

MUNFA 2017 Year-End Report

The MUNFA Executive offers this outline of our activities over the past year and plans for 2018.

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The Big Picture

MUNFA's central work - protecting and promoting Academic Staff Members' interests - is inseparable from the defense of Memorial's vital role in delivering higher education and research in this province. This year has kept us busy on many fronts. Alongside faculty associations across the country, we have continued to push back against the increasing commercialization and corporatization of the academy. That model inevitably proliferates bureaucracy and administration in ways that can only be damaging to true collegiality.

As we enter collective bargaining here at Memorial, we take heart from the recent victories of other faculty unions across the country: Manitoba, Wilfred Laurier, Acadia and Laurentian have all challenged the corporate agenda in their universities and won at the bargaining table. In the coming months, we will need MUNFA members' support and solidarity in our fight to defend and enhance our working conditions, which are inseparable from our ability to carry out our core activities of teaching and research in conditions of academic freedom.

University Budget

MUNFA was dismayed by the public mudslinging this past spring between senior administrators and provincial government ministers. At the time, MUNFA urged both parties to set aside their differences and focus on what really matters: safeguarding Memorial's position as a flagship public institution of higher education. Government must put an end to the extremes of austerity budgeting that saw the Province cut funding to post-secondary education by 21% over the past 6 years. MUN's senior administration must publicly defend the university and prioritize the core activities of research and teaching in its decisions about resource-allocation. We have been particularly critical of wasteful spending on such trappings of corporate culture as the excessive growth of administrative positions and administrative salaries, and the diversion of university funds to pay corporate headhunting firms for administrative searches.

Also see:

<http://theindependent.ca/2017/05/18/seize-back-our-university/>

<http://munfa.ca/from-the-core-mission-to-corporatization/>

<http://higheredstrategy.com/provincial-budgets-2017/>

Collective Bargaining

In preparation for bargaining, MUNFA struck a proposals committee of 12 members from across the university. Over the spring and summer, this committee thoroughly reviewed the Collective Agreement, including all suggestions from our members. The resulting proposals are available on the MUNFA website along with the names of our Negotiating Committee members. MUNFA gave notice of our intent to enter collective bargaining on July 7. The University was slow to respond, but after some encouragement from MUNFA, agreed to get the process underway.

MUNFA is particularly determined to use this bargaining round to make substantive gains in Collective Agreement provisions that would support **equity**.

Also see:

<http://munfa.ca/munfas-bargaining-position-equity-first/>

The first formal negotiating session took place on December 12. Expect regular updates through Negotiating News.

Decision-Making at Memorial

MUNFA has pressed hard for reform of the Board of Regents. The resignation of MUN Student Union representative Brittany Lennox last year revealed major problems with the Board's structure and operation. In addition to unwarranted secrecy, we are particularly concerned that, as university employees, Academic Staff are forbidden from sitting as Regents, a situation that contributed to MUN's being ranked last among Canadian universities on governance issues (*CAUT Bulletin* March 2017). Compounding the exclusion of MUN's teachers and researchers from the university's top decision-making body, applicants with a background in business and corporate management appear to be a key target pool for Regents. We also have serious concerns about whether Senate is truly working in the spirit of academic collegiality. We do not think this situation is in Memorial's best interest and will continue to push for more balanced university government, including through submissions to the relevant provincial ministers and the *ad hoc* Sub-Committee of the Governance Committee, which is considering reform of Board Composition.

Also see:

<http://munfa.ca/munfa-urges-university-province-to-reform-board-of-regents/>

<http://munfa.ca/media-release-munfa-challenges-board-of-regents-review-process/>

Pensions & Benefits

The provincial government has ordered Memorial to restructure its pension plan and has announced the government's intention to replace the government guarantee with a Joint Sponsorship arrangement. This arrangement relieves the government of all future risk while transferring half the risk directly to active plan members. The MUNFA Executive takes its fiduciary responsibilities in this area very seriously. As we prepare to enter negotiations with the other partners in the pension plan, we are looking at all possible arrangements, with a view to finding the best outcome for MUNFA members. To that end, we have retained an excellent pensions lawyer with extensive experience in faculty pension plans. We are also getting expert analysis of the particular pension and benefits needs of MUNFA members. Stay tuned: As the process develops, we will be providing updates and asking for input.

Grievances & Arbitrations

MUNFA has been extraordinarily active in defending members' rights through grievances and arbitrations. So far this year, we have filed 23 individual grievances and 24 Association grievances. We have also responded to over 130 queries from our members, helping them get appropriate accommodations from the employer when they need them and supporting members in such areas as Promotion & Tenure, responses to ATTIPA requests, and allegations or investigations of gross misconduct.

Our grievances have addressed such issues as erosions to academic support services; the University's broken promise to provide childcare facilities at Grenfell; the University's assignment of work to Teaching Term faculty beyond their contracts; and the unreasonable expansion of Conflict of Interest policy. The use of Conflict of Interest to police ASMs' activities reflects wider threats to collegial consultation, peer review, and academic freedom that are also playing out, for example, in certain academic searches and in the integration of departments in HSS. On the unfair assignment of work to our contract colleagues: this is one of several ways we are fighting to improve these members' working conditions, which also include pursuing these concerns through Collective Bargaining and the creation of a designated spot on the MUNFA executive for a contractual ASM (see below).

Turning to successes: MUNFA has resolved several key grievances over the last year. These include winning a very important arbitration in which an ASM's academic freedom was violated in respect to teaching, and securing agreement that the University will recognize ASMs' supervisory work in the Interdisciplinary PhD program.

MUNFA's Legal Counsel recently assisted an ASM who was subjected to a request under ATIPPA, the provincial legislation governing Access to Information and Protection of Privacy. The ASM was asked to turn over records that were located on her computer at Memorial and the computers of her students and laboratory staff. These documents pertained to the ASM's duties with a professional society and were ultimately found not to be in the custody and control of the University. This case – which distinguishes physical location from legal custody and control – is so important to the interpretation of "custody and control" in the academic context that it was the subject of an article in the November 2017 issue of the Education Law Reporter.

Also see:

<http://munfa.ca/atippa-requests-for-asm-records-custody-and-control/>

<https://www.canlii.org/en/nl/nlipc/doc/2017/2017canlii53403/2017canlii53403.html>

Intellectual Property & Research Issues

The University has proposed significant changes to IP policies at MUN, notably the introduction of creator-owned IP. This should ultimately simplify IP issues and benefit our members. However, the union has identified a number of concerns with the draft policy. We have been working with an IP lawyer to ensure that these concerns are resolved to the benefit of our members, ultimately through new Collective Agreement language. We continue to hear from our members that MUN bureaucracy often hinders rather than helps their research efforts – a problem we continue to address through grievances and arbitration and our general efforts to educate the administration at Joint meetings with the University.

Get Science Right

MUNFA supports the Canadian Association of University Teachers' Get Science Right campaign, which calls on the federal government to adopt the full recommendations of the Naylor report on strengthening Canadian research. The report's key recommendation is for Canada to increase funding for investigator-led research across all Tri-Council disciplines by \$1.3 billion over 4 years. Importantly, Naylor calls for a shift away from so-called priority-driven research, typified by politically-driven schemes such as the Canada 150 Chairs, and back to investigator-led projects. MUNFA contributed to the lobbying efforts at CAUT's Parliament Hill Day in November. We will seek meetings with our own MPs in the coming weeks.

Also see:

<http://munfa.ca/advocating-for-fundamental-research-call-for-support/>

Making MUNFA stronger

MUNFA has responded to the new challenges and issues facing our members by making a number of changes to the way we operate. For example, the decision to take on a full-time Legal Counsel has been invaluable in allowing us to prepare for arbitrations in-house, rather than hiring outside counsel, and providing a ready source of advice to members confronted by ever-more complex issues, including *ATTIPA* requests. MUNFA has become more proactive, for example, with media releases, *ATTIPA* requests of our own, surveys of our members, and coalitions with other unions. For example, MUNFA remains actively involved in *Common Front NL*, which will be launching two new campaigns in the coming months, and we also participate in a campus coalition of unions. In the last six months, MUNFA hired a new Membership and Communications Officer, who is working with the Communications subcommittee of the MUNFA Executive to keep our members updated on our work, develop campaigns, and foster connections with MUNFA allies. Finally, MUNFA's last General Meeting approved changes to the MUNFA Executive Committee. These include longer terms for some Executive positions (previously, all positions were for a one-year term), staggered terms for Executive members, and reorganization of our officers to enable better handling of the increased workload and the increased learning time needed to deal with the plethora of issues facing the union, as well as to aid with succession planning.

Also see:

<http://munfa.ca/contact-us/>