



NEWSLETTER

McGill Association of University Teachers

Association des Professeur(e)s et Bibliothécaires de McGill

www.maut.mcgill.ca

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MAUT Retreat

Tadja Hall, August 25, 2009

To launch the 2009–2010 academic year, members of the MAUT Executive and Council plus a few invited guests held a day-long Retreat at Tadja Hall on the Macdonald Campus, to discuss issues, goals and priorities.

Governance was a recurring theme: vertical rather than lateral communication, erosion of collegiality, burdens of bureaucracy, and sites of decision-making power were topics of interest. The balance between research and teaching needs to be watched, and support for teaching needs to be encouraged.

Salaries, hiring incentives and merit / retention are perpetually important concerns, as is the proportion of administrators to faculty. Participants noted the top-heavy administration as a large feature of the University's budget. This expensive hierarchy promotes disconnect between the faculty member and the dean.

External searches and recruitment of both administrators and faculty were also mentioned. One comment referred to the practice of bringing in outside people at great expense [and sometimes leaving at great expense too, with "golden parachutes"] which may be a deliberate process to change the character of a faculty, increasing the disconnect between the decision-makers and those who are affected by the decisions.

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Items that MAUT should pay attention to include

- the selection of the next Secretary-General
- Secretariat's reporting lines
- proposed changes in Senate
- review of the provostial model
- reticence of academics to serve on Senate, in MAUT, on committees, etc.
- Bill 38, the role of the Board of Governors, the role of Senate
- maintenance of a vibrant McGill community: integration of new hires and continued participation of retirees.

MAUT Blog — <http://blogs.mcgill.ca/maut>

After several delays, the MAUT Blog is finally up and active — and just in time, too. A number of issues have arisen recently that demand feedback, and the Blog is performing that function admirably. Anyone from the McGill community should be able to login to comment on any of the postings, and although comments are moderated and may be edited for length etc. the intention is to publish as many as possible.

MAUT representatives on many university committees etc. need to know your views. Decisions affecting all of us are being made, often on short notice; the Blog has already become an important vehicle for information exchange.

Making Gains at the Table: Bargaining toward a Pro-Rata Model.

CAUT Contract Academic Staff Conference, University of Ottawa, May 30, 2009

Reported by Thomas Davidson and Malcolm Baines.

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The conference consisted of opening plenary sessions in both the morning and afternoon, followed by breakout sessions that dealt with more specific contract academic staff (CAS) issues. In the group sessions, we heard about progress made at different institutions on CAS issues but also that the gains made varied greatly between institutions and were by no means comprehensive.

All agreed that when institutions create academic positions that do not allow for participation in all three areas of academic work, the mission of the University is lessened. Teaching-only course contracts commonly do not adequately compensate the teachers for preparation time, research on the subject matter, service to the students being taught and the proportional costs of the teachers' benefits. Part-time teachers are often considered flexible employees without defined salary scales, full ranges of benefits, university phone numbers or teachers' offices. The CAUT's pro-rata model "defines and compensates part-time work as a percentage of full-time work" including teaching, research / creative activity and service. Several speakers from universities across Canada related their experiences showing that the pro-rata model was fair, equitable, sensible and feasible.

A key aspect of the "pro-rata" model is the benchmarking of teachers' salaries to the salary scale of an Assistant Professor, thereby proportionately compensating the teacher for the teaching, research and service they do as a necessary part of their work. As CAS are qualified university employees, the goal is to develop their careers and encourage institutional loyalty by providing security of progressive employment. Based on their performance, part-time teachers can acquire seniority rights to continue teaching, to accumulate workload up to full-time and to assume a full spectrum of university duties. While all annually-appointed academic staff members are eligible to apply for federal and provincial research funding, some universities provide access to an internal pool of start-up funds to assist CAS in establishing their research. The benefits to the university are

improved student and university services, increased research activity and productivity, and increased quality and stability of the professional workforce.

The subjects of the breakout sessions included job security, compensation and benefits, recognition of research / service, eligibility for external grant funding and the importance of pro-rata CAS positions to the well-being of the academy as a whole. In the session on benefits it was observed that whereas the university contributes about half of the 22% cost of regular staff benefits, only 4–8% is added to most CAS contracts in lieu of benefits and vacation. In this session, CAUT presented an overview of the new National Benefits Trust created to provide a full spectrum of group benefits to CAUT member associations at competitive costs.

Since many CAS members are hired by academic departments with little oversight by university management, under conditions that may comply with only the minimum requirements of the labour code, numerous inconsistencies often exist between the working conditions of full-time faculty and those of CAS members even within institutions. Violations of standard employment practices or the intellectual property rights of the teacher frequently go unreported. Grieving against a chair or immediate supervisor may risk the non-renewal of a contract; therefore, some universities now recommend the lodging of policy grievances against the Provost. Lodging a grievance is proof that a problem exists, and serves to record the evidence and identify witnesses to support the case. In conclusion, grievances must be lodged where actions violate university policy.

The fact that post-secondary education has been seriously under-funded for quite some time is of real concern. As the number of CAS members has increased, the relative number of tenure-track positions has dropped significantly relative to student enrolment. Student enrolment has continually increased while the percentage of university operating budgets allocated to faculty salaries has generally decreased. There will have to be a

change of mindset and redistribution of funds to address this situation and ensure that CAS members are compensated appropriately for equal participation in the academic community. It was heartening to see the high degree of leadership that is being provided by the Canadian Association of University Teachers with respect to the working conditions of Contract Academic Staff. Policies are clearly posted on the official CAUT website at <http://www.caut.ca/pages.asp?page=212>

Some universities, including McGill, are developing policies to address many of the issues discussed in this conference. The Wilfred Laurier University Part-time CAS collective agreement was identified as a good starting point for other institutions seeking to include contractual academic employees in the academic collective agreement: https://www.wlu.ca/documents/31864/WLUFA_Collective_Agreement_for_Part-time_CAS_and_Part-time_Librarians%2C_2007-2010.pdf

Absent-Minded Professors, Wake Up!

Deanna Cowan

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It's one thing to be preoccupied with an intellectual issue or distracted by a deadline, but woe betide the academic who doesn't pay proper attention to his or her finances. Nobody disputes the need for fiscal responsibility and accurate, transparent accounting, but some researchers appear to have trouble putting these ideals into practice.

A few profs may insist that they are hired as thinkers, problem solvers and teachers, and don't consider bookkeeping a worthy way to spend their time. Some — perhaps those with several years of grant-handling experience — may feel that their record of past and current successes gives them a certain immunity to detailed audits. Still others may reason that McGill has so many procedures, levels of approval, and staff members who oversee grant spending that surely someone will notify them if they make a mistake or forget to include a receipt.

Sadly, all the above are wrong.

McGill does indeed have support services and procedures; the websites of the Financial Services unit, PCard Administration Group and Procurement Services include reassurances such as:

- provides support to the Researchers in order to facilitate the management of their research grants / contracts
- provides financial management and control on behalf of external funding stakeholders (Governmental Agencies, Foundations, Corporations, etc.)
- ensures that funds are expended and accounted for in accordance with the terms, conditions

and regulations provided by the source of funding and / or policies and procedures of the University.

- provides all Fund Financial Managers and Unit Heads with access to monthly financial statements for each fund
- is responsible for
 - ensuring that adequate or appropriate FOA-PAL codes are assigned to the charges;
 - monitoring for and resolving potential program abuses;
 - notifying Purchasing Services if unusual or restricted transactions are noted
- ensures that all relevant internal and external policies and regulations have been followed, verifies that no information on the purchase requisition is missing, and reviews the related quotations
- is partnering with faculties in ... the 'financial integration project' to enhance local support to researchers in the financial management of their awarded grants. [See <http://www.mcgill.ca/financialservices/improvements/>]

Notwithstanding the diligence, expertise and care of all the offices and various oversight staff, the checks and assurances aren't always 100% successful, and questionable expenses sometimes go unnoticed for awhile. Unfortunately, when a mistake goes uncorrected, it's likely to be repeated; when expenses are processed without receipts or documentation, there's less motivation to bother keeping receipts in the future.

MAUT strongly advises all academic staff to heed the following:

- **Never** mix your university and personal expenses; this is especially important for P-card and travel transactions. The conference trip to Vancouver may be a legitimate claim, but the side trip to Victoria to visit Uncle Joe and Aunt Edna isn't.
- If there's **any** reason that an expense might be questioned, be ready to justify it with complete documentation. Can you demonstrate that you shopped for the best prices? Can you explain why each of your purchases was necessary?
- If you're constitutionally unable to cope with Banner, spreadsheets and ledgers, and rely on

someone else to handle these things for you, be sure you're aware of how they're being handled — stay informed.

Remember: The Fund Financial Manager is responsible for ensuring that the expenses are legitimate, appropriate, reasonable, for University purposes only, are in accordance with University policy, are charged to the correct FOAPAL(s), and (if expenses are charged to a research fund), conform to granting agency regulations and relate to research for which the grant / contract was awarded. When the account reports contain errors or dubious entries — whether intentional or not — the consequences can be catastrophic. It's your career on the line, so **pay attention**.

MAUT Scholarship 2009-2010

Established in 1989 in honour of the female engineering students tragically killed at the Ecole Polytechnique, the MAUT scholarship is awarded annually to a female student in McGill's Faculty of Engineering.

This year's winner is Emma Greer, a fourth-year student in the School of Architecture. Congratulations are extended to Ms. Greer, whose letter of acceptance follows:

Dear President of the McGill Association of University Teachers

I am writing to express my deepest gratitude to you for your contribution to my education through the M.A.U.T. scholarship. It is comforting to know that my hard work has been recognized, and that the price of my education need not be an obstacle.

Since completing my third year of undergraduate architecture last spring, I was fortunate enough to be accepted into a summer program in Greece where we studied the origins of Western Architecture and Civilization. This was an extremely valuable experience that would not have been possible without financial support. Your contribution to my education funds will allow me to further immerse myself in the architecture scene that I am quickly falling for. I am currently benefitting from my summer internship which began in July with IBI Group's Toronto office. While at IBI, I have had the opportunity to learn about the various development streams including transportation engineering, urban planning, landscape design, interior design and architectural design.

Thanks again for your generosity.

Sincerely,

Emma Greer.

Notes from the Fall General Meeting

Faculty Club, November 19, 2009

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President Richard Janda called the meeting to order at 12:05, and introduced Max Roy, the President of the Fédération québécoise des professeurs et professeures d'Université. The names of the current MAUT executive and council were projected, and R. Janda extended particular thanks to the contributions being made by our retired members, and to John Dealy on their behalf.

Minutes of the April 17 Spring General Meeting were presented for adoption. John Hobbins noted an error in Item 10, Report from the Chair of the Librarians' Section, with reference to a note that had been added to the report on the change in the librarians' vacation policy. The note states, "...The policy has since been modified as requested by the librarians," but this is not accurate, and the note should be deleted. With this correction, the minutes were adopted.

PRESIDENT'S REPORT

Richard Janda

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University Governance: Bill 38 raised the prospect of legislation changing the structure and function of the Board of Governors, and diminishing the role of Senate. Bill 38 ensures independent / government influence in Boards of Governors' roles in determining universities' strategic plans, performance indicators, etc. A parliamentary commission was convened to discuss Bill 38; many groups were represented — R. Janda presented a brief on behalf of MAUT. Bill 38 has now been postponed, but may re-appear in the form of new legislation next session.

During the parliamentary commission, the Minister of Education expressed concern about runaway finances in some areas of university budgets such as high salaries of senior administrators and / or "golden parachutes" of departing officials. Privatization of programs such as MBAs was also mentioned. Bill 38 was intended to provide oversight — right problem, wrong solution.

M. Roy was then invited to address the meeting. After a brief description of FQPPU's composition and function, M. Roy stated that FQPPU's report on University Funding had been very well-received, and a new report on University Real Estate would be published very soon. M. Roy also spoke against Bill 38, claiming it would not solve existing problems but would create new ones. It proposes a private enterprise model which leaves employees out of the decision-making and strategic orientation processes. FQPPU would like to see the establishment of an Estates General to discuss these issues. Bill 38 is postponed, but not gone; however, we now have the opportunity to strategize and regroup.

Marc Richard noted, and M. Roy agreed, that there was a certain irony to the UQAM "Îlot Voyageur" fiasco that prompted the introduction of Bill 38 in the first place. Of the Quebec universities, UQAM has the greatest number of government representatives on its Board, but the Board of Governors blindly supported the university senior administration's Îlot Voyageur proposal, though the UQAM professors and students had rejected it.

R. Janda continued the governance theme by informing the meeting attendees that a CAUT Ad Hoc Investigatory Committee into the Situation of Academic Librarians at McGill University had issued its report. It is confidential, and will only be rendered public if it is determined that there has been a failure to make progress in resolving the issues.

There are two aspects to consider:

- process: concerns have been raised about MAUT's relationship with CAUT; investigations should only happen in coordination with the local association, and this wasn't done.
- substance: there is certainly a morale problem, and MAUT has the responsibility of working toward a solution that will improve morale.

It is hoped that the question can move onto a new trajectory.

Update: see discussions on the MAUT blog, <http://blogs.mcgill.ca/maut>

University Finances: We all recall the painful process of last year's budget cuts, and are about to face a 6-month freeze on salary: increases will only take place in June 2010. Speaking of the financial crisis in general, McGill has come out of it relatively well-placed, compared with other universities. Nevertheless, we are still in crisis mode, and committed to balancing our budget, but more steps are needed to get there.

MAUT is insisting that the projected 4.15% salary increase take place. Discussions are now being held about how to determine the across-the-board and merit ratio. Since the cost-of-living / Consumer Price Index has risen only slightly over the past year, there is some pressure to accept a very low across-the-board portion, but MAUT wants to be sure some balance is maintained. This debate will be one of the issues to appear on the new blog, as we want comments. Comments will be moderated, but the intention is to be as open as possible.

R. Janda invited Terry Hébert to speak about membership and recruitment. T. Hébert reported that the recruitment committee was active; brochures have been prepared, and several initiatives are underway. MAUT representatives will be going to various buildings and setting up information tables; the first is scheduled for December 1, in the McIntyre Medical Sciences Building.

Other items: R. Janda reminded the attendees that MAUT represents members in many university settings — tenure, grievances, etc. — Joseph Varga, MAUT's Professional and Legal Officer, advises and coordinates other advisors. Normally these activities are not brought to wide attention, since they're confidential, but there is a need to inform the membership of one current case, since it is taking up time, resources and money. One of our members has been dismissed from the university, and after studying the issue, the MAUT Executive, Council and advisors unanimously agreed to defend this member in court.

Arbitration was the expected way of dealing with this issue, but the University will not commit to reinstating the member based on a favourable arbitration finding. MAUT realized that the mandate of the arbitrator was unclear, and decided it was necessary to take the issue to court, under the Labour Standards Act. Unfortunately, this is very expensive.

Comments and questions:

M. Richard acknowledged that there are differences in opinion about the CAUT investigation's processes, but expressed the hope that MAUT would set aside the question of process and deal with the substance, as that is what really needs to be addressed.

R. Janda agreed that it was important to focus on substance but cannot ignore processes, especially if they would result in publication of the report. Re-establishment of a working Library Council and facilitating a transition to a new structure and administration are among the first steps to be taken.

John Hobbins asked for an update on the question of the university matching pensions of employees aged 69-71.

R. Janda reported that the University has decided it doesn't have to match these pension contributions. This was taken to court as an example of age discrimination, but at trial we did not prevail. However, it has now gone to appeal, and a brief has been filed.

Dan Guitton enquired how deeply MAUT was looking into University budgets, financing and spending, assuring that spending supports collegiality.

R. Janda replied that MAUT would like to move into a more proactive mode; at the moment we're responding to proposals rather than helping to formulate them. Fortunately, [Past-President] Edith Zorychta is on the Principal's Task Force, and "gets to see where the money goes," and MAUT is also working to improve communication with the Board of Governors.

David Harpp commented that it is important to have people with expertise in analysis looking at the balance sheets, not everyone is able to deal with these 9-digit numbers.

PAST-PRESIDENT'S REPORT

Edith Zorychta

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E. Zorychta began by announcing that our current VP External, Brendan Gillon, had agreed to accept the position of President-Elect.

Salary Policy 2009 / 2010: The Budget Book, presented to Senate last May and now available on the Senate website at http://www.mcgill.ca/provost/documents/university_budget_2009_2010.pdf, provides more information than we have had before. McGill will soon face an approximately \$80 million debt: there is a genuine problem. After a few years of active recruitment and hiring, McGill is now hiring only to replace employees who leave.

The goals of the Academic Salary Policy remain; our salaries should reflect our standing in the G10 / G13, ie around 3rd place, but we are now situated at about the middle. Our promised 4.15% increase has been moved to June 2010, and a 5.15% increase is scheduled for June 2011. We need to catch up, as soon as finances permit.

The Gender Equity analysis report was presented to Senate in February and the Administration has responded. Salaries of women academics across the campus will be examined, and adjusted if anomalies are found. Representation of women among award-holders will be explored, and the Office of the Provost will undertake a detailed study of promotion gaps and attrition gaps for women faculty. Other studies will be undertaken, and systems of record-keeping will be put in place to allow easier analyses and reports in the future. The response is on the Senate website at <http://www.mcgill.ca/files/senate/D08-70AdminresponsetoCASPOnAcademicSalaryDifferential.s.pdf>.

The names of the members of the Academic Staff Compensation Committee were displayed [*names in italics are MAUT representatives*]:

- A. Masi, Provost and CHAIR
- *H. Etemad, Desautels Faculty of Management*
- M. Grant, Dean, Faculty of Science
- *P. Hayden, School of Computer Science*
- *J. Hobbins, Library Technical Services*
- *R. Janda, Faculty of Law*
- C. Manfredi, Dean of Arts
- J. Schmidt, Director of Libraries
- *E. Zorychta, Department of Pathology*
- L. Gervais, Associate VP, Human Resources
- D. Dutton, Secretary
- *J. Galbraith, Department of Economics*

Pension and retirement issues:

- Professor Emeritus: The new policy for awarding the “Emeritus” honorific was implemented last July, and there are now 329 emeritus librarians and professors.
- Retirement incentives: Phase 1 ended last spring — 80 people accepted. Phase 2 began in July 2009.
- Pension contributions for staff members 69-71: As the President mentioned in his report, it is hoped that the court appeal will be successful.
- ABCP Final Settlement: The University was not legally obliged to assist the employees whose pension holdings were profoundly affected by the ABCP crisis, but partly on MAUT’s insistence, an agreement was reached that saw these employees’ losses limited to about 10% rather than 30%, a loss considerably less than that suffered by those with their savings in the accumulation fund.

Policies: MAUT spends a lot of time on committees formulating and revising policies, since they affect all aspects of our academic lives. New policies include:

- Research on Human subjects
- Safe Disclosure
- Employment Equity
- Research Misconduct
- Course Evaluations

Policies under revision include:

- Conflict of Commitment
- Conflict of Interest
- Conduct of Research (draft to Senate Nov 4; final being prepared)
- Harassment & Discrimination (done; coming to Senate)

Questions and comments: John Kurien, speaking as one of the employees who had been caught up in the ABCP fiasco, expressed the view that the Pension Advisory Committee and its chair had not satisfactorily represented the members who stood to lose so much money.

Bruce Shore drew attention to the fact that new hires do not now have access to the minimum guaranteed pension provisions from which long-standing employees might still benefit. E. Zorychta commented that the Board of Governors has the power to make these kinds of decisions unilaterally.

ally. MAUT had objected, but was overruled. R. Janda added that this was a matter of concern, and MAUT would be watching.

REPORT FROM THE VP-INTERNAL

Ian Butler

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Staff Benefits Advisory Committee — note the “Advisory” in the name. The Committee includes representatives from administration, human resources, and all employee groups. One of the items on the agenda is the budget, and the need to recoup some money from the benefits package — while improving the package. Some recommendations have been put forward, but are still confidential. Some savings can surely be realized by insisting that claims and reimbursements be done online, and that generic drugs be used unless brand names have been specifically prescribed. Approximately \$800,000 in potential savings have been identified so far.

It is likely that there will be little or no change in the health-plan premiums, and possibly a modest increase in the dental and long-term-disability premiums.

Update: the representatives of all employee groups on the SBAC have reached a consensus on changes to the benefits plans, and their proposal has been accepted by the administration.

REPORT FROM THE VP-EXTERNAL

Brendan Gillon

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FQPPU's Comité sur le financement universitaire met on October 6, 2009. Its excellent report, released last year and available at <http://fqppu.org/themes/financement-universites.html> has been praised by the Auditor-General. It would be good if a McGill person with financial expertise could go through the data contained in the report and present an analysis and recommendations.

A report on university real-estate holdings is in preparation and expected to be released soon.

REPORT FROM THE SECRETARY-TREASURER

Hamid Etemad

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MAUT is now having its financial reports audited; Hamid Etemad thanked Honore Kerwin-Borrelli for preparing excellent documentation for the auditors. The auditor reports that MAUT is in solid, stable financial shape, though we should move to lower-risk investments. Like everyone, our investments lost a little value in the recent financial crisis, but are almost re-established.

H. Etemad pointed out that 78 members are retiring in the near future, which will certainly have some impact on our revenues. In response to queries from the floor, H. Etemad elaborated somewhat on the budget line, “professional services.” Essentially, this means fees paid to law firms for defending members in court. A current case is requiring substantial outlay, and it will likely be necessary to ask the Finance Committee to authorize the spending of further moneys — the final amount cannot yet be predicted. However, since MAUT's raison d'être is to defend its members, neither the auditor nor the Executive and Council feel it would be correct to limit the amount we budget for these services.

REPORT FROM THE VP-COMMUNICATIONS

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As mentioned by R. Janda, the MAUT Blog went live on Nov. 19 at <http://blogs.mcgill.ca/maut>. There remain one or two small technical glitches to overcome, but it should be fully functional very soon.

Deanna Cowan reported that the website is continuously updated, but encouraged members to notify her if they find broken links etc.

REPORT FROM THE CHAIR OF THE LIBRARIANS' SECTION

Joan Hobbins

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The CAUT Ad-hoc Committee has presented its report to the CAUT Academic Freedom Committee and in confidence to the parties concerned. Discussions now need to focus on substance, and we will work on the problems with the process later.

MAUT RETIRED MEMBERS**John Dealy***john.dealy@mcgill.ca*

- There are now 150 members of the Retirees' Section. 55 people attended the most recent retirees lunch, where researcher Victoria Kaspi was the guest speaker.
- After years of campaigning, retirees are now listed in the McGill staff directory.
- The Retiree Affairs Committee would like to have a representative for retired employees on the Staff Benefits Advisory Committee.
- The recent changes to the policy for Emeritus designation were well-received. Two past professors were not approved for Emeritus status, and retirees don't have access to a regular grievance process, but the Provost has put procedures in place to deal with these issues.

See also the report on page 12.

At the time of the Fall General Meeting, a number of budget-related discussions were in progress and couldn't be properly reported. Since then, some of those discussions have escalated and intensified — and at press time still can't be properly reported, but will be summarized in the next *Newsletter*.

REPORT FROM THE CONTRACT ACADEMIC STAFF COMMITTEE**Malcolm Baines***malcolm.baines@mcgill.ca*

Progress has been made toward designing policies and procedures for colleagues not on the tenure track. Unfortunately, the budget crisis has taken up all of the administration's time and attention lately, so discussions have stalled for now.

The Faculty of Medicine has made some headway in clarifying GFT-H status. Many of these faculty members are part-time and / or nil salary employees, whose concerns tend to focus on titles, promotions, benefits and working conditions.

See also the report of the CAUT Contract Academic Staff Conference on page 2.

FACULTY CLUB**Edith Zorychta***edith.zorychta@mcgill.ca*

E. Zorychta reported that the Faculty Club was doing well. A new, very experienced General Manager has been hired, and has already made changes to the website, the menu, and other aspects of the Club's operations.

CAUT Librarians Conference:**Negotiating for Parity: Closing the Librarian-Faculty Gap 23-25 October 2009****Karen Jensen***karen.jensen@mcgill.ca*

The biennial CAUT Librarians' Conference this year took place in Ottawa, from Friday night to midday Sunday, October 23–25. MAUT delegates were Joan Hobbins, Chair of the MAUT Librarians' Section, and Karen Jensen, Librarians' Section Chair-Elect.

The theme builds on those of the two previous conferences, *Negotiating the Changing Culture of Academic Librarianship* in 2005 and *Moving Forward: Academic Librarians and Collective Bargaining* in 2007.

The keynote address on the topic of *Academic Freedom and the Responsibility of Librarianship* was made by Toni Samek, Professor, School of Library and Information Studies, University of Alberta.* The address centred on how librarians must be free to oppose efforts to censor, filter or divert information. We must also be free to critique workplace mechanisms and structures that interfere with the exercise of our duties. At one point, the speaker referred to the creation of "civility codes," which may prove problematic to tenured academics in this age of vigorous post-tenure review. A civility code, depending on hard-to-define details such as correct tone of voice, is always open to interpretation.

Saturday consisted of five sessions: James Turk, CAUT Executive Director, spoke engagingly on the topic of *Academic Librarianship Under Attack — What Can We Do?* A panel consisting of Suzanne O'Neill (Fanshawe College), Meg Raven (Mount Saint Vincent University), and Sylvie Lafortune (Laurentian University) discussed workload. Neil Tudiver, CAUT Assistant Executive Director, presented the salary situation and subsequently led a skills-building session on negotiating salary. A breakout session next covered issues such as the principles underlying the drive for librarian / faculty parity, the degree of differentiation at various institutions, and steps taken by respective staff associations to close the librarian / faculty gap.

The workload session proved interesting. Suzanne O'Neill began by making this key point: the term "parity" in no way means identical, and this shows up in collective agreement clauses that deal with workload. At the Ontario colleges, librarians have no contractual obligation to do research, but there is a push now to be allowed to do applied research. Duties / workload are set by the manager, with a workload monitoring group in place. Contract demands are first passed at a local general membership meeting; however, librarian issues rarely reach the table because these demands are often sacrificed for the greater good.

Meg Raven reported that there are differences in the Mount Saint Vincent University collective agreement as to workload priorities for librarians and teaching faculty. For librarians, priorities are professional practice, service, and research, while priorities for teaching faculty are research, teaching, and service. Raven advised that there is a need to adopt similar language in collective agreement clauses that separately cover librarians and teaching faculty. Although librarians are eligible for sabbaticals, the take-up rate differs. Librarians are still expected to keep business hours even without defined hours of work. Such detail needs to be removed from collective agreements. She advised that libraries hire with scholarship in mind and noted that workload demands shift over time.

Sylvie Lafortune asked what qualifies as teaching in universities, and mentioned that the concept of teaching is evolving in libraries. She reported that the split between teaching faculty and librarian workload is not the same at her university. For

librarians: professional practice 60%; research 10%; service (defined as including administrative duties) 30%. For teaching faculty, it is 40% research, 40% teaching, and 20% service. A librarian's annual report is used for accountability and progress through the ranks. The collective agreement specifies 12 hours per week of student contact, and this contact refers specifically to providing traditional reference service, one presumes at a service desk.

While it is desirable to have teaching faculty understand what we do, librarians are advised to use a broad brush in describing their work; detailed "clerical" lists are to be avoided in collective agreements. Workload at Laurentian may be readjusted during the year as special projects are added on, and there is a mechanism in place for dealing with disputes over workload. She reports that Laurentian's culture is such that librarians are encouraged to take sabbatical leaves. The price for parity is constant vigilance, librarians need a strong voice, and academics must learn to live with ambiguity.

The audience agreed with the view that librarians need to be hired with scholarship in mind; a research presentation is common at the hiring interview. There are similarities between librarians and teaching faculty in professional fields. It was also stated that the first ten years of a librarian's job is an apprenticeship; it takes a long time for those without research experience to catch up.

The definition of scholarship needs to be broadened to include creative "applied" work, such as setting up institutional repositories or providing leadership in the library through training / orienting new staff and mentoring work. There was agreement that professional programs have expectations other than publishing in scholarly journals, and collective agreements have language describing these options. Programs such as nursing and social work also welcome other forms of creative work. Each department should set its own standards; however, there must be a role for a range of activities, including traditional research.

It is unusual to specify hours per week of contact time in a collective agreement. The question was brought up about student contact hours in an online environment — for example, email: Sylvie responded that fewer than 12 hours of contact time does not reflect reality, and many librarians

respond to email from home without tracking this work. Interestingly, one member of the audience described efforts to pilot working from home, depending on the work required. This flexible arrangement can be successful when details of productivity are communicated, and is being applied at some American universities and government agencies.

Other comments: a second Master's degree is often listed as "preferred" in a job ad, showing that competition for academic employment has increased over time. In British Columbia colleges, copyright is retained by faculty and librarians, unlike the business model in effect at Ontario colleges where it is owned by the institution. (Efforts are underway to change this.) A key element to parity is that librarians be part of the decision-making process within their own unions; negotiating committees should include at least one librarian. One speaker mentioned the librarian collective agreement at her university and how it deals with funding for professional leaves: research time more for your own benefit gets less funding than other research. While there may be "burning research needs" for library directors, it is probably difficult to undertake research that one finds uninteresting, no matter how well-funded.

Sunday closed out the conference with another skills-building session, this time on clause drafting and led by Peter Simpson, CAUT Assistant Executive Director. At the concluding session, breakout representatives reported on their group's work of the previous day.

There appear to be many pitfalls in clause drafting and negotiations, easily demonstrated through three different scenarios. The scenario on revising an academic freedom article uncovered problems associated with having different language for faculty members and librarian members. When a librarian's academic freedom is specifically restricted to the right to disseminate the results of his / her own research, conflicts over the definition of librarians' research may result. Terminology is important, and negotiators need to know their collective agreements well in order to ensure consistent cross-referencing throughout.

The question of writing a memorandum of agreement came up in the second drafting scenario. How are committee members selected to work on any particular task? Membership should be carefully stipulated. What is the timeframe? There needs to be consultation with those affected. (When do I see it and vote on it?)

There were suggestions on what kind of language to avoid in collective agreement clauses. Of course, one should be aware that "weak" terminology in any particular collective agreement was often accepted in exchange for some other point that was important to the membership at the time. The phrase "where appropriate" is a common escape hatch for the employer; another one is "as equitable as possible." It is also better to avoid "competence" in statements such as, "Members shall be allowed time for professional development, including scholarly activity associated with maintaining competence." Terms like "as possible" and "normally" dilute the force of a sentence. "Shall not be unreasonably denied" is acceptable in that the employer is forced to produce a rational explanation, not an arbitrary one, and the decision can be grieved if this is not done.

In summary, the conference proved valuable in learning what it is like at other Canadian universities. The skills-building session on negotiating salary was particularly entertaining, as we assisted the lead negotiator in a compressed mock-up monetary negotiation and a hands-on number-crunching exercise. The conference was a welcome opportunity to meet and talk with other academic librarians from across the country.

** Samek currently serves on CAUT's Academic Freedom and Tenure Committee and CLA's Advisory Committee on Intellectual Freedom. She and Kent Weaver (University of Toronto) are the co-investigators for the CAUT Ad Hoc Investigatory Committee into the Situation of Academic Librarians at McGill University (Terms of Reference: 1) To look into concerns that the academic freedom and other academic staff rights of McGill's academic librarians have been violated; 2) To make any suitable recommendations.)*

Report from the Retirees Section

John Dealy

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Our section has grown to 150 members from a base of 50 three years ago. Our fall lunch was the most successful yet, with 55 members attending. The speaker was Prof. Victoria Kaspi, who spoke very entertainingly about astrophysics, a field in which she is a world leader. Our next lunch will be in May of 2010.

The Retirees' Section of MAUT now has its own webpage, <http://retirees-maut.mcgill.ca/> thanks to John Wolforth, a member of the Retiree Affairs

Committee. You can also get to it from the MAUT home page <http://maut.mcgill.ca/>; look for *Retirees' Section* in the margin on the left.

The Retiree Affairs Committee has two new members this year. Carol Cumming Spiers and Peta Tancred have left the committee after a year of working on our behalf, and the new members are Nick Acheson and Darlene Canning. The lineup then for the coming year is:

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Nicholas Acheson	nicholas.acheson@mcgill.ca	514-485-3521	Benefits (Drug, Health)
Darlene Canning	darlene.canning@mcgill.ca	514-457-6735	Activities (Social, recreational, educational, volunteer, etc.)
Dorothy Thomas-Edding	dorothy.thomas.edding@mcgill.ca	514-932-8478	Benefits, activities
John Wolforth	j.wolforth@mcgill.ca	514-487-5210	University involvement Communication with members

Thinking outside the checkbox: employment equity and its myths

MAUT / SEDE Panel, Faculty Club, Thursday, December 3, 2009

Notes by Deanna Cowan

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MAUT Past-President Edith Zorychta welcomed the speakers and attendees, thanked Veronica Amberg, the Director of SEDE for her important role in facilitating the event, then presented Sarah Malik, Anti-Racism and Cultural Diversity Advisor at SEDE (Social Equity and Diversity Education Office), who gave a brief overview of SEDE's mandate [see http://www.mcgill.ca/equity_diversity/aboutus/] before introducing the speakers, Anthony Stewart and Bonnie Best-Fleming.

Anthony Stewart, a professor of English at Dalhousie University, began by reading a passage from his book, *You Must Be a Basketball Player: rethinking integration in the university* (Halifax & Winnipeg: Fernwood Publishing, 2009.)

The excerpt referred to sports before racial integration was common: whites competed with other whites, blacks with blacks. This artificial reduction of the pool of competitors and exclusion of rivals raises the question, "Is the champion really the best?" The analogy can be extended to situations such as the "Canadians-first" provision of university hiring procedures: by excluding potential candidates, is merit accurately reflected?

"Colour blindness" is now promoted as an ideal, in that hiring policies strive to focus on qualifications and not on skin colour. Race notwithstanding, preferential hiring practices occur in many aspects of Canadian life; decisions are often influenced by non-merit factors. For example: the last

dean was a social scientist, so the next one should be a humanist; the last Speaker of the House was from the West, so the next should be from the East; it's not fair to give two awards to the same outstanding student, one of them should be given to a different student.

In overlooking colour, what else is being overlooked? We automatically and necessarily acknowledge all kinds of differences thousands of times a day: it's the way we distinguish one individual from another, coffee from tea, classical music from jazz, and notice when a partner changes his / her hairstyle. Colour blindness requires that we ignore only one of the many variables that might influence a decision — it oversimplifies the issue.

Not talking about the issue of race doesn't make the issue go away; however, when race is discussed, white people think it doesn't apply to them. The concept of "tolerance" requires participation from both parties and the responsibility is not always fairly divided: the majority has to offer tolerance, and the minority has to accept it. The majority still wants to see the world from its point of view, and asks the minority to agree to that.

The second speaker, Bonnie Best-Fleming, is the Human Rights and Equity Advisor at Dalhousie. She began by noting that Dalhousie has had an employment equity policy in place since 1982, and McGill's has only existed for the past two years, but we are able to take advantage of the lessons that have been learned elsewhere. It is important to not be misled by numbers and statistics; increasing the number of women hired, for example, is not impressive if all those positions are part-time. Hirees must be full participants, valued, respected, and fully integrated into the workforce.

Policies are fine, but infrastructure is needed in order to monitor and to deal with issues or problems that may arise. It is often necessary to be proactive in order to redress inequities: for example, if the goal is to recruit more aboriginal students, you need to make a point of reaching out to aboriginal schools AND be prepared to support these students when they arrive. Also, it's important to acknowledge that institutional policy is one thing but individuals in a community will still have varying opinions, and that racism, sexism etc. may still be found in the institution.

Ms. Best-Fleming then went on to deconstruct several myths relating to Employment Equity.

- **Myth: Equity and Merit are Mutually Exclusive**

If the hiring committee evaluates candidates on the basis of merit and then the equity officer comes in to challenge the recommendation, this won't work. Many factors must be considered in a hiring decision — is diversity one of them?

Committees need to assign weights to the various factors, including "qualified designated group" and to decide what is the value of a candidate's different background or experience. Committees also need to consider departmental comfort levels — how the candidate will integrate into the existing community is an extra criterion.

- **Myth: Hiring Committees are Objective**

Hiring committees need to recognize their own biases; there is a tendency to favour people like ourselves and perpetuate our own values. Is a candidate not asked to interview because nobody on the committee can pronounce his / her name?

- **Myth: Merit is always defined consistently and applied fairly.**

Committees must avoid making assumptions: for example, an outstanding candidate was rejected because the committee didn't think the university could accommodate his spouse too.

- **Myth: hiring committees are experts in the hiring process.**

Hiring is a complex process; academics have subject expertise, not human resources or equity expertise. Individual and departmental bias may come into play, and some candidates may already be known to the committee or have access to departmental information that other candidates don't.

At Dalhousie, if the recommended candidate is not from a designated group, the committee must justify its recommendation, and demonstrate how the candidate is superior; however, the committee will evaluate on the basis of academic merit rather than for equity reasons. Diversity needs to be one of the "merit" criteria, not an add-on.

During the question and answer period, Prof. Stewart noted that academics from minority groups have two jobs: they need to be academics and they need to be representatives of their minority group. Everyone feels vulnerable in a new situation, but there is extra pressure on minority professors. If they also have to deal with tenure issues or cope with harassment etc. it's extra work.

Ms. Best-Fleming commented that diversity needs to be ONE of the factors taken into account in hiring decisions; diversity and merit are neither exclusive nor opposite. We all want to make the university a place of acceptance and exchange of views, so we need to put in place mechanisms that will accomplish this. We cannot put the burden on minority employees who already have too much to do in this regard, it's everyone's issue.

In terms of infrastructure and support, it's important to check whether biases are being reflected in expectations, evaluations, etc. Are female professors assumed to be more understanding, available, "motherly" than males? Are students reacting to and evaluating the professor's teaching or his / her identity?

Ms. Best-Fleming explained that Dalhousie's Employment Equity policy was instituted in order to comply with the Federal Contractors' Program. The program itself is "a pain" but has led to useful change, and the office is seen to be of value and gets good support at the senior level. Prof. Stewart added that policies are unnecessary if there's will. For example, spousal hiring policies are preferential and go past the strictures of merit, but reflect the will of the community (and still increase diversity). The university as a whole should see itself as an equity-seeking group.

E. Zorychta noted that McGill has a great deal of diversity in its student body, but the situation is very different with regard to faculty. There is a desperate need to train and sensitize chairs, deans and others who arrive at management positions though subject expertise.

Did you know?

Act Respecting Labour Standards : Section 79.7

Many may not be familiar with Section 79.7 of the Quebec Act Respecting Labour Standards. This provision of the Act allows an employee to be absent from work, without pay, for 10 days per year to fulfill obligations relating to the care, health or education of the employee's child or the child of the employee's spouse, or because of the state of the health of the employee's spouse, father, mother, brother, sister, or one of the employee's grandparents.

To learn more about this or if you need information, assistance, advice on a confidential basis regarding a work-related matter at McGill University please feel free to contact Joseph Varga, MAUT Professional and Legal Officer, at 514-398-3089 / jvarga.maut@mcgill.ca.

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