

# FACULTY UNION NEWS

SAINT MARY'S UNIVERSITY

VOLUME 10, NUMBER 1

APRIL 2004

Report on the CAUT Occupational Health and Safety Conference, held at Saint Mary's University on April 2-4, 2004

Have you ever thought about the occupational health and safety issues we face as academics? Perhaps you think that your job is remarkably safe and you never consider falling from great heights or breathing coal dust or violence or chemical exposure or repetitive strain injury or asbestos exposure or snake bites to be part of your job. It may be true, you are per-

## OCCUPATIONAL HEALTH AND SAFETY CONFERENCE



fectly safe and without risk in your employment.....but guaranteed, in a cross-section of this university (and any other for that matter) you will find each of these dangers, as well as many others. In fact, as academics we are subject to *each and every* occupational health and safety hazard available in any industry.

So opened the CAUT Occupational Health and Safety Conference on Friday, April 2, 2004, in a plenary lecture given by Laura Lozanski, the CAUT Occupa

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### President's Report

Since my last report much of the Union Executive's time has been devoted to dealing with the implementation of the new Collective Agreement. For example, earlier this year I wrote to department chairs and program chairs clarifying the Union's understanding of how the full-time versus part-time faculty complement was to be calculated under the new clause, Article 4.7. This year the hiring provisions of the clause were not triggered, largely as a consequence of the paid overloads undertaken by full-time faculty. All the same, it is unlikely that there would have been any more positions created, beyond those approved by the University this year, even if the overload courses had been taught by part-timers. Still, members may want to consider the impact of their overload teaching on the effec-

tiveness of this particular provision of the Agreement.

### Professional Development Expenses

More recently, the Executive has received a number of questions from members regarding Article 16.7, "Professional Development Expense Reimbursements." Under the terms of the new Agreement, starting on April 1, 2004 each member is entitled to claim up to \$300 for expenses, once in each fiscal year (i.e. April-March). Article 16.7.5 states the expenses "must be claimed in the fiscal year in which they are incurred." Allowable expenses include:

- (a) travel and associated expenses related to meetings, conferences, study leave or other

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- similar professional activities, and eligible expenses not covered by or in excess of monies available from other funds for similar purposes;
- (b) registration fees and other expenses for meetings of learned societies, other professional organizations, workshops, seminars and similar activities;
- (c) membership fees in learned societies and professional organizations;
- (d) books and subscriptions to scholarly journals;
- (e) expenses directly associated with teaching responsibilities or current active research or professional programs.

Members may find themselves taking advantage of the provisions under Item (a) since I am aware that in at least one faculty the fund available for Travel Expenses may not be sufficient for the existing demand.



## Travel Expenses

We have had a number of inquiries from members in response to a recent memo from the Vice President Academic on Travel Funds. In particular, regarding the \$1,150 sum quoted in the memo. Under the terms of the Agreement the \$1,150 per member figure is to be used to calculate the size of the total fund for dispersal in the Library and each Faculty. It is not intended to be the figure to be allotted to each member. Travel funds continue to be allocated under the priorities outlined in Article 18.1 of the agreement. That is:

- i) Applicant is on program to present a prepared paper to an appropriate learned or professional organization or to participate in a symposium or panel.
- (ii) Applicant is on a board or committee of an academic or professional organization and

wishes to attend meetings: subsidy based on relevance of organization, significance of applicant's role, and the nature of support given by the organization itself.

(iii) Applicant is attending a meeting or conference but is not a participant in the formal program.

While it is true that the fund available for travel expenses has been increased over last year's, during negotiations the Union proposed a significantly larger sum to be used to calculate the size of the fund for each Faculty. We believe that the larger amount reflects a more realistic appraisal of the actual need, which has been rapidly increasing due to large number of members participating in academic organizations. At least one Dean has indicated to me that, as a consequence of the very high number of travel requests, there will be some difficulty providing members with funds significantly beyond the figure used to calculate the overall fund.

Clearly, the whole issue of travel support will have to be raised once again in the next round of negotiations. All the same, the calculation figure agreed to in the last round represents the minimum amount that the administration must contribute to the Travel Fund. Given the stated objectives of the institution, it might be prudent for the Administration to reconsider some of its spending priorities and see if further funds could be ear-marked for member travel. We would argue that adequately supporting faculty travel, both within Canada and internationally, is the best and most cost effective way to enhance the reputation of the institution.



## Annual Reports

In recent months, the Union Executive has also been made aware of the fact that the University Administration is insisting that members fulfill their contractual obligations and submit their Annual Reports. In a couple of cases, where I have interceded on behalf of members, the individuals were not aware that they had to submit an annual report even if they were on sab-

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batical, or unpaid, leave. It is particularly vital that these reports be submitted since they are being used by the Deans to make recommendations on assigning a 3-3 course load. The absence of a member's annual report is being interpreted as the absence of scholarly activity "appropriate for their discipline and rank" under Article 15.1.12.

In preparing annual reports members should be sure to record all of their scholarly activity and, in particular, to highlight all of their peer-reviewed activity and publications. While our Collective Agreement still retains a very broad definition of Scholarship, Article 1.1 (n), it does contain new language that states that "Scholarship must normally be public, susceptible to critical review and evaluation by one's peers, and accessible for exchange and use by other members of one's scholarly community." We are in the second year of the implementation of the 3-3 assignment clauses in Article 15.1.12 and the Review Committee has overturned a large number of Deans' recommendations. Nevertheless, it is clear that the Administration is intent on employing these clauses and several members have been assigned a 3-3 load against their wishes. SMUFU is monitoring the implementation of these clauses closely and we are concerned about the impact they are having. It remains our contention that these clauses are unnecessary and that very little is gained by their implementation. Indeed, the damage done to the good will of our members far outweighs any benefit the University gains from assigning an extra half credit course. I have no doubt that the clauses will once again be on the table in the next round of negotiations.

### Grievance Handling



As a means of ensuring that our new Grievance Committee can do its work effectively, SMUFU hosted a CAUT Grievance Handling Workshop at Saint Mary's on March 26th and 27th. Members of the current and incoming Union Executives, the Negotiating Team as well as the Grievance Committee attended. We all felt that the training we received will prove very helpful as the Committee proceeds with its work. Any member who has an interest in grievance procedures

or in volunteering for committee service is encouraged to contact a member of the SMUFU executive.



### Conferences

Since my last report, Past President Leonard Preyra and I attended the CAUT Council meeting in Ottawa from November 21st to 23rd. We will be attending CAUT Council again from April 29th to May 2nd. A great deal of business is conducted at council, but this year Ottawa politics has featured heavily. In the fall much discussion was focused on the Liberal leadership race and speculation as to when the next Federal election will take place. While the election date is still a matter of speculation, I expect that lobbying will once again be of concern this spring. Members may be interested to know that CAUT has drafted a proposed "Canada Post-Secondary Education Act" analogous to the Canada Health Act as part of their lobbying efforts. The Act proposes a national Higher Education Council and a formula to ensure adequate post-secondary institutional funding. It can be found on their webpage [www.caut.ca](http://www.caut.ca) under Member Resources.

Another issue that came up in the fall council, and one that Leonard will speak to in the next council, is academic freedom and personal security for scholars in the wake of the legislation passed since September 11, 2001. In the fall, American Association of University Professors president Jane Buck spoke to CAUT Council delegates about a just-released special report by AAUP on the risks to academic freedom and free inquiry posed by the Patriot Act that was published in the November/December issue of *Academe*. Civil Liberties and Human Rights are again part of the Public Policy agenda items for the May meeting.

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### **Joint Union Meeting**

The joint union meeting held on April 2 to discuss the University Storm Closure policy was well attended and proved very helpful to the members of the union executives in attendance. Five broad areas were identified as important in any consideration of policy.

1. The prime importance of safety in all matters concerning closure.
2. The need to create an Emergency Preparedness Plan that would include the identification of "essential" workers.
3. The need to announce closures in a timely fashion and in a manner that recognizes that workers are on campus 24 hours a day.
4. That it needs to be made clear who has decision making authority and which individuals are accountable for closure decisions.
5. That the Employer needs to negotiate compensation provisions in the Collective Agreements for such closures.

I will continue to work with other union representatives on this issue and will keep members posted on any new developments.



### **No Sweat Policy**

In recent weeks we have had a number of members asking about the state of the No Sweat Policy at Saint Mary's. It is over a year now since the Union first brought this issue to the Administration and since then several Executive members have attended conferences, kept up to date on the literature, and investigated other no sweat policies that have been adopted by universities across Canada and the United States. Saint Mary's Students Against Sweatshops have also been actively raising awareness about the issue. The Administration at first seemed eager to work on this policy with us, but we seem to have reached an impasse over the question of joining the Workers' Rights Consortium (WRC). From the research we have done, we can say with great confidence that this organization is one of

the few ways of guaranteeing an effective policy and our membership in it can only benefit the University. As the cornerstones of an effective policy are disclosure and having strategies in place for dealing with those suppliers who violate the code, the WRC is much better equipped (it is an internationally recognized body and has teams of dedicated, well-informed researchers and lawyers) to deal with these concerns than Saint Mary's can possibly do on its own. The cost is minimal and membership would allow our students to be eligible for internships at the WRC, which would clearly be of benefit to our IDS program. Over one hundred other universities, including the entire University of California system and McMaster, are members. We believe that our membership in this organization would be a progressive move and we are at a loss as to why the Administration is unwilling to consider it, particularly since no alternative effective monitoring mechanism has been suggested in its stead. I have written to the University President highlighting these points in the hope that together we can restore the Union-Administration co-operation on this issue.



### **Memorandum of Understanding**

You will have all received an email from me regarding the Memorandum of Understanding on "course evaluations." I have nothing further to report on that issue at this time. I have, however, met with the Director of Human Resources to discuss the MOU regarding "Benefits Review" and have a commitment from her that the Administration will be prepared to act on that MOU after July 1st. Given the latest rate increase, SMUFU is anxious to have the benefits review proceed and the permanent "University Employee Benefits Advisory Committee" established. Dr. Margaret Harry and Dr. Robert Konopasky are the faculty representatives on the current Benefits Committee.

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## Upcoming Workshops

In the last newsletter, I indicated that I would hold a Union workshop on the Reduced Duties Status provisions of the Collective Agreement. At the moment, I am contemplating holding the workshop after exams in mid-May. I would be grateful if members would indicate to myself, or to Karen in the Union Office, if they would be interested in attending such a workshop at that time of year. At this time, I also expect to be holding another renewal, promotion, and tenure workshop in early September, but would be willing to hold that in May as well if enough members were interested in participating.



## New Executive

Finally, I would like to thank Doug Vaisey for his work as Elections Officer and the new members of the Executive who agreed to stand. Marc Lamoureux is our new Vice-President, Jeff Power is the new Treasurer, and Steve Smith and Diane Crocker join us as new members-at-large.

I would also like to express my gratitude to the members of last year's Executive who are not returning this year, Suzanne Dansereau, Xiaofei Song, Teresa Heffernan and Hilary Jenkins. I hope that their sabbatical leaves are successful and rewarding. Thanks are also due to Sally Wood and Bob Cook who agreed to stay on the Executive with me for another term.

## Michael Vance President

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tional Health and Safety Officer. Over the course of the weekend we were treated to a wide range of presentations, including Effective Joint Health and Safety Committees—is the committee effective? Why or why not? The Saturday morning sessions also allowed us to point out “where it hurt” during a Hazard and Body Mapping workshop. It's no surprise that almost everyone had upper body injuries (neck pain, headaches, or repetitive strain injuries) but there were a few surprises, including some broken ribs on a biology field trip. Discussion ensued as to how far the “workplace” definition could be extended, and continued into the next workshop where we talked about Incident Investigation Techniques. The “no blame” policy works best; most of the time there are several people who contribute to an incident, as opposed to it being the fault of just one person.

After lunch on Saturday Anthony Pizzino, CUPE National Director for Health and Safety, gave a plenary lecture on Air Quality. Most importantly, if testing is being done, the experts doing the testing have to know what they're looking for. If we're not specific about the problems, we're likely to receive a report that says that everything is fine, even though we know that there's a great deal of particulate matter in the air, or odours that never dissipate. This is of particular importance to those of us in the Science Building right now, as air quality testing has just recently been completed.

Saturday afternoon gave us a choice of workshops, and I personally attended the Violence in the Workplace session, given by Jesse Callaghan of the Canadian Centre for Occupational Health and Safety. General violence and harassment were discussed as well as situations unique to academics, and many people revealed their own stories. The final plenary on Saturday was given by Dr. Ted Haines of McMaster University on Workplace Musculoskeletal Disorders. Wonder what those might possibly be? He indicated that most of the people he treats have problems with repetitive strain injuries and the variety of symptoms that accompany them. He also indicated that some people have concerns about their injuries and their abilities to do their jobs, and how this

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might impact on issues of promotion and tenure. Vic Catano pointed out that the Canadian Labour Code, as well as any collective agreements in place at the institution, protects against this kind of discrimination.

Sunday morning Pam Jacobs of The University of Plymouth in the UK presented data she and her group had collected on stress and academics. Interestingly, women academics are not more stressed than their male colleagues, presumably because of the somewhat flexible working hours. They have found that there is a remarkable amount of stress being experienced by academics, especially those in the "new" universities in the UK, where there are many standards to be met, not only for the individual but also for the departments and the universities themselves. She also reported that the people who answered the surveys were more apt later to say they were stressed, as opposed to people who hadn't taken the survey and who "just got on with it". Their findings are being repeated in academic institutions in Australia, where they are surveying several universities.

The conference continued with another workshop and then a final meeting wrap-up. The CAUT Occupational Health and Safety Conference was wide-ranging, with coverage of many of the concerns that pertain to academics, even though the conference organizers admitted that they could have concentrated on one specific issue. We found, on talking to participants from all the other provinces, that we share the same concerns.

## Hilary Jenkins



### Your Two Cents:

#### Submissions and Suggestions

All SMUFU members are invited to contribute comments, news ideas and, yes, even written submissions for future issues of the Faculty Union News. Contact: Bob Cook – 420-5174 or Mike Vance 420-5766

### No Sweat Campaign

The Canadian Labour Congress (CLC) No Sweat Campaign now has its own website. The website deals with two important initiatives:

1. No Sweat Campaign
2. Workplace Procurement initiative

<http://sweatshop.clc-ctc.ca/>

## NSGEU Local 79 - Staff Negotiations

Saint Mary's staff are heading into Round 2 of Conciliations on April 27 – with large gaps remaining between the Union and the Administration on four key contract articles. Our Union, NSGEU Local 79, has been without a collective agreement since July.

The 162 unionized support staff members at Saint Mary's – including technical, secretarial, clerical, and library staff members -- are doing more work for more students every year. While the full-time enrollment here has jumped 18% over the past three years, staff numbers have remained unchanged. Most of us are assuming new tasks each year and are doing more sophisticated work; our value to students' education has soared. We are looking for a collective agreement that begins to recognize the value we bring to Saint Mary's each day.

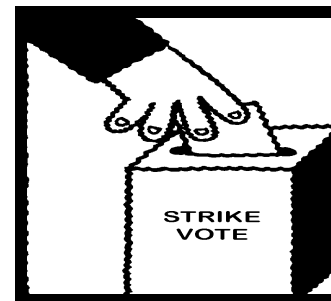
The issues that continue to bedevil negotiations are University parking policies, our need for an anti-harassment policy, job evaluation and salaries.

- Staff now pay the same rising parking rates as faculty do, but compete with students for scarce spaces -- a unique distinction we are eager to lose.
- While harassment is not a general problem on campus, there are workplaces at Saint Mary's where mistreatment of staff does occur, and the Union is seeking language to combat this problem.
- On the two major issues that have stalled contract talks, major disagreements remain. The first of these is job evaluation. The University's "JE" setup is a stagnant system, unable to reflect changing (usually growing) staff responsibilities; it is wedded to pre-conceived ideas of relative importance that diminish the value of our work. Faculty and Librarians who have taken part in the "JE" system, usually as staff supervisors, have told us that they've found evaluation results just as incomprehensible as we do. We are bargaining for fundamental changes to this

system.

- Since the Provincial wage freeze imposed in the early 90's staff salaries have lagged behind cost of living figures, and well behind other settlements (not to mention administrative pay) in the University. The Administration began negotiations with a 3-year, 1.5%-a-year offer, a figure they stuck with through face-to-face negotiations and into the first round of Conciliation talks. While this figure has moved marginally since, it still falls well beneath staff members needs – and below the University's admitted ability to pay. A difference of some 10% over three years remains. Staff salary levels is our second 'core' issue.

From April 13<sup>th</sup> through the 15<sup>th</sup>, NSGEU 79 will be holding a strike vote -- a reflection of the gaps that remain between the parties, and our determination to achieve a fair settlement. Our local has not often entertained the idea of a strike in the past; it is evidence of our commitment to what we think are very reasonable positions – and a shared conviction that we are asking no more than our due – that we are heading down this new road.



We appreciate the support expressed by so many faculty members, librarians and others in the University since our negotiations began, and are heartened by the growing awareness that all of our campus unions share a number of common purposes. We will do our best to keep the whole community up-to-date as events unfold.

**Ken Clare**  
**President**  
**NSGEU Local 79**

### UNION LIBRARY

The following items have been added to the library available to members in the Union Office:

#### Reports:

- MPHEC Annual Report 2002-2003 **(A448)**

#### Newsletters:

- AUFA Communicator, Vol. 11, No. 3, Feb. 04
- AUFA Communicator, Vol. 11, No. 2, Dec. 03
- DFA Dialogue, Vol. XVII, No. 3, Jan. 04
- DFA Dialogue, Vol. XVII, No. 2, Dec. 03
- Faculty Focus, Faculty Association of the University of British Columbia, Oct. 2003, Vol. 36, No. 7
- UTFA Newsletter, No. 3 Mar. 25, 2004
- UTFA Newsletter, No. 1 Feb. 24, 2004
- MAFA Newsletter, Jan. 2004

#### CAUT Newsletters & Publications:

- Directory of University Board—Corporate Linkages
- Part I: by University Part II: by Corporation 2003-04 **(A443)**
- Bargaining Advisory, No. 11, Mar 2004 **(A452)**
- Bargaining Advisory, No. 10, Dec. 2003 **(A444)**
- Legal Review, Vol. 5, No. 1, Feb. 2004 **(A445)**
- CAUT Facts & Figures, Vol. 5, No. 6 **(A446)**
- CAUT Education Review, Vol. 6, No. 1 **(A451)**
- CAUT Education Review, Vol. 5, No. 2 **(A447)**

### ON THE WEB

- **Alternative Federal Budget 2004:** Rebuilding the Foundations - Canadian Centre for Policy Alternatives <http://www.policyalternatives.ca/>
- **Strike ends at Acadia** For details of the settlement: <http://www.caut.ca/aufa/>
- **Settlement reached at Mount Saint Vincent University** For details of the settlement: <http://www3.ns.sympatico.ca/msvufa/>
- **Bishop reaches tentative agreement.** For details go to: <http://www.caut.ca/apbu/index.html>

### Saint Mary's University Faculty Union Executive for 2004-2005

The following individuals will be on the Faculty Union Executive for 2004-2005:

<b>Michael Vance</b> <i>President</i>	420-5766 MN225 <a href="mailto:mvance@smu.ca">mvance@smu.ca</a>
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<b>Steven Smith</b> <i>Member-at-large</i>	420-5852 MS307 <a href="mailto:ssmith1@smu.ca">ssmith1@smu.ca</a>

Thanks to all who offered to serve on the 2004-2005 Executive.

G. Douglas Vaisey  
Elections Returning Officer

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