

MAUT • APBM

McGill Association of University Teachers
Association des professeur(e)s et bibliothécaires de McGill

FALL GENERAL MEETING November 16, 2012

MINUTES

1. Call to Order

The meeting was called to order at 12:07 pm. A. Shrier welcomed members to the MAUT Fall General Meeting, reminded them to sign the attendance record, and state their names and departments prior to questions and comments. He welcomed FQPPU President, Max Roy whose comments are found under the Report from the V-P External (B. Gillon). He thanked members of the MAUT Executive and Council and H. Kerwin-Borrelli, Administrative Officer and J. Varga, Legal and Professional Officer.

2. Adoption of the Agenda

Members reviewed the Agenda. R. Myles requested to present MAUT Council's recent motion [Nov 07/12 Council Meeting]. This will also be addressed under the Report from the V-P External (B. Gillon). There were no other changes and the Agenda was adopted.

M. Richard/P. McNally
Adopted

3. Minutes of the April 20, 2012 Spring General Membership Meeting

The Minutes were posted on the website. There were no objections. The Minutes were adopted.

E. Zorychta/M. Zannis-Hadjopoulos
Adopted

In the final count, 86 attendees signed in. Of the 86, 16 were retired members, 2 were guests, and 68 were full members. As the quorum for General Membership Meetings is 100, it was not achieved. All members' suggestions will be brought to Council.

4. President's Report (Alvin Shrier)

• **SBAC Issues**

Al Shrier presented a summary of SBAC issues. Steps have been taken to make the Health and Dental Plans more cost efficient. These included switching to direct deposit, enabling plan members to request multiple prescription renewals at a time, and that prescriptions may be filled at many pharmacies, including those at Walmart. A summary of the most recent SBAC meeting was posted on the website. He mentioned that the reserves for the two plans amounted to \$3.8M

The detailed reports were projected. As per M. Boisvert, Consultant from Towers Watson, the funding position of the Health Plan as of December 31/12 was projected to be at \$329,136 or 3.3%. The funding position of the Dental Plan as at December 31/12 was projected to be at \$1,211, 017 or 21%.

Members viewed the contributing factors to the recommended renewal rates for the Health and Dental plans in 2013:

- the annual trend factor,
- the projected loss ratio,
- the fluctuation margin,
- and the surplus – Note: the 3.3% projected surplus will be used to offset a projected 11.1% rate increase.

The recommended rates for 2013 are as follows:

Health Plan: The proposed monthly rates for 2013 would increase from \$73.47 to \$79.20 for single coverage and from \$144.74 to \$156.03 for family coverage. The rate increase is 7.8%.

Dental Plan: The proposed monthly rates for 2013 would decrease from \$43.83 to \$40.85 for single coverage and from \$98.01 to \$91.35 for family coverage. The rate decrease is 6.8%.

For plan members with health and dental benefits, rates would rise overall by 2.3% for those with single coverage, and by 1.9% for those with family coverage. The premiums for the LTD are down by 2% as are those for optional life insurance by 5%.

- **MUNACA's Letter of Agreement with the Administration**

At a meeting of the SBAC, feedback was requested from committee members concerning the MUNACA Letter of Agreement with the Administration. MUNACA accepted a 3% limit of liability for the University, though historical data has shown that increased costs have been greater than 10%. Any increased costs will have to be borne by members. A. Shrier noted that a 70% majority of SBAC Committee members would be needed to carry a decision. If there is no agreement, then the University will make the decision.

The members' positions are as follows:

- MAUT – A. Shrier noted that while MAUT stands with all employee groups, they were not included in the discussions between MUNACA and the Administration. He questioned how the 3% liability ceiling for the administration was arrived at and stressed that the MAUT membership would not accept the Letter of Agreement. He has asked for clarification of the implications of not joining MUNACA in this agreement.
- SEU – R. Huot noted that the SEU agrees with MAUT's position, does not support MUNACA's Letter of Agreement, and the 3% agreement is a concern that will impact plan members.
- MUNASA – G. Menon noted that MUNASA does not support the MUNACA Letter of Agreement.

The agreement is between MUNACA and McGill and does not bind other employee groups. With this agreement, it appears that a single, large group of plan members will split from the others, which will increase the cost of coverage for MUNACA members who represent approximately 28% of the total plan membership. More details will follow.

- **Faculty Matters**

Al Shrier spoke about MAUT's collegial initiatives. He met new academic and librarians appointees at the Orientation in August 2012 and spoke about the Association and its benefits. He noted MAUT's on-going interaction with recent and more senior appointees through the *Academic Leaders Forum* and *Faculty Matters* initiatives to engage faculty and set up focus groups to investigate and report on performance dialogues with HR, leadership training, the role of chairs, and concerns expressed by associate professors.

- **Consultation on the Search for the New Principal**

Al Shrier noted that MAUT members are on the Search Committee. The results of a members' survey, sent by the ListServ, provided the Association's input into the selection process. In May 2012, MAUT members met with the Search Committee and presented their views.

5. Past-President's Report (John Galaty)

- **Salary Policy and Pensions**

J. Galaty spoke about the salary policy which is set by the CASC, a parity committee whose members are from the Association and the Administration. A new three-year salary policy is expected to be announced next month.

After Amendment #24 was announced without consultation with the university community, the MAUT caucus of the CASC worked with the Provost to change the Terms of Reference of the CASC and a mandate that would examine all financial issues concerning benefits, salaries and pensions. One example concerned Amendment #24, which following the court decision that the University could terminate its pension contributions [10%] for MUPP members at age 65, the MAUT caucus worked out a compromise whereby the University would continue to contribute 5% to notional accounts, separate from members' pension accounts, for MUPP members aged 65 to 69. At age 69, these notional account contributions will cease. The notice of the notional accounts, effective January 2012, was publicized, but the details, including financial and tax implications, remain to be clarified. [Note: Following considerable input from the MAUT caucus to clarify details, the particulars were announced in December 2012, retroactive to January 2012. These appear on the HR website.] J. Galaty noted that the amount of the 5% notional amount would be subtracted from the Defined Benefit Minimum [DBM] which is calculated for eligible members at age 65. All MUPP members who continue to work beyond age 65 will receive contributions to their notional accounts which will not be taxed until withdrawn and they can be deposited into RRSPs. J. Galaty noted that in the future, all discussions of members' benefits will require MAUT's approval and cannot be passed unilaterally by the Board of Governors. Pension plan discussions are on-going to eliminate financial difficulties and protect members,

6. Report from the V-P External (Brendan Gillon)

- **MAUT Academic Freedom Committee and next steps**

B. Gillon provided some background about the work of the committee. After the 2011 CAUT Council Meeting and the controversy surrounding the AUCC Statement on Academic Freedom, an MAUT committee was struck to (a) look into whether McGill had a statement on academic freedom, and as it did not, (b) to assess whether the University should have such a statement and (c) to determine how McGill University should go about formulating one. MAUT's committee [B. Gillon, Chair, J. Aitkens, D. Cere, J. Galaty, and I. Henderson] has met for over a year, reviewed historical and current

statements on academic freedom, including those from the 1968 Tripartite Commission, CAUT, FQPPU and American universities such as UCLA. The Committee also examined the various bodies within universities that address questions of possible breaches of academic freedom from within and outside the university. The Committee concluded that it is important to craft a statement that will capture the specificities of McGill University in Quebec. The Committee is continuing its work and intends to have an Open Forum on Academic Freedom in early 2013 to receive input from the university community and experts on that topic. This will lead to drafting McGill's own statement which will be discussed at the next General Membership Meeting.

- **FQPPU Conseil and Sommet**

B. Gillon reported that the *Conseil* was preparing for the upcoming Quebec *Sommet*. The FQPPU has called for an Estates General to examine education issues in Quebec. On October 31/12, a notice of motion was circulated to the MAUT Council, which was introduced at the meeting on November 07/12. There was a proposal to amend the motion which Council passed and which did not correspond to the understanding of those who proposed the initial motion which R. Myles will address later on.

Al Shrier introduced M. Roy, FQPPU President, who spoke about current issues that the Federation is addressing:

- the professors' professional life and data on employment and integration of new professors, career development, working conditions, burnout, psychological harassment and other relevant topics;
- a published survey [F. Naudillon] on the situation and role of female academics and librarians in universities and a continuing inquiry into the role of women at the various management levels of Quebec universities;
- an inquiry [D. Bélisle] on the state of online courses [e-learning] and their effects on professors, on academic programs, and the overall impact on universities;
- a committee on university funding [M. Umbriaco] that is collecting information on operating funds, real estate financing, and research funding in universities. He noted the data point to a steady increase in administrative expenses, materials and property and to cuts in all quarters.
- an increase in working expectations and changes to pension plans which point to universities asking employees to pay for their budget difficulties while reducing employees' participation in governing bodies;
- the opposition to Bill 38 which ultimately forced the government to withdraw this legislation;
- the opposition to Bill 130 which would have merged three agencies for research in Quebec;
- and the growth of the student movement to rising tuition fees and the ensuing fallout.

M. Roy referred to FQPPU's call for an inquiry into the conduct of the police during the student demonstrations. Concerning the Government's plan to increase tuition fees, the FQPPU has called for an Estates-General, a democratic debate on the future of Quebec universities and matters relating to research, governance and funding. The FQPPU has also protested the addition and modification of quality assurance mechanisms which would lead to the evaluation of programs, institutions and professors by consulting firms that are external to the academic and scientific community.

He noted the Quebec government has announced a Summit on Higher Education in February 2013 which will be preceded by four thematic meetings on: (a) the quality of teaching, (b) accessibility, (c) governance, and (d) the funding of universities and the contribution of research institutions and development throughout Québec. The FQPPU organized its own well-attended Summit on October 25/12 which included representatives from CREPUQ, the professoriate and students. The focus was on the financing and governance of universities. M. Roy then reiterated the importance of relations with other unions and associations in North America and throughout the world which has enabled the Federation to decode general world trends which have immediate and future implications.

J. Galaty noted that the FQPPU supported the students during the strike but the urgent problem is university under-funding. He asked what future position the Federation would take. M. Roy referred to a recent article in *Le Devoir* concerning university under-funding, the need for a common position on what constitutes a university, and how to finance it. He stressed that the mismanagement of university funds is only one of many problems that must be addressed by long-term strategies. A. Shrier thanked M. Roy.

- **Motion to Accept the CAUT Statement on Academic Freedom**

R. Myles remarked that in October, MAUT Council received a notice of a motion to adopt the CAUT Policy Statement on Academic Freedom. This was discussed at the meeting on November 07/12. There was a proposal to amend the original motion, which Council voted on and approved, and which will be brought to the meeting today.

R. Myles referred to the initial motion to adopt the CAUT Policy Statement as MAUT's Policy Statement on Academic Freedom. On November 07/12, R. Myles moved the following motion, which was seconded by K. Norget:

Be it resolved that:

The "CAUT Policy Statement on Academic Freedom" be adopted provisionally by MAUT Council as the "MAUT Policy Statement on Academic Freedom," subject to ratification by the MAUT membership at the next MAUT General Meeting.

At the same meeting, there was a friendly amendment moved by C. Ragan and seconded by M. Zannis-Hadjopoulos:

Be it resolved that:

1. *The MAUT endorse the values and the spirit of the CAUT Policy Statement on Academic Freedom.*
2. *The existing MAUT Committee on Academic Freedom be encouraged to examine the CAUT statement's main elements and give them due consideration during its deliberations. Any statement on academic freedom that the MAUT committee proposes will be brought to the Council and the General Assembly for discussion.*

Council voted and approved the second motion with the friendly amendment.

The CAUT Policy Statement on Academic Freedom can be found at <https://www.caut.ca/pages.asp?page=247&lang=1>

The AUCC Statement on Academic Freedom can be found at <http://www.aucc.ca/media-room/news-and-commentary/canadas-universities-adopt-new-statement-on-academic-freedom>

R. Myles noted the CAUT document addressed four main points: academic freedom in research, teaching, and in intramural and extramural areas. It expressed institutional autonomy: the autonomy of the university *vis-à-vis* the outside world. In the AUCC document, there is no reference to intra/extra mural situations. He noted that academic freedom must not be confused with institutional freedom.

He referred to the AUCC document and the possible interpretation that institutional autonomy could trump individual autonomy. He noted the possibility of challenges to academic freedom where faculty members working in satellite campuses, such as in Qatar and Saudi Arabia, could face.

R. Myles referred to CAUT's article on the confidential agreements between universities and commercial enterprises concerning the hiring and firing of professors and the content of programs. He indicated the urgency for MAUT to endorse CAUT's position on the four points and that faculty members' *intra* and *extra* mural rights trump institutional autonomy.

Al Shrier remarked that the amended and approved Council motion on November 07/12 endorses the spirit of the CAUT document and will be taken to the MAUT Committee on Academic Freedom. A. Shrier stressed that the Committee will craft an effective statement that will protect members and which will first be brought to Council and then to Senate. The goal would be to have the MAUT statement become part of the Regulations and ensure that guidelines exist to protect academic rights.

B. Robaire commented that the MAUT Academic Freedom Committee is following the proper process. He referred to his previous experience as the McGill Representative on the Academic Freedom Committee of the FAPUQ (Fédération des Associations des Professeurs du Québec) which crafted the Quebec position on academic freedom. He emphasized that it is inappropriate for Council or members at the General Meeting to consider this original motion. He stressed that the Academic Freedom Committee should craft a statement and that the General Meeting should not bind the Committee. He proposed that the members table this motion until the Committee has produced its statement.

B. Gillon inquired about the urgency to adopt a motion today as there has been no conversation with the Committee. Any statement that will appear in McGill Regulations must first go to Senate. He stressed there have been no discussions with other university constituents concerning the precise statement that the Committee will produce and reiterated the need for healthy dialogue. M. Nahon inquired about MAUT's position when the CAUT Statement on Academic Freedom was discussed at the November 2011 CAUT Council meeting. B. Gillon replied that MAUT voted in favour of the motion. Therefore it is still CAUT's statement and emphasized there is no problem with it.

R. Sieber said that MAUT is still under CAUT's statement. B. Reed referred to a sense of urgency following the Provost's Statement on Academic Freedom, which did not provide an opportunity to respond. He noted that academic freedom has been threatened and that McGill's statement should protect the professoriate and be stated in the Grey Book thereby binding all faculty and the administration. Neither the AUCC statement nor one from the Provost's Office should be considered a point of departure. He expressed concern about possible administrative abuse.

J. Galaty noted that in the Spring 2012, MAUT was aware of the discussions emanating from the release of the AUCC and CAUT statements. In response, MAUT created a committee to craft a statement to strengthen and vigorously defend academic freedom. MAUT wants the results of this deliberation to appear in the Regulations governing Academic and Librarian Staff and bind all concerned. The Academic Freedom Committee will not abrogate its responsibilities and will take all these comments into consideration. He stressed that neither the AUCC Statement nor the Provost's Statement are points of departure.

- **Further comments**

K. Norget noted that the academic freedom deliberations were neither discussed in the context of a Council meeting nor was there any agreement that McGill needed a collective statement. She questioned whether the Association needed to participate in such a process. She reiterated a debate should happen in Council. As there was a vote but no consensus on Council, she stated this issue must be discussed. G. Mikkelson commented on the perceived tension concerning the way things were done at MAUT. He noted that Council approved funding for the on-going legal case and for course relief for Executives. G. Mikkelson commented on using Council as a deliberative body and proposed that MAUT take a provisional stand which will go to the Spring General Meeting. He reiterated the need for discussion but proposed accepting the CAUT statement as a starting point.

7. Report from the V-P Finance (Christopher Ragan, presented by A. Shrier)

- MAUT Audit 2011-2012 (Pierre Gagnon, C.A.)

The financial statements and budget documents were projected. P. Gagnon reported that the required financial information was readily available and the Report for the Year Ended August 31, 2012 represented an accurate financial position of the Association as of that date. He noted the change in the mil rate from 0.5% to 0.65% accounted for an increase in revenue for the Association. He explained that the increase in expenses was due to greater conference attendance and meetings, but that the level was normal. He noted that CAUT had advanced \$300K to support the legal expenses of a dismissed member and referred to a surplus of unrestricted assets of \$383.7K.

- MAUT Budget (Pierre Gagnon, C.A.)

The Auditor projected the Actual Budget figures for the years 2008 to 2012 and the projected figures for 2013, which were based on what occurred in 2012. There is a forecast of additional legal expenses as CAUT has indicated it will not go beyond its \$300K donation from its Academic Freedom Fund. This could mean a deficit for the Association. There were no questions. Al. Shrier thanked P. Gagnon. E. Zorychta moved to accept the MAUT Audited Statement and Budget. Seconded by B. Robaire. Passed unanimously. John Hobbins inquired about the status of the legal case. A. Shrier noted the final presentations had been delivered and that the decision was in the hands of the Arbitrator. G. Tannenbaum inquired about the total cost. Al Shrier indicated it is expected to reach \$600K. He praised the exceptional work by MAUT's team as well as the advice and guidance from CAUT.

P. Caines noted that further discussion on the legal case could continue at the next Council meeting on December 06/12. An invitation will be sent to all MAUT members. Al Shrier remarked that the clauses in the current Rules and Regulations did not address the situation of the member's dismissal and that an MAUT Ad Hoc Sub-Committee has

been struck to examine the Regulations and make recommendations to avoid any similar situations in the future.

8. Report from the V-P Internal (David Harpp)

- **Membership**

David Harpp reported there were 917 full members and 207 retired members for a total of 1124. He remarked that over the past several years, newly hired academics and librarians have not joined MAUT and stressed that recruitment efforts would be stepped up. He noted two upcoming *Research Mixers* which will take place in Spring 2013 and bring together new colleagues to share their research experiences. The events will take place in the Billiard Room of the Faculty Club and costs will be shared by MAUT and the Club. The target audience will be junior and senior non-members. He and Al Shrier will co-host these events and explain the costs and benefits of membership and promote committee volunteerism. A. Shrier indicated he will attend Faculty Council meetings and promote membership in MAUT. These initiatives will be developed along with others in conjunction with Associate Provost N. Cooke.

9. Report from the V-P Communications (Caroline Riches)

- **New MAUT Website under construction**

C. Riches reported the new website is currently under construction and indicated its address: www.mcgill.ca/maut Space has been provided on the McGill server. The web designer is in the process of transferring information from the old to the new site. She noted several updates: the new website will have links to both CAUT and FQPPU and will be more vibrant and user friendly.

- **Surveys and Consultations**

C. Riches thanked K. Hastings for setting up several MAUT surveys and summarizing the results.

The survey to provide comments to the Advisory Committee for the Search for the New Principal was sent to members and the summary document was provided to the Advisory Committee. A summary of the results and comments were sent to members via the ListServ in August 2012.

The survey on the Quebec Tuition Fee Conflict and Bill 78 was sent out and a summary of the results and comments were sent to members via the ListServ in July 2012. Sub-committees struck to work with the results of this survey have been disbanded for now.

There was a request for comments on the proposed changes to the Tenure Regulations. This issue had been brought to Senate in March 2012. The issue has not been brought back to Senate and the feedback from members will help to inform MAUT if this issue resurfaces. Associate Provost L. White inquired about the results of this survey. Because of the nature of the survey and possible identification of the respondents, they were asked if they agreed to “opt in” and have their comments made public. All identifying remarks were deleted and the anonymous members’ comments were circulated via the ListServ and to the Associate Provost’s office.

C. Riches thanked M. Richard for the detailed monthly Senate Reports. Invitations will be sent to MAUT members to attend the monthly Council meetings.

M. Richard noted that in May 2012, 6 amendments were brought to the Librarians' General Meeting and were approved. C. Riches noted that these amendments to the Constitution are posted in the Librarians' section on the new MAUT website.

10. Report from the Chair of the Librarians' Section (S. Rankin)

• Librarians' Issues

S. Rankin noted that the membership in the Librarians' Section includes 52 active and 14 retired members: 76% of the academic Librarians currently on staff.

The Librarians have held an e-election using *LimeSurvey*. The Professional Issues Committee (PIC) advises the Executive on matters of professional concern and development.

S. Rankin reported progress on resolving outstanding librarians' issues. The Executive of the Librarians' Section has met monthly with Dean C. Cook and have resolved 23 of 28 issues. There are 4 issues still in process and 1 issue that had been flagged as a future concern. Based on these results, the Librarians' Section has recommended that CAUT withdraw its motion of censure against McGill University. This recommendation will be made at the upcoming CAUT Council meeting. S. Rankin thanked CAUT Investigators, K. Weaver and T. Samik and members of the *CAUT Ad Hoc Investigatory Committee into the Situation of Academic Librarians at McGill University* for their assistance in resolving issues. S. Rankin noted the Librarians' Fall General Meeting will take place on November 30th. The information is on the website.

S. Rankin noted the one issue flagged concerns more Librarians' involvement in the selection of the next Dean of Libraries.

11. Faculty Club (Edith Zorychta)

E. Zorychta, MAUT liaison with the Faculty Club, reported that several years ago, there were concerns about finances but the situation has improved. She commended the management is very competent and the chef is excellent. There are good revenues from events and matters are in good financial shape.

E. Zorychta referred to Tadjia Hall, the Macdonald Campus Faculty Club, and its borderline subsistence. For the past couple of years the Administration has invested more funds in salaries and less in the faculty clubs. Tadjia Hall needed a subsidy and MAUT requested that \$25K not be withdrawn from Tadjia Hall. The funding was received by Tadjia Hall. She remarked it is a great place for retreats and meetings.

12. Other Business

There was no Other Business.

13. Adjournment

Al Shrier called for a motion to adjourn. Approved unanimously. The meeting adjourned at 1:54 pm.

Respectfully submitted,

Honore Kerwin-Borrelli
MAUT Administrative Officer

