

✓ Draft Final

87th CAUT Council Meeting 29 November – 1 December, 2019 Westin Hotel

Speaker

Ted Montgomery OPSEU

Deputy Speaker

Cindy Oliver

Executive Committee

Brenda Austin-Smith	President – (UMFA)
James Compton	Past President – (UWOFA)
Peter McInnis	Vice-President (StFXAUT)
Yalla Sangaré	Treasurer – (APBUSA)
Marc Schroeder	Representative-at-large (General) – (MRFA)
Robin Whitaker	Representative-at-large (General) - (MUNFA)
Laurence McFalls	Representative-at-large (Francophone) – (SPGUM)
Alison Hearn	Chair, Academic Freedom and Tenure Committee – (UWOFA)
Sue Blair	Chair, Collective Bargaining and Economic Benefits Committee – (AUNBT)
Sarika Bose	Chair, Contract Academic Staff Committee – (UBC)
Tim Ribaric	Chair, Librarians' and Archivists' Committee – (BUFA)
Momin Rahman	Co-chair, Equity Committee (TUFA)

Ex-Officio Member

David Robinson CAUT Executive Director

Local Associations – Delegates

Cynthia Bruce	Acadia (AUFA)	Susan Hubers	Guelph (UGFA)
Kevin Kane	Alberta (AASUA)	Neil Brooks	Huron (HUCFA)
Jolene Armstrong	Athabasca (AUFA)	Benjamin Muller	King's University College (KUCFA)
Jon-Tomas Godin	Brandon (BUFA)		
Melissa Jean	Brescia (BFA)	Gautam Das	Lakehead (LUFA)
Bronwen Sprout	British Columbia (UBCFA)	Fabrice Colin	Laurentian (LUFAPPUL)
Michelle Webber	Brock (BUFA)	John G. Kingma	Laval (SPUL)
Don Kozak	Calgary (TUCFA)	David Kaminski	Lethbridge (ULFA)
Jean-Marc Noël	Canadian Military Colleges (CMCFA)	Janet Morrill	Manitoba (UMFA)
		Janine Mauzeroll	McGill (MAUT)
Claudette Taylor	Cape Breton (CUBFA)	Catherine Anderson	McMaster (MUFA)
Angelo Mingarelli	Carleton (CUASA)	Ken Snelgrove	Memorial (MUNFA)
Ian Rakita	Concordia (CUFA)	Mathieu Lang	Moncton (ABPPUM)
Robert Soroka	Concordia PT (CUPFA)	Justin Maalouf	Moncton à Edmunston (APPUMCE)
Alison Kulak	Concordia U-C (CUEFA)		
Kristin Cavoukian	CUPE 3902 (UT-CUPE 3902)	Jules de Tibeiro	Moncton à Shippagan (APPUMCS)
Karen Harper	CUPE3912 (DU-CUPE 3912)		
Julia Wright	Dalhousie (DFA)	Audrey Laplante	Montréal (SGPUM)
Stefan Cartledge	Grant MacEwan (GMUFA)	Matthew Litvak	Mount Allison (MAFA)

Frank Cotae	Mount Royal (MRFA)	Patricia Farnese	Saskatchewan (USFA)
Vlad Tasic	New Brunswick (AUNBT)	Michael Sjoerdmsa	Simon Fraser (SFUFA)
Nathan Kozuskanich	Nipissing (NUFA)	Carolyn Salomons	St. Mary's (StMUFA)
Stephen Rader	Northern BC (UNBC-FA)	Robin Vose	St. Thomas (FAUST)
Matthew Reichertz	NSCAD (FUNSCAD)	Bryan Wiebe	St. Thomas More (STMFU)
Paul Dupuis	OPSEU 685 (AU-OPSEU 685)	Joseph Roy Gillis	Toronto (UTFA)
Jennifer Blair	Ottawa (APUO)	Marcus Harvey	Trent (TUFA)
Sharon Myers	PEI (UPEIFA)	Kimberly Nugent	UOIT (UOITFA)
Elizabeth Hanson	Queen's (QUFA)	Lynne Marks	Victoria (UVicFA)
Kristina Llewellyn	Renison (RAAS)	Bryan Tolson	Waterloo (FAUW)
Kenneth Christie	Royal Roads (RRUFA)	John Ciriello	Western (UWOFA)
Dave Mason	Ryerson (RFA)	David Monod	Wilfrid Laurier (WLUFA)
Rohini Bannerjee	Saint Mary's (SMUFU)	Peter Zimmerman	Windsor (WUFA)
Marta Samokishyn	Saint Paul (PASPU)	Jacqueline Romanow	Winnipeg (UWFA)
David Alper	Saint-Boniface (APPUSB)	Terry Maley	York (YUFA)
Daniel Long	Sainte-Anne (APPBUSA)		

Local Associations – Absent

Atlantic (ASTFA)
Bishop's (APBU)
Concordia U-C (CUEFA)
CUPE 3909 (Manitoba)
Hearst (APUH)
King's College (UKCTA)
McMaster Librarians (MUALA)
Mount Saint Vincent (MSVUFA)
Northern Ontario School of Medicine (NOSMFSA)
OCAD (OCADFA)
Osgoode Hall (OHFA)
Regina (URFA)
St. Francis Xavier (StFXAUT)
St. Jerome's (SJU-ASA)
St. John's (SJCFA)

Federated Associations - Delegates

Anna Beukes	ACIFA
Sean Parkinson	FPSE-BC
Martin Devitt	OPSEU

Provincial Associations – Delegates

Heather Bruce	CAFA
Annabree Fairweather	CUFA BC
Lise Robichaud	FNBFA/FAPPUNB
Scott Stewart	ANSUT
Rahul Sapra	OCUFA

Provincial Associations – Absent

Manitoba - MOFA
Saskatchewan – SAUT

CAUT Staff Representative

Robert Johnson
Andrea Harrington

Provincial Associations Having Special Arrangements with CAUT

Hans Poirier FQPPU
Cathy Vaillancourt FQPPU

Local, Provincial and Federated Associations - Alternates and Observers

Richard Karsten	Acadia (AUFA)	Lyse Turgeon	Montréal (SGPUM)
Jane Longley	Acadia (AUFA)	Leslie Jermyn	Queen's (QUFA)
Kate Ashley	Acadia (AUFA)	Moira McDonald	Royal Roads (RRUFA)
Rachel Milner	Alberta (AASUA)	Susan Fowler-Kerry	Saskatchewan (USFA)
Geoff Loken	Athabasca (AUFA)	Brian Green	Simon Fraser (SFUFA)
Deena Rubuliak	British Columbia (UBCFA)	Jennifer Scott	Simon Fraser (SFUFA)
Karen Smith	British Columbia (UBCFA)	Kumari Beck	Simon Fraser (SFUFA)
Dawn Good	Brock (BUFA)	Christine McLaughlin	UOIT (UOITFA)
Christal Côté	Carleton (CUASA)	Esme Friesen	Victoria (UVicFA)
Ted Stathopoulos	Concordia (CUFA)	Sheila Mckee-Protopapas	Wilfrid Laurier (WLUFUFA)
Geneviève Robichaud	Concordia (CUFA)	Debbie Noble	Windsor (WUFA)
Nick Papatheodorakos	Concordia PT (CUPFA)	Lisa McGifford	Winnipeg (UWFA)
David Westwood	Dalhousie (DFA)	Sonja Killora-Mckibbin	York (YUFA)
Shannon Robertson	Grant MacEwan (GMUFA)	Kenneth Heather	ACIFA
Margot Kaszap	Laval (SPUL)	Leslie Sayer	ACIFA
Alain A. Viau	Laval (SPUL)	Bob Davis	FPSE-BC
Yvan Leanza	Laval (SPUL)	Tara Lyster	FPSE-BC
Sean Hayes	Lethbridge (ULFA)	Kevin MacKay	OPSEU
Greg Flemming	Manitoba (UMFA)	Lori Morinville	CAFA
Joseph Varga	McGill (MAUT)	Brendan Bruce	CAFA
James Farrell	Memorial (MUNFA)	Lise Robichaud	CUFA BC
Leslie Redmond	Memorial (MUNFA)	Michel Conlon	OCUFA
Roger Leblanc	Moncton (ABPPUM)	Hind Eideh	OCUFA

Guests, Speakers and Observers

Ted Binnema	President, CAUT Defence Fund
Richard Bousquet	Fédération nationale des enseignantes et enseignants du Québec - CSN
Larry Brown	National Union of Public and General Employees
Rachel Curran	Harper & Associates Ltd.
Janne Gleerup	Dansk Magisterforening (Denmark)
Stephen Law	Recipient, Donald C. Savage Award
Greg MacEachern	Proof Strategies
Larry Savage	Brock University Faculty Association
Linda Silas	Canadian Federation of Nurses Unions
Linda St-Pierre	Recipient, Bernice Schrank Award
Lai Suat Yan	Malaysian Academic Movement
Terri Van Steinburg	President, National Union of the Canadian Association of University Teachers (NUCAUT)
Jens Vraa-Jensen	Dansk Magisterforening (Denmark)
Renaë Watchman	Recipient, CAUT Equity Award

CAUT Staff

Tony Cantin	Director of Finance, Human Resources and Operations
Pam Foster	Director of Research and Political Action
Valérie Dufour	Director, Communications
Marcel Roy	Meeting and Event Planner
Margaret McGovern-Poté	Executive Assistant to the Executive Director

Monique Cooke	Administrative Assistant
Jordan Alexander	Administrative Assistant
Peter Barnacle	General Counsel
Immanuel Lanzaderas	Legal Officer
Jeff McKeil	Collective Bargaining Officer
Chantal Sundaram	Collective Bargaining Officer
Andrea Harrington	Collective Bargaining Officer
Mona Chevalier	Collective Bargaining Officer
Lisa Keller	Communications Officer
Christina Muehlberger	Membership Engagement Officer
Laura Lozanski	Health and Safety Officer
Karl Bélanger	Political Officer
Caroline Lachance	Research Officer

01. Call to order and Announcements by Speaker

The Speaker, Ted Montgomery, called the meeting to order and acknowledged that we are meeting on unceded Algonquin territory.

He made several announcements with respect to the operation of the meeting.

02. Adoption of Agenda

OPSEU/WESTERN: THAT the agenda be adopted, as circulated.

CARRIED

03. Adoption of Minutes of Meeting of May 2-5, 2019

LAURENTIAN/ST. THOMAS: THAT the minutes of May 2-5, 2019 Council meeting be approved, as circulated.

CARRIED

04. President's Remarks

The President welcomed delegates to the 87th meeting of Council. She highlighted threats to the post-secondary sector emerging in several provinces (Ontario, Manitoba and Alberta), including attacks on the rights of public sector workers to bargain their terms and conditions of work. She insisted on the need to implement the organizing model to mobilize our membership, and to work together in solidarity.

ST. THOMAS/OPSEU: THAT Council wholeheartedly support the UNBCFA in its efforts to obtain a fair negotiated settlement to conclude its current round of collective bargaining.

CARRIED UNANIMOUSLY

05. Report of the Elections and Resolutions Committee

a) Rules of Order

The Speaker drew delegates' attention to the Rules of Order, which was included in the online meeting documentation.

b) CAUT By-law Number 1

The Speaker drew delegates' attention to the CAUT By-law, which was

included in the online meeting documentation.

- c) Primer on the Use of Parliamentary Procedure to Ensure Democratic and Efficient Meetings

The Speaker drew delegates' attention to the Primer, which was included in the online and printed meeting documentation.

06. Recommendations for CAUT Awards

- a) Lee Lorch Award

PAST PRESIDENT/LAURENTIAN: THAT the Lee Lorch Award be presented to Isabel Desgagné-Penix, of the Université du Québec à Trois-Rivières.

CARRIED

- b) Sarah Shorten Award

CO-CHAIR EQUITY - RAHMAN/SASKATCHEWAN: THAT the Sarah Shorten Award be presented to Amanda Bittner of the Memorial University of Newfoundland.

CARRIED

- c) Librarians' and Archivists' Distinguished Service Award

CHAIR-LIBRARIANS' AND ARCHIVISTS'/NSCAD: THAT the Librarians' and Archivists' Distinguished Service Award be presented to Christopher Dennis of the Memorial University of Newfoundland.

CARRIED

07. Pundit Panel: Setting the Stage for Election 2019

A panel on the theme, '*What does the new federal government mean for post-secondary education and research?*', was held featuring: Karl Bélanger, President of Traxion Strategies and Political Advisor for CAUT; Rachel Curran, Senior Associate with Harper Associates Ltd.; and Greg MacEachern, Senior Vice-President with Proof Strategies.

08. Panel Discussion

Stronger Together: Organizing in Defence of Public Services

A panel discussion on the theme, '*Stronger Together: Organizing in Defense of Public Services*' was held featuring: Linda Silas, President of the Canadian Federation of Nurses Unions; Larry Brown, President of the National Union of Public and General Employees; and Larry Savage of the Brock University Faculty Association.

09. Guest Address

- Dr. Lai Suat Yan, Deputy Chairperson of the Malaysian Academic Movement, reported on the state of the post-secondary education sector in Malaysia.
- Dr. Janne Gleerup and Mr. Jens Vraa Jensen with the Dansk Magisterforening of Denmark reported on challenges facing the post-secondary sector in Denmark.

10. Business arising from the 86th Council Meeting

i) Resolutions

A. Venezuela

A CAUT letter of May 27, 2019, to the Minister of Foreign Affairs condemning Canada's role in support of the illegal regime change in Venezuela was included in the meeting materials.

B. Memorial University Act

A CAUT letter of May 24, 2019, to the Premier of Newfoundland and Labrador, calling on the provincial government to amend the *Memorial University Act* to allow for faculty representation on its Board of Regents was included in the meeting materials.

C. Recruitment and Appointment of Academic Administrators

Robin Whitaker, Co-Chair of the Ad Hoc Working Group on Governance, updated Council on the work of the working group since the last Council meeting. She noted that members of the working group held an information session prior to the current Council. They are in the process of preparing a governance toolkit.

D. Benchmarking of Librarians' and Archivists'

Tim Ribaric, Chair of the Librarians' and Archivists' Committee, updated Council on the issue of benchmarking platforms by library administrations. He informed Council that the Librarians' and Archivists' Committee is proposing changes to CAUT's performance metrics policy to account for these benchmarking practices.

E. New Brunswick

A CAUT letter of May 30, 2019, to New Brunswick's Minister of Post-Secondary Education, Training and Labour, expressing opposition to the government's decision to replace the Free Tuition Program (FTP) and Tuition Relief for the Middle Class (TRMC) with the Renewed Tuition Bursary (RTB), as well as its decision to eliminate the Timely Completion Benefit (TCB) was included in the meeting materials.

F. Ontario

A CAUT letter of June 7, 2019, to the Premier of Ontario expressing opposition to policies of the Ontario government in respect to post-secondary education was included in the meeting materials.

G. Pakistan

A CAUT letter of June 10, 2019, to the Prime Minister of the Islamic Republic of Pakistan regarding academic staff rights to freedom of association was included in the meeting materials.

H. Investigative Journalism

Peter McInnis informed Council that the executive and management of CAUT considered the resolution to explore funding an investigative journalism web site. It was recommended that CAUT instead keep invest additional staff time and resources in the Bulletin, Newswire and other means of communications including a new open source CAUT Journal platform that will be launched soon.

I. Colombia

A CAUT letter of May 28, 2019, to the President of the Republic of Colombia denouncing the political violence against labour, human rights and Indigenous rights activists in Colombia was included in the meeting materials.

J. Climate Change

The President indicated that the Executive Committee reviewed the resolution on climate change. It was determined that the best way for CAUT to act on climate change is to advocate for effective government action and policy. To pursue this, CAUT has joined the Climate Action Network. Other actions are also being explored, including the development of a workshop on how members can act on climate change through bargaining. In addition, she also noted that Council might consider amendments to the travel policy to encourage low-carbon travel. Plans are also underway to make meetings greener and to examine ways to combine events, expand video-conferencing, and explore the efficacy of purchasing carbon offsets for air travel.

K. Chateau Laurier Staff

The Executive Director informed Council that the Chateau Laurier staff reached an agreement shortly after the last Council meeting.

L. 100th Anniversary of the Winnipeg General Strike

The May 15, 2019 CAUT statement on the 100th Anniversary of the Winnipeg General Strike was included in the meeting materials.

Emergency motion to express support to colleagues of the UCU currently involved in strike action

ACADIA/RYERSON: THAT CAUT express its support of and solidarity with our colleagues in UCU – University and College Union in the UK who are currently involved in strike action.

CARRIED

11. CAUT Policy

a) Policy Statements

i) Appointments to More than One Unit

PRESIDENT/ST. THOMAS: THAT the revised Policy Statement on Appointments to More than One Unit be approved.

CARRIED

- ii) Article Processing Fees

CHAIR-AF&T/WESTERN: THAT the revised Policy Statement on Article Processing Fees be approved.

CARRIED

- iii) Confidentiality in the Grievance Process

CHAIR-ACADEMIC FREEDOM AND TENURE/PRESIDENT: THAT the revised Policy Statement on Confidentiality in the Grievance Process be approved.

CARRIED

- iv) Governance

REPRESENTATIVE-AT-LARGE SCHROEDER/MOUNT-ROYAL THAT the revised Policy Statement on Governance be approved.

CARRIED

- v) Online Harassment

CHAIR-AF&T/CUPE 3902: THAT the revised Policy Statement on Online Harassment be approved.

AMENDMENT:

LAURENTIAN/SASKATCHEWAN: THAT under the section 'Notifying the Institution', 'department Chair' be replaced with 'the Dean'.

AMENDMENT TO THE AMENDMENT:

LAVAL/SAINT-BONIFACE: THAT under the section 'Notifying the Institution', replace the proposed 'Dean' with 'the Employer'; and change the order of the paragraphs to put the Section titled 'Notifying the Association' before 'Notifying the Employer'.

CARRIED

AMENDMENT:

CUPE 3902/RYERSON: THAT under the section 'Notifying the Association', a new bullet be added: 'include an online harassment policy statement in their By-laws'

MOTION TO REFER BACK TO COMMITTEE

ANSUT/RYERSON: THAT the policy statement be referred back the Academic Freedom and Tenure Committee for further review.

CARRIED

- vi) Performance Metrics

CHAIR-L&A/MANITOBA: THAT the revised Policy Statement on Performance Metrics be approved.

AMENDMENT:

MANITOBA/MONTREAL: THAT the first sentence in the second paragraph be modified as follows: Academic work **of professors, instructors, librarians and archivists** is best assessed through peer review and not by performance metrics.'

CARRIED

AMENDMENT:

MANITOBA/ANSUT: THAT in point #3, the word 'inappropriate' be struck.

CARRIED**MOTION TO RECONSIDER**

REPRESENTATIVE-AT-LARGE (SCHROEDER)/REPRESENTATIVE-

AT-LARGE (WHITAKER): THAT the first sentence in the second paragraph be modified as follows: **The work of academic staff** ~~Academic work of professors, instructors, librarians and archivists~~ is best assessed through peer review and not by performance metrics.'

CARRIED

The question was called on the main motion with the amendments.

CARRIED

vii) Professional Rights and Responsibilities

CHAIR-AF&T/RYERSON: THAT the revised Policy Statement on Professional Rights and Responsibilities be approved.

AMENDMENT:

RYERSON/FPSE: THAT in clause 2.5, the words 'moral rights' be put in quotation marks.

CARRIED

viii) Racial Justice

CO-CHAIR-EQUITY/TRENT: THAT the new Policy Statement on Racial Justice be approved.

CARRIED

ix) Social Justice

CO-CHAIR-EQUITY (RAHMAN)/SAINT MARY'S: THAT the revised Policy Statement on Social Justice be approved.

CARRIED

b) Model Clauses

i) Appointments

CHAIR-CBEBBC/BRANDON: THAT the revised Model Clause on Appointments be approved.

CARRIED

ii) Openness and Transparency

CHAIR-CBEBBC/RYERSON: THAT the Model Clause on Openness and Transparency be approved.

AMENDMENT

CARLETON/FPSE: THAT the title of section 3.1 be modified as follows: ~~'Support Staff and Administrator~~ **Non-faculty Association Staff Salary Data'**

CARRIED**MOTION TO REFER BACK TO COMMITTEE**

OPSEU/CALGARY: THAT the model clause be referred back to the Collective Bargaining and Economic Benefits for further review to ensure the clause is legal in all jurisdictions.

CARRIED

- iii) Pay Equity (Equitable Compensation)

CHAIR-CBEC/OPSEU: THAT the Model Clause on Equitable Compensation be approved.

CARRIED

- iv) Suspension, Discipline and Dismissal

CHAIR-CBEC/WESTERN: THAT the Model Clause on Suspension, Discipline and Dismissal be approved.

AMENDMENT

ANSUT/NSCAD: THAT in paragraph 1.1, sentence 4, the word ~~'Further'~~ be deleted.

CARRIED**AMENDMENT**

LAURENTIAN/ANSUT: THAT in article 1.1, sentence 5 be modified as follows: 'Disciplinary action shall be fair, reasonable, commensurate with the seriousness of the violations, and based on the principles of progressive discipline **and natural justice**'.

CARRIED

The question was called on the main motion with the amendments.

CARRIED

- c) Administrative Procedures

- i) Donald C. Savage Award

PRESIDENT/CO-CHAIR EQUITY (RAHMAN): THAT the revised Administrative Procedure on the Donald C. Savage Award be approved.

CARRIED

- ii) Equity Award

PRESIDENT/CO-CHAIR EQUITY (RAHMAN): THAT the revised Administrative Procedure on the Equity Award be approved.

CARRIED

- iii) Academic Librarians' and Archivists' Distinguished Service Award

PRESIDENT/CHAIR-LIBRARIANS' AND ARCHIVISTS': THAT the revised Administrative Procedure on the Academic Librarians' and Archivists' Distinguished Service Award be approved.

CARRIED

- iv) Milner Memorial Award

PRESIDENT/CHAIR-ACADEMIC FREEDOM AND TENURE: THAT the revised Administrative Procedure on the Milner Memorial Award be approved.

CARRIED

- v) Sarah Shorten Award

PRESIDENT/CHAIR-ACADEMIC FREEDOM AND TENURE: THAT the revised Administrative Procedure on the Sarah Shorten Award be approved.

CARRIED

- vi) Bernice Schrank Award

PRESIDENT/CHAIR-COLLECTIVE BARGAINING AND ECONOMIC BENEFITS COMMITTEE: THAT the revised Administrative Procedure on the Bernice Schrank Award be approved.

CARRIED

12. ORDER OF THE DAY Report of Executive Director

- a) Issues

- i) Intra-mural and extra-mural academic freedom

The Executive Director reported on issues related to intra-mural and extra-mural academic freedom. He noted several arbitration cases that highlighted weaknesses in the legal understanding of these rights in an academic workplace. CAUT legal staff and the Academic Freedom and Tenure Committee will be working to provide more guidance on these matters.

- ii) Free speech on campus

The Executive Director reported on ongoing controversies around freedom speech on campus.

- b) Investigations

- i) Potter (McGill)

The Executive Director reported on the Andrew Potter (McGill University)

investigation. A CAUT Ad Hoc Investigatory Committee report concluded that there were serious violations of academic freedom and recommended that the McGill administration adopt a policy on academic freedom for academic administrators.

ii) Peter Wall Institute for Advanced Studies (UBC)

The Executive Director provided an update on the Peter Wall Institute (University of Northern British Columbia) investigation. CAUT has established an Ad Hoc Investigatory Committee (AHIC) to study the circumstances surrounding the resignation of the director of the research institute. The AHIC is the process of drafting its report.

iii) Pyne (Thompson Rivers)

The Executive Director provided an update on the Derek Pyne (Thompson Rivers University) investigation. The Ad Hoc Investigatory Committee report concluded that Pyne's intra-mural academic freedom was breached.

iv) Horne (Dalhousie)

The Executive Director reported that CAUT published a report of an independent investigation of the Dr. Horne case in January 2016. A Dalhousie Senate Committee has been established to respond to the CAUT recommendations.

v) Atlantic Veterinary College (UPEI)

The Executive Director reported that CAUT published a report in 2014 on problems at the Atlantic Veterinary College. Problems have resurfaced and CAUT is working with UPEIFA to resolve the situation.

c) Cases

i) Persinger (Laurentian)

The Executive Director provided an update on the Michael Persinger (Laurentian University) case. He noted that a consent award was reached on October 30, concluding that Dr. Persinger's academic freedom was violated. As part of the settlement, the University has created a scholarship in Dr. Persinger's name.

ii) Maritime College of Forest Technology

The Executive Director provided an update on the Maritime College of Forest Technology case.

d) Litigation Report

i) Access Copyright v. York University

The Executive Director reported that a decision in the Access Copyright v. York University is still pending. A Federal Court of Appeal hearing was held March 5 and 6, 2019 in Ottawa.

ii) Canada Research Chairs Program

The Executive Director reported on the Canada Research Chairs (CRC) Program. He noted that CAUT raised the issue of discrimination in the CRC program and compliance with a 2006 settlement in a Canadian Human Rights case. In 2017, CAUT sought a federal order to ensure compliance with the settlement. An agreement was reached July 31, 2019, which resulted in a 10 year framework for the CRC program to reflect the diversity of the Canadian population for the representation of women, visible minorities, persons with disabilities, and Indigenous peoples. Additionally, representation of members of the LGBTQ+ community will be addressed for the first time.

iii) Court and Arbitration Decisions

The Executive Director reported on a court decision in the Canadian Federation of Students v. Ontario case involving a challenge to a *Student Choice Initiative* (SCI) requiring universities and colleges to permit students to opt-out of 'non-essential fees'. The decision concluded the SCI guidelines were "inconsistent with the legislation governing colleges and universities".

13. Reports

a) Collective Bargaining

A written report on collective bargaining was included in the Council meeting materials for information and discussion.

The delegate from UNBC addressed Council to provide an update on their strike action.

NORTHERN BRITISH COLUMBIA/BRITISH COLUMBIA: WHEREAS the UNBC Faculty Association is in its second strike in back-to-back rounds of bargaining; and

WHEREAS the UNBC Faculty Association has been forced to file an unprecedented number of grievances due to the Administration's reckless disregard for the Collective Agreement:

BE IT RESOLVED THAT CAUT work with the UNBCFA to explore the possibility of an independent, external review of labour relations at UNBC.

CARRIED

b) Education

A written report on education was included in the Council meeting materials for information and discussion. The Executive Director reported that CAUT offered a regional 'mobilizing' workshop in Toronto in the fall, and hopes to offer future regional workshops in other regions of the country.

c) Organizing

There was nothing new to report.

d) Occupational Health & Safety

A written report on occupational health and safety was included in the Council meeting materials for information and discussion.

14. Advocacy and Political Action

a) Federal Election 2019

P. Foster, Director of Research and Political Action, reported on CAUT's issue-based and non-partisan federal election campaign. The key issues raised in CAUT's campaign included research funding, casualization, equity issues, affordability, and mobilizing students to get out to vote. In addition to preparing an election tool-kit to assist member associations to campaign on the local level, CAUT ran a digital ad campaign and developed an online survey tool on the CAUT website.

b) Report on Fair Employment Week

P. Foster, Director of Research and Political Action, reported that Fair Employment Week (FEW) took place October 7-11 during the federal election. CAUT prepared some new materials for this year's campaign including posters, PowerPoint presentations, post-cards, etc. Next year, Fair Employment Week will return to the third week of October. A flyer highlighting FEW 2019 events was included in the Council meeting materials.

c) Copyright

P. Foster, Director of Research and Political Action, reported that the reports of the Heritage Committee and the Standing Committee on Industry, Science and Technology, as part of a Parliamentary review of the Copyright Act, were released in May and June respectively. Copies of CAUT's response to the two reports were included in the Council meeting materials. She noted that the new government will determine what actions if any will take place and that there are opportunities to move forward in regards to Crown copyright.

She reported that CAUT is awaiting a decision in the appeal in the York v. Access Copyright case; CAUT is objecting to the Copyright Board decision on the new proposed interim tariff from Access Copyright.

d) Equity in Research

P. Foster, Director of Research and Political Action, reported that Statistics Canada is conducting a survey of post-secondary faculty and researchers to help fill data gaps on equity, diversity, and inclusion among the research community in Canada.

e) National Framework on Gender-Based Violence at Post-Secondary Institutions

The President provided an update on the work of the National Framework on Gender-Based Violence at Post-Secondary Institutions. She advised that she is serving as CAUT's representative on the national Committee working to develop this framework.

f) Civil Liberties and Human Rights

i) Border Issues

The Executive Director reported that CAUT published a supplement to the 2005 CAUT Travel Advisory to warn members that their electronic devices could be searched at the border.

ii) CSIS Activities on Campus

The Executive Director informed Council that there were stories over the summer of CSIS agents approaching students on Canadian campuses, and in particular Muslim students.

iii) Dr. Hassan Diab

The Executive Director provided an update on the case of Hassan Diab.

15. Resolutions from Membersa) **Motion #1****ACIFA/OPSEU:**

WHEREAS the members of the Alberta Colleges and Institutes Faculties Association (ACIFA) are in negotiations with their employers; and

WHEREAS the members of ACIFA are bargaining under a new labour relations framework in Alberta that now permits strike/lock out actions; and

WHEREAS bargaining is proving exceptionally challenging in light of deep provincial funding cuts and open hostility toward public sector unions by the provincial government;

BE IT RESOLVED THAT CAUT, which represents 72,000 academics in 80 academic staff associations across Canada, publicly state its support for, and solidarity with, ACIFA members in their efforts to negotiate fair deals, and also in the event of strike(s) or lockout(s).

CARRIEDb) **Motion #2**

REGINA/SASKATCHEWAN: THAT CAUT provide \$12,000 to Dr. Emily Eaton of the University of Regina to support her legal challenge to the University of Regina's decision not to follow the recommendation from Saskatchewan's Privacy and Information Commissioner to release information related to external research funding (public and private) for fossil fuel research projects.

AMENDMENT:

ANSUT/CUPE 3912: THAT the motion be amended to read: 'THAT CAUT provide \$12,000 to the **Faculty Association** to support...'.
DEFEATED

AMENDMENT:

RYERSON/MANITOBA: THAT the motion be amended to read: 'THAT CAUT to support a legal challenge to the University of Regina's ...'

DEFEATED**AMENDMENT:**

GUELPH/RYERSON: THAT the motion be amended to read: 'THAT CAUT provide **up to** \$12,000 ...'

DEFEATED**AMENDMENT:**

VICTORIA/ROYAL ROADS: THAT the motion be amended to read: THAT, **without precedent**, CAUT provide \$12,000 to ...'.

DEFEATED**THE QUESTION WAS CALLED ON THE MAIN MOTION.****CARRIED**c) **Motion #3****OPSEU/ALBERTA:**

WHEREAS the Ontario government has enacted legislation mandating each College and University to have a Freedom of Speech policy, and

WHEREAS freedom of speech is a cornerstone of academic freedom, and

WHEREAS the 2019 Harry Crowe Foundation conference highlighted the importance of free speech and the complexity of the 'free speech' debate within academia, and

WHEREAS post-secondary institutions can have policies that affirm freedom of speech, but in practice can severely curtail free speech on campus through citing security concerns and exacting prohibitive security costs,

BE IT RESOLVED THAT CAUT develop a Bulletin and draft model language on freedom of speech that addresses the issue of institutional security concerns and costs and that ensures that access to free speech on college and university campuses does not depend on one's ability to pay.

AMENDMENT

TORONTO CUPE 3902/RYERSON: THAT the term 'freedom of speech' be replaced with 'freedom of expression' throughout the resolution.

CARRIED

The question was called on the main motion with the amendment.

CARRIEDd) **Motion #4****OPSEU/ST. THOMAS:**

WHEREAS the democratically elected President of Bolivia, Evo Morales, has been removed from power in an illegal military coup, and

WHEREAS the United States and its allies have, since 2001, been opposing

Evo Morales, funding and organizing opposition groups within Bolivia, and undermining the Morales government, and

WHEREAS in October of 2019 the Canadian government and the Organization of American States supported false accusations of electoral fraud designed to undermine the legitimacy of Bolivia's elections and the Presidency of Morales, and

WHEREAS Federal Foreign Affairs Minister François Philippe Champagne has refused to denounce the coup, and

WHEREAS the rule of International Law, the sovereignty of states, and the upholding of democratic process are the foundations of human rights, and

WHEREAS CAUT has long demonstrated a commitment to supporting international human rights, and

WHEREAS a culture of critical post-secondary education and academic freedom in Bolivia depends on protecting human rights and the democratic process in that country,

BE IT RESOLVED THAT CAUT release a public statement that:

- condemns the Canadian government for its failure to oppose the coup in Bolivia,
- calls for the Canadian government to advocate for the immediate return of Evo Morales as President of Bolivia, calls for Canada to use its influence to seek a peaceful resolution to Bolivia's crisis that rejects political violence, upholds the rule of International Law, and respects Bolivia's indigenous democratic and constitutional processes.

CARRIED

e) **Motion #5**

SASKATCHEWAN/MANITOBA: THAT CAUT Council direct the President, Treasurer, Executive Director, Chairperson of the Academic Freedom and Tenure Committee, and the Chairperson of the Collective Bargaining and Economic Benefits Committee of CAUT to abstain from all Defence Fund votes until such time as the classes 1 to 59 and 61 to 90 members of the CAUT Defence Fund (Defence Fund Member Unions) have voted on whether to amend their Articles of Continuance to remove the disproportional weight of voting between classes of members.

THE SPEAKER RULED THE MOTION OUT OF ORDER

MOTION TO APPEAL RULING OF CHAIR

SASKATCHEWAN/MANITOBA: THAT the Speaker's ruling be overturned.

DEFEATED

LAVAL/ST. THOMAS: THAT Council authorize the Executive Director to conduct an investigation on the respective powers of the governing bodies of the CAUT and the CAUT Defence Fund, and report at an upcoming Council meeting on the connections between these two governing bodies.

CARRIED

f) **Motion #6****MEMORIAL/DALHOUSIE:**

WHEREAS there has been increasing demand for student mental health supports through University Counselling Centres; and

WHEREAS Counselling Faculty Members are being squeezed out of academia and replaced with other non-academic mental health professionals and e-mental health solutions; therefore

BE IT RESOLVED THAT CAUT initiate a survey of University Counselling Centres across the country to determine past and current issues facing Counselling Faculty Members, including but not limited to academic freedom concerns and workload issues.

CARRIED

g) **Motion #7****ST. THOMAS/OPSEU:**

WHEREAS Chilean students, educators, and Indigenous peoples have been particularly harmed by decades of failed extreme neoliberal policies;

WHEREAS representatives of these groups have been at the forefront of unprecedented public protests in recent weeks;

AND WHEREAS brutal government repression directed against the protestors, including both surveillance and harassment as well as outright violence, has already resulted in more than 26 civilian deaths, 11,500 injuries and 7200 arrests;

BE IT RESOLVED THAT the Canadian Association of University Teachers condemns the Chilean government's brutal violations of human rights against citizens who exercise their democratic right to protest, and calls for an immediate end to all state violence directed against protestors in Chile, as well as to all targeting of legally constituted student, labour, and Indigenous groups by Chilean security forces.

CARRIED

h) **Motion #8****CAFA/ALBERTA:**

WHEREAS Alberta has an inspirational Post-Secondary Education sector with internationally recognized research universities, top polytechnics, and an extensive network of regional universities and colleges;

AND WHEREAS the current Government of Alberta is applying deep provincial funding cuts to the Post-Secondary Education sector over the next four years;

AND WHEREAS the Alberta Post-Secondary Education sector is experiencing regressive labour legislation, secret government mandates, forced wage rollbacks, and dictated contract term limits, which interfere with the free collective bargaining process;

BE IT RESOLVED THAT CAUT release a public statement that strongly condemns the Government of Alberta for its failure to adequately support Post-Secondary Education institutions in Alberta.

CARRIED

i) **Motion #9**

MONTREAL/LAVAL:

WHEREAS the term of the current rector (the university president) of the Université de Montréal, Mr. Guy Breton, is scheduled to end in May 2020;

AND WHEREAS the appointment process of the new rector was unilaterally amended by the University Council, despite the opposition of the University Assembly (senate).

BE IT RESOLVED THAT, in an open letter to the Chancellor and to the members of the University Council of the Université de Montréal, CAUT denounces the new appointment process for a rector whereby:

- the short list of candidates for the rector position can include secret candidates, consequently, only the names of those candidates who have accepted that their name be published are shared with the university community;
- no public forum is provided where candidates can present their program and engage with members of the university community;
- University Assembly members no longer have the opportunity to give their input on the candidates who appear on the short list.

CARRIED

16. International Matters

a) CAUT International Solidarity Work

i) National Association of Graduate Teachers (Ghana)

The Executive Director that CAUT may be requested to provide assistance to the National Association of Graduate Teachers in the upcoming months, specifically in the way they proceed with a potentially new collective bargaining regime.

ii) University Teachers Association of Ghana (UTAG)

The Executive Director reported that CAUT is assisting the University Teachers Association of Ghana (UTAG) with strengthening academic freedom protections.

iii) Palestinian Federation of Unions of University Professors and Employees (PFUUPE)

The Executive Director reported that CAUT helped sponsor a national higher education forum in Palestine in April.

iv) College Lecturers' Association of Zimbabwe (COLAZ)

The Executive Director reported that hyperinflation has reduced dramatically the salaries of professors in Zimbabwe who are now struggling to pay for their basic needs.

v) Pakistan (Faculty Professional Development Program)

The Executive Director reported on a faculty development program that CAUT has been trying to develop in collaboration with the Higher Education Commission of Pakistan.

vi) Scholars at Risk

The delegate from York encouraged Council delegates to support Scholars at Risk's efforts in assisting academic colleagues across the globe.

b) Appeals and Campaigns

i) Hong Kong

A CAUT letter of November 25, 2019, to the Chief Executive of Hong Kong expressing support for the Hong Kong Professional Teachers' Union (HKPTU) and the independent union movement in their struggle to defend the values of democracy, justice and civil liberties in Hong Kong was included in the online meeting materials.

c) Organization for Economic Cooperation and Development (OECD)

The Executive Director reported on the OECD's informal working group on higher education.

d) UNESCO

A new UNESCO Convention on the Recognition of Higher Education Qualifications will likely be ratified at the next UNESCO General Conference. The next UNESCO World Conference on Higher Education will likely be held in 2020 or 2021.

e) International Labour Organization

i) Global Dialogue Forum on Employment Terms and Conditions in Tertiary Education

The Executive Director reported on outcomes of the International Labour Organization's global dialogue forum on terms and conditions of employment in tertiary education.

ii) Convention Concerning the Elimination of Violence and Harassment in the World of Work, 2019

The Executive Director reported that CAUT is currently lobbying the federal government to adopt the Convention Concerning the Elimination of Violence and Harassment in the World of Work, 2019.

- f) Education International

The Executive Director reported that the last Education International (EI) World Congress was held in July. A CAUT resolution on academic freedom was passed unanimously.

ORDER OF THE DAY

17. Presentation of CAUT Awards

Equity Award

The Equity Award was presented to Renae Watchman of Mount Royal University.

Donald C. Savage Award

The Donald C. Savage Award was presented to Stephen Law of Mount Allison University.

Bernice Schrank Award

The Bernice Schrank Award was presented to Linda St-Pierre of Laurentian University.

ORDER OF THE DAY

18. Report on Administration and Finance: Part II

- a) Financial Statements

- i) Financial Report (year ending June 30, 2019)

The Treasurer presented the year-end financial report for the fiscal year ending June 30, 2019.

- ii) Auditors' Report

A. Report of the Audit Committee

The Treasurer presented the audited financial report for the fiscal year ending June 30, 2019.

SANGARÉ/BRANDON: THAT the audited financial statements for the fiscal year ending June 30, 2019, be accepted as presented.

CARRIED

- iii) Financial Report 1st Quarter (ending September 30, 2019)

The Treasurer presented the financial report for the first quarter ending September 30, 2019.

- b) Ratification of Collective Agreement with CAUT Staff (**in camera**)

FPSE/MONTREAL: THAT the meeting move in camera.

CARRIED

LAURENTIAN/OPSEU: THAT the meeting move ex camera.

CARRIED

MOTION PASSED IN CAMERA

PRESIDENT/ST. MARY'S: THAT the Collective Agreement between CAUT and the staff union COPE 225 be ratified.

CARRIED

- c) Executive Director's Contract (**in camera**)

ST. MARY'S/UNBC: THAT the meeting move in camera.

CARRIED

LAVAL/ST. THOMAS: THAT the meeting move ex camera.

CARRIED**MOTION PASSED IN CAMERA**

ST. THOMAS/LAURENTIAN: THAT Council authorizes the Executive to secure a contract with David Robinson for a six-year period as Executive Director beginning July 1, 2020.

CARRIED UNANIMOUSLY**19. Annual Reports of CAUT Standing Committees**

- a) Academic Freedom & Tenure Committee

A. Hearn, Chair of the Academic Freedom and Tenure Committee, reported on the work of the Committee. She advised the Committee is in the process of developing a new academic freedom workshop. Another priority is to find ways to protect the academic freedom of contract academic staff. She encouraged associations to nominate members to sit on the Committee.

- b) Collective Bargaining & Economic Benefits Committee

S. Blair, Chair of the Collective Bargaining and Economic Benefits Committee, reported on the work of the Committee. The Committee is continuing to integrate the organizing model into their work, and to track national bargaining trends. The Committee is also helping with the organization of the next Forum for Chief Negotiators.

- c) Contract Academic Staff Committee

S. Bose, Chair of the Contract Academic Staff Committee, reported on the work of the Committee. She reported on the different activities held in this year's edition of Fair Employment Week.

- d) Equity Committee

M. Rahman, Co-Chair of the Equity Committee, provided a status-update on the development of the Equity toolkit. The aim is to launch the tool-kit in the spring. The Equity Conference is scheduled for February and will be a hands-on workshop focussed on activist skills training.

- e) Librarians' and Archivists' Committee

T. Ribaric, Chair of the Contract Academic Staff Committee, reported on the work of the Committee. He highlighted a successful Librarians' and Archivists' Conference held in October.

20. Reports of Working Groups and Committees of the Executive

a) Aboriginal Post-Secondary Education Working Group

The Executive Director reported that the Aboriginal Post-Secondary Education Working Group has been working on a revised bargaining advisory on Indigenization to enhance recognition of Aboriginal knowledge.

b) Clinical Faculty Committee

The Executive Director reported that the Clinical Faculty Committee met in August. They have established a sub-committee to look at academic freedom protections and the issue of whistleblowing as it pertains to clinical faculty.

c) Francophones' Committee

S. Jolicoeur, Chair of the Francophones' Committee, reported on the work of the Committee. They are in the early planning stages of the Francophones' Conference.

d) College and Institute Academic Staff Committee

The Executive Director reported that the newly constituted College and Institute Academic Staff Committee will meet annually. They had their inaugural meeting in August.

e) Ad Hoc Working Group on Governance

R. Whitaker, member of the Ad Hoc Working Group on Governance, reported that the Working Group has reviewed the governance survey results and is in the process of collating a database of collective agreement language provisions. They are also working on a policy statement on the recruitment of senior academic administrators and the use of search firms.

21. Report of the Executive Committee

a) Minutes

- i) The minutes of the meeting of February 15-16, 2019 were circulated for information.
- ii) The minutes of the meeting of April 30-May 1, 2019 were circulated for information.
- iii) The minutes of the meeting of May 4, 2019 were circulated for information.
- iv) The minutes of the meeting of June 13-15, 2019 were circulated for information.

22. Report from the Fédération québécoise des professeures et professeurs d'université (FQPPU)

There was no report.

23. Report from FNEEQ-CSN

Richard Bousquet, Vice-President - University Sector, with the Fédération nationale des enseignantes et enseignants du Québec – CSN (FNEEQ-CSN) provided a report to Council on the activities of FNEEQ.

24. Report from the National Union of the Canadian Association of University Teachers (NUCAUT)

The President of NUCAUT, Terri Van Steinburg, reported on the work of NUCAUT.

25. Report of the Harry Crowe Foundation

There was nothing new to report.

26. Report of the CAUT Defence Fund

A written report was included in the meeting materials.

27. Report of the J.H. Stewart Reid Memorial Fellowship Trust

T. Cantin, Director of Finance, Human Resources and Operations, reported that the Trustees of the J.H. Stewart Reid Trust have selected Elizabeth McCallion, Ph.D. candidate Queen's University, as the winner of the 2019-2020 J.H. Stewart Reid Memorial Fellowship.

28. Coalitions

a) International Civil Liberties Monitoring Group

There was no report.

b) Public Education Network

P. Foster, Director of Research and Political Action, outlined the work of the Public Education Network.

c) Canadian Consortium for Research

P. Foster, Director of Research and Political Action, outlined the work of the Canadian Consortium for Research.

Having reached the end of the scheduled time, the meeting was adjourned.