

UWFA NEWS

Who Ya Gonna Call?

With the start of another academic year, it's time for a reminder that the UWFA Office is here for you to contact regarding any concerns you have related to terms and conditions of employment. Our members are our eyes and ears, so if you become aware of any situation that you think might involve a breach of the provisions of the Collective Agreement, please let us know.

Call or e-mail **Lisa McGifford**, UWFA's Staff Officer, at 789-1441.

Also, a word of warning: if you find yourself in any situation in which you are asked to agree to something that you think is unfair, or even irregular, please contact Lisa before you agree or disagree. Some of our stickiest grievance situations involve members who have said "yes" to something, only to come to us later because they have been treated unfairly. Although we still do our best to represent such members, the fact that they have agreed to whatever was proposed is an impediment – so please contact UWFA before agreeing to anything unusual.

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Yes, we know it would help if you had access to a copy of the current Collective Agreement, but for Main Unit Members, that will still take awhile, until the negotiation of the outstanding Intellectual Property clause has been concluded. In the meantime, you can contact Lisa to get the wording of any clause you need.

UPDATE ON THE INTELLECTUAL PROPERTY CLAUSE (OUTSTANDING ITEM IN 2008-2010 CONTRACT)

By Lisa McGifford

Despite efforts to conclude negotiations with respect to Intellectual Property, the bargaining teams were unable to do so and sought mediation on a few key issues. Mediation occurred at the end of July. After three very long days, we were able to agree on some key points related to ownership and revenue sharing of "Other IP." "Other IP" refers to intellectual property that is not captured by copyright legislation. Having ironed out these contentious issues, we intend to return to the bargaining table as soon as possible to conclude matters.



Come join us on Wednesday, September 24, 2008 at the Winnipeg Art Gallery for the **UWFA Fall Solidarity Event!**

When: September 24, 2008 – 5:00p.m. – 8:00p.m.

Where: Top Floor – Winnipeg Art Gallery

What: Food, drinks and good conversation will abound!

Please R.S.V.P. to Sandra in the UWFA office at uwfa@uwinnipeg.ca or 786-9430

Come One, Come All!

Carver Model Gets Major Setback

By Kristine Hansen

At the Monday June 23, 2008 Board of Regents meeting, the Carver model saw a major setback. For more information on the Carver model see Michael Hohner and Kristine Hansen's article in the UWFA Bargaining Newsletter, Volume 5 at <http://uwfa.ca/category/negotiations/>

A motion to repeal the Board's existing bylaws failed because it did not achieve the required 2/3 majority. That happened because the Senate (faculty) regents, the student regents, and the staff regents voted as one. Interesting that all of those who actually are at the University opposed what was happening! Administrators were an exception, but one bright spot was seeing Gabor Kunstatter, the departing Dean of Science, supporting the faculty arguments.

On some other motions faculty, staff, and student arguments swayed a couple of external regents to vote along with them. Ironically, an amendment to the bylaw motion establishing the General Faculty Council under the Board's authority passed because external regents were convinced by faculty arguments -- but of course, the amendment died with the failed main motion. Thus, the existing bylaws still stand, and they do refer to faculty councils, although not to the General Faculty Council.

There was great consternation among the Board Executive and the administrators. No doubt they'll try again. Meanwhile, a small blow has been struck for students, faculty, and staff.

UWFA Executive Activities over the summer

By Pauline Greenhill

As of June 9, the UWFA Executive delegated association business to the Table Officers President Kristine Hansen, Vice-President David Burley, Treasurer Steven Kohm, and Secretary Pauline Greenhill, for the duration of the summer. We kept tabs on the administration's activities, and clarified several issues and directives. We supported the work of the team negotiating the Intellectual Property clause of our Collective Agreement (an agreement-in-principle is now in place, but language must be crafted). See also article by Kristine Hansen on the continuing saga of the pension dispute.

On June 13, the full UWFA Executive Council met for a day long discussion of UWFA activities. We held sessions on such topics as association renewal, member involvement, communications, planning for negotiations, association governance and the workings of the Executive, policies, and relations with other groups. Some results include plans to form a constitutional review committee, to involve departmental representatives in an ongoing Solidarity Committee, and a host of others. Watch the newsletter and website for more information throughout the year.

See also **Carver Model**, above.

How to Survive the First Month (Or Two!)

* Suggestions from Angela Failler, Parvin Ghorayshi, Michelle Owen, and Candida Rifkind *



Local Restaurants

Old favourites:

Homer's 520 Ellice Avenue 788-4858--Greek food, lunch specials, try the Greek Village Salad (licensed)

Sorrento's 529 Ellice Avenue 774-9892--Italian, try the Italian Vegetarian Pizza (includes excellent black olives and artichokes) (licensed)

Newer favourites:

Black Sheep Diner 540 Ellice Avenue 786-2822--great for breakfast, lots of vegetarian options

Dessert Sensations 505 St. Mary Avenue (behind Winnipeg Art Gallery) 284-4661--not just desserts! (licensed)

Shawarma Time 616 Ellice Avenue 774-2109--Lebanese, family-owned, good value, has good vegetarian selection

Sushi 101 500 Portage Avenue 885-7888--sashimi is fresh and delicious, they do take out (licensed)

A little farther a field, but still within lunching distance:

Affinity Vegetarian Garden Restaurant 208 Edmonton Street 943-0251--Chinese very inventive vegetarian food

A Taste of India 9-510 Sargent Avenue 775-1098--family run, lunch buffet

Right on campus:

Soma Cafe Duckworth Centre--Student-run, Fair Trade coffee; food from local eateries and some made on site



Get It Out Of Your System!

Dale Boldt, Massage Therapy 474-1777 102-55 Nassau Street North (our Blue Cross coverage includes massage therapy)

Join the Duckworth Centre Gym--new facilities! Amazing low rate! \$120.00 (Sept-Aug); \$90.00 (Jan-Aug); \$60.00 (May-Aug)

Weekend getaways: *Wasagaming* (Riding Mountain National Park) 267 km

http://www.discoverclearlake.com/the_area.htm

West Hawk Lake (Whiteshell Provincial Park) 155 km

<http://www.whiteshell.mb.ca>

Hecla Island (Hecla Provincial Park) 168 km

<http://www.radisson.com/hotels/mbhecla>



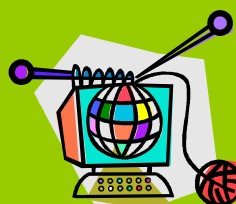
UWFA Status of Women's Committee to Meet --Judith Huebner New Chair-

All UWFA Members are invited to join us for the first **UWFA Status of Women Committee** meeting of the academic year, Monday, September 15 at 12:30-1:20 in room 1L04.

The new committee chair is Judith Huebner, Professor of Biology, former Associate Dean of Arts and Science, Acting Co-Chair of the Women's and Gender Studies Department 2007-2008, and a long time advocate for women's issues on campus.

One of the first items on the agenda will be to review a draft mandate for the committee's terms of reference, which have been proposed to cover "the advancement of the status of women and other marginalised groups on UW campus." Other items of interest will be the Joint Consultative Committee's recommendation in 1999 that the salaries of all women faculty members be improved. We hope that this will be an item on the agenda of the new Union/Management Committee mandated by our new Collective Agreement. We will also discuss possibilities for improving faculty mentoring across campus.

Please come and join us, and bring your ideas and suggestions.



UWFA Website Survey!

Please go to:

<http://odohha.notlong.com> and fill out our website survey.

There will be an exciting prize draw for those who participate!



Smart (ass) Answers to the Administration's Stupid Questions by Ottoline Wilwood

Question: Why did so many students drop your course?

Answer: There is no requirement for students to tell me, and no student did so. [Of course, if they told you, and especially if they dropped it regretfully--which is probably why they told you in the first place--you should share their reasons.] Since I am not able to read minds, and psychic ability is not a requirement in the current Collective Agreement, I'm afraid I cannot enlighten you.

Question: Why are your grades higher than average?

Answer: I cannot answer this question without further information, or I risk making unwarranted presumptions about the teaching of my colleagues. Please provide me with the course outlines for each course that each student took during their career up to this point. Also, please gather a short statement from each student explaining how much effort they put into each of those courses, compared to mine. Once I have that material I will endeavour to answer.

Question: Why are your grades lower than average?

Answer: See previous question. And there are always the responses like "I cannot give good grades to students who never attended my class." "I cannot give good grades to students who failed to hand in assignments/show up for exams/etc."



Calendar of Important Dates:

(Thanks to Associate Dean Elizabeth Dawes for permission to use her file)

SEPTEMBER

12 – UWFA Executive Meeting

15 – New deadline as requested by UWFA for Tenure & Promotion submissions

- TENURE/CONTINUING APPOINTMENT: In the final year of a probationary appointment, members shall apply to their Dean and Chair in writing (24.05 (1))
- PROMOTION: Members shall inform their Dean and Chair of their intent to apply (25.04 (1) and 25.05 (1))
- DPC: Chairs shall forward to the Dean a list of the members of the DPC (13.03 (d)).
- CHAIRS APPOINTMENT: In the final year of their term, Chairs shall inform the Dean of their intent to step down or seek another term (22.03)

15 - UWFA Status of Women group meeting 12:30-1:20 in room 1L04

24 - SOLIDARITY PARTY! - Winnipeg Art Gallery, top floor, 5-8 p.m.

30 - RELIGIOUS LEAVE: Members shall inform the Dean of required unpaid leave (26.38 (5))

OCTOBER

1 –

- ACTIVITY REPORTS: Members shall submit an Activity report to the Chair (14.17)
- RESEARCH/STUDY OR EDUCATIONAL LEAVE: Members shall apply to the Chair (26.14 (1) and 26.29 (2))
- PROMOTION: Members shall submit their complete applications to the Chair (25.03)
- EXTENSION OF PROBATIONARY APPOINTMENT: In the final year of a probationary appointment, members shall apply to the Dean in writing (24.04)

15 -

- RESEARCH/STUDY LEAVE: The Chair shall forward applications to the Study Leave Committee (26.14)
- DPC PROCEDURES: The DPC shall determine its own procedures and communicate these procedures in writing to the Dean (13.03 (d))

NOVEMBER

1 –

- TENURE/CONTINUING APPOINTMENT: The DPC Chair shall forward applications and recommendations to the Dean (24.06 (4)), with a copy to the member (24.06 (3))

15 –

- ACTIVITY REPORTS: Chairs shall submit reports and evaluations to the Dean (14.19 (g))

Above and Beyond: Compensating Senior Administration

A recent Winnipeg Free Press article from Saturday, August 23, 2008 entitled Presidential Perks (see <http://sohzo.notlong.com>) noted the salaries of U of Winnipeg President, Lloyd Axworthy, former U of Manitoba President Emoke Szathmary, and Red River College President Jeff Zabudsky. It also made mention of some incredible compensations made to university presidents in Ontario.

Dr. Axworthy earned \$282,530 in calendar year 2007. In 2002, Constance Rooke received compensation of \$201,673. So, on average, the U of W President's salary has increased by seven percent each year – about the same percentage increase UWFA members have received over the last five years with our general salary increase (or inflationary adjustment) and our career development increment.

So we have done reasonably well as a union with our salary increases, but certainly our administration have also enjoyed these same perks that we have worked so hard for at the bargaining table. In bargaining, administration have also tried to limit the growth of compensation to our more senior members, while accelerating the growth of our junior members at a much quicker pace. However, there certainly seem to be no limits to the rate of growth for these very big administrative salaries. Such percentage increases on fatter administrative salaries mean huge dollars and significant impacts to very flat budgets. Still, as we face no real growth in provincial transfers and continue to fall further behind, perhaps the provincial premiers are looking at our university presidents and thinking “you're a public servant like me and making how much more than me? ...you go figure it out!” While the salaries for positions continue to increase for everyone, the other thing to think about is how many more administrators there are than five years ago (see Pauline Greenhill's editorial on page 2 of <http://uwfa.ca/2007/12/> for more on that) and how administrative stipends are being defined and calculated for compensation packages of our administrators. The proliferation of new VPs, Associate VPs, Deans, and Associate Deans in the organization chart certainly adds a possible rationale for more administrative stipend notches, but many of us wonder if the result has been a better-run university.

To start your own investigation of compensations across our campus, The Public Sector Compensation Disclosure Act: compensation paid at the University of Winnipeg is available for calendar years 1996 through 2007 in the Library behind the Circulation Desk on Permanent Reserve – see LE 3 W57 U667 ...and tell them Michael Hohner sent you.

First Strike of 2008-2009,

University of Sudbury

By Pauline Greenhill

Striking academic staff at the University of Sudbury reached a tentative agreement at 4 p.m. Tuesday, August 26. Represented by the Laurentian University Faculty Association, LUFA, faculty were on strike for over a week, seeking salary and teaching load improvements. LUFA president Jim Ketchen, speaking on behalf of the members, announced that “LUFA is happy that the bargaining team has a tentative agreement that they can recommend for ratification before the beginning of the coming term.” The strike began when the employer unilaterally revoked the terms of the recently expired collective agreement, and sought to negotiate individual contracts with the unionized members. Faculty ratified the agreement on September 4th. See <http://thesudburystar.com/ArticleDisplay.aspx?e=1185000>

Status of the Old DB Pension Surplus Matter

By Kristine Hansen

UWFA members will recall that the Manitoba Pension Commission has upheld a ruling by the Superintendent of Pensions that the University must pay into the UW Defined Benefits Pension Plan the sum of the “second surplus payout” that was promised to DB plan members in 1999-2000, along with interest, to be used for DB member benefits. When the Employer argued at the time that it could not afford to make the second of two surplus payments because the surplus had disappeared due to investment market conditions, an agreement was made to distribute to DB plan members a much smaller payout, about 10% of what had been promised. However, the Superintendent of Pensions ruled that the originally promised amount had become a pension benefit, which by law cannot be denied pension plan members once it has accrued, and the Pension Commission Appeal Board agreed.

Members also are aware that the Employer planned to appeal this decision to the Manitoba Court of Appeal, and the Employer now has filed an appeal. Among other arguments, the appeal maintains that it was implicit that the pension plan amendment passed by the Board of Regents on December 4, 2000, was conditional on the continued existence of a surplus. Further, it maintains that the amendment wasn’t really an amendment, but rather it was an authorization of “the commencement of the amendment process.” More broadly, several arguments are made to the effect that the Employer’s actions didn’t create an accrued benefit.

UWFA and AESES have standing to appear before the Court of Appeal, and our lawyer will intervene if arguments are made with which we disagree. We remained neutral throughout the Pension Commission appeal because UWFA had been a party to the old agreement to make only a small second payout. However, there now have been two legal or quasi-judicial decisions to the effect that an accrued benefit is due to our DB members. As well, evidence arose in the previous appeal hearing that would suggest that UWFA, AESES, and other employee groups that were party to the reduced-payout agreement might not have been correctly informed throughout the negotiations that occurred over the entire “surplus sharing” issue. Therefore, our role in the current legal proceedings might become more active than it was in past proceedings.

**SUPPORT YOUR UNION**

There are many ways for UWFA members to get involved. They can join a committee. They can become a departmental representative. If you have ideas for articles for the newsletter (or, better still, articles for consideration) please contact me, at your earliest convenience!

Pauline Greenhill, Professor, Women’s and Gender Studies; Secretary, UWFA



Ask UWFA

We answer your questions. Please send them to Pauline Greenhill,
p.greenhill@uwinnipeg.ca 786-9439

Communications Committee: Pauline Greenhill, Mark Golden, Michael Hohner, Sandra Moore, Karen Zoppa

Look for the next issue in November.



We're on the Web!

Visit us at:

www.uwfa.ca

3502 – 515 Portage Avenue
Winnipeg, MB, R3B 2E9
Phone: 786-9430
Fax: 774-3068
E-Mail: uwfa@uwinnipeg.ca