

Update on Collective Bargaining Impasse:

November 14, 2018

Collective Bargaining between MUNFA and the University administration ended in an impasse last week. The final unresolved issue was improved job security for “Term” Academic Staff Members (ASMs): faculty employed on limited contracts.

MUNFA’s Negotiating Committee had returned to bargaining to try for a better deal for contract ASMs after consulting MUNFA’s members and its Executive Committee. This decision was also informed by the University administration’s public statement that it remained committed to achieving a mutually acceptable collective agreement.

Given that the two sides had been very close to a deal, MUNFA hoped for movement on the last remaining item: a seniority-based right of first refusal for qualified Term ASMs who do not have a documented unsatisfactory record with the University.

We went back to the table knowing that this proposal was in principle acceptable to the administration: the employer’s team had agreed to it in earlier exchanges, before withdrawing it from their final offer. Moreover, a similar provision is already in place for Per-Course Instructors (PCIs). The proposal is also cost-neutral for the University as it only applies to Term positions that have been approved, and would help streamline the work of some search committees.

In short, there are good reasons for both sides to support this proposal.

Nevertheless, when talks resumed, negotiators for the administration were clear that they would not move unless MUNFA conceded a “value” item for them. They suggested post-tenure review (PTR) and/or a four-year salary freeze. Either would trade one form of insecurity for another; PTR would also unacceptably erode academic freedom and the core values of the public university.

MUNFA’s analysis:

We can only conclude that the administration’s bargaining philosophy is fundamentally different from that of the union.

MUNFA’s top priorities for this round of bargaining centred on equity and academic freedom and were designed to strengthen our university. No group of MUNFA members better exemplifies academia’s equity-deficit than our colleagues on Term appointments, many of whom work contract after contract, year after year, without any guarantee that they will be rehired and with little chance of moving into a tenure stream job.

Term appointments – whether regular term (RTAs) or teaching term (TTAs) – may have to reapply for the same job annually, or even every semester, and those who are rehired often must accept significant changes to contract terms, whether in terms of contract length or moving from RTA to TTA positions.

TTA contracts can be as short as 4 months. None exceed 36 months, and most are much shorter. TTAs can be assigned the equivalent of 3 lecture courses per semester, or 4 courses if they are assigned two sections of the same course. Those on 12-36 month contracts can be asked to teach 3 terms per year. TTAs are paid significantly less than tenure stream or regular term faculty, even when they have equivalent qualifications and experience. Those hired on 4-month contracts have no access to health or pension benefits, while those on 8-month contracts lose benefits during the summer.

The vulnerability of Term ASMs is reflected in multiple association (i.e., policy) grievances filed by MUNFA this year. These address: requests from the employer that Term ASMs work outside the period of their paid contracts; lack of support for their research work; failure to extend institutional support for their work; and contract length. We have also worked to improve term appointees' access to benefits, although, to date, we have had limited success for 4 month contracts. But even if we won on all these issues, it would not take away the personal toll wrought by continual job insecurity.

In short: the administration's rejection of a modest improvement in job security for Term ASMs is not based on substance: it costs them nothing. It is not even based on principle: a similar provision is already in place for LUMUN members, and the administration accepted the proposal at one stage in bargaining.

By yanking the right-of-first refusal at the eleventh hour MUN's administration showed that they see Collective Bargaining as a score sheet, where tokens are traded back and forth, then totted up at the end, with no regard for the impact on the province's university and the people teaching and learning in it.

Why do we need to fight now?

The casualization of academic labour is at a critical point in this country. Recent reports from both the Canadian Association of University Teachers and the Canadian Centre for Policy Alternatives clearly document the extent of the trend and the costs to contract academics. MUNFA believes we must act now to stem the tide of casualization at Memorial and protect the integrity of Newfoundland and Labrador's only university.

At Memorial, instructors with no job security teach close to half of all courses. Given that contract ASMs and PCIs disproportionately teach introductory courses with large enrolments, on a per-student basis, they are likely doing most of the teaching at MUN. While the most direct cost of job insecurity is to those employed on short-term contracts, it is clear that we all lose when our colleagues can't contribute fully to the development and running of programs and academic units.

Faculty unions across the country are fighting the continued casualization of university teaching. Armed with strike mandates, they are winning.

The administration is gambling that tenure-stream faculty will not stand by our Term-appointed colleagues. Let's show them they are wrong. The union is only as strong as our willingness to stand by our most vulnerable members.

Over the longer term, this is also a fight for our students, who face an increasingly insecure future unless we join in the fight against precarity.

What next?

The government-appointed conciliator is required to prepare a report for the Minister of Advanced Education, Skills and Labour. Fifteen days after he receives that report, and if he decides not to appoint a conciliation board or a mediator during that time, MUNFA will be empowered to authorize a strike vote and the employer will be able to initiate a lockout.

In the interim, MUNFA representatives want to speak directly to every MUNFA member, whether individually or in small meetings, so that we can explain our position, the options open to us, and their implications.

As we have emphasized earlier in this round of bargaining, a positive strike vote, if sought, does not automatically trigger a strike. It is also not a proxy vote on the University's final offer. It is a public signal of our collective resolve and a tool that our negotiating team can use in its attempt to come to an acceptable agreement at the negotiating table.

We take heart from our colleagues in the University of Western Ontario Faculty Association. Security for contract academics was also a top priority for UWOFA. On Friday past, they reached a tentative agreement at the bargaining table, on the back of a strong strike mandate.

If you would like to schedule a meeting with MUNFA representatives please contact Travis Perry, Membership Engagement & Communications Coordinator, at membership.munfa@mun.ca.