

NEWS & VIEWS

DECEMBER 2012

From the President's Desk

Sharon Alward



As we return from holidays and some much needed relaxation and time with family, I'd like to take a look back at some notable events that have happened over the past two months.

The Canadian Center for Policy Alternatives hosted an Errol Black Fundraising Brunch at the Hotel Fort Garry to raise support for a CCPA-MB Chair in Labour Issues. I attended along with UMFA Past-President Cam Morrill, Vice-President Tommy Kucera and the Manitoba Organization of Faculty Associations (MOFA) President Janet Morrill. The brunch was generously donated by the Hotel Fort Garry. Sadly, Errol Black who was in attendance at the brunch passed away a week later. Errol Black was an economist and labour activist in Manitoba. His contribution over the years to our collective knowledge on labour economics, economic development and unions is incalculable, and he was one of the founders of the Manitoba branch of the CCPA. He was also an active member of the Brandon Labour Council and for thirty years was an active member of the Brandon University Faculty Association, and instrumental in achieving BUFA's first collective agreement. We were all fortunate to have had this last chance to honour the contributions of this great man just prior to his passing. And his legacy will continue. The brunch alone raised over \$15,000 towards the establishment of the Chair.

Members of the UMFA Executive Council and Executive Director Linda Guse met with the Manitoba Federation of Labour Executive to discuss labour relations issues that would affect UMFA Members as well as Members of other unions and that are currently being discussed by the Manitoba Labour Management Review Committee (LMRC). The LMRC provides advice to the provincial NDP government on possible legislative changes. During the strike at Brandon University in the Fall of 2011, the Minister of Labour ordered a vote on the administration's last offer. We do not want this government to take any actions that will interfere with Collective Bargaining in Manitoba. More information on this meeting can be found on page 4 of this newsletter. The MFL has also reconstituted a committee dealing with post-secondary education and will be developing a position paper. I will provide further information as it becomes available.

UMFA continues to prepare for the next round of bargaining. Members of the UMFA Executive and Bargaining team have attended over two dozen constituency meetings at both the Fort Garry and Bannatyne campuses. The meetings have provided good information from the membership on how they feel about their working conditions and their compensation. It is clear that there is great dissatisfaction with recent initiatives from the administration. *(Continued on page 2...)*

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Concur, Ad Astra, the print management system are all seen as frustrating drains on academics' time. There is anger that the senior administration has been unresponsive to these concerns and continues down its predetermined path.

Another major area of concern has been the amalgamation process. Two options potentially affecting six faculties were identified by the administration in a November 15 Town Hall meeting with a January timeline for response from those faculties, a time frame that includes end of term exams, marking and the Winter Break. Details on the options presented are on page 5.

Review of Navitas Coming in 2013

As UMFA Members are well aware, Navitas, a for-profit institution that recruits international students to enroll in pre-university and university level courses, established the International College of Manitoba (ICM) on the UM campus in 2007.

The aftermath of the Navitas contract was marked with discord as the administration signed it without taking it to the Board of Governors or Senate, stating that such a process was not necessary. The administration also refused to make any details of this contract public.

In 2008, UMFA submitted an application through the *Freedom of Information and Protection of Privacy Act* (FIPPA) to the UM privacy office requesting a copy of the agreement, and was denied on the basis that releasing the information would be harmful to a third party's business interests and that the disclosure would be harmful to the economic and other interests of a public body. UMFA then filed an appeal with the provincial ombudsman. The ombudsman stated that there are only four specific clauses in the agreement which were subject to the discretionary exceptions to disclosure under FIPPA, and that the university had not provided specific evidence to support its decision to withhold the remaining information. The university then agreed after discussion with Navitas to release a redacted copy of the agreement. One section that was deleted dealt with the length of the Navitas contract.

After repeated demands for answers as to why this agreement wasn't brought forward to Senate, President

We are in difficult times. The university is under transformation by this administration, with academics and students having little real voice in determining whether proposed changes should go forward. It is essential that you raise any concerns you have at your departmental and faculty/school/libraries council levels and consider passing motions that will have department heads, deans and directors relay those concerns to the central administration and to Senate, if appropriate. UMFA will continue to take your concerns forward as well, but the sound of many voices is essential if we are to have an impact.

Barnard stated at the September 2009 meeting of Senate *"that there should be a comprehensive review of ICM at the end of the fifth year of their operation on our campus - that is, during the autumn term of 2013/14. This review would be overseen by the Senate Committee on Academic Reviews and would be modeled on the academic program reviews approved by Senate. Unlike ordinary academic program reviews, the full review of ICM would be submitted to Senate for discussion."*

The President was then asked if he was committed to submitting the renewal of the ICM agreement to Senate for approval at the end of the five-year period, to which he responded yes.

According to the November 7, 2012 Senate minutes, Barnard was asked again if he was still committed to a review, which he said he still is. He stated the review would provide information on ICM programming, the results to date, and will identify issues related to the program; however, Barnard also stated that the current agreement runs until 2017. Up until that meeting, no confirmation had ever been made on the length of the Navitas agreement, which appears now to have been signed for ten years, rather than the five that initially seemed to be the case.

UMFA will continue to urge a comprehensive review, including a process that allows for input from all members of the university community. In the meantime, further information will be provided as is available.

Jury for Southwood Project Neglects UM Faculty, Staff and Students

The administration recently announced that it has selected a 10-person jury to review submissions for redevelopment of the 120-acre Southwood lands. The competition, dubbed the “Visionary (re)Generation Open International Design Competition,” was launched on December 5.

Missing from the panel are representatives from the university’s faculty, staff and student bodies. At the November 7, 2012 meeting of Senate, UMSU President Bilan Arte pointed out that Senate has not had prior opportunity to discuss the competition brief. She added that she was concerned that students didn’t have a vote and that this might set a precedent for excluding the university’s primary stakeholders from decision-making processes.

President Barnard responded that typically such competitions are judged only by design professionals, and if a student were to be added to the jury, then it would open the door to other constituencies to make similar claims (i.e. faculty and staff).

It should be noted, however, that the jury includes two professors from **OTHER** post-secondary institutions. The two professors, Marc Angélil from the Swiss Federal Institute of Technology and Ray Cole from University of British Columbia are both from architectural faculties. The U of M has a Faculty of Architecture. Why were members of the UM faculty completely overlooked?

The jurors, which include Barnard, are grouped into two categories: technical jurors and general jurors. Technical jurors have backgrounds in large scale planning and design, while general jurors are stakeholders focusing on the university or the community. As primary stakeholders, why shouldn’t faculty, students and staff be included in the general jury? To placate concerns brought up by students and faculty about lack of representation on the jury, Barnard told Senate that one student representative and two faculty representatives could act as guest jurors. These jurors will participate in meetings, but will have no vote. Barnard stated that increasing the number of general jurors would require increasing technical jurors and would cause the jury to become large and difficult to work with.

It would only seem logical to seek input from UM’s faculty, staff and students when reviewing incoming submissions. While there are student and faculty representatives on supporting teams that will help inform voting jurors, ultimately, the decisions will be made by the 10-person jury.

There is also very little local representation on this jury. In fact, the entire competition process is being overseen by a company operating out of Germany. Benjamin Hossbach of [phase eins], a Berlin-based company that specializes in consultancy of projects in architecture and urban planning, will take on this role.

This jury composition demonstrates a complete disregard by the administration of the expertise available here at the University of Manitoba and for the collegial process. Faculty from other universities have been appointed but no one from UM, other than David Barnard himself.

Visionary (re)Generation jury members are:

Technical:

Marc Angélil, Professor, Department of Architecture, Swiss Federal Institute of Technology (Zurich, Switzerland)
Ray Cole, Professor, School of Architecture and Landscape Architecture, UBC (British Columbia)
Tobias Micke, founder and partner, ST raum a (Germany)
Geni Bahar, founder and president, NAVIGATS Inc. (North York, Ontario)
Julie VandenBerg Snow, Principal, Julie Snow Architects Inc. (Minneapolis, Minnesota)
Jennifer Keesmaat, Chief Planner and Executive Director, City of Toronto (Toronto, ON)

General:

David Barnard, U of M, President and Vice-Chancellor (Winnipeg, MB)
Scott Thomson, President and CEO, Manitoba Hydro (Winnipeg, MB)
Ovide Mercredi, Indigenous leader and lawyer (Manitoba)
Kiki Delaney, President, Delaney Capital Management (Toronto, ON)

UMFA ALERT: Annual Performance Reviews

UMFA is reminding Members about some important details pertaining to annual performance reviews.

[Section 35.1](#) of the UMFA Collective Agreement states that annual “performance evaluations are primarily for formative purposes, intended to promote the continued professional development of Members in the course of their individual careers.” Reviews “are not intended to supplant the rigorous evaluations that are carried out for the purposes of hiring, promotion or tenure” as indicated under Article 35.

It is also extremely important that Members be aware that the use of anonymous materials is **not** permitted in an evaluation, as per the Collective Agreement. This includes written comments provided by students in

SEEQ forms. Additionally, as per [section 11.1.6](#) of the Collective Agreement, faculty are to be provided with the **original** copy of SEEQ comments by their department head. No copy shall be made of any such comments by the University, and **cannot** be used in any way during a performance review. These comments are solely for the Member’s personal use and information.

If you have received a review that is contrary to the Collective Agreement, or has negative comments about your performance, contact the UMFA office (byapps@umfa.ca or lguse@umfa.ca) immediately. **You are at potential risk if any negative comments about your performance remain in your personal file without being addressed.**

Meeting with the Manitoba Federation of Labour re: Potential Changes to Manitoba Legislation

On October 29, the UMFA Executive met with Kevin Rebeck, President of the Manitoba Federation of Labour (MFL), and Sylvia Farley, Executive Director of the MFL. The purpose of the meeting was to discuss potential changes to the *Labour Relations Act* (LRA) and the *Essential Services Act*. Following the faculty strike at Brandon University in 2011, we heard that the provincial government might be considering the possibility of having post-secondary education fall under the *Essential Services Act* to prevent job action by university employees. We were also concerned that the LRA might be revised to reduce the minimum strike length before a matter can be referred to the Labour Board or arbitration.

In cases where legislative changes are being considered by the provincial government, the province will often consult with a body of representatives from both the business and labour communities. This group is the Labour Management Review Committee (LMRC), and it provides

a forum for discussion on labour and management issues. The MFL names the labour representatives to this committee.

On November 5, UMFA met with the MFL Executive to discuss this issue. The MFL strongly supports UMFA’s opposition to any attempt to include post-secondary education under the *Essential Services Act*, and believes that job action provisions should not be substantially weakened. UMFA feels that legislation should remain as is, and instead there should be a push for anti-scab legislation, which is something the MFL has been urging the current NDP government to introduce for years.

Anti-Labour Bill C-77 Passes in House of Commons

On December 12, the House of Commons passed private member Bill C-377 by a 147-135 margin. Bill C-77 amends the *Income Tax Act of Canada* to require that all labour organizations file detailed financial reports with the Federal Minister of National Revenue. The reports will then be posted online for all Canadians to access, searchable by key word.

According to the Canadian Association of University Teachers (CAUT), “the Bill imposes financial disclosure requirements on labour organizations and associations (union and non-union) far greater than those required of any other organization in Canada. Not even the government itself is required to provide this level of disclosure. The cost of compliance will be very substantial for every local association, as well as every regional, provincial and national federation of labour associations and unions.”

The Bill, which passed despite months of lobbying by Canadian labour, and opposition from the NDP and Liberal parties and even by some members of the

Conservative party, now goes before the Senate.

The cost to implement this unnecessary change will be huge. The Government estimated it will cost the Government of Canada \$2 million to administer in the first two years, and then \$800,000 after that -- for 1,000 reports. The Parliamentary Budget Officer in his assessment said there would be 18,000 organizations affected.

The Canadian Labour Congress (CLC), however, expects that the cost of this change will be significantly higher. “It will cost the government anywhere from \$32 million to \$45 million a year just to operate – this at a time when the Conservatives are shutting down coast guards stations, search and rescue call centres, and eliminating food inspectors.”

Efforts will now turn to stopping the bill in the Senate. CAUT will continue working with the CLC as well as the Canadian Bar Association, and will consider any legal options available.

Looking Deeper into the UM Branding Campaign

Maverick, visionary, pioneer, rebel...

We’ve all seen the advertisements the administration has been running in newspapers, airports and on billboards across the country in its branding campaign.

If we stop to take a brief analysis of the meaning behind the words used in this campaign, it certainly sheds an interesting perspective on the language the administration has chosen to use to describe not only faculty, staff and students at the University of Manitoba, but all Manitobans.

In this newsletter, we’ll look at the term “maverick” and in future issues, we’ll delve into the meaning behind other words in the Visionary campaign.

“Maverick”

The term “maverick” originates with Texas politician, land baron, and slave owner Samuel Maverick (1803-1870). Wikipedia tells us that unlike other cattle owners of his time, he didn’t brand his cattle, owing either to deliberate choice (he didn’t like its effect on cattle) or opportunism (this omission allowed him to claim all unbranded cattle as his own, regardless of their origins). Unbranded cattle became known as mavericks.

The use of the word “maverick” as one of the “brand tenets” in the University of Manitoba National Brand Awareness Campaign thus leads to an interesting conundrum, since being a maverick is by definition to be unbranded. One might also question whether branding ourselves with the name of a slave owner is consistent with the U of M brand position on human rights.

To learn more about the University of Manitoba’s National Brand Awareness campaign, visit <http://umanitoba.ca/admin/mco/media/BrandStory.pdf>.

Amalgamation Update

On November 15, a town hall meeting was held for faculties in the Health Sciences Cluster to review options for amalgamations, including next steps for consultations and timelines. A copy of the presentation given at the town hall can be found on the [UM website](#).

The options presented are as follows:

A. Create a Faculty of Health Sciences where Dentistry, Medicine, Nursing, Pharmacy, along with Medical Rehabilitation, would be Colleges within the new Faculty. The School of Dental Hygiene would be a School within the College of Dentistry. Departments in the Faculty of Human Ecology (Family Social Sciences, Human Nutritional Sciences, Textile Sciences) would become part of the College of Medicine. The Faculty of Kinesiology & Recreation Management would not be part of a new Faculty of Health Sciences and would continue to explore potential opportunities and alignments with other clusters.

B. Create a Faculty of Health Sciences where Dentistry, Medicine, Nursing, Pharmacy, along with Medical Rehabilitation, would be Colleges within the new Faculty. The School of Dental Hygiene would be a School within the College of Dentistry. Another new faculty would be created (the Faculty of Health Living) by uniting Kinesiology and Recreation Management with Human Ecology and perhaps other units.

Consultations and discussions are anticipated to continue

from now to January, with a proposed structural change going to Senate between April and June. UMFA is very concerned about the short timeline for Department and Faculty Councils to meet and make recommendations to Senate regarding the proposed options. The administration has set a date of July 1, 2014 for the new structure to officially begin.

Please contact the UMFA office (lguse@umfa.ca) with any concerns you have with the process or with the two options, or if you have any questions or new information.

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