



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



90th CAUT Council April 22-23, 2021 Policy Statements and Administrative Policies Review

RE: Procedures Regarding Amendments to CAUT Policy Statements and Administrative Policies

Considering the virtual format of Council and the need to ensure the completion of business within a limited time frame, the Elections and Resolutions Committee is requiring that any amendment to CAUT policy statements be received in advance. Delegates are asked to review the policies to be debated and submit any amendments they may have by **April 8, 2021** using the [Council Motion Sheet](#). Please note that amendments must be received by this deadline to facilitate translation. Amendments will not be accepted during the virtual Council meeting.

The following policy documents are being presented at the upcoming Council meeting under **Council Item 09. (a) Policy Statements and Administrative Policies**

- 09. (a)(i) Policy Statement on Outside Speakers and Campus Security Concerns (NEW)
- 09. (a)(ii) Policy Statement on Academic Staff with Mental Health Disabilities
- 09. (a)(iii) Administrative Procedures and Guidelines - Reimbursement of Delegates' Expenses for Council
- 09. (a)(iv) Administrative Procedures and Guidelines - Reimbursement of Expenses for Members of CAUT Committees
- 09. (a)(v) Administrative Procedures and Guidelines - Reimbursement of Participants' Expenses for CAUT Workshops

Memorandum

Re: Policy Statement on Outside Speakers and Campus Security Concerns

Date: March 23, 2021

To: CAUT Council

From: David Robinson, Executive Director

Council, through a motion passed at its November 2019 meeting, requested the development of a policy to address concerns about how the imposition of security costs around planned events could restrict free expression on campus. The Academic Freedom and Tenure Committee has drafted a new Policy Statement on Outside Speakers and Campus Security Concerns. At its meeting held February 19, 2021, the Executive Committee reviewed the statement and recommended that it be sent to Council for consideration.

To facilitate the discussion at Council, delegates are asked to review the statement and submit any comments or amendments to motions@caut.ca by April 8, 2021.

Policy Statement on Outside Speakers and Campus Security Concerns

As part of their educational mission, universities and colleges provide a forum for the expression of a wide variety of ideas and views. This includes allowing members of the campus community to invite outside speakers to campus. Universities and colleges should respect the choices of academic staff, students, and campus organizations who invite outside speakers they wish to hear. Some invited speakers may generate controversy and protest. Members of the campus community have a right to object to a speaker's views and to protest, so long as they do not prevent the speaker from being heard.

Administrations should not cancel events or rescind invitations to outside speakers unless there is clear, objective, and demonstrable evidence of imminent violence and danger, and when no other practical response is available.

Universities and colleges should not require the sponsors of outside speakers to bear security costs when they anticipate there might be an attempt by others to protest an event. The imposition of security costs should not be used as a device of censorship. Administrators should make every reasonable effort to ensure security conditions are in place so that outside speakers have an opportunity to express their views, and protestors can exercise their freedom of expression and freedom of assembly.

**New draft policy statement approved by
the CAUT Academic Freedom and Tenure Committee, January 2021.
New draft policy statement approved by
the CAUT Executive Committee, February 2021.**

Memorandum

Re: Policy Statement on Academic Staff with Mental Health Disabilities

Date: March 22, 2021

To: CAUT Council

From: Pat Armstrong and Momin Rahman, Co-Chairs

At its March 8, 2021 meeting, the CAUT Equity Committee reviewed the Policy Statement on Academic Staff with Mental Health Disabilities. The policy statement was reviewed again by CAUT legal staff considering concerns raised at the November 2020 Council meeting. Legal staff determined the policy statement is sufficient as is. The Committee therefore recommends no further changes.

To facilitate the discussion at Council, delegates are asked to review the statement and submit any comments or amendments to motions@caut.ca by April 8, 2021.

Policy Statement on Academic Staff with Mental Health Disabilities

Mental health disabilities include impairments resulting from illness, injury, work-related stress, harassment, or addiction. Institutions and academic staff associations have a responsibility and a legal obligation to ensure individuals do not suffer discrimination or harassment because of mental health disabilities. All members of the academic community have a role to play in fostering a campus climate that promotes acceptance and inclusion of academic staff with mental health disabilities.

Duty to Accommodate

Employers have an ongoing legal duty to accommodate staff with mental health disabilities at the workplace. Academic staff associations have a legal duty to accommodate members in the way they represent, advocate, and administer the collective agreement. For both, accommodating means making any necessary changes, up to the point of undue hardship, to the workplace, work, or policies in order to allow the full and equal participation of an employee with a mental health disability. Undue hardship must be demonstrable.

Accommodations for mental health disabilities may include (but are not limited to) modifications to work portfolio, office space or hours, timelines; specific workplace resources and materials; modifications in reporting channels and performance and promotion processes; or the adjustment of different tasks and roles. Accommodations must be individualized to the particular staff member's needs and limitations.

Requests for accommodation should be handled pursuant to a clear policy, a centralized office, and with involvement of the academic staff association. Institutions and academic staff associations should be aware that their own policies and procedures, including those in the collective agreement, might need to be adjusted to accommodate a member's mental health disability. Failure to do so may be a violation of the duty to accommodate.

Duty to Inquire

Not everyone with a mental health condition identifies as disabled. In some cases, a person may not recognize their need for accommodation. In these circumstances, employers and academic staff associations may have a duty to inquire, if there are reasonable grounds to suspect that a member may have accommodation needs related to a mental health disability.

The duty to inquire is triggered when there are reasonably sufficient indicators of a mental health disability that is having an effect on the academic staff member's work, or the ability of the association to adequately represent them.

Requests for Medical Information

To fulfill the duty to accommodate, the employer may need medical information from a member and their medical practitioner(s). The law provides that the amount and detail of information needed by an employer increases with the length or complexity of the absence or accommodation.

In cases when an employer requests additional medical information than what was initially provided by the member, the employer should specify what additional information is required in order to accommodate. In most cases an employer should be entitled only to information directly related to the disability or illness and how it interferes with the actual tasks and responsibilities of an employee. In rare cases, a diagnosis may need to be disclosed to the employer in order to fulfill the duty to accommodate.

Academic staff should not consent to the employer directly contacting their health professionals.

Academic staff should never be required by their employer to submit to an independent medical examination without their consent. Generally, there is no legal right for an employer to demand an independent medical examination unless provided for in a collective agreement (which is not recommended). It is an act of last resort and should only be requested in rare cases where there is no other means of obtaining responsive health information, or where there is a substantive contradiction between specialized medical practitioners' opinions.

When academic staff are asked to attend an independent medical examination, and it is in their best interest to do so, the examination should be reasonable in the circumstances, be undertaken with a medical practitioner that is agreeable to the association, and be as non-intrusive as possible. Any reports arising from an independent medical examination must be provided to the member and the association.

The employer and the association are legally obligated to protect the privacy and confidentiality of all personal medical information of academic staff. This includes any documents or records that identify the specific member(s) involved, and describe the accommodation even if no health information may be found therein.

**New draft Policy Statement approved by the Equity Committee, March 12, 2019;
Executive Committee reviewed and referred policy to CAUT Committees for comment,
May 2019;
Executive Committee reviewed and referred to CAUT legal staff, September 2019;
New draft policy statement approved by the CAUT Executive Committee,
September 2020;
Referred back to Originating Committee for further review by CAUT Council,
November 2020.**

Memorandum

Re: APG - Policy on Reimbursement of Delegates' Expenses for Council

Date: March 23, 2021

To: CAUT Council

From: David Robinson, Executive Director

At its meeting held February 7-8, 2020, the Executive Committee reviewed the revised draft Administrative Procedure and Guideline on Reimbursement of Delegates' Expenses for Council and amended it as part of a 5-year review. The Executive Committee recommended that the revised draft policy be sent to Council for consideration.

In keeping with direction from Council requesting CAUT to explore ways to reduce carbon emissions, the revision to the policy includes a clause encouraging Council delegates to request direct flights and flights on fuel-efficient planes whenever possible, and for those travelling within 300 kilometers of Ottawa to use available rail, bus, public transportation, or carpooling options.

To facilitate the discussion at Council, delegates are asked to review the statement and submit any comments or amendments to motions@caut.ca by April 8, 2021.

Policy on Reimbursement of Delegates' Expenses for Council

CAUT will reimburse academic staff associations for the cost of travel for one delegate to attend Council meetings. Reimbursable costs include travel by air, train, bus or automobile from the city of origin to Ottawa and return. Transfers by cab or bus from home to the terminal, or from the terminal to the Council location, are not reimbursed.

Delegates must use unionized air carriers and hotels unless there is no other option available.

In an effort to reduce carbon emissions that contribute to climate change, delegates should request direct flights and flights on fuel-efficient planes whenever possible. Delegates travelling within 300 kilometers of Ottawa are encouraged to use available rail, bus, public transportation, or carpooling options.

1.1 Travel by Air

Air travel must be booked through CAUT's travel agency, *W.E. Travel Services Ltd.* Fares will be charged directly to the CAUT account and paid by CAUT. Delegates will be responsible for any fees and extra costs incurred if they request changes to travel booked, except in emergency situations and approved by the Executive Director.

In extraordinary circumstances, such as when a delegate is combining travel to the Council meeting with university business, and with prior approval from CAUT, the air travel (or a pro-rated portion) will be reimbursed to the association.

1.2 Travel by Train or Bus

Bookings for travel by train or bus are to be handled on an individual basis and submitted to CAUT for reimbursement through the association.

1.3 Travel by Automobile

CAUT will reimburse the delegate, through the academic staff association, for personal use of automobiles based on the approved mileage rate. The amount of reimbursement for mileage shall not exceed the lowest airfare available at the time of the meeting.

1.4 Travel Accident Insurance

CAUT has a general travel accident policy that covers individuals travelling on CAUT business, up to a maximum of \$100,000 per person, per incident, depending on the severity of the claim.

1.5 Trip Cancellation

In the event that a delegate has booked air travel through CAUT's travel agency and then is subsequently unable to attend Council, the following policy shall apply:

- a) In the event of (1) an emergency medical condition involving the delegate, or a member of the delegate's immediate family, requiring the care of a physician or hospitalization, or (2) the death of an immediate family member, CAUT will bear the cost of the ticket upon receipt of a letter from the physician or hospital;

- b) In the event that the delegate is required to return home early for the reasons outlined in 1.5 (a) above, requiring a change in the travel itinerary, CAUT will cover the cost of the change fee, if made through its travel agency;
- c) In the event of cancellation or a change in itinerary for any other reason (e.g. workload, personal reasons), CAUT will bill the association for the cost of the ticket.

2.0 Accommodations & Per Diem

CAUT will pay for the cost of hotel accommodations and the approved per diem rate for one delegate for each day of the event, subject to the following:

- a) For a Council meeting commencing on a Thursday and concluding on a Sunday at noon, a maximum of 4 nights accommodation and 4 days per diem.
- b) For a Council meeting commencing on a Friday and concluding on a Sunday at noon, a maximum of 3 nights accommodation and 3 days per diem.

The total cost for accommodation and the per diem for the number of days at the meeting will be reduced by \$1 per member, per day, based on the number of members paid for by the academic staff association in the month prior to Council.

3.0 Dependant Care

Delegates may apply for reimbursement of costs associated with providing alternative care for dependants who normally rely primarily upon the delegate for physical care, up to the maximum number of days specified in 2.0 above. Notice of such arrangements, including an estimate of the costs, must be made to the CAUT office at least two weeks prior to the commencement of the event on the form circulated with the meeting materials.

Approved by the CAUT Council, May 2015.

Draft revision approved by the CAUT Executive Committee, February 2020.

Memorandum

Re: APG - Policy on Reimbursement of Expenses for Members of CAUT Committees

Date: March 23, 2021

To: CAUT Council

From: David Robinson, Executive Director

At its meeting held February 7-8, 2020, the Executive Committee reviewed the revised draft Administrative Procedure and Guideline on Reimbursement of Expenses for Members of CAUT Committees and amended it as part of a 5-year review. The Executive Committee recommended that the revised draft policy be sent to Council for consideration.

In keeping with direction from Council requesting CAUT to explore ways to reduce carbon emissions, the revision to the policy includes a clause encouraging members of CAUT Committees to request direct flights and flights on fuel-efficient planes whenever possible, and for those travelling within 300 kilometers of Ottawa to use available rail, bus, public transportation, or carpooling options.

To facilitate the discussion at Council, delegates are asked to review the statement and submit any comments or amendments to motions@caut.ca by April 8, 2021.

Reimbursement of Expenses for Members of CAUT Committees

CAUT will reimburse elected members of CAUT committees for the cost of travel and accommodations to attend committee meetings. Reimbursable costs include travel by air, train, bus or automobile from the city of origin to location of the meeting and return, transfers by cab or bus from home to the terminal, or from the terminal to the meeting location, hotel accommodations, and a per diem for each day of the meeting. Members travelling on CAUT business must use unionized air carriers and hotels unless there is no other option available.

In an effort to reduce carbon emissions that contribute to climate change, committee members should book direct flights and flights on fuel-efficient planes whenever possible. Members travelling within 300 kilometers of Ottawa are encouraged to use available rail, bus, public transportation, or carpooling options.

1.1

Travel by Air

Air travel must be booked through CAUT's travel agency, *W.E. Travel Services Ltd* in Ottawa at 1-888-676-7747 or Vancouver at 1-800-663-4703. Fares will be charged directly to the CAUT account and paid by CAUT. Members will be responsible for any fees and extra costs incurred if they request changes to travel booked, except in emergency situations and approved by the Executive Director.

In extraordinary circumstances, such as when a committee member is combining travel to a CAUT meeting with university business, and with prior approval from CAUT, the air travel may be paid through the university and a pro-rated portion may be claimed to CAUT for reimbursement.

1.2

Travel by Train or Bus

Bookings for travel by train or bus are to be handled on an individual basis with costs being submitted to CAUT for reimbursement.

1.3

Travel by Automobile

CAUT will reimburse committee members for personal use of automobiles based on the approved mileage rate. The amount of reimbursement for mileage charges shall not exceed the lowest airfare available at the time of the meeting.

1.4

Travel Accident Insurance

CAUT has a general travel accident policy that covers individuals travelling on CAUT business, up to a maximum of \$100,000 per person, per incident depending on the severity of the claim.

2

Hotel Accommodations

Hotel accommodations for committee meetings will be booked on your behalf by the committee secretary. If for any reason you have to change or cancel your reservation, please contact the committee secretary, or if you are All hotel room charges are centrally billed and paid directly by CAUT. Incidental and miscellaneous charges, such as room service, laundry, movies, telephone etc., must be paid by the

committee member at check-out. However, if the hotel charges for internet access, this cost will be reimbursed to committee members by CAUT.

If you are attending a committee meeting and staying with friends or relatives, CAUT will pay up to 50% of the applicable hotel room rate for the number of days of the meeting.

3

Per Diem

CAUT will reimburse for the cost of meals and incidentals at the approved per diem rate. This daily rate covers breakfast, lunch, dinner and incidentals.

4

Dependant Care

Committee members may apply for reimbursement of costs associated with providing alternative care for dependants that normally rely primarily upon the committee member for physical care. Notice of such arrangements, including an estimate of the costs, must be made to the CAUT office at least two weeks prior to the commencement of the event on the form circulated with the meeting materials.

5

Expense Claims

All claims for reimbursement should be submitted using the Expense Claim form which is available on-line at www.caut.ca under Meetings & Events/Expense Claim Form. Please submit your expense claim as soon as possible following the meeting to the attention of Deborah Belsher, CAUT Financial Officer.

Please note that even though you must book directly with CAUT's travel agent for air travel, you must still include the cost of the airfare on the Expense Claim form and then deduct that amount at the bottom of the form under PREPAID TICKET. This will assist our accounting staff in tracking the expenses related to a particular meeting.

May 2015.

Draft revision approved by the CAUT Executive Committee, February 2020.

Memorandum

Re: APG - Policy on Reimbursement of Participants' Expenses for CAUT Workshops

Date: March 23, 2021

To: CAUT Council

From: David Robinson, Executive Director

At its meeting held February 7-8, 2020, the Executive Committee reviewed the revised draft Administrative Procedure and Guideline on Reimbursement of Participants' Expenses for CAUT Workshops and amended it as part of a 5-year review. The Executive Committee recommended that the revised draft policy be sent to Council for consideration.

In keeping with direction from Council requesting CAUT to explore ways to reduce carbon emissions, the revision to the policy includes a clause encouraging participants attending CAUT workshops to request direct flights and flights on fuel-efficient planes whenever possible, and for those travelling within 300 kilometers of Ottawa to use available rail, bus, public transportation, or carpooling options.

To facilitate the discussion at Council, delegates are asked to review the statement and submit any comments or amendments to motions@caut.ca by April 8, 2021.

Reimbursement of Participants' Expenses for CAUT Workshops

CAUT will reimburse academic staff associations for the cost of travel for one designated participant to attend CAUT workshops. Reimbursable costs include travel by air, train, bus or automobile from the city of origin to Ottawa and return. Transfers by cab or bus from home to the terminal, or from the terminal to the Workshop location, are not reimbursed.

Participants must use unionized air carriers and hotels unless there is no other option available.

In an effort to reduce carbon emissions that contribute to climate change, committee members should book direct flights and flights on fuel-efficient planes whenever possible. Members travelling within 300 kilometers of Ottawa are encouraged to use available rail, bus, public transportation, or carpooling options.

1.1

Travel by Air

Air travel must be booked through CAUT's travel agency, *W.E. Travel Services Ltd.* Fares will be charged directly to the CAUT account and paid by CAUT. Participants will be responsible for any fees and extra costs incurred if they request changes to travel booked, except in emergency situations and approved by the Executive Director.

In extraordinary circumstances, such as when a participant is combining travel to the CAUT Workshop with university business, and with prior approval from CAUT, the air travel (or a pro-rated portion) will be reimbursed to the association.

1.2

Travel by Train or Bus

Bookings for travel by train or bus are to be handled on an individual basis and submitted to CAUT for reimbursement through the association.

1.3

Travel by Automobile

CAUT will reimburse participants, through the academic staff association, for personal use of automobiles based on the current mileage rate. The amount of reimbursement for mileage shall not exceed the lowest airfare available at the time of the meeting.

1.4

Travel Accident Insurance

CAUT has a general travel accident policy that covers individuals travelling on CAUT business, up to a maximum of \$100,000 per person, per incident, depending on the severity of the claim.

1.5

Trip Cancellation

In the event that a participant has booked air travel through CAUT's travel agency and then is subsequently unable to attend the workshop, the following policy shall apply:

- a) In the event of (1) an emergency medical condition involving the participant, or a member of the participant's immediate family, requiring the care of a physician or hospitalization, or (2)

the death of an immediate family member, CAUT will bear the cost of the ticket upon receipt of a letter from the physician or hospital;

- b) In the event that the participant is required to return home early for the reasons outlined in 1.5 (a) above, requiring a change in the travel itinerary, CAUT will cover the cost of the change fee, if made through its travel agency;
- c) In the event of cancellation or a change in itinerary for any other reason (eg. workload, personal reasons), CAUT will bill the association for the cost of the ticket.

2.0

Accommodations & Per Diem

CAUT will pay for the cost of hotel accommodations and the approved per diem rate for each day of the event, subject to the following:

- a) A maximum of 3 nights accommodation and 3 days per diem.
- b) Meals provided by CAUT will be deducted from the daily per diem rate.
- c) The total cost for accommodation and the per diem less meals provided, for the number of days at the meeting will be reduced by \$1 per member, per day, based on the number of members paid for by the academic staff association in the month prior to the event.

3.0

Dependant Care

Participants may apply for reimbursement of costs associated with providing alternative care for dependants that rely primarily upon the participant for physical care, up to the maximum number of days specified in 2.0 above. Notice of such arrangements, including an estimate of the costs, must be made to the CAUT office at least two weeks prior to the commencement of the event on the form circulated with the meeting materials.

May 2015

Draft revision approved by the CAUT Executive Committee, February 2020.