

LUFA News

Fall 2022

LUFA GENERAL MEETING

Tuesday November 22, 2022 11:30 am

Via Zoom

<https://lakeheadu.zoom.us/j/8427194447>

Meeting ID: 842 719 4447

Passcode: 667019

President's Report

Gautam Das, gdas@lakeheadu.ca

Welcome to the Fall General Meeting on November 22, 2022. I sincerely appreciate the volunteers serving on the LUFA Executive, LUFA committees and most importantly, all of the grievance officers. LUFA could not provide high quality professional and timely services without your dedicated involvement.

Please note that your service in LUFA Committees and your active participation in the activities of LUFA are considered part of Administrative Responsibilities (Article 16.04) and Service to the Profession and the Community (Article 16.05), respectively.

LUFA continues to advocate for, engage with, and fight for members' rights and working conditions, pension reform, reflecting Equity, Diversity and Inclusion at all levels of University Governance, Senate By-Laws changes, Transparency and Collegiality at all levels of University Governance – Please read [LUFA Deputation to the LU Board of Governors](#), and the inclusion of Diverse Scholarships in the Collective Agreement.

Finally, LUFA's [Ad Hoc Committee on Administrative and Governance Structure is reviewing the Governance structure](#) of LUFA to ensure that LUFA can meet the organization's needs in an evolving collective bargaining environment. The committee has developed a few policies – please visit <https://lufa.org/policies/> to find out the recently developed documents.

Seeing our members come together about issues impacting us all and building strength and solidarity was great. The pandemic burnout makes our lives more challenging than ever before! We need to think of a longer-term strategy to improve the situation, which is possible only through a transparent and collegial environment at all levels of University Governance. We need to be part of the University's strategies! I will encourage you to attend LUFA meetings and visit the [LUFA website](#) to find regular updates.

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In the following paragraphs, I summarize some information you may find beneficial.

Negotiation - LUFA will retain the service of David Wright, Labour Lawyer as the spokesperson in the upcoming negotiation, which will commence on **May 1, 2023**. Robert Mawhinney, Chief Negotiator, is working on finishing the Collective Agreement (September 1, 2022 – August 31, 2023). He will outline the plan in the General Meeting as we move forward. Please join me in thanking Robert for taking on the LUFA representative position on the Pension Board, another critical role he assumed on behalf of members.

Coffee and Conversation – LUFA has organized four sessions since September 2022. These meetings provide a forum for the discussion of:

- (i) the current bargaining environment and issues;
- (ii) how internal and external factors can influence our ability to maintain our bargaining rights;
- (iii) matters related to compensation such as benefits, salaries, pension, and
- (iv) any other issues you want to bring to the attention of the LUFA Executive and bargaining team.

Issues raised by members in the previous meetings: (i) Recognition of **Diverse Scholarships**; (ii) **Pension Contributions** – one of the lowest contributions in the province; (iii) **University Governance and Collegiality** – University's reliance on lawyers and consultants; (iv) **Contract Faculty members** – Job security, sick leave; (v) **Faculty Renewal** and (vi) **elimination of SET**.

LUFA will form the **Action Committee** by December 2022. The Committee will develop a "**Message Box**" containing details on the negotiation issues identified by you as top priorities – Robert Mawhinney will speak at the General Meeting on how you can assist the Bargaining Team in identifying bargaining priorities for the upcoming negotiations.

CUPE Strike – On November 4th, LUFA joined the education workers' strike in solidarity and to protest the back-to-work legislation under **Bill 28** – Keeping Students in Class Act.



Pension Reform – Good news is LUFA is joining the CAAT Pension Plan from January 1, 2023. Although LUFA made significant progress in Pension Reform – LUFA members sacrificed their salary increment to contribute to the employer's CPP. More needs to be done to ensure that members can have a dignified life after they retire from Lakehead University - No need to work till 71 years of age! I will encourage you to register for the upcoming sessions organized by CAAT - **Get to know DB plus: Sign up for an education session to learn more about your new pension** – Please check your email from **HR on Monday, November 7**, or check **LUFA November NEWS Bulletin** sent on **Wednesday, November 2** for registration information.

In the past several years LUFA Pension Committee and the Executive have done a great deal of research on Pension Reform! One discussion item was to increase the Employee Pension Contribution to 8.05% from 6.5%. Currently, LUFA members contribute 6.5%, and LU BoGs contribute 8.05%. Please note that LUFA members' contribution is the lowest at Lakehead University.

LUFA Pension Committee is working on several important issues related to our assets in the LU Professional Pension plan, and you will hear more soon. In addition, pension is one of the issues which needs a thorough understanding – I will encourage you to visit the LUFA website (<https://lufa.org/agreements/pension-information/>), where you will find the recordings and presentations by the late Ken Hartviksen, who thought about pension situation of the Lakehead University community till his last breath. These documents contain a wealth of information vital to our understanding of the Pension Reform issues. For more information, I encourage everyone to read the past **pension committee** report in the newsletters and **LUFA Communiqué**. As more information becomes available, LUFA will continue to update you. Please also read **Eckler Review on Lakehead University Professional Pension Plan**.

OCUFA News: "The Auditor General of Ontario's preliminary report on Laurentian University confirms assertions faculty have been making for more than a year—that the University's financial crisis resulted from secretive and deficient governance practices and the Ford government's failure to step in and support the institution when its financial needs became clear. The Auditor General found that the use of the Companies' Creditors Arrangement Act (CCAA) was inappropriate and unneeded and that, instead, the University should have worked collegially with the Laurentian University Faculty Association to address the institution's financial challenges" – [read more](#).

Several LUFA Executive members attended the **OCUFA University Finance Workshop** on November 3 and 4, 2022. On November 4, 2022, meeting Bonnie Lysyk, Auditor General, Spoke in length about the Laurentian Crisis. The final report on Laurentian CCAA will come out soon. I will encourage you to read the preliminary report found at:

https://auditor.on.ca/en/content/specialreports/specialreports/Laurentian-U_Preliminary_Perspective_en.pdf

I will also encourage you to read LUFA's Deputation to the LU Board of Governors. <https://lufa.org/lufa-deputation-to-the-board-of-governors/>

Bill 124 legal challenge: In January 2020, OCUFA joined a coalition led by the OFL that now includes some 40 unions representing more than 250,000 Ontario workers to launch a coordinated Charter challenge against the Protecting a Sustainable Public Sector for Future Generations Act—formerly Bill 124. OCUFA President was called for cross-examination in September.

Reforming the CCAA and BIA: The CCAA process at Laurentian University, and everything that has happened as a result of that filing, has reinforced the necessity for LUFA to be vigilant about governance, oversight, transparency, and institutional financial decision-making. OCUFA calls for increased public funding to ensure public institutions' health and vitality and advocates for reforming the CCAA and Bankruptcy and Insolvency Act (BIA) legislation to ensure these anti-union and anti-worker processes can never be used against another public institution again.

SMA 3 - metric definitions and sources: Only six out of the 10 SMA 3 metrics were activated in year one (2020-21). **It will be important for LUFA members to see the performance of Lakehead University.**

(i) Graduate employment rate in a related field

Definition: proportion of graduates of undergraduate (bachelor or first professional degree) programs employed full-time who consider their jobs either "closely" or "somewhat" related to the skills they developed in their university program, two years after graduation. Source: Ministry of Colleges and Universities - Ontario University Graduate Survey.

(ii) Institutional strength and focus

Definition: proportion of enrolment (Fall, full-time equivalents (FTEs), domestic and international, all terms for undergraduate students and Summer and Fall terms for graduate students) in an institution's program area(s) of strength. Source: Provided by institutions, validated by University Statistical Enrolment Report (USER)/Ministry of Colleges and Universities.

(iii) Graduation rate

Definition: proportion of all new, full-time, year one university students of undergraduate (bachelor or first professional degree) programs who commenced their study in a given fall term and graduated from the same institution within seven years. Source: University Graduation Rate Data Collections.

(iv) Community and local impact of student enrolment

Definition: Institutional enrolment share in the population of the city (cities) or town (towns) in which the institution is located. Source: University Statistical Enrolment Report (USER), Ministry of Colleges and Universities, Census Data, Statistics Canada.

(v) Economic impact (institution-specific)

Definition: Note that the metric used, and unit of measurement varies by institution. In some instances, an institution's values will be represented by a whole number, others by a percentage or a dollar amount. Even where institutions use the same unit of measurement, they will refer to diverse measures. Therefore, for this metric, analysis and comparison should only compare an institution to its own historical data, not the data or historical data of other institutions. Source: Varies by the institution.

(vi) Research funding and capacity: federal tri-agency funding secured

Definition: Amount and proportion of funding received by an institution from federal research granting agencies (Social Sciences and Humanities Research Council (SSHRC), Natural Sciences and Engineering Research Council (NSERC), Canadian Institutes of Health Research (CIHR) in total tri-agency funding received by Ontario universities. Source: Tri-Agency Institutional Programs Secretariat.

Further updates and information are available via **LUFA Communiqué**, NEWS Bulletin, and the **LUFA website**. I encourage you to consult them as often as you are able. Please get in touch with me or any other LUFA Executive members if you have any questions or concerns.

Chief Negotiator Report

Robert Mawhinney, rmawhinney@lakeheadu.ca

Since the Annual General Meeting in April, a new one-year contract was negotiated, making several gains, the largest being a move to CAAT for future service beginning January 1, 2023. The following is a brief summary of the updates.

- Pension reform with a switch to CAAT for future service beginning January 1, 2023
- Under Bill 124, improved all available compensation by 1%
- Professional Expenses Reimbursement increased for Faculty, Librarians, Continuing Lecturers, and Contract Lecturers (Levels 2 and 3)
- Right of First Refusal for Contract Lecturer eligibility lowered to 2 years
- Several Letters of Understanding moved into the collective agreement (#1, #3, #4, #5, #18, #19)
- Incorporated Teaching-Focused Faculty Language and update PTR requirements to match general tenure-stream language
- Incorporated electronic submission language into PTR and Merit
- Incorporated some aspects of EDI language proposal throughout the agreement
- Updated LoU on Dental Implants and Orthodontics
- Incorporated some minor changes in inclusive language missed previous round
- Removed inequity in retiree benefits
- Increased the number of compassionate leave days from 3 to 5

The online and hardcopy versions of the 2022-23 Collective Agreement are currently being finalized and should be available shortly.

Please join me in thanking Karl Skogstad, Juan Pernia, Debra Gold, Lynn Martin, Jill Greenwood, Shikui Wu, Camillo Lento, Rachel Warburton, Joe Carney, and Jennifer Jarman, along with David Wright and Ben Hubbard. Each exerted considerable effort (head and heart) during this round of negotiations.

Various committees have been active to ensure that the updated language is implemented properly, including the Joint Committee for Administering the Agreement (Article 10) and the Joint Benefits Committee (Article 9.10). Please see the individual committee reports for some of the details on what is being addressed during this academic year.

Since the collective agreement was ratified, LUFA has been active in preparing for next summer's bargaining. These activities include membership engagement sessions in the form of Coffee & Conversations, which have been and will continue to be held generally on the first and third Friday of each month. Please watch for an upcoming membership survey that will help the next negotiating team understand how your priorities have changed following the improvements summarized above.

Chief Grievance Officer Report

Qing-Lai Dang, qdang@lakeheadu.ca

I would like to draw your attention to the University's new policy on electronic monitoring, which can be viewed at https://www.lakeheadu.ca/sites/default/files/policies_procedures/Electronic%20Monitoring%20Policy.pdf. If you have any questions, please feel free to contact me. Any feedback on this policy will be appreciated.

LUFA Grievance Committee continues to deal with issues related to LUFA members' behavior. The University has sent our members letters of counsel or discipline regarding complaints from students or staff members about the behavior of some LUFA members in the last couple of years. Please pay attention to your language and/or behavior when dealing with anyone.

If you have a grievance or concern, please contact the grievance officers assigned to your unit as listed below or myself:

Your unit	Your grievance officers
Business Administration	Tianxuan Miao (Math) and Jason Blahuta (Philosophy)
Education	Scott Pound (English) and Jason Blahuta (Philosophy)
Engineering	Scott Pound (English) and Tianxuan Miao (Math)
Health & Behavioral Sci.	Juan Pernia (Civil Eng) and Wely Floriano (Chem)
Law	Scott Pound (English) and Naqi Sayed (Bus Admin)

Natural Resources Management	Tianxuan Miao (Math) and Naqi Sayed(Bus Admin)
Sci. and Environmental Studies	Naqi Sayed (Bus Admin) and Scott Pound (English)
Social Sciences & Humanities	Wely Floriano (Chem) and Juan Pernia (Civil Eng)
Orillia Campus	Jennifer Jarman (Orillia) & Sherry Wang (Bus Admin/Orillia)

Benefits Committee Report

ShiKui Wu, Chair, shikui.wu@lakeheadu.ca

Benefits Improvement/Changes in New Collective Agreement (2022-2023)

Below please find a brief summary of benefits improvement and changes in the new one-year collective agreement (2022-2023):

- Pension reform with a switch to CAAT for future service beginning January 1, 2023
- Under Bill 124, improve all available compensation by 1% (salary, CDI, PER)
- Update LoU on Dental Implants and Orthodontics
- Remove inequity in retiree benefits
- Increase the number of compassionate leave days from 3 to 5

Reports from Joint Benefits Committee

The Joint Benefits Committee had several meetings in the Summer and Fall of 2022. The Committee has approved its Terms of Reference, which will be further approved by the Joint Committee.

The University has initiated to join the CAUBO Benefits Consortium, and the LUFA representatives have requested a Memorandum to confirm such an initiative will have no impact on the bargaining rights of LUFA and no deleterious impact on the employee benefit entitlements.

The LUFA representatives have also requested to obtain more information and alternatives from the benefits provider regarding dental implants, orthodontics and long-term disability benefits.

The data and reports (2021-2022) from the benefits provider have also been requested for data analysis, which will serve for reviews and recommendations in our benefits plans and the forthcoming bargaining in 2023.

Benefits Committee

Shikui Wu, Chair (Business Administration)
Robert Omeljaniuk (Biology)
Ruizhong Wei (Computer Science, Orillia)
Joey Farrell (Emeritus)
Robert Mawhinney (Chemistry, ex-officio member)

Librarian Report

Debra Gold, debra.gold@lakeheadu.ca

Sara Janes attended the CAUT Librarians and Archivists conference on October 21-22 this year. The conference (in hybrid format) brought together approximately 90 librarian and archivist members to talk about a variety of issues including collective bargaining and organizing, and share stories of the successes and problems at our institutions. Of particular interest was a discussion of the importance of collegial governance in academic libraries, and talk of tools for teaching privacy and anti-harassment strategies for scholars in the public eye, provided by the Library Freedom Project.

Emeritus Committee Report

Glenna Knutson, Chair gknutson@lakeheadu.ca

The LUFA Emeritus Committee met three times since the AGM in May and is due to meet again on December 7. Chief among the Committee's activities have been advocacy around equity in health benefits for retirees using the Lakehead University benefits plan. We were very gratified that the Collective Bargaining Team was able to negotiate a significant increase in health benefits for those who retired prior to 2008, who had paid premiums equal to those who retired after 2008, but received only \$20,000 in benefits versus the \$500,000 allowed for the latter retirees. This was a significant victory for equity.

The Committee is beginning work on a strategy to communicate to Emeritus Members the various benefits such as library use and parking, to which they are entitled. We will also work with the Chief Negotiator in preparation for the next round of collective bargaining. Other initiatives will emerge as the year progresses.

The members of the LUFA Emeritus Committee are:
Nancy Lukai, Karen Maddox, Brian Phillis, Jim Stafford and Glenna Knutson (chair).

Contract Lecturer/Continuing Lecturer Committee Report

Jill Greenwood, Chair, jgreenw3@lakeheadu.ca

The Contract Lecturer/Continuing Lecturer Committee Members met on Sept. 14 to discuss the new CA gains for CL members. These include that the number of years to gain the Right of First Refusal was lowered to two years from three; an increase in professional expenses for Levels 2 and 3, Continuing Contract Lecturer, and Continuing Lecturers; and those in LUEPP Pension Plan moving forward with others to switch for future service. The salary increase was only 1% as we, like all university faculty, are still constrained by Bill 124.

For our Oct. meeting, we participated in the CAUT Fair Employment Week (FEW) on Oct.17-21 by holding events on both Thunder Bay and Orillia campuses. We joined colleagues across Ontario in support of fair employment for

contract faculty and to make our presence known. Check out our Twitter Presence!

https://twitter.com/OCUFA/status/1583092905119387650?s=20&t=Lz3_pXiWjJNW9rf9mhCZMQ.



We look forward to hearing from Contract Lecturers so that we can advocate for better working conditions, stability, and equity for contract faculty as we head into another round of bargaining.

In solidarity,

Jill Greenwood, Chair

CAUT Defence Fund Report

Livio Di Matteo, ldimatte@lakeheadu.ca

The annual meetings of the CAUT Defence Fund were held in Montreal in both virtual and in-person formats on Saturday, October 15th. The CAUT Defence Fund was established in 1978 to provide unionized Canadian academic member unions with a unified strike fund. Formed of associations that are members of CAUT (Canadian Association of University Teachers), it now includes 66 member unions representing nearly 37,000 academics at universities stretching from St. John's to Victoria. Its current assets as of May 31st, 2022, were \$33.6 million and stand to assist and support faculty associations in their ongoing relations and negotiations with university administrations and boards.

The Defence Fund supported six member unions that took job action in the past year: the University of Manitoba Faculty Association, the Concordia University of Edmonton Faculty Association, the University of Ontario Institute of Technology Faculty Association, the Acadia University Faculty Association, the University of Lethbridge Faculty Association, and the Association des professeurs, professeures et bibliothécaires de l'Université Sainte-Anne (APPBUSA). Indeed, as a result of drawdowns on the fund, it declined from \$38 million in August of 2021 to 33.6 million by May of 2022 – a significant decrease - as nearly 7 million dollars in strike benefits paid out though investment income made up some of the decline. A self-sufficiency risk assessment analysis of the funds long-term viability found that under current operating assumptions, the probability of the fund not being self-sufficient is low. There are also provisions for member due increases to automatically come into effect if certain critical levels of the fund are reached.

The past year was indeed extraordinarily active in terms of strike activity and in a statement for the annual meetings of the CAUT Defence Fund the outgoing President of the CAUT Defence Fund, Ted Binnema noted that: "These many strikes, the concessionary demands that are behind them, and the hard line that Employers are taking during strikes, should convince us of the great benefit our member associations enjoy by having a national organization such as the CAUT Defence Fund. The protections and working conditions of university faculty are under attack in many places around the world. Thanks to the CAUT and the CAUT DF, faculty at Canadian universities are well placed to resist those who seek to erode some fundamental principles: collegial governance, academic freedom, tenure, intellectual property rights, and the institutional autonomy of universities. In the coming year, we might have the honour and privilege of supporting several more member associations who may be placed in the position of courageously defending these rights." President Binnema also noted in remarks that the CAUT Defence Fund is the envy of faculty around the world and stressed the importance of guarding it for future generations of faculty.

The Montreal meetings focused on a number of issues, but key was the future governance of the CAUT Defence Fund. Under the current governance structure, the approval of 100% of the Member Unions is required to make certain fundamental changes to the governance of the Fund such as making changes to the membership structure of the Fund. If even one Member Union does not approve a proposed change, the change cannot be made. The requirement for unanimity is a much higher threshold than is required for most decisions by the members, whether that be a majority vote (ordinary resolution) or a two-thirds vote (special resolution).

At present, the Fund currently has 90 classes of members with the following voting rights:

Classes 1 to 59 and 61 to 90 (Member Union Classes), each of which is comprised of one Union (Member Union) that is a member of the Canadian Association of University Teachers (CAUT). Each Member Union has the number of votes equivalent to the number of Directors (Trustees) it is entitled to elect, being one Director (Trustee) for each five hundred dues-paying persons or portion thereof who are members of a bargaining union or units represented by that Member Union.

Class 60 (Class 60), which is comprised of the President of CAUT, the Treasurer of CAUT, the Executive Director of CAUT, the Chairperson of the Academic Freedom and Tenure Committee of CAUT, and the Chairperson of the Collective Bargaining and Economic Benefits Committee of CAUT (Class 60 Members). The Class 60 Members only have voting rights in relation to certain amendments to the Fund's by-laws, including changes to the membership classes of the Fund, in which case each Class 60 Member has 200 votes.

Briefly, the proposal was that each Member Union's ability to elect/appoint the Directors (Trustees) of its choosing be set out in a unanimous members' agreement (UMA) amongst the Member Union Classes and that the Member Union Classes be consolidated into one Member Union Class, while still preserving the number of votes that each Member Union has, including the number of Directors (Trustees) that each Member Union is currently entitled to elect and/or appoint. The primary goal of the proposed changes was to secure for the Fund a nimbler structure that would allow Member Unions to make governance decisions by two-thirds majority votes rather than votes that require unanimity. For example, a change in membership classes and certain bylaw changes requires unanimity meaning that under the current system every member union essentially possessed a veto.

However, the proposed changes to the voting structure were subject to a lot of debate given that it was pointed out in correspondence before the meeting that it was possible that replacing the current unanimous consent structure under which member unions joined, with one that would require the agreement of two-thirds of the Associations

could have unfortunate effects. For example, the net effect of the change in theory could result in an issue being approved by two thirds of the member associations representing potentially only 27% of the dues paying members into the fund (i.e., 9,613 of the 36,060 members based on the Accounts Receivable report from the 2021 annual meeting). The counter suggestion was therefore made that a double majority be required. That is, two-thirds of the Associations representing two-thirds of the contributing members. A double majority of this type would protect the smaller associations from being dominated by the larger ones, but also ensure democratic representation by population. Needless to say, much frank discussion ensued. The issue was voted on by Directors and passed which means that Member Unions must now vote under the existing rules (requiring unanimity) to change the rules (to go to a two-thirds vote on future fundamental issues). Member unions will be contacted on this.

In other news, strike benefits were requested and approved for universities at varying stages of the negotiation process. They were Faculty and Technician Union at Nova Scotia College of Art and Design University (FUNSCAD), Nipissing University Faculty Association – CASBU (NUFA-CASBU), Cape Breton University Faculty Association (CBUFA), Atlantic School of Theology Faculty Association (ASTFA) and University of Guelph Faculty Association (UGFA). They reported that administrations have been tough to deal with and negotiations have been long and protracted.

Elections were held for Officers and Committees. For President, Michael Shaw (University of Manitoba Faculty Association) was acclaimed as the new President of the CAUT Defence Fund. Elections were held for membership on the Investment Committee, the Planning and Policy Committee, the Audit Committee (Acclaimed), and the Elections Committee. Contact information for the Officers and Committee Members will be available at <https://defencefund.caut.ca/contact>.

In addition, a vote was held to raise membership dues from \$5.50 to \$6.00.

The next annual meeting of the CAUT DF will be held in a unionized hotel in either Toronto, Montreal, or Ottawa most likely in October of 2023.

LUFA Executive Committee 2022/23

President
Vice-President
Secretary
Treasurer
Past President
Members at Large

Chief Grievance Officer
Chief Negotiator
CAUT Rep.
CAUT Defence Fund Rep.
OCUFA Rep.

Gautam Das
Liping Liu
Florin Pendea
Sherry Wang

Kamil Zaniewski
Lynn Martin
Qing-Lai Dang
Robert Mawhinney
Gautam Das
Livio Di Matteo
Gautam Das

OCUFA Collective Bargaining
Status of Women Rep.

Benefit Committee Chair
Contract Lecturer Chairs
Emeritus Committee Chair
Equity, Diversity & Status of Women
Committee Chair
External Relations Committee Chair
Librarian Committee Chair
Nominating Committee Chair
Orillia Committee Chair
Pension Committee Chair
Physical Environment Committee Chair
Research Committee Chair

Robert Mawhinney
Wendy St Laurent-
Coutts
ShiKui Wu
Jill Greenwood
Glenna Knutson

Juan Pernia
Doug Ivison
Debra Gold
Jason Blahuta
Alice den Otter
Karl Skogstad
Hui Zhang
Lida Fan

Contact:

LUFA Executive Assistant
lufa@lakeheadu.ca

Ben Hubbard