



Department Representatives Bulletin

Following is a recap of the Department Representatives meeting of May 13, 2020.

The meeting was chaired by Faculty Association President, Paul Rogers.

For further information on any item, please contact the Faculty Association office:

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Call to Order (Zoom Meeting Introduction)

Paul Rogers, President, welcomed everyone to the last meeting of the Department Representatives group for the 2019-2020 academic year.

He noted that in addition to himself and Sheila Miller, the Association's Principal Negotiator, Hamid Habibi, is here today and he will be speaking to the Bargaining item on the agenda.

Faculty Association Officers 20/21

Sheila Miller, Executive Director, reported that the following individuals are Officers of the Faculty Association effective July 1, 2020: David Stewart (Political Science), President; Mary-Ellen Tyler (SAPL), Vice-President and Treasurer; Hamid Habibi (Biological Science), Principal Negotiator; John Baker (Philosophy), Grievance Advisor; Kent Donlevy Werklund), Grievance Advisor; Nigel Caulkett (Vet Medicine), Officer at Large; Melanee Thomas (Political Science), Officer at Large

COVID-19 Memorandum of Agreement

Rogers reported that the Association has been working on a number of issues related to people facing challenges associated with the UofC's COVID-19 pandemic response, whether that is about their contract status, dealing with the workload issues, dealing with going online for their courses, how this is impacting their research or their RSL, surveillance by administrators, academic freedom issues, intellectual property issues, and so on. He noted that the Association had a Zoom meeting with the

Provost, Deputy Provost and the AVP (Labour Relations) at the end of March. He provided some details regarding the discussions of that meeting.

He noted the Faculty Association and the Board of Governments signed a Memorandum of Agreement (MOA). Rogers highlighted some specific points:

#1 – The MOA includes a statement that nothing in it abridges academic freedom.

#2 – The MOA includes a statement that the UofC's Intellectual Property Policy continues to apply to academic staff member teaching materials – i.e. moving online does not diminish the rights of academic staff members over their intellectual property in these materials.

#3 – An automatic one-year extension of tenure-track appointments was an important item to the Association. Members do not need to apply for this, it is automatic, and neither do they have to make use of it if they desire to proceed with a tenure application on the normal schedule.

#4 – Regarding deferrals of RSLs approved to start in July, the criterion for consideration of deferral is that plans be "substantially impacted". A mechanism to appeal the decisions of Deans to the Provost is also included. He noted that in the material that the Provost sent out she did not mention the requirement that the Faculty Association be consulted before she makes her decision on any appeal.

#5 – Regarding deferrals of current RSLs, deferrals for anyone in Nursing or Medicine would be granted

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(with the start date of the deferred leave at the discretion of the Dean), and for academic staff members in other units, the Dean would determine whether or not deferral requests would be granted (and would not “unreasonably deny” a request where “a substantial disruption due to the pandemic is established”).

#6 – With regards to the additional demands on PER funds due to the pandemic response, the Association was able to push Administration to agree to giving members access to next year’s PER allocation 3 months early.

#7 – The Association also agreed on two additional items relating to the future beyond spring/summer 2020. Firstly, Administration has agreed to meet with the Association to discuss any deviations from the Collective Agreement that might be necessary should the decision be made that courses in Fall Semester 2020 move online. Secondly, they have agreed to meet with us in the fall to discuss the impact that the pandemic has had on matters pertaining to assessment, tenure, and promotion (both criteria and processes), and further that *“in all application of all processes, a spirit of understanding and generosity related to the impact of the pandemic shall guide the discussions.”*

Rogers reported that he had repeatedly raised the concern about additional compensation for sessional instructors forced to move courses online. Unfortunately, the Association could not get any traction on that issue which has led to the filing of grievances on this issue.

Department Representatives expressed concern with the increased workload created by moving courses on-line. The lack of technical support, proper equipment and infrastructure are causing an increase in workload. Rogers noted that the issue of workload is an important issue and that Academic Staff cannot be forced (outside of this crisis) to teach remotely.

Department Representatives indicated that technology (or lack thereof) is a major factor in their concerns.

Department Representatives indicated concerns regarding members who have canceled their RSL

and the impact that has on the distribution (or alteration) of workload. Rogers noted that distribution of workload must be fair and equitable. If members have a concern, they should contact the Association.

Department Representatives expressed confusion over the ability to go to their on-campus offices. There appears to be a discrepancy between Faculties on this issue. Rogers noted that the Association will try to get clarification on this.

University of Calgary Budget

Rogers noted that as is typical, Administration has not been particularly forthcoming on the details of the 2020-2021 budget. He noted that at GFC, President McCauley spoke about the Government of Alberta’s austerity budget and the 6% cut in funding (\$26.7M) it included for the U of C. The Budget and accompanying legislation requires that the Governors negotiate an “Investment Management Agreement” with the provincial government. Because of the pandemic, the deadline for doing this was extended, and the U of C Board Chair is apparently continuing to negotiate the U of C’s with the Ministry.

In responding to a question at GFC on when Administration would be making public any information on the University of Calgary Budget that was approved by the Board of Governors on 27th March President McCauley answered that: there is usually no public statement but the consolidated budget is \$1.4286B and the capital budget is \$192M; there is tremendous uncertainty so in addition to approving the budget, the Board has approved the President operating the UofC through June 2020, but Administration is to return to the Board with a revised forecast for the remainder of the fiscal year (and to seek further instructions from the Board).

He reported that several sources of revenue that the Administration had expected such as revenue from international language programs over the summer will not be there due to program cancellations. What the government is going to do with its budget is also unclear - with all of their expenditures related to COVID-19, they may cut even deeper than they had previously announced.

That being said, the association has heard there are more than the expected number of students returning for Spring/Summer study, which could indicate more students in the fall as well, so domestic tuition revenues could be up. He noted that it is likely too early to estimate with any reliability the impact on international student tuition revenue.

Voluntary Retirement Incentive Package (VRIP)

Miller reported that at the end of the VRIP program, 28 members took up the VRIP offer. Four took the lump sum option and the remaining 24 are on salary continuance for the next year. Those who took the VRIP were from 7 different Faculties plus Libraries and Cultural Resources.

Bargaining

Hamid Habibi (Principal Negotiator) reported that the Association still has not heard from the arbitrator on the wage reopener.

He noted that the Association has submitted our notice to commence bargaining on April 1, 2020.

He noted that both sides agreed that we would exchange proposals at the first meeting.

Habibi also reported that the Governors and the Faculty Association have agreed to postpone the first meeting (mainframe and Schedules A&B) until September.

Handbook

Rogers reported that there is a Working Group, reporting to GFC Executive, that has been working on revisions to the “Handbook” (on academic staff criteria and processes). It seemed to the Association that Administration was trying to force this to make recommendations for changes to GFC before the end of this academic year, but it now seems that things will proceed less hurriedly (likely something coming before GFC in the fall).

Sessional Pay Grievances

Miller reported that the Association has recently filed two policy grievances related to sessional

contracts and the move online during the COVID-19 pandemic. She noted that the first one is for Winter Sessionals; the second is for Spring/Summer Sessionals. She noted that the Association tried to get this issue included in the recent MOA we signed but the Administration steadfastly refused to consider extra compensation for Sessionals.

For Winter Sessionals:

The Association argument is that sessional instructors are given a contract that specifies the workload, establishes a half-course equivalent (HCE) for that work, and then provides payment for the specific work done. It is a fee for service model. If the University changes the amount of work assigned, the HCE and the compensation must be adjusted accordingly.

What is being argued is that having come to an agreement on what job is to be done, the HCE value of that work, and the corresponding compensation, the Governors have unilaterally changed the provisions of that contract by putting the course on line in the middle of the term. This adds significant work for the Sessional instructor that was not considered in the contract or compensation. The Sessional may not have accepted the contract if they knew that they would have to completely revamp the course or perhaps they would have not accepted it for the amount of compensation offered. Because this was done unilaterally, we are proposing to grieve the Governors for violating their contracts with Sessionals and asking for an across the board increase in the HCE of 25%.

For Spring/Summer Sessionals:

The Association argument is somewhat different in that the courses had not started when the grievance was filed. However, for some of the Spring/Summer Sessionals, the contracts were already in force – for example, for Sessionals who have a one-year contract, or where they signed the contract for Spring/Summer before the Provost announced the courses would be on-line. During the discussions of the COVID-19 MOA, Rogers had asked that Sessionals be permitted to reopen their agreements for Spring/Summer. The Administration refused. This grievance would again be about those members where the Governors have

changed the nature of the contract without negotiation with the affected member.

Closing Comments

Rogers provided some closing thoughts as this is the last meeting of the academic year, and a new President taking over on 1st July. He thanked the Department Representatives for the time and effort they have put in this year (and earlier years too, for longer-serving representatives), and for sharing their thoughts and ideas with the Association at these meetings. He encouraged them or whoever replaces them next year, to give David Stewart their full support in what will surely be interesting times.