



University of  
Prince Edward Island  
Faculty Association

## September 2004 Newsletter

check out [www.upeifa.org](http://www.upeifa.org) for all your regular updates...

Reminder to faculty!

UPEIFA General Meeting  
Thursday Sept. 23, 4pm  
AVC, lecture theatre A.

See below for more details...

Welcome to another new year at UPEI, and to the first in this year's regular newsletters from your Faculty Association (FA). Enjoy it, and as always, let us know if there are specific kinds of issues you'd like to see covered in future newsletters.

### Happy hour

The FA has confirmed with the Student Union that this year there will again be an unofficial "Happy Hour" in The Wave, the Pub in the W.A. Murphy Student Center, every Friday afternoon. Under this arrangement, The Wave agrees not to start its live music until 6:00 p.m. In return, the FA agrees to meet at The Wave for drinks, munchies, and excellent conversation. See you this—and every—Friday!

## Faculty Time

There will be a Faculty Time in honour of all new Faculty Members on campus, co-sponsored by the Faculty Association and the Office of the Dean of Arts. It will be held on Friday, September 24, 2004 at 4:30 pm in the Faculty Lounge, Main Building. See you all there.

## Message from the President

Dear Faculty Association Colleagues,

It is always tempting to say "Welcome back" when we reach post-Labour Day on campus. However, it is simply not applicable as summer is always an extremely busy time for faculty members and our activity on campus is often as great as at any other time of year.

This was indeed the case for the Executive Committee of the Faculty Association. Much has happened since we last met at the Association's Annual General Meeting in April. At that time, the following people were elected to the Executive Committee:

President: Wayne Peters

Vice-President: Dave Seeler

Secretary/Treasurer: J. McClure

Members at Large: Gordon MacDonald, Susan Dohoo, Norine Hanus and Dave Groman

Past-President: Larry Hale

Up to this point, this new Executive Committee has held seven Executive meetings and has also held a two-day planning session to consider governance, structure and operation issues for the Association. Among other things, this planning session led to recommendations to create three standing committees of the Association's Executive Committee - a Finance Committee, a Grievance Committee, and a Communications Committee, and to review our constitution and by-laws to bring them in line with our new union status.

Much of our time has also been spent dealing with issues arising out of the implementation and management of our Collective Agreement for Bargaining Unit # 1 (faculty members, librarians, sessional instructors, and clinical nursing instructors). As it turns out, it is a time-consuming task to ensure that Association and Member rights, assigned under the Collective Agreement, are respected. In addition to Executive Committee meetings, for me personally, this has meant writing many, many letters and emails, meeting with Members, and following up on issues on a daily basis.

As we move forward, we will be no less busy. We will be involved in number of extremely important activities including: the second collective bargaining session for Bargaining Unit # 1; bargaining for the first collective agreement for Bargaining Unit # 2 (professional veterinary service providers); handling grievances (the Association's first procedure has already been initiated); educating and engaging the Membership; reviewing our constitution and by-laws; and continuing to manage and implement the Collective Agreements.

As we are aware, the heart of our Association is its Membership and the volunteers that come out to support and participate in its activities. As a certified union, we cannot neglect our responsibilities to our Collective Agreements and Membership. The Executive Committee is committed to tackling the business of the Association head-on, but it consists of only eight people. The support and participation of each of you is essential to the success of our Union. Please consider getting involved.

Sincerely,  
Wayne Peters  
UPEIFA President

## UPEIFA General Meeting

The next General Meeting of the UPEI Faculty Association will be held on Thursday, September 23, 2004 in the Atlantic Veterinary College, Lecture Theatre "A". An agenda will be made available to Members prior to the meeting. One important item, though, will be the request by the Executive Committee for Membership support to create three new standing committees of the Association's Executive Committee. These include a Finance Committee, a Grievance Committee, and a Communications Committee. Details of these committees and motions were previously provided to the Membership in writing, in a memo from the FA President issued September 7, 2004. This memo is now also available on the Association's website, [www.upeifa.org](http://www.upeifa.org). All Members are encouraged to review this information prior to the meeting. Please contact President Wayne Peters if you have any questions. And see you at the meeting!

## CAUT Bargaining Workshop Sept. 28 and 29

Preparations for negotiations for the second collective agreement for Bargaining Unit #1 are under way. The present collective agreement expires July 1, 2005. The first step in these preparations is the CAUT Bargaining Workshop scheduled for Sept.28 and 29 here at UPEI. The workshop will be led by Neil Tudiver, Chief Negotiator for CAUT.

We encourage all members of Bargaining Units 1 and 2 interested in the negotiations process to attend. This important workshop will prepare participants to fill various roles in the upcoming negotiations. There will be many jobs with various time commitments. The first step is to attend this session and find the best fit for your time and talents.

Following the workshop, the FA will appoint the Chief Negotiator and the negotiating team. This team will require the efforts of a large number of knowledgeable members who have attended this workshop. We need your support to build on the strengths of our first collective agreement.

Contact Wayne Peters for more information or to register.

## **Joint Employer/FA Committee Reports**

### **Joint Committee**

The Joint committee is mandated by section A-14 of our collective agreement. It is composed of two representatives from the FA, Gordon MacDonald and Jim Sentance, and two representatives from the administration, Vianne Timmons and Peggy Leahey. Our mandate is "to review matters of concern" arising out of the collective agreement, and to "foster better communications and more effective work relationships between the parties".

The committee has met a few times and discussed issues such as sessional hiring practices and implementing the new promotion and tenure procedures, among others. The Joint committee has no authority to change the collective agreement in any way, but in areas of the agreement where there are ambiguities or omissions, our committee will work to ensure the implementation of procedures consistent with the best interpretation of the agreement.

### **Questions Committee**

The Questions Committee is mandated under Article E1.3.1 of the Collective Agreement. Its purpose is to develop a new Teaching Survey Questionnaire to be used across campus. This questionnaire will include no more than seven University-wide questions and up to five additional questions specific to the Department, Faculty, or School. This committee is composed of the Vice President, Academic Development (Chair), four members from the Association (Marva Sweeney-Nixon, Sandy McAuley, Sue Dawson, and Shannon Murray), and two members of Senate. The Committee has met and reached a consensus on the University-wide questions. Presently, the Departments, Faculties, or Schools are considering their additional questions. Following completion of this portion, the Committee will meet once to complete its work.

### **Sessional Seniority Committee**

The Sessional Seniority Committee is mandated under Memorandum of Agreement # 1 of the Collective Agreement. Its purpose is to establish a Seniority Roster for Sessional Instructors at UPEI, to be used under Section G-1 of the Collective Agreement. This Committee is composed of an Association representative (Jane Magrath) and an Employer representative (Richard Kurial). This Committee has been extremely busy over the summer and has done an exceptional amount of work to compile this Sessional Seniority Roster. The list will be posted in the very near future. Individuals will then have thirty (30) days in which to file complaints concerning the seniority of sessionals.

### **Group Benefits Committee**

Sean Hennessey and Ian Dohoo are the Faculty Association representatives on the Joint Committee established by our first collective agreement to look at Group Benefits (Section D-5, page 40). These discussions have been ongoing and will continue well into the Fall Semester.

In preparation for these discussions and for the negotiations that will begin in the winter for our next collective agreement, the FA President, Wayne Peters, has distributed a questionnaire requesting input from Association Members about our current Group Benefits - including Health Care. If you did not receive the survey, please contact Wayne Peters.

The Executive of the Association would appreciate it if you could take the time to provide us with your input about our current Benefits Package and give us feedback about improvements that you would like to see implemented. (Part of the Benefits Package may be viewed on the UPEI Website: <http://www.upei.ca/humanres/html/benefits.html>). Your participation is essential - we are only able to negotiate or act on your behalf if you make your interests and concerns known to the Executive!

Questions may be directed to Wayne Peters.

## UPEIFA Planning Session

On July 30-31, 2004, the Association Executive Committee participated in a planning exercise facilitated by Dr. Vic Catano, Department of Psychology at Saint Mary's University and Past-President of the Canadian Association of University Teachers. This session was designed to identify and recommend the appropriate governance model and structure to enable the UPEIFA to best meet its new challenges and responsibilities. These challenges and responsibilities are related to our new legal obligations inherent in upholding our collective agreements and representing our Members in a responsible manner in all our activities. Productive discussions about a number of issues were held, including updating our constitution and by-laws, managing our collective agreements, collective bargaining, grievance handling, managing the organization, engaging and supporting the membership, and ensuring continuity from agreement-to-agreement and executive-to-executive. Two recommendations from this session were to create three standing committees of the Association's Executive Committee - a Finance Committee, a Grievance Committee and a Communications Committee - and to review our constitution and by-laws to bring them in line with our new union status.

## Grievance report

One of the most important benefits of having a collective agreement under legal certification is the right to grieve the actions of the Employer when they violate the agreed-upon conditions of employment. Since the ratification of the Unit #1 collective agreement, there has been some action on this front.

In August, the FA filed its first grievance against the Employer. In our view, the Employer violated the agreement in the hiring of a term appointee. While the details cannot be divulged, the FA feels that this is an important first test of the grievance process. The Employer must be brought to understand that since the hiring of new academic colleagues is one of the most important collective decisions that we make, the stated procedures for those hirings must be respected. This case will be dealt with shortly, and we will be able to report on the outcome to you all soon.

In July, a Member reported to the FA that some Sessional Instructors had not received a health-benefit payment for courses taught in the summer session. We are pleased to report that we were able to resolve this quickly and informally with the Employer. This particular case raises two important points. First, it is important that all Members of the FA report any actions (or inactions) by the Employer that they feel is in violation of the collective agreement. The FA leadership cannot monitor everything, and counts on the membership to be its eyes and ears. Vigilance will get results! Second, complaints do not always (infrequently, actually) end up as a grievance. Many matters can be resolved by the FA and the Employer long before that.

In addition, the FA is assisting members who are facing disciplinary proceedings against them. Members have the right to have a representative of the FA assist them when facing discipline by the Employer, although they are not obligated to exercise that right. It is only when grievance action is envisioned that the FA assumes responsibility for the process.

If you believe that your rights as a member of the FA have been violated, the first thing to do is to talk to a Grievance Officer. Right now, the only Grievance Officer is Larry Hale. You can contact him at by telephone at 566-0551, by email at [lhale@upei.ca](mailto:lhale@upei.ca), or by campus mail c/o the Biology Department.

Finally, the FA seeks one or two more Members to act as Grievance Officers. Ideally, we are looking for a team of between four and five Members to make up the Grievance Committee under the leadership of Larry Hale. The duties of Grievance Officers are to:

- a) Act as contact persons for Members who feel that their rights have been violated
- b) Gather information in potential grievance situations
- c) Advise the Chief Grievance Officer
- d) Infrequently, take the lead on Grievances.

If you would like to serve your colleagues in this very important area, please contact Larry Hale.

## CAUT Defence Fund meeting

From October 1 to 3, 2004, Charlottetown will be the site of the annual trustees meeting of the CAUT Defence Fund. With representatives from the faculty associations of 33 universities across Canada, along with key members of CAUT staff and CAUT President Dr. Loretta Czernis (Bishop's University), this will be the largest CAUT-related event ever held in Prince Edward Island.

The CAUT Defence Fund, of which the UPEIFA is a member, was founded in 1978 to provide unionized Canadian faculty associations with a unified strike fund. The Fund pools the resources of its 33 member associations into a single entity which is far more powerful than any local fund could be. Starting from nothing in 1978, the Defence Fund's assets grew to about \$1 million by the mid-1980's and have grown to over \$15 million today.

While the Fund works closely with CAUT, it is an independent organization incorporated under federal law. Each member association appoints one or more trustees to oversee the fund, and there must be an annual meeting of the trustees.

In addition to providing strike/lockout benefits to those associations who find themselves in a position of having to take job action, the Defence Fund also organizes "flying pickets", whereby members of other associations arrive to hold rallies, help walk the picket line, and offer much-needed camaraderie. These flying pickets give a remarkable morale boost to members of the local association, strengthening their resolve to achieve a fair settlement.

The UPEIFA welcomes the CAUT Defence Fund trustees to Charlottetown!

## Bargaining Unit #2 news

The UPEIFA has two separate bargaining units. Unit #1 is for the vast majority of members (faculty, librarians, sessional instructors, and clinical nursing instructors); a first collective agreement was concluded earlier this year. Unit #2 represents a smaller group of professionals who provide clinical service and other duties in the Atlantic Veterinary College. This unit was certified nearly a year ago, but first contract negotiations were stalled until the Unit #1 negotiations were concluded.

In June, the FA negotiating team for Unit #2 (consisting of Larry Hale [Chief Negotiator], Dave Groman, Scott McBurney, and Juanita Glencross-Winslow) presented a comprehensive package of contract proposals on non-monetary items to the UPEI Board of Governors in late June. This package is adopted from the Unit #1 collective agreement, and addresses the significant issues facing members of Unit #2, including job security, academic freedom, appointment procedures, grievance and discipline, representation, intellectual property, employment responsibilities, forms of leave, etc. The Employer requested that they be given the summer to consider these proposals and prepare a response. We are waiting for an invitation to return to the table, but expect it at any time.

Once negotiations on the non-monetary items have been largely concluded, attention will turn to salaries and benefits. The FA will be seeking a fair deal for all members of this Bargaining Unit. Members of Unit #2 will be kept up to date on the progress of negotiations once we return to the table.

## UPEIFA support for Aliant workers

By now, we are all aware that members of the Communications, Energy and Paperworkers Union of Canada, CEP Local 410, have been on strike against Aliant for about the past five months. The recent news that a tentative agreement has been reached is encouraging for these people. The results of voting on the acceptance or rejection of this agreement are expected to be known on September 17 and may even be known by the time you read this article. Members of the UPEI Faculty Association have twice joined with others to rally in support of the striking workers. On May 13, a number of FA colleagues joined with members from other campus unions to walk the picket lines with Aliant workers. Then, on June 8, FA Members participated in a support rally which included a march up University Avenue to the Aliant office on Belvedere. The Association wishes to thank all Members who participated in these important activities.

## Correspondence with UPEIFA Officers and Staff

All written correspondence to UPEIFA Officers and Staff should be addressed to:

the UPEI Faculty Association, Room 214, Main Building

not to the individual's department. This is necessary to ensure that responses to correspondence can be provided in an appropriate and timely manner.

That's it for this time around. Remember, volunteer for your FA! And let us know what else you'd like to see covered in this newsletter - or better yet, submit something.

UPEIFA President:	Wayne Peters	566-0495	<a href="mailto:wpeters@upei.ca">wpeters@upei.ca</a>
UPEIFA Office Manager:	Susan Gallant	566-0438	<a href="mailto:sgallant@upei.ca">sgallant@upei.ca</a>
UPEIFA Newsletter Editor:	Ann Braithwaite	628-4312	<a href="mailto:abraithwaite@upei.ca">abraithwaite@upei.ca</a>

And don't forget!

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