

TO: All MUNFA Members

FROM: MUNFA Executive Committee

DATE: August 13, 2024

SUBJECT: **Meeting Between MUNFA and Senior Administration (Summer 2024)**

On July 16, 2024, members of the MUNFA Executive and the MUNFA staff team met with members of Memorial's Senior Administration: President Neil Bose and Provost Jennifer Lokash. The meeting was approximately two hours long. What follows here is a brief summary of the discussion that took place.

The theme for the meeting from MUNFA's perspective was: Collective Bargaining / Enforcing the Collective Agreement.

1. GRIEVANCE AND HANDLING DELAYS

MUNFA representatives noted the dysfunctional and unrelentingly slow grievance process which is creating a backlog of grievance files, not to mention frustration amongst members. MUNFA noted that it takes an average of 5.8 months to get a Step 1 meeting, and 10 to get a Step 2; many grievances have taken almost a year or more to arrange meetings (one grievance took 24 months to arrange a step meeting). Delays are compounded by the mediation/arbitration process, which depend on third party scheduling.

MUNFA referenced the Canadian Labour Congress guidelines for grievance handling, which say that grievances should take weeks to resolve, and every effort made to resolve them in Step meetings. MUNFA Representatives also pointed to C.19.06 of the MUNFA Collective Agreement, which enjoins the Parties to make an "earnest effort" to resolve grievances at Step meetings; representatives also noted that in his experience, little to no effort is made by the University Administration to resolve grievances at Step meetings, and that it is not a "solution-oriented process." During meetings, Faculty Relations will listen to MUNFA's arguments, promise to "get back to us" and deny the grievance – as though the emphasis for Faculty Relations is "on winning rather than settling, which has implications for faculty morale."

MUNFA noted that there has been a significant change in the approach taken by Faculty Relations to handling grievances in recent years. Previously, the approach had been more solutions oriented, while the approach now appears to be to obfuscate and delay.

MUNFA presents potential resolutions to every grievance and often attempts to settle matters informally; however, those attempts are either met with silence or months-delayed responses.

MUNFA ASK: a tangible commitment from the University on how the grievance process will be improved and accelerated and a commitment to seeking fair settlements for members.

ADMINISTRATION RESPONSE: none.

2. PROMOTION AND TENURE (P&T) PROCESS AND ACADEMIC SERVICE

MUNFA Representatives drew attention to the difficulties arising in Academic Units to fulfill P&T commitments, citing a lack of Academic Staff Member (ASM) renewal in those departments. MUNFA has seen an increasing number of Memorandum of Understandings (MOUs) in recent years altering P&T processes to allow additional cognate committee members, non-tenured members, or other proposed solutions to address the shortfall in ASMs willing and able to serve on P&T committees. MUNFA noted ASMs often have to sit on P&T every year, which is adding to already significant and increasing workloads. This is having a negative impact on members; members are stretched thin and burning out. MUNFA Representatives did note that there had been some success recently – citing MOUs in Nursing, Classics and Philosophy – but that the fundamental cause of the shortfall was ASM renewal. However, in other instances, the process had stalled due to pushback. MUNFA noted that a collegial approach informed by member input would (and has) led to better outcomes and faster approvals. MUNFA suggested that the University Administration learn from the successful instances (listed above) and take this cooperative and consultative approach across the board.

MUNFA Representatives requested more accurate and up-to-date tenure track hires, noting that the info the union receives is often inaccurate, incomplete, and out of date. MUN Admin agreed to this request.

MUNFA ASK: A commitment to hire tenure-track ASMs to allow departments to fulfill their collective agreement-mandated commitments, such as Promotion and Tenure

ADMINISTRATION RESPONSE: MUN Admin stated that there had been substantial hiring in many departments, particularly Science and that there has been a bank of approvals and no unwillingness to renew the tenure track faculty. Admin expressed concern about the number of approvals that have been made because, from their point of view, every new ASM means less money to use elsewhere in the university's operations.

3. UNILATERAL ACTIONS BY-PASSING THE COLLECTIVE AGREEMENT / MUNFA

MUNFA then highlighted recent actions by the employer that either circumvented the Collective Agreement or the Union - to the detriment of all involved.

By way of example, MUNFA Representatives noted the recent name change in Medicine from Community Health and Humanities to Public Health and Applied Health Sciences, and the resulting negative reaction from some members in that Academic Unit regarding the imposition of the change without consultation. MUNFA noted that such actions not only degrade relations with the Union and within the membership, but it also has Collective Agreement implications. MUNFA only became aware of the name change after it started appearing on P&T MOUs for members in that Unit. A lack of consultation with the Union and the members creates significant and unnecessary tension, delays, and work on the back end to resolve.

Additionally, despite seeking a no-cost solution via MOU, Faculty Relations had denied any need for one. Faculty Relations had cited the name change as a management right, but MUNFA noted that “it’s not a management right to unilaterally change the text of the Collective Agreement.”

So, instead of doing the work up-front to notify, consult, and discuss, both parties are now involved in another grievance; a grievance that could easily have been avoided.

MUNFA ASK: Consult and confer with the Union and the membership before substantive changes are made at the University, especially if they have Collective Agreement implications.

ADMINISTRATION RESPONSE: none.

4. FUNDING FOR MEMORIAL UNIVERSITY

MUNFA Representatives brought attention to, once again, the overall impact that over a decade of funding cuts to the University is having on faculty, students, and staff (as well as on the infrastructure, overall morale, overall outcomes, P&T processes, Committee participation, etc.) MUNFA talked about the obligation to and the vital role that the University plays in the province - as central to the cultural life of the province, its intellectual life, as an economic generator. The profoundly negative impacts that a decade of cuts is having on the University cannot be overstated; continuing to allow the degradation of the University’s ability to function was a disservice to its obligation to the people of the province, and the memory of the people in whose name it was established.

MUNFA requested that the University Admin take a more active and aggressive role in pushing for increased funding from the provincial government. MUNFA suggested that the Union would be more than willing to join the Admin in that effort.

MUNFA Representatives noted that the messaging on cuts from the Employer had been anodyne which reflected a sense of complacency amongst the members and the university community overall.

The University Administration must do a better job at advocating for the University, particularly as it pertains to funding, to the people of the province and the provincial government. Again, MUNFA

suggested that the Union would be willing to work with the Admin on this effort but that the Union is ready, willing, and able to take on this campaign regardless.

Bose suggested that the relationship with the provincial government is improving. He noted that in the time since he took on the role of President *pro-tem*, the employer's approach to their relationship with the provincial government had changed. He said he has had discussions with the government about the impact of finding cuts and that his approach has been to restore relationships with the government.

It is clear from the conversation that MUNFA, along with others in the campus coalition, will have to take on the effort of pushing for more funding for the University from the provincial government.

MUNFA ASK: A joint letter/approach about re-funding the University.

ADMINISTRATION RESPONSE: "The students asked about that too, and that's not my role."

5. REMOVAL OF STUDENT PROTESTORS

MUNFA inquired and expressed concerns about the use of police force to remove student protestors from the Arts and Administration Building on July 5, 2024, particularly as they relate to academic freedom and the potential impact on future events/job actions on campus.

MUNFA ASK: an explanation of the decision-making process of calling the police on campus to remove protestors

ADMINISTRATION RESPONSE: The court injunction in Ontario clarified the trespass act and its relevance in Canada; cases in one place can be used to back up those elsewhere. The way in which those events unfolded meant that if any students elected not to leave they were given a letter on Thursday {July 4} through the lawyers that they were expected to leave. Under Trespass law, it meant that if they chose not to, they'd be charged with petty trespass. If we'd gone to get an injunction, and the same thing had happened, those students would have been charged under the criminal code and it'd be much more serious. The way it went through, the Petty Trespass Act charge, they weren't arrested - It's a fine at most.

The University did not prevent the protest - we heard from the protestors, we heard from Faculty in support of the protestors, we also heard from anti-protest people, and people not comfortable coming in the building. There was a feeling from the people working in the building that it was very disruptive. We heard from all these and tried to come up with a solution which allows the protest but doesn't prevent Academic Freedom and freedom of individuals to express their beliefs.

MUN was the only instance of dealing with the occupation inside of a building, a bit different from an encampment. What pushed the decision was what was going on inside the building. It was a very difficult decision balancing lots of different interests - we weren't trying to prevent the protest, but this particular occupation of the building was becoming problematic for people in the building.

6. OTHER BUSINESS

MUNFA inquired about the potential for a merged Faculty of Health, comprising Medicine, Nursing, Pharmacy, Social Work and HKR.

MUN Administration Representatives indicated that there was no current plan to create one. There was possibly a conversation about creating an allied health faculty but no decisions had been made.

MUNFA ASK: Written confirmation that there were no plans to create a Faculty of Health at present.

ADMINISTRATION RESPONSE: none.