



Canadian Association of University Teachers
Association canadienne des professeurs et professeurs d'université

Memorandum 20:39

Date: August 6, 2020

To: Presidents and Administrative Officers
Local, Federated and Provincial Associations

From: David Robinson, Executive Director

Re: **Ten Actions to Advance Equity During COVID-19**

The COVID-19 pandemic has amplified inequities in the academic workplace. For example:

- Women, racialized and Indigenous academic staff are most vulnerable to course cancellations, job loss, hiring freezes and tenure and promotion delays as they are over-represented among precarious workers and in lower ranks;¹
- Academic staff with disabilities may struggle more with the rapid transition to remote teaching;
- Gender inequality in caregiving has had a disproportionately negative impact on women's teaching, research and service;²
- Mental health problems such as anxiety have increased among academic staff³ and have a disproportionate impact on those with pre-COVID-19 conditions; and,
- Racialized academic staff, such as those of East Asian descent, may be experiencing heightened levels of racism⁴ as a result of the pandemic and as a backlash to the global uprising following the murder of George Floyd in the United States.

Emergency planning and procedures should not undermine the need for our workplaces to be diverse, equitable and inclusive. Ensuring these goals are not put aside during the crisis will result in better emergency responses. It will also make it easier to continue advancing equity as institutions transition out of the crisis.

1. *Underrepresented and Underpaid: Diversity and Equity of Post-Secondary Teachers in Canada*. CAUT, April 2018. https://www.caut.ca/sites/default/files/caut_equity_report_2018-04final.pdf.

2. Viglione, Giuliana, *Are women publishing less during the pandemic? Here's what the data say*, Nature, May 20, 2020. Accessed online: <https://www.nature.com/articles/d41586-020-01294-9>.

3. *CAUT Survey of COVID-19 impacts on academic staff*. CAUT, 2020.

4. Leach, Jessica. *From SARS to COVID-19: Putting the spotlight on anti-Asian racism*, Ryerson Today, May 14, 2020. Accessed online: <https://www.ryerson.ca/news-events/news/2020/05/from-sars-to-covid-19-putting-the-spotlight-on-anti-asian-racism/>.

To help address equity issues on campus exacerbated by COVID-19, CAUT offers the following suggestions to member associations:

1. Create or engage equity committees and communities within your association to identify issues and advise on solutions.

Whereas everyone is affected by the pandemic, not everyone is affected equally. Similarly, pandemic-related policy or practice changes have differential impacts. With the public health emergency limiting face-to-face engagement, academic staff associations should find ways to hear from various communities of members. Associations should ensure that membership surveys request members to self-identify. Results should be disaggregated while protecting privacy. Town halls or forums can also be held for members and particular communities of members. Standing or ad hoc committees and/or caucuses of Indigenous and equity-seeking members should guide this work of listening and advising on equity issues.

2. Develop a COVID-19 equity lens.

Associations should develop an equity lens to help ask questions, challenge assumptions and identify potential impacts of policies, programs and initiatives, that take into account the diversity of the membership. Whereas gender-based analysis is perhaps more common, it is important to recognize how the race and intersecting identity factors of individuals and groups influence how people experience policy changes and cost-cutting measures.⁵ It is critical that pandemic and recovery plans are developed with an equity lens. A COVID-19 equity lens will help ensure that equity plans that may have existed before the pandemic are not shelved or stalled but strengthened.

3. Advocate for supports and assist members to secure reasonable accommodations for caregiving responsibilities associated with the pandemic.

Human rights law in Canada prevents discrimination on the basis of family status, and requires that employers provide reasonable accommodation. For example, the *Ontario Human Rights Commission* has issued the following statement on the current situation: An employee who has care-giving responsibilities should be accommodated to the point of undue hardship, which might include staying home. These care-giving responsibilities which relate to the *Code* ground of family status could include situations where another family member is ill or in self-isolation, or where their child's school is closed due to COVID-19.

Supports for those with caregiving responsibilities could include access to or funding for child care, reduced or deferred teaching load, smaller class sizes, additional teaching assistantships, and deferral of tenure and promotion deadlines.

4. Advocate for additional funding and supports for accommodation for members with disabilities.

Members with disabilities and neurodivergent members may need extra assistance with remote teaching. Academic staff associations should seek extra funding and staff supports, such as learning and teaching resources, adaptive technologies, and more teaching assistants.

To put pressure on the administration to accelerate accommodation request approvals, it should be agreed that a member can take partial or full leave with pay while waiting for approval of an accommodation request.

5. Johnstone, Rachael and Bessma Momani, *A GBA+ case for understanding the impact of COVID-19*, Policy Options, June 9, 2020. Accessed online: <https://policyoptions.irpp.org/magazines/june-2020/a-gba-case-for-understanding-the-impact-of-covid-19/>.

5. Find ways to help de-stigmatize mental health and other disabilities to support academic staff to come forward with the need for accommodation.

Identifying with a disability, particularly with mental health problems or illnesses, is challenging in an employment context. This is especially true for contract academic staff and pre-tenure members because of their precarious status. Although it is illegal to discriminate on the basis of a disability, discrimination can be invisible if it is structural, or go unreported. It is important for academic staff associations to remind members and the administration about the process for seeking accommodation, and to let members know that the association will work to ensure that no discrimination occurs.

6. Press for additional compensation and job security for contract academic staff.

Research shows that Indigenous and equity-seeking members of the academy are more likely to be working part-time or part-year. Remote teaching requires additional hours of course preparation. It is important to seek remuneration for course development and technology costs for contract academic staff (CAS) and to find ways to enhance job security.

CAS members may have collective agreement rights to continuing employment status between contracts. This provides an enforceable expectation of contract renewal based on renewal history, seniority rights, or the right of first refusal of contracts. An administrative decision not to renew a contract may be challenged and might, depending upon your collective agreement language, be subject to proof of financial distress or exigency. Academic staff associations should try to ensure that any eliminated CAS positions will be returned. Protocols should be in place to ensure that CAS are able to apply to teach the same courses once they become available again.

7. Negotiate or grieve to stop the use of student opinion surveys.

Student opinion surveys have been widely criticized as a poor and biased measurement of teaching effectiveness. CAUT policy is that the results of these surveys should not be used in decisions concerning tenure, renewal, promotion, and merit. The weaknesses in student opinion surveys are even more acute today, as the student experience has been adversely affected by the rapid transition from in-person to remote instruction in response to the COVID-19 pandemic. Some universities and colleges recognize this problem, and are not conducting student opinion surveys during the pandemic. Where surveys are proceeding, the results should be provided only to instructors for their personal use. Some associations have negotiated policies where surveys containing discriminatory, harassing, or otherwise inappropriate comments are removed and neither provided to the instructor nor included in any aggregated results.

8. Reconsider tenure and promotion timelines and criteria.⁶

Many academic staff associations have negotiated stop the clock agreements for tenure and promotion. This is critical, as COVID-19 has had an enormous impact on research, teaching and service. Previous studies on stop the clock policies however have shown that there may be gender differences in terms of the impact of these policies when caregiving is involved.⁷ It is therefore important to broaden the discussion of criteria used for tenure and promotion to more adequately recognize factors influencing different career paths in teaching, research, and service.

6. Htun, Mala, *Tenure and promotion after the pandemic*, Science, June 5, 2020. Accessed online: <https://science.sciencemag.org/content/368/6495/1075?>

7. Antecol, Heather, Kelly Bedard and Jenna Stearns, *Equal but Inequitable: Who Benefits from Gender-Neutral Tenure Clock Stopping Policies?*, American Economic Review, Vol. 108. No. 9, September 2018. Accessed online: <https://www.aeaweb.org/articles?id=10.1257/aer.20160613>.

9. Fight against lay-offs and hiring freezes.

In the wake of the COVID-19 pandemic, some universities and colleges have approached academic staff associations and other campus unions to discuss possible cost-cutting measures. Associations will need to analyze carefully the financial assumptions being made by the administration, while recognizing the situation remains very fluid.

Where bona fide financial difficulties can be demonstrated, associations will need to consider measures that have the most limited impact on members' rights, security of employment and equity goals. For example, most institutions have developed equity, diversity and inclusion plans in light of changes to the Canada Research Chairs program.⁸ As well, some associations have negotiated for specific hires of under-represented groups. These plans must not be put on hold, and all efforts must be made to avoid lay-offs and hiring freezes.

10. Press for the employer to collect and share demographic data on the campus community.

The impact of COVID-19 on the working lives of academic staff will differ by many factors, including identities. Demographic data should be collected on the workforce by race, gender, disability, Indigeneity, age, etcetera, to provide insights on who may be most impacted and to assist in making evidence-based decisions. Academic staff associations can assist in this process by raising awareness among members and encouraging them to self-identify as part of an employment systems review or workforce analysis.

Resources:

Letters of Understanding (LOU) / Joint Statements negotiated in response to COVID-19 on student evaluations, contract academic staff, tenure and promotion and more. Members' area of CAUT website: <https://www.caut.ca/content/covid-19-resources-member-associations>.

Memo 20:26 - Guidelines for Re-Opening Universities and Colleges. CAUT, May 13, 2020. Members' area of CAUT website:

https://www.caut.ca/sites/default/files/memo_2026_caut_guidelines_for_re-opening_canadas_universities_and_colleges_2020-05-13.pdf.

Memo 20:33 Dealing with Claims of Financial Distress and Exigency: Key Principles for Academic Staff Associations, CAUT. June 23, 2020. Members' area of CAUT website:

https://www.caut.ca/sites/default/files/memo_2033_dealing_with_claims_of_financial_distress_and_exigency_-_key_principles_for_academic_staff_associations_2020-06-23.pdf.

8. *Equity, Diversity and Inclusion Action Plan*, Canada Research Chairs Program, updated September 2018. Accessed online: https://www.chairs-chaires.gc.ca/program-programme/equity-equite/action_plan-plan_action-eng.aspx