

AUNBT Annual General Meeting
April 25, 2008 @ 10:00 am
Wu Centre Fredericton
Hazen Hall 239
(Video-Conference)

1 AGENDA

Moved (J. Neville, G. Srinivasan) to accept the agenda. Carried.

2 MINUTES

Moved (T. Alderson, P. Riley) to accept the Saint John minutes of December 5, 2007. Carried

Moved (J. Hughes, J. Sexsmith) to accept the Fredericton minutes of December 6, 2007. Carried

3 BUSINESS ARISING - none

4 NEW BUSINESS

4.1 Constitutional and By-Law Amendments

Moved (M. Jones, F. Holyoke) to accept the amendments to the bylaws. Carried. (See appendix)

Moved (M. Jones,F. Holyoke) to accept the amendments to the constitution. Carried with 2 abstentions. (See appendix)

5 REPORT OF THE NOMINATING COMMITTEE - Saba Mattar

The only nomination received for the office of president being Professor David Bell (Faculty of Law, UNB-F), he was declared elected.

Dr Saba Mattar (Chemistry, UNB-F) will become past president.

For full time members on the Fredericton campus the following 10 candidates were elected by acclamation.

Francesca Holyoke	Science & Forestry Library
Jennie Hornosty	Sociology
Emery Hyslop-Margison	Education
Brian Lowry	Chemical Engineering
Charlene Mayes	Biology
Rick McGaw	Economics
James Sexsmith	Kinesiology
Lisa Sharp	Biology
Gopalan Srinivasan	Business Administration
Merle Steeves	Cataloguing Dept., UNB Libraries

For part-time members on the Fredericton campus the following candidates were elected by acclamation.

Wendy Bourque	Psychology
Arthur James	Classics

For full-time members on the Saint John campus the following candidates were elected by acclamation:

Lee Chalmers	Social Science
Karen Furlong	Nursing
Miriam Jones	Humanities & Languages
Robert Whitney	History & Politics

For part-time members on the Saint John campus the following candidate was elected by acclamation:

Cheryl Fury	History & Politics
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6 **PRESIDENT'S REPORT**

S. Mattar outlined the rest of the agenda, noting particularly certification of AUNBT as bargaining agent for the part-time librarians and teachers and continuing anxiety over the province's PSE agenda. Reports on both will follow. He thanked members of the Executive for their work during the year.

7 **TREASURER'S REPORT**

J. Vanderlinde presented the AUNBT financial reports. He explained the differences between accrual and cash based accounting.

Moved (L. Waugh, C. Mayes) to accept the Treasurer's report. Carried.

Moved (J. Hughes, G. Srinivasan) to accept the Auditor's report. Carried

8 **CONTRACT ACADEMIC STAFF - Wendy Bourque**

Early in the summer of 2007 the executive of AUNBT recognized the need for part-time academic staff and librarians employed at the University of New Brunswick to be unionized. Previous to this, part-time academics and librarians employed were without representation by a union and had no recourse in regard to issues such as academic freedom, intellectual property rights, working conditions and benefits (health and retirement). The executive approached the part-time faculty through two individuals who had previously made unsuccessful attempts to unionize this group and asked whether they would be interested in working with the AUNBT executive to unionize part-time faculty. This was the start of a very fruitful relationship that resulted in a vote on September 6th 2007 whereby part-time faculty and librarians were formally welcomed, by the membership, into AUNBT.

The next few months were very busy ones devoted to collecting the signatures of as many part-time faculty and librarians as we could get. At the end of this phase we were able to confirm for the purposes of the New Brunswick Labour and Employment Board that we represented the wishes of this group of employees and, on February 20th 2008, AUNBT was certified as the bargaining agent for all part-time faculty and librarians employed by the University of New Brunswick.

At this point our work has entered another phase. We are now beginning to draft the first collective agreement between the University of New Brunswick and the Part-time bargaining unit. This will be a particularly important stage in this unionization process. We are meeting and talking with as many part-time faculty and librarians as we can. We are also researching collective agreements of part-time faculty associations across Canada in order to draft the most effective articles to address the concerns and issues that

we are hearing from our members. AUNBT has recently appointed a chief negotiator for the part-time collective agreement, Dr. Jula Hughes. Dr. Hughes, a member of the Law faculty, has a great deal of experience with labour law and will certainly be an asset to our team throughout the negotiating process.

I would like to extend on behalf of all part-time faculty, my most sincere appreciation to all full-time members of AUNBT. Your affirmation and acceptance of part-time faculty into your union has allowed us to pursue a fair and equitable collective agreement with our employer. I would also like to specifically thank the current executive of AUNBT without whose work and support this unionization effort would never have come to fruition. They put in many long hours in laying the groundwork for this initiative and we were very fortunate to have their support throughout this long and sometimes grueling process.

9 POST SECONDARY EDUCATION REPORT - Miriam Jones

Synopsis of AUNBT activities related to the CPSE report, 2007

Prepared documents:

- Submission to the CPSE (download PDF <http://www.idconcept.net/cpse-ceps/EN/docs/AUNBT-CPSE-Submission.pdf>)
- Disadvantage New Brunswick (download PDF at <http://www.unb.ca/AUNBT/psec/AUNBTassessment.pdf>)
- Comments on the PSE Report (download PDF at <http://www.unb.ca/AUNBT/psec/PSEComments.pdf>)
- Informational website: <http://www.unb.ca/AUNBT/psec/>

Events:

- Organized a demonstration at the Delta Hotel immediately following the student demonstration at King's Square, Saint John, on Sept. 17/07
- AUNBT were involved with bringing Jim Turk to New Brunswick in Sept. He spoke at the rally in Saint John on Sept. 25, and gave a public talk at UNB Saint John.
- AUNBT executive members marched with the Assn. banner at demonstrations on Sept. 17 (Saint John), Sept. 25 (Saint John), Oct. 13 (Saint John), Oct. 16 (Fredericton), Oct. 26 (Edmundston), and Nov. 27 (Fredericton).

Meetings:

- AUNBT organized a meeting with FNBFA in Saint John, Oct. 5
- AUNBT called an extraordinary general meeting to discuss the ramifications of the CPSE report for the Fredericton campus, Oct. 10
- AUNBT held an extraordinary meeting on the Saint John campus, Nov. 7
- AUNBT organized a series of meetings with different campus sectors in Fredericton to

continue the work of discussing the ramifications of the CPSE report.

Support:

- AUNBT worked closely with CAUT throughout the fall. On November 28, 2007 CAUT unanimously passed a motion to support the fight to preserve university campuses in Saint John (UNB), Edmundston and Shippagan (U de M), and to affirm university senates.
- donation of \$5,000 to the Save UNBSJ Committee
- donation towards the cost of bus to the rally in Edmundston

We all now await the report of the Working Group of Presidents and Principals, due within weeks.

(T. Alderson noted that AUNBT didn't support the proposed moratorium on hiring.)

10 Federation of New Brunswick Faculty Associations - Gilles Allain

A little over a year ago, the FNBFA advertised for a new Executive Director. The main thing I remember about the job description is government relations. I wasn't too sure what the full mandate of the FNBFA was but I was certain my experience and abilities could be of benefit. I have experience in media and public relations as well as extensive experience in working with non-profit boards of directors.

However, when I accepted the position, little did I know that the federation would be embarking on quite a tumultuous journey. In May 2007 I was hired to replace the retiring Desmond Morley, who had been employed with the FNBFA for more than 23 years. I was immediately thrust in the federation's lead role with its member associations.

At the same time I was hired, the FNBFA also elected a new president. Gary Long jumped in to his new mandate with gusto. In conjunction with the Executive Committee, we both worked tirelessly during the summer and the fall to monitor the progress of the Commission on Post-Secondary Education.

The provincial government had launched the Commission in the fall of 2006, with its report due during the summer of 2007. The FNBFA understood that the government was considering the implementation of major changes to the post-secondary education sector in the province, especially since the Premier kept repeating publicly that the sector had not undergone major revisions since the 1960s.

But understanding gave way to utter shock when the Commission unveiled its Report on September 14th, 2007. Commissioners Jacques L'Écuyer and Rick Miner recommended the creation of polytechnic institutions in Edmundston, Shippagan and Saint John to replace existing university campuses.

- 1) Negative reaction to the Report from the Commission on Post-Secondary Education was swift and immediate. Students and faculty were mobilized and media coverage was extensive throughout the fall. While the most vocal opposition came from Saint John, there was also concern for the future of the smaller campuses in Edmundston and Shippagan.

The FNBFA lobbied provincial and federal politicians as well as civil servants. Local faculty associations and student groups also made their voices heard. There were peaceful demonstrations in a number of cities. The FNBFA ensured it had the full support of all of its members before making their voice heard in the provincial capital.

The provincial government finally relented to the pressure by establishing a Premier's Working Group, made up of four university presidents and four community college principals. Cloaked in the utmost secrecy, this group was tasked with revising the Final Report from the Commission and with providing the government with a plan to implement some of its recommendations.

While the FNBFA understands that there will be some changes to the post-secondary education system in New Brunswick, at least it will happen without the implementation of polytechnics. Premier Shawn Graham assured New Brunswickers of this fact during his Annual State of the Province Address in January 2008, in Fredericton.

2) At the request of its member associations, the FNBFA continued to tackle the issue of Mandatory Retirement during the past year. The federation retained legal counsel to request intervener status in a case from a retiring employee of the Potash Corporation currently before the Supreme Court of Canada. The federation and its lawyers felt it had a good opportunity to present its facts and opinions before the Supreme Court to assist in representing their members' interests. However, during the fall, the Supreme Court rejected the FNBFA's request for intervener status.

3) Contract negotiations at some New Brunswick universities were on the radar during the fall of 2007 but no one expected the twists and turns that occurred. The Faculty Association of the University of Saint Thomas (FAUST) had been in negotiations with their employer for several months when their university President did the unthinkable on Boxing Day 2007. With the approval of his Board of Governors, he ordered the faculty members locked out.

Chaos ensued during the month of January. Members from FAUST received tremendous support from the CAUT Legal Defense Fund and other faculty groups in the country. The negotiating team refused to budge while the university embarked on a public relations campaign by trying to discredit the union. Picket lines were very present during the entire month. Both sides finally agreed to binding arbitration in order to ensure students could finish their courses before the end of April.

Meanwhile, the Association des bibliothécaires, professeures et professeurs de l'Université de Moncton (ABPPUM) was also in negotiations in 2007 and early in 2008. As the association was heading toward a strike vote in February, the provincial government intervened by using a little known process to force both parties to come to an agreement. A Conciliation Commission was forced on both parties by the Minister of Post-Secondary Education and Labor.

Negotiations at a third NB university were successfully concluded over the winter months. The Mount Allison Faculty Association (MAFA) was satisfied with its new contract and with the removal of the mandatory retirement clause from its new collective agreement.

4) In accordance with the annual Objectives & Priorities adopted by the FNBFA board, the President and I visited with every member association at least once during the year. And with the assistance of our vice-president, we undertook a complete revision of our By-Laws, something that had not been done in almost 18 years.

Since there is still a lot of work to be accomplished, Gary Long has let his name stand for another term as president.

The next Annual General Meeting of the FNBFA will be held on May 14th and 15th in Edmundston.

11 COMMITTEE REPORTS

11.1 Employment Equity - Jennie Hornosty

Committee Members:

(AUNBT): Jennie Hornosty – Co-Chair (Sociology), Miriam Jones (English, UNBSJ), Karen Pearlston (Law)

(UNB): Jane Fritz – Co-Chair (Acting VP Academic), Tom Buckley (Registrar, UNBSJ), Stephanie Slauenwhite (Assistant Dean, Arts).- Peter McDougall, HR Resource Person, Edith LaBillois (HR) Secretary.

The Committee met four times last year (three of the meetings were in this Winter term) Jane Fritz took over from Peter McDougall as UNB Co-chair in December 14, 2007, and she was instrumental in helping move forward some of the things we had been talking about for over a year.

A central concern on the part of some of us was that the equity issue had fallen off the radar screen. We felt it important to have meetings with Deans and Directors on both campuses and Jane was instrumental in putting the Equity Committee on the agenda of the Deans. Members of the Committee met with the Dean's Council at UNBF on January 29, 2008 and with the SJ Deans (by Video-conference) on February 15, 2008. Topics covered included an explanation of Articles 51 A & B, the hiring process, departmental goals, recruitment guidelines and the process for completing equity forms. The general feeling was that these were well received and definitely beneficial.

It also was clear that more education about equity is warranted. The Committee believes it is important that information on equity be part of the Assessment Workshops in the Fall. The Committee also discussed the need for input of the Equity Committee to the University Budget Committee and Faculty Hiring Committees. Neither has yet happened but hopefully some process can be put into place for the next academic year. Once again it appears that there will not be a full-time employment equity officer in Human Resources, although I was told that such a request was in the budget submitted by the Associate VP of Human Resources, Peter McDougall.

Article 51A requires that there be a report on the status of all the designated groups in terms of hiring, tenure and promotion, sabbaticals. All the required data is not currently captured anywhere, so the Committee has worked on developing a form that would capture this equity data each year. A final version should be available sometime in June.

The Committee reviewed Document 5 & 5 which pertain to new hiring and are completed by departments at the end of the hiring process. Both were to be signed off by the

appropriate Vice-President. Document 5 is no longer being used because of the way the budget has been decentralized. These documents need to be revised.

The Co-Chairs have had two additional meetings. It was clear when we looked at the documentation being sent to departments at the time of hiring, that the entire 'Hiring package' needs to be revised substantially. Jane and Jennie have agreed to work on this, as well as suggesting changes to Documents 5 & 6, over the next month or so with an aim to having something for the Committee to look at in mid-to late June.

11.2 Grievance - Rick McGaw

As reported in December the Grievance Committee recommended that a case proceed to arbitration. The arbitration is scheduled to be heard by Bruce Outhouse in August.

A grievance was heard recently on mandatory retirement. There is a case currently before the Supreme Court regarding New Brunswick legislation on mandatory retirement and a favourable outcome in that case could strengthen our argument here.

Assistance has been provided to members in a number of other matters, such as promotion, maternity benefits, market differentials, no-smoking policy, sick leave, sexual harassment and harassment of faculty. Many members were also assisted with problems that do not rise to the level of a grievance.

I would like to thank those members of the grievance committee who assisted by taking on cases when asked.

11.3 Academic Pension Plan- Jon Thompson

Members of the AUNBT pension committee: B. Trenholm, G. Srinivasan, R. McGaw, J. Vanderlinde, D. Fields, J. Thompson (Chair).

Members of the Board of Trustees of the Pension Plan: N. Betts (co-Chair), R. Maher, E. Richards, D. Bell, G. Srinivasan – appointed by AUNBT; L. Guitard (co-Chair), P. McDougall, C. Callbeck, B. Cooper, A. Sharp – appointed by UNB.

Decision by the Board of Trustees to engage new actuarial and investment-oversight advisors. In recent months the Trustees undertook a thorough review of professional services, interviewing several competing firms, including Eckler (the previous actuarial advisors) and Hewitt (the previous investment-oversight advisors), and decided to award the contracts to Towers Perrin, who provide both services. Towers Perrin is the firm that helped the Parties (AUNBT and UNB) develop the Improvement Program that was implemented on 1 July 2007.

PSSA Buy-Back window. Following an appeal by UNB, the Province agreed to re-open a window of opportunity for UNB academic employees to buy back past service under the PSSA. This window closed on 31 March 2008. Approximately 100 UNB employees took advantage of the opportunity.

Annual Review of the Improvement Program and the Pension Plan. The Improvement Program requires an annual review during each of the next six years. Representatives of the parties and the Trustees met with Towers Perrin actuaries Robert Blais and Gilles

Lavoie on 21 April and 22 April to discuss the scope of the review and information required for it. The actuaries will analyze current financial and demographic data in the coming weeks, and then discuss the annual review process with representatives of the Parties and the Trustees, in the early summer.

Investment Returns. In 2005 and 2006 returns were good, exceeding the actuarial assumptions in both years. However, as with most pension plans in Canada, in 2007 returns were poor: 2.1% (which also was the median for plans in Canada that year), which is below the actuarial assumptions. Thus, in actuarial terms, the plan lost some of its value. This was largely compensated for by the new Rate Stabilization Account, established under the Improvement Program.

Change in NB pension regulations. The province is changing valuation requirements for plans that are less the 90% funded – in line with regulations already in place in other provinces. In future, underfunded plans will be required to file a valuation each year, instead of every three years.

11.4 Mandatory Retirement - Jack Vanderlinde

The mandatory retirement committee has met once since I reported last December. At this meeting we considered a first draft of our report but could not agree on a future meeting day. We are currently about one meeting away from finalizing the report, which will recommend that the University and AUNBT reach an agreement on ending Mandatory retirement when the next collective agreement is negotiated.

11.5 Status of Women - Charlene Mayes

Members of the SWC:

Lesley Balcom (UNBF Libraries), **Lee Chalmers** (UNBSJ Sociology), **Linda Eyre** (UNBF Education), **Katy Haralampides** (Civil Engineering), **Francesca Holyoke** (UNBF Libraries), **Jennie Hornosty** (UNBF Sociology), **Miriam Jones** (UNBSJ English), **Saba Mattar** (ex-officio), **Charlene Mayes** (UNBF Biology), **Karen Pearlston** (UNBF Law), **Lisa Sharp** (UNBF Biology - on sabbatical), and **Natalie Webber** (UNBF Computer Science).

SWC Mandate:

According to the AUNBT Constitution, the SWC's (abbreviated) mandate is:

- to represent the interests and concerns of women academics;
- to collect, analyze and disseminate information on the status of academic women with respect to hiring practices, salary, work history, distribution by discipline and employment patterns as necessary;
- to examine circumstances, issues and policies related to women on matters such as parental leave, day care, and sexual harassment;
- to review the AUNBT Collective Agreement in relation to the effect of its policies on women faculty, librarians and instructors;
- to propose policies for positive action in order to allow the university to become a

model of equity for women in society.

Recent Activities:

- **CAUT Status of Women Conference** (OCUFA co-sponsor) - Toronto

Reorganizing our Reality - improving working conditions for Academic Women

October 25 - 27, 2007: attended by 3 SWC members (Jennie, Charlene and Linda).

- Drafting **letter of protest regarding Bill C-484** (Unborn Victims of Crime Act) - committee members agreed at the March 31, 2008 SWC meeting to write a letter of protest that outlines our concerns with this bill from the point of view of academic women.

- Status of **UNBSJ Daycare**: members of SWC raised the issue of the need for a campus daycare with the candidates short-listed for VP Academic UNBSJ - trying to get commitments for this facility as part of proposed new building or renovation of old buildings on campus. Members continue to keep the issue on the front burner as opportunities allow.

Approval received to send up to 2 representatives to the upcoming **CAPDHEE** conference in Ottawa (May 6 - 8, 2008). Theme: Race and Diversity in Higher Education - Finding Strength in Difference.

- recruiting efforts re: representation of a part-time faculty member (s) on the SWC

Planning discussions: (future activities):

- Status of the **development of a SWC website**. A work study student has gathered a wide variety of information about campus and city services available for new faculty and grad students at UNB (both campuses). Next phase - the information now needs to be winnowed and refined before being posted on the web.

- plans for **monitoring pay equity**: SWC committee looking into a pay equity audit conducted at the University of Calgary - feasibility of conducting similar audit here? parameters measured?

Plans to build on data gathered in a preliminary study of new UNB hires (ie. with regard to credit given for prior teaching & research experience, president's discretionary fund allotments etc.) in order to compare outcomes for females vs males (within same disciplines/departments).

Outreach Activities:

a) Brown Bag Lunch sessions - proposed to hold two per term. Proposed activities:

- guest speakers

- SWC committee members explain & discuss Article 51 in Collective Agreement (on employment equity)

b) Outreach activity for our newly represented part-time faculty

- special brown bag session to discuss issues pertinent to part-timers

- Request for Mr. Mark Walma - newly appointed Human Rights Officer at UNB to meet the SWC.

- Request to AUNBT Exec. - that they write a letter regarding Future Search Procedures for Senior Administrators

- concerns raised re: number of short-listed candidates for VP-Academic positions on both campuses & that no women were shortlisted
- concerns raised re: role of Head hunter/recruiters in the process of candidate selection

12 OTHER

A letter of gratitude had been sent to Dr. Tom Condon for his steadfast role during the PSE crisis.

Items from the floor to be reviewed by the Executive:

- Opening the AUNBT membership to Saint John College faculty.
- Establishing honorariums for retired faculty who work for AUNBT
- Concerns about the security of video conferencing general meetings.

Moved to adjourn at 12:00 noon