



Newsletter

OCT/NOV 1999, VOLUME 26.2, Pat Chow-Fraser, EDITOR

AGENDA

for the General Meeting on
Tuesday, December 14, 1999, 2:00 p.m., MGD 505

1. **Minutes** of the Annual General Meeting, April 27, 1999
2. **Business Arising**
3. **Report from the President's Committee on Retirement Provisions for Salaried Employees** -- A. L. Robb
4. **President's Report** -- J. R. Platt
5. **Other Business**

1. Minutes of the Annual General Meeting
held on Tuesday, April 27, 1999, 10:30 a.m., MGD-505

PRESENT: Approximately 50 members

1. Minutes

MOTION: that the Minutes of the General Meeting held on January 18, 1999 be approved as circulated.

B. Lynn/C. Beattie
Carried

2. Business Arising

There was no business arising.

3. Committee Reports

Dr. King noted that the report of the Association's Committee on Retirement Issues is available at the door.

Dr. S. Miller, the Association's representative on the Study Group to Advise on the Double Cohort, reported on events in that Committee since she submitted the report distributed with the agenda materials. The Study Group's report has been submitted to the Provost. Dr. Miller did not sign the report, however, since she was not given time to consult with the MUFA Executive. She recommended that in future when MUFA agrees to send a representative to University committees, provisions be made for consultation with the parent body. The report confirms that the double cohort will have significant implications for working conditions of faculty. Dr. L. Allan asked if this report will be sent to Undergraduate Council; such a change in enrolment is something for Senate to consider. Dr. King agreed, but added that the Provost maintains that it was an informal report to him.

MOTION: that the Committee Reports be accepted as submitted.

**B. Lynn/A. L. Robb
Carried**

4. Treasurer's Report--- M. Parsons

a. Preliminary Budget for 1999/2000 and Annual Statement of Income and Expenditure

MOTION: that the Preliminary Budget for 1999/2000 be adopted.

**M. Parsons/M. Dooley
Carried**

b. Appointment of Auditor for 1999/2000

MOTION: that Hoecht Galvin Chartered Accountants be appointed as the auditor for the Faculty Association for 1999/2000.

**M. Parsons/B. Lynn
Carried**

5. Returning Officer's Report -- G. K. Smith

As Returning Officer for the election of an Executive Committee for 1999/2000, I hereby report that, as there were no further nominations by the April 2, 1999 deadline, the Nominating Committee's slate which was distributed to the membership on March 19, 1999 is declared elected.

Subsequently, Charlotte Yates has withdrawn her name from the slate. In the next few days, the Nominating Committee will be proposing a candidate to replace Dr. Yates. At that time, the membership will be invited to make further nominations in accordance with By-Law 1(c).

At this time, the 1999/2000 Executive is as follows:

PRESIDENT John Platt

PAST
PRESIDENT Les King

VICE
PRESIDENT Bernadette Lynn

MEMBERS Kathy Ball, Stephen Birch, Gary Bone, Carolyn Byrne, Patricia Chow-Fraser,
AT LARGE: Ken Cruikshank, Martin Dooley, Stefania Miller, Khalid Nainar

6. Order of the Day: Deborah Flynn, President, OCUFA

Dr. King introduced Henry Mandelbaum, Executive Director of OCUFA. Mr. Mandelbaum explained that he was attending the AGM instead of Dr. Flynn who had a family emergency.

Mr. Mandelbaum discussed the importance of the upcoming provincial election for the university community; the current provincial government's policy direction for universities and its implications; and the critical role the university community can have in the period leading up to, during, and after the election.

To date, post-secondary education issues have appeared in both the Liberal and NDP platforms. The PC election platform is expected in the next few days. The current provincial government has made changes which signal fundamental policy shifts in the funding and regulation of universities and which have had profound consequences for post-secondary education. These policy shifts need to be addressed regardless which party forms the next government. The government has spoken of the need for universities to be excellent with high teaching and research standards; to be accessible; to be accountable to students and the taxpaying public; to have far greater ties to the private sector by developing programmes linked to labour market trends. The Harris government has little understanding that university education teaches students how to think, how to solve problems, and how to be adaptable, flexible and imaginative. As was observed in the recent Angus Reid survey commissioned by COU, these are qualities that employers value -- employers don't want graduates with narrowly focused skills.

The government has combined operating grants to colleges and universities, and funding for student assistance into a new expenditure envelope. Previously each of these expenditures was treated separately. It has been announced that this envelope will increase by \$80 million over two years. Priority will be given to meeting student assistance costs. The funds that remain will be allocated to college and university operating grants. Operating grants to Ontario universities are the lowest in Canada.

Government cutbacks in education have promoted greater privatization of university funding: more private sector donations, higher tuition fees, and increased use of targeted matched funding envelope mechanisms. Revenue dependent on tuition fees and endowments is too uncertain. Targeted funding can undermine university autonomy and increase government control. Private sector donations often come with strings attached, some of which threaten academic freedom.

Certain government policy is driving change in Ontario universities in an attempt, it might be said, to get the kind of universities that the government wants. The real issue, however, is whether this is the university which the public, students, faculty or staff want or need.

Due to funding constraints, retired faculty are not always being replaced. Limited-term faculty with little security are being used in greater numbers. Salary and benefit increases are being resisted while workloads are becoming larger. Student debt load is on the rise.

Where do we go from here? During the spring provincial election it will be important to raise public awareness about the effects of the current government's higher education policies on Ontario universities and to place higher education on the agenda of all three political party. The goal of OCUFA's election activity will be to obtain broad public support of and commitment to public funding for universities and university-based research. Lobbying will continue after the election under the direction of Henry Jacek, Vice-President of OCUFA. Mr. Mandelbaum strongly encouraged associations to work with students, staff and administration on lobbying activities. He then detailed OCUFA's pre-election activities and plans.



With regard to the double cohort, Dr. R. Howard wondered if anyone had introduced the idea of providing a financial incentive to members of the double cohort so that they would not all register in 2003. Mr. Mandelbaum reported that government and COU expectations are that double cohort will be spread over a three- to five-year period. While students will be able to graduate one year earlier, the expectation is that the course demands will discourage some students from taking advantage of that opportunity. However, OCUFA and COU is pressuring the Ministry of Education & Training for more faculty to meet the needs of increased enrolment. He liked Dr. Howard's suggestion and will pass it on to government contacts.

In response to Dr. K. Nainar's question, the province would need to increase university funding by approximately \$550 million to bring Ontario up to the national average.

7. President's Report -- L. J. King

With my term in office now coming to an end and with my recollections of events of the past year still reasonably sharp, I would like to take this opportunity to offer some observations on the arrangements that exist at this University for discussions and negotiations between the Faculty Association and the administration.

The principal features of the system date from the mid 1980s when under the terms of a tripartite agreement between the Association, the administration and the Board of Governors, the Joint Administration/Faculty Association Committee was established in its present form. There had been a Joint Committee in place for several years previously but it had foundered often on the issue of dispute resolution in regard to remuneration discussions and the 1984 agreement sought to remove this hazard by instituting "final offer selection."

The new Joint Committee was given three main terms of reference -- first, to provide a forum wherein both parties could "discuss issues and concerns confronting the University"; second, to consider and discuss each year any issues relating to the terms and conditions of employment of faculty; and third, to provide a forum for negotiating and determining faculty remuneration. It is on the general question of how well the Joint Committee is fulfilling these responsibilities that I wish to comment. But before I do so, I want to address a different but related issue having to do with the Committee, an issue that was given scant attention by its architects but which now appears to be a potentially troublesome one. I refer to the matter of the Joint Committee's constituency and to the related questions of who does the Joint Committee represent and for whom does it negotiate?

The document describing the Joint Committee relies throughout upon the familiar term "faculty", a word with which we are all comfortable but for which no formal definition exists within any document of this University. The McMaster University Act (1976) uses the word but only in the sense of referring to an administrative division of the University. The Act defines the "teaching staff" of the University to be those employees "who hold the academic

rank of professor, associate professor, assistant professor or lecturer" and most of us equate that group of employees with the faculty. We acknowledge that the faculty defined in this manner includes persons in all of the Schools and Faculties who may be employed full-time or part-time and who may be paid by the University or by some external agency. But are they all represented by the Joint Committee? The answer to this question is not to be found in any written statements but rather in a set of conventions that have developed over the years. For example, there would be little argument over the claim that with respect to such "universal" issues as academic freedom, faculty conduct, research misconduct and ethics, sexual harassment and so on, the Joint Committee in its deliberations represents all faculty within this University, though of course it has no exclusive or paramount jurisdiction in any such area.

But on issues of remuneration, the Joint Committee's jurisdiction is more restricted and the boundaries in places are contested. The main such boundary encompasses that majority of the full-time faculty whose remunerations are paid out of University funds and who are members of the Career Progress/Merit scheme. The responsibility of the Joint Committee for negotiating remuneration for that group has never been in dispute and it was for that group that the check-off of Association dues was made compulsory a few years ago. A different boundary has been drawn around the so-called "clinical faculty", those full-time faculty in Health Sciences who receive some portion of their remuneration from health-care fees billed through the RMA. It is agreed that the Joint Committee does not negotiate on behalf of these faculty in regard to remuneration but in the past year or so there have been one or two "border incidents". The question of whether changes in the base salary components of the remuneration of such faculty is a legitimate subject for discussion within the Joint Committee was one such issue and more recently, a dispute over the application of the changes in the tuition assistance program for dependents was another. Neither of these issues is fully resolved to the satisfaction of all parties and they and similar issues will demand attention in the future.

Another boundary question looms in situations, again not uncommon in Health Sciences, where contractually-limited appointments are made for quite specific purposes and without the expectation that the appointee perform the full range of faculty responsibilities in teaching, research and service. The contracts in some such cases may exclude the appointees from the CP/M scheme and this will cause another jurisdictional headache for the Joint Committee.

Let me turn now, as I said I would, to the question of how well is the Joint Committee discharging its responsibilities. In terms of its overall performance I would be inclined to give it no better than a C+ grade for the following reasons. First, it has virtually ceased to be a forum wherein the parties discuss issues and concerns confronting the University. Neither party is at all pro-active in pursuing this goal. Each is prepared to react to the other's proposals but the challenge of identifying and addressing issues of common concern within the Committee excites neither one. Open-ended, wide-ranging discussions within the Committee have given way to private meetings, in some years scheduled on a regular basis, between the MUFA President and the Provost and between the two Presidents.

My second criticism is that the joint commitment to discussing and reviewing within the Committee issues having to do with "the terms and conditions of employment of faculty", is weakened too often by oversight or neglect. The fact that the subject of the recently implemented scheme for the posting on the student web of faculty teaching ratings was never even broached in the Committee at any early point in its development is one example; the recent establishment of the President's committee on retirement issues and the pension surplus without the members of the Joint Committee being given an opportunity to comment on the draft terms of reference is a second, perhaps more contentious, one.

Finally, I am critical of the looseness that both sides have allowed to develop at times in the

procedures for the negotiation of faculty remuneration. I will cite two examples. The first is the agreement that was reached a few years ago in the Committee to employ a mediator if circumstances demanded it. I am not opposed to mediation but, though I have no expertise in such matters, I believe that its adoption within our system would change the mechanism of dispute resolution and undermine the rationale for "final offer selection". I assume also that the architects of our system considered fully all such options for dispute resolution and chose the one over the others for good reason. My second example has to do with the dates that are given as the deadlines for certain phases in the negotiation process. The flexibility that has been permitted and presumably agreed to in the honouring of these deadlines I find disturbing and I cannot help but think that it puts at risk the integrity of the whole process.

Though my assessment of its recent performance is lukewarm, the Joint Committee still has my strong support as the preferred system for faculty-administration discussions and negotiations. Though it is difficult to gauge the level of support that exists for the system among the silent majority of our faculty, I prefer the optimistic interpretation that they are generally content with it. What I would call for is a strong reaffirmation of support for the principles and purposes of the Joint Committee and a revitalization of its work by those dedicated and interested persons who I know are present in the ranks of both the Association and the administration.

I would like to conclude with a few comments directed towards the Executive of the Association. The recently completed negotiations underscored for me the fact that much of the Association's business is conducted in line with established practice rather than with statute or by-law. For most of the work this is convenient and efficient. But in the realm of remuneration negotiations there are some practices that I believe require tightening up and perhaps some codification, especially if multi-year agreements are to become the norm and the memory in the system is thereby attenuated. First, the composition and appointment of the standing Remuneration Committee should be formalized (the Association by-laws are silent on such matters). At present, the members are chosen by the Committee Chair and the membership is not subject to approval by the Executive, as it should be. Second, in those years when remuneration negotiations are called for, the selection of the Association's representatives for the Joint Committee negotiations should be considered and approved by the Executive with input from the Remuneration Committee. If, in such a year, the negotiations proceed into Phase Two (beyond February 1), then the opportunity to change the negotiating team should be formally considered by the Executive. Finally, when a tentative agreement is reached in the Joint Committee and prior to the vote on that agreement, the Executive and its Remuneration Committee should endorse and issue a statement to all members stating their positions on the proposed agreement.

I have enjoyed my year as President and I extend a warm vote of thanks to the members of the Executive who have assisted me and to our dedicated staff of Phyllis and Kelly whose insights, hard work and good humour keep the system functioning. To the Association and its members, I extend my very best wishes for the future.



In response to a question from Dr. P. Chang regarding contractual limited appointments in the Faculty of Health Sciences, Dr. King said that the Association has not been asked to address this issue, but it will have to. This situation is not limited to Health Sciences, but with programmes like ATOP and other targeted funding from the province, the University might respond by making short-term appointments. Dr. Chang was concerned that there was no official group looking out for the welfare of this group. Dr. King assured her that MUFA has been advising these people when contacted.

Dr. S. Miller referred to Dr. King's comments regarding the lack of discussion between MUFA and the administration concerning issues broader than remuneration and asked how that situation could be improved. Dr. King replied that it will take a joint commitment on both sides to table important issues such as the double cohort and faculty complement.

Drs. D. Hitchcock and W. Lewchuk agreed with the points Dr. King made regarding MUFA's framework for negotiations.

MOTION: that the MUFA Executive strike a committee to investigate reforms re remuneration which were highlighted in Dr. King's report.

**W. Lewchuk/B. Lynn
Carried**

With regard to Dr. S. Birch's concerns regarding CAWAR appointments in the Faculty of Health Sciences, Dr. King explained that there have been two grievances brought by Health Sciences faculty that reached the final stage of the Faculty General Grievance Procedure. Although neither grievance was upheld, the tribunal in both instances charged the Faculty of Health Sciences and the University to address issues of concern. Whether the Faculty addresses those issues remains to be seen. MUFA was

involved in the "resolution" of the CAWAR issue a few years ago, but that resolution appears to have some loose ends which require attention. In general, the question of what happens to people when their funding disappears remains.

8. Other Business

Words of Appreciation. On behalf of the MUFA Executive and membership, John Platt thanked Les King for his strong leadership this past year. He added, that Dr. King "brought a depth and a breadth of experience and knowledge in matters important to the Association and its membership that I can only envy." Dr. Platt urged Dr. King not to polish up the golf clubs yet as the Association would continue to draw on his expertise and counsel. Members joined Dr. Platt in giving Dr. King a round of applause.

There being no further business, the meeting was adjourned at 12:05 p.m.



David E. Cook **Reference Services Manager** **Mills Library**

Library staff were saddened to learn of the death of Dave Cook on November 1st after a brief illness. 

Dave first came to the library as an intern in 1973 and was hired full-time as a librarian in the Documents Department on May 19, 1975. He became Government Documents Librarian, in charge of the department, in September 1977. Following the reorganization of Reference Services, Dave applied for and was transferred to the newly created position of Reference Services Manager in May 1995. Dave will be remembered fondly by library staff for the encouragement and support he offered to those who sought his advice, and for his inimitable

sense of humour.

A memorial service will take place Tuesday, December 7, 1999 at 2:00 p.m. at the Divinity College Chapel

Have We Saved McMaster's Historic Core?

The family of five original buildings, Wallingford Hall, the Refectory, Hamilton Hall, University Hall, and Edwards Hall, along with Alumni Memorial Hall and the park-like green space in which these buildings are set, are now known as the McMaster's Historic Core. That came about through the work of the Local Architectural Conservation Advisory Committee about which I will say a little more later. The Historic Core is a small area, less than 5% of the central campus. It is well used by faculty, students, alumni, and visitors. It is greatly cherished by many.

The integrity of the core was threatened in the spring of 1998 when the sites being considered for a new University Centre were narrowed to just two: so-called site C, which entailed the destruction of Alumni Memorial Hall, and site A/C, which would have disfigured Hamilton Hall, crowded up against University Hall and Alumni Memorial Hall, and invaded the green space surrounding these buildings. The University community was asked to express its preferences on just these two options.

In no uncertain terms, many alumni, faculty both current and retired, and citizens, protested against both sites. Although the MSU favoured site C, many students wrote and spoke eloquently in favour of preserving this area of the campus. Protesters felt strongly that not only Alumni Memorial Hall, but the entire area that has come to be known as the Historic Core should be preserved now and for generations to come for the benefit of all who study, work, or visit this campus. In early March, Peter George in response to the wave of opposition, recommended to the Planning and Building Committee of the Board of Governors the sparing of Alumni Memorial Hall and the consideration of a new site east of Gilmour Hall, entirely outside of the historic core. As it turns out, that is where the University Centre will now be built.

The Local Architectural Conservation Advisory Committee is a citizens' group which can recommend to Hamilton's Planning and Development Committee the designation of a property as one of historic and architectural value under the Ontario Heritage Act. Designation enforces a delay of 270 days in obtaining a permit to demolish a building but does not prevent its eventual demolition. In the case of our Historic Core, designation would also require the University to obtain a permit to alter certain features of the designated buildings or to build a new structure in the designated green spaces. Obtaining a permit for these purposes would require consultation with the Local Architectural Conservation Advisory Committee (LACAC).

Acting on a recommendation from LACAC to designate McMaster's historic core, the City's Planning and Development Committee held hearings towards the end of March on a motion to designate the six buildings and the surrounding green space as a property of historical and architectural value under the Ontario Heritage Act. Written and oral briefs in support of designation were supported by McMaster people and other citizens, many of whom had

previously protested siting the new University Centre in this area. Designation was opposed by Peter George and Sandy Darling. In the end, the Planning and Development Committee voted unanimously for designation. Subsequently, the City Council also voted strongly in favour of designation. It would, after all, be hard to argue that the Historic Core is not a property of architectural and historic value.

So, the Historic Core is now well protected. Or is it?

The University filed, within the 30-day period allowed, an official objection. This would normally lead to a hearing by the Conservation Review Board. But some months ago, with Sandy Darling's urging and the Mayor's support, a three-person committee from McMaster was formed to meet with some staff members of City's Planning and Development Committee. The purpose of these discussions was to arrive at a new agreement on just what the University would be allowed to do within the historic core. The University's representatives are Marvin Ryder (Ass't VP, Information Services and Technology), Brian McCarry (Chair, Chemistry), and Catherine Miller (Director, Housing Services). To date there have been two meetings of this group. Mr. Ryder was good enough to answer my questions about the purposes of this effort.

Although one purpose is to clarify exactly what kinds of changes are permitted under the terms of the present designation, it is clear that a lot more is at issue. The University representatives would like to "start with a blank piece of paper" and develop a new "understanding". They have begun exploring the possibility that Alumni Memorial Hall, the Refectory, and the surrounding green space could be exempted from designation. Also being explored is the possibility that the University would volunteer designation of green space in the centre mall in return for a relaxation of constraints in the historic core.

Should these discussions reach some agreement, it is not clear what procedure would then be followed to change the terms of the present designation. Perhaps an agreement on new terms would preempt a Conservation Review Board Hearing and would lead to a reformulated designation to be voted on by the City's Planning and Development Committee and the City Council.

I believe that the concerned citizens and the University community should be kept informed of a move by the administration to alter substantially the terms of the present designation. Surely ample time and opportunity to respond to a new proposal before it is submitted to the City should be provided.

I further believe that many McMaster people will feel strongly, as I do, that the designation of the Historic Core is for the common good. It gives a measure of protection for a part of our campus that is cherished. Once degraded it will never be restored. It offers some long term protection for the Historic Core that might avoid a divisive engagement on this campus of the kind we have suffered through so recently.

If you have concerns about these developments may I suggest that you communicate them to our President, Peter George.

*Herb Jenkins
Emeritus Professor*

Attention Retirees!

If you are male and attended the Retirees' luncheon on Wednesday, November 3, could you please check the coat that you wore on that day. One of our guests returned home to discover that he was wearing the wrong raincoat. If you find a brown, London Fog raincoat, size 42 long, but should have a brown, Aquascutum raincoat, 42-44 long, please give us a call (525-9140, ext. 24682) and we'll try to return these coats to their rightful closets.

Salaries Increase in November

If you are a MUFA librarian or a faculty member on the Career Progress/Merit Scheme, you should have noticed a difference in your November paycheck.

Effective October 16, 1999, MUFA librarians received an across-the-board increase of 1.25% of their June 15, 1999 base salaries. (This increase will not apply to salaries administered beyond the maximum of the salary range.)

Faculty on the CP/M Scheme received an across-the-board increase of 1.25% of their June 30, 1999 salaries on November 1, 1999.

Welcome New & Returning MUFA Members

John Andrew	Geography & Geology
Aaron Childs	Mathematics & Statistics
Juliet M. Daniel	Biology
David Earn	Mathematics & Statistics
William Farmer	Computing & Software
Alan Flint	Art, Drama & Music
Martin Gibala	Kinesiology
Megan Hobson	Art, Drama & Music
Diana R. Ingram	Psychiatry & Behavioural Neuro.
Mohammed Karmali	Pathology & Molecular Medicine
Ridha Khedri	Computing & Software
Stavros Kolliopoulos	Computing & Software
Yingfu Li	Biochemistry
Kevin Orr	Art, Drama & Music
Mehdi Parvini	Civil Engineering
Sandra Preston	Social Work
K. Paul Rome	Engineering & Mgt Programme
Wendy Russel	1 Anthropology
Donna Sergeant	Nursing
Tracy Swan	Social Work

Pamela Swett	History
K. Teo	Medicine
Hugh Thomas	Finance & Business
John Vickers	Nursing
Hélèn Trepanier	French
Robert Wilton	Geography & Geology
David Wright	Psychiatry & Behavioural Neuro.