

To: All MUNFA Members  
From: The MUNFA Executive Committee  
Date: January 21, 2015  
Subject: Research support services - Office of the Vice-President (Research), Intellectual Property (IP) rights

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MUNFA has become increasingly concerned about the research support services available to Academic Staff Members (ASMs) at Memorial University (MUN) through the Office of the Vice-President (Research), and the impact of those services on the research and careers of our members. MUNFA has also noted an onerous shift by the administration from accepting creator-owned IP to wanting institution-owned IP rights. However, MUNFA is only made aware of these issues if you, our members, bring them to our attention. **If you have had issues with the research administration arm of MUN, or have been forced to consider signing away your IP rights, or copyright and royalties, please contact the MUNFA Office at [munfa@mun.ca](mailto:munfa@mun.ca) or 864-8642.**

Beginning in the summer of 2013, MUNFA has been collecting complaints from ASMs concerning the variety of services within the portfolio of the Vice-President (Research). Complaints ranged from delays, often to the point of causing the collapse of research collaborations and loss of funding, to embargoed technology transfers, to the demand for unreasonable and high indirect cost recovery from external organizations, and finally, to coercion, disrespectful conduct, and harassment (see <http://www.mun.ca/munfa/IB/2013-14/ib131427.pdf>). MUNFA filed an Association grievance based on these complaints in April, 2014. Finally, nine (9) months after our complaint the Administration has agreed on the date for the Step 2 grievance meeting.

On October 31, 2014, MUNFA advised that Research Grant & Contract Services (RGCS) was requiring ASMs sign a Researcher Participation Agreement (RPA) before grant or contract funds would be released to the researcher, and that such an agreement forced the ASM to relinquish all IP rights to MUN into perpetuity (see <http://www.mun.ca/munfa/IB/2014-15/ib141510.pdf>). MUNFA filed an Association grievance based on these RPAs, almost simultaneous to the distribution of the Information Bulletin. The Administration has not responded to our request for a Step 2 grievance meeting.

Since then, it appears that MUN is insisting on a RPA-like agreement for apparently any grant or contract (including Tri-Council grants, RDC funds, Mitacs grants, etc.); whenever, there is third party involvement (e.g. multi-national corporations, government agencies, arts product developers, businesses providing student intern opportunities, etc...) even if the third party is only providing in-kind support. All these Memorial-specific agreements requires that ASMs surrender their IP rights to MUN, or share copyright and royalties with MUN where such sharing is either unwarranted, or are in violation of Article 27 of the Collective Agreement (CA), or both.

ASMs have also raised concerns to us about the School of Graduate Studies (SGS) and Senate policies on IP and how they relate to students. We raised this issue during collective bargaining, and made little headway on getting the Administration to understand our Members' concerns. Since then, SGS has replaced their policy with "guidelines" and we have some hope that your concerns will be addressed. Nonetheless, the Senate policy remains, in contravention of Article 27 in the CA. MUNFA filed an Association grievance in February of 2014. To date, MUN has not replied, and no date for a meeting of the parties has been scheduled.

MUNFA views these issues as serious and pernicious, and constitute a growing reduction of our members' independence as university researchers, and a significant erosion of academic freedom. MUNFA will continue to fight for our members' rights and privileges under the CA, and for an employer that truly facilitates, promotes curiosity- and hypothesis-driven research, and fosters the creation and growth of technology transfer that respects the rights of the creator(s) of that work.