

Mount Royal Faculty Association
Executive Board Meeting
January 15, 2016, 11:30-1:30 p.m.

Minutes

Present: Marc Schroeder, Richard Sutherland, Jarret Henderson, Brady Killough, Tracy Powell, David Clemis, Sabrina Reed. Shiraz Kurji, Alison Mackenzie, and Brenda Lang joined the meeting at 12:30, due to a previous commitment.

Note: The minutes for the meeting of January 8, 2016 are not yet available. They will likely be ready for the next meeting of the Executive Board.

1. Discussion with Jasmine French, Executive Direction of the MacEwan University Faculty Association. Marc and Jasmine had met for two hours previous to the Executive Board meeting.

a. Faculty Association Administrative Structure

Jasmine spoke to the Board about how the MacEwan faculty association structure differs from our own. MacEwan adopted a change in governance so that the Board is policy rather than administration-focused. The work of day-to-day administration is carried out by Jasmine (the Executive Director) and another staff person. Ideally, Jasmine would like to see a three-person support contingent: an executive director, a labour relations specialist, and an administrative assistant. The current association structure limits the number of committees sponsored by the association, and it also ideally provides a longer institutional memory than is possible with faculty board positions, since faculty tend to move in and out of faculty association positions. Jasmine is part of the association's negotiations team, along with four academic members.

b. Changes to the Post Secondary Learning Act

After years of being shut out of the Ministry, Jasmine appreciates the current government's willingness to consult with faculty associations. It's important that we use this opportunity for constructive feedback and to build bridges between faculty associations and the Ministry. If we gain back the right to strike/lockout, it will be important for associations to create a lockout/strike fund.

c. Member Census

Like the MRFA, MacEwan is working on a census of its members. Marc and Jasmine agreed to share questions, and Jasmine will provide us access to the MacEwan site. The census is not seeking specific answers. The associations want to get to know members, get data to use towards advocacy, and educate people about what the association does.

2. Debrief on meeting with Jasmine French

a. General Comments

MacEwan is undertaking a review of the Labour Relations Code as it relates to faculty associations. Marc has asked to receive the results of this review. MacEwan is going to stay with ACIFA, but they will likely push to make ACIFA more effective as an organization. Ideally, MacEwan would like all universities in the province to be under one association, and MRU agrees. It would also be useful to have a provincial defense fund in the case of lockouts.

b. Staffing in the Association Office

The time has come to discuss whether we need an additional staff person in the association office. When there is only one staff member, one risks a loss of continuity when that person is absent. As well, the work of the association has increased over the years. Chantelle's position has become more policy and information-focused over time. There is also, however, a lot of day-to-day clerical work that needs to be done. A second person could do the clerical work and leave more time for the person

in the senior position (the position from which Chantelle is currently on leave) to do more complex work. Another option would be to have a dedicated labour relations officer. Right now, labour relations falls mainly to the President, but if the President is new to the position, this can mean a steep learning curve. A dedicated labour relations officer would provide continuity during transitions between presidents and provide support for the ongoing labour relations work of the association. At a minimum, we need at least a half time support position.

A second administrative assistant or labour relations officer would be expensive, so we would need to create a strong case with our membership. There may be ways we can rationalize the current budget to find savings. We can look at things like reassigned time for board members and the number of committees we sponsor as an association.

Action:

- Marc will look up the Report of the Ad Hoc Sub Committee on the Organization of the Faculty Association. This report was completed a few years ago, and it might have findings that will help our discussion.
- Marc will bring Chantelle/Linda's current job description and our current association budget to our next meeting.
- At our next Board meeting, we will examine the above items and have an initial discussion on possible ways forward. This discussion may be the basis for a report at the Annual General Meeting in May 2016.

3. January General Meeting Agenda: Monday, January 25, 3:30-5:00

The following items were suggested for the agenda:

- Update on Negotiations (and the arbitration decision—or lack thereof) NOTE: Brady will only be available for the first half hour of the meeting, so this item should go first.
- Report on the Faculty Centre survey
- Report on the upcoming Advocacy Week (Jarret will prepare something and another member of the committee will present)
- Code of Conduct update
- BOG report (David will provide an attachment for the agenda package)
- Additional items can be sent to Marc up to Wednesday of next week.

4. In-camera session

5. President's Report

a) Code of Conduct panel, January 13, 2016

The panel was well attended and there was a good discussion. Linda took notes, and Sinc MacRae also provided Marc with Sinc's speaking notes from the event.

Action:

Marc will request that the second meeting of the Code of Conduct Review Committee be scheduled as soon as possible.

Marc will write a draft Code for discussion within the committee. Jarret asked if the model code would be more effective if it were brought forward by the MRU Coalition. The Exec. Board agreed that this would be an effective approach, since then we would have joint support from faculty, students, and support staff. Mark will share his draft with the Coalition before bringing it to the COC Review Committee.

b) Duty of Care

Several faculty members have expressed concern over Kathy Shailer's statement that "faculty members teaching courses and/or with students [at the time of the January 18 fire drill] have an increased Duty of Care and obligations for the safety and well-being of students" (email of Tuesday, January 12, 2016). Faculty are concerned that they are being given a legal duty for which they have had no formal training. Also, our students are mostly adults, and thus we have limited authority over them. Sabrina searched current MRU policy for any statements about "duty of care." There is only one mention of "duty of care" in MRU policy: Policy 1501—Use of Passenger Vans Policy. Sabrina and Marc are concerned that faculty not be given responsibilities for which they have not been trained and which are outside the scope of the Collective Agreement. Faculty might have an increased responsibility to care for students under a "reasonable person" test, but this responsibility is not the same as a legally defined "Duty of Care."

Action: Marc will contact the Provost and ask her to explain what she meant by "Duty of Care." Could a faculty member be disciplined for not managing a fire drill properly? Likely not, because the CA says that faculty can only be disciplined for breaches in policies which have been communicated to the membership.

6. VP Policy and Senior Grievance Officer's Report

a) Report of the CAUT Forum for Senior Grievance Officers

Sabrina commented on her summary of the CAUT forum, as attached to the agenda package for this meeting. She found the forum to be useful. Two things of particular interest were that

(i) the Collective Agreement's provisions on equity are much less detailed than those at many other universities. Brady mentioned that the Equity Committee is preparing a report for use in negotiations. Marc mentioned the CAUT Equity workshop which the Association sponsored in 2014/15.

(ii) A recent case at Brock highlights why "upholding the reputation of the university" clauses are problematic and the potential for "Respectful Work and Learning Environment Policy" to be used to curtail academic freedom. According to a piece in the *CAUT Bulletin*,

The case arose when several academic staff members and graduate students criticized Brock's involvement in Solidarity Experiences Abroad, a program offering students learning placements in South America and Africa, and organized through the university's Catholic Chaplaincy. In response, Brock's Catholic chaplain and the acting chaplain filed complaints of alleged bullying and harassing behaviour on the part of the academic staff members and students. Among other findings, the committee report recommends that respectful workplace policies, which have proliferated in recent years, must ensure academic freedom and free expression are not compromised. *CAUT Bulletin* 62.10 (Dec. 2015): A7.

b) Environmental Health and Safety Policy

The policy refers extensively to the Occupational Health and Safety Act, the Occupational Health and Safety Regulations and the Occupational Health and Safety Code for Alberta. All employees are subject to the Act, and the current MRU policy is making this fact explicit. The act's primary focus is on workplaces and conditions that may be considered hazardous, such as construction sites, mines, and blasting sites.

The MRFA Collective Agreement contains Article 22.2, Occupational Health and Safety. The policy under review covers the items mentioned in the Collective Agreement.

From a faculty perspective, there could be some application with regard to the use of hazardous materials in labs or in research. Mount Royal administration, staff, and faculty have a duty to ensure

that all hazardous materials are stored and used with proper precautions. In her response, Sabrina will ask if we are currently in compliance with our own policy in this regard.

The policy's use of the word "environmental" potentially broadens the scope of the policy beyond occupational health and safety, though it is not entirely clear how broadly the word "environmental" could be defined. For instance, D.1.3 says that "all employees, Contractors and Volunteers must integrate environmental health and safety considerations and requirements into daily job duties, planning, operations and business decisions." If health and safety is interpreted according to the Occupational Health and Safety Act, Alberta, then the scope is primarily concerned with potential hazards created by substances and working conditions. If environment were defined more broadly, and it's not clear that it would be, it could encompass bullying or harassment.

Moved: Allison Mackenzie

Seconded: Jarret Henderson

That: Sabrina post a response to the Environmental Health and Safety policy to Mount Royal's policy website. The response will be based on the information Sabrina covered in the above discussion and any additional revisions.

7. Announcements

- The Department visit schedule needs to be revised. Marc and Linda will update the schedule and send the Executive a revised version.
- We have had two department visits so far, one in Health and Physical Education and the other in Education. Marc, Sabrina, and Richard will be attending a meeting of the Anthropology discipline (Dept. of Sociology and Anthropology) later this afternoon.
- The next executive board meeting is scheduled for January 29, but that is the day of the day-long session with Gary Furlong. Marc will either re-schedule or cancel the executive's January 29 meeting.

Adjourned: 1:30pm

Communications Officer,
Mount Royal Faculty Association

Date of approval