

The Academic Grievance CAUT Forum for Senior Grievance Officers

Friday, 13 December and Saturday, 14 December 2019
Marriott Ottawa Hotel, 100 Kent Street

Forum Overview

The academic workplace is uniquely characterized by academic freedom, collegial governance, and the job processes and protections associated with peer-based determinations of promotion and tenure. Through presentations, plenary discussions, and small group sessions, the 2019 CAUT Forum for Senior Grievance Officers will explore recent and longstanding issues associated with the distinct aspects of academic staff employment.

Agenda

Friday, 13 December

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| 08:00 – 09:00 | Breakfast <i>(provided)</i>
Registration |
| 09:00 – 09:30 | Territorial Acknowledgement, Welcome, Forum Overview, and Introductions |
| 09:30 – 10:00 | Session One — The Academic Workplace
An overview of the unique nature of the academic workplace and the particular challenges it presents to grievance officers. |
| 10:00 – 11:00 | Session Two — Academic Freedom and Intramural Speech
Employees have a duty of workplace loyalty, including an expectation that they will not openly criticize the employer. Academic freedom, however, has at its core the principle that academic staff can criticize the institution at which they work, and various players within it. This session will review the law respecting academic freedom and intramural speech, provide an update on recent jurisprudence, and suggest a path forward to a more robust recognition of the unique nature of academia. |
| 11:00 – 11:15 | Refreshment Break |
| 11:15 – 12:30 | Session Three — Academic Freedom and Extramural Speech
Academic freedom includes the right to expound unpopular ideas and criticize institutions and individuals in the broader community. When members exercising these rights face a backlash, how best can grievance officers represent the member under attack and defend the academic freedom rights our institutions are built upon? |
| 12:30 – 13:30 | Lunch <i>(provided)</i> |

- 13:30 – 15:00 **Session Four — Defending Collegial Governance**
Compared to other workplaces, academic staff have traditionally played a significant role in workplace decision-making. With corporate models of hierarchical rule threatening this practice, how are associations using grievance arbitration to assert and protect the role of academic staff in institutional governance?
- 15:00 – 16:00 **Session Five — Small Group Discussion** (refreshments in rooms)
Participants divide into small groups and discuss the manner in which the unique nature of academic workplaces affects their work as grievance officers.
- 16:00 – 17:30 **Session Six — Tenure Cases**
The job security provided by tenure is an important foundation for academic freedom, making skill in handling tenure-related cases a core competency for grievance officers. Three colleagues review recent tenure cases at their institutions, drawing out lessons applicable in a national context.
- 17:30 – 19:00 **Reception**

Saturday, 14 December

- 08:00 – 09:00 **Breakfast** *(provided)*
- 09:00 – 10:30 **Session Seven – Broader Developments in Labour Law**
A review of recent grievance arbitration awards, labour board rulings, and labour-related court decisions.
- 10:30 – 10:45 **Refreshment Break**
- 10:45 – 12:00 **Session Eight — Precarity in the Academic Workplace**
Contract academic staff and members in the probationary stages of tenure face, by the very nature of their appointments, diminished job security and a lesser ability to exercise academic freedom rights. What steps can grievance officers take to prevent the exclusion of these academic staff from our profession's traditional rights?
- 12:00 – 13:30 **Lunch** *(provided)*
- 13:30 – 15:00 **Session Nine — Academic Freedom in Diverse Contexts**
Academic freedom provides a range of protections for faculty and librarians, including asserting custody or control of work-generated materials, protecting against overbroad freedom of information applications, establishing ownership of intellectual property, and limiting the intrusive reach of institutional email, internet and communications policies. Session nine will explore these, and other iterations of academic freedom.
- 15:00 – 15:15 **Refreshment Break**
- 15:15 – 16:15 **Session Ten — Academic Misconduct**
Academic staff face great pressure in a highly competitive environment to produce research results. Under intense scrutiny from peers, employers and

fundings, and governed by a complex legal and definitional framework, esoteric discipline-based custom and practice, and granting council policy – things can go wrong. From disputes over authorship, to plagiarism, and outright fraud, this session will explore the challenges confronting grievance officers in representing and defending members on academic misconduct charges.

16:15 – 17:15

Session Eleven – Open Plenary

Issues you want to raise that are not on the agenda. This is an opportunity to flag emerging concerns and suggest topics for next year's workshop.

17:15 – 17:30

Wrap-Up and Concluding Remarks