

# UVic FA Newsletter

Connecting the members of the  
University of Victoria Faculty  
Association

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## Certification Drive Launched

On October 7, 2013, the UVic Faculty Association commenced a drive to engage their membership on the issue of union certification. Since that time the response from both the membership and from colleagues across the country has been one of overwhelming support. A sampling of statements from colleagues across Canada is included in this newsletter.

The Faculty Association is continuing to engage with members and provide members with accurate information. To this end the Association is working with volunteers in each faculty. We urge members to educate themselves on certification, and to join their colleagues in making an important step in empowering our Association by signing a union card.

Dr. Jason Price  
Vice-President, UVic Faculty Association  
Chair, Certification Committee



UVic Faculty Association

*"I consider it important, indeed urgently necessary, for intellectual workers to get together, both to protect their own economic status and, also generally speaking, to secure their influence in the political field."*

*--Albert Einstein*



## Certification: Statements of Support

On behalf of the 900 or so Members of the Dalhousie Faculty Association, may I wish you success in your certification drive. The DFA has been unionized since 1978 and the strength of the union and our collective agreement has been exclusively responsible for advancing the interests of our members whilst protecting the integrity of our programs. All the best from your colleagues on the right coast (not politically, at least)!

Kevin Grundy, President, Dalhousie Faculty Association

On behalf of the Carleton University Academic Staff Association we wish you all the best in your quest for certification. CUASA is the oldest academic/university faculty union in Ontario (certified in 1975) and one of the oldest in Canada. We can no longer imagine an academic environment without a faculty association that oversees the fundamental rights of academics in their quest for the creation and dissemination of knowledge, the right to academic freedom, fairness for all, and other privileges that have been bargained over the years and that have since become commonplace in a university environment. We remain at your disposal should you require some assistance.

Angelo Mingarelli, President, CUASA

In my experience, certification is the best instrument (bar none) for preserving and promoting academic freedom, and academic stewardship by academic staff. No mission statement or Administrative regime can do the work of a good collective agreement in serving the interests of students, academic and support staff, and the public good. I therefore hope you and your colleagues choose to unionize.

Len Findlay, Chair AF&TM.A. D.Phil. D.Litt. F.R.S.C.,  
Distinguished Professor, University of Saskatchewan, President, Academy One (Arts and Humanities), The Royal Society of Canada

Best wishes for success in your certification drive from the University of Western Ontario Faculty Association! It has been 15 years since we certified here at Western, transitioning from a relationship that we liked to refer to as "binding supplication" with the Employer to one in which we can bargain effectively for the rights and working conditions of our members. Gaining those collective bargaining rights through certification was definitely the right decision for us.

Jeff Tennant, President, The University of Western Ontario Faculty Association (UWOFA)

Certification is the very bedrock upon which can be built a democratic and representative relationship with university administrators. Lacking the legal and procedural protections offered by certification no union has a realistic chance of attaining a fair and equitable collective agreement. It is for this very reason groups such as the Fraser Institute seek to remove the right to certify and bargain collectively, thus pushing university faculty/staff back decades in terms of organizational capacity. We strongly encourage our colleagues at UVic to take this vital step towards defending the basic right to workplace fairness.

Peter S. McInnis President, StFXAUT St. Francis Xavier University

Without a union we would have had way more teaching to do, poorer labs, less pay, less pilot research funds and little protection for academic freedom. That is what the union did and it made it easier to do science in a new med school. I think scientists are a skeptical lot but if it can be shown with evidence that it helps their work then they will go for it. So if you want me to do anything to help your cause let me know.

Brian Ross, President, Faculty Association, Northern Ontario School of Medicine

**See the Faculty Association website for more statements of support from around the country:**

<http://www.uvicfa.ca/banners-view/support/>

## Tuition Waiver Benefit Comparison

An analysis of the salary and benefits at comparator universities reveals a variety of stark areas in which the faculty and librarians at the University of Victoria are significantly worse off than their colleagues across the country. One such area is in regards to tuition waivers, which the Administration refused to negotiate with the Faculty Association in recent negotiations. As can be seen in the chart below, the vast majority of Canadian research universities offer some form of tuition waiver. **While there is some complexity in comparing the various differences in tuition waiver benefit in institutions across the county, assessing the tuition benefit package at the University of Victoria is quite simple: it does not exist.**

Institution	Tuition support for faculty/librarians	Tuition support for spouses/dependants
Alberta	yes, 4 credit courses a year	no
British Columbia (UBC)	yes, up to 12 credits a year	yes
Calgary	yes, 3 half courses a year	yes, 3 half-courses a year
Carleton	yes	yes
Dalhousie	yes, up to 2484 a year	yes (1)
Guelph	yes	yes, up to 2000 a year
Manitoba	yes (2)	yes (3)
McMaster	yes,	max 3750 a term
Memorial	yes	no
New Brunswick	yes	yes
Ottawa	yes	yes, \$2550 per year
Queen's	yes	yes, 3000 per year (4)
Saskatchewan	yes	yes (5)
Simon Fraser	yes	yes
Toronto	yes	yes (6)
Victoria	no	no
York	yes	yes
Waterloo	yes	yes
Western	yes	yes
Wilfrid Laurier	yes	yes
Windsor	yes	yes

**NOTES:**

1. 50% of tuition waived if one parent is an employee, 100% if both parents.
2. Can also be applied to tuition at other universities.
3. Akin to a scholarship program. Students must have a minimum 3.0 GPA and the amount awarded depends on the number of applicants in a given year.
4. Tuition waiver is transferable to other universities.
5. The university pays 1000 dollars annually into a flexible spending account; which can then be allocated into one of three accounts.
6. Some restrictions apply.



Photo Credit: Sofia Rosa Price



Left: CAUT President Wayne Peters, Centre: UVic FA Vice President Dr. Jason Price, Right: CUFA President Dr. Rick Kool at the Certification launch

# Certification: More Frequently Asked Questions

## Why unionise now?

In the last round of negotiations we sought monetary and non-monetary improvements to our collective agreement; it was a lengthy and difficult round that culminated in submitting the monetary differences to binding arbitration, and little administrative movement on non-monetary issues. We still await the arbitrator's decision. **As a union we would have more power to reach agreements at the bargaining table, and more options away from the table.**

For more evidence of the University's reluctance to present clear financial information to members, look no further than the current administration's 4% cuts that resulted in layoffs in students and faculty support providers, and that were presented as a reaction to government cuts in funding, which actually were less than 0.5%. **In short, we need to unionise to ensure that we receive accurate information to allow faculty to participate meaningfully in program and service-related decisions across campus.**

## Why unionise if we cannot make gains in salary because of the Public Sector Employers' Council (PSEC)?

It is misleading to suggest that PSEC prevents the UVic administration from addressing what they admit are comparatively low salaries for UVic Faculty. The employer is not bound by PSEC. A number of recent decisions by arbitrators in BC have ruled that PSEC does not limit salary settlements in the academic sector. Similar rulings by arbitrators in Ontario have been to the same effect. **The legal consensus is clear.**

## What is the legal status of our association now? Why do we need to change it? We are self-regulating professionals, right?

We are indeed professionals, researchers and scholars and we are also in an employment relationship with the university. As legal counsel Leo McGrady Q.C. stated at our certification launch, we have no rights under the Labour Board or Code. Our Framework Agreement is an employment agreement made under principles of Common Law. Continued on p.5.....

## The Value of Certification: A Personal View from a Certified Colleague

I am a chemist at Queen's University. I became involved in my union because I was subjected to blatant discrimination when I applied for promotion to full professor. It was an eye opener for me because I then found out that, of the 13 cases that the grievance officer was handling that year (in 2000), only one was not a woman. Unionization gave us the means to fight the old boys' club. This discrimination saw no boundary: women in science, engineering, humanities, etc. were subjected to it.

Another thing that unionization did was to reduce inequities in salaries (in particular, women being paid less than men for the same number of years of experience). Unionization also gave us longer maternity and parental leaves, sabbatical leaves with a greater portion of salary (100% for a 6-month leave or 85% for a full year), better benefits, etc., which are enjoyed by everybody. Since certifying in 1995, QUFA has been able to

make huge improvements in the lives of academic staff and to defend those improvements through bargaining and grievances.

We look forward to welcoming you into the national union fold.

Diane Beauchemin  
Professor, Department of Chemistry, Queens University  
President, Queen's University Faculty Association

"Join the union girls, and together say, Equal Pay for Equal Work"

Susan B. Anthony  
Co-founder National Woman's Suffrage Movement

## Continued...

Law, under which the underlying legal relationship between us and the employer is that of Master-Servant. **Should we unionize, we will have significantly improved rights and protections under Labour Law, which in Canada is understood as distinct from employment law, and as such will allow us access to rights that will increase our autonomy.**

At present the University don't need to do anything on issues that they do not themselves identify as important. We make gains in negotiations only when the admin agrees with us basically. Unionization will give us more legal heft at the table. Our association status currently gives us no legal rights or power to force the university to bargain for a contract. If they wish the University could simply refuse to negotiate with us. For example, the administration has repeatedly refused to negotiate dependent tuition giving us the distinction of being one of the few universities in Canada without this benefit. **Furthermore the University could change our working conditions without our agreement, because the Framework Agreement does not have the same legal force as a unionized collective agreement.**

**Okay, a union sounds good. But what if we get our union, and we really hate the effects? What can we do about it?**

"The Union" is the membership, not an external body. Our Members will still have their democratic rights to determine the Association's agenda, and have the final vote on all association decisions and agreements with the administration. As always, our certified association will provide members with legal counsel, negotiators, valuable advice, and training, and as always, our members will elect their colleagues to the Executive Committee. **As we have said before, after unionization we will have the same people, doing the same work, only with enhanced legal rights and options**

In the HIGHLY unlikely event that we would want to disband the union (to our knowledge a university union has never decertified in Canada), this is perfectly possible, as well. Just as a simple vote is all that it takes to get a union, a simple vote is all that is required to disband a union.

**I have heard opponents of unionization say that faculty unions frequently go on strike. Is this true?**

Strikes by academic unions are rare, and are only ever taken after extensive negotiations, attempts at mediation, and other labour actions are exhausted. Strike action can only be initiated if it is authorized by the membership in a secret ballot.

**Will I still have a choice to cross picket lines on campus?**

As now, each member will make their own decision on whether to cross the picket lines of other unions on campus. Some unionized associations have negotiated protection for their members who refuse to cross other picket lines. **Nobody is ever compelled to cross, or not cross a picket line.**

**We are not blue-collar workers. Why do we need to unionize?**

Our concerns may be different but they are every bit as legitimate as workers in other sectors. Some of our members have serious health and safety concerns in their workplace; others with the way their work is managed, with their workload and with decisions made about their working conditions. Unionization places us in a much better position to prevent some of these problems from occurring, and protect members when they occur

**Will unionization force us all to have the same practices across the campus? We need to protect the local practices that we value.**

Practices often vary across a large campus. For example workload and the specific criteria for tenure and promotion may differ among academic units. A unionized collective agreement ensures that all units follow fair procedures and, where appropriate, protects each unit's ability to set their own practices. In relation to workload the agreements at some large universities require that all units have an appropriate balance, but allow the units to identify the specific details of workload for themselves

**Even if the university is free to give us the salary we deserve, can they afford it?**

**The university, as our investigative accountants have confirmed, clearly can.** The University of Victoria's General Operating Fund Reserve (essentially a rainy day fund) grew from 18.2 million in 1998 to 104.9 million in 2011, and another 6.5 million in 2012. (See <http://web.finance.uvic.ca/statements/audit/2011auditedstatements.pdf>)

Members of the UVic Faculty Association have largely been held to scale increases much below inflation over the past several years, maintaining the university's ranking as the lowest-paying research-intensive university in Canada. For more than ten years, the University of Victoria Faculty Association has sought improvements in faculty and librarian compensation, in order to bring our salaries and benefits to levels that are competitive with those at comparable Canadian universities. **It is interesting to note that the University of Victoria *already* has a policy in place for awarding comparable and competitive salaries; the catch, however, is that it applies *only* to members of the administration.** This policy can be found at <http://www.uvic.ca/universitysecretary/governors/execcomp/index.php>

## Dollars and Cents...

**\$77,000,000:** Total project budget for the new athletics and recreation facility at the University of Victoria

**\$13,479:** Average difference in annual salary of UVic faculty in relation to faculty at comparator institutions.

**1.93:** The percentage of your UVic salary (e.g. \$1,930 on a salary of \$100,000) that is deducted to fund the Long Term Disability (LTD) Plan. Our counterparts at unionized UBC pay a premium of .65% for comparable LTD coverage.



## Myths and Realities of Certification

**Myth:** When we unionise, we will be members of a national union, run by outsiders.

**Reality:** We will be members of our own union, with your volunteer colleagues doing all the same work, just with more legal rights and options.

**Myth:** Unionization is rare among university faculty.

**Reality:** More than 80% of faculty in Canada are unionized, many for decades. Here in British Columbia, UBC and Royal Roads are unionized, and SFU and UNBC are currently engaged in their own unionization information campaigns.

**Myth:** Unionization harms collegiality

**Reality:** Unionization is often credited by our colleagues across the country with restoring the power balance between faculty and administration, and restoring formerly collegial relationships.