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# MAUT

## Council Meeting

### MINUTES

Thursday, September 25, 2014  
McGill Faculty Club 12:00 noon

Present:	
Executive:	<i>B. Lennox, D. Lowther, C. Ragan, A. van den Berg, A. Saroyan</i>
Council:	<i>T. Mawhinney, D. Covo, N. Kamran, E. Shor, T. Moore, K. Siddiqi, K. GowriSankaran</i>
Regrets:	<i>A. Shrier, K. Hastings, H. Durham, A. Kirk, R. Sieber, M. Nahon, J. Cooperstock</i>
MAUT Staff:	<i>H. Kerwin-Borrelli, J. Varga</i>

B. Lennox called the meeting to order at 12:13 pm.

#### 1. Adoption of Agenda and approval of minutes

There were no additions or corrections to the Agenda. C. Ragan moved to adopt the Agenda. Seconded by T. Moore. The Agenda was adopted.

On August 11/14, K. Hastings forwarded the draft minutes of the Council meetings of Jan 28/14, Feb 27/14, Mar 10/14, March 25/14 and April 17/14 to the 2013/2014 Council for review. At this point, only one previous Council member forwarded a comment. There were no objections or corrections from Council members. C. Ragan moved that the current Council approve these five sets. Seconded by A. Saroyan. Council agreed. [Note: On October 07/14, K. Hastings again asked the 2013/2014 Council group to forward their comments on the set of five. The deadline to respond to this e-poll is midnight on Oct 14/2014.]

Council reviewed the Minutes for the Joint Council Meeting on May 20/14. There were no changes. T. Mawhinney moved to accept the Minutes. Seconded by E. Shor. Council agreed.

Council reviewed the Minutes of the June 10/14 meeting. There were two corrections in 4(d) *B. Lennox will get more information from S-G S. Strople and Associate Provost L. White*. In 4(h) T. Mawhinney is not on the Communications Committee. With these corrections, D. Covo moved to accept the Minutes. Seconded by A. Saroyan. Council agreed.

#### 2. Special follow-on from Sept 15/14 Orientation Session (Finance, Advising)

Due to time constraints, two agenda items were not addressed at the Council Orientation on September 15/14. C. Ragan, VP Finance noted MAUT's two revenue sources: Membership dues (\$675K) and the Provost's allocation (\$40K); the latter is marked for Executive stipends. The expenses are: CAUT and FQPPU dues, salaries, the second of three donations to the CAUT Academic Freedom Fund, traveling expenses for attending CAUT Councils, etc, costs associated with MAUT General, Executive and Council meetings. He noted a small increase in MAUT investments. Though there have been no contributions to the MAUT Premium Money Market Fund, the investments continue to grow.

K. GowriSankaran asked for (a) more information on the rates of return and (b) regular reports from the Finance Committee. C. Ragan noted several questions for the auditor: (a) a possible decrease in membership fees; (b) How much of a "nest egg" should MAUT have? (c) What is the right surplus?

Alenoush Saroyan asked about recently-imposed city and school taxes *to the MAUT building*. More details will follow. K. Siddiqi commented that revenues rise with salary increases and the

revenue increase is not due to a head count. He asked if membership had changed significantly in comparison to previous years.

Council continued the discussion:

- (a) 84% of librarians are MAUT members
- (b) The total MAUT membership is close to 1K
- (c) What are the annual dues paid to CAUT & FQPPU?
- (d) What reserve would be needed to cover 'rainy-day' expenses?
- (e) The MAUT cost of the recent court case was: \$316,085.63
- (f) There have been four MAUT court cases since 1951
- (g) CAUT covered an additional \$300K for the recent court case
- (h) The MAUT Finance Committee will follow up on these queries and report at a future Council meeting.

Council reviewed slides on the role of MAUT Advisors who provide advice to members and accompany academic staff during disputes. Advisors do not receive any remuneration. Academics can attend the proceedings accompanied by an MAUT Advisor, who may also be a lawyer. Tenure advice often involves finding the right path to a successful tenure application. If a tenure decision is negative, MAUT will represent the client at UTC meetings and ultimately at meetings with the Provost and Principal. Other reasons for seeking an Advisor's advice concern reprimands and or disciplinary measures, dismissal, grievance, disciplinary hearings and arbitration. J. Varga noted that currently a mediation step is missing in the arbitration process. K. GowriSankaran remarked that several members have sought advice prior to retiring.

B. Lennox commented on conversations with G. McClure [Assoc. Provost–Academic Staff & Priority Issues] and L. Thibault [General Counsel-Legal Services] and the offer to include MAUT Advisors in the Administration's Workshops with their own Advisors. B. Lennox summarized: (a) advising is a key service to members; (b) this service needs to be clarified and publicized for members; (c) new advisors are needed; and (d) on-going training for advisors is highly recommended. He proposed striking an MAUT Standing Committee on Advising and Mentoring that would report to Council. This Committee would define the advisor's roles. J. Varga would be asked to assist. More details will follow. T. Moore noted the spectrum of MAUT's advising, advocacy and mediation. Members can also receive advice from colleagues.

J. Varga noted different advising styles and the need to match members with advisors. At this point, advising methods are not standardized. K. GowriSankaran commented that advising need not be standardized as members' problems vary. He referred to a recent situation when he served as Mediator to solve a salary dispute. He noted that in tenure appeals, the decision is binding; in grievance appeals, the decision is up to the Principal.

J. Varga reported on:

- (a) The number of advising dossiers per year
- (b) There could be 40 open files per month
- (c) Advising could range from informal advice to grievance cases
- (d) Advising should not be too formalized
- (e) Before formalizing any changes, assess whether the current system works
- (f) Not all Advisors are MAUT members

J. Varga referred to his presentation: [\Council Orientation Sept 15 2014\Presentationiv finalA.ppt](#): Grievance & Disciplinary Machinery. He noted following the former Principal's dismissal of a member, there was no appeal mechanism. In 2012, MAUT struck a committee:

*MAUT Sub-Committee on Developing an Adequate Appeal Mechanism for Academic Staff Members Subject to Dismissal for this Aspect of the Grievance and Disciplinary Appeals Procedures.* [Members: John Galaty, Peter Caines and Kaleem Siddiqi]

Its recommendations have been presented to Associate Provost L. White. K. Siddiqi inquired about a follow up to this report. L. White will be asked to report to Council. B. Lennox will contact L. White.

Council discussed the following:

- (a) Clarification is needed on defined deadlines [a recommended change in the Regulations];
- (b) Deans must provide written information and substantive reasons before and after proceedings;
- (c) The burden of proof is on the employer
- (d) The Arbitrator can't reinstate a member [a recommended change in the Regulations]
- (e) Policies on harassment, conflict of interest and research misconduct all feed into the grievance process.

B. Lennox noted that following an MAUT member's dismissal, the case went to the Labour Tribunal. It was not successful and the member's dismissal was upheld.

### **3. Business Arising from the Minutes**

B. Lennox reported on positive meetings with Secretary-General S. Strople and Associate-Provost L. White about bringing MAUT's Statement on Academic Freedom to the McGill community. He will bring the Statement as the first agenda item to the meeting with the Principal and Provost on October 01/14, where he will ask for their support. Another suggested path could be to bring the Statement directly to Senate for consideration.

B. Lennox noted that the results of the MAUT Survey [June 12-16/2014] regarding the search for a Provost were reported to the Advisory Committee for the Selection of a New Provost. An anonymized summary of the results, prepared by VP Communications A. Shrier and Past-President K. Hastings was sent to the ListServ on June 27/14.

An end of trial ListServ letter was sent on August 25/14 to recently hired academics whose emails had been added to the database. In the letter, B. Lennox invited them to join the Association. There was a one-month deadline. Following the deadline, those who had not joined the Association, would be removed from the ListServ. Prior to the deadline, there will be a reminder letter sent to the non-members.

B. Lennox congratulated the Membership Committee for the successful Welcome Gathering on September 09/14. He proposed this could be a template for similar community-building events. D. Lowther moved that B. Lennox write a congratulatory note to the Membership Committee. Seconded by C. Ragan. Council agreed.

### **4. New Business**

#### **a) Allocations for Teaching Relief**

B. Lennox noted that \$40K from the Provost and \$10K from MAUT had been allotted for teaching relief during 2014-2015 for Executive Officers and the Chair of the Librarians' Section. He remarked that \$4K was insufficient to cover the current replacement cost of \$7.2K to hire a CAS. Council reviewed the previously circulated motion which was proposed by A. Saroyan:

*That Council provide an additional allocation of \$14,800 in teaching relief/research support for the Officers, Past President, and Chair of Librarians Section for the 2014/15 academic year, beyond to the \$10,000 approved in the June 10, 2014 meeting, and direct the President to seek an increase in the Provost's allocation to offset all or part of this increase in future years.*

Seconded by E. Shor. Approval of this motion would mean a reduction of \$600 for the President and reductions of \$300 for the Past-President and President-Elec. This would mean an increase of \$14.8K to MAUT's contribution, bringing the total contribution to \$24.8K.

E. Shor suggested instead of indicating a fixed amount per year, that the amount for course relief correspond to an amount required to hire a CAS. C. Ragan, VP Finance proposed a friendly amendment that the stated motion be approved forward for this fiscal year and *for future years that a minimum standardized amount for course relief be considered*. He noted that MAUT's motion would apply to this year but suggested that next year, the Provost be approached to increase the allocation. Council heard that last year, personal arrangements between Officers were made to cover the costs of hiring CAS.

K. Siddiqi commented on the poor reception to the practice of providing course relief for Executives and the L-S Chair by some departments. A. Saroyan noted the difficulty to attract academics to stand for elections and a buyout is one option.

Council voted on the proposed motion with no change to the wording. The motion passed with no objections and with 6 abstentions [K. Siddiqi, T. Mawhinney, D. Lowther, A. van den Berg, A. Saroyan, and C. Ragan.]

#### **b) CASC membership 2014-15**

B. Lennox stepped down and A. van den Berg took the Chair.

B. Lennox moved

*that as F. Grimard, CASC member, was on sabbatic leave, A. Shrier, VP Communications and former CASC member, replace him during his one-year sabbatical.* Seconded by C. Ragan.

Council was asked if it approved the substitution. Council approved unanimously. There were no abstentions.

#### **c) Joint Senate/BoG committee on Family Care nomination**

Axel Van den Berg kept the Chair. B. Lennox moved:

*that A. Moores be formally proposed to represent MAUT on the Joint Senate Board Committee on Equity, Subcommittee on Family Care.* Seconded by C. Ragan. Council approved unanimously. B. Lennox will contact L. White with MAUT's nomination.

#### **d) U Sask academic freedom event – MAUT participation**

B. Lennox noted the 1.5 day-forum will take place on October 01/14. The information received to date is that the speakers will be J. Turk and a representative of the AAUP. Council requested more information and discussed whether the event will focus on U Sask or Academic Freedom issues. The cost for a delegate to attend was estimated at \$2.5K. J. Varga commented on attending past CAUT sponsored Harry Crowe Conferences and that the U Sask event could provide some insight. Council discussed the following:

- MAUT's attendance would be viewed as showing support for the U Sask experience
- The U Sask event could be a good learning experience
- More information is needed before making a decision
- Would Council approve a motion to allocate \$2.5K for a delegate's expenses?

Alenoush Saroyan moved:

That B. Lennox, depending on receiving requested information, will send a letter to the U Sask BoGs expressing MAUT's support. Seconded by E. Shor. Council [D. Covo, T. Moore, A. Saroyan, A. van den Berg, C. Ragan, and E. Shor] approved this motion.

**e) Defining terminology of consultation/approval for MAUT interactions**

Alenoush Saroyan and K. Hastings will present a draft document concerning *consultation with MAUT*. One example noted was the Fall 2013 Course Scheduling policy in which MAUT was mentioned among those consulted which implied the Association's approval. A. Saroyan emphasized the need for a proper consultation process and a clear understanding of the details of the circumstances. Council noted different levels of consultation: (a) with membership, (b) with Council and Executive and (c) with Executive only.

Council discussed:

- The extent of the detail required in the document
- What does consultation with MAUT imply?
- Council could make statements on behalf of MAUT
- The definition of consultation on issues requiring MAUT's approval for Executive, Council and Committee initiatives / expenditures
- That MAUT's input must appear in the final consultation document

A document on consultation, produced by A. Saroyan and K. Hastings, will be distributed to Council and include a glossary of terms. Council will be asked to provide feedback on (a) the use of *consultation*, and (b) the types of decisions that would warrant *consultation*. Council acknowledged a generic consultation document could be difficult to define.

B. Lennox emphasized that requests for consultation with MAUT does not imply MAUT's approval.

**f) Executive Reports**

VP Internal: There was no report

VP External: A. van den Berg reported that he, E. Duffy and J. Varga will attend the CAUT Council in November. A. van den Berg and J. Varga will attend the FQPPU *Conseil* in October.

Axel van den Berg will contact CAUT and FQPPU for updated information on salaries and benefits in other universities. Council remarked these data should be available both provincially and nationally.

CAUT will hold a Parliament Hill Day on November 27/14 during which participants will meet their individual MPs. This notice was sent to Council which discussed funding possibilities for this event. C. Ragan emphasized there had to be a clear view of the message that MAUT members would be sending. Members who wish to attend will be asked to contact the MAUT Office. The deadline for responding is October 10/14.

B. Lennox, on behalf of A. Shrier, requested brief articles from Executive and Council for the E-Newsletter.

**g) Committee Reports**

T. Mawhinney will attend the Librarians and Archivists Conference organized by CAUT.

Alenoush Saroyan reported the Nominating Committee will be (a) contacting Chairs and Council concerning current membership and (b) proposing members for the MAUT Standing and University Committees.

B. Lennox commented that a Forum on MOOCs will be discussed at a future meeting.

#### **5. Other Business**

There was no Other Business.

#### **6. Adjournment**

B. Lennox called for the meeting to be adjourned. Council agreed. The meeting adjourned at 2:03 pm.