



Message from the president

by Charles Draimin

The bulk of this issue is a report from Lucie Lequin, our chief negotiator, summarizing the state of the negotiations for a new collective agreement. As we predicted in our last report, things are progressing, but at a somewhat slower pace than we might wish. Please see Lucie's update for details.

Many of you will have received the first issue of *New Facchat* moderated by Elaine Newman. I am very pleased to see *Facchat*'s return. Some of us remember the vigorous debates in the old *facchat* during another stormy period in this university's history, a time characterized by the same sort of governance difficulties we are experiencing now. Elaine has chosen this theme as the subject of her first post. She encourages faculty members to approach CUFA for more information about why senior administrators are stepping down and why, it would seem, so much money is being spent to encourage this. I think that these are good questions. Contrary to what Dr. Newman seems to suggest, I don't know any more than I have written in the two letters I wrote to Mr Peter Kruyt, the Chairman of the Board, but I would welcome a general discussion of this business. A good forum would be the CUFA general meeting on Thursday afternoon, December 6 on the seventh floor of the Hall building. (There is a buffet lunch at noon, followed by the meeting which starts at 1:00 pm. You will receive an agenda and documentation shortly.) There is other business on the agenda, of course, but I will ensure that there is sufficient time to discuss issues of broader import. I look forward to seeing you there.

Negotiations Update

by Lucie Lequin

We have been negotiating a new collective agreement since last March. Accounting for the summer holidays, this represents about seven months of regular meetings, typically twice a week. Here is a summary of what we have accomplished to date.

There are many completed articles, though most of these saw only cosmetic changes. In terms of the articles that have taken most of our time since the spring, we have agreement on *Articles 16 (Duties and Responsibilities of Faculty)* and *18 (Tenure)*. Moreover, we are very close to agreement on *Articles 12 (Appointment of Faculty)*, *14 (Reappointment, Promotion and Evaluation)*, *21 (Appeals)* and *22 (Grievance)*. *Article 27 (Intellectual Property)* is also complete, though most of the work on this article was done before the current negotiations began.

The Librarian articles are now on the table. Most of the other articles remaining have just one or two issues left to resolve—though to be fair,

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some of these involve issues where even one word requires a lot of time and effort to achieve agreement.

Given our progress so far, we expect that the monetary articles will be on the table for discussion early in the new year.

Details

There are many articles that have required only cosmetic changes and have thus been agreed upon—for example, new titles such as President for Rector and standardization of vocabulary such as academic unit to refer to departments and other units (see list at the end of this report). These have been sent for translation after which they can be initialled. We include *Article 27 (Intellectual Property)* in this group. It is not cosmetic nor was it quick but in substance it was agreed to before the current negotiations began. The last details were dealt with only recently and it is now translated and initialled in both languages, which is the goal we have for all of the articles we have opened. Intellectual Property is in fact unfinished business from the last negotiations, but since it was only begun after that contract was ratified, it will be presented for ratification together with the results of the current negotiations when they are completed. There is one other piece of unfinished business from the 2003 negotiations. Negotiations for a memorandum of agreement to cover CUFA members working for eConcordia were to have been completed within six months of the ratification of the 2003 Collective Agreement. Despite CUFA's best efforts, these negotiations never got started. They will now be part of the current negotiations.

We have spent most of our negotiating time on the following six articles: *2 (Definitions)*, *11 (Committees)*, *12 (Appointment of Faculty)*, *14 (Reappointment, Promotion and Evaluation)*, *16 (Duties and Responsibilities of Faculty)*, and *18 (Tenure)*. With the exception of a couple of paragraphs (noted below), they have all been

agreed upon. We are satisfied with the outcome of these discussions, but it has taken a great deal of time.

Article 2 (Definitions) The definitions of *Association* and *Employer* may have to wait until the end of negotiations. The definition of *Employer* is related to the negotiation of an agreement covering members' participation in eConcordia (Article 48.13 of the current collective agreement).

Article 11 (Committees) CUFA has proposed the creation of a Library Elections Committee (LEC), a proposal until very recently, had been refused by the Administration. I am happy to report that as of this writing, the Administration has agreed to our proposal regarding an LEC. CUFA has gained the retention of a single Library Tenure Committee (LTC) consisting of all available tenured librarian members; the two Division Personnel Committees (DPC) in the current Collective Agreement will be abolished. In addition, there will be a single Library Personnel Committee (LPC) for all divisions, which shall make recommendations about reappointment, promotions, and performance evaluation. A Library Personnel Review Committee (LPRC) shall review the recommendations of the LPC. Members of the LPC will not be eligible to stand for election to the LPRC.

Article 12—(Appointment of Faculty) A great deal of time was spent on this article. The Administration initially thought that it would be best to give the Hiring Committee (DHC) the power to make a recommendation directly to the dean, but in the end we agreed that current arrangements would serve the University best, and so the DHC will continue, as it has been doing, to make recommendations on hiring to the DPC. The Administration recently introduced spousal hiring proposals and we are discussing these at the table. Apart from these changes, there are a number of small clarifications in the article.

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Article 14 (Reappointment, Promotion and Evaluation) We have recently agreed on the details of career development letters for probationary members and ETAs holding their first contracts. We are satisfied that the process is formative and not evaluative. There is one outstanding issue remaining in this article concerning promotion to the rank of professor. There is an agreement to eliminate the third category for promotion to the rank of professor on or after 2013. We have only to agree on the actual date at which that category will be eliminated.

Article 16—(Duties and Responsibilities of Faculty) We have gained more transparency in the assignment of workload. Details of all departmental workload assignments will now be made available to all members of the academic unit. We have made a small improvement in 16.04 c) regarding the guidelines on course remissions. It is a small step in the right direction. CUFA will make every effort to inform all those involved, especially the chairs and deans, so that the guidelines are used appropriately. In addition, there are a number of small clarifications in the article. Course load issues, in particular, ETA and LTA course load, will be discussed with the monetary articles.

Article 18 (Tenure) It has been time consuming, but we negotiated improvements on tenure consideration. Grounds for early tenure have been extended and clarified, and the criteria for deferral are more flexible. There is more protection for members on maternity/parental leave or extended sick leave. In our view these changes serve Concordia better, both from the point of view of the administration and the members of the bargaining unit.

We do not have agreement on the following articles and some of them are quite contentious:

Article 8 (Rights of the Association) We have not yet agreed on the faculty complement. This will await discussions of monetary issues. CUFA's request for access to the minutes and documents of the Board of Governors' closed session meetings is related to our governance concerns. See *Outstanding issues* (Articles 4 and 9) discussed below.

Article 21 (Appeals) We are almost finished. Some details need to be completed concerning the right of appeal in cases of cross and joint appointments.

Article 22 (Grievance) One technical issue remains. We hope to have agreement soon.

Article 26 Sabbatical There are now more choices available to members. We have still to agree on the obligation, if any, of a member to return to the University after a sabbatical.

Article 29 (Disciplinary Action) We have agreed that a member may now be suspended after *just one* letter of warning if the situation is considered very serious. The Administration wants the grounds for discipline to include "failure to maintain an acceptable standard of competence and performance." We want to retain the current language.

Articles for Librarians not yet concluded

Article 13 (Appointment of Librarians) Both parties are still exchanging text seeking clarification and improvements in the general appointment procedures. CUFA is requesting a vote by secret ballot by the members of the Library Advisory Search Committee, a proposal not accepted to date by the Administration. Other outstanding issues in this article are the consideration of internal before external candidates, in the selection process and CUFA's proposed ceiling of 15% for the number of LTA appoint-

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ments in relation to the total number of probationary and tenured librarian appointments in an academic year.

Article 17 (Duties and Responsibilities of Librarian Members) Work continues at the negotiation table to elaborate on the duties and responsibilities of the librarians in article 17.01. Article 17.01a) is now tentatively titled “Professional Librarian Activities” rather than “Library Service.” There is no agreement on CUFA’s proposal for a librarian to consent on a change in her/his discipline for collection development responsibilities. A copy of the duties of each librarian, in accordance with article 17.01 a), shall be made available for consultation by each member in the Webster and Vanier Libraries.

Articles 15 and 19 have not advanced significantly.

Outstanding issues

The Administration has not yet responded to our proposal for **Article 4 (Governance)**. When they do, we will reintroduce our proposal that excluded administrators not be permitted to hold faculty seats on the Board of Governors (*Article 9*)

Either side can come back to *Articles 2 (Definitions)* and *11 (Committees)*) if a new definition is required or if agreements in a substantive article require a change in the description of a committee.

Article 7 (Psychological harassment) Psychological harassment must be dealt with in the collective agreement. However, psychological harassment is not a simple issue. Although it can occur between a member and an administrator, it can also occur between CUFA members, between one of our members and a member of another union, among other possibilities, and so the simple assumption in our collective agreement that only relations between our members and the administration need be regulated no

longer applies. The best way of dealing with this is to work towards a single university policy negotiated between the administration on the one side, and all the unions on the other, and then refer to this policy in our collective agreement. The Administration is agreeable to proceeding in this way, if the other unions agree. CUFA is talking to the other unions at Concordia to get agreement that there be a single University policy. Once this is done we will all need to meet to develop this policy. This will probably not be finished until after we sign this Collective Agreement. CUFA has offered to share with the other unions the legal opinions we received regarding this initiative.

Article 35 (Pregnancy leave and parental leave) We are working on proposals on Maternity/Parental leave. The Administration has indicated a willingness to maintain the status quo but since the law has now changed the article needs to be completely re-written.

Articles agreed upon with cosmetic changes only

Articles: 10, 23, 24, 25, 28, 30, 31, 34, 36, 44, 45 and 46.

**Visit the CUFA website
at**

<http://www.cufa.net>

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The CUFA offices are located at the Loyola Campus in Hingston Hall, HB 109.

Upcoming Council & General Meeting

When: December 6, 2007

Where: SGW Campus H763-765

Time: 1:00 PM

The meeting will be preceded by a hot and cold buffet lunch that will be served starting at noon.

All CUFA members are invited and we encourage you to attend

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