
MAUT Council Meeting

MINUTES

Tuesday, March 24, 2015

McGill Faculty Club 12:00 noon

Present:

Executive: B. Lennox, K. Hastings, A. Shrier, A. van den Berg, A. Saroyan

Council: T. Mawhinney, J. Cooperstock, E. Shor, K. Siddiqi, H. Durham, D. Covo, T. Moore, R. Sieber, M. Nahon

Regrets: D. Lowther, C. Ragan, K. GowriSankaran, A. Kirk, N. Kamran

MAUT Staff: H. Kerwin-Borrelli, J. Varga

Guests: A. Moores, C. Samuel

RB Lennox called the meeting to order at 12:18 pm.

1. Adoption of Agenda and Approval of Minutes

Council reviewed the Agenda. There were some additions and changes: (a) Under Business Arising, A. Moores will update Council on the Family Care Portfolio; (b) C. Samuel will discuss Disseminating Disciplinary Code changes to faculty; (c) A. Saroyan will report on the changes in the Senate minutes for Feb 18/15; (d) In #4c, instead of the New Group LIF, A. Saroyan will present the guidelines that will constitute *Consultation with MAUT*; (e) K. Hastings will speak on issues concerning reports by Chairs of MAUT Standing Committees and naming a chair for the Collegiality at McGill Committee; (f) R.B. Lennox proposed moving Item #5 to Item #2; R. B. Lennox will address a request from the Secretariat to propose another candidate for the University Appeals Committee [UAC] and under Other Business, D. Covo will update Council on committee meetings to discuss the Policy on Safe Disclosure.

ASaroyan moved to adopt the Agenda as amended. Seconded by R. Sieber.

Council reviewed the previously circulated Minutes of the February 26/15 Meeting. K. Hastings moved to accept the Minutes. Seconded by A. Saroyan. Council agreed unanimously and these approved Minutes will be posted on the MAUT website.

2. Business Arising

a. Additional candidate for the UAC

RB Lennox noted that the recent changes to the Regulations on Appeals on Tenure Decisions made it necessary to propose additional candidates to populate this committee. He noted that proposed candidates should be full professors and have experienced some "tenure traffic". The Secretariat has requested MAUT's input by March 31st. R. Sieber moved that MAUT propose S. Turner, Chair of the Senate Sub-Committee on Women [SSCOW]. Seconded by K. Hastings. Council approved unanimously. R.B. Lennox will contact S. Turner for her approval. If necessary, R. B. Lennox will follow up with Council for other suggestions.

b. (1) Corrections to the Minutes from the Senate Meeting on Feb 18/15

ASaroyan referred to the original Senate Minutes for February 18/15 with respect to text concerning retired academics who serve as Advisors. A. Saroyan contacted S. Cavaliere [Secretariat] with a request to review Associate Provost L. White's statements in the recording of the Senate meeting and to include Senator White's comments verbatim instead of what had appeared in the original minutes. The minutes now read:

Senator Saroyan asked whether retired professors could serve as advisors under the definition included in the Regulations on Appeals of Tenure Decisions. Senator White indicated that this definition of “advisor” is used in other University regulations and [retired professors] have been permitted to serve as advisors, and she did not anticipate this would change.

K. Hastings also contacted S. Cavaliere concerning the proposed “McGill’s Mission Statement and Principles”. The original minutes did not record some of the phrasing and punctuation alternatives which had been proposed by Senators. K. Hastings noted that changes were made and recorded in the revised minutes.

R. B. Lennox reported he had contacted members of MAUT’s ad hoc Committee on Academic Freedom to look at the draft statement from the Administration. J. Galaty [MAUT ad hoc Committee] will report to Executive and Council.

R. B. Lennox has contacted J. D’Agata [Director: Pensions, Benefits & Payroll] concerning members’ requests for information on issues with the Pension Plan options and transitions at age 65. More details will follow.

b. (2) Proposal for a regular annual contribution to the CAUT Academic Freedom Fund

R. B. Lennox noted that A. van den Berg would be bringing a proposal to Council concerning on-going MAUT contributions to the CAUT Academic Freedom Fund. The proposal is outlined below.

In the CAUT’s list of contributors we are reported to have pledged a total of >\$40K which comes to \$45.92 per MAUT member, putting us in the middle of the contributor pack.

MAUT will be contributing a total of >\$50K over the period from March 2002 to May of this year. That amounts to about \$7000/annum. A van den Berg **proposes that we contribute \$5000/per annum from now on**, subject to annual revision depending on the size of the overall fund and our continuing ability to pay. A. van den Berg reminded Council that in the not so distant past MAUT has been one of the major beneficiaries of the CAUT fund and may have to rely on its support again in the future.

R. B. Lennox noted that MAUT’s three-year pledge to donate a total of \$30K contravened the Association’s Donation Policy which limited Council to approving annual donations of \$5K. At its recent meeting, [March 12/15] Executive recognized that Council had overstepped this limit. Executive proposed two options: (a) that MAUT acknowledge this issue and instead send two cheques to the CAUT-AFF - \$5K for 2015 and \$5K for 2016 and (b) inform members at the Spring General Meeting on April 24/15 about this issue and possibly ask for their approval to send a single, third cheque for \$10K. K. Hastings noted that quorum must be achieved at the SGM.

Council discussed the following:

- MAUT had pledged to give \$30K to the CAUT Academic Freedom Fund following the conclusion of a court case to which CAUT AFF contributed \$300K toward a dismissed member’s legal fees;
- That Council has already authorized two donations to CAUT [2013 and 2014] that exceeded its approval limit of \$5K;

- That these oversights would be disclosed as information at the upcoming Spring General Meeting on April 24/15 where a discussion could possibly lead to amending the “Donation Policy” ;
- That a proposed “Donation By-Law” will stipulate authorizing donations that support MAUT’s goals of academic freedom and collegial governance;
- That R. B. Lennox will contact D. Robinson [CAUT Executive Director] to explain that MAUT’s pledge will be honored and possibly, two cheques, of \$5K each will be issued in two separate budget years.

Council unanimously approved this last suggestion.

c. Update on the Family Care Portfolio/Senate sub Committee on Family Care

Audrey Moores updated Council on the creation of a new subcommittee on family care as a part of the portfolio of the Joint Board Senate Committee on Equity. This subcommittee met for the first time on February 04/15 and is preparing its terms of reference. A. Moores is Chair and the Committee’s activities will be documented. The Committee discussed child and elder care issues and is looking for another academic member who either specializes in elder care or has experience with these issues.

A. Moores also mentioned that two positions are being created to address daycare and elder care issues on campus. One is Mrs Cubano-Guzman [previously Faculty Relocation Officer, now Family Care adviser, Provost’s Office] and she is now assisting *academic staff* at McGill with daycare and school accommodations. There is a second position concerning child and elder care issues that is being created by the Senate Sub Committee on Women [SSCOW] with support from the Sustainability Projects Fund [SPF]. This position will be dedicated to assisting both *students and academic staff*.

Council discussed the following:

- That day and elder care issues remain a major problem area for many academic staff.
- What are the salaries for these two positions and what budget will these salaries come from?
- Are there specific job descriptions and structures? Are these limited contract positions or will they become permanent?
- Preferred daycare spots would either be located at or close to the University.
- Will there be contracts with private daycares in other areas where academic staff resides?
- MAUT will request regular reports [interim, progress and monthly].
- MAUT should continue to advocate for accessible day and elder care for members.
- MAUT supported daycare initiatives several years ago [contribution to a Feasibility Study at the RVH, partnering with CPE McGill]
- MAUT will publicize these two positions in an upcoming Newsletter.

RB Lennox suggested that Council invite M. Cubano-Guzman to a future meeting to update members on this new position and initiative. Council agreed.

A. Saroyan suggested that day and elder care issues be discussed with Principal Fortier at the lunch with MAUT Executive on April 13/15.

d. Collegiality at McGill Committee

K Hastings reported that MAUT's Standing Committee, Collegiality at McGill, has neither a designated chair nor has it met over the past year. Council is required annually to review the membership of its Standing Committees and appoint them. Standing Committee Chairs present a yearly report on activities. He proposed a motion that Council appoint as Chair, the VP Internal, and keep the membership as is. This would enable the Committee to move forward and decide on its future functions and membership.

K. Hastings proposed:

That Council appoint the VP Internal as Chair of the Collegiality Committee at McGill. The current membership will remain unchanged, with only the chair being added. Seconded by A. Shrier.

Council discussed the following:

- Whether this motion would involve changing the profile of the VP Internal
- Appointing the VP Internal as chair would keep this committee viable
- If the VP Internal is appointed as Chair, would this require more than a Council motion?
- In the Fall 2015 term, the Collegiality Committee will convene and appoint a Chair
- Files/Meeting Notes on the past activities of the Collegiality at McGill Committee were sent to current members
- MAUT's responsibility is (a) to ensure that the Standing Committees have meetings and (b) to engage committee membership

M Nahon proposed a friendly amendment:

That Council appoint the VP Internal as an ex-officio member of the Committee on Collegiality at McGill, and then appoint A. Saroyan as a separate member but keep the current membership.

Council agreed and discussed the following:

- That the current members of this Committee be approached with a proposal to appoint the current V.P. Internal, A. Saroyan, as chair, or whether they prefer to appoint another;
- That A. Saroyan will agree to this proposal;
- That the time-frame for finding a Committee Chair is critical.

On March 25/15, K. Hastings wrote to the current members of the MAUT Collegiality at McGill Committee with the following information.

- That no Chair was designated during the 2013/14 year;
- That the current 2014/15 Council has yet to review/appoint the Collegiality Committee and must do so by its April 16/15 meeting;
- That Council today agreed that a Chair would be helpful for the present and future operations of the Committee;

- That the current members of the Collegiality Committee could elect/appoint a Chair from among its members;
- That if a Chair cannot be identified by current members of the Collegiality Committee, that Council proposed to add an additional member, VP Internal A. Saroyan, and to name her Chair;
- That the input from the members of the Collegiality Committee must be forwarded by April 09/15.

e. Communication of Regulation Changes

RB Lennox introduced C. Samuel [McGill Writing Centre] who addressed Council on issues of “Disseminating Disciplinary Code changes among faculty through MAUT”. She noted the policy change, which came from the Office of the Dean of Students [ODS], took place in September 2013. The information has been disseminated by the Disciplinary Officers [DOs] and the revised policy was posted on the web. However, faculty is not necessarily aware of these changes. She commented that not receiving follow-up information concerning a case could have a serious bearing on faculty morale and efforts to promote academic integrity.

C Samuel informed Council that faculty can know the outcome of suspected plagiarism cases which they brought to the attention of a Disciplinary Officer [DO]. She referred to article 88(d): <http://www.mcgill.ca/students/srr/personalrights/protection>

She proposed that faculty, through the MAUT Newsletter, be made aware of these changes. Council agreed. C. Samuel also asked if MAUT would be interested in working toward raising faculty awareness by getting the new policy/procedure documented and publicized. This would involve working with the ODS.

She briefly referred to a current process whereby a complainant must contact the ODS for information on the outcome of a case: whether it is a reprimand, admonishment, or exoneration. All information is confidential. She commented the process can be confusing and time-consuming and is looking for assistance in streamlining it.

RB Lennox commented on confidential and legal aspects with protection issues and Québec laws as outlined by Dean A. Costopoulos who addressed Council on Dec 09/14. Council members discussed the following:

- That experienced DOs were involved in the policy changes
- Though the changes in regulations were posted, MAUT could provide information through a “Did you know... scenario”
- Cases must be dealt with in a timely fashion.
- There are issues of volume and lack of manpower to deal with cases.
- That MAUT membership should be notified that the policy has changed, whether at a Council or a General Membership meeting.
- That informing members of the changes in this Policy could be a theme / topic at the SGM.

Council will publish the information on the changes to the policy in a future Newsletter. MAUT will request a clear procedure for learning the disposition of cases.

3. VP Communications A Shrier

a. Newsletter

AShrier noted that links to annual reports from Executive members, Chairs of the LS and Retirees' Committee, and Chairs of MAUT Standing Committees will appear in the upcoming MAUT Newsletter on April 17th. These reports are due by April 7th and will also be posted on the website.

4. VP Internal A Saroyan

a. Terms of Reference for Standing Committees

ASaroyan reported the working group [including K. Hastings & J. Varga] had prepared a draft of ToRs for MAUT Standing Committees which was circulated [Mar 16/15] to Committee Chairs for input. The ToR for each Standing Committee includes a preamble / general principles, and information on the committee's statement of purpose, activities, composition, and appointment terms. A. Saroyan anticipates that feedback will be received shortly based on which the current draft will be revised and brought to the Council meeting on April 16/15 for approval, in advance of the SGM and posted on the website.

b. Recognition of Communications Committee as a Standing Committee

ASaroyan proposed that the current ad hoc Communications Committee be recognized as an MAUT Standing Committee. This Committee is charged with on-going communications to MAUT members, including sending out the MAUT Newsletter. Its functions are not one time only and they are essential for the harmonious operation of the organization. As such, it is not an ad hoc committee (its current designation) but a standing committee. As a Standing Committee, one of the Chair's essential functions would be to submit a regular report to Council

A Saroyan proposed:

That Council approve the inclusion of the ad hoc Communications Committee as a Standing Committee, renamed as the Communications Committee.

Seconded by T. Mawhinney.

A Shrier, VP Communications and Chair, noted references to the Communications Committee that appear in the approved Publication Procedure for The MAUT Newsletter [Council Feb 26/15]. K. Hastings noted that MAUT can add Communications Committee to its list of committees and that Council has total authority over By-Laws. Council approved unanimously.

ASaroyan noted that McGill is offering a Group Life Income Fund for McGill Faculty and Staff. Information was circulated to members on March 12/15.

5. Nominating Committee

a. Appointment of Interim Chair

KHastings, former Chair of the Nominating Committee, recused himself and is running for the position of VP Finance in the 2015 MAUT Election.

H. Durham moved:

That R. Janda, Former President, be asked to serve as Interim Chair of the Nominating Committee.

Seconded by J. Cooperstock. Council approved unanimously. Hastings will contact R. Janda.

b. Update of Nominations and Upcoming Elections

KHastings reported that the Election 2015 using Omnivox software is ready for launching on March 25/15 at 12:00 noon. The candidates for Executive positions have updated acclaimed. There are 7 candidates for the two-year 5 Council positions and 3 candidates for the one-year

Council position.

6. Spring General Meeting [SGM]

a. Reports from Exec members, LS and Retirees Chairs

RB Lennox updated Council on plans for the SGM on April 24/15. The Executive members and Chairs of the LS and Retirees' Committee will submit report for posting in advance on the website.

b. SGM and open discussion topics

RB Lennox will ask Council to prioritize open discussion topics for the Council Meeting on April 16/15.

7. VP Finance [KHastings for CRagan]

The Financial Report to Council by C. Ragan was circulated to Council. It provided a "Financial Snapshot" of the Association and the Agenda and Minutes of the Finance Committee Meeting on March 16/15. K. Hastings reported that the Finance Committee addressed three main questions:

- a. Should we be changing MAUT member fees?
- b. Should we be changing our donations policy?
- c. Should we be changing our investment policy/strategy?

C. Ragan provided 4 scenarios for consideration with data on annual dues revenue and surplus: no change in the current fee structure: [.65%]; reduction to [.625%]; reduction to [.60%] and reduction to [.575%].

One of the discussion points concerned assets. Quoting from the Report: *that the MAUT should have a stock of accumulated financial assets sufficient to pay for any future legal cases under the assumption that the CAUT does not provide financial assistance. This led to the conclusion that an amount of approximately \$600,000 would likely be sufficient.*

K. Hastings also noted that expenses from membership-driven social events will only be recorded in next year's budget figures, along with proposals to support future recruitment events. The recommendation was first to attain the \$600K target and then consider reducing dues. The Report noted that members would be expecting a reduction in dues following the conclusion of the expensive court case. The Report recommends maintaining the status quo at this point. RB Lennox noted that neither MAUT expenses nor revenues are constant. He referred to invoices for municipal and school taxes. K. Hastings noted an increase in salaries would increase dues revenues.

Council discussed the following:

- That Council accepts the Report, build financial assets, and plan ahead.
- That a fixation on a \$600K benchmark is not necessary and a small reduction in dues would be acceptable to members.
- That a mil rate of 6.5 could be a reason not to join the Association and a reduction in dues could be a recruitment tool.

RB Lennox reminded Council about fluctuation in membership numbers due to retirements and new academic hires. No motion would be necessary to maintain the status quo.

8. VP External (AvdB; C. Ragan) [Note: AvdBerg arrived at 1:48pm]

a. Academic Freedom Fund Contribution (2015; 2016-)

The proposal from A. vdBerg was previously discussed by Council [2.b(2)]. He noted the donation would support a valid cause and MAUT's cumulative donation would be recorded in the CAUT Bulletin. At this point, MAUT is a "middling contributor" and had donated \$7K per year. The proposal is to donate \$5K per year, subject to Council's annual review of this sum and subject to MAUT's ability to cover this. A. vdBerg will speak to VP Finance C. Ragan concerning a formal motion and to consider setting a three-year term expiry date for the next review.

9. Other Business

a. Policy on Safe Disclosure (Whistle-Blower Policy)

D. Covo reported on the progress of the Committee that has been struck to Review the Policy on Safe Disclosure. The committee has met three times since December 2014, and has been focusing most of its attention on two issues:

1. The first has been non-controversial and is related to the clarity of the Policy with respect to its intentions and its primary objective, which is to provide "an impartial channel for the making of good faith reports, protection of those who make such reports from reprisals, and for the investigation and disposition of reports using, where possible, existing mechanisms." The Committee has been able to reach fairly rapid consensus on a number of relatively minor edits and corrections that clarify both the objectives and the process. An interesting example is the simple addition of the text Whistle Blowing in parentheses to the title of the policy.
2. The second issue on the table is one that was raised by DC on behalf of MAUT, following discussions with Joseph Varga who provided excellent information on the history of the Policy and sound advice on the issue at hand. The current policy refers allegations of Improper Activity to established processes and existing mechanisms, when such processes and mechanisms exist; the Policy on Research Misconduct, for example, provides an excellent model for the investigation and disposition of allegations of research misconduct. However, when there is no established University process for the investigation of the Improper Activity in question, the investigation is guided by "Sections 4.4 to 4.15 of this Policy". The problem is that whereas the Policy on Research Misconduct, and presumably most, if not all, other established processes recognize the rights of the respondent to be informed that an allegation has been made and to be given an appropriate and timely opportunity to respond, the current Policy on Safe Disclosure provides no such guarantees. The issue, therefore, is based on both a lack of what Professor Abe Fuks characterized as 'natural justice' and a lack of parity between the Policy-designed investigation of Improper Activity and established university processes.

DC ended his ad hoc report by confirming that the Policy is still under review, and that the proposal to resolve the impasse with text from the Policy on Research Misconduct that recognizes the rights of the Respondent remains to be debated in the next Committee meeting.

Council discussed the following:

- There is a need to protect the whistle-blowers
- That whistle-blowers must be made aware of the risks involved and this should be clearly indicated in the preamble to the Policy

b. Conflict of Interest Document

RB Lennox briefly referred to recently received Conflict of Interest Document and will meet shortly with the VP Research & International Relations offices and ask for clarification.

10. Adjournment

RB Lennox called for the meeting to be adjourned. Council agreed unanimously. The meeting adjourned at 2:40 pm.

Appendix 1-MAUT Finance Committee Report to Council March 24/15

Financial Snapshot

The budget of the MAUT is relatively simple. The vast bulk of our annual revenues (roughly \$682,000) derives from membership fees. Another significant amount (\$40,000) comes from the McGill Administration to finance teaching releases for members of the MAUT Executive. On the spending side, the single largest item is the dues we pass on to the CAUT and the FQPPU (roughly \$274,000 annually). The other large annual expenditure items are (1) salaries for the MAUT staff, roughly \$212,000 per year, and (2) funds used for teaching/research relief for MAUT Executive members, roughly \$65,000. For the past few years, the MAUT has had an average operating surplus of roughly \$60,000 (it was \$80,000 in the last fiscal year).

The MAUT has also accumulated some financial assets. As of March 23, 2015, the MAUT had roughly \$550,000 in accumulated assets. This overall amount was divided between cash accounts at McGill (\$59,000) and at the Royal Bank of Canada (\$92,000), and holdings in four selected mutual funds (\$398,000).

The MAUT Finance Committee met once during the 2014-15 academic year, on March 16th, 2015. In attendance were Chris Ragan (Chair), Ken Hastings, and Andrew Kirk. Bruce Lennox, David Lowther and Eran Shor were unable to attend.

MAUT Finance Committee Meeting: March 16, 2015

Agenda:

2. The Committee addressed three main questions:
 - a. Should we be changing MAUT member fees?
 - b. Should we be changing our donations policy?
 - c. Should we be changing our investment policy/strategy?
3. Other business
4. Adjourn

Minutes:

1. There was a discussion of reducing MAUT membership fees. The following points were raised:
 - a. It was noted that many MAUT members recall the fee increase a few years ago as a *temporary* measure, and are thus expecting the fees to return to their earlier level in the near future.
 - b. However, it was also noted that the MAUT should have a stock of accumulated financial assets sufficient to pay for any future legal cases *under the assumption that the CAUT does not provide financial assistance*. This led to the conclusion that an amount of approximately \$600,000 would likely be sufficient.

- c. The MAUT's current accumulated assets are roughly \$550,000. With recent average annual operating surpluses of roughly \$60,000, it appears that very soon (within one or two years) the MAUT will likely have assets of \$600K set aside.
- d. It was, however, also noted that the MAUT is now spending considerably on recruitment events (roughly \$15,000 per year), which does not appear in our recent budget plan. If this pattern continues it will reduce our annual surplus, thus slightly delaying the date we approach the \$600K objective.
- e. All things considered, it was felt that the question of reducing membership fees will likely become more germane and realistic in a year or two, and should be revisited at that time.
- f. For completeness, the following four scenarios are available for consideration by MAUT Council. In each case, it is assumed that recruitment spending continues at the rate of \$15,000 per year, membership remains at its current level, and that other numbers are as they appear in the MAUT's current 2014-15 budget.

Scenario	Annual Membership Dues	Annual Surplus
No change in fees (\$0.65 per \$100)	\$682,000	\$65,000
Reduce fees to \$0.625	\$656,000	\$39,000
Reduce fees to \$0.60	\$630,000	\$13,000
Reduce fees to \$0.575	\$603,000	-\$14,000

- 2. There was a discussion regarding MAUT's recent three-year (2013, 2014, 2015) \$10,000 per year commitment for contributions to the CAUT Academic Freedom Fund. It was noted that the MAUT's current provisions indicate that Council is limited to donations less than or equal to \$5000 (beyond which approval must be granted by the general membership). This led to two proposals for Council's consideration:
 - a. That approval for the final (2015) \$10,000 contribution to the CAUT Academic Freedom Fund within the current three-year commitment be put to the AGM for a vote; and
 - b. That any future commitment be limited to three years, after which the issue could be revisited.

- 3. There was a discussion of the MAUT's current investment policy (established in November 2005). After reviewing the document, it was agreed that the document would benefit from some modest revisions. The VP Finance is currently working on these revisions and hopes to bring them to Council for the April meeting.