



# CONCORDIA UNIVERSITY PART-TIME FACULTY ASSOCIATION

## REPORT OF THE AD HOC COMMITTEE

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**Date:** October 30, 2018

**To:** CAUT Council

**From:** Wayne Peters, Ad Hoc Committee

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I was appointed by the Elections and Resolutions Committee, in accordance with By-law Article 5, to report on the application for membership in CAUT submitted by the Concordia University Part-Time Faculty Association/Association des professeures et professeurs à temps partiel de l'Université Concordia (CUPFA/APTTUC) and to make a recommendation to Council on this application.

The CUPFA/APTTUC has applied under the provisions of CAUT General Bylaw, Art. 5.1 for a Class 'A' membership as a Faculty Association.

This report is required by General By-Law Art. 5.1 (b)(ii) and is guided by the criteria indicated in Art. 5.1 (b) (i-ii).

### **Description of the CUPFA/APTTUC**

The CUPFA/APTTUC is an independent certified trade union that represents part-time academic staff members employed by Concordia University in Montreal, Quebec. It has been recognized by the Quebec Ministry of Labour as a certified trade union since 1989. The CUPFA/APTTUC is not currently affiliated to any other provincial or national union.

The main offices of the CUPFA/APTTUC are located on campus in Montreal, QC. Information about the CUPFA/APTTUC can be found on its website (<https://cupfa.org/>) including its Constitution and information about its governance structure.

Concordia University is a post-secondary institution in Montreal, Quebec. It offers over 300 undergraduate and 100 graduate programs and courses through its four faculties, school of graduate studies and many colleges, centres and institutes. It has a total undergraduate and graduate student enrollment of about 45,000 students. More information can be found on its website (<https://www.concordia.ca/>).

The CUPFA/APTTUC is a "faculty association" within the meaning of the CAUT By-Law.

### **Supporting evidence for the application**

Art. 5.1.b.ii of the CAUT By-law requires that I "request written commentary from all the Organizational Members located in the province where the applicant Faculty Association is located" and that "such commentary shall be included in the *ad hoc* Committee's report to Council." Accordingly, such requests were issued via email to the following:

- McGill Association of University Teachers;
- Association of Professors of Bishop's University;

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- Concordia University Faculty Association; and
- the Syndicat des professeurs et professeures de l'Université Laval.

McGill Association of University Teachers responded indicating that it does not have any objections to CUPFA/APTTUC's application. The Concordia University Faculty Association also responded indicating that it would support the application but did indicate that they have had differences of opinion with CUPFA/APTTUC. Each of these responses is attached. No other responses were received.

Art. 5.1 (b) (Secs. i-ii) also require me to consider and report on the following:

- (1) Is there "an application for membership from the Faculty Association in a form satisfactory to the Elections and Resolutions Committee and duly authorized by the membership of the Faculty Association at a meeting called for that purpose"?

*Yes. The CUPFA/APTTUC applied by letter dated 26 September, 2018 under the signature of the Association's President, Robert Soroka.*

- (2) Has the CUPFA/APTTUC provided a copy of its constitution?

*Yes. It has been provided to me and to the CAUT office. It is also available on its website.*

- (3) How many academic staff at Concordia University are eligible for membership in the CUPFA/APTTUC, and how many of these are members of CUPFA/APTTUC?

*Under the CUPFA/APTTUC collective agreement (Article 3.01), all part-time academic staff members employed at Concordia University are automatically made members of the CUPFA/APTTUC. The CUPFA/APTTUC has an active membership which includes 430 members per Fall and Winter terms over an eight month period and 170 members over the Summer terms of a three month period.*

- (4) What was the result of the vote conducted by the CUPFA/APTTUC on the question of membership in the CAUT?

*The CUPFA/APTTUC voted on the question of membership in the CAUT at a meeting on June 14, 2018. Members unanimously supported the resolution to join the CAUT.*

- (5) Are CUPFA/APTTUC's goals and practices compatible with those presented in the "Objects of the CAUT/ACPPU" (CAUT By-Law Secs. 1.1 and 1.2)?

*The goals, practices, and constitution of CUPFA/APTTUC are consistent with the protection of the interests of part-time academic staff at Concordia University, and with the advancement of the academic profession in Canada. The Association's purposes, according to its Constitution are to:*

- a) achieve unity within diversity,*
- b) represent, promote and defend the professional, economic, educational, and social interests and rights of the part-time faculty of Concordia University,*
- c) facilitate communication between part-time faculty and other Concordia University bodies,*
- d) facilitate communication with organizations having similar aims outside of the Concordia University community,*
- e) negotiate the Collective Agreement,*
- f) implement and administer the Collective Agreement and/or its equivalent.*

*Accordingly, the goals, practices, and constitution of CUPFA/APTTUC are compatible with those presented in the Objects of the CAUT/ACPPU.*

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(6) Is the CUPFA/APTTUC's constitution democratic in character?

*Yes. It provides for the democratic election of an Executive Committee (Section 4), and provides detailed procedures (Section 5 and Appendix A) for both the nomination and election of individuals to serve on the Executive Committee. It also provides for the existence of both an Advisory Council and a Council or Representatives which work to facilitate a broader representation of voices within the membership.*

(7) Do the CUPFA/APTTUC's constitution and activities show commitment to the principles and practice of academic freedom and tenure?

*Yes. While academic freedom is not an explicit part of CUPFA/APTTUC's constitution, its collective agreement contains language protecting the academic freedom of its members (Articles 4.01 and 4.02).*

(8) Do CUPFA/APTTUC's organization and practices show that it is not dominated by the employer and that it is not so influenced by the employer that its fitness to represent employees for the purposes of collective bargaining or otherwise is impaired?

*Yes. The constitution and collective agreement documents provided to me by the CUPFA/APTTUC confirm this.*

(9) Is this union the largest such association representing academic staff at Concordia University?

*Yes, this is true in regard to the part-time academic staff at Concordia University. The full-time academic staff is represented by a separate certified union, the Concordia University Faculty Association/Association des Professeurs de l'Université Concordia.*

### **Recommendation**

Based on my review, I am convinced that the objects, aims and organization of the CUPFA/APTTUC are consistent with the objects laid out in CAUT By-Law Art. 5.1. Additionally, I report that the CUPFA/APTTUC meets the criteria and standards for admission to CAUT as described in Art. 5.1b i-ii of CAUT's By-law.

**Accordingly, I recommend that the CUPFA/APTTUC be admitted to CAUT as a Class 'A' member.**