

JCOAA and LRP subcommittee met on 24<sup>th</sup> April 2018 in the Canlan Ice Sports Centre.

The following issues were discussed.

1. CUPE 3903 labour dispute
  - a. Remediation: assessed grades, 'attested grades', remaining classes in Winter Term
  - b. Summer terms: cancellations and conflicts of professional and other responsibilities
  - c. Tri-Council grants
  - d. Overwork compensation
  - e. Course evaluations and T&P

YUFA posed several questions under 1(a). Under Senate policy, students have the right to an assessed grade if they have completed a minimum of 70% of the course evaluation (including participation marks). YUFA queried whether students who have completed less than the 70% minimum have the right to decide which remaining assignments they will complete to achieve the minimum 70% necessary for receiving an assessed grade. For instance, if an essay and an exam remain, each worth 25%, does the student have the right to insist on sitting an exam rather than writing an essay? The Employer noted that fairness to students presupposes some flexibility on the part of the instructor, but also observed that safeguarding academic integrity remained the instructor's responsibility. Individual cases will be resolved ad hoc.

YUFA was informed that an 'attested-grade' option will shortly be made available to students (April 30<sup>th</sup>). This means that students who have completed work (up to or over the 70% threshold) that has not been graded or returned by an instructor will have the right to receive a projected grade based on the marks they have so far received in the course. This projected grade will be subject to the instructor's review after the strike action ends but will be entered on their transcript without any notation of its provisional status. This will allow students to proceed to summer work, internships, or graduation on the basis of a transcript containing these attested grades. YUFA objects on principle to this course of action, since it removes – even if only temporarily – the instructor's oversight of the academic integrity of their course.

YUFA inquired what plans are in place for the remaining classes when the Winter term resumes in a remediation period. How many classes will remain in the Winter term, given that five weeks were outstanding when the strike began and there must be a minimum of eleven weeks in a term. The Employer would not commit to an answer at this point.

Under 1(b) YUFA asked if it is the Employer's view that faculty scheduled to teach in a cancelled summer term, if this occurs, would be required to make up the teaching in a later academic session. YUFA asserted its view that faculty members scheduled to teach

in the summer and who do not teach because the term is cancelled should not incur any debt of teaching credit. The Employer declined to respond.

Further, under 1(b), YUFA asked what the employer's policy is towards scheduling conflicts between remediation teaching and research obligations (e.g. conference travel, research travel etc.), outside professional activities, and personal commitments. For instance, will a faculty member have the right to cancel or delay some or all of their classes in the remediation period in order to fulfil research responsibilities. The Employer declined to give a firm response at this time, citing the need for the strike to end before such decisions can be properly made.

Under 1(c) YUFA asked what steps the Employer is taking to prevent members with Tri-Council grants from losing grant money in cases where strike action has led to the stalling of salary payments to GAs / RAs resulting in the researcher under-spending. The Employer promised to examine the issue and to respond at a later point.

Under 1(d) YUFA asked what records faculty members need to keep in order to receive overwork payments when the remediation period ends; this most obviously applies to faculty who have continued to teach through the strike and will teach further classes in the remediation period for students who exercised their right not to cross picket lines. YUFA further asked what the reporting framework for overworked hours would be. The Employer noted that the practice followed in the last strike in 2015 would most likely be followed again. Faculty are advised to keep a log of extra hours worked.

Under 1(e) YUFA asked whether faculty who had decided not to opt in to receiving course evaluations for teaching affected by the strike would have the chance to decide to opt in later once remediation begins. The Employer was amenable to the possibility. Furthermore, YUFA asked for explicit confirmation that course evaluations affected by the strike would not be required for inclusion in T&P files. The Employer agreed that past practice on this issue would be followed.

2. YUFA bargaining
  - a. Bargaining meetings
  - b. Annual PER deposits

The Employer continues to stall bargaining. YUFA gave notice of intent to bargain on February 2 and the current Collective Agreement expires on April 30. The Employer has indicated previously their view that there is an established practice of commencing bargaining in May. YUFA vigorously rejects that view. The Association responded that it could not imagine a situation in which bargaining meetings would not begin before the middle of May.

Under 2(b) YUFA asked if PER would be paid on 1 May, despite the lapse of the current CA, as is past practice. The Employer indicated that it would and agreed that any

increment to PER arrived at in bargaining would subsequently be applied to the 2018 PER allocation to all YUFA faculty.

### 3. Equity and AA

- a. Self ID survey: joint letter
- b. Gender gap analysis
- c. JCAA side table
- d. JCAA report template
- e. CRC Equity, Diversity, and Inclusivity MoA

Under 3(a) YUFA recommended a few small revisions to the draft letter to encourage faculty to complete or update their Self ID survey. This is important due to the new racial categories that have replaced the former blanket designation of 'visible minority' and because for some faculty their self-ID response status may have changed since they last completed the survey: e.g. disability status. YUFA communicated the changes to the Employer's Representative.

The ER suggested that in the current strike situation it might be better to delay the survey. YUFA opposed this since the issue has been under discussion since August 2017 and the new annual EE data will be due in the fall. It is therefore imperative that faculty be encouraged to complete the survey over the summer.

Under 3(b) YUFA again asked for the full set of scatterplots of gender / salary. The ER confirmed that OIPA has recently delivered the scatterplots for Schulich, Libraries, CLAs, and Alternate Stream faculty. YUFA has not yet seen these charts.

YUFA once more asked for a new analysis with a corridor set at 0.5 standard deviations, as in the annual salary anomaly exercise; for the data used by OIPA to produce the scatter plots; and for a statement of the Employer's position on whether a gender / salary gap exists at York and if so how large it is on average.

The ER replied that she will investigate whether OIPA 'can' produce scatterplots at 0.5 standard deviations. No undertaking to provide the raw data was received nor any commitment to make a statement about gender and salary. The Interim Dean of AMPD commented that in discussions it had been observed that there seem to be gaps in some areas.

Under 3(c) the Employer confirmed the May 18<sup>th</sup> meeting of the JCAA side table.

Under 3(d) the ER reported that she had not yet had time to consider YUFA's suggested revisions to the new JCAA report template.

Under 3(e) YUFA returned the draft MoA with some suggested revisions. The Employer's response is awaited.

#### 4. Sabbatical forms (AMPD and LA&PS)

The Employer suggested that it would develop a new form to be used by multiple faculties, which would then be brought to JCOAA. There was agreement that the form should be headed 'Notice of Intent' vel sim., rather than 'Application.' The Employer also agreed that the Chair's letter is not an approval of the planned activities but a simple statement of the unit's ability to cover the sabbaticant's teaching responsibilities. The two-page 'plan' required by the AMPD form will be altered to a requirement for a statement of activities no longer than two pages.

#### 5. Appendix O

Following a communication from the most recent Chairs and Directors' Meeting in LA&PS, YUFA asserted the right of faculty members to bank fractional Appendix O credits and not to be forced to have these encashed. The Dean agreed to examine the issue again.

#### 6. Appendix A

- a. VP Equity
- b. Provostial position at MCC
- c. Special advisor to the Dean of Science (re: MCC buildings)

YUFA once more requested that the Employer bring forward changes to Appendix A to incorporate the new position of VP Equity and Engagement and the planned new Provostial position at Markham. The Employer is not yet ready to do so. YUFA learned that the title of the MCC position will be Deputy Provost and the position is envisioned as an academic appointment.

YUFA received a request for a new, temporary position of Special Advisor to the Dean of FS in respect of building / construction planning for MCC. The funds for this position (0.5 course release and an \$8,000 annual stipend) come from the Provost's Office and are available to other faculties for similar advisory positions. YUFA suggested that if more positions of this nature are likely to be proposed, it might be better to deal with them all at once. The Employer responded that since the intention is to have the Advisor in FS begin work in July, the matter would require attention next month. YUFA asked what process was being followed for application for the position. The Employer responded that there is a candidate 'in mind' and the process will not be one of open competition.

#### 7. Revised decanal search procedures

The Vice Provost responded to YUFA's questions. YUFA learned that the President reserves the right to chair a search committee, though such is not seen as optimal or normal procedure. Moreover, the President will have the right to see short lists. In open

searches, faculty council members will be invited to submit signed letters to the Chair of the Search Committee; there will be no ballots of any sort. Certain revisions suggested by YUFA outlining the scope of eligibility to serve based on experience of the role of dean were accepted.

#### 8. Indigenous hiring incentive programme

One search has failed, due to the extremely competitive nature of the market for indigenous scholars. The Interim Dean AMPD raised the issue of an Ethiopian scholar of North American Indigenous Culture who had applied: is the criterion of indigenous status satisfied by candidates who are indigenous to other parts of the globe? YUFA reiterated that a fuller annual report and a forum for discussing the implementation of the programme would be welcome. The Employer's representatives appeared to be receptive to this suggestion.

#### 9. Appendix P: libraries

YUFA agreed that the position of Head of Archives, which the UL has proposed to discontinue, could remain as a category 10 appointment under Appendix P.

#### LRP

YUFA asked the VPFA a number of questions about Markham Centre Campus. The VPFA reported the following.

There is a Markham Project Development Committee that meets about once a month. The land transfer will be made in October this year and ground will be broken soon afterward. The general contractor will be on site for construction from December 2018. A pre-call for 'qualified' contractors has been issued; it will close on 28 April. The call includes a 'social benefits' article requiring bidders to explain what benefits to the Markham community their award of the contract would bring: this includes benefits like a commitment to hiring locally based workers etc. The social benefits article is weighted at either 5% or 10% of the scoring for each bid. The project as a whole is on schedule for the campus to open in 2021.

Year-one enrolment is projected at 1,000, with an eventual capacity of 4,400 students to be attained over five years. Planning for hiring faculty and other personnel is just beginning. In the case of faculty, for obvious reasons curriculum must be designed before hires can be made. The Provost's Office has made available funds to assist faculties in curriculum design.

YUFA asked – once more – about issues including general education at MCC, bi-campus teaching, and YUFA complement at Markham. The only new information elicited is that there are discussions of how hiring will be structured over the first five years of MCC's operations.

The VPFA also provided some updated information about Project Benchmark. Project Benchmark is intended to run (potentially) indefinitely, with a basic commitment to at least five years. The project examines 55 'activities', focusing on 30 in a year. These activities range from cleaning to post-award research support. The data collected in the spring relates to 15 activities, the data collected in the fall to another 15. Data collection in 2017 is being repeated in 2018 and the analyses compared. Spring data collection emphasizes questionnaires; fall data collection uses interviews more heavily. The 2018 round of data collection will present respondents with their 2017 answers and ask them if they have changed their view. This will be used for an analysis of service effectiveness ('satisfaction' for short).