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More time needed to review UNB Act – union

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The president of the faculty union at the University of New Brunswick says more time is needed for feedback on proposed changes to the UNB Act.

Miriam Jones said an ad hoc campaign has been developing across the university's two campuses, with both senates and several faculties passing motions to see the deadline for the first phase of feedback extended to March 15, 2015 – four months longer than the initial Nov. 15 deadline.

The rationale for the extension is to ensure submission of responses to the changes to the Act can be undertaken in an inclusive manner that reflects the principles of collegial governance.

That's important, Jones said, noting the changes to the Act represent what could turn out to be one of the most important issues at UNB in several years.

"The Act shapes the whole university. It describes the senate and the different committees and says who can be on them and who should be on them. It shapes the way we function and the way decisions are made. It's a very significant document," she said.

"For such a significant project that's taken so long to put together, to only have six weeks to look at it, in the middle of term, is really not enough."

The initial draft of the proposed changes to the UNB Act was made available online Sept. 30 after about 18 months of work.

The current version of the legislation came into existence in 1984. Aside from a few minor changes, most of the content of the Act can be traced to versions dating back to 1968, 1952 or earlier.

A committee was appointed in early 2013 with the goal of modernizing the legislation. Part of that process involved putting some of the legislation's content into bylaw form and looking at the structure of the board of governors.

Jones said with so many elements of the old Act being moved to bylaws, there is a lot of information to review and consider.

"I don't think it was easy for most people reading it to see what the repercussions are going to be for various things. We need to have discussions in order for this process to unfold properly and people to really have a chance to understand what the changes would mean for us all. We need a lot longer than six weeks."

Jones said while the union is still comparing the changes with the current legislation to prepare its feedback for the committee, there are some initial concerns, including that the board of governors will have more power.

The board of governors could form or end the university's senate or decide on its powers, she said.

"Under the revisions, the senate could be ended and there wouldn't be any discussion. They would be given huge power over the two bodies that provide a voice for the academic staff. The senate is supposed to have power over academic matters.

"They're talking about it as if they're just cleaning things up and being modernized, but in fact it's a huge shift of power. It's all going toward the board"

Greg Bailey, the university's student union president, said the student union also plans to submit feedback and supports an extension to the deadline.

"The original Act is 60-pages long and the amended version is 15. A considerable amount of things have been moved to bylaws. We're definitely sympathetic with the idea of having more time for review," he said.

"Let's face it: even if it was 120 pages, it's still not exactly Shakespeare."

Although the student union doesn't have as many concerns about items being moved to bylaw, Bailey said there are concerns about vague language related to the board and senate.

He said the student union hopes to have recommendations to bring to its next council meeting Sunday.

Roxanne Fairweather, the chairwoman of the UNB Act review steering committee, said the committee has heard the concerns over the feedback period and will be meeting Wednesday for a discussion on a possible extension.

Fairweather said she attended meetings with both the Fredericton and Saint John senates last week, where she gave them a high-level overview of the changes and received initial feedback on the draft document. Both senates passed a resolution for an extension following the discussion.

“We’ve responded to their request by setting up the meeting with the UNB Act committee and we will discuss that at the meeting Wednesday afternoon and get back to the committee as quickly as we can about what our decision is,” she said, noting one of the questions the committee will be looking to address is whether the face-to-face consultation – the next step of the process – can begin before the written feedback period is finished.

Fairweather said the process of developing the draft document involved looking at the practices of other universities across the country – and the legislative reality in the province – to come up with an idea of what modern governance documents should look like.

She said that’s what led to many items being moved into bylaw.

“The bylaws are very administrative,” she said.

“We’ve had changes, for example, that can range anywhere from six months to two years for those changes to take place. That’s time and money. That’s money taxpayers pay for the government to put items through like a title change for an administrator, for selling a piece of property the university owns or even a lease on a piece of property the university owns. These are things other institutions of our size and even bigger are making now. It just creates a much more effective way for both the government and the university to move forward.”

Fairweather said while the committee is not of the opinion the revisions change the current boards of the governors, receiving that feedback is important.

“We do want to have that conversation with the community,” she said.

“Yes, it is shorter and we have moved a lot more I would say administrative things into bylaws, we’ve got to now have the conversation with the community about where do they feel those powers are changing.”

But Jones said while some elements of the current Act do lead to more time spent on process, those processes are important because they allow everyone to have a voice.

“We don’t want to see that lost. Too bad if it makes things complicated. It’s a big, messy, complicated organization,” she said.

“This could change everything. There needs to be some acknowledgement we’re a community and we all have a say in what’s going on.”