

**ACADFA GENERAL MEETING**

**MONDAY OCT 29 2018**  
**6:45 PM RM 532**

**ACADFA EXECUTIVE  
MEETING AGENDA**

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|--|---|
| 1. Call to Order   | 6. Unfinished Business  |
| 2. Approval of Agenda                                    | 7. New Business   |
| 3. Approval of Minutes from AGM Apr 26 2018              | a. Approval of 2018-19 Budget   |
| 4. President's Report (Natali Rodrigues)                 | b. Elections – 1 – Secretary (1 Year)                                     |
| 5. Committee Reports                                     | c. Discussion of ACIFA Defense Fund, with Presentation by ACIFA President |
| a. Interim Vice-President/Treasurer (Justin Waddell)     | d. Approve Changes to Constitution/Bylaws/Policies/Procedures             |
| b. Secretary (Vacant)                                    | 8. Information  |
| c. Negotiations Advisory Committee Chair (Chris Frey)    | 9. Adjournment  |
| d. Faculty Professional Affairs (Zimra Beiner)           |   |
| e. Grievance Advisor (Jeff Lennard)                      |   |
| f. Communications Officer (Jackie Bagley)                |   |
| g. Representative to Board of Governors (Ian Fitzgerald) |   |
| h. Sessional Representative (Mark Giles)                 |   |
| i. Academic Council Rep (John Cavelli)                   |   |

**ACADFA EXECUTIVE REPORTS  
Presented at Executive Meeting**

**10 10 2018**

**PRESIDENT | Natali Rodrigues | natali.rodrigues@acad.ca**

**My dear fellow members**

This has been a very full few months, and I hope to update you all as best as I can.

As you know the wonderful Patti Dawkins decided to retire at the end of August. Her presence is deeply missed in the office. We are going through a hiring process, which Justin Waddell is chairing. We are hoping to hire someone in the office as soon as possible. Keep an eye out for the call, and please pass it on to whomever you think would be interested or a good fit.

Unfortunately, Ashley Scarlett has stepped down as Secretary. She has done a fantastic job, but we need to find someone to fill the remainder of her term. Please let me know if you are interested.

**RATIO**

As you know the College has not lived up to its commitment in the collective agreement to maintain a percentage of 70% permanent faculty to 30% sessional faculty. You can find this in our Collective Agreement, 8.02.iii.

The importance of maintaining ratio has become very clear over the last few years, as the workload for permanent faculty becomes increasingly more time-consuming and onerous.

In late January 2018 we grieved the deficit in hopes of finding a collaborative solution. An arbitration date has been set. The ACADFA team, led by the Grievance Councillor, has begun to prepare to for the Arbitration Hearing in March.

**VOTES OF NON-CONFIDENCE**

I sent a letter to the Board of Governors in June informing them of the outcome of the first motion regarding the loss of confidence by the ACADFA members, in the President.

I sent a second letter to Minister Schmidt in June informing him of the outcome of the first motion regarding the loss of confidence by the ACADFA members, in the Board of Governors.

Should you wish to read these letters, please come to the General Meeting on October 29, 6:45 pm, Room 532.

Over the summer, several of the ACADFA Executive and I have had the chance to speak with the Minister, the Chief of Staff, and the Director of Campus Alberta about the votes. These conversations have been gratifying and challenging. In a recent conversation with the Chief of Staff about the additional funds to ACAD base funding, I expressed my concern that while the ACAD administration has been very clear about how it will improve the administration of the College in terms of hiring and expanding that group's functionality, there has been no indication on what possible improvement or support might come to the classroom and the academic side. The members of the Ministry have all voiced their support for the College and the importance of it within the Alberta Post-Secondary landscape. My sense is that they understand the challenges we face as both faculty and as an institution.

I met with the Chair of the Board of Governors, and Ian Fitzgerald (the ACADFA representative on the Board) for a coffee and an informal conversation. We discussed the votes, and possible solutions and ways forward. Though there are still differences, the meeting went very well, and I believe some common ground was built.

All of these conversations have been through a lens of supporting the Collective Agreement and what happens in the studio and the classroom. Below, you will find an excerpt from the letter to the Ministry that lists the objectives and pathways that the ACADFA Executive have identified:

ACADFA is advocating for leadership that demonstrates its effectiveness through:

- constant and genuine engagement with the learning and lived experiences of students in their studios and classrooms;
- recognition of faculty agency in governance;
- transparent decision making, communications, and financial reporting;
- consistency of management structures;
- stable recruiting and retention that reduces the need for interim appointments;
- continuity of priorities;
- timeliness of actions;
- engagement with external communities to champion the successes of students and faculty;
- returning to and fostering of an internal culture of respect and collegiality;
- upholding and acknowledging the ACAD/ACADFA Collective agreement as the collective contract for the faculty (i.e. ratio of permanent to sessional faculty)

Our hope is that these bullet points will be used as a framework to build a sense of confidence in Administration.

**FACULTY EVALUATION PROCEDURE (400.18.1)**

During the last Academic Year, it became very evident the faculty evaluation procedure was not as functional as it ought to be. Evaluations for both sessional and permanent faculty were delayed, in some cases until June. Through the Joint Consultation process, it was agreed that the procedure should be revised with an eye to mentorship, functionality, efficacy and efficiency. The working group is comprised of Alex Link, Ben Fullalove, Karl Geist, Jeff Lennard, Justin Waddell, Carissa Matthews, and myself.

We are meeting over the next year to rewrite the process and procedure.

Some of the topics we have discussed are the role of student assessment, teaching portfolios, and other peer review methods. This should be a document and process that supports faculty as they move through their practises as instructors, makers/researchers, and community members. It also needs to be functional enough that Chairs can and will complete the Evaluations in a timely and effective manner.

**TOWNHALL | REBRANDING**

It was disappointing that this was a meeting to deliver information and not a discussion prior to the name being sent to the Provincial Government for approval. It was concerning to hear further disparagement of curriculum and current programing.

**MEETINGS**

- I am hoping to be able to schedule a regular monthly meeting with the President of ACAD. I look forward to setting up a time.
- The President has requested a lunch meeting with ACADFA Executive and Cabinet. We are in the process of scheduling it.
- The new Vice President Academic and I have begun to have our monthly meetings.
- Joint Consultation has been scheduled. I look forward to the meeting.
- ACADFA Executive will be meeting with Alex Link, Carissa Matthews, and Ron Bond to talk about the transition to university. It will be of particular interest to see what changes are being planned to facilitate increased support (space, time, and resources) for research and practice, and a description of what kinds of changes are being planned for as we move towards a more bicameral system of governance, etc.
- I continue to attend regularly scheduled ACIFA Presidents councils
- I look forward to attending the public meetings of the BOG, and Academic Council.

**GRIEVANCE**

Jeff Lennard and I worked with several faculty over the summer on challenges that could have led to grievance. Please remember to come talk to us if you are experiencing issues or challenges related to the collective agreement.

**BOARD OF GOVERNORS**

The first public meeting of the Board of Governors will be on October 31 at 4:00 pm in the Boardroom.

**These are public meetings, and are very interesting. Please consider attending one this year.** The time and room are the same as above, unless otherwise posted on the website. The scheduled upcoming dates are:

October 31, 2018 | February 27, 2019 | April 17, 2019 | May 15, 2019 | June 19, 2019

**BYLAWS**

Under new legislation ACADFA and other associations under the Post Secondary Learning Act will transform over the next 4 years into unions, meaning that we have been given the right to strike, as the employer has been given the right to lock out. There are several other key changes that can be found in Bill 7. All these changes mean a change and rewrite to our association's bylaws. We have done this with the aid of a labour lawyer. Please find the proposed bylaws attached in this email.

**ACIFA DEFENCE FUND**

In response to the changes in legislation, ACIFA is in the process of building a defence fund. You will find a helpful FAQ document about this fund here. We need to decide whether or not we wish to join. Keep in mind that it will mean an increase to your dues, and if we choose not to join the fund we will have to leave ACIFA.

The ACIFA President will come to our General meeting to speak about the fund.

Respectfully submitted

**SESSIONAL REP | W. Mark Giles, PhD**

Contract academic faculty are integral members of the ACAD community. Without contract academic staff, the institution would fail.

Since the sessional rep's last report to membership at the Spring AGM there are a few items to report. I attended a four-day conference for contract academic staff from Canada, The USA, and Mexico in San Jose. There is huge amount of information from that conference that I will report more fully under its own cover at date in the not too distant future. But the short of is:

- conditions in all three countries are similar.
- The most effective work in terms of labour relations in other places has been at PSEs where permanent faculty and contract faculty were able to forge alliances and work as partners. Unfortunately at many institutions permanent/tenure faculty are pitted against contract academics with varying degrees of conscious complicity.
- Without the commitment of faculty association membership to strike for changes, management will have no reason to negotiate but instead will roll back benefits and wages. This has been proven at a number of US and Mexican colleges, and perhaps to some extent at York U this past summer.
- A report from CUPE will be released shortly about contract academic work; in some ways its quantifiables are more robust than the CAUT survey mentioned below, but there are still issues in gathering the full picture of the lived experience of contract faculty.
- Making alliances both within institutions (for example here, with ACADSA and AUPE) and outside institutions is crucial to the health of a faculty association, especially a small one.
- Continuous meaningful engagement with members through formal and informal communications is the only way to demonstrate an association's worth to its members. This means Management by Walking Around, pop-up info sessions, guerilla campaigns, regular two-way communications about issues that matter to members

Over the summer I initiated two surveys of contract academic faculty. The first was in response to news that very few people were getting fulsome communications from the chairs about teaching for 2018-19, and no one was seeing actual contracts. It was launched June 9 and ran for three weeks. During that time many folks started to get more information. But there were many who were waiting for info. Results are attached at the end of this report.

The second survey ran beginning Aug 1. I was hoping to get a sense of contract updates – I had heard there were still a couple people waiting for contracts. The second survey also asked for some opinions from contract faculty about the cash injection, and whether they felt change was possible. Also included: priorities that the contract faculty see in matters of collective bargaining. Results are attached at the end of this report.

I heard through email and in other ways that some contract faculty were wondering how the votes of non-confidence were to be used going forward. I told them the executive would keep everyone informed.

I requested that ACADFA consider a grievance around a w work-assignment issue whereby a contract faculty member could be denied work because of executive fiat. ACADFA declined to pursue the grievance.

There is some confusion among contract faculty about how the evaluation procedure operates; I responded to emails on this matter.

I heard from a contract faculty member about an issue that arose with Employment Insurance that seemed to have to do with unexpected dates on ROE's. This member was dealing with the EI Integrity office, and was worried, though the member seems to have communicated clearly with the EI officer. I have not heard the outcome of that.

I hope to hold a fair employment awareness event the week of Oct 22

The results of CAUT's contract faculty survey were published. Some sampling protocols, and the lack of good StatsCan back up meant that some of the quantifiables of the survey have been questioned by PSE admin factotums. But in terms of qualitative data, the survey was exemplary in capturing many of the nuances of the lived experience of contract academic faculty, which I think rang true with many I have spoken to – especially those of us who have long experience of it. I would like to organize a "Contract Faculty 101" workshop or series of "Lunch'n'Learns" (how I loathe that moniker) to deal with: evaluations; communicating with chairs; ACADFA resources; managing ROEs and EI. I welcome other suggestions.

A number of actions have occurred in Canada that are important to watch for labour trends. The York U strike ended badly with back-to-work legislation and a dispirited union. Laval tried a lockout, which ended badly for management. The Ryerson decision on student evaluations needs to be examined closely; student evaluations are used differently for sessional instructors than for permanent faculty.

As sessional rep, I will continue to work with the membership both sessional and permanent to reduce or eliminate the anxiety triggers around contract work by advocating for: transparency in communication; timeliness in decision-making; and acknowledgement of professional contributions to whatever success the college may achieve.

**GRIEVANCE ADVISOR | Jeff Lennard | jeff.lennard@acad.ca**

There are no new grievance cases.

**Arbitration case update.**

On Friday October 5, Natali Rodrigues, Chris Frey and I met with Wayne Benedict our lawyer on the Ratio Arbitration case. We reviewed the history of not being able to reach ratio over the tenure of the President.

Wayne suggested that the language in our CA is very clear that ACAD "shall" maintain the ratio, not attempt to, or consider doing but will have ratio. And since there is no contention on not being at ratio we have a strong case.

The additional evidence, reports and letters presented confirmed that ACAD has not lived up to the agreement but since ACADFA has tried to work with admin and hasn't pushed enforcement, ACAD will likely argue Estoppel.

Wayne suggested that this does not preclude our need to proceed to arbitration as it is ACAD's responsibility to do what is required to get to ratio. The new charter requires ACADFA to act on infractions rather than collaborate.

Wayne Benedict plans to have a conversation with ACAD's lawyer Tim Mitchell to better understand their position. After which he will contact me to advise on next steps. It is important to note, that Wayne emphasized that we are moving from an academic "we can work together" environment to one of trade union. We will be required to enforce all issues when they arise.

I followed up with an email to Jill Brown on the rumoured hiring plan, she confirmed that they were in the formative stages of development and planned to advise soon.

\* Estoppel is a legal principle that precludes a person from alleging facts that are contrary to his previous claims or actions. In other words, estoppel prevents someone from arguing something contrary to a claim made or act performed by that person previously.

**ACADEMIC COUNCIL REP | John Cavelli**

I am reporting the first Academic Council meeting held this academic year, on 19 September. One key change is that the President chaired the meeting. This is consistent with protocol for a university's General Faculties Council, but is new to ACAD historically.

The meeting was mostly an orientation to AC and the review of protocol. ACADFA VP Justin Waddell was voted in as faculty representative for the Agenda Committee.

I consulted earlier with John Nicholls, the Executive Director of CAFA (Confederation of Alberta Faculty Associations) regarding what we can expect regarding our change from a college Academic Council to a university General Faculties Council. He had some helpful things to say, and a few links I am sharing with you.

It is often stated that with University status comes more faculty control over all academic affairs. Those who attended the August all-college event may remember our invited guest from Ottawa stressing this increased role for faculty. Given the issues that ACAD faculty have had with the administration that led to the nonconfidence votes last Spring, the increased control over academic affairs, especially through the General Faculties Council, presents a good opportunity for us to create an academic environment that works better for faculty. However, it is not necessarily as easy as it might seem. Responding to my query, John Nicholls stated:

"Despite the oft-repeated claim that this is 'collegial governance' in action, with the academics themselves, in theory, calling the shots, the fact is that GFC tends to be dominated by the senior administration, who make up the agendas, control the committees, and so on."

We will need to be vigilant in order to make sure we are able to create a faculty-driven university. Here are a few links to information that may be of interest:

- A comparative study of governance structures at Canadian universities here: <[https://www.caut.ca/sites/default/files/caut-report-board-of-governors-structures-atthirty-one-canadian-universities\\_2018-05v2.pdf](https://www.caut.ca/sites/default/files/caut-report-board-of-governors-structures-atthirty-one-canadian-universities_2018-05v2.pdf)>
- CAUT publication of comparative study of governance structures at universities: <[https://www.caut.ca/sites/default/files/caut-report-board-of-governors-structures-atthirty-one-canadian-universities\\_2018-05v2.pdf](https://www.caut.ca/sites/default/files/caut-report-board-of-governors-structures-atthirty-one-canadian-universities_2018-05v2.pdf)>
- A link to governance material on the U of A's website <<https://www.ualberta.ca/governance/what-we-do/governance-education/>>, including FAQs <<https://cloudfront.ualberta.ca/media/universitygovernance/documents/whatwe-do/governance/governance-frequently-asked-questions.pdf>>

**BOARD OF GOVERNORS (BOG) REP | Ian Fitzgerald**

By Faculty Representative to the Board of Governors | Report | Ian Fitzgerald | OCT 2018

Board re-convened in mid-September with a day-long retreat and short meetings.

Generally, there is a buzz around becoming a University and the Chair in particular is leading the cheer on that front. I believe that she wants to marshal and build up positive energy to move ACAD forward towards the transition. To that end, the vote of non-confidence was not an agenda item; there was some discussion of it in camera.

One of the things that I have been pushing is to have ACADA (and ACADSA and AUPE for that matter) with more regular and steady presences at Board meetings. Over the last few months Cabinet are all always there, seated at the table, with name tents, etc. It's an elevated status... still non-voting, but I would like us to have the same. Will keep trying... but it would be helpful if more faculty showed up. Next meeting of the Board of Governors in Tuesday, October 16th.

In the board meeting, it was noted that ACAD's share of art, craft and design students in the province is decreasing.

The Office of the Auditor General is implementing a different approach and that will require more attention from administration.

There is a concern voiced about the upcoming provincial election and how its outcome maybe challenging for ACAD.

Also, I surmise that a goodly amount of Daniel's focus for the university transition is external --- books, articles, etc on trends in university affairs rather than much inward focus. Maybe that is because we don't have much internal reference for that... or maybe the new VP Academic and Provost is to become the internal "point person" This is fairly speculative .... it's kind of what I sense.

Respectfully submitted.