

February 17, 2017

Minutes

235th Executive Committee Meeting

November 22-23, 2016

Committee Meeting

November 22 CAUT Boardroom
November 23 CAUT Boardroom

9:00 AM – 5:00 PM
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Present

James Compton, President (UWOFA), Chairperson
Brenda Austin-Smith, Vice-President (UMFA)
Yalla Sangaré, Treasurer (APPBUSA)
Robin Vose, Past President (FAUST)
Marie Battiste, Representative-at-large (Aboriginal) (USFA)
John G. Kingma, Representative-at-large (Quebec) (SPUL)
Kevin Kane, Representative-at-large (General) (AASUA)
Kelly Meckling, Representative-at-large (General) (UGFA)
Linda Lequin, Representative-at-large (Francophone) (ABPPUM)
Peter McInnis, Chair, Academic Freedom & Tenure Committee (ST.FXAUT)
James Gerlach, Chair, Contract Academic Staff Committee (WLUFA)
Carla Graebner, Chair, Librarians' and Archivists' Committee (SFUFA)
Jacqueline Holler, Co-Chair, Equity Committee (UNBCFA)
Wesley Crichlow, Co-Chair, Equity Committee (UOITFA)

Absent

Terri Van Steinburg, Chair, Collective Bargaining & Economic Benefits Committee (KWANTLEN-FPSE)

Staff

David Robinson, Executive Director
Chantal Vallerand, Director of Operations
Valérie Dufour, Director of Communications
Pam Foster, Director of Research and Political Action
Margaret McGovern-Potié, Executive Assistant to the Executive Director



James Compton / PRESIDENT / PRÉSIDENT // Western Ontario

Brenda Austin-Smith // Manitoba

Carla Graebner // Simon Fraser

Kevin Kane // Alberta

Kelly Meckling // Guelph

Terri Van Steinburg // Kwantlen

Marie Battiste // Saskatchewan

Jim Gerlach // Wilfrid Laurier

John G. Kingma // Laval

Peter McInnis // St. Francis Xavier

Robin Vose // St. Thomas

Wesley Crichlow // UOIT

Jacqueline Holler // UNBC

Linda Lequin // Moncton

Yalla Sangaré // Sainte-Anne



Opening Remarks and Territorial Acknowledgement

The President welcomed members and acknowledged that the meeting is taking place on unceded Algonquin territory. He introduced Pam Foster, recently appointed to the position of Director of Research and Political Action. He highlighted the special events that would take place over the course of the meeting.

01. Approval of Agenda

MECKLING/LEQUIN: THAT the agenda be approved.

CARRIED

02. Approval of Minutes

- a. Executive Committee Meeting of September 16-17, 2016

VOSE/MECKLING: THAT the minutes of the Executive Committee Meeting of September 16-17, 2016 be approved with the following amendment:

- Jacqueline Holler was present at the meeting.

CARRIED

- b. Executive Committee Conference Call of October 26, 2016

MECKLING/VOSE: THAT the minutes of the Executive Committee Conference Call of October 26, 2016 be approved.

CARRIED

03. Business Arising

- a. Review of Action List

The action list was reviewed.

04. Report of the President

The President reported on his attendance at several meetings since the last Executive Committee meeting: the Defence Fund meeting in Montreal (October 15); the Western Regional Conference in Winnipeg (November 3-5), and the 10th Education International Further and Higher Education Conference in Accra, Ghana (November 14-16).

He reported on recent hires at CAUT: Pam Foster took on the position of Director of Research and Political Action on November 21; and Immanuel Lanzaderas started in the position of Legal Officer on November 8. He noted that we are currently in the process of hiring a Communications Officer.

05. Report of the Executive Director

The Executive Director reported that the issues he wants to address would be covered on the agenda.

06. Political Action

a. Campaigns

i. Fair Employment Week

The Executive Director reported on Fair Employment Week (FEW) which took place from October 24 to 28. He noted that this is an annual week-long campaign for CAUT and its member associations to organize events and activities to highlight the issues facing Contract Academic Staff. The theme of this year's FEW was 'Let's make it fair!.'

b. Fundamental Science Review

The Executive Director noted that CAUT made a submission to the Federal Government's Fundamental Science Review arguing for adequate funding for basic research, the integrity and independence of funding decisions, and that programs be inclusive of all disciplines and researchers. The report and recommendations are expected to be released in the New Year. A copy of CAUT's submission was included in the Council meeting materials under *Council agenda item 14(f)*.

c. Equity in Federal Research Programs

The Executive Director provided an update on a human rights case that CAUT is involved in concerning gender discrimination within the Canada Research Chair (CRC) program. He noted that in 2003 CAUT brought forward a complaint regarding gender discrimination to the Canadian Human Rights Commission; the case was settled and required institutions to set targets for hiring women and track the data on these targets. Recently it was discovered that the CRC program continues to fall short on its targets, and that the program has not updated its targets as required in the settlement agreement.

The Executive Director reported that in October, the Federal Government announced a new competition for 11 Canada Excellence Research Chairs. Information regarding the new program was included in the Council meeting materials under *Council agenda item 14.(h)*.

d. Civil Liberties

i. Bill C-51

C. Vallerand, Director of Operations, reported on her participation in a consultation by the Minister of Justice on *Bill C-51*. The consultation process is still underway and CAUT will continue to raise concerns with the Bill with respect to civil liberties. A copy of the Federal government's 'Green Paper' entitled '*Our Security, Our Rights – National Security Green Paper, 2016*' regarding Canada's national security framework was included in the meeting materials.

e. Trade in Educational Services

The Executive Director reported that CAUT has participated in the Federal government's consultations regarding the Trans-Pacific Partnership (TPP) and the Trade in Services Agreement (TiSA).

f. International Matters

i. Solidarity Partnerships

A. Palestinian Federation of Unions of University Professors and Employees

The Executive Director reported that CAUT has been working with the Palestinian Federation of Unions of University Professors and Employees to establish a training workshop focused on organizing membership.

CRICHLAW/HOLLER: THAT CAUT donate \$7,500 to the Palestinian Federation of Unions of University Professors and Employees (PFUJPE) to assist in the organizing of a training workshop.

CARRIED

B. National Association of Graduate Teachers (Ghana)

The Executive Director advised that CAUT has provided assistance to the National Association of Graduate Teachers (Ghana) over the past few years and noted that the association has significantly increased its membership.

C. College Lecturers' Association of Zimbabwe

The Executive Director noted that CAUT has provided some assistance to the College Lecturers' Association of Zimbabwe in the development and delivery of a gender workshop to encourage women to take on leadership roles within the organization. He noted that the President of the organization, David Dzatsunga, will be attending the upcoming Council meeting and will provide members with an update on this event.

ii. Organization for Economic Co-operation and Development (OECD)

The Executive Director reported that the OECD's Assessment of Higher Education Learning Outcomes (AHELO) project seems to have been put aside. They are now working on a new benchmarking system.

iii. Education International

The President reported on the outcomes of Education International's Higher Education and Research Conference that was held in Accra, Ghana, from November 14-16.

iv. Iran

The Executive Director pointed to a CAUT letter in the meeting materials written to the Iranian government asking for the release of detained Iranian teacher union leader Esmail Abdi.

v. Free to Think: Report of the Scholars at Risk Academic Freedom Monitoring Project

A report of the Academic Freedom Monitoring Project undertaken by Scholars at Risk was included in the meeting materials.

07. Membership Matters

- a. British Columbia Institute of Technology Faculty and Staff Association

The Executive Director reported that the application for membership in CAUT by the British Columbia Institute of Technology Faculty and Staff Association will be addressed at the November Council. A copy of the application and the report of the ad hoc committee tasked to review the application were included in the Council meeting materials under *Council agenda item 07. (a)*.

- b. Grant MacEwan University Faculty Association

The Executive Director reported that the application for membership in CAUT by the Grant MacEwan University Faculty Association will be addressed at the November Council. A copy of the application and the report of the ad hoc committee tasked to review the application were included in the Council meeting materials under *Council agenda item 07. (b)*.

- c. Algoma

The Executive Director reported that he and the President had met recently with the Algoma University Faculty Association to discuss challenges they are facing in bargaining.

08. Organizational Priorities

- a. Financial Matters

- i. Quarterly Report – ending June 30, 2016

Y. Sangaré, Treasurer, presented the Financial Report: Year Ending June 30, 2016. The report was included in the Council Meeting materials under *Council Item 16.(a)(i)*.

- ii. Auditors' Report

A copy of the draft financial statements was provided in the Council Meeting materials under *Council Item 16.(a)(ii)*.

- A. Report of the Audit Committee

Y. Sangaré, Treasurer, reported on behalf of the audit committee and on a recent meeting with the CAUT auditor.

- iii. Quarterly Report – three months ending September 30, 2016

Y. Sangaré, Treasurer, presented the Financial Report: three months ending September 30, 2016. The report was included in the Council Meeting materials under item *Council Item 16.(a)(iii)*.

- b. Financial Requests

- i. ICLMG

AUSTIN-SMITH/GRAEBNER: THAT CAUT donate \$17,500 to the International Civil Liberties Monitoring Group (ICLMG) to assist with their ongoing work.

CARRIED

c. Report of the Executive Director on Academic Freedom

i. Investigations

The Executive Director provided an update on the independent committee of inquiry regarding the case of Denis Rancourt (University of Ottawa) and on the ad hoc investigatory committee looking into the Enbridge Centre for Corporate Sustainability at the University of Calgary. The ad hoc committee has nearly finished drafting its report.

ii. Cases

The Executive Director reported on current academic freedom cases that CAUT is following.

iii. Censure

A. Carleton

MCINNIS/VOSE: THAT the Executive Committee recommend to Council that it give notice to the administration of Carleton University that, unless the matter of the governance practices of the Board of Governors is satisfactorily resolved, censure of the administration will be imposed at the Spring 2017 meeting of Council.

CARRIED

B. Niagara

MCINNIS/HOLLER: THAT the Executive Committee recommend to CAUT Council that it give notice to the administration of Niagara College that, unless the concerns over the College's offshore Saudi campuses is satisfactorily resolved, censure of the administration will be imposed at the Spring 2017 meeting of Council.

CARRIED

d. Litigation Report

P. Barnacle, CAUT General Counsel, provided an update on litigation cases in which CAUT is involved.

i. McMaster

P. Barnacle provided an update on the McMaster Case. A copy of the Ontario divisional court decision in the *Bart v. McMaster University* (rendered September 26, 2016) was included in the Council Meeting materials under *Council Item 12.(d)(i)*.

e. Collective Bargaining Report

A report on collective bargaining was included in the Council meeting materials under *Council Item 13. (a)*.

f. Education Report

A report on education was included in the Council meeting materials under *Council Item 13. (b)*.

g. Health & Safety Report

A report on occupational health & safety was included in the Council meeting materials under *Council Item 13. (d)*.

h. Organizing Report

The Executive Director provided an oral report on current organizing activities.

i. Membership Engagement

V. Dufour, Director of Communications, reported that the new membership database continues to be tested. She noted that an information session would be offered at Council for local associations to learn about its use.

j. Standing Committee Reports

i. Academic Freedom and Tenure

P. McInnis, Chair of the Academic Freedom and Tenure Committee, reported on the work of the Committee.

ii. Collective Bargaining and Economic Benefits

T. Van Steinberg, Chair of the Collective Bargaining and Economic Benefits Committee, reported on the work of the Committee. She noted that the Committee held a Go-to-meeting on December 8.

iii. Contract Academic Staff

J. Gerlach, Chair of the Contract Academic Staff Committee, reported on work of the Committee. He advised that the Committee is in the planning stages for the CAS conference scheduled for October 21-22, 2017 in Toronto.

iv. Equity

J. Holler and W. Crichlow, Co-Chairs of the Equity Committee, reported on the work of the Committee. The main focus of the Committee is finalizing the agenda and preparations for the February 2017 Equity Conference. It was noted that the Committee would hold its regular meeting prior to the conference. The Equity Conference agenda was included in the Council meeting materials under *Council item 17. (d)(i)*.

iv. Librarians' and Archivists'

C. Graebner, Chair of the Librarians' and Archivists' Committee, reported on the work of the Committee.

A. Casual vacancy on L&A Committee

GRAEBNER/LEQUIN: THAT the Executive Committee recommend to Council that Jeff Lilburn of the Mount Allison Faculty Association be appointed to fill the casual vacancy in the Librarians' and Archivists' Committee.

CARRIED

k. Committees of the Executive Reports

i. Francophones

Linda Lequin, Chair of the Francophones Committee, reported on the work of the Committee.

ii. Clinical Faculty

There was nothing new to report.

l. Working Group Reports

i. Aboriginal Post-Secondary Education Working Group

Marie Battiste, Chair of the Aboriginal Post-Secondary Education Working Group, reported that the working group has made a series of updates to the listing of Indigenous territories for Canadian post-secondary institutions. She noted that the new draft policy statement on Indigenizing the Academy will be reviewed at the upcoming Council meeting.

m. Publications

i. Report of Bulletin Editorial Board

B. Austin-Smith, Chair of the Bulletin Editorial Board, reported that CAUT has sourced a new printer for the Bulletin due to print quality issues that were identified when the new format was launched in September.

ii. CAUT Book Series

The Executive Director reported that several of the presentations from the Harry Crowe Foundation conference held February 2016 will be compiled into a book likely to be published this spring.

n. New Activist Workshop

P. Jones, Education Officer, provided an overview of the New Activist Workshop planned for November 24, prior to the Council meeting. He informed the Executive Committee members involved in delivering segments of the workshop of their responsibilities.

09. Review of Council Agenda

The Council agenda was reviewed.

10. CAUT Policy

a. Policy Statements

i. Five Year Review

A. Federal Contractors Program

A sub-committee of the Executive comprised of J. Holler, W. Crichlow, and R. Vose, was formed to review the Policy Statement on the Federal Contractors Program. The sub-committee presented a revised draft of the policy later in the meeting.

VOSE/CRICHLAW: THAT the Policy Statement on the Federal Contractors Program be revised with the following change and sent to Council for consideration:

- Sentence 1 of the second paragraph be revised as follows: 'In order for the Government of Canada to be consistent with **principles of employment equity** ~~its own commitment to a gender-based analysis (1995),...~~'

CARRIED

B. Federal/Provincial Funding of Post-Secondary Education

The Executive Committee reviewed the Policy Statement on Federal/Provincial Funding of Post-Secondary Education and recommended the following editorial change and that the policy be reviewed in five years:

- That the third last paragraph be modified as follows: '... Minister of **Employment, Workplace Development and Labour** ~~Human-Resources-Development~~ who will ...'.

C. Members' Rights During Strikes by Another Bargaining Unit

The Executive Committee agreed that the Policy Statement on Members' Rights During Strikes by Another Bargaining Unit be retained as is and be reviewed in five years.

D. Collegiality

The Executive Committee agreed that the Policy Statement on Collegiality be retained as is and be reviewed in five years.

E. Rights of Graduate Students

The Executive Committee agreed that the Policy Statement on the Rights of Graduate Students be revised with the following editorial change and be reviewed in five years:

- in the second sentence of the preamble, amend the sentence to ‘...as well **as** an institution’s ...’

F. Allocation of Strike Pay

A sub-committee of the Executive comprised of B. Austin-Smith, J. Holler, and P. McInnis, was formed to review the Policy Statement on Allocation of Strike Pay.

G. Appointment Procedures

The Executive Committee agreed that the Policy Statement on Appointment Procedures be retained as is and be reviewed in five years.

H. ‘Deemed Hours’ for Employment Insurance

KINGMA/LEQUIN: THAT the Policy Statement on ‘Deemed Hours’ for Employment Insurance be approved with the following changes and sent to Council for consideration:

- ~~Revise paragraph one as follows: ‘Contract Academic Staff (CAS) facing insecure employment sometimes need to resort to Canada’s Employment Insurance (EI) system. Since the 1990s, eligibility for EI benefits has been connected to the hours worked by the employee in the previous twelve-month period. CAS members, especially those who work part-time, have been disadvantaged the EI this system as our employers frequently underestimate the number of hours a CAS member has worked. Service-Canada, the federal agency that operated the EI system, typically accepts the employer’s ‘deeming’ of hours without dispute. Recent court cases demonstrate the need to negotiate collective agreement protections for CAS members.~~
- Delete footnotes 1, 2, and 3.

CARRIED

I. Dependant Care

KINGMA/LEQUIN: THAT the Policy Statement on Dependent Care be approved with the following changes and sent to Council for consideration:

- Delete paragraphs 1 through 7;
- Revise new paragraph 1 (previously paragraph 8) as follows: ‘...sufficient access to employer funded child and infant care, ensuring...’.

CARRIED

J. Recognition of Increased Workload of Francophones in a Minority Context

A sub-committee of the Executive comprised of L. Lequin, J. Kingma, and R. Vose, was formed to review the Policy Statement on Recognition of Increased Workload of Francophones in a Minority Context.

ii. New/Revised

A. French-language Teaching-Intensive Academic Staff

A sub-committee of the Executive comprised of L. Lequin, J. Kingma, and R. Vose, was formed to review the Policy Statement on French-language Teaching-Intensive Academic Staff.

B. International Students

At the September 2016 Executive Committee, a sub-committee of the Executive comprised of R. Vose and Y. Sangaré, was established to merge the new draft Policy Statement on Challenges Faced by Academic Staff Working in Departments with International Students with the existing CAUT Policy Statement on International Students.

GRAEBNER/BATTISTE: THAT the revised Policy Statement on International Students be approved with the following changes and sent to Council for consideration:

- Move clause 5 to become the second paragraph of clause 1;
- Edit the first paragraph of clause 1 as follows: 'The ~~purpose of~~ recruitment of international students to Canadian institutions ~~should be to~~ fosters the international ... Knowledge, ~~to~~ promotes cultural..., ~~to~~ enriches the..., and ~~to~~ facilitates ...'; and
- Edit new clause 7 as follows: '... trained staff ~~and~~ to provide support services, ..., to meet the academic ~~and non-academic~~ needs ...'.

CARRIED

C. Guidelines for Acceptance of Private Donations

VOSE/LEQUIN: THAT the Executive Committee recommend to Council that the Guidelines for Acceptance of Private Donations be deleted - as it has been superseded by the *Guiding Principles for Corporate Collaborations*, which was adopted by Council in April 2012.

CARRIED

**11. ORDER OF THE DAY
Staff Matters**

a. Report of the Personnel Committee

R. Vose, Chair of the Personnel Committee, reported that the positions of Director of Research and Political Action and Legal Officer have been filled. The position of Communications Officer remains vacant.

b. Staff and Related Administrative Issues

IN CAMERA

c. Management Relations

VOSE/AUSTIN-SMITH: THAT the meeting move in-camera.

CARRIED

KINGMA/BATTISTE: THAT the meeting move ex-camera.

CARRIED

12. Meetings, Conferences and Related Organizations

a. Meetings Attended

i. CAUT Defence Fund

The President reported on the CAUT Defence Fund meeting, held in Montreal, October 15.

ii. Conseil fédéral de la FQPPU

L. Lequin, Chair of the Francophones Committee, reported on her attendance at the Conseil fédéral of the FQPPU, held in Montreal, October 20-21.

ii. Librarians' and Archivists' Conference

C. Graebner, Chair of the Librarians' and Archivists' Committee, reported on the Librarians' and Archivists' Conference, held October 21 and 22 in Ottawa.

iv. Western Regional Conference

The Executive Director reported that he and the President attended the Western Regional Conference, November 3-5, in Winnipeg.

v. Education International Further and Higher Education Conference

This item was covered previously in the meeting.

vi. Atlantic Canada Council of Faculty Associations (ACCFA)

R. Vose, Past President, reported on his attendance at the Atlantic Canada Council of Faculty Associations (ACCFA) on November 5. Subjects discussed included bargaining and grievance updates, potential conflicts of interest on Boards of Governors in the university sector, precarious academic work, alliances with students, and CAUT's new policy for indigenizing the academy.

b. Upcoming Meetings and Conferences

i. New Activist Workshop, November 24

This item was covered previously in the agenda.

ii. Forum for Senior Grievance Officers

The Executive Director reported that the Forum for Senior Grievance Officers will be held in Ottawa on December 9 and 10.

iii. Forum for Presidents

The Executive Director reported that the Forum for Presidents will be held in Ottawa on January 20 and 21.

c. Related Organizations

i. Harry Crowe Foundation

The Executive Director reported that the Harry Crowe Foundation Board of Directors will hold a conference call in early December.

ii. NUCAUT

The Executive Director reported the NUCAUT National Executive Board will hold a conference call in early December. He noted that the NUCAUT triennial convention will be held in conjunction with Canadian Labour Congress (CLC) in May in Toronto in 2017.

iii. J.H. Stewart Reid Trust

C. Vallerand, Director of Operations, pointed to an article from the *CAUT Bulletin* regarding the 2016-17 recipient of the J.H. Stewart Reid Memorial Fellowship - PhD candidate David Christopher from the Department of Art History and Visual Studies at the University of Victoria - which was included in the Council meeting materials under *Council Item 25*.

13. Other Business

14. Review of Meeting

15. Items for Information