

Take Back Our University: *MUNFA's Take on MUN's Leadership Deficit*

MUNFA members may be feeling that our University is a key target in ongoing assaults on public institutions in Newfoundland and Labrador.

Past governments saw Memorial as critical to the current and future health of this province, not only economically but also in ways that exceed a narrow accounting model. Governing politicians today seem to lack that broad imagination and ambition, focusing instead on short-term calculations of “value for money.” The most obvious material manifestation of this attitude lies in significant cuts to MUN's operating budget. But that is not where the harm ends.

In times like these, we might expect senior academic administrators to mount a vigorous defense of the University's core mission -- and not only to politicians and the wider public. Memorial's scholars should feel confident that the President and (Associate) Vice Presidents have their back. Instead, many of our members report that encounters with the very people who should be supporting them leave them anxious and demoralized.

In short, budgetary constraints bring one kind of deficit. But the harm is being intensified by a deficit of leadership at Memorial. This deficit goes beyond styles of interpersonal engagement (or lack thereof) to Memorial's handling of a number of key issues. In this communiqué, we focus on three areas of immediate concern.

The Voluntary Retirement Program

Most MUNFA members now know that the University has launched a Voluntary Retirement Program (VRP) at a cost of \$8 million to this year's operating budget. On the face of it, this is a welcome development.

In 2007, the Newfoundland and Labrador *Human Rights Code* was amended to prohibit employers from requiring retirement at age 65. Compounding the prohibition on mandatory retirement, the Canada Revenue Agency compels people to start drawing their pensions at 71, even if they are still working for a salary. MUNFA has been proposing the introduction of concrete programs to support Academic Staff who want to transition to retirement ever since, with a view to helping the University and our members address the predictable fall-out of this situation.

Specifically, in every round of Collective Bargaining since 2007, including this one, MUNFA has tabled proposals for “ease-out” programs, allowing eligible Academic Staff Members to avail of provisions for terminal sabbaticals and/or reduced workloads for one or more years leading up to retirement. In each round, including this one, the University has rejected our proposals, reflecting another failure of forward planning. Such provisions would enable ASMs to move into retirement in a way that works for them. At the same time, it would allow better planning by academic units.

Unfortunately, the new VRP fails on both counts.

For individual ASMs, the package on offer is a one-time lump-sum payout in exchange for clearing their desks by December 31, 2018. This payout would be fully taxable. On January 1, 2019, Voluntary Retirees' pensions will be the same as if they had retired without availing of the VRP. We suspect that the main group who will find this offer financially attractive are those who had already decided to retire this year.

For academic units and programs, the VRP creates different problems. The University's publicity effectively blames the cost of paying senior faculty for constraints on "renewal" at Memorial. Yet, the VRP itself makes no guarantees that any such renewal will take place. Further, MUNFA would find the University's arguments about renewal much more compelling were the University not so obviously keen on displacing tenure-stream and Regular Term appointments by teaching-only contracts of various kinds.

The only reference MUNFA has seen to academic renewal connected to the VRP was in a pre-release draft of the policy. That document included as an eligibility requirement that the retirement of an academic employee applying for the VRP:

"...provides an opportunity for renewal and realignment by contributing to a shift of resources into the academic programs and supports most compatible with Memorial's strategic goals."

MUNFA fears that this provision will be another nail in the coffin of academic programs and units not deemed compatible with the administration's increasingly market-oriented model of university education, and that such restructuring will bypass the principles of collegiality

It's also worth pointing out that the \$8 million set aside for the VRP is very similar to what MUN would have had to pay to offset the pension fund deficit this year had we moved to joint sponsorship in 2018. Assuming we move to a jointly sponsored plan in 2019, as currently envisioned, this is the last year that \$8 million will be available. In MUNFA's view, the money would have been better directed at crucial deferred maintenance on campus, which would have immediate benefits for the health and safety of MUN students and employees.

Intellectual Property

Many ASMs know that the University has overhauled its policy on intellectual property (IP) over the last several years. MUNFA was very actively involved in this effort, with MUNFA volunteers from across the university spending countless hours contributing feedback and analysis on successive draft IP policies. We also invested MUNFA resources in topnotch legal advice. The result was language that MUNFA saw as a significant improvement to ASMs' IP rights, and that we believe would help foster a healthy culture of research and scholarship at Memorial.

Given that the Union and the University had worked together to develop the new IP provisions, we anticipated a seamless move to incorporate these into the next Collective Agreement.

MUNFA's Negotiating Committee was therefore astounded when the University recently announced that it wants to gut Article 27: Patents and Copyrights of the Collective Agreement, and instead vest the Board of Regents with responsibility for the University's IP policy. Doing so would restrict ASMs' role in shaping IP policy to a merely "consultative" one.

MUNFA regards this proposal as outrageous and completely unacceptable. The Board of Regents - which currently prohibits Academic Staff from membership - is primarily responsible for the university's financial management. It has no business interfering in matters of scholarship.

Academic Freedom (and equity along the way)

MUNFA members who have been keeping up with the Negotiating News will know that their union has tabled several proposals aimed at strengthening academic freedom at Memorial. These include Promotion and Tenure language better suited to scholarship in the twenty-first century academy. Our new language recognizes a widened variety of academic career paths, ways of knowing, and means of contributing to scholarly life. As such, it offers critical support for a renewed and diversified university, not least as regards the vital goal of Indigenizing the Academy.

We have also proposed provisions for ensuring that most teaching at Memorial is done by tenure-stream academic staff. This language recognizes that university teaching is a form of scholarship that cannot be divorced from research. It also protects scholars' academic freedom through the security of tenure.

So far, the University has met these proposals with something worse than derision. Far from engaging with MUNFA's language, our employer wants to introduce a new sense of precariousness by imposing post-tenure review on senior academics. This is a clear assault on tenure and its central role in academic freedom. MUNFA also anticipates that, if adopted, post-tenure review would add a new and disagreeable task to ASMs' already significant Promotion and Tenure workload, one likely to have negative and divisive effects on interpersonal relationships within academic units.

It's time to take back our university.