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Strategic Rhetoric: Indeterminate Effects

Hans Skott-Myhre
BUFA President

President's Message

Let me begin this column by saying how profoundly appreciative I am of the efforts of our Bargaining Team under the leadership of Dave Whitehead and Linda Rose-Krasnor in securing a Collective Agreement that will stand us in good stead over the next three years here at Brock. It marks a significant achievement under extremely difficult circumstances both institutionally and in the broader economic context.

The next three years will be similarly challenging for us, as faculty and librarians, here at Brock. While we made significant progress in the new Collective Agreement, there is still substantial work to be done to protect faculty and librarian self-governance and to advance reasonable terms and conditions of work for our members. In that regard, I would suggest that there are a number of key agendas on the radar for BUFA in the immediate future.

1) The Strategic Planning Initiative

As you all know, the administration has initiated a version of BRAM they are calling Strategic Planning. In a nutshell it has two key objectives pertinent to BUFA members: a) to end historically based funding patterns for departments and faculties. This would be replaced with indeterminate funding allocation based on an assessment of the department or faculty's integration with the institutional goals set out in the strategic plan. The determination of whether or not a faculty meets the criterion for seamless integration will be overseen by a panel made up of members of the board and the governance committee of Senate

Strategic Rhetoric: Indeterminate Effects

(President's Message cont'd)

(which includes a significant administrative complement of Deans, Associate Deans, the President and the Provost): they will make a recommendation to the President who will determine levels of funding and b) to be able to demonstrate to the province that faculty and librarians at Brock are accountable to the institution in their research, pedagogy and service goals and activities.

As President of BUFA I have several concerns about this initiative that I have shared with the Provost: a) the amount of bureaucratic work that would be downloaded onto already stressed and overworked departments in order to prepare data showing compliance with strategic planning objectives, b) the possible chilling effect on fields of research or pedagogy potentially determined to be outside the strategic goals of Brock by the administration-heavy panel, c) the possibility that entire departments, centres, or programs might find themselves having to twist and turn their goals and direction to integrate themselves into the institutional direction (which the Provost has acknowledged is a moving target) and d) the impact on morale for faculty and librarians already feeling discounted and disrespected by this administration.

As president of BUFA I have offered to share research with the Provost demonstrating the negative impact of similar BRAM style initiatives on United States colleges and universities. Apparently, he was unaware of such research. I will be passing this research along and offer it to members of BUFA as well who might like to see it. Please contact the BUFA office if you are interested. I will also be sharing research showing the negative impact of increasing levels of administrative downloading on faculty. That data will also be available to members through the BUFA office.

2) Faculty Councils

There has been a proposal by the President, the Provost and several of the Deans to explore the possibility of instituting faculty councils. The model is as yet to be determined, but the rationale is that these councils would make recommendations to Senate on any academic changes proposed to Senate by Departments, Centres or Programs.

As President of BUFA I have some serious reservations about this proposal: a) to the degree that these councils are chaired and run by faculty, I have no particular objection, b) to the degree that these councils are chaired by Deans or Associate Deans they become a serious threat to faculty and librarian self governance, c) if the Deans or Associate Deans are allowed to attend, but cannot chair the meeting, I would propose that they should be non-voting members, because they already attend Senate and have a voice there, and d) ideally, in my opinion, the councils

Strategic Rhetoric: Indeterminate Effects

(President's Message cont'd)

would be structured like current academic units in the new Collective Agreement with Deans and Associate Deans attending only by invitation or request.

This would allow the councils to have free and open discussions among themselves that could be conveyed to Senate alongside the Decanal recommendation.

3) Continuing Rescission Exercises

As you are acutely aware there are continuing cut backs to departmental budgets. The administration continues to maintain, in the face of all evidence, that they do not have the money to sustain existing program budgets. They also, rather disingenuously, claim they are not asking departments to cut into teaching budgets. Where then, shall we cut? Quite simply this is an outrage. There is money apparently for everything, but teaching budgets at Brock. As President of BUFA I will be monitoring this process and offering BUFA's support to any faculty of a department who chooses to resist this unconscionable diversion of critically needed funds to administrative growth and unnecessary and unwise research initiatives.

4) Commercialization of Research

The President, in his report to Senate this past month, overtly called for the commercialization of research at Brock. As BUFA President I have serious concerns about the impact of corporate dollars on academic freedom. I have recently requested data from CAUT on the negative impacts of corporate funding of research in Canada and have passed that research to the appropriate Senate Committee. I would also be happy to make that information available to any BUFA member who would like to see it.

These are some of the key issues I will be following as President of BUFA in the upcoming months. They are complex and challenging issues that have the potential to significantly impact the terms and conditions of work for faculty and librarians here at Brock. I am dismayed that the administration has not fully researched the implications of the proposed directions it intends to take. This is, in my opinion, irresponsible stewardship. In my role as President, and in close working collaboration with the Executive and you the membership, I will continue to raise these issues and challenges. We cannot afford any further deterioration on the working conditions for faculty and librarians at Brock. The stakes are simply too high.

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Chief Negotiator's Summary

David Whitehead

Summary of Collective Bargaining to Renew the 2011-14 Collective Agreement Between BUFA and Brock University

By: David Whitehead, BUFA Chief Negotiator

At approximately 2:00 pm on Saturday September 3, 2011, the bargaining teams for BUFA and the Administration reached a tentative agreement to renew the Collective Agreement that expired June 30, 2011. Both parties subsequently ratified the tentative agreement. As of this writing, a draft of the 2011 to 2014 collective agreement has been posted on the web at http://www.brocku.ca/webfm_send/18719

As of this writing, the language of the collective agreement is receiving a final edit (changing clause numbers, cross references, and formatting) to reflect the negotiated language changes. After the final edits have been completed and after the document has been proof read for the final time, the revised Collective Agreement will be signed, printed, and implemented, and the work of the BUFA Bargaining Team for 2010-11 will be done.

The BUFA Bargaining Team worked well as a team from the beginning to the end. All members of the team worked long and hard, committing themselves and devoting themselves, to the required team tasks and decisions.

Each member of the 2010-11 BUFA Bargaining Team was responsible for doing research, drafting collective agreement language, and making presentations to the other members of BUFA Bargaining Team and to the Administration's Bargaining Team in joint bargaining sessions, and to the membership in special general membership meetings on a portfolio of specific issues during this round of bargaining. In addition, when required, members assisted each other on a wide variety of issues. Each and every member of the BUFA Bargaining Team provided professional service at a high level of excellence to BUFA, the membership, and the University over an extended period of time, often against tight deadlines, and sometimes in situations of unusually high anxiety and stress.

The members of the your 2011 BUFA Collective Bargaining Team, and their primary roles, are as follows.

Hans Skott-Myhre, Child and Youth Studies: Hans is President of BUFA and is an *ex officio* member of the BUFA Bargaining Team. Hans met regularly with the Bargaining Team in all caucus and preparation meetings, and he provided instructions to the team on behalf of the BUFA Executive, ensuring that the mandate for the team was always front and centre. On those rare occasions when Hans had to be in two places at once, he was always available by phone for consultation when required. Hans was the liaison between the Bargaining Team and the BUFA Executive, and the primary liaison between the team and the team's legal advisors. Hans, David, Linda and other members of the Bargaining Team met with most departments in the fall as part of our consultations with members prior to collective bargaining.

Chief Negotiator's Summary *cont'd*

David Whitehead, Business/OBHREE: I was BUFA's Chief Negotiator. I was responsible for the strategy and process of collective bargaining, including chairing meetings of the Bargaining Team and co-chairing, along with the Administration's Chief Negotiator, joint bargaining sessions. I also wrote the BUFA Bargaining Bulletins that were issued to the members, and chaired presentations by the Bargaining Team at membership meetings.

Linda Rose-Krasnor, Social Sciences/Psychology: Linda was BUFA's Deputy Chief Negotiator. From July 1, 2011, Linda has also been BUFA's Grievance Officer. As Deputy Chief Negotiator, Linda provided input on all matters of bargaining strategy and process. Hans, David and Linda made recommendations to the BUFA Executive on the appointments to be made to positions on the BUFA Bargaining Team, subject to confirmation by the membership. Linda was responsible for ensuring that all of the team documents were in order and available. Linda and Felice Martinello were jointly responsible for issues of compensation (salary and benefits). In particular, Linda took the lead in the review of the early retirement options, the review of pregnancy/adoption/parental leave, and the review of Article 8 - Abuse of Professional Authority, Respectful Work and Learning Environment, a matter that raised difficult organizational and legal issues. Linda and Jeffrey Atkinson also worked together on Article 24, the very important and difficult issue of faculty workload. Linda also assumed the role of ensuring that the Bargaining Team moved at a pace that permitted careful decision making, sober second thoughts, and careful reconsideration of decisions previously made. In this capacity, Linda did a final review of all collective agreement language before it was tabled. Linda was the primary liaison with the Bargaining Team's expert external advisors at CAUT and OCUFA, and was a frequent liaison with BUFA's legal advisors.

Jeffrey Atkinson, Mathematics & Science/Chemistry: Jeffrey was the BUFA Negotiator who took the lead on Article 24, the very important and difficult issue of faculty workload, in particular, overload unscheduled teaching, and he reviewed the issues in Appendix B, Policy on Integrity in Research and Scholarship.

Hilary Findlay, Applied Health Sciences/Sport Management: Hilary was the BUFA Negotiator who took the lead on the difficult workload related issues of caps and exemptions. Hilary provided expert advice to the team on all matters legal. When required, Hilary was the Acting Deputy Chief Negotiator.

Neta Gordon, Humanities/English: Neta was the BUFA Negotiator who took the lead on the difficult and complex issues of Article 21 and Article 21A - Tenure and Promotion and Appeals.

Coral Mitchell, Education/Graduate & Undergraduate Studies: Coral was the BUFA Negotiator who took the lead on the important and complex issues of governance of academic programs in Article 12 - Rights and Responsibilities of Faculty Members, and Article 16 - Departmental and Centre Committees, and Article 27 - Duties of Chairs and Centre Directors.

Chief Negotiator's Summary *cont'd*

Jonathan Younker, Library/Systems & Technologies: Jonathan was the BUFA Negotiator who took the lead, in consultation with other team members as required, on all of the difficult and complex matters related to Librarian members including Article 13 - Rights and Responsibilities; Article 17 - Library Council; Article 20 - Appointment; Article 22 - Permanency and Promotion; Article 25 - Workload; and Article 28 - Library Department Heads. Jonathan also provided expert advice to the BUFA Bargaining Team on IT matters, as required.

Felice Martinello, Economics: Felice was the Chair of the Collective Agreement Committee, and an *ex officio* member of the BUFA Bargaining Team who advises the team and appears at the table with the team as required. Felice took the lead on preparing and analyzing the results of the web based survey of members in the fall and again in the winter. Felice also took the lead in analyzing the minutes of the meetings with departments in the fall of 2010. Felice took the lead in assembling and analyzing the comparative information on salaries and benefits, and in constructing a model for analyzing the salaries and benefits of BUFA members. Felice was the liaison for the BUFA Bargaining Team with the chief negotiators at other Ontario universities and with OCUFA on compensation related matters. Felice was also the team's primary liaison with BUFA's consultant on benefits, including the important issue of LTD. Felice provided expert advice to the BUFA Bargaining Team on bargaining strategy and tactics related to compensation issues.

Shannon Lever, Administrative Assistant to the Executive Committee, BUFA: Shannon provided full time expert administrative assistance to the BUFA Bargaining Team during the entire process of collective bargaining. She took minutes at Bargaining Team meetings and at joint bargaining sessions, and assisted the team by preparing and maintaining all team documents. Shannon was the primary liaison with the Administration's Bargaining Team on administrative matters. Shannon was assisted in these administrative roles by Nadia Dufour and Leslie Dick in the BUFA office.

Leslie Dick, Executive Assistant, BUFA: Leslie provided the BUFA Bargaining Team with research assistance as required, and administrative support. In addition, the team relied on Leslie's knowledge of past practice at Brock in collective bargaining and Leslie's contacts with other faculty unions in the province.

The BUFA Bargaining Team also benefited enormously from the expert advice provided by Donna Gray, Director of Research at OCUFA, Chantal Sundaram, Assistant Executive Director at CAUT, and from our legal advisors including Michael Mitchell at Sack Goldblatt Mitchell LLP. We also benefited from the professional advice of BUFA's consultant on benefits, Mike Sanford. In particular, I must say that the assistance provided by Chantal Sundaram at CAUT throughout the process was, in my experience, unprecedented, extremely insightful, and always thought provoking and helpful.

Chief Negotiator's Summary *cont'd*

The BUFA Bargaining Team benefited from the expert advice of Carol Sales, Terry Carroll, Dawn Good, Larry Savage, and Laurie Morrison, all of whom provided advice on language changes under consideration, often on very short notice. Previous BUFA Presidents, Chief Negotiators and Deputy Chief Negotiators, including Carol Sales, Terry Carroll, Steven Renzetti, Dawn Good, Barry Grant, and Miriam Richards, also provided advice on the conduct of collective bargaining. In addition, the BUFA Bargaining Team benefited greatly from the professional advice of Louis Culumovic and James Moore on issues of Brock financial reports and matters of required disclosure.

Others, of course, too many to mention, and some of whom who must remain nameless for various reasons, played critical roles in support of the collective bargaining process, and the BUFA Bargaining Team benefited from, and deeply appreciated, their assistance.

The BUFA Bargaining Team appreciated the strong support of the President of BUFA, the members of the BUFA Executive, and the BUFA membership throughout the long collective bargaining process.

The BUFA Bargaining Team also takes this opportunity to acknowledge the work of all members of the Administration's Bargaining Team in the collective bargaining process.

It was an honour for me personally, and, frankly, a peak experience of my career at Brock, to work with each of my colleagues on BUFA's 2010-11 Bargaining Team.

Speaking on behalf of all of my colleagues on the BUFA Bargaining Team, 2010-11, we are pleased with the process we followed and the results we obtained, and it was our honour to serve the BUFA membership on this important project.

Dave

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OCUFA REPORT

Michelle Webber

OCUFA - Fall 2011

Thank you to those of you who took the time to support OCUFA's annual Quality Matters campaign. This campaign is an important advocacy tool for OCUFA.

The recent OCUFA Board meeting took place on October 22-23, 2011. The Board discussed the Ontario election results and the implications for higher education of a Liberal-led, minority government. Professor Henry Jacek (Political Science, McMaster University), an expert on Canadian politics made a presentation to the Board. Discussion at the Board meeting will help guide future advocacy initiatives for OCUFA in the upcoming year.

OCUFA recently launched their redesigned website. Please go to www.ocufa.on.ca and check out the news postings, analysis and commentary on issues that affect higher education. You can also learn about OCUFA initiatives and conferences.

Michelle Webber
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QUOTING?

Hans Skott-Myhre's concluding remark, "The stakes are simply too high" is reminiscent of a quote attributed to Henry Kissinger, "The reason why academic politics are so vicious is precisely because the stakes are so small". When I first heard it, I thought that the quote referred to steaks. But, was the source Kissinger? Richard Neustadt, Wallace Sayre and Woodrow Wilson have also been attributed to saying something similar (Ralph Keyes, 2008 in *The Quote Verifier: Who Said What, Where, and When*). A character in the episode *Anti-Thesis* from *Law and Order: Criminal Intent* (2002) said, "You know why the battles in academia are so vicious? It's because the stakes are so low. The character didn't cite anyone. I guess the Screenwriters Federation doesn't use "turn it in dot com". Regardless of the source, is this often-cited quote an accurate one? I happen to agree with our President. The consequences of our actions go well beyond ourselves; they impact our students, our community and future generations. Whether they are stakes or steaks (beef or vegetarian) we have a responsibility to act. The stakes are high. To cite another saw, "If you are not part of the solution, you are part of the problem (Eldridge Cleaver or was it Charles Rosner or ...). As noted above, Michelle Webber thanked those who participated in the Quality Matters campaign.

GRIEVANCE OFFICER'S REPORT

Linda Rose-Krasnor

When I began my term as Grievance Officer on 1 July 2011, BUFA had one active complaint. This complaint was based on the content of the University-proposed contracts for online course development. We decided not to move forward to the grievance stage on this complaint. Instead, BUFA will continue to advise members not to sign these contracts, given that their terms require faculty to forfeit their intellectual property rights, commit faculty to offer the online course content for the next three years, and allow others to teach the courses without the course creator's permission or right to revise.

In August, BUFA submitted three formal complaints against the University. Two were policy complaints involving violations of Article 4.05, which requires the University to consult with BUFA in the formation or modification of all policies affecting members. One of these policy complaints refers to the external grant submission policy announced by Research Services in July 2011. This complaint has been tentatively resolved, with the recent announcement by VP Research Gary Libben that there would be flexibility in the deadlines for submission of grant applications and his commitment to consult with BUFA and other relevant groups on this issue. We have extended the period of informal resolution of this complaint until January 31, 2012, in order to allow this consultation to take place. The second policy complaint involves three existing policies of the Development and Donor Relations Office, which were created without BUFA consultation. The period of informal resolution for this complaint has been extended until October 14, to allow further consideration by VP Advancement David Petis. The third complaint focused on obtaining income supplements for a father wishing to take parental leave. It has been resolved to the satisfaction of the member and BUFA.

Three appeals of the Promotion and Tenure decisions of the President have been submitted. Two of the appeals were for deferral of tenure and denial of promotion to Associate Professor; the President's decision has been overturned by the Hearing Board and both tenure and promotion were awarded in each case. The third appeal is for a denial of tenure and has yet to be considered by the Hearing Board.

In addition to assisting these appellants, I have advised and/or represented members in a number of other issues. These consultations have included questions or difficulties with workload changes, assignment of overload teaching, industry-University research contracts with members, Departmental/Centre Rules of Procedure, accommodation requests, retirement provisions, donor-faculty relations, student complaints against a member, Respectful Workplace and Learning Environment Policy (RWLEP), decanal authority and misinterpretation of the Collective Agreement, performance review reports, and external letters for Promotion and Tenure.

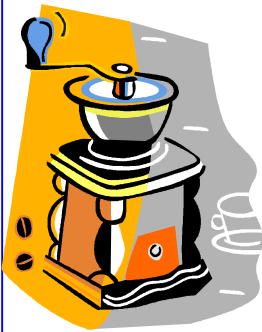
GRIEVANCE OFFICER'S REPORT *cont'd*

BUFA also has obtained legal advice, on behalf of members, in the preparation of Promotion and Tenure appeals, clarification of members' personal financial liability for research grant expenditures, RWLEP issues, and options if members become ill during sabbatical leave. We also have referred a member to our Benefits Consultant for assistance with the member's LTD claim.

In several of the above grievance matters, I have been assisted by members of the Grievance Panel. This Panel includes individuals experienced in grievance procedures and others who wish to learn more about the process.

Members for the 2011-2012 academic year are Kathy Belicki, Maureen Connolly, Tom Farrell, Dawn Good, Hilary Finlay, Francine McCarthy, and Larry Savage.

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RUMOUR MILL

Is it true that the amount that it would cost to keep up our copyright is the same amount as the cost of the interdisciplinary spaces initiative?

WHAT'S THE BUZZ?

As a new Executive member, I have become increasingly aware of the enormous amount of background work that the entire Executive conducts on our behalf. This new column, *What's the Buzz*, will highlight a few of the Executive activities that have taken us off campus in the service of BUFA and the community at large. The following are some of the most recent activities:

- Michelle Webber's role as our OCUFA Director often takes her to Toronto for meetings. On September 9th she attended the OCUFA Status of Women Committee.
- On October 21st and 22nd Michelle, along with our President, Hans Skott-Myhre, attended the OCUFA Board meeting.
- Linda Rose-Krasnor attended the OCUFA meeting for Grievance Officers in Toronto and Jonah Butovsky was our BUFA delegate at the monthly meeting of the Niagara District Labour Council on October 12th.
- Joe Engemann attended the Annual General Meeting of the CAUT Defence Fund in Toronto on October 15th.
- Laurie Morrison attended the CAUT Librarians Conference and Workshop in Ottawa, October 28th and 29th.

BUFA General Membership Meetings

Monday, December 12, 2011	12:00 to 2:00 p.m.	Sankey Chamber
Monday, February 27, 2012	12:00 to 2:00 p.m.	Sankey Chamber

BUFA Annual General Membership Meeting

Tuesday, May 22, 2012	12:00 to 2:00 p.m.	Sankey Chamber
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**Refreshments are served at all General Meetings.
In the interest of sustainability feel free to bring your own beverage cup.
We look forward to seeing you there.**

COMMUNICATIONS COMMENTARY

Joe Norris

Each Editor, while fulfilling the basic mandate of a publication, has some flexibility in overlaying some of their perspectives and styles onto existing formats. For the first edition of this year's *Forum*, I emphasized tradition over change in order to maintain a high degree of familiarity. That said, there are two new columns. *What's the Buzz* will report off campus activities of the BUFA Executive and *Quoting?* will be a playful exploration of quotes that relate to our academic work. Other columns may follow.

This first issue of the year also features a list of our many members who serve on committees. As well as being an official acknowledgement and thank you, it serves to inform our general membership of the far-reaching involvement BUFA has across the wider University arena. Each committee provides valuable information to your Executive.

In addition to the *Forum*, the Public Relations Committee and I, as Communications Officer, will endeavour to keep you informed on events and issues at the University, local, provincial and national levels that impact our professional lives as well as providing more information on the new Collective Agreement through bulletins and meetings. If you have not already done so, I recommend that you watch the video from our CAUT President regarding the upcoming copyright legislation. Our action, or inaction, can positively or negatively influence our lives and those of our students for years to come. The video is short and to the point.

http://www.youtube.com/watch?v=K_5z41GmHV4&feature=channel_video_title

Lastly, prior to my appointment, the Executive chose to distribute the *Forum* in electronic version only. I concur. Every branch or twig we can save is worth it. Members have the choice to print their own copies, if they so wish. This will also give greater flexibility for future editions that can include other media that would be impossible and/or too expensive to put on paper.

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