MUNFA
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NOTICE OF GENERAL MEETING

TO: All MUNFA Members

FROM: The MUNFA Executive Committee

DATE: October 19, 2018

SUBJECT: MUNFA GENERAL MEETING
WEDNESDAY, OCTOBER 24, 2018

A General Meeting of MUNFA will be held on:

WEDNESDAY, OCTOBER 24, 2018

AT 7:30 P.M. IN

ROOM IIC-2001 (St. John's Campus)

ROOM AS-2034 (Grenfell Campus)

An agenda and documents for the meeting are attached.

MUNFA members at Grenfell Campus (GC) will be participating in the meeting through video conferencing.

A WINE AND CHEESE RECEPTION WILL FOLLOW THE MEETING.

INFORMATION BULLETIN 2018/19:16

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AGENDA

of a General Meeting of the Membership of MUNFA
Wednesday, October 24, 2018 at 7:30 p.m.
IIC-2001 (St. John's Campus)
AS-2034 (Grenfell Campus via video conference)

1. Approval of Agenda

2. President's Report

3. Treasurer's Report
   a. Financial Statement for the Fiscal Year 2017-2018

4. CAUT Defence Fund

5. MUNFA Constitution
   a. Motion to amend the MUNFA Constitution

6. Approval of General Meeting Minutes
   a. April 23, 2018

7. Matters Arising from General Meeting Minutes
   a. April 23, 2018

8. Triennial Review of St. John's Academic Freedom & Grievance Committee

9. Collective Agreement Administration
   a. Report of the St. John's Academic Freedom & Grievance Committee
   b. Report of the Grenfell Campus Academic Freedom & Grievance Committee
   c. Report of the Joint Association/University Relations Committee

10. MUNFA Committee Reports
    a. Other Committees

11. Any Other Business

MEMORIAL UNIVERSITY
OF NEWFOUNDLAND
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NOTICE OF MOTION (from the MUNFA Executive Committee)

General Meeting of October 24, 2018

AGENDA ITEM 5(A)

TO BE MOVED that the MUNFA Constitution Article XII Legal Support Fund, be accepted as amended.

The following proposed edits were previously passed at the October 2017 MUNFA General Meeting, and in accordance with Article XII of the Constitution, they are being put to the membership for another vote prior to final acceptance.

MEMORIAL UNIVERSITY OF NEWFOUNDLAND FACULTY ASSOCIATION CONSTITUTION

Article XII LEGAL SUPPORT FUND

1. There shall be a Legal Support Fund.

2. ~~(g)~~ There shall be an Investment Advisory Committee of the Legal Support Fund to advise the MUNFA Executive regarding the investment activity of the fund. This Committee shall consist of the Treasurer and the Secretary of MUNFA as well as three members of the Association, with financial expertise, who are not members of the Executive. The three non-Executive members shall be appointed by the Executive for staggered renewable terms of a maximum of three years each.

3. ~~(b)~~ Subject to clauses 8, 9, 10, 11, and 12~~, (h), (j), (k), and (l)~~ of this Article, monies allocated to this fund, and any income generated by it, shall be used only for the purpose of enabling the Association to provide legal advice and representation to its members.

4. ~~(e)~~ The fund may be used to defray all or part of the costs arising from disputes with the corporate entity of Memorial University of Newfoundland, or with the Government of Newfoundland and Labrador, or the Government of Canada. The costs which may be defrayed by the fund include those associated with:

   (a) ~~(i)~~ arbitration;

   (b) ~~(ii)~~ any court case involving loss of employment;

   (c) ~~(iii)~~any court case involving allegedly unfair discrimination;

   (d) ~~(iv)~~other serious cases involving alleged unfairness or illegality in connection with the professional activities of members; or,

   (e) any dispute arising from an ASM's employment at the University that is deemed appropriate by a majority of the Executive.

5. ~~(d)~~ Payments out of the fund may be made by authority of the Executive and shall be limited in a calendar year to an amount equal to the income generated by the fund in the previous calendar year. The term "income" shall be deemed to include growth in capital value plus revenue. In addition, the Executive may make further payments to a maximum of 10% of the capital value of the fund at the end of the previous calendar year, providing

that a motion to that effect has been passed at a special general meeting of the membership called in accordance with the MUNFA Constitution, or at a regular general meeting, if at least ten (10) working days notice of the motion has been given.

6. ~~(e)~~ Additions to the fund shall be derived from the general revenues of the Association and from undisbursed income.

7. ~~(f)~~ Additions to the fund shall be made until it reaches a total amount equivalent to ~~$150,000.00~~ $320,000.00 in 2017 ~~1983~~ dollars adjusted annually on the basis of the Consumer Price Index for St. John's for January of each year with the January 2017 ~~1983~~ Consumer Price Index as the base.

8. ~~(h)~~ Any amount generated by the fund in excess of the total expressed in Clause 7 ~~(f)~~ shall be added to the general revenues of the Association, if it is not disbursed in accordance with this Article the following calendar year.

9. ~~(i)~~ The fund may be wound up only by a resolution passed by a two-thirds majority of the members present at each of two general meetings held in accordance with the Association's Constitution not less than twelve months nor more than eighteen months apart.

10. ~~(j)~~ If the Association wishes to have the fund wound up in accordance with Clause 9 ~~(i)~~, the entire amount remaining in the fund shall be paid over to the Civil Liberties Defence Fund (or its successor) of the Canadian Association of University Teachers.

11. ~~(k)~~ If the Association is to be disbanded and has a successor named by the Association or if another Association, organization, trade union or body corporate is designated as the successor to MUNFA for the purposes of the fund by a two-thirds majority of the members present at a general meeting called in accordance with this Constitution with ten (10) working days notice of such motion, then the fund shall be transferred to such successor provided that such successor shall have adopted as binding on it, the provisions of this Article of the Constitution with only such changes as may be required to give effect to this Article and its intent.

12. ~~(l)~~ If the Association is disbanded and there is no successor to MUNFA meeting the conditions set out in Clause 11 ~~(k)~~ of this Article, the entire amount of the fund shall be paid over to the Civil Liberties Defence Fund (or its successor) of the Canadian Association of University Teachers.

13. ~~(m)~~ A semi-annual report shall be prepared for the MUNFA membership by the Treasurer, ~~such~~ this report will ~~to~~ include:

(a) ~~(i)~~ a detailed list of investments held including the number of holdings, purchase price, and current market prices

(b) ~~(ii)~~ a detailed list of all investment purchases and sales during preceding six months

(c) ~~(iii)~~a detailed list of the amount and source of all income paid into or earned by the fund, and

(d) ~~(iv)~~a detailed list of all expenditures from the fund.

The report shall be available to any member of MUNFA upon request. The report shall not contain any personal identifiers.

14. ~~(n)~~ Clauses 1, 3, 7, 8, 9, 10, 11, 12, 13, and 14, ~~(a), (b), (f), (h), (i), (j), (k), (l), (m), and (n)~~ shall be irrevocable; the remaining clauses may be changed only by a resolution passed at each of two general meetings held in accordance with the Association's Constitution not less than twelve months nor more than eighteen months apart and in accordance with the voting provisions of Clause 9 ~~(i)~~.

15. ~~(o)~~ Access to the support of the Legal Support Fund by individuals shall be limited to persons:

(i) who are members of a MUNFA bargaining unit; or

(ii) who, if not members of a MUNFA bargaining unit, have been members of MUNFA since their date of initial appointment or for at least six months prior to the date their case arose.

DRAFT
MUNFA General Meeting
April 23, 2018 @ 11:00 p.m.
Room A1043

Dr. Robin Whitaker (MUNFA President) chaired the General Meeting. Grenfell College participated by video conference from room AS-275.

1. Statement of Territorial Acknowledgement

Dr. Whitaker opened the meeting by making a Territorial Land Acknowledgement.

2. Meeting Restrictions and Conduct

Dr. Whitaker thanked the attendees for coming out to the meeting and reminded everyone that the meeting is restricted to MUNFA members, including MUNFA retirees and that while robust discussion and debate are welcome, the discussion must be conducted civilly as all MUNFA events are free of harassment and discrimination.

3. Approval of Agenda

(G18:001) MOVED (J. Church/S. Matthews) that the MUNFA General Meeting Agenda be accepted.

MOTION CARRIED

4. President's Report

Dr. Whitaker introduced the MUNFA Executive Committee and the MUNFA Staff and advised that a wine and cheese reception will be held in the lobby following the meeting.

Dr. Whitaker outlined the main issues currently on-going with the Administration as follows:

The MUN Pension Plan Negotiations: The Provincial Governments has ordered Memorial to restructure its pension plan and has announced its intention to replace the government guarantee with a Joint Sponsorship arrangement. Dr. Whitaker provided an update since the October 2017 meeting noting that good progress has been made with the University on one side and MUNFA, NAPE, CUPE (the Unions) on the other side. The Unions have hired Murray Gold, an experienced an astute pensions lawyer to serve as shared legal counsel for the three unions. The biggest outstanding issue remains the unfunded liability. We are still waiting to hear whether the Provincial Government will help Memorial find favourable terms for financing the pension deficit. Negotiations are continuing and MUNFA will keep the membership updated on this important issue.

MUNFA Grievances and Arbitrations: Dr. Whitaker thanked the Chairs of the Academic Freedom & Grievance Committees, Dr. S. Butt (St. John's Committee) and Dr. R. Scott (Grenfell Campus). Amy Wadden (Grievance & Policy Officer) and James Farrell (Legal Counsel) were also acknowledged and thanked for their support on grievances and arbitrations. Ms. Wadden is

also now working more closely with the Grenfell Campus AF&G Committee.

Dr. Whitaker noted that MUNFA has filed 15 Association Grievances against the Administration since October 2017. These include: cuts to journal subscriptions, Grenfell Childcare Centre, closure of the Grenfell Resource Centre; the elimination of CITL support at Grenfell, failure to provide ergonometric materials to ASMs who need them. The Association has also filed Individual Grievances related to contractual ASMs including: the University's refusal to provide PDTER funds to Term ASMs, denial of banner access to teaching term and reports of teaching term faculty being asked to work at times when they are not employ by MUN. Dr. Whitaker also pointed out several of MUNFA's successes on key grievances related to academic freedom.

Joint Association University Relations Committee (JAURC): Dr. Whitaker gave an update on the issues that are being addressed at JAURC meetings with the Administration which include: pedestrian safety on campus, the MUN non-smoking policy, Risk Management and problems with the new processes being put in place at the Blundon Centre, Occupational Health & Safety issues. Progress has been made on the language and process on employment equity.

University Governance: MUNFA continues to push for reform of the Board of Regents, which would allow faculty members to sit as Regents. Memorial remains the only Canadian university to forbid faculty to sit on its governing board.

Collective Bargaining: On July 7, 2017, MUNFA gave notice to the University of the Association's intention to enter into collective bargaining. Dr. Jon Church is MUNFA's Chief Negotiator. Dr. Whitaker gave an overview of the issues and goals that the Association is attempting to achieve through collective bargaining.

Dr. Whitaker introduced the Negotiating Committee and thanked them on behalf of the Executive Committee and also noted that the Committee have the full support of the Executive. It was also noted that MUNFA is working in active coalition with other unions, on and off campus. MUNFA has also established a Communications Committee to work on a variety of campaigns and the Association is also working on new types of communications to reach the membership. Dr. Whitaker also stressed the importance for having a strong, united resolve as the Association faces potential job action.

Dr. Whitaker thanked the MUNFA Staff, the MUNFA Executive Committee, the AF&G Triennial Review Committee and all of the MUNFA Committee Volunteers. Dr. Whitaker also urged members to become involved in the work of the Association.

5. Treasurer's Report

A) The Interim Financial Statement for 2017-2018 and the Proposed Budget for 2018-2019 was distributed to the membership (IB 2017/18:30). The Treasurer, Erin Alcock (QEII), reviewed the statement with the membership noting that this is an interim financial report to February 28, 2018. Ms. Alcock noted that there are ad-hoc expenses this year in relation to legal advice on pension reform and Intellectual property issues. Ms. Alcock reviewed

the investments, advising that they are in a healthy position and noted that with regards to the Legal Support Fund, the divestments from the oil and gas are mostly done and will be ongoing. There have been no proposed changes to the MUNFA mill rate. Ms. Alcock also thanked the MUNFA Staff.

(E18:002) MOVED (E. Alcock/J. Church) that the membership fees for 2018-2019 be maintained at the levels of 2017-2018, as follows:

MUNFA members in the bargaining unit shall pay membership fees by payroll deduction at a rate of 9.5 mils (0.95%) of annual salary before any voluntary salary reductions for the purposes of using part of salary as a research grant.

MUNFA members who are excluded from the bargaining unit because of their status as clinical faculty or as administrators, shall pay membership fees at the mil rate based on the median salary for their rank among all other members of the bargaining unit, minus CAUT Defence Fund dues.

MUNFA members who are excluded from the bargaining unit because of their status as part-time or sessional instructors, shall pay membership fees at the mill rate of 9.5 mils (0.95%), minus CAUT Defence Fund dues.

MOTION CARRIED

6. CAUT Defence Fund

A) Bill Schipper and Dr. Brenda LeFrancois are the MUNFA CAUT Defence Fund Trustees. Dr. Schipper gave an oral report providing an overview of the purpose of the Defence Fund, noting that the Defence Fund provides support to faculty associations when on strike. Dr. Schipper noted that the Defence Fund is in a healthy financial position and gave an update on the finances of the Fund as well as an overview of available funds provided by the Defence Fund in the event of strike action.

7. MUNFA Constitution

A) In accordance with Motion G17:006, the MUNFA Constitution was accepted as amended.

8. Approval of General Meeting Minutes of April 23, 2018

(G18:003) MOVED (W. Schipper/ D. Duda) that the General Meeting minutes of April 23, 2018 be accepted as amended.

MOTION CARRIED

9. Matters Arising from General Meeting Minutes of April 23, 2018

There were no matters arising.

10. Collective Agreement Administration

A) Report of the St. John's Academic Freedom & Grievance (AF&G) Committee:

Dr. Steve Butt (Chair) gave a verbal report on the activities of the AF&G Committee, noting that the AF&G Committee remain as one of the most active MUNFA Committees. Dr. Butt noted that individual grievances deal with an ASM's rights and privileges being removed with individual remedies for these cases. Association Grievances deal with policy issues when MUNFA believes there are problems with how the Collective Agreement is interpreted and the remedy will benefit all ASMs. Dr. Butt provided AF&G statistics on grievances and queries received during the previous six months. Dr. Butt also gave a synopsis of cases that the Committee are currently dealing with including issues on Tri-Council funding, allegations of gross misconduct, PDTER, journal submissions, leaves and child care. Dr. Butt outlined the grievance process and noted that summaries of resolved cases, with identifying markers removed, are available on the MUNFA website. MUNFA also issues Information Bulletins when an Association Grievance or an arbitration hearing results in important messages to be communicated and lessons are to be learned. Dr. Whitaker advised that MUNFA is interested in hearing from our Member's and welcomed any ideas that ASMs may wish to offer.

Dr. Butt reported that the AF&G Triennial Review Committee have started work on reviewing the AF&G files from 2014 – 2018. Dr. Gary Paterno noted that any comments or suggestions are welcome in order for the Triennial Review Committee to optimize the work.

B) Report of the Grenfell Campus AF&G Committee: Dr. Robert Scott (Chair) gave a verbal report from the Grenfell Committee noting that Grenfell currently are dealing Association Grievances in relation to increase of parking fees, the denial of banner access to contract staff and library cuts. The issue of the Childcare center at Grenfell also remains outstanding. Grenfell also has three (3) new Individual Grievances since October 2017. Grenfell AF&G receives a lot of queries that do not move to grievances as these issues are usually resolved at the Grenfell Joint Association University Relations Committee meetings. Dr. Scott thanked A. Wadden (Grievance & Policy Officer) and noted that she has been a great service for the Grenfell Committee. Dr. Whitaker reported that she intends to visit Grenfell in the Fall semester.

C) Joint Association/University Relations Committee (JAURC): (1) St. John's Campus: Dr. Jon Church (MUNFA Vice-President) gave an oral report on the activities of the JAURC. The Committee is mandated by Article 1 of the Collective Agreement and the purpose is to review matters and foster communication and cooperation by both Parties with an attempt to keep the issues from becoming a grievance. If there is no resolution through the JAURC meetings, MUNFA can file a grievance. The Committee meet every two months, and the minutes are recorded. Dr. Church noted the current issues being discussed at the JAURC meetings are: health and safety issues for pedestrians with regards to the proposed round abouts, off campus use of equipment, issues with the Blundon Centre.

11. MUNFA Committee Reports

A) MUNFA Pension Committee Report: Dr. Ken Snelgrove, Chair of the MUNFA Pension Committee, presented a written and verbal report, providing an extensive overview of the Pension plan and outlining the issues surrounding the on-going discussions with other Unions on campus and the Administration regarding the move to a Joint Sponsorship Pension Plan, as requested by the Provincial Government in 2015. The main issue remains how the University will address the unfunded liability and whether the Provincial Government will assist with the unfunded liability.

The Performance Review Sub-Committee and Board of Regents oversaw the replacement of the international equities fund manager with a group of three new managers, due to the continued under performance of the fund.

Dr. Snelgrove reported that the MUNFA Pension Committee meet on a regular basis to provide updates and feedback on the Joint Sponsorship Agreement. A discussion was held with regards to when the plan will be presented to the membership and if a vote will take place on the issue. Dr. Whitaker stressed the value of receiving feedback from the MUNFA membership.

B) MUNFA Economic Benefits Report

The written report of the MUNFA Economic Benefits Committee was distributed to the membership. The committee noted that Dr. Jean Snook, who was a member of the Benefits Committee for approximately 30 years, has retired. MUNFA will be presenting Dr. Snook with the CAUT Dedicated Service award in appreciation for her many years of service and contributions to the Association.

C) MUNFA Scholarship Trust Fund

Dr. Whitaker reported that the MUNFA Scholarship Trust Fund Committee awarded six (6) students with a $2500.00 scholarship for the 2018-2019 Academic Year.

D) Occupational Health & Safety Report: Dr. Alan Hall is one of the MUNFA representatives on the MUN Occupational Health & Safety (OHS) Committee. Dr. Hall gave a verbal report on the activities on the OHS Committee noting that this committee is limited in action to resolve issues. Dr. Hall suggested that a working group be developed to take on a more proactive role. The next meeting of the MUN OHS Committee is May 7, 2018 and the focus will be on workplace stress and harassment.

E) Status of Collective Bargaining: Dr. Jon Church (Chief Negotiator) provided a verbal report of the on-going collective bargaining negotiations with the University Administration. Dr. Church noted that the University have been slow responding to MUNFA's proposed language and when a response is received, our proposals have been

denied. The MUNFA Negotiating team will continue to update the membership through the Negotiating News communications. Dr. Church provided an overview of the negotiating and conciliation process. A series of question and answers followed Dr. Church's report.

12. Other Business

There was no other business.

13. Adjournment

(E18:004) MOVED (J. Church/S. Savas) that the General Meeting adjourn.

MOTION CARRIED

Meeting Adjourned at 12:30 p.m.

Dr. Robin Whitaker
President, MUNFA

Date

Evaluation Committee Report for the MUNFA Academic Freedom and Grievance Committee

In St. John's for the Period January 1, 2014 – December 31, 2017

Mandate, Personnel, Procedure

The Terms of Reference of the St. John's Academic Freedom and Grievance Committee (AF&G) call for a major review of the Committee to be conducted every three years, by an evaluation committee of no fewer than three MUNFA members who have had no connection with the AF&G in the previous five years. This committee's report is to be circulated to the membership and discussed at a General meeting of the Association. It is understood that the purpose of the review is to provide accountability for the operations of the AF&G, since it has arms-length status in relation to the Association's Executive Committee.

The present report covers four years, from 2014 to 2017, since this committee was not established until early 2018, first meeting on March 21. Appropriately, four members were appointed, since there were four years rather than three to review: Chris Dennis, Greg Harris, Sherrie Myers and Gary Paterno.

Our investigation had four input components: a call for comment from the membership of the Association, which was circulated on April 11; Interviews held on May 18 with the Chairperson of AF&G, The Executive Committee Liaison Person with the AF&G (also a previous chairperson of the Committee), the MUNFA Grievance and Policy Officer, and the Association Legal Counsel; statistical and historical data regarding AF&G which were provided by the MUNFA office; and a review of the grievance files for the period under review, defined as those grievances that were initiated during the period under review. The review of the files was accomplished in spring and summer of 2018. Findings from these sources were also compared with the findings and recommendations of the previous Evaluation Committee, which had reported on the years 2010 to 2013.

Comment from the Membership

In all, six members responded to the call for Comment, with seven responses, as one member e-mailed us twice. Most of the views expressed were favourable, some in quite strong terms, including comments such as "exceptional level of personal and professional commitment", and "a faultless experience". Two of the seven involved issues which called for Association Grievances, in which the final responsibility lay with the Executive Committee of the Association and not with AF&G. One of these two messages suggested clarification of the relationship and responsibility between the two. Others suggested attention to University policies regarding conflict of interest and discrimination as they impacted on individual cases.

Overview of Findings

Comparison with the previous review report is particularly apposite in this review, because the last four years have been a period of substantial change in the Association, particularly regarding

the AF&G. This applies both internally to the Association's personnel and organisation, and, more recently, to the external environment in which it operates. It needs to be said that the internal changes have been in our view very much for the better. In general we are more than entirely satisfied that the operations of AF&G have been effective and professional, and have improved upon an already high level of competence and integrity in accomplishing its goals.

Changes since the Previous Report

The most important change has been internal: the response to the recommendation of the previous review, that the complement of staff resources be increased. The period now under review has seen two of the three original staff members at the beginning of the review period retired, and the staff complement go through an evolution of both personnel and organisation, to a present complement of five, with redefined roles. This increase in staff resources has enabled a specialisation in serving AF&G in several areas which has contributed to a much more efficient operation of the committee itself, relieving its members of numerous administrative tasks which they had previously needed to oversee, and, in our view, creating a higher quality of service.

The three new staff roles directly affecting AF&G are, respectively, the Grievance and Policy Officer, the Association Legal Counsel, and the Membership and Administrative Coordinator. The newly defined role of Office Manager also functions to ease the administrative burden of the AF&G. Together with a larger complement, the Association has gone beyond the original recommendation and hired staff members with stronger professional qualifications. This has been a significant advance, since it has made possible more detailed and organised operations of AF&G, and in addition to simple workload relief has created a strong reservoir of professional expertise for the committee to draw on. Having an in-house legal counsel has proven especially advantageous for the management of grievances that go to arbitration.

One change in the external environment has been an increase in the overall numbers of grievances initiated in the most recent year, 2017, both on behalf of individuals and by the Association in defence of the terms of the Collective Agreement. The totals of individual grievances initiated in the years 2014 to 2017 were 14,19,15 and 24 respectively, of Association grievances 16, 13, 13, and 26. This has placed a heavier workload on all, but in particular it has tended to be focussed on the role of the Grievance and Policy Officer, as the usual first contact for grievers. This staff member has also taken on the role of Liaison with the Grenfell Campus AF&G Committee. So far, that has all been manageable, but the Association might do well to monitor the stress placed on that position going forward.

Succession

The previous report also expressed concern over succession of the volunteer members of the AF&G, since the committee has ever fewer well-experienced members as people retire or step down after lengthy service. This jeopardises the fund of historical knowledge, since the work of the committee is such that it takes several years to acquire the necessary experience. While we have observed considerable progress in this direction, it is not complete, and concerns with recruitment remain. The longest-serving and most capable members are now fewer in number than at the last report, and one at least is actually a retiree. In particular, some of us noted a level

of strategic thinking by these most experienced people which has been a significant strength of the Committee; it has not yet had the chance to develop in their more inexperienced colleagues. There are more members rising to a middle level of experience, but the conditions mentioned above are such that a larger complement of members are needed, and members need to be prepared to serve long enough to develop the necessary experience. The Executive of the Association is addressing this long-term challenge on the recruitment side by attempting to recruit a larger Committee, and appointing two co-chairs. These measures are intended both to increase the fund of expertise, and to make the workload manageable. We believe this intent is highly appropriate, and encourage the effort.

The other side of succession is the need for training of all members of the Committee on an ongoing basis, but especially of those who are new to AF&G. At present this consists primarily of oral history and shadowing of more senior members, with occasional workshops provided by organisations such as the CAUT. Given the demographic situation within the Committee, we felt that training should be expanded both in means and in scope. In our interviews and discussions with volunteer members and staff, concepts such as "boot camps", information sessions, and training workshops from the CAUT and other sources were suggested and discussed.

Records

The grievance files examined by the Evaluation Committee were of considerable interest and revelatory of the variety of concerns which come before the AF&G. We found that they have been maintained with care and completeness, and with a consistency that the nature of the materials does not always make easy. These findings are at variance with those of the previous review, but our sense is that it is the nature of the materials themselves that create the impression of difficulty. Some small improvements in filing order and completeness are indeed evident over the period under review, but successive evaluation committees have found them a slog over the years. Nevertheless, they are a vital component in sustaining the level of competence and experience necessary for the AF&G to sustain a high level of service and accountability over time. The changes we have noted in the personnel of the Committee make this doubly important, as the files become more and more an essential source of the knowledge that new members (and old) require to carry out their work. These changes illustrate the truth that over time people's experience cannot be depended on as the principal repository of institutional memory.

Several additional measures have been suggested to enhance the usability, and hence the value, of these files. The review four years ago suggested digital grievance software, file summaries, and streamlining of the filing order; other ideas came out of our interviews. LabourWare, a grievance management software, was tried but not found acceptable due to privacy concerns. However, the current GPO has begun building a more straightforward digital file on Excel, which looks like being amenable to an expansion of its function to deal with several of the issues we have identified. The issue of a case summary for each file going forward might be managed by choosing data for the file that could be printed for insertion in the file. If that same file were searchable, it could be an important addition to institutional memory, that would aid AF&G members of any level of experience, and a teaching tool for training purposes. It also would streamline the reading of the files, allowing those doing so to decide what level of detail they needed to see. A proposed further addition to the file was a consent form for a member to fill out when a grievance is filed, requesting consent for a possible later access to and review of the file

by a triennial review committee. It was also suggested that the Association might provide dedicated individual personal computers to AF&G members.

Another issue we perceived with record-keeping relates to inquiries, rather than the grievances which may follow them. The Evaluation Committee received statistical information about how many of these were received, but it would be useful for a broader understanding of the AF&G's operations if there were a little more detail on how these inquiries evolved; for example, which went to grievances, and what the fate of the others was. As in much of the foregoing, we are conscious that this would affect staff workload, so acting on these suggestions would need to be done with caution.

Policies

There were suggestions made in our interviews for policy formulations on a few specific issues. One was some formalisation of the "policy" part of the Grievance and Policy Officer's role, since the present incumbent finds that the greatest part of the business of the officer is taken up with grievance work, which is by its nature more concrete. Another is that a policy could be written to regulate the circumstances in which the Legal Counsel attends AF&G meetings, since there are possible issues relating to conflict and the advantages of putting advice in writing.

Other Issues

The previous review also expressed a concern about communications by AF&G with the general membership of the Association, that the Committee should be doing more in this regard, and it recommended that the Committee and the Executive prepare regular bulletins for the membership. Since then, of course, the Association's reorganisation and expansion of staff has provided it with the role of the Membership and Administrative Coordinator, a part of whose responsibility is for matters relating to communications with the membership. The creation of this position was in response to broader requirements perceived by the Executive than simply making the membership more aware of AF&G, but its work and close communication with the AF&G enables it to receive information from the Committee for informing the membership, and, we believe, covers the need the previous review identified.

Our interviews also revealed a concern for some interviewees about policies regarding matters such as conflict of interest and conflict between bargaining unit members as they relate to the management of grievances. There is also in practice an understanding that the legal counsel attends Executive and AF&G meetings sparingly, only if requested or required, and that legal opinions should be primarily in written form. Written policies to make practice explicit and to clarify details regarding these kinds of issues were felt to be useful.

It was noted from the files that difficulties in ensuring assistance and fairness arise in cases regarding MUNFA members who have left the University; a mechanism for obtaining feedback for the Committee from these people could add an important perspective from those fired or denied tenure.

Recommendations

As noted above, our overall findings regarding the performance of the AF&G are very strongly positive. Nevertheless, we see some areas to which efforts at improvement can be, and in some cases are already, directed. Accordingly, we recommend the following:

1. Efforts to preserve and enhance institutional memory in regard to AF&G's function and expertise should have priority in operations and in further organisational changes. This should relate to the following:

a. Increased recruitment of additional members to AF&G.

b. The Executive and the Committee should actively consider expanding the extent, role and variety of training efforts for AF&G members. In addition to oral history and shadowing efforts which are already institutionalised, we would suggest increased recourse to the training resources offered by the CAUT and other such bodies, and that thought be given to organising more in-house events and formal mechanisms to improve and entrench knowledge and experience gained.

c. Some improvements should be made to the case files to make them more accessible for reference, not only for review committees, but also for AF&G members who will need information on precedents and other forms of prior experience. This should include a case file summary for each instance. We recognise that this will inevitably create extra workload for staff, and therefore it should be ongoing only; retrospective revision would require significant resources.

d. The digitisation efforts undertaken by the current Grievance and Policy Officer should be continued and expanded if that is feasible. One high priority objective should be searchability, and another organising the digital file to permit its being printed out as a case summary for the paper file.

2. Communication efforts, to the membership, of AF&G-related matters and information should be continued and expanded, and they should be focussed through the Executive Committee. Now that the Association has staff resources to assist in the communications function, this should not be among the direct responsibilities of the AF&G.

3. Although we must reiterate that right now and over the period under review there has been a great improvement over an already superior performance, there should be continued monitoring of the workload and responsibilities of each staff member serving AF&G, to ensure and preserve the equitability and continued superior function of the whole operation.

4. The Executive, with advice from AF&G, should give consideration to the development and articulation of policies concerning various issues: the relationship of the Legal Counsel to the Committee and attendance at meetings; and the handling of conflicts of interest in grievance matters and of conflicts between members. A consent form for grievers might be considered to enable selective access to the grievance file by future review committees.

5. The Executive should also give consideration to how the "policy" aspect of the Grievance and Policy Officer's role could be formalised and utilised, with due regard to the workload already borne by that staff member.

Chris Dennis (Chair)

Gregory Harris

Sherrie Myers

Gary Paterno

MUNFA
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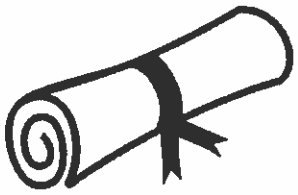

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