

Minutes

277th Executive Committee Meeting

April 18-19, 2023

Delta Hotel Ottawa City Centre/Ottawa, Ontario

Updated June 7, 2023

Present

Executive Committee

Peter McInnis, President (ST.FXAUT), Chair
Yalla Sangaré, Treasurer (APPBUSA)
Robin Whitaker, Vice President (MUNFA)
Brenda Austin-Smith, Past President (UMFA)
Patrick Noël, Representative-at-large (Francophone)(APPUSB)
Shirley Chau, Representative-at-large (General)(UBCFA)
Claudia Steinke, Representative-at-large (General)(ULFA)
Chantale Jeanrie, Representative-at-large (Quebec)(SPUL)
Kate Cushon, Chair, Librarians' and Archivists' Committee (URFA)
Marvin Claybourn, Co-Chair, Equity Committee (FAUST)
Susan Spronk, Co-Chair, Equity Committee (APUO)
Larry Savage, Chair, Collective Bargaining and Organizing Committee (BUFA)
Alison Hearn, Chair, Academic Freedom and Tenure Committee (UWOFA)
Nick Papatheodorakos, Chair, Contract Academic Staff Committee (CUPFA)
David Robinson, Executive Director

Staff

Tony Cantin, Director of Finance, HR and Operations
Sarah Godwin, Director of Labour Relations Services & General Counsel
Justine De Jaegher, Director of Political Action and Communications
Margaret McGovern-Poté, Head of Executive Services

Opening Remarks and Territorial Acknowledgement

The President welcomed members to the 277th Executive Committee Meeting. He noted that we all do our academic work on specific Indigenous, First nations, and Métis territories. Some of these territories are governed by treaties, but some are still unceded. For those attending in person, he acknowledged the meeting is being held on the traditional unceded territory of the Algonquin Anishinaabeg People. For those attending virtually, he asked members to acknowledge the First Peoples on whose traditional territories they live and work.

01. Approval of Agenda

JEANRIE/CUSHON: THAT the agenda be approved as circulated.

CARRIED

02. Approval of Minutes

- a. Executive Committee Meeting of February 24-25, 2023

It was noted that there was a typo at item 06. (a)(viii) *Florida* which should read: "critical ~~rate~~ **race** theory...".

WHITAKER/AUSTIN-SMITH: THAT the minutes of the Executive Committee meeting of November 23-24, 2022 be approved, as revised.

CARRIED

03. Business Arising

- a. Review of Action List

The action list was reviewed.

04. Report of the President

The President reported on his activities since the Executive Committee meeting of February 24-25, 2023. He noted this has been an extremely busy period, with members of the Executive Committee attending strike support in Halifax, Cape Breton, Memorial, Laval, and PEI. He participated in the CAUT committee meetings held March 3-4 in Ottawa. He also attended a leadership workshop for the Universities' Academic Staff Union (UASU) held March 26 to April 1 in Kenya. He took part virtually in several member association events including: the Royal Roads University Faculty Association AGM (RRUFA) on March 14; the Wilfrid Laurier University Faculty Association AGM (WLUFA) on April 11; the University of Victoria Faculty Association AGM (UVicFA) on April 13; and the Mount Allison Faculty Association AGM (MAFA) on April 14.

05. Report of the Executive Director

a. Report of the Executive Director

The Executive Director highlighted the large number of strikes in the past months and thanked Executive Committee members for attending picket lines during this time, noting this helps to ensure CAUT has a national presence. He noted there is an unprecedented number of academic higher education strikes in Australia, New Zealand, and in the United States. He indicated there are also significant challenges in the US where state governments are prohibiting the teaching of critical race theory, banning books, and eliminating tenure – noting these things could unfortunately spill over into Canada.

i. Academic Freedom

A. Cases

1. Simon Fraser University

The Executive Director provided an update on the case at Simon Fraser University involving interference by the SFU Administration with the independence of its Research Ethics Board (REB). In December, the VP Research and International introduced changes to allow them to appoint and remove REB members. The association is reporting the matter has been resolved satisfactorily.

2. University of Winnipeg

The Executive Director highlighted a case at the University of Winnipeg involving a professor called to a disciplinary meeting and given a letter of warning in relation to classroom teaching.

3. Wilfrid Laurier University

The Executive Director highlighted a case at Wilfrid Laurier University involving a complaint submitted to the Research Ethics Board (REB).

4. Dalhousie University

The Executive Director reported on an issue brought forward by the Dalhousie Faculty Association (DFA) regarding the increased occurrence of student complaints being immediately upscaled to an investigation and disciplinary proceedings.

ii. CAUT Arbitration Service

A. Bishop's (Prof. Stonebanks)

The Executive Director provided an update on the dismissal case of Dr. Christopher Darius Stonebanks at Bishop's University. CAUT is providing legal support to the Association of Professors of Bishop's University (APBU) through the CAUT Arbitration Service. Additional hearing dates have been established through September.

B. Toronto

The Executive Director updated on the group grievance around the Azarova case at the University of Toronto.

C. Mount Royal (Prof. Widdowson)

The Executive Director provided an update on the case of Professor Frances Widdowson at Mount Royal University. CAUT is providing assistance through the CAUT Arbitration Service.

iii. Court Decisions and Arbitration Awards**A. *Alliance de la fonction publique du Canada (SÉTUE) et Université du Québec à Montréal (Gaëlle Solange Étémé Lebogo), 2022***

The Executive Director reported on an arbitration decision involving a course marker who was harassed by a student. The arbitrator ruled that the employer failed to take timely action to address the substantive complaint; the instructor was awarded damages.

B. *USFA and University of Saskatchewan (Falkner), 2023*

The Executive Director reported on an arbitration decision involving a tenured professor on long term leave who was terminated for absenteeism. The arbitrator found that the absences were not excessive within the context of the situation.

06. Membership Matters**a. Association of McGill Professors of Law**

The Executive Director reported that the Association of McGill Professors of Law (AMPL) was granted certification and is applying for membership in CAUT. Their membership application will be discussed at the upcoming Council meeting.

Included as a link in the meeting materials: (1) The report of the ad hoc committee on the AMPL application for membership under Council Item 03-F-1.

b. Syndicat des professeures et professeurs de l'Université de l'Ontario français

The Executive Director reported that the Syndicat des professeures et professeurs de l'Université de l'Ontario français (SPPUOF) has formed an association and is applying for certification at the Ontario Labour Board. They plan on submitting an application to join CAUT.

c. Waterloo

The Executive Director reported that the Faculty Association of the University of Waterloo (FAUW) has advised their instructors are looking at certifying. FAUW is also reviewing its own internal association structures and conducting a governance review.

d. Carleton

The President reported on requests for assistance by the Carleton University Academic Staff Association (CUASA).

e. Saint Mary's

The Executive Director reported on an issue involving UNIFOR approaching a NUCAUT local union at Saint Mary's in Halifax.

f. Laurentian

The Executive Director reported that following the motion passed at the November Council meeting, CAUT has investigated the creation of a hardship fund for members of the Laurentian University Faculty Association (LUFA) that were affected by job loss. A local organization, the *April 12 Laurentian Fired Faculty Distress Fund*, will be soliciting donations through a GoFundMe page - payments will be managed through CAUT.

g. New Associate Members

A list of new associate members was circulated for information.

Included in meeting materials: (1) List of new associate members.

h. Review of Council Agenda

The Council agenda was reviewed.

i. Memorial

The Executive Director reported on the departure of the President of Memorial University following claims she had falsely claimed Indigenous identity.

Included in meeting materials: (1) Vianne Timmons removed as president of Memorial University, by Ariana Kelland, CBC News Newfoundland & Labrador, April 6, 2023.

07. Financial Matters

a. Quarterly Financial Report – ending March 31, 2023

Y. Sangaré, Treasurer, presented the financial report for the quarter ended March 31, 2023.

Included as a link in meeting materials: (1) CAUT quarterly financial report under Council Item 20-B.

b. Financial Requests

i. Canadian Centre for Policy Alternatives

The Executive Committee considered a financial request received from the Canadian Centre for Policy Alternatives (CCPA) to support the operations and work of the CCPA.

NOËL/CUSHON: THAT the Executive Committee recommends that CAUT contribute \$30,000 to the Canadian Centre for Policy Alternatives (CCPA).

CARRIED

Included in meeting materials: (1) The Canadian Centre for Policy Alternatives: Rising to the challenge, CAUT and CCPA, February 2023.

08. Political Action and Communications

c. Government Relations

i. Federal Budget 2023

J. De Jaegher, Director of Political Action & Communications, reported that the CAUT budget submission contained recommendations for a dedicated federal transfer for post-secondary education and funding for basic research, among others. Beyond a re-announcement of interest-free federal student loans, there was little mention of post-secondary education in this year's budget. The most surprising omission was anticipated funding for graduate students. Graduate scholarships have not seen an increase in value in 20 years.

Included as a link in meeting materials: (1) CAUT's budget submission under Council Item 22-A.

ii. CCAA

J. De Jaegher reported on advocacy to have public post-secondary institutions removed from the CCAA, including CAUT's participation in an upcoming consultation with Innovation, Science, and Economic Development Canada on the issue.

iii. Copyright

J. De Jaegher reported on the new Fair Dealing Works coalition and website.

iv. Advisory Panel on the Federal Research Support System

J. De Jaegher reported on the newly produced Bouchard Report which recommends, among other things, a minimum 10% increase to Tri-Council Agency budgets over the next five years.

v. Consultations on Foreign Influence Transparency

J. De Jaegher reported how the recent guidelines from the federal government on foreign interference may be concerning for members.

The Executive Committee discussed whether CAUT should pursue participating in this consultation process. There was consensus that CAUT should provide some information and guidance to assist members on this issue. The Executive Director will follow up by sending a memorandum to member associations.

b. Communications and Publications

i. Report of the Publications Committee

R. Whitaker, Chair of the Editorial Board, provided a report of the publications committee.

ii. CAUT Bulletin

J. De Jaegher reported on the upcoming Bulletin edition on AI and the academic workplace.

iii. CAUT Journal

R. Whitaker, Chair of the Editorial Board, provided an update on the *CAUT Journal*, noting the editorial board is seeking articles for an upcoming special edition focusing on the work of librarians and archivists.

c. Education Report

J. De Jaegher reported on CAUT's educational program. CAUT held a series of online collective bargaining and grievance handling courses during the month of March.

d. Campaigns

i. Governance

J. De Jaegher reported on the online governance resource repository being developed with the Governance Committee.

09. Labour Relations, Legal, and Research

a. Labour Relations Report

i. Collective bargaining update

S. Godwin provided a summary of the status of collective bargaining.

ii. Facts and Figures

S. Godwin highlighted the publication of the recent edition of the *CAUT Facts and Figures* which provides a snapshot of recent economic and

collective bargaining trends across Canada and a summary of settlements negotiated by CAUT academic staff associations between June and November 2022.

Included as a link in meeting materials: (1) CAUT Facts & Figures under Council Item 21-A.

b. Legal Report

S. Godwin provided an update on CAUT's legal services. CAUT's legal team is counsel for the Mount Royal Faculty Association (MRFA) in the Widdowson dismissal case. Two weeks of hearings were completed in January 2023 and several more weeks are scheduled between May and October 2023.

CAUT is co-counsel for the Association of Professors of Bishop's University (APBU) in another dismissal case. Several hearing dates are set from now until September 2023.

c. Research Report

S. Godwin reported the final 2021-2022 faculty salary data from Statistics Canada's University and College Academic Staff Survey (UCASS) is now available on the CAUT members' only section of the website. Spreadsheets on Board of Governors and Senate compositions across Canada are being translated and will be posted with the Governance Resources with a brief analysis/summary.

i. State of the Profession

S. Godwin reported that the State of the Post-Secondary Academic Profession Survey is now closed, and analysis continues. Approximately 3,800 responses were received. An overview of the survey results will be presented at the Council meeting.

ii. CAS Stipends

S. Godwin reported that updates to the CAS stipends database will be published in the next few weeks.

iii. Librarians' and Archivists' Survey

S. Godwin reported that electronic survey links for the Librarian and Archivist Salary Survey will be sent to member associations in April.

iv. Collective Agreement Database (CAD)

S. Godwin reported the CAD continues to be updated as new collective agreements come in.

10. Committees and Working Groups

a. Standing Committee Reports

i. Academic Freedom and Tenure

A. Hearn, Chair of the Academic Freedom and Tenure Committee, reported on the work of the Committee.

Included as a link in meeting materials: (1) The Academic Freedom and Tenure written report under Council Item 24. (A).

ii. Collective Bargaining and Organizing

L. Savage, Chair of the Collective Bargaining and Organizing Committee, provided a report on the work of the Committee.

Included as a link in meeting materials: (1) The Collective Bargaining and Organizing written report under Council Item 24. (B).

iii. Contract Academic Staff

N. Papatheodorakos, Chair of the Contract Academic Staff Committee, provided a report on the work of the Committee.

Included as a link in meeting materials: (1) The Contract Academic Staff Committee written report under Council Item 24. (C).

A. Contract Academic Staff Conference

N. Papatheodorakos reported that the Committee is in the process of developing a preliminary agenda for the October 2023 Contract Academic Staff Conference. A draft agenda and budget will be provided for the next Executive Committee meeting for consideration.

iv. Equity

M. Claybourn, Co-Chair of the Equity Committee, provided a report on the work of the Committee.

Included as a link in meeting materials: (1) The Equity Committee written report under Council Item 24. (D)

A. Equity Committee Terms of Reference

CLAYBOURN/CHAU: THAT the revised Terms of Reference of the Equity Committee be sent to Council for consideration.

CARRIED

Included in meeting materials: (2) Memo to Exec re Changes to the TOR, (3) Draft revision of Equity Committee Terms of Reference.

v. Librarians and Archivists

K. Cushon, Chair of the Librarians' and Archivists' Committee, provided a report on the work of the Committee.

Included as a link in meeting materials: (1) The Librarians' and Archivists' Committee written report under Council Item 24. (E).

b. Committees of the Executive and Working Group Reports

i. Aboriginal Post-Secondary Education Working Group

D. Newhouse, Chair of the Aboriginal Post-Secondary Education Working Group, provided a report on the work of the Working Group.

ii. Francophones Committee

P. Noël, Chair of the Francophones' Committee, provided a report on the work of the Committee.

Included as a link in meeting materials: (1) The Francophones Committee written report under Council Item 26. (A).

iii. Governance Committee

R. Whitaker, Vice President and Co-Chair of the Governance Committee, provided a report on the work of the Committee.

Included as a link in meeting materials: (1) The Governance Committee written report under Council Item 26-D.

SPECIAL RESOLUTION

AUSTIN-SMITH/NOËL: THAT the CAUT Executive Committee recommends that CAUT Council award honorary membership in CAUT to Ted Montgomery, in recognition of his important contribution to the cause of academic labour and longstanding service as Speaker of CAUT Council.

CARRIED

11. Policies

a. Policy Statements

i. Policy Statement on Team Teaching

The Executive Committee approved editorial revisions to the Policy Statement on Team Teaching and scheduled the next review of the policy in five years.

Included in meeting materials: (1) Policy Statement Document Tracking Form, (2) CAS Memo, (3) Policy statement on Team Teaching.

ii. Policy Statement on the Employment Status of Graduate Students as Academic Staff

The Executive Committee reviewed the draft revision of the Policy Statement on the Employment Status of Graduate Students which was reviewed by the Contract Academic Staff Committee at their March meeting.

WHITAKER/JEANRIE: THAT the revised Policy Statement on the Employment Status of Graduate Students be referred to CAUT Committees for Comment.

CARRIED

Included in meeting materials: (1) Policy Statement Document Tracking Form, (2) CAS Memo (3) Policy Statement on the Employment Status of Graduate Students as Academic Staff.

iii. Policy Statement on Equity

The Executive Committee reviewed a draft revision of the Policy Statement on Equity.

SPRONK/PAPATHEODORAKOS: THAT the Executive Committee recommends that the revised Policy Statement on Equity be approved with the following amendments and be referred to Council for consideration.

- Revise clause #1 as follows: "The goal of equity is to achieve inclusiveness and social and economic justice through recognition, ~~respect,~~ numerical representation, accountability, responsibility and the development of ~~balanced, healthy, and harmonious respectful working-environments~~ **of a workplace free of discrimination and harassment.**"
- Revise sentence #2 of clause #1 as follows: "CAUT commits to providing leadership in the work of combating systemic discrimination, removing barriers, promoting inclusivity ~~and ensuring respect in the workplace.~~"
- Revise sentence #3 of clause #1 as follows: "... to take concrete action on issues such as inclusion, diversity, workplace safety, pay equity, employment equity and accommodation, CAUT should celebrate successes in these areas ~~and denounce failures.~~"
- Revise final paragraph of clause #6 as follows: Responsibility, accountability and transparency ... are crucial tools for creating **healthy inclusive** environments and addressing the consequences of discriminatory practices, ~~inclusive of such as~~ systemic discrimination, harassment, and stigmatization, ~~and micro-aggressions.~~"

CARRIED

Included in meeting materials: (1) Policy Statement Document Tracking Form, (2) CAS Memo, (3) Policy Statement on Equity.

iv. Policy Statement on Protecting Contract Academic Staff (CAS) Intellectual Property Rights (NEW)

PAPATHEODORAKOS/JEANRIE: THAT the Executive Committee recommends the new Policy Statement on Protecting Contract Academic Staff (CAS) Intellectual Property Rights be approved and sent to Council for consideration.

CARRIED

Included in meeting materials: (1) Policy Statement Document Tracking Form, CAS Memo, (3) Policy Statement on Protecting Contract Academic Staff (CAS) Intellectual Property Rights.

v. Policy Statement on Private Universities

The Executive Committee reviewed a draft revision of the Policy Statement on Private Universities which was reviewed by a sub-committee of the Executive Committee (B. Austin-Smith, L. Savage, and R. Whitaker) in March 2023.

HEARN/CHAU: THAT the revised Policy Statement on Private Universities be referred to Council for consideration.

CARRIED

Included in meeting materials: (1) Policy Statement Document Tracking Form, (2) Policy Statement on Private Universities.

vi. Strike Policy

The Executive Committee reviewed the new draft Strike Policy which had been approved by the Collective Bargaining and Organizing Committee in March 2023.

NOËL/NEWHOUSE: THAT the Executive Committee recommends that the new Strike Policy be approved with the following amendments and be referred to Council for consideration.

- Delete: paragraph 7: ~~CAUT provides many resources to support member associations before and during a strike including: strike manual, access to a repository of strike manuals from associations of different sizes, collective bargaining officers, and tailored strike preparation workshops;~~ revise new clause
- Revised new clause 7 as follows: "Member associations should become familiar **with the resources offered by CAUT and the** CAUT Defence Fund ~~and the resources available~~ to support strikes.

CARRIED

Included in meeting materials: (1) Policy Statement Document Tracking Form, (2) Memo to Executive, (3) Policy Statement on the Strike Policy.

12. International Matters

a. Education International

The Executive Director reported that Education International (EI) will hold its World Congress July 11-13, 2023, in a virtual format, and will hold a full congress in person in 2024. EI's Higher Education and Research Conference has been scheduled for this October in Mexico.

b. Afghanistan

The Executive Director reported CAUT is still working to get a refugee family out of Afghanistan.

13. Meetings and Conferences

a. Meetings and Conferences Attended

i. Committee meetings (March 3-4)

This item was previously reported under *Executive Item 10-1 Standing Committee Reports*.

ii. FPSE Governance Committee (March 11)

R. Whitaker attended the FPSE Governance Committee on March 11.

iii. Royal Roads University Faculty Association AGM (RRUFA) (March 14)

This item was previously reported under *Executive Item 04. Report of the President*.

iv. University of Regina Faculty Association (URFA) AGM (March 28)

R. Whitaker attended the University of Regina Faculty Association (URFA) AGM on March 28.

v. Wilfrid Laurier University Faculty Association AGM (WLUFA) (April 11)

This item was previously reported under *Executive Item 04. Report of the President*.

vi. University of Victoria Faculty Association AGM (UVicFA) (April 13)

This item was previously reported under item *Executive Item 04. Report of the President*.

b. Upcoming Meetings and Conferences [for information]

i. Confederation of University Faculty Associations of British Columbia Council (CUFA-BC) (May 1-2, Victoria)

ii. National Union of the Canadian Association of University Teachers Convention (NUCAUT) (May 7, Montreal)

- iii. Canadian Labour Congress Convention (CLC) (May 8-12, Montreal)
- iv. Federation of Post-Secondary Educators of BC AGM (FPSE BC) (May 15-18, Kamloops)
- v. Workshop for New Presidents (June 9-10)
- vi. Executive Retreat (June 15-17, Montebello)
- vii. Education International World Congress (July 11-13, Virtual)
- viii. Committee meetings (August 18-19, Ottawa)

14. Affiliated and Associated Organizations and Funds

- a. Harry Crowe Foundation

There was nothing new to report.

- b. NUCAUT

This was previously reported under *Executive Item 13-b-2. National Union of the Canadian Association of University Teachers Convention.*

- c. J.H. Stewart Reid Trust

There was nothing new to report.

- d. CAUT Refugee Foundation

This was previously reported under *Executive Item 12-B. Afghanistan.*

- e. Civil Liberties Defence Fund

There was nothing new to report.

- f. CAUT Defence Fund

There was nothing new to report.

15. Staff and Related Administrative Issues

- a. Report of the Personnel Committee

B. Austin-Smith, Chair of the Personnel Committee, provided a report on a meeting of the Personnel Committee.

IN CAMERA

- b. Management Relations

CUSHON/JEANRIE: That the meeting move in camera

CARRIED

JEANRIE/CHAU: That the meeting move ex camera

CARRIED

16. Other Business

There was no other business to consider.

17. Items for Information

Included in meeting materials: (1) Canadian academic Hassan Diab faces trial in Paris synagogue bombing case, by Sean Fine, The Globe and Mail, April 2, 2023; (2) Is there a dark side to academic consulting?, by Paul Deegan, Contributor Peter Donolo, Toronto Star, March 4, 2023; (3) This Ohio Bill Wouldn't Just Ban Diversity Training. It Would Reshape Higher Ed., by Kate Marijolic, The Chronicle for Higher Education, March 30, 2023; (4) A controversial blood drug. Accusations of a whitewash. Why this scientist has spent decades fighting in Toronto Hospitals, by Rachel Mendleson, Toronto Star, March 24, 2023.

There being no further business, the meeting was adjourned.
