

# UVic FA Newsletter

Connecting the members of  
the University of Victoria  
Faculty Association

Issue 1, Oct/7/2013



## In This Issue

- Page 2 Certification: Why we should apply
- Page 3 Select References on Faculty Certification
- Page 4 Certification: Frequently Asked Questions
- Page 6 Volunteer Sign Up Card

## Certification

On April 23, 2013, the UVic Faculty Association Executive voted unanimously to ask the membership to vote on whether or not they wanted to certify as a union. This decision was not taken lightly and was arrived at after extensive research, membership consultation and deliberation.

It was also taken after many frustrating years and rounds of unproductive negotiations, in which the limitations of our current situation have become all too clear. It was in this context that the Executive determined that certification is the only option available if we hope to achieve the positive results our membership deserves.

### Did you know?

The University of Victoria Faculty Association has developed a new logo and website. The website will go live on October 7, 2013 and will provide members with easy access to information on a wide range of topics.





Photo Credit: Michael Emme

# Certification: Why we should apply

## A Vote to Certify

A vote to certify will bring us under the jurisdiction of the BC Labour Relations Code. It will change our relationship with the Administration by providing us with greater negotiating and representational strength.

If we certify:

- The University will be legally obligated to negotiate in good faith and on an equal basis all terms and conditions of employment brought to the bargaining table by the Association. Currently, while non-monetary, salary and benefit issues are negotiated, only salary and benefit issues make it to binding arbitration. This is because non-monetary issues can only go to arbitration if there is mutual agreement. If either side does not agree to take them to arbitration, the non-monetary issues are left unresolved and the old agreement language is rolled over for two more years. *Not surprisingly, the University has never agreed to have non-monetary issues taken to arbitration.*
- Members will have the right to vote to take job action to put pressure on the employer at the bargaining table. While the vast majority of University negotiations are settled without job action, the ability of faculty associations to take job action has an impact at the table, including in the area of salary and benefits.

- All workplace matters will be subject to a dispute resolution mechanism (grievances) and final binding arbitration if a resolution is not found. Right now, the following issues cannot be enforced or resolved with a grievance:

- a recommendation or decision, including “any processes” leading to them, regarding:

- reappointment
- Tenure
- removal of probationary status
- promotion
- annual salary adjustment

- a denial of a Study or Administrative Leave application
- salary anomalies
- the outcome of any appointment process that must be approved by the Board of Governors (except for grievances related to the procedures by which the decision was reached)
- the content of letters from Chairs admonishing members for actions or lack thereof, which are kept on record without the ability of the member to appeal (this includes so-called “Letters of Counselling Guidance”

As such, many important career-changing decisions cannot be

## Continued...

contested. Outside of going to the BC Supreme Court, the Faculty Association has no real way to help members in these situations when they feel they have not been treated fairly.

At certified Canadian universities, faculty associations provide better assistance to members who have been unfairly treated.

### **Part of a trend**

The move to certify at UVic is part of a long standing national and now BC trend. Over the past number of decades, faculty members at every Canadian University outside BC and Alberta have certified except four: McGill, McMaster, Toronto, and Waterloo. Here in BC, along with the UVic FA, the faculty associations at SFU and UNBC are openly discussing moving towards certification with their members.

The final decision will be yours to make. Certification will not solve all of the challenges that we face in enhancing working conditions and improving the salaries and benefits for our members. Nonetheless, it is a crucial step in the right direction.

Think carefully about how we should move into the future together and what will help us make UVic a better place to teach and research, and for our students to learn. If you have any questions regarding certification please direct them to Certification Committee Chair, Dr. Jason Price ([jasonp@uvic.ca](mailto:jasonp@uvic.ca)) 250-721-7830.

---

## Select References on Faculty Certification

### *Governance and academic freedom*

DeCew, J. W. (2003). *Unionization in the Academy: Visions and Realities*. Lanham, MD: Rowman & Littlefield Publishers, Inc.

### *Faculty unionisation: What difference does it make?*

Hackett, R. (2013) Faculty Unionisation: What differences does it make? Available at: <http://sfufa.caut.ca/wp-content/uploads/2013/03/Faculty-Unionization.pdf>

### *Intellectual property*

Klein, M. W. (2012). Ten years after Managed Professionals: Who owns intellectual property now? *Journal of Collective Bargaining in the Academy* 2. Available at: <http://thekeep.eiu.edu/jcba/vol2/iss1/2>

### *Female faculty member benefits*

May, A. M., Moorhouse, E. A., & Bossard, J. A. (2010). Representation of women faculty at public research universities: Do unions matter? *Industrial and Labor Relations Review* 63, 4, 699-718

### *Faculty input into decision making*

Porter, S. R. (forthcoming). The causal effects of faculty unions on institutional decision-making. *Industrial and Labor Relations Review*. Retrieved from: <http://www.stephenporter.org/papers/unionvoice.pdf>

### *Tenure and promotions procedures and due process*

Wickens, C. M. (2008). The organizational impact of university labor unions. *Higher Education* 56, 5, 545-564



# Certification: Frequently Asked Questions

## What is the process for certification?

You and your colleagues sign a membership card indicating your desire to certify the Faculty Association.

Faculty members are free to engage in organizing activities at the workplace as long as the activities are conducted while on a break, lunch or before or after work.

Colleague volunteers will be making themselves available for members to get information and sign cards, and the Faculty Association office will also be available for card signing and inquiries. For your convenience we will also be offering a lunch hour card signing table in the Student Centre three days a week (times and days to be announced shortly).

The Faculty Association needs signed cards from at least 45% of our membership.

Once a sufficient number of cards are signed, the Faculty Association will file an Application for Certification with the Labour Relations Board of BC. The Labour Relations Board will review the membership cards received and determine whether to conduct a supervised vote at the workplace. While the Board considers a number of factors, a crucial criterion is if the majority of faculty votes are in favour, in which case the Faculty Association is certified.

**Will certification help us improve our salaries and benefits at the University of Victoria?**

Continued on p.5...

## A Personal Viewpoint on Certification

“Several years ago I was reluctant about forming a union at the University of Victoria because of its small community and collegial governance where the President, Vice-Presidents, and Deans maintained clear lines of communication and collaboration to address mutual concerns. I loved working at this university.

Today, the University of Victoria is no longer that small academic community; it has many more layers of administration that reduce direct communication, collaboration, and a sense of “family”. It is no one’s fault; size and complexity have required changes in the administration and

university policies to run a multimillion-dollar business.

Now is the time for the faculty and librarians to make similar changes to accommodate these structural changes by formalizing the Faculty Association into a certified union. I strongly encourage you to support this certification effort.”

Larry D. Yore

Distinguished Professor Emeritus  
Past President of the UVic Faculty Association  
Past UVic Board of Governors Faculty Representative

## Continued...

Certification, because it strengthens the legal powers of the association, will strengthen our position and options when we negotiate with the Administration.

### **Who will benefit most from certification?**

All faculty members in every faculty will benefit from certification. Members applying for reappointment, promotion, tenure, or seeking protection from unjustified administrative discipline, and members with less seniority arguably have the most to gain. Furthermore, U.S. research on faculty unions strongly suggest that unions provide important protections for women faculty members by formalizing such processes as tenure and promotion and may be vitally important for broader equity concerns.

### **Will we have to go on strike?**

Being in a certified faculty association does not mean we will ever go on strike. There are many other job actions that can be considered or enacted prior to consideration of strike. Any form of job action or strike will only become an option and used in extreme circumstances. The decision to take any labour action always remains with the membership and requires a majority vote of those of the full membership who exercise their right to vote.

It is extremely rare for strikes to occur at Canadian universities, and it's even rarer for faculty associations to go on strike. It is important to note that strikes are just one of many possible job actions that a union can employ to make their voices heard, and these important decisions can only be made after a membership vote.

### **Will Certification affect members' experiments or ability to do research?**

Certification will strengthen the Associations' ability to protect the intellectual property rights and academic freedom of our members. Canadian faculty associations' labour actions have not affected their members ability to

access their research data, or experiments. Even in the highly unlikely event of a member-supported strike, members will have access to their laboratories, research sites and data.

### **Would the Association operate differently?**

Becoming certified does not require any changes to how the Association conducts its affairs. The Association will continue to provide its services to members and conduct its affairs according to the Association Constitution. In short, the same people will continue to do the same work, only with improved legal rights and options.

### **Does certification require affiliation with a large provincial or national union? Will we lose some of our autonomy?**

The Association will remain fully autonomous. Our unionized Faculty Association will retain full control over our affairs. As with other unionized academic faculty associations, we would continue membership in CAUT and CUFABC.

### **Would a union have to hire paid union people to come in and run things for us?**

Our Executive officers will continue to be elected by our members and will continue to run the Association and hire our own staff.

### **Collegial decision-making a key part of academic staff participation in running the University. Will certification be the end of collegiality?**

The vast majority of Canadian University faculty associations, which operate under the same collegial principles, are certified.

The true sense of collegium is that its members are equally empowered. Certification strengthens collegiality because the Association would have the power to more effectively negotiate terms and conditions of employment. Indeed, your Executive hopes that certification will lead university governance toward being more collegial again, more of a partnership. We strongly believe that once we have the rights associated with certification, we will be able to return to a more collegial and respectful consultative style of decision making with each side seeing the other as an equal partner.

# Why Certify? By the Numbers



**0:** The number of times the Administration has agreed to take non-monetary issues to arbitration

**4:** The number of Canadian faculty associations outside of BC and Alberta (where it is not legal for faculty to unionize) that are not unionized

**24<sup>th</sup> and 25<sup>th</sup>:** The ranking of Faculty and Librarian mean salaries when compared to those of 25 comparable Canadian comprehensive Universities

**35.6% to 29.9%:** The decrease of academic salaries at UVic between 1998 and 2011 as a percentage of the General Operating Fund

**LAST:** UVic's salary ranking for research-intensive universities in Canada

## Volunteer Sign-Up

Your colleagues need your help! Our certification drive needs every supporter to volunteer some of their valuable time to card signing organization or member education. Even a few hours a week could make a difference for years to come.

Please submit the following information via email, fax or mail:  
*An electronic version of this form is available at [www.uvicfa.ca](http://www.uvicfa.ca)*

University of Victoria Faculty Association

Email: [uvicfa@uvic.ca](mailto:uvicfa@uvic.ca)

Fax: 250-721-8873

Office: House 2, 3800 Finnerty Road, Victoria BC V8P 5C2

Full Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_

UVic Email: \_\_\_\_\_

Non-UVic email: \_\_\_\_\_

Department: \_\_\_\_\_