



# News & Views

Bulletin #3, May 2006

## SOME QUESTIONS & ANSWERS

**Q1. UGFA is proposing to become a certified union! What kind of a bunch of radicals are suggesting such a crazy outlandish idea?**

**A:** Actually, in seeking union certification, we would be joining the great majority of faculty associations in Ontario and Canada. A letter sent to you by the Provost indicated that some universities in Ontario - Toronto, McMaster and Waterloo - had "opted for more informal arrangements". In fact, of the major universities, only Guelph, Toronto, McMaster, and Waterloo are not certified. All the others are unionized, including Western and Queen's, who opted to certify fairly recently. Across Canada, again, the majority of university faculty are in unionized associations. (In Alberta, faculty are not organized under the provincial labour laws, but are in similarly organized bodies, under the post-secondary education act.)

Another point to recognize is that the faculty associations at both Toronto and Waterloo are not certified but do have access, when necessary, to the Chief Justice of Ontario (or Associate Chief Justice of Ontario) for purposes of naming arbiters to resolve issues in dispute. We do not. Of all Ontario Universities, we have the weakest of agreements in terms of being able to negotiate issues with the Administration and resolve disputes.

**Q2. But what about collegiality? Isn't collegial decision-making a key part of faculty participation in running the University? And unionization will be the end of collegiality!**

**A:** Think of all those Canadian universities with unionized faculty associations - can they all be considered "uncollegial"? Indeed, the true sense of *collegium* is that its members are *equally* empowered. It is our desire to ensure UGFA has the power to effectively negotiate the terms and conditions of employment with the Administration that has led us to seek certification.

**Q3. Does it really make sense for academics to be a Trade Union? We are professionals, not "workers"!**

**A:** Again, remember that university academics in Canada are largely members of trade unions, so it is not inconsistent with being a professional or a scholar. What unions do very effectively is professionalize the way workers interact with their employers. And yes, you are an employee ...remember the paycheck that comes every second Thursday? UGFA wants to become a certified union so that we can negotiate with the Administration in an effective and professional way about that paycheck, about your benefits and pension, and about all manner of other things that affect your working life. These issues can range from your teaching workload and student: faculty ratios, where and how you will work (Guelph-Humber? Distance Education?), your intellectual property, and who pays for your phone bill or provides the computer you need for work.

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**Q4: Who is in UGFA?**

**A:** A trade union is a workers' collective, and by definition cannot represent management. In order that we could pursue the option of certifying, we had to make changes to the UGFA Constitution and By-Laws to exclude from UGFA membership the Deans, Vice-Presidents, and the President of the University, and some other people with administrative functions (e.g. Associate Deans) - while they hold those appointments. A General Meeting of the membership on April 3, 2006 passed this change to the UGFA By-Laws, in order to protect the ability of UGFA to represent you. As long as UGFA included members who would be considered management (i.e. could "sit across the table" in negotiations), it could never be the certified bargaining unit for faculty and librarians at Guelph under Ontario Labour Law. (Also, another group could decide to try to organize some or all of the UGFA membership as a union or part of another union group.)

**Q5. Are we going to be part of a big union? Steelworkers? CAW? CUPE? ....**

**A:** UGFA will be UGFA, just as it is now, but certified. We will keep the abbreviation "UGFA" (in case you were worried), and we will still be an independent entity, not part of any larger trade union group. We already belong to two larger groups – the Canadian Association of University Teachers (CAUT) and the Ontario Confederation of University Faculty Associations (OCUFA). We will continue to belong. These groups provide us with substantial assistance in research on issues of concern, including salary comparisons, and in training UGFA members to be effective representatives.

**Q6. But I thought things seemed to be going OK. Couldn't we just fix up the Special Plan so it does the things we want?**

**A:** The Special Plan Agreement (SPA) is our current contractual agreement with the University Administration, and it, along with the Faculty Policies document, govern terms and conditions of employment for faculty and librarians at the University of Guelph. Article 4.3 of the SPA states: "In entering into this Special Plan Agreement, both parties recognize that this relationship between the University and the Faculty Association is outside The Labour Relations Act of the Province of Ontario." So we are excluded from the very tools we need. Re-writing parts of the SPA might fix some things, but substantial changes would be needed to give us the same procedures that are provided under the Labour Relations Act – and we'd be paying a lot of lawyers' fees!

In fact, if we were to unionize, a collective agreement would allow for easier administration, for both the Association and the University. While there would be sub-committees, all the issues would be dealt with through negotiations. It would be a lot easier for everyone to find the correct information about the terms and conditions of employment currently in force. The reality is that the SPA worked well in the past, but now we now have a much larger faculty (from 500 to 750), more students (from 10,000 to 18,000) and responsibilities compared to the time when the Special Plan was implemented. As a result, it seems that unionization is the best way to go.

**Q7. Hey, I was pretty happy with my salary increase last year! I thought UGFA was doing a fine job. Why change things?**

**A:** Well, your comparison needs to be University of Guelph salaries and benefits *in relation to similar universities in Ontario* – our competitors! We have been falling in comparison, and some of your increase is not a percent increase but awarded for your progress through the ranks. Traditionally, university faculty take quite a while to get to "job rate". Meanwhile, when comparing to increases in other sectors of the economy, we fall behind. Yes, UGFA has been doing the very best job it can for you – but this is the same UGFA that is now coming to you and saying we need better tools to represent you well!

**Q8. Are we sure this is a good idea?**

**A.** One indication is the fact that unionized faculty associations are the norm in Canada and Ontario. But perhaps more compelling is the fact that no faculty association has chosen to reverse the process and de-certify! The procedure to do away with a union is the exact reverse of that to certify – if 40% of the bargaining unit signs cards, then the Labour Board arranges to hold a de-certification vote. But no-one has done this!

**Q9.** If we have a union, I'm worried that we will lose our commitment to excellence, as people only do as much as they have to. The whole idea of rewarding merit will be lost!

**A:** UGFA isn't going to change! The things we are committed to as the University of Guelph Faculty Association will stay the same as a certified association. That includes a commitment to expecting excellence in teaching, scholarship, and service – and rewarding it!

**Q10.** I work long and hard at my research, and I don't want some union person trying to tell me I can't! And I certainly won't be ordered to go on strike!

**A:** UGFA isn't going to change! UGFA represents its members, and tries to make sure they have the best possible working conditions and compensation (salary, benefits, and pensions). But we don't now try to tell you how to do your work - or how much – and we won't as a certified union. You, the members, are the people who will continue to decide who will represent you on UGFA Council and Executive, and you will continue to vote on major decisions. That includes any possible future work action – whether “work-to-rule” or strikes. Faculty association strikes are rare in Canada – perhaps one every year or two across the entire country. And strikes are not called over small differences in pay settlements, but only in the case of major issues, where the overwhelming majority of faculty recognize the significance of the issue - maybe loss of post-retirement benefits? the end of tenure? academic freedom issues? But ultimately a strike is failed bargaining, so the threat puts pressure on both sides to arrive at a settlement.

**Q11.** So, are we going to have to hire paid union people to come in and run things for us? How much will *that* cost?!

**A:** UGFA isn't going to change! UGFA will operate the same way, with you electing your representatives to Council and Executive, who are the people who run things. We employ staff in the UGFA office now, and will continue to do so. We are a lean (but *not* mean!) operation now, and will continue to balance the cost of the operation with what resources are required to do the job we need to do in representing you! As a current UGFA member, you already pay dues to our national and provincial associations, CAUT and OCUFA, as well as dues for the support of our local office and activities. A certified UGFA might decide it wanted to join the CAUT Defense Fund, as a protection in the case of a strike or lockout, and that could increase fees by \$5.00/month. But the UGFA budget is – and still will be – presented each year for members to discuss and approve – or change!

**Q12.** So what's happening with the cards?

**A:** When 40% (or more) of the people in the bargaining unit – our community of interest – have signed cards indicating they wish UGFA to be their sole bargaining agent, then our application is filed with the Labour Board. The employer has the opportunity to challenge groups who are included in the union – by category – *the names on the cards are only seen by the Labour Board!*

Five working days after that, the Labour Board holds a vote on campus, to determine if UGFA becomes a certified union. This is decided on the basis of the majority of votes cast on that day.

**Q13. And what happens next?**

**A:** We begin negotiating our first Collective Agreement. While we negotiate that – which can take one or more years, the existing Special Plan Agreement, Faculty Policies, and other agreements all remain in force.

**Q14. Won't a Collective Agreement just tie us up in all sorts of rules?**

**A:** You already have all of these! But they are in several different places – the SPA, Faculty Policies, and a range of other agreements and university policies! What you don't have at present is a clearly-defined process for being involved in discussing and changing these policies. The documents on Integrated Planning and the White Paper on Undergraduate Education are two recent examples of discussions that truly affect faculty and their work, on which it has been difficult to have UGFA input.

**Q15. How do I get a card?**

**A:** If you would like to sign a card contact any of the following individuals:  
Ed Carter (ext. 53569)  
Sue Hubers (ext. 52126)  
David Josephy (ext. 53833)  
Roselynn Stevenson (ext. 53577)