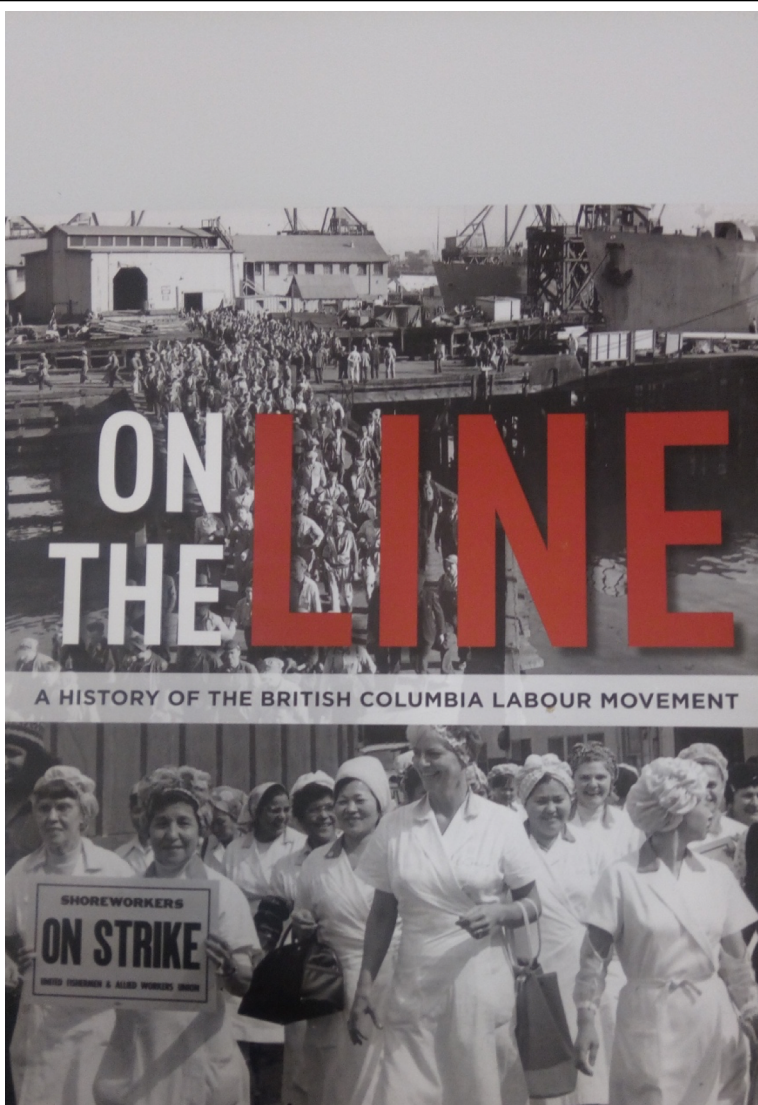
One of the interesting trends in Canadian public-sector bargaining is to bargain language around sustainability and green initiatives. The Canadian Union of Postal Workers is leading the way with creative proposals to re-make Canada Post by greening their operations, including becoming an early adopter of green technologies. While green issues have not traditionally been part of contract negotiations, there is a lot of scope for incorporating them into future contracts. I hope you will spend some time thinking about ways in which the FA and the administration can work together to help UNBC live up to its trademarked name.

Another big issue is how we approach international students. In North America, international students have generally been viewed as a source of income to make up for declining public investment in education. In Canada, for instance, the public share of university funding has dropped by around 50% over the last 40 years, and in fact many Canadian universities now get more money from non-public sources than public ones. Universities in other countries, however, have taken a more expansive view of their role in the world. In Germany or Sweden, anybody from any country can attend university for free. Rather than viewing foreign students as a way to prop up failing public investment in future generations, they view education as a way to recruit new talent to their countries, and a way to help other countries develop. Perhaps it is time to rethink our approach to international students.

In this issue, our Chief Negotiator, Ted Binnema, introduces your bargaining team and explains some of the activities we will undertake to prepare for bargaining. Annie Duchesne (a first-time contributor to the FA newsletter - thanks Annie!) discusses the recent arbitration decision at Ryerson, which ruled that student opinion surveys cannot be used as metrics of teaching effectiveness for tenure and promotion. With a timely reminder that our bargaining is happening in the context of province-wide negotiations for all public sector unions, Bruce Bidgood and Dawn Hemingway report from the recent BC Federation of Labour conference, where bargaining was very much in the air. Paul Sanborn, the FA's Acting VP and your Pension Plan Trustee, brings an update on our pension plan and the importance of considering your plan portfolio.

I have one final note about the relationship between the bargaining team and the Executive. The FA Executive Committee develops a set of strategic goals in consultation with you and the bargaining team. These might include achieving sector-norm wages, securing post-retirement benefits, and so on. The member surveys and upcoming town halls form the backbone of that consultation, but we are always open to suggestions and feedback from individuals. The Executive then directs the team to attempt to reach these goals, and the team develops its own tactics and approaches to doing so. The team will report back to the Executive on a regular basis, but the Executive does not direct the way in which issues are handled at the table, and the team does not change the bargaining goals. Importantly, you have the final authority over any proposed agreement. Therefore, we look forward to consulting with you in the coming months to ensure that your priorities are heard. Enjoy a well-deserved break and all the best for the New Year!





New book!

Rod Mickleburgh, *On the Line – A History of the British Columbia Labour Movement*

AVAILABLE ON LOAN FROM THE UNBC FA OFFICE

UNBC FA Executive Committee

July 1, 2017 – June 30, 2019

<i>President:</i>	Stephen Rader
<i>A/Vice President:</i>	Paul Sanborn
<i>Past President:</i>	Jacqueline Holler
<i>Secretary:</i>	Paul Siakaluk
<i>Treasurer:</i>	Sylvia Barton
<i>Members at-large:</i>	
<i>Faculty rep</i>	Art Fredeen
<i>Faculty rep</i>	Kristen Guest
<i>Faculty rep</i>	Paul Siakaluk
<i>Librarian rep</i>	Trina Fyfe
<i>SLI rep</i>	Jenia Blair
<i>Term rep</i>	Monica
Mattfeld	
<i>Regional rep</i>	Bruce Bidgood
<i>Grievance Officer:</i>	Catherine Nolin
<i>Executive Director:</i>	Donna Sindaco



On 16 November 2018, Professors Janet and Cam Morrill of the Asper School of Business at the University of Manitoba visited campus. The Morrills delivered a day-long workshop on understanding university finances to members of the UNBC-FA Executive and Finance Committee, including Dr. Jing Chen (Business).



Bargaining 2019: Member Consultations

Ted Binnema

Professor and Chair, History

Chief Negotiator and CAUT Defence Fund Trustee

The members of the UNBC FA Negotiating Committee are very gratified by the excellent response to our member survey. Your answers to our questions, including the many written comments have already given the bargaining team a very good picture of your priorities, your concerns, and your opinions.

Whether you responded to the survey or not, we still want to hear from you. **In the new year, we will organize meetings with focus groups. We hope you will attend those meetings so that we can get a very clear sense of the issues that are important to you.**

In addition, we are always open to any communications from you. Send us an email. Want to remain anonymous? Print your comments and send them to us through the campus mail. Do you teach only one course, and feel that you ought not have much say? We have an obligation to you too, and we want to hear your thoughts.

For your information, the excellent bargaining team with which I am working, and which will work on your behalf over the coming months, consists of the following members:

Umesh Parshotam (Senior Laboratory Instructor in Chemistry)

Jacqueline Holler (Associate Professor in History)

Matt Reid (Professor in Physics and VP of the UNBC FA)

Donna Sindaco (Executive Director, UNBC FA)

Stephen Rader, ex officio (Professor in Chemistry and President of the UNBC FA).

Feel free to contact any one, or all of us about your concerns and thoughts. Have a great break. We wish you all the best for the coming year.



Consider the Risk Level in Your Pension Plan Portfolio

Paul Sanborn

Associate Professor, Ecosystem Science & Management

A/Vice-President, UNBC-FA and UNBC-FA Pension Fund Trustee

Recent turbulence in both global and Canadian financial markets should have been hard to miss, yet many members of our pension plan may not be paying enough attention to the risk levels in their portfolios as they approach retirement. That's the blunt implication of some recent data provided to your pension fund trustees by Sun Life representatives. The dots in Figure 1 (below) show the percentages of equities in individual pension plan portfolios versus member age. (This graph is based on all pension plan members, not just those belonging to the Faculty Association.) The three S-curved lines show the age-related tapering of the equity proportion in model portfolios designed to reduce risk as retirement approaches. In contrast, the line showing average equity holdings of members of our defined contribution plan displays only a tiny reduction across the age range from 25 to 65!

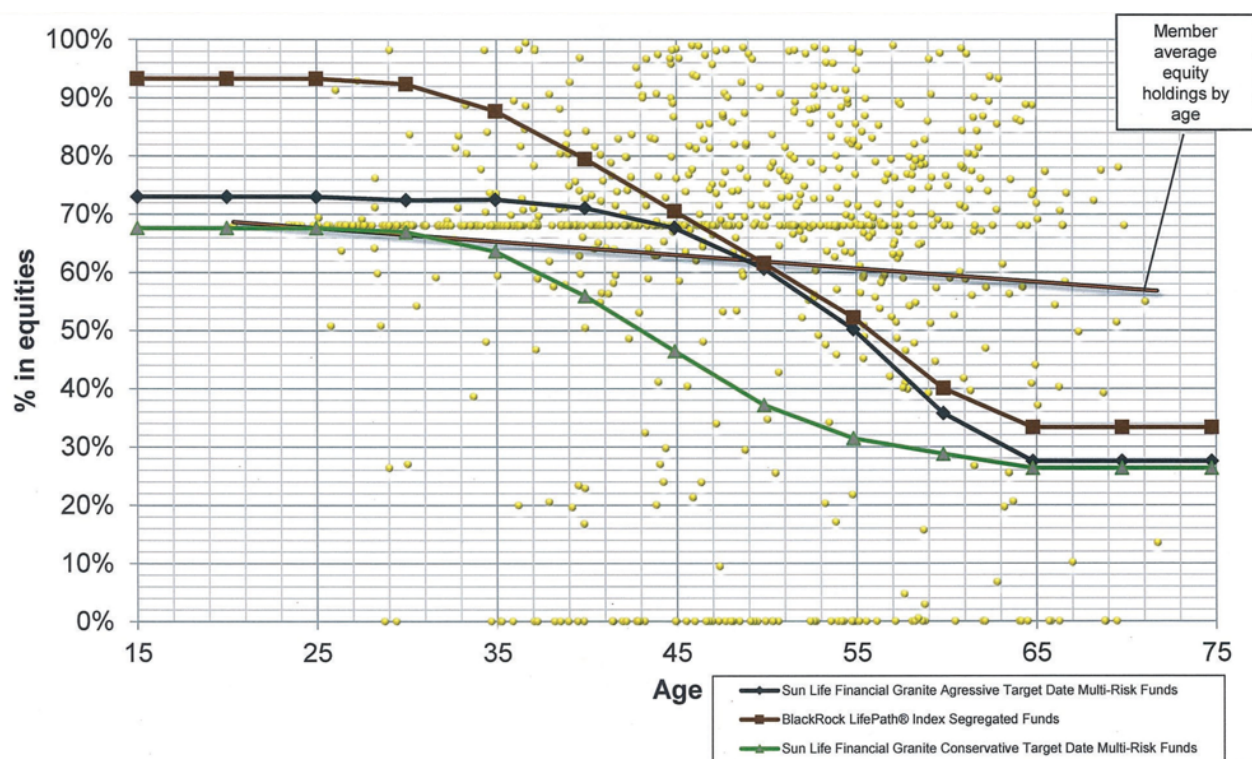


Figure 1. Dots represent percentage equities in individual UNBC pension plan holdings versus age. Graph courtesy of Sun Life.

The sprinkling of dots in Figure 1 suggests that we have many co-workers who are comfortable holding more than 70% equities when their age is well past 60. Or, rather than comfort, this may just indicate that time has crept along, and many members haven't been regularly considering their investment mixes.

This column is not investment advice. This information is presented solely to assist in improving member awareness. Please consult your personal financial advisor regarding specific investment decisions.



Remembering 2018. Painted Chasm, August 2018. Photo: Jacqueline Holler



Student Surveys as a Measure of Teaching Effectiveness: A Discriminatory Practice

Annie Duchesne

Assistant Professor, Psychology

This past summer, a ruling was handed down in a decade-long grievance (and eventual arbitration decision) at Ryerson University. The matter in question was student surveys, or what some call Student Evaluations of Teaching (SETs), and their use in employment decisions.

In brief, the Ryerson Faculty Association demonstrated the inherently discriminatory nature of the SEVs as currently administered (student surveys and comments). Two expert reports demonstrated that the SEVs perpetrate systematic negative biases against women, ethnic, and linguistic minorities; against contract faculty; and on the basis of age and attractiveness. In addition to instructors' characteristics, course characteristics such as class size and subject matter were also identified as introducing biases in SETs. Arbitrator Kaplan agreed that the discriminatory nature of the SETs made them unsuitable for use in tenure and promotion.

The advantages of this decision are clear. First, eliminating the use of these reports removes barriers to success for underrepresented populations at the university. Second, their elimination also opens doors for developing more equitable and effective measurements of teaching effectiveness. An often-cited concern is that the removal of the student's voice in providing feedback to improve teaching methods. However, while Arbitrator Kaplan's decision prevents the institution from using student surveys in faculty employment decisions, students' feedback can still be collected as one piece of information on the student experience. Where SETs must absolutely be rejected, Kaplan ruled, is as measures of teaching effectiveness.

As an institution that "embraces the principles of academic freedom, responsibility, education for its own sake, integrity, inclusion, respect for others, equity, fairness, operational efficiency, and public accountability," UNBC ought to take notice of the Ryerson decision, which represents a concrete solution to alleviate discriminatory practices in the workplace and foster empowerment of all members of the university community.

For more information about the Ryerson arbitration process:

<https://ocufa.on.ca/blog-posts/significant-arbitration-decision-on-use-of-student-questionnaires-for-teaching-evaluation/>

For access to the commissioned reports:

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.



Remembering snow. 30 March 2018 in PG. Photo: Jacqueline Holler



Letters of Expectation:

How Collective Bargaining and the Grievance Procedure Work to Protect Members' Rights

Catherine Nolin

Associate Professor and Chair, Geography - UNBCFA Grievance Officer

Most members will never be involved in a grievance, but the grievance process is one of the most important tools that we have to protect the rights of all members. How does a grievance work? I explained the process generally in a previous newsletter. In that column, I focused on the grievance process here at UNBC and how the Faculty Association can assist you if you have a complaint or concern. In this, brief, second column, I will highlight a recent grievance on Letters of Expectation and the importance of the work of the FA, through collective bargaining and the grievance process, to protect members' rights.

Members' personnel files are the subject of the Collective Agreement's Article 20: Personnel Files. According to the provisions of the Collective Agreement (CA), there is only one Official Personnel File (OPF) for each Member. It is either (1) stored in the Office of the Provost for Faculty, Librarians, SLIs, and Regular Term Teaching Members; or (2) stored in the office of the responsible Dean for Instructor, Sessional, and Post-Retirement Term Members. Our CA clearly indicates that "the OPF shall be the only file used in decisions respecting any and all terms and conditions of employment of a Member except as otherwise provided in this Agreement." It is important to know what kind of documents are held in the OPF and the timeline for their inclusion. For example, the OPF contains only material pertaining to the employment of the Member, including CVs; university transcripts; letters of application and letters of reference; salary and work history; performance evaluations and rebuttals; disciplinary material; decisions and recommendations about promotion, continuing appointment, and/or tenure; letters for personnel decisions involving the Member; and copies of material reflecting the Member's professional development and achievement.

Several points are worth noting: (1) Members have the right to examine the entire contents of their OPF; (2) should a Member receive a Letter of Reprimand after an investigation, Article 45B indicates that "any Letter of Reprimand or other record of disciplinary action placed in a Member's OPF shall be removed upon the request of the Member after three (3) years from the date when the action was taken ..."; and (3) the Deans are now issuing what are called Letters of Expectation that are not outlined in the CA and are not part of the progressive discipline laid out in our CA.

I would like to highlight a recent grievance that we pursued based on the Employer's placement of these Letters of Expectation in Members' OPFs. The FA did not grieve Letters of Expectation themselves, but the fact that they were placed in Members' OPFs (without their knowledge and with no mechanism to have them removed) and sent to Members' Chairs. Through discussion with the Employer to settle this grievance, the Employer agreed to remove all Letters of Expectation from Members' OPFs and recall the Letters from Chairs for shredding. The settlement indicates that the Letters of Expectation will ONLY be stored in the responsible Dean's Office and with the Member.

Collective bargaining ensured that Article 20.7 (related to the contents of our OPFs) is clear. Collective bargaining ensured that the *type* of documents to be held in our OPFs are detailed and provides clear guidelines on the *length of time* that these documents remain in our official file. This grievance illustrates that the Employer attempted to add Letters of Expectation to OPFs, even though they are not listed among the examples of materials provided in Article 20.7, and expected that they remain on file in perpetuity. The FA argued that this decision and action violated Article 20.7. The Administration's argument that *any* document issued by Administration to a Member can be placed in the OPF, is not evidenced by past practice and goes well beyond the scope of Article 20.7, which is clearly written to restrict the types of materials that can be placed in the OPF.

The FA does not receive either copies of Letters of Expectation or a list of Members who may have received such a Letter. Therefore, we encourage Members to be proactive and ensure that the Employer has complied with this settlement. Our advice to Members in receipt of a Letter of Expectation: make an appointment with Joan Schneider (HR Consultant) to access your OPF and ensure that the Letter of Expectation is no longer in the file.



Opening Ceremony at the BC Fed. Photo: Dawn Hemingway



BC Federation of Labour Convention 2018: The Power of Standing Together

Dawn Hemingway

Associate Professor & Chair, Social Work

With more than 1100 delegates in attendance, the BC Federation of Labour Convention (25—30 November 2018) was a powerful expression of the workers' movement in British Columbia. An example of the impact of labour presented during the conference opening was the fact that 70% of labour-endorsed candidates were successful in the recent BC municipal elections – an accomplishment that is expected to have considerable impact on upcoming decisions and developments in cities, towns and regions across the province.

For us, the conference was an opportunity to introduce the UNBC Faculty Association to public- and private-sector union representatives from across the province and engage in discussion about questions of mutual interest and concern. The

main components of the conference included reports, resolutions, guest speakers, smaller group events (primarily aligned with the community report topic areas), and, finally, connecting one-on-one with other delegates. All were informative, but meeting and discussing with other union representatives was certainly a highlight.

Reports and resolutions took up the bulk of the agenda. Specifically, the Executive Council Report included sub-reports on Equity, Apprenticeship and Skills Training, and Climate Change. Committee Reports were also presented on a wide range of topics including Community and Social Action, Education, Human Rights, Occupational Health and Safety, Political Action, Women's Rights, and Young Workers' Rights.

Each report was accompanied by specific resolutions. Other resolutions were submitted directly by local unions and labour councils. A very small sampling of the more than 150 resolutions submitted are listed below and address the need to:

- reduce (and ultimately eliminate) post-secondary tuition;
- strengthen the support for all teaching staff including addressing the increasing precariousness of many positions; enhance accessibility to free adult basic education;
- provide a living wage for all; support the right to strike and organize for the postal workers (and for all workers);
- advocate for regulations that set safer staff-to-client ratios to help prevent and respond more effectively to violence in community social-service workplaces;
- support Indigenous Nations when they say “no” to corporate or government exploitation – especially when said institutions present their respective cases through the mask of “necessity for Canada”;
- lobby the government to increase operating grants across the college and university system to fulfill post-secondary mandates;
- support granting tuition waivers to Indigenous students by all public BC post-secondary institutions;
- lobby government to develop a better process to appoint, orient and evaluate board members to college, institute, and university boards of governors.

A complete list of resolutions will ultimately be posted on the BC Federation of Labour website. Resolutions that didn't make it to the convention floor (due to time constraints) were referred to the Executive Council.

The weeklong conference also included many guest speakers. Some of these were the newly elected Mayor of Vancouver – Kennedy Stewart; the Premier – John Horgan; the Labour Minister – Harry Bains; Federal NDP Leader – Jagmeet Singh; First Nations Summit representative – Cheryl Casimer; Canadian Labour Congress President - Hassan Yussuff; Canadian Centre for Policy Alternatives representative – Seth Klein; performer and author – Ivan Coyote; and Marisssa Nahanee – Maykw Cha7em, Squamish & Nisga'a Nations, Eagle Clan. Other significant conference highlights included the signing of a new protocol between the BC Federation of Labour and First Nations in British Columbia as well as an emergency

resolution and demonstration in support of the Canadian Union of Postal Workers and of the right to strike and organize – a right that is supposed to be guaranteed under the Charter of Rights and Freedoms.



Taking it to the Streets at the BC Fed. Photo: Dawn Hemingway

There was also a change in leadership at the Federation with President, Irene Lanzinger and Secretary-Treasurer, Aaron Ekman (a Prince Georger who has returned home and is now on the UNBC Board of Governors) completing their terms. Liard Cronk, a well known IBEW member, is the new President, while long-time Prince George community activist and BCGEU Executive Vice-President, Sussanne Skidmore, has assumed the role of Secretary-Treasurer. So happily, we continue to have close links to the BC Federation of Labour executive team!

Overall, as FA delegates, we felt it was an important step for us to attend the BC Federation of Labour Convention and further strengthen our links to other union members across the province. Ultimately, it is by working together and supporting each other that conditions of work and life will improve for everyone. Anyone interested in more detail can connect with us at: Dawn.Hemingway@unbc.ca or Bruce.Bidgood@unbc.ca.

Faculty Association Office



The Faculty Association Offices are located in
Rooms 3084-3089 Charles J. McCaffray Hall

Office hours: Monday–Friday, 9:00am – 5:00pm

Donna Sindaco, Executive Director

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Christa Florell, Professional Services Officer

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visit our newly updated website: www.unbcfa.ca

Upcoming events

January 2019

Call for nominations for
2019-2021 Executive Committee

February 2019

Art Exhibit: “Creative Works”

UNBC Faculty and Staff

How do you channel your creativity?

The UNBC Arts Council and UNBCFA would like you to contribute your creative works for a UNBC Rotunda Gallery exhibit in February 2019. All UNBC faculty and staff with hidden (or not so hidden) talents are encouraged to submit 1-3 items for the show.

Art, prose, poetry, lyrics, photographs, sculpture, textiles, crafts, and other creative items are all welcome!

While the Rotunda Gallery is geared towards items which can be hung on the gallery walls, we will also try and accommodate items that require table display.



Cliff-top sand dune above Farwell Canyon, Chilcotin River. Photo: Paul Sanborn