

UVic FA Newsletter

Connecting the members of the
University of Victoria Faculty
Association



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In This Issue

- Page 2 Certification Vote: Years in the Making
- Page 3 Certification: The Vote
Perspectives from the UVic Community
- Page 4 Perspectives from our National and Provincial Associations
- Page 5 Perspectives from Other Faculty Associations
- Page 6 Threats to Higher Education

Our Members have Spoken

After a nearly 87-day card-signing campaign, that saw fully 60 faculty member volunteers answering hundreds of their colleagues questions, and discussing the pros and cons of certification, 63% of the faculty and librarians at the University of Victoria have signed certification cards. As was announced on January 3rd, an application has been made to the British Columbia Labour Relations Board for a vote on unionization.

In this newsletter we highlight the actual lived experience of our certified colleagues, and their advice to UVicFa members. Since the first days of our certification drive, colleagues from universities across the nation have sent us their written support, noting the contributions of certification in regards to respect, equity, academic freedom, and improvements in pay, benefits and relationships with administration. The experience of our colleagues in certified faculty associations has been an important source of information in preparing our Frequently Asked Questions, along with information from CAUT Advisors and our counsel Leo McGrady Q.C. Certification is the choice of the great majority of our colleagues in Canada, because, among other things, it aids in the achievement of true collegiality.

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

Important Information for all Faculty and Librarians

An application has been made to the Labour Relations Board to hold a vote on the question of certification for the UVic Faculty Association. The vote will be held on or before January 13, 2014. Further important information regarding the vote can be found on page 3.





Certification Vote: Years in the Making

During our preliminary research, we learned that certification has been a topic of discussion at the University of Victoria for many years, with a first attempt at certification coming in 1988. Another attempt was made to have the association certified at in 1999, and the Association sponsored a panel discussion and research on question of certification in 2008.

Beginning in 2013, the Faculty Association began to again seriously research the question of certification. We began by reviewing the literature on unionized faculty associations, and began ongoing consultations with other faculty associations across the country with actual firsthand experience of the effects of certification, and with National and Provincial faculty organizations regarding the pros and cons, and process of certification. A decision was made to sponsor discussion panels, informal discussions and other opportunities for members to share concerns and ask questions about certification in the spring of 2013. Since October of this year, more than 60 volunteers have dedicated hundreds of hours to visiting every faculty and department, answering hundreds of their colleagues' questions and listening to their concerns. The feedback received from colleagues at the start of

the campaign, was a stated preference for low key, colleague to colleague discussions rather than for large "showy public" events. For the last weeks of the campaign colleagues offered daily office hours across campus open to all colleagues. All of the questions and concerns received by our volunteers have been taken seriously.

We've crowd-sourced answers for many of these questions from our colleagues at other faculty associations, including UBC, SFU, and other comparable universities, and we've had our responses vetted by our lawyer, Leo McGrady QC, CAUT and CUFA Advisors for accuracy. Our answers to the most frequently asked questions are contained in the UVicFa Certification Materials found on our website.

UVic colleagues have reported being surprised by some certification facts, especially the fact that over 80% of their colleagues across the country are members of certified faculty associations, and that many have been for decades. The fact is that certification is the accepted practice at most Canadian universities, because it works. It works by providing the labour rights that are necessary, in 2014, to effectively represent a faculty in as complex an organizational environment as UVic.

Certification: The Vote

On January 3, 2014, the Faculty Association announced that it had received 540 signed certification cards, representing 63% of the Faculty Association membership. These cards represented a strong message to the Faculty Association that its members wished to vote on the issue of union certification. Accordingly, an application was submitted to the Labour Relations Board of BC.

In these circumstances, once an application is submitted, the Labour Relations Board commences a process that includes a review of all signed cards by an Industrial Relations Officer and the holding of a hearing with the Association and the Administration. The Labour Relations Board is also obligated to hold a vote within ten days of the submission of the application. In the present circumstances this means that a vote will be held on or before January 13, 2014.

While the Association recognizes that January is a busy time for all Faculty and Librarians, submission of the application was necessary at this time to ensure that the certification cards signed by members did not become stale dated due to the legislated timelines of the Labour Relations Board.

Details regarding the vote are decided by the Labour Relations Board in consultation with the Association and Administration. The rules of the Board dictate that the vote will be held by secret ballot. The Association is advocating for a voting method that it feels would allow the maximum number of members to vote whether they be on campus or off. The ultimate decision on this issue, however, will be dictated by the Labour Relations Board.

Further details regarding the vote will be sent to all Faculty members and Librarians as soon as they are available.

Perspectives from the UVic Community

I have been surprised by the number of grievances at UVic, and especially by the large number of women seeking the assistance of the faculty association. The belief that all is well, and that faculty experience few fundamental problems is a false one.

We have academic freedom cases and denial of promotion and tenure coming forward, where fundamental rights are being challenged. Certification is the most effective way of strengthening your academic career, protecting your integrity, and securing your own rights and livelihood as well as those of your colleagues.

Collective action is essential to solidarity and to the right of fair representation by your faculty association.

Dr. William Graham
UVic FA Advising and Dispute Resolution Consultant
Former University of Toronto Faculty Association
President and Chief Negotiator
Former CAUT President
Former OCUFA President
Professor Emeritus University of Toronto, Department of
Philosophy

A blatant example of weakness in our agreement is the language around financial exigency. It is one of the weakest in the country. So if the University budget is really in a "structural deficit" we should all be worried... Compulsory arbitration will not aid us unless we can strengthen the language in our agreement and since both side have to agree to any language changes this will not come about unless the power imbalance between the F.A. and the administration is improved. So I conclude that unless we unionize ours will remain one of the weakest agreements in the country and this at a time when the University is claiming a structural deficit. This makes getting a new strengthened agreement with all the protections available under the Labour Relations Board not just desirable but a necessity!

Chris Petter
Head of Special Collections & Digital Initiatives
Member, UVic Board of Governors 2008-2011
Chair of the FA Salary and Benefits Committee 1999, 2003-2004, 2007, 2009
Member of FA Negotiating Team 2004, 2007, 2009
CUFA BC President 2006-2008

Perspectives from our National and Provincial Associations

On behalf of Canadian Association of University Teachers (CAUT), I want to congratulate you on your efforts and courage in following this path to certification. This is a crucial and necessary step to ensuring that, as an Association, you are fully able to represent the interests of your members, to negotiate for and protect all of the terms and conditions of their working environment, and, I would argue, to stand up for PSE, collegial governance and academic integrity at your institution. As you are aware, one of the most important gains made by an Association when it certifies is the legal recognition under provincial labour code as the sole and exclusive bargaining agent for its members in all areas of representation. Certification assigns legal status not just to the UVicFA but also to the working relationship between the Association and the Employer, which creates a more equitable balance of power between the parties.

When I spoke at your general membership meeting back in October, it was clear to me that you had tremendous support within your membership for this move. I have no doubt that your efforts since then have only solidified this support even further and will ensure that the upcoming LRB vote will be successful. As always, CAUT and its member associations across the country stand behind you in solidarity.

Wayne Peters
President, Canadian Association of University Teachers

Letter to UVic Faculty and Librarians: CUFA-BC President

People working in organizations where they feel secure, respected, engaged and able to pursue both individual and collective ends do not usually move towards unionization.

But folks that are facing program reviews, increasing bureaucratization, less control of their working lives, attacks on job security and academic integrity and reduced autonomy to pursue both individual and collective ends, can and do look for the protection of labour codes and the formation of unions to balance what they perceive as a tilting of the institutional power relationship far to the side of the employer. In that sense, the fact that faculty associations across Canada have seen it necessary to pursue unionization under various provincial labour codes is a sad state of affairs.

However, it is clear that unionization has no influence on the part of a professor to carry out his or her research, teaching or service: decades of unionization at many of Canada's finest universities attest to that.

Unionization does mean that the professoriate, collectively, has more potential to influence the conditions of their employment and the direction of the institution than they do in a non-unionized environment. Unionization means more protection of professors' ability to carry out their academic tasks.

Unionization means that our colleagues who have left the professoriate and moved into academic administration must now negotiate changes they would seek to make and would have to govern our institutions less by policy and decree.

Unionizing the faculty at the University of Victoria opens a door through which both faculty association and administrative leadership of the university will have to walk through, creating the context for a new set of honest, frank and challenging dialogues leading to a new collective agreement. Without a show of strength and confidence that comes from a significant ratification vote, the faculty association leadership might open a door for those kinds of honest, frank and challenging conversations, but there is no necessity that anyone will walk through the door to meet them.

Dr. Richard Kool
President, Confederation of University Faculty Associations of BC



Perspectives from other Faculty Associations

gain from becoming a union and we hope your members will join the ranks soon!

Diane Beauchemin
President
Queens University Faculty Association

At SFU, we are just beginning the certification process. We are not as far along this important road as you, but hope to be nipping at your heels. Indeed, your own drive has been a major impetus for us, an inspiration to get on with it, and a critical factor in many of our members' decision to take the question of certification seriously. So it is odd to be saying anything but thank you. You 've been the leaders here. I don't need to tell you what certification means legally, or procedurally. Your folks here have done an excellent job of that already. I want to focus instead on just one aspect of what it means politically.

Lay aside the democratic procedures and the expanded frame of bargaining and rights, and dispute resolution mechanisms. Put all that aside and what certification is about is status, relationships, and collective citizenship. Certification is a new covenant... Certification is the process by which we become citizens. It is a political process by which we gain the rights of citizenship, recognized as sovereign in our collective self not the university that employs us, but by the law. These rights of citizenship limit the arbitrary exercise of authority; they bind all actors in a rule of law so that the law, rather than any one party, is the arbiter.

Brian Green
Executive Director
Simon Fraser University Faculty Association

Congratulations on the success of your certification drive so far. I am writing on behalf of the Queen's University Faculty Association to urge your members to vote Yes to unionization. Since QUFA became a union, we have been able to do much more for our members through formal dispute resolution mechanisms and collective bargaining. At the end of the day, there is nothing to lose and much to

Greetings from the University of Western Ontario Faculty Association. We strongly support the certification drive at the University of Victoria and encourage our colleagues there to vote in favour of it. Since UWOPA certified in 1998, and its librarians and archivists in 2004, faculty members have seen their working conditions improve significantly, and have been able to work together to protect quality education and research resources at the university. In these uncertain times, there is simply nothing more powerful than a strong, organized, collective voice from faculty.

For your future and the future of public education in Canada, please vote YES!

In Solidarity and with all best wishes,

Alison Hearn
Vice President
University of Western Ontario Faculty Association

The Windsor University Faculty Association stands in solidarity with your members and recommends a solid yes vote for certification. Unionization has proven itself over and over in collective bargaining, members rights and respect from the employer here at Windsor. As President of the CAUT Defence Fund I give my full support and the support from all the member unions of the Defence Fund on your certification drive.

In solidarity,

Brian Brown
President
Windsor University Faculty Association

Threats to Higher Education

According to representatives from certified faculty associations, CAUT and CUFA-BC certified faculty, certified faculty have greater powers to resist the many governmental and institutional threats to the integrity and security of academics and academic work. Below find a partial list of some of the most salient threats identified as being of most concern to our roles and livelihoods as faculty and librarians. Certification provides faculty associations with the legal rights needed to negotiate, protect, and expand our important roles in the governance and the underpinnings of our academic work.

Threats to Higher Education include:

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- Declining % of Operating Revenue from Government
 - Core reviews, rationalization, possible position loss or faculty pooling and workload restrictions
 - Casualization
 - Restricting our autonomy as teachers & researchers
 - Administration defined “Metrics”
 - Imposition of learning outcomes
 - Standardizing curriculum
 - Unbundling our work
 - Separating teaching and research
 - Whittling away the underpinnings necessary for good academic work
 - Academic freedom
 - Tenure
 - Control of our records and our intellectual work
 - Diminishing academics’ effective role in governance of the institution
 - Diminishing academics effective role in governance of the institution
 - Corporate style management/board dominance
 - Professionalizing the administration
 - Administrative bloat
 - Embracing the private sector corporate culture
 - Less time and fewer rewards for university service