

University of Victoria Faculty Association

THE

F.A. RELAY

FALL 2017 Volume 2 Issue 2



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FACULTY FOCUS - ELIZABETH VIBERT

REPORT ON CUFA BC'S UNIVERSITY GOVERNANCE CONFERENCE

MEMBER SOUND OFF

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CUFA BC'S University Governance Conference
- March 2017



MESSAGE FROM THE PRESIDENT

Dear Colleagues,

I would like to begin by expressing my thanks for your strong support of our initiative to reform and modernize the Association's bylaws and governance structure. As we reported last spring, the new Bylaws were passed with a margin of over 95% (of the 521 Members who voted). I am hopeful that this strong mandate will translate into your continuing support this year as we work on our transition into a new governance structure. The most immediate change involves the formation of the Representative Council (composed of one elected Member from each unit on campus); elections for the Council will take place this Fall, and the first meeting of the Council is planned for February 2018. Stay tuned for more details on elections and other transition plans to come.

One of the central objectives of the Representative Council is to improve the democratic infrastructure of the Association: in particular, to enhance and strengthen Members' voices in the decision-making processes of the Association, to ensure that Association decisions are representative of the diversity of our Membership, and to strengthen the Association's ability to represent our Members at the bargaining table.

The Association's interest in good governance does not end here, however. This past year, CUFA BC (the Confederation of University Faculty Associations of British Columbia) organized a national conference on collegial governance in Canadian Universities (see [SEE PRES. MESSAGE ON PAGE 7](#))

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COVER PHOTO: Member's Mary Lesperance (L) and Martha McGinnis (R) receive recognition for their dedicated service on behalf of Association Members at the Spring 2017 AGM

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FACULTY FOCUS

A SPOTLIGHT ON COMMUNITY ENGAGEMENT: Q&A WITH ELIZABETH VIBERT

Q. HOW WOULD YOU DESCRIBE THE WORK THAT YOU DO?

A. I do community-engaged research on the gendered, lived experience of poverty. I'm very interested in grassroots (especially women's) resistance to global and national economic imperatives that further impoverish women and rural communities. My current work is an oral history-focused project with older women farmers in Limpopo Province, South Africa. The most recent outputs of this research include a documentary film, 'The Thinking Garden' (2017) that was first proposed by the South African women. Academic articles and conference papers are meaningless to their communities. This film brings the research back to the women and their communities in powerful ways – while giving the work a much wider reach in the global North as well. I researched, co-wrote and co-produced the film with director Christine Welsh (emerita

in Gender Studies) and assistant director Basani Ngobeni, who's my research collaborator in South Africa. I've been touring the film across Canada at public screenings and took it back to South Africa in May (it will ultimately be shown on television there as well). The farmers had seen a rough cut, and they love the finished piece. We've applied to various international film festivals, and so far have been accepted to festivals in Paris, Kuala Lumpur, and Johannesburg, as well as several in Canada. Other outputs from this research include a recent article about the women's food-security project in the *Journal of Contemporary African Studies*; blog posts; and lots of public talks about food security, the women's farm, and African political economy. I also manage a website about the women's food-security initiative.

“ It was very exciting to take a dozen UVic (and one UBC) senior undergrad students to the communities where I do my research, and to see them develop a richer understanding of the ongoing impacts of colonialism in Canada, while studying its effects in South Africa. ”



Elizabeth Vibert in conversation with Dinah B, Mamayila M and Maria R - Basani Ngobeni



Evelyn N and Rosina N in a newly planted field - Elizabeth Vibert

Q. WHAT IS YOUR HISTORY HERE AT UVIC?

A. I was hired to join the History Department in 1994 as a British colonial/Canadian historian. I researched and taught Canadian, colonial, and First Nations history for some years. My doctorate at Oxford was in Southern African/British colonial history, and it's been good to 'return' to Southern African history in the past few years, now that my children are older and I can be more mobile. In 2014 I launched UVic's Colonial Legacies Field School in South Africa. It was very exciting to take a dozen UVic (and one UBC) senior undergrad students to the communities where I do my research, and to see them develop a richer understanding of the ongoing impacts of colonialism in Canada while studying its effects in South Africa.



Mamayila M and Modjadji N prepare furrows for planting - Elizabeth Vibert



Maria R watches the playback of a scene shot for the film
- Elizabeth Vibert

Q. WHAT ARE YOU FOCUSING ON IN YOUR WORK RIGHT NOW?

A. My main research project at the moment is called 'Rural Women's Strategies of Community Building, Self-Reliance, and Resistance: South Africa from Apartheid to the Social Grant.' Drawing on the self-confident life histories of older women farmers, the research examines household microeconomies and collaborative activities that provide a political forum for women and offer some buffer (however imperfect) against the pressures of the global economy and national policy failures. I'm now beginning a collaboration with a colleague in another department to broaden the South Africa work into a transnational study of women's mutualist and community-driven alternatives to neoliberalism. I also collaborate on local (to Southern Vancouver Island) food-security awareness raising activities with Haliburton Farm; among other initiatives, we've started an Urban Food-Garden Tour to encourage people to grow food at home. ■

“ The most recent outputs of this research include a documentary film, 'The Thinking Garden' (2017) that was first proposed by the South African women. ”

PRES. MESSAGE CONT. FROM PAGE 3

report by Martha McGinnis on page 15). Faculty members have a lot at stake here. A University is, at its core, a self-governing community of scholars as pertains to academic matters. While BC's [University Act](#) gives authority to the Board of Governors for managing the business affairs of the University, decisions and recommendations around academic affairs (including hiring, tenure, promotion, but also the content and direction of academic programming) are and should be made by the community of peers. The extent to which collegial self-governance is meaningful varies greatly across universities; increasing managerialism and bureaucratization at Canadian universities pose perhaps the largest threats to collegial governance.

The Association strongly supports the rights of faculty and librarians to be meaningfully engaged in the academic governance of the University of Victoria. At UVic, faculty participation and engagement in the University Senate is an important mechanism for the collegial governance of academic matters; in addition, the "Petch Procedures" (procedures for the ratification of administrators by faculty) support collegial decision-making in the selection of administrators at the University of Victoria.

Besides these more institutional mechanisms, collegial governance is importantly given life at the local level – at the level of a Department or School – through the unit-level policies and procedures that guide collegial decision-making, and support the active participation of faculty members and librarians in setting the academic direction of their home units.

As part of our 2017-2018 Advocacy Agenda, the Association has committed to continue to work to enhance support both for early-in-career scholars and for Chairs and Directors, advocating for more research support and services for our Members, and promoting awareness

of the role that academic freedom plays in our lives as academics. Strong, transparent, and equitable collegial governance processes underpin all of these issues.

I conclude with some general thoughts on what we mean by collegiality and collegial governance. Collegiality does not mean "getting along" or being congenial; similarly collegial governance does not mean getting consensus on all decisions that are made by an academic community. Instead, collegial governance is supported through transparent and democratic processes that:

- Encourage constructive collective decision-making, but allow for open disagreement between colleagues.
- Assume and encourage the full engagement of the entire community.
- Are sensitive to inequities and power imbalances among members of the community (such as between untenured and tenured faculty, but also associated with gender, race, ethnicity, and Indigeneity).
- Include transparent rules for how decisions get made, and what decisions are the province of the academic community.
- Include regular opportunities for debate and revision of these rules.

I welcome your thoughts and insights on any and all of these issues, as well as suggestions as to what role the Association may play in supporting collegial governance, whether at the level of the unit or the University. Please email me at presidentfa@uvic.ca with your comments.

Thank you,

Helga Kristín Hallgrímsdóttir

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INVEST IN OUR FUTURE.**

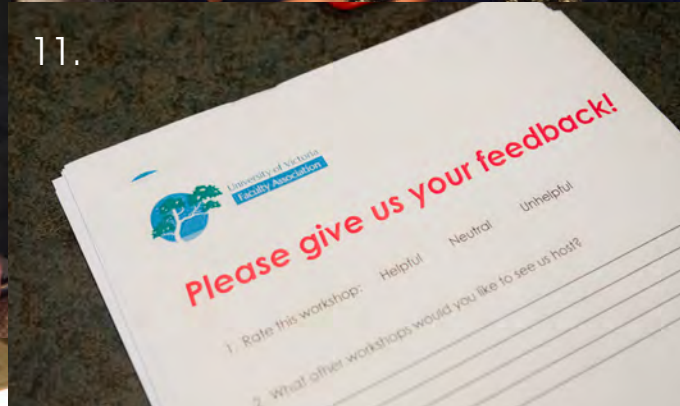


PHOTO LIST: ACADEMIC FREEDOM PANEL (1); MI WORKSHOP (2, 4, 7 & 11); DEPARTMENTAL LIAISONS WORKSHOP (3, 5, 8 & 9); AWAITING THE NEW BYLAWS VOTE (6); SPRING 2017 AGM (10)

UPCOMING - FALL 2017

OCTOBER

- CAUT Equity Language Workshop - *October 5*
- Departmental Liaisons Workshop - *October 19*
- Faculty Feedback Cafe - *October 25*

NOVEMBER

- CAUT Librarian Bargaining Workshop - *November 14-15*
- Lunch Presentation - Dr. Aaron Devor - *November 29*

DECEMBER

- Fall 2017 Ordinary General Meeting - *December 6*

Contact Maria Furtado at adminfa@uvic.ca for more event info.



COMMITTEE REPORTS

EQUITY COMMITTEE

RACIAL (IN)JUSTICE IN THE CANADIAN UNIVERSITY: THE POLITICS OF RACE, DIVERSITY AND SETTLER COLONIALISM

Conference Co-conveners: Dr. Sunera Thobani and Professor Margot Young
Sponsored by UBC Faculty Association, March 16, 2017

Conference Report by Susan Boyd

On March 16, 2017, as a member of the University of Victoria Faculty Association Equity Committee, I attended a conference at the University of British Columbia (UBC), entitled Racial (In)Justice in the Canadian University: The Politics of Race, Diversity and Settler Colonialism. The conference highlighted the need for the advancement of equity on university campuses throughout Canada. The conference consisted of both panel presentations and workshop/roundtables for discussion on the issues presented by panelists. Below I briefly highlight some of presentations at the conference.

Dr. Shelly Johnson, Mukwa Musayett

[Dr. Shelly Johnson, Mukwa Musayett](#), Canada Research Chair in Indigenizing Higher Education, Education and Social Work, Thompson Rivers University (TRU), was the first speaker on the panel on *The State of the Academy: Issues, Policy & Effects on People*. Johnson opened the panel discussion with recognition of the City of Vancouver's 2014 unanimously passed motion recognizing that the City was founded on unceded land. She also noted that Indigenous faculty make up only about 0.05 per cent of faculty and staff at UBC, and only about 1.5 per cent of faculty and staff at TRU. She stressed the importance of Indigenization at the university and spoke about the University of Regina's, Dr. Shauvenn Pete's article: [100 ways to Indigenize and decolonize academic programs and courses](#).

Dr. Malinda Smith

[Dr. Malinda Smith](#), Political Science, University of Alberta, asked why academia (and the judiciary and police, etcetera) is so white after three decades of policies and initiatives. She stressed that racial and ethnic hierarchies; and white supremacy (associated with the alt right) continue to thrive; and the university is no different. She also noted that universities highlight diversity success stories as a way to "mangage" diversity. Smith explored how universities can go beyond equity by thinking about equity and liberation. She explained that the university prefers "sameness" or "whiteness", thus equity is perceived as hiring a white woman, or a white woman with a disability, or a white LGBT individual. White faculty are hired, and Indigenous and racialized people are not. In practice, Smith argued that hiring practices at universities do not reflect their diversity documents and initiatives, or their students. Smith stressed that the student composition is diverse; Indigenous and racialized students are the fastest growing population at Canadian universities, but the professors are mostly white.

Dr. Jin Haritaworn

[Dr. Jin Haritaworn](#), Gender, Race and Environment, York University, read from a paper that was collectively written at a retreat for queer and trans academics of colour, recently held over more than two months in California. Haritaworn noted that their group was diverse and few of them had dreamed of an academic career. In fact, most of the participants hated higher education and its colonial project.

However, early on in their lives the participants at the retreat noted that they were involved with books rather than people. Haritaworn stressed that reading and writing can save lives. Haritaworn also noted that queer and trans academics and students of colour are the subject of sexual and racial threats. The washroom battle is only one example of the ongoing oppression that queer and trans students and faculty experience in the neo-liberal university.

Dr. Sarika Bose

[Dr. Sarika Bose](#) teaches Victorian literature, drama, and composition at UBC. Her presentation explored the invisibility of contract faculty. At the neo-liberal university, increasingly positions are contract, rather than tenure track. Bose emphasized the difficulties that contract faculty face that foster fracturing, competition, segregation, separation and conflict. Bose argued that contract workers are denizens, not citizens. Contract workers are replaceable, disposable and the undeserving poor. She argued that contract workers exist in a liminal space, where they are expected to engage in unpaid labour and are given temporary email accounts, library cards, and offices, or no office. Bose concluded that contract workers are perceived and treated as "failed" professionals. She noted that contract workers are particularly vulnerable in relation to anonymous student evaluations and posts on social media.

Zool Suleman

Zool Suleman is a Canadian immigration and refugee lawyer, who is now a graduate student at UBC. Suleman asked: "How does UBC perform diversity?" He agreed with other speakers that there are many reports and initiatives concerning diversity at UBC. Thus, on the surface, UBC performs diversity well. He argued that diversity is over-reported and process-heavy with few results. Suleman explained how the RAGA centre (Centre for Race, Autobiography, Gender, and Age) at UBC was forced to relocate without consultation. He discussed how the university is threatened by RAGA and waged a battle over 200 square feet. Suleman also explored how RAGA mobilized against the university because the space is important to "people like me." He concluded that diversity does not mean equity and he stressed that leadership matters. More than talk, practice is what is needed.

Dr. Enakshi Dua

[Dr. Enakshi Dua](#), School of Gender, Sexuality and Women's Studies, York University, emphasized how most Canadian universities are expanding resources for equity, including

Indigenization at the University of Regina is understood as:

"The transformation of the existing academy by including Indigenous knowledges, voices, critiques, scholars, students and materials as well as the establishment of physical and epistemic spaces that facilitate the ethical stewardship of a plurality of Indigenous knowledges and practices so thoroughly as to constitute an essential element of the university. It is not limited to Indigenous people, but encompasses all students and faculty, for the benefit of our academic integrity and our social viability."

Dr. Shauvenn Pete
University of Regina

offices and policies. However, she emphasized how narrow the definition of equity is in most universities. She stressed that the term "racism" is not used. Instead, it is all about "equity." She also noted that there is a move away from the term equity to "diversity", "inclusion" and "conflict resolution." Dua argues that there is a reluctance to use the term "anti-racism" and that this has profound effects on policy and practice. She also noted that equity tends to be about gender and recommends that universities set up anti-harassment and education workshops, equity hiring, and equity policies and practice oversight, including hiring. She asserts that all university policies should effectively deal with racism and the harms of racism. She concludes that white privilege is a challenge at the university.

Dr. Delia Douglas

[Dr. Delia Douglas](#), Social Justice Institute, UBC, has taught in both Canada and the U.S. In her presentation she emphasized that access to the university is denied to racialized women. The university is constructed as "white property" and there is a pattern of exclusion, naivety and violence. She notes that white women are the new gatekeepers of the university. She argued that who is allowed into the university is linked to what knowledge is allowed. White people are taught that they are not "raced." She noted that there are few role models and advisors for Indigenous and racialized students. She concluded that three decades of budget constraints, accompanied by universities looking for corporate support, contributes to the Eurocentric space of the university. ■

Please forward any questions or concerns regarding Equity and Diversity here at UVic to FA Equity Committee Chair Dr. Donna Feir at dfeir@uvic.ca

UNIVERSITY SENATE REPORT

MORE OPENNESS IN GOVERNANCE AT UVIC?

By Doug Baer

Aside from a handful of small third-sector organizations, universities are among the most democratically run institutions in liberal democracies. In the Canadian context, Department Chairs and Deans are usually appointed by committees which themselves are elected by faculty, and elected faculty Senates have some influence over governance matters at the institution. At the University of Victoria, departmental and unit democracy goes one step further, with the long-established “Petch rules” calling for ratification votes for many, but not all, academic administrative positions. Newly created Associate Provost positions have, for example, been exempt, and one element of the rules pertaining to the appointment of the President was removed a few years ago.

Across Canada, most institutions have a Senate and these bodies - a majority or near-majority of whose members are elected faculty - represent faculty in larger matters pertaining to the governance of the institution at large. Senates share legal jurisdiction with Boards of Governors, though the boundary lines are often porous: when does a financial decision to move resources into certain areas and away from other areas become an “academic” decision, for example. Aside from a token number of elected faculty (not untypically two or three), Boards of Governors are mostly comprised of external appointees, putatively to represent the public at large. In British Columbia, the majority of these appointments are made by the government in power; with recent moves in Alberta to change a similar situation there, B.C. is the only jurisdiction to do this. In other provinces, such as Ontario, there are provincial appointees but these are in the minority).

// As a democratically elected body, a University Senate can provide an important forum for administrative accountability. //

While the Ministry of Higher Education claims that there is an autonomous vetting process for potential Board appointees, as famously noted in an article in the *Georgia Straight* (Dermond Travis, August 26, 2015), support (usually financial support) for the Liberal Party of BC seems to be a major criterion in the Board appointment process. While we do not have data for UVic, the *Straight* reporter found that 9 of 11 appointed UBC governors had made personal donations (totaling \$137,000 across 9 people) to the BC Liberal party, and of the two that didn’t, one donated \$2,000 through a personal corporation. And this figure does not include larger sums of money contributed by relevant corporations that Board members were connected with.

As a democratically elected body, a University Senate can provide an important forum for administrative accountability. At many institutions, including UVic, Senate elections are contested, though, across Canada, the filling of positions by acclamation is not uncommon. But there are methods by which a potentially unruly Senate can be “tamed” by any university administration which is uninterested in opening up the governance of the institution to wider scrutiny. The most notable of these is to declare discussions on a variety of topics to be ultra vires – outside the jurisdiction of Senate and hence not discussable.

One might think that elected Senators could simply bring any topic they wish discussed to a Senate meeting and have it added to the agenda of that meeting under “New Business.” This is true for anything the President wishes to discuss in the section devoted to his or her concerns at the beginning of all Senate meetings - topics discussed have ranged widely over the past few years and often taken the form of useful “information” on matters not covered under a restrictive definition of Senate’s jurisdiction. But it is not true for any issue or concerns brought forward by an elec-

ted Senator. Rather, he or she must submit a proposed agenda item to the Agenda and Governance Committee by a given deadline, usually a week before Senate. This committee then vets the proposed agenda item, with the power to simply say “no”.

As an agenda-setting (and veto) committee, UVic’s Senate Agenda and Governance Committee is quite powerful. It is chaired by the President. Of its 12 current members, only three are faculty or librarian non-administrators (not counting two department Chairs as “administrators”); there is one Dean, the Provost, two Associate Deans, two members of the Senate Secretariat staff, one retired senior non-academic administrator and one student.

In the interests of allowing Senate to become a forum for matters associated with the governance of the institution, eight UVic Senators recently submitted a request to the Senate Agenda and Governance Committee for a “Question Period,” with a time limit of 30 minutes, to be added to Senate agendas so that Senators could ask questions, primarily of administrators, on matters pertaining to the governance of the institution. The petitioners made it clear that they understood that, in some instances, immediate answers might not be possible, and suggested that a

mechanism of deferring answers to a subsequent meeting could be employed. There was no intention to extend Senate’s jurisdiction (ability to legislate) to matters legally covered by the Board, but rather to allow for faculty to obtain information about how the university is run.

At the February 2017 Senate meeting, the Senate Committee on Agenda and Governance’s response to the request for a question period was unequivocally negative: “Senate should be cautious in straying outside its jurisdiction”, it wrote in its report to Senate on this matter, suggesting that the heavily scripted Campus Updates might be more appropriate for this, or that Senators could ask the President to address an issue (if he sees fit) in his President’s Report at each Senate meeting. It is notable that the matter itself – should there be a question period at Senate? – was not put to Senate for discussion or debate. The Senate Committee on Agenda and Governance had made the decision, and it appeared on the Senate agenda as an “Information” item. ■

// It is notable that the matter itself – Should there be a question period at Senate? – was not put to Senate for discussion or debate. //

HOW DID UVIC BECOME A LEADER IN
TRANSGENDER STUDIES?

Lunch Presentation with
Dr. Aaron Devor
UVic Chair in Transgender Studies | 2017 CAUT Equity Award Winner

Wednesday, November 29, 2017
Time: 12:00 PM - 1:30 PM Place: MAC RM D103

University of Victoria Faculty Association | Chair in Transgender Studies

CALL FOR SUBMISSIONS!

FEATURE CONTENT

RESEARCH & SCHOLARSHIP PROFILE

FACULTY FOCUS

MEMBER SOUND OFF

ART & DESIGN

GUEST EDITORIAL

The F.A. Relay welcomes your content submissions and ideas!

Contact our Editorial Department at: comsfa@uvic.ca

Advocate
Internal Governance

Member Goals
Bylaws
Engagement
Report
Financial Stewardship

Advocacy Agenda

1. Enhance research support and research services at both the individual and the unit level.

This involves:

- Developing a policy priority report (between the Fall OGM and the Spring AGM) outlining the key areas in research services and support where members would like to see improvement.

2. Education and awareness of the role of Academic Freedom at the University of Victoria.

This involves:

- Hosting a speaker or panel event open to the public around an Academic Freedom theme in 2018.
- Bringing to Members' attention any actual or threatened violations of academic freedom, particularly in the global context.

3. Enhance Association support for Chairs and Directors.

This involves:

- Creating avenues for Chairs and Directors to communicate more easily with one another in

order to provide mentorship and support for new Chairs, and to share problem-solving techniques for issues that are common to their role.

4. Continue to provide focused support for Early-in-Career scholars at the University of Victoria.

This involves:

- Reaching out to new Members to inform them about the Association's role in supporting them in the workplace.
- Hosting targeted training and mentoring events focused on performance reviews, re-appointment, promotion, and tenure.
- Advocating for the particular needs and interests of early-in-career scholars in policy consultations with the University.

5. Review the Course Experience Surveys.

This involves:

- Developing strong proposals on CES during the next bargaining round.
- Conducting Member surveys on CES issues: response rates, relevance of the questions, and the role of these scores in evaluation.
- Researching CES uses at other institutions.



UNIVERSITY GOVERNANCE IN THE 21ST CENTURY: MEETING THE CHALLENGES OF OPENNESS, ACCOUNTABILITY & DEMOCRACY

Conference Report
By Martha McGinnis

Earlier this year, I was one of several UVic Faculty Association members and staff who attended a national conference on University Governance in the 21st Century. The conference took place at Simon Fraser University's Vancouver campus on March 3-4, and was presented by the Confederation of University Faculty Associations of British Columbia (CUFA BC). A wide range of well-informed speakers outlined current challenges to openness, accountability, and democracy in university governance, and reflected on the role of Faculty Associations in addressing such issues.

A major issue that arose was the role of university Boards of Governors. Although universities are largely supported by public funds, under BC law they are administered as corporations. The principal mandate of a corporation is typically to maximize profits. The Board of Governors have a duty to the corporation, but it's not entirely clear who represents the corporation. However, in her presentation, Dr. Theresa Shanahan (York University), noted that the original legislation creating universities in Canada made the Board accountable to the academic members of the university, represented by the Senate.

Modern-day Board members may be unfamiliar with key aspects of university governance, such as the role of the Senate, or the legislated requirement for transparency and accountability. This disconnect came to light last year at UBC, where it was revealed that the Board of Governors had struck secret, off-the-record committees as part of former President Arvind Gupta's "resignation" process. In his presentation, Dr. Root Gorelick (Carleton), described heavy-handed measures taken to exclude student protestors from open Board meetings on tuition increases. Carleton also stopped Dr. Gorelick from blogging about Board meetings on his university website (he now uses a WordPress site). Dr. Gorelick left the Board when members were required to sign a code of conduct preventing them from publicly giving opinions on issues discussed, even in open sessions of Board Meetings.

At some institutions, such as Simon Fraser University,

Board members are free to criticize the Board's decisions, if they make it clear that they are expressing their own views. However, in many Canadian universities, Board members are required to sign a solidarity agreement like that at Carleton. Obviously, such agreements run strongly counter to the academic tradition of open debate and inquiry. As Theresa Shanahan (York University) pointed out in her presentation, they may even prevent members from fulfilling their fiduciary duty to the University.

Traditionally, the Board of Governors has authority over fiscal matters, while educational matters come under the authority of the Senate. However, the influence of university Senates has weakened over time. According to CUFA BC President Jim Johnson, University Presidents are now primarily advised, not by Senate, but by an informal leadership team of professional administrators. A single secretariat now serves both the Senate and the Board. The proportion of elected and academic staff representatives on Senates has also declined, with the result that faculty are less engaged in university governance. Senior administrators present a united front on Senate; student representatives also tend to form a cohesive group. Forming a caucus of faculty representatives can thus be an essential strategy to ensure that faculty voices are heard.

UBC President Santa J. Ono declared in his presentation that the primary goal of a university should be to guard the academic freedom of the faculty. In many institutions, however, faculty members face an uphill battle in establishing that the goal of collegial governance is primarily to protect the academic mission of the university, not purely to advance the interests of faculty members. Several presenters also noted the importance of defending equity for all scholars. One speaker, Dr. Gregory Younging (En'owkin Centre), pointed out that Indigenous scholars often feel a special responsibility to support Indigenous communities and mentor Indigenous students. Such aspects of scholarly activity are often not highly valued for tenure and promotion, despite their enormous long-term value to the academic enterprise.

[SEE GOVERNANCE CONF. ON PAGE 19](#)

MEMBERSHIP SERVICES

GRIEVANCES: A PURPOSE AND PROCESS PRIMER

By Reuben Kellen, Membership Services Advisor

When a union is not actively engaged in bargaining over the specific terms of a collective agreement, one of its main roles is advocating for the interests of members when there is a question about collective agreement compliance. The Faculty Association often fulfills this role through informal negotiations with the employer, but informal negotiations may reach an impasse if the Association and the employer have a fundamental and irreconcilable difference of opinion. In those situations, the Association has the right to formally contest the issue by filing a grievance. This article provides some basic information about what a grievance is, and the grievance process.

What is a grievance?



The Collective Agreement specifies that grievances are formal written claims submitted by the Association. Individual Members cannot file grievances independently, and Members with concerns about any aspect of their employment relationship (i.e. potential grievors) are therefore encouraged to bring their concerns to the Association as soon as possible. While a grievance may be filed in relation to a specific situation involving a single faculty member or librarian, it is important to bear in mind that the Association is ultimately responsible for making all decisions about filing, settling, or litigating grievances. Members of the Association are nevertheless critical stakeholders who have the right to provide input and, in certain circumstances, appeal decisions by the Association regarding the carriage of grievances.

A grievance is a formal escalation of a dispute between the University and a Member (or Members), or between the University and the Association. In the former case, a grievance is an escalation because it represents the transfer of control of the dispute from the grievor or grievors to the Association. In the latter case, a grievance is an escalation because it represents an acknowledgement that settlement may depend on one party or another accepting a contested interpretation of the Agreement. In both cases, the expectation is that before issues are escalated to the point when a grievance is filed, the parties to the dispute will make some efforts to resolve the dispute



informally. Although a grievance is an escalation, it does not preclude the possibility of negotiated settlement, and it does not generally mean that the dispute will inevitably be escalated further to arbitration. Arbitration is a process akin to a trial, and involves providing an opportunity for both the Association and the University to articulate a case, present evidence, and argue their respective positions before an external third party, whose responsibility it is to make a final and binding decision about the matters in dispute. Even while an arbitration is underway, the University and the Association may agree to settle.

Who files a grievance?



Unions, including the Association, have the exclusive right to file grievances; in legal terms this is sometimes referred to as sole or exclusive carriage rights. These sole carriage rights mean that the Association is ultimately responsible for making preliminary decisions about whether a Member's allegation is credible (whether it has sufficient evidence to support the factual claims), whether the allegations include a potential violation of the Agreement, and whether the alleged violations of the Agreement warrant a response from the Association. The Association also has sole authority to decide whether or not to refer a grievance to arbitration. In making these decisions, the Association must fulfill its statutory duty to all of its Members to make fair decisions. The Association is not expected to always make the correct decision, but its decisions must be reasonable, consistent, unbiased, and based on the best possible understanding of the facts. Members with concerns about how or why a particular decision not to file a grievance or to refer a grievance to arbitration have the right to appeal those decisions in order to ensure that everyone is treated fairly.

The Association has a standing committee, the Advising and Dispute Resolution Committee (ADRC), whose mandate includes making preliminary decisions about whether or not to file a grievance. A member who is a potential grievor must work with the Association if a grievance is to be filed. Generally speaking, engaging the Association involves some preliminary attempts to resolve

[SEE GRIEVANCES ON PAGE 21](#)



MEMBER SOUND OFF

JUGGLING ACADEMIC PARENTING: THE GOOD, THE BAD, AND THE UGLY

Why did you decide to have children if you're always so busy? It seems that your professional life is not compatible with parenting. I don't understand why you decided to have children!" Not a trace of irony accompanied these utterances one winter afternoon about four years ago. My lovely daughter had entered adolescence and was putting into practice the lessons in critical thinking that we had consciously or unconsciously taught her for the previous fourteen years.

If it had been a colleague, family member or psychologist who asked those questions it wouldn't have hurt so much. Those unsolicited intrusions into my personal life could have been easily dismissed, but it was my own daughter who was questioning my most important life choices—those choices which give me my most enduring sense of identity. As an academic mother whose field of research incidentally happens to be mothering studies, I found myself entangled in a lengthy explanation while spiraling down a vortex of self-doubt. Was that the way my precious daughter saw me, or was she a cleverly manipulative teenager who had just discovered my sense of guilt and was intent on exploiting it? I never found out, but for an academic whose entire career from graduate school to tenure was a precarious juggling act, the question resonated very deeply.

I did not question my choices but rather my ability to be adequately both a parent and an academic. I am sure many of you are laughing imagining this (un)familiar scene. If you have children, at some point you probably have found yourself on the receiving end of similar, though probably more benign, forms of inquiry into your own balancing act. In a liquid society, parenting brings about new, sometimes unexpected challenges. Academia, with its share of rewards and demands, can be a blessing in disguise. Flexible hours, flexible duties, summers off.

This is the idyllic picture that your non-academic family members and friends probably have of your professional life. Yet unrelenting deadlines, competing and conflicting demands, paucity of time, lack of sleep, unexpected school closures, sudden illnesses, and last-minute meetings all pop up like mushrooms after heavy rain. They appear with increasing regularity when your children are little. You can always count on something going wrong, on somebody getting sick, on an emergency arising, so you plan ahead, skimp on sleep, become thrifty with your free time, and draw up a series of plans that go from B to Z. Still, in the back of your mind, you think that something could be improved, that although academia has certainly come a long way from the time of the all-boys' network, so much more could be done.

Although statistics indicate that women pay a maternity tax in academia, men are not exempt from similar challenges. That precarious house of cards you so carefully crafted can tumble down at the first gust of wind. Sometimes, no matter how much you try, teaching, research, and service turn into a tsunami, threatening to engulf your precarious "familiar" existence. Wondermom and Wonderdad acquire super-powers to get through the semester, their capes floating down the corridor as they rush to get to school and to day-care before they close down, to make it to the school play, to participate in a field trip, to sign all the forms, to rush to the airport, to finish an essay, to proofread a thesis, to meet with a graduate student, to breathe, to exist, to survive.

How do you cope with "scheduled" and unexpected emergencies? With professional development days, spring break, after-school care or the lack thereof? Is academia a parenting-friendly environment? (I can hear your sarcastic laughter.) What could be improved to make both roles, the personal and the professional, less antithetical? As the number of academic mothers and involved academic fathers increases, we would like to hear from you. [Send us your comments](#) as we prepare to launch a survey exploring the challenges of academic parenting at UVic. Meanwhile, if you are tempted to shoot me a message to let me know what a bad mother I am, please abstain. I am already quite skilled at self-flagellation - having had an Italian Catholic education.

- Marina Bettaglio, Association Member
bettagli@uvic.ca

ACADEMIC FREEDOM: PROTECT IT OR LOSE IT

By Michael Conlon, Executive Director, CUFA BC

In order to properly defend academic freedom it is imperative that we define it precisely. In order to do that academic freedom should be viewed through two distinct but mutually reinforcing lenses; first as a social good in the interest of society writ large, and second, as a defining condition of employment that is fundamental to what distinguishes the university from all other social institutions.

Indeed it seems to me that tenure and academic freedom are the twin pillars of the institution – there is no academic freedom without tenure, and no tenure without academic freedom. While it is commonly recognized that tenure provides job security, it is less explicitly acknowledged that watered-down definitions of academic freedom are also a threat to the practice and principle of tenure.

It is important to examine academic freedom as both a condition of employment and a social good, and the Uvic Collective Agreement is a good place to start because its statement on academic freedom is expansive and inclusive:

UVIC FA CA Section 4.1: The search for knowledge and the free expression of it are inherent rights that both Parties will protect vigilantly. Academic freedom is the freedom to conduct research, examine, question, teach and learn, and it involves the right to investigate, speculate and comment, as well as the right to criticize and challenge the University, the Association and society at large.

UVIC FA CA Section 4.2: The Parties agree that they will not infringe on or abridge the academic freedom of any Member. Members have the right, regardless of prescribed doctrine, to be free from the threat of institutional reprisals and arbitrary constraint, and without regard to outside influence, to pursue their academic interests and activities, to conduct research and publish the results thereof, to engage in teaching and discussion, to pursue creative activity, and to select, acquire, disseminate, or otherwise use all forms of documentary materials in the exercise of their professional responsibilities.

// *The question is fairly asked and renewed, whether tenure serves an important public policy purpose in Canada in the twenty first century.* //



This definition contains what I take to be the two fundamental and mutually reinforcing aspects of academic freedom:

1. The inviolable right to carry on one's research program free of fear or favour – *wherever* that leads.
2. The right to be critical of one's institution and to publicly hold positions contrary to those of the institution.

The commitment to the first pillar remains very strong in the Canadian academy and there is no real push to dilute it – unlike the depressing scene unfolding south of the border. As to the second, however, there is a move afoot for change. In 2011 AUCC (now Universities Canada) changed its long-standing policy on academic freedom. The change was led by Stephen Toope, then President of UBC, and Peter MacKinnon, then President of the University of Saskatchewan.

As CAUT noted, the new statement on academic freedom from university administrators in Canada eliminated any reference to the “freedom of extramural utterance and action.” Universities Canada’s statement narrows the focus of academic freedom to the scholarly enterprise of an individual researcher and provides little protection for academics to speak publicly on controversial topics. This concern about a narrowing of academic freedom is not an abstract one. Andrew Potter was recently forced to step down as Director of McGill’s Institute for the Study of Canada after he wrote a controversial op-ed bemoaning what he saw as a “social capital deficit” in Quebec. The article was controversial and elicited a number of rebuttals from within and outside of the academy. Such debate is the hallmark of scholarly exchange and the work of public intellectuals, but in Potter’s case it also ended his appointment as Director of McGill’s Institute for the Study of Canada. Potter did not have tenure as the Director or in his academic appointment on a three-year academic contract (which he retained).

In another recent case, the Dean of Medicine at the University of Ottawa, Dr. Jacques Bradwejn, issued a bizarre memo with no context or explanation ordering faculty to refrain from making “attacks on celebrities or politicians” or “expressing politically charged sentiment.” The memo also went on to warn faculty against “using material or presenting information that may be considered inappropriate in the context of the educational values that we as a university uphold.” Exactly what those values are and who is in charge of defining and enforcing them is not outlined in the memo. It is important to note that Bradwejn’s memo very much follows the pattern of University Canada’s constricted view of academic freedom.

The underlying argument for this view of academic freedom is that a narrow definition of academic freedom is more likely to win support from provincial governments and the general public. That may or may not be true (I have my doubts), but it is a curious position for the leadership of Canadian universities to be taking. In fairness it should be noted that the changes to the statement on academic freedom did not garner unanimous support amongst university presidents and there was internal dissent. However, the narrowed definition prevailed, and it is vital to ensure that the language in faculty collective agreements does not follow suit.

The very notion of academic freedom can only be properly buttressed by tenure. Peter MacKinnon, in his book *University Leadership in the 21st Century*, ironically makes that very point in concert with his defence of a constrained version of academic freedom when he argues:

The question is fairly asked and renewed, whether tenure serves an important public policy purpose in Canada in the twenty-first century.

I would argue that tenure is the underlying condition of academic freedom, and that attempts to weaken academic freedom are invariably designed to undermine tenure. The ability for academics to enter the fray of public dialogue must be protected in both collective agreements and institutional policy and culture. Regrettably the recent episodes at McGill and the University of Ottawa offer little comfort for public intellectuals and academics holding controversial positions. It is vital, therefore, that faculty unions not lose sight of the need to strengthen collective agreement protections for academic freedom and tenure. Language enshrined in collective agreements is what makes academic freedom a legal right, and makes controversial, innovative, and challenging research and debate the rule that defines universities – rather than a dangerous exception to police and exclude. ■

GOVERNANCE CONF. CONT. FROM PAGE 15

Faculty members are generally well aware that the best scholarship is not always the most profitable, trendy, or politically favoured; that faculty members contribute to the academic enterprise in a variety of essential ways, only some of which generate significant short-term value for the university; that some disciplines require small classes to transmit knowledge effectively; and that disciplinary diversity is essential to identifying the next generation of great thinkers. Defending such principles at the highest governance levels is a task that often falls to faculty. Yet Board members are not permitted to act as spokespersons for the constituency that elected or appointed them. This also prevents the FA from having an official representative on the Board.

Perhaps the strongest words came from Dr. Nassif Goussoub, a UBC professor and an officer of the Order of Canada, who was a member of UBC’s Board of Governors for six years—including during the time of Dr. Gupta’s resignation. Dr. Goussoub argued that university Senates have been weakened to the point that they can no longer protect the integrity of the university, let alone faculty interests. He argued that Faculty Associations need to step up and address both issues. Dr. Goussoub quoted the words of Isidore Rabi, a faculty member at Columbia University, when then University President Dwight Eisenhower addressed the faculty in a speech as “employees of the university.”

“Mr. President,” interrupted Dr. Rabi, “we are not employees of the university. We are the university.” ■



CUFA BC Governance Conference, March 2017
Photo by Haida Antolick

CAUT PRESIDENT'S MESSAGE: ODE ON AN ACADEMIC URN

I can date when I first started to learn how to think independently. I was an undergraduate student in my second year at Simon Fraser University. It was 1982 — yes, I'm that old — and the professor in the English Romantic Literature course had given an assignment that stumped me. We were asked to write a short critical essay on the poem "Ode on a Grecian Urn" by John Keats. My first response was panic. After all, I knew nothing about poetry, never mind urns.

We weren't allowed to cite secondary sources and *Coles Notes* were verboten. Instead, we were given the task of engaging with the text. In other words, we had to think for ourselves. I don't recall the grade I received, but I do remember the satisfaction I felt after my critical struggle with the poem. With the hindsight of years, and two careers under my belt — reporter and now, professor — I'm in a better position to appreciate the full value of the liberal arts education I received. "The power of poetry," according to Samuel Coleridge, "is by a single word perhaps, to instil that energy into the mind, which compels the imagination to produce the picture." Passivity is the enemy of thinking, and I began to learn this valuable lesson reading Keats, Shelly and Byron.

I was reminded of this recently while reading, of all things, the minutes of senate at the University of Western Ontario. It wasn't the quality of the prose. Senate minutes aren't known for their poetic voice. No, it was news that the arts and humanities faculty was facing a \$1 million cut to its limited-duties budget that will mean certain subjects in writing and languages will no longer be taught at Western. The faculty will offer between 450–500 courses next year, down from 577.

This is a hard blow, but one, according to the dean's report to senate, that is a "North America wide phenomenon." And while it is certainly true that arts and humanities faculties are facing cuts across the continent along with enrolment pressures, I'm at a loss as to why this fact should be passively accepted. It is not an inevitability that courses that go to the heart of a quality university education need to be scrapped.

The language used to explain these cuts is eerily familiar. It is the bloodless language of austerity: "The principal concern is the growing deficit that we have incurred as our expenses outstrip revenues," wrote Western's dean of arts

Or take this example from Stony Brook University, part of the State University of New York system: "In an effort to strategically align the budget with university priorities, and increase the transparency of budget development, we are revamping our campus budget preparation process. This new budget process strives to integrate key principles from the work of the Project 50 Forward Finance and Budget Committee (accountability and transparency) within the framework of the current fiscal environment while strategically aligning our resources with the campus's strategic priorities." Translation? Recent budget cuts at Stony Brook mean undergraduates will no longer be able to major in comparative literature, cinema and cultural studies, or theater arts.

Similar cuts to core arts and humanities programs have occurred at the University of Manchester, SUNY Albany and the University of Pittsburgh. What we are witnessing, argues Francine Prose, writing in *The Guardian*, is a "hidden ideology." In each case the dry calculus of utilitarianism is offered to suggest nothing can be done, except encourage troubled academic units to reimagine themselves in ways that might make themselves more competitive. This is the language of Responsibility Centered Management, a popular form of managerialism, taken from the Harvard playbook, that overlays a utilitarian cost-benefit framework over all problems and discussions. Its catch phrase is "Every tub must have its own bottom." Tubs are faculties and schools responsible for their own bottom line, defined exclusively in monetary terms. Conspicuous by its absence is the academy's core dual-mission of teaching and research.

We must reject utilitarianism's "hedonic calculus" of pain and pleasure, and the "psychological egoism" that it fosters within the academy. This is a tougher task than we might think, because the neo-liberal reorganization of the university rewards individual competition and punishes failure to comply. Younger faculty members and contract academic staff know this calculus all too well.

We would do well to remember that the Latin root of university is univertitas, meaning "a whole." We are not a



CAUT President, James Compton

SEE ODE ON PAGE 21

HOW SCHOLARS AT ONE UK INSTITUTION ARE RECLAIMING THEIR UNIVERSITY

By Tim Ingold

Professor of Social Anthropology at the University of Aberdeen. Fellow of the British Academy and of the Royal Society of Edinburgh

We are living through an epochal moment in the history of universities. The ideals of progressive enlightenment that carried them through past centuries have all but collapsed, along with the once hegemonic powers that sustained their academic legitimacy.

As tends to happen at such moments, far from opening up to other ways of being, and to voices previously muted or suppressed, we are witnessing just the opposite, with the emergence on all sides of closed and self-righteous fundamentalisms, whether religious, political or economic — of church, state or market. Together, these movements pose an unprecedented threat to future democracy and peaceful coexistence.

Universities, however, are doing little to address this threat. On the contrary, the collapse of their "top-down" educational and civilising mission has left a vacuum that is all too readily filled by corporate interests. Like many other public bodies, universities present soft targets for market-led profiteering.

There is little sign that the regimes of management that have arrogated to themselves the business of controlling what they call the "sector" — their name for what has become a lucrative global business — have adequately grasped the issues at stake. Their myopic vision for higher education is circumscribed by crude indices of rank and productivity. Teaching is indexed by student satisfaction and employability, research by innovation and commercial potential, while scholarship has been virtually relegated to the dustbin of academic work that is practically useless, a drain on the public purse and destined for obscurity.

These values have nothing to do with democratic education and everything to do with reproducing the knowledge economy, along with the disenfranchisement and inequality it inevitably brings in train. The educational calling that universities inherited from the Enlightenment now survives in name only, emblazoned on branding logos or inscribed in banal mission statements. It has, in effect, been put up for sale.

CONTINUED ON NEXT PAGE

// The only way to save our universities from self-destruction is by taking action ourselves. We cannot leave it to others to do it for us. Alone we may not succeed. But if we can all work together, and truly fight for the principles we believe in, there is still a chance. We owe it to future generations that we take it. //

Visit the [Reclaiming our University](#) website for more information about this campaign.



Tim Ingold

If universities are to pave the way for a sustainable future, they must redefine their purpose. Not only must education be re-stored to the university, but also and perhaps more importantly, the university must be restored to education. For education is not a sector — not a subdivision of the knowledge economy — but an open-ended process of intellectual growth and discovery. It is no longer an option for universities to shelter behind self-serving appeals to academic immunity that have ceased to have any traction beyond their walls, nor can they surrender to the profoundly anti-democratic forces that, in many countries, would prefer to see them destroyed or taken over. In today's world, we need universities more than ever.

We need them to bring people of all ages and from all nations together, across their multiple differences, and we need them as places where these differences can be voiced and debated in an ecumenical spirit of tolerance, justice and fellowship. No purpose is more important, and no institution, apart from the university, currently exists with the capacity to undertake it.

We cannot, however, wait for university leaders to rise to a challenge they do not even recognise. In the conspicuous absence of any coherent discussion of what the purpose and nature of a university for our times should be, we decided — here at the University of Aberdeen — to take matters into our own hands by establishing an inclusive movement of scholars, students, staff and alumni under the banner "Reclaiming our University."

We held a series of open seminars to debate what emerged as the four pillars of the coming university: freedom, trust, education and community. How can we define academic freedom as a task freighted with responsibility, rather than a right that relieves us of it? How can trust carry the weight

of expectation we place on staff and students? What is the meaning of education in "higher education," and does it mean the same as "teaching and learning"? How can we create a sense of community and common purpose across departments and disciplines whose interests and ways of working are so different? And above all, what is the university for and to what ideals should it aspire?

The outcome of these discussions was a manifesto for Reclaiming our University, of 34 clauses, which we launched with a public celebration at the end of last year. Our purpose in writing the manifesto was not primarily to critique the existing state of affairs. Everyone knows what the problems are. We wanted to take a more constructive approach: to set out a coherent vision for what our university can and should be.

What we present, then, are a set of guiding principles. We realise that these principles are so much at variance with current orthodoxy that they may take years, if not decades, to put into practice. But if we are to steer a course for the future, it is imperative to spell it out now. We hope that colleagues in other institutions, even in other countries, will be inspired to follow suit.

The only way to save our universities from self-destruction is by taking action ourselves. We cannot leave it to others to do it for us. Alone we may not succeed. But if we can all work together, and truly fight for the principles we believe in, there is still a chance. We owe it to future generations that we take it. ■

This article was first published March 21, 2017 in Times Higher Education. Reprinted with permission.

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collection of isolated "tubs." We are members of a broader community. The problems facing arts and humanities are our problems. And they derive from a shared political economy that has seen state financial support for post-secondary education diminished. Tuition now accounts for 50.2 per cent of Western's projected 2017–2018 operating revenues. A public commitment to higher education has been replaced with the self-promotion of empty branding strategies and the competition for dollars.

Allowing arts and humanities programs to cannibalize themselves is not the answer. Without their wisdom we cease to be a university. I learned that reading Keats too.

- CAUT Bulletin, June 2017

GRIEVANCES CONT. FROM PAGE 16

the issue informally, and these attempts may involve Association staff supporting the Member's own advocacy, or fuller advocacy on the Member's behalf by Association staff. If the issue isn't resolved informally, then Association staff may propose to the ADRC that the Association file a grievance. The ADRC will discuss the matter, having been informed of relevant details by Association staff, and either vote yes or no to filing a grievance, or decide to table the issue so that additional information can be obtained. If the majority of the ADRC vote is opposed to filing a grievance, then the grievor may appeal that decision to the Executive Committee. The procedures for deciding whether a grievance should be referred to arbitration is similar. The ADRC will make a preliminary recommendation about arbitration based on advice and input from Association staff. The Executive Committee will then form an Arbitration Subcommittee to make a decision about referral to arbitration. If the decision is not to refer the grievance to arbitration, then the grievor may appeal that decision to the remainder of the Executive Committee. ■



BEST OF THE BLOGS

By Monica Prendergast

This issue I am sharing some articles touching on topics that sit close to my life as an academic, plus some topics we have addressed in past issues of the *Relay*. Enjoy!

The Guardian published a recent article that takes up the problem of scholarly publishing as big business: [*Is the staggeringly profitable business of scientific publishing bad for science?*](#)

In the wake of these scholarly publishing Goliaths are some Davids who are inventing new tactics to increase access to information, including using technology in innovative ways: [*How a Browser Extension Could Shake Up Academic Publishing*](#).

Time management is an ongoing challenge for busy academics. While we have the luxury of unscheduled time for our research, that time can get eaten up very easily in unproductive ways (such as getting swallowed up by email). *University Affairs* offers some practical advice from a time management expert here: [*Why academics need to focus on structuring their time*](#).

Part of 21st century living is dealing with the distractions technology provides. We all have students in our classes who struggle to disconnect from their screens to connect with others IRL. I take a two-week break from the internet and email every August and find it helps me to rest and restore in preparation for another year of information overload. This *New York Magazine* writer fought his screen addiction with a meditation retreat: [*I Used to Be a Human Being*](#).

Finally, with our eyes and ears open to what is happening south of the Canada/US border, this video from *The Chronicle of Higher Education* features experts discussing campus unrest and what are being called "campus-speech wars". Watch the video here: [*What Lies Ahead in the Campus-Speech Wars?*](#)

This column offers a selection of online articles that address issues of interest to those who work in higher education. I welcome suggestions for future newsletters. Please send a link to the item and a one- or two-sentence description to: mprender@uvic.ca.



*Filmmakers Christine Welsh, Basani Ngobeni, and Mo Simpson run to get the shot as farmers carry water home.
- Elizabeth Vibert*

FACULTY ASSOCIATION ELECTIONS



University of Victoria
Faculty Association

Contact the FA Office for more information:
uvicfa@uvic.ca 250-721-7208

Current Vacancy

Executive Committee Member-at-Large x 1
Nominations close October 13, 2017

Fall OGM

Wednesday, December 6, 2017
11:30 AM - 1:30 PM

Upcoming Vacancies at the Fall OGM

Collective Agreement Committee x 1
Finance and Investment Committee x 2
University Governance Committee x 2
Speaker x 1
Deputy Speaker x 1



University of Victoria Faculty Association