

NEWSLETTER

MCGILL ASSOCIATION OF UNIVERSITY TEACHERS

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A MESSAGE FROM THE PRESIDENT

Each of you will shortly receive a ballot in the mail asking your opinion on whether or not you believe that MAUT should cease to be a voluntary association of academic staff and become, instead, a union. As the current President of the McGill Association of University Teachers, I feel it is appropriate to communicate my views to you on this highly important matter. I have thought a great deal about how MAUT functions, during my years on the Executive, and during my extensive involvement in the salary negotiations. I have also talked to many of the current and former members of the MAUT Executive, Council and Committees, and listened to their experiences and viewpoints. Although I had clearly expressed my position in favour of collegial (as opposed to confrontational) university governance on the ballot when I was elected, my subsequent experience and interaction with others on the MAUT Executive and Council has served to strengthen, rather than weaken, that position. I do not believe that unionization would be of benefit to the academic staff of McGill University. I have seen no convincing argument that we have anything to gain, and I believe there is much that we could lose.

This topic has strong emotional connotations for some of our members, but decisions such as this should be based on the facts as they currently exist, rather than abstract ideology, vague predictions or generalized remarks. We have compiled the following statements in support of our association, contributed by individual members of MAUT during this debate. One of the reasons for doing so is to counter some possible misconceptions regarding the scope and influence of MAUT at McGill. The other is to achieve a balance in the information presented to our members. Our committee on collegiality has brought an excellent set of pro-union speakers to McGill, who have at their disposal all the knowledge, resources, and opportunity to present the most convincing possible case in favour of unions, and we have distributed their articles to all of our members in the previous Newsletter. This is as it should be, in an open and informed debate. However, some members are concerned that in our efforts to fairly present the case for unionization, we have dedicated less time to make the case in favour of our current status as an association. The following article may help to achieve this balance.

Barbara Hales, President, MAUT

IN DEFENSE OF MAUT AS A FACULTY ASSOCIATION

In addition to the material previously published in the Newsletter (Vol. 25, No 8) and available on the MAUT website (<http://www.mcgill.ca/maut>) the following points are submitted for your consideration:

1. Becoming a union would not increase the extent of what we negotiate. MAUT has always been a strong and effective organization within McGill and we currently negotiate broadly on all matters related to the academic staff, including such issues as academic freedom, intellectual property, and conditions of work, in addition to promotion, salary and benefits.

2. The outcome of our negotiations has been adhered to by the administration. There is a clause in our handbook stating that unforeseen circumstances may arise which would necessitate amendment or repeal of regulations by the Board of Governors after the Principal has sought the advice of Senate at a special meeting of Senate. This clause is regularly

quoted as evidence that the outcome of our negotiations cannot be relied on. This is not a matter to be taken lightly, and without evidence to the contrary, there is no reason to assume that the university administration would intentionally utilize a provision, clearly intended for emergency response to catastrophe, to purposely and unfairly thwart an agreement genuinely negotiated in good faith by the Faculty Association. To do so would be to invite a genuine catastrophe with regard to the functioning and reputation of the university.

3. Unionization does not create power. We are far from powerless now. McGill is a large university, with an international reputation based on the accomplishments of its academic staff and students, and has a Faculty Association that has traditionally been highly involved in university affairs. The power of the faculty is exercised directly through MAUT and through Senate, and indirectly through a system of governance which relies on individual members of the academic staff to contribute knowledgeably to administration. MAUT and the Senate have traditionally had strong influence, or power, at McGill. One might argue with the performance of specific individuals in MAUT, in Senate, or in the administration, but there is no evidence that individuals leading a union would be any better, or even as effective as, the representatives we have now. The only 'weapon' we would gain is the ability to go out on strike, a tactic that might not only be ineffective, particularly with the current political situation in Quebec, but could also harm our students, and the university itself. What power would we gain?

4. Unionization does not create money. The shortage of money at McGill is a consequence of the abysmal neglect of higher education by our provincial, and to some extent our federal government. MAUT has negotiated a very significant increase in our salaries. Our pension funds have been well managed over the years, and there is no relationship whatsoever between union status and the security of retirement funds at any university. Everyone at McGill is trying in one way or another to obtain funds for our buildings, our research, our libraries, and other

fundamentals. MAUT is working together with FQPPU and CAUT to protest the inadequacy at both levels of government. A union could target no additional source of funds.

5. Unionization does not guarantee greater service. Our administrative officer is exceptionally knowledgeable, and our legal officer provides individualized consultation free of charge to all members. It should be pointed out that many of the benefits we provide are made possible by the voluntary contributions of our members. For anyone in trouble, our experienced advisors have routinely spent days of their time to deal with appeals, grievances, or provide advice. Others contribute specific expertise to individual committees - we have dentists and physicians on benefit subcommittees, engineers looking at physical development, lawyers who revise our constitution, and so on. These combined benefits are irreplaceable, and there is no guarantee that most of these individuals would be motivated to contribute such time and effort in a unionized setting. With regard to the rights of the members, any member can run for election to either the Council or the Executive, and our nominating committee functions as a backup to make sure there is an adequate number of candidates. Traditionally, the association has provided for a great deal of input from individual members. (In the last year alone, we have had conferences to obtain feedback and direction on our salary policy, on our benefit plans, and on the current status of university governance. We have had information meetings on career development and on unionization, and we have surveyed the membership on their support of the Faculty Club.)

6. The fact that as yet no faculty union in Canada has decertified is not necessarily relevant, for two reasons: 1) Many of the universities with a faculty union are notably different from the large institutions like McGill, most of which have chosen not to unionize. A faculty union may provide some protection in a university with a long history of severe conflict between faculty and administration, in a small university where faculty have little combined

influence, or in the setting of a traditionally weak senate and/or faculty association, and in such cases decertification would not be expected. This does not support an argument for unionization elsewhere. 2) By its very nature, unionization eliminates, to some extent, the alternative. A large faculty association relies on an extensive and complex network of people in order to be effective, and once dismantled and replaced by a union, it could not easily be rebuilt.

7. Unionization is not an appropriate response to a temporary situation. Disapproval of one administrator or another will be felt by all of us at some time during our career. Administrators don't last long, in the overall history of an institution, and a decision such as this should be based on the best outcome for the future of the university and its academic staff as a whole, not on the imagined or perceived outcome related to a few individuals. When appropriate, we also have the ability to examine, improve and reinforce our collegial system of governance.

8. A union may be much less effective. MAUT currently has the freedom to negotiate each issue independently of everything else, to achieve the best result possible. We also have the ability to initiate negotiations on a particular issue whenever we feel it is appropriate, without having to wait for a specified period of time to elapse, and we are not faced with a situation where all of our negotiations may be subject to tradeoffs at the end of each 2 or 3 year cycle of a collective agreement. This highly flexible system may have great advantages over the more rigid procedures of a union, especially in maximizing the overall benefit during periods of financial difficulty.

9. Unionization may produce undesirable consequences. *General:* McGill has traditionally functioned in a highly decentralized manner, allowing for a great deal of decision-making at different levels, including that of the individual professor. There is little rigidity or uniformity in how this is done from one faculty to the next. Unionization could well create a situation where more power would have to be concentrated in the central administration, in order to deal with the structure of the union (or unions, as the

academic staff could fragment into different units), and the outcome of this is totally unknown. *Individual:* The freedom we have as academic staff members at McGill is extensive. One member compared this to being the CEO of your own company - you can decide the path of your own development and change the mixture of teaching, research and administrative functions at any given time in your career. Even though there is considerable variation in structure between different unions and different collective agreements, there is no guarantee that we could maintain this high level of flexibility for any length of time in a unionized environment. Freedom tends to flourish to the greatest extent in a consensual, not an adversarial situation.

10. MAUT works. As the old saying goes, "If it ain't broke..." One of our colleagues recently pointed out that the issue of unionization has been discussed at McGill for 31 years, and in all this time there has never been a convincing argument that we had anything significant to gain. MAUT has been very effective as an organization. We have been instrumental in the development of all of the major policies governing academic life in the university, and taken together these compare favourably with the policies in other universities across the country, unionized or not. Research Ethics, Conflict of Interest, Sexual Harassment, Disciplinary Procedures, are just a few that have been created or revised in the past five years. When MAUT has objected to implementation of a policy, or demanded revision of an existing policy, we have achieved the desired results. (Recent examples include: obtaining continuous contracts and severance pay for non-tenure track employees with five years of service, not accepting the sexual harassment policy without adequate revision of the disciplinary procedures to ensure fair treatment of academic staff, modifying the intended life insurance plan, and protecting the Faculty Club.) There is no evidence that unionization would provide an equal or greater degree of collegiality, nor would collective influence enhance our individual freedom at McGill.

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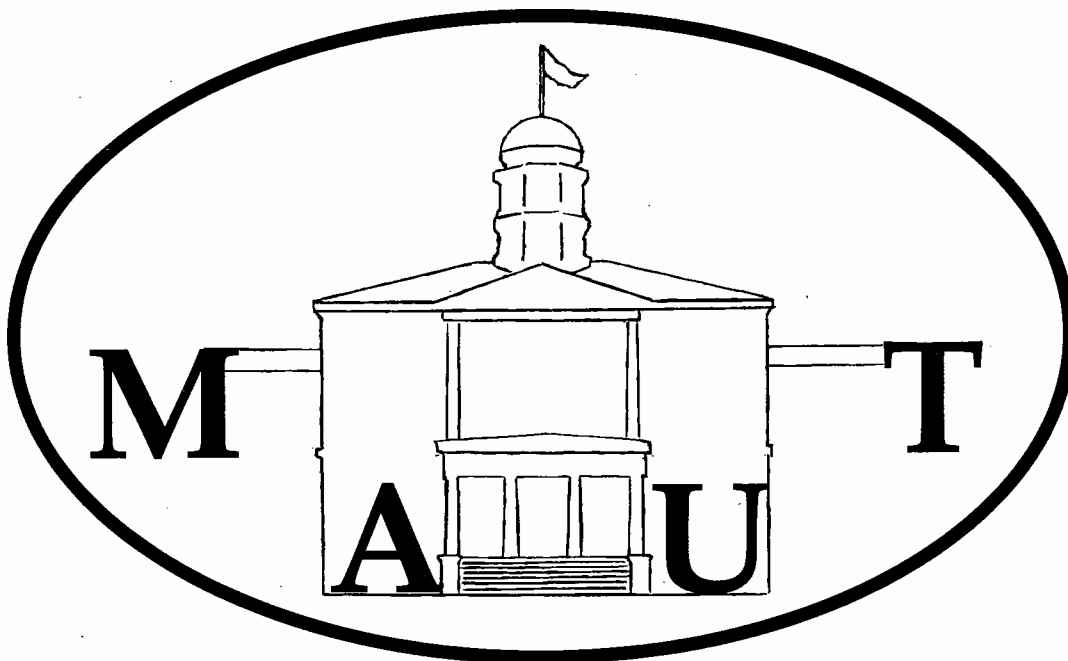
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