

SYNDICAT GÉNÉRAL DES PROFESSEURS ET PROFESSEURES DE L'UNIVERSITÉ DE MONTRÉAL

REPORT OF THE AD HOC COMMITTEE

Date: November 19, 2018

To: CAUT Council

From: Greg Allain, Ad Hoc Committee

I was appointed by the Elections and Resolutions Committee to review the application for membership in the Canadian Association of University Teachers (CAUT) submitted by the Syndicat général des professeurs et professeures de l'Université de Montréal (SGPUM) in accordance with CAUT By-law Number 1. The report of my committee is a requirement under article 5.1b, sections i-ii, lines 1-5 of this By-law.

1. Faculty Association

According to the definitions of CAUT By-law Number 1, a "Faculty Association" means an association or union of Academic staff in a Degree-granting institution of post-secondary education in Canada, or in a college federated or affiliated with a Degree-granting institution of higher education in Canada.

Université de Montréal is one of Canada's top five universities, and it is one of the greatest—if not *the* greatest—of the francophone universities. Université de Montréal attracts some 67,000 students and offers more than 600 study programs at the undergraduate, master's and doctoral levels. The degrees and grades it grants are recognized across Canada and around the world.

The SGPUM is a duly constituted union representing Université de Montréal faculty members in accordance with the Quebec Labour Code, under which a certificate of accreditation was issued in 1975 and continues to be renewed periodically.

The SGPUM is the sole entity qualified to represent Université de Montréal faculty members and bargain on their behalf.

The SGPUM is a "Faculty Association" as defined by CAUT By-law Number 1.

2. Supporting information

As per the CAUT By-law, this committee is required to examine various aspects of information and ensure these meet certain criteria.

- (a) Was 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"?

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Yes. The SGPUM submitted its application for membership in a letter accompanied by the requisite documentation (letter from Jean Portugais addressed to CAUT's David Robinson on October 22, 2018 and supporting documents including the SGPUM's constitution and regulations).

The SGPUM union council met on October 18, 2018 to discuss the prospect of joining CAUT and voted unanimously in favour of submitting an application for such purpose. At an extraordinary general meeting held on November 16, 2018, a clear majority of members authorized their union to submit an application for membership to CAUT.

(b) Did the SGPUM provide a copy of its constitution and regulations?

Yes. I examined these and CAUT's Executive Director has a copy.

(c) How many members of academic staff at Université de Montréal are eligible to join the SGPUM?

As at August 31, 2018, the SGPUM had 1,321 members in good standing.

(d) What was the outcome of the vote conducted by the SGPUM on the question of membership in CAUT?

The SGPUM union council held the requisite referendum on November 18, 2018, in which the majority (87%) voted in favour of submitting an application for CAUT membership, thus bringing the decision made by members at a previous general meeting to a successful conclusion.

(e) Are the SGPUM's goals and practices compatible with those of the purposes of CAUT set out in the CAUT By-law?

The goals, practices and constitution of the SPGUM are intended to protect the interests of academic staff at Université de Montréal and are conducive to promoting the academic professions in Canada.

To be precise, the SGPUM functions according to a three-tiered structure of governance. At the first level, members as a whole direct the course of the union's business at annual and extraordinary general meetings. At the second level, there is a council of representatives elected by the various divisions of members, which has further responsibilities to appoint members of an executive committee and bargain collective agreements between the SGPUM and the Université de Montréal administration.

Finally, at the third level, the executive committee carries out the policies adopted by the members of the union and ensures the smooth running of the various offices and committees. Two other entities complete the picture: a research council and various base units (groups of members).

All decisions are made by voting and all union business is documented and communicated to members so as to encourage their active involvement in union activities.

(f) Does the SGPUM meet the general standards and requirements of the CAUT By-law? Are the SGPUM's constitution and regulations democratic in character? Do the

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SGPUM's constitution and activities show a commitment to the principles and practice of academic freedom and tenure?

Yes. It is clear from the documentation that these are important concerns.

First of all, item 4 of the constitution and regulations reads as follows (our translation): "The primary objectives of the union are to study, protect and further the economic, professional and social interests of members and promote an academic policy in the public interest."

Moreover, in the 2013-2017 collective agreement, under the conventional regime in section 4C6 regarding academic and political freedoms, items 6.01 and 6.02 specify the following (our translations): "All teachers are entitled to enjoy freedom of conscience (and) exercise their political rights."

Lastly, two very eloquent arguments for CAUT membership were put forward in the proposal that was unanimously approved by members, as follows (our translations):

"CAUT will be a staunch defender of academic freedom and collegiality" and

"CAUT will play a key role in defending academic freedom and the right of association for Université de Montréal faculty in 2017 and 2018."

It seems clear to the committee, therefore, that academic freedom is an important concern for the SGPUM.

Is the SGPUM independent from the Université de Montréal administration on an administrative, political and legal level, thereby acting in the best interests of SGPUM members?

Yes.

Is the SGPUM the largest such association representing academic staff at Université de Montréal?

Yes. The SGPUM is the only association qualified to enter into collective bargaining on behalf of academic staff and represent them in other common areas of professional interest.

3. Recommendation

The committee concludes that the goals, practices and organization of the SGPUM are consistent in every way with the core functions set out in the CAUT By-law. Defence of academic freedom and right of association, commitment to equity, active involvement in initiatives taken in the interest of public post-secondary education, sustained bargaining talks to improve working conditions for members and enthusiastic representation of members' practical and material interests are all significant components of the SGPUM's constitution and regulations that feature heavily in its day-to-day operations.

The SGPUM is managed according to principles of transparent, representative and responsible organization and a clear commitment to due process when it comes to acting on members' wishes and maintaining its relationship with the university as a whole and the general public.

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The outcome of my investigation allows me to conclude that the SGPUM meets the standards and criteria for admission to CAUT membership. The committee therefore recommends that the SGPUM be admitted to CAUT as a Class A Member in accordance with CAUT By-law number 1, article 5.1.