



Newsletter

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Miroslav Lovric, EDITOR

in this issue:

[2001/2002 Executive](#)

[President's Report](#)

[Announcements](#)

[For Rent](#)

[Smile](#)

[Retirement](#)

Executive Committee for 2001/2002

Here are the members of the Executive Committee of the McMaster University Faculty Association for 2001/2002. Their terms of office began on May 1, 2001.

PRESIDENT

Tom Davison, Mathematics & Statistics, BSB 111, Ext. 23413, davison@mcmaster.ca

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President's Report

(delivered at the April 24, 2001 Annual General Meeting)

Previous to my three-year commitment to the MUFA presidency (Vice President, 1999/2000; President, 2000/2001; Past President, 2001/2002), I had served on the MUFA Executive several times. The relationship between MUFA and the University Administration has changed in many ways during the twenty years in which I was involved with the Association. During my first stint on the Executive in the early 1980s, MUFA and the University were continually at loggerheads. Collegiality existed between faculty members, but not universally between faculty and administrators. While the Joint Committee existed, negotiations were not taken seriously and faculty suffered imposed salary settlements and were infrequently consulted in the overall operations of the University, except in Senate and then only on purely academic matters. Because of this unhealthy atmosphere, the Tripartite Agreement was negotiated and signed in the 1980s, committing MUFA and the Administration to a time-limited negotiating procedure with a dispute resolution mechanism (final offer selection) should negotiations fail. Moreover, the Joint Committee itself took on a more proactive and expanded role becoming a forum to discuss faculty issues relating to their terms and conditions of employment even if they did not relate directly to salary negotiations. In my four years on the Executive in the late 1980s and early 1990s, I witnessed first hand the enhanced role of the Joint Committee and more importantly the effectiveness of the Tripartite Agreement. Sadly, the Social Contract years of the early 1990s created an unnatural bargaining environment and the enforced budget reductions of the Common Sense Revolution in 1995 further hampered our faculty position. Nevertheless, the Joint Committee continued as a place to discuss faculty issues openly and frankly. When I again joined the Executive in 1996/97 and 1997/98 as Remuneration Chair, I felt part of a Joint Committee that operated collegially and considered faculty issues seriously.

When I was elected to the MUFA Executive as Vice President in 1999/2000, MUFA had just signed a three-year salary agreement about which many faculty members were far from pleased. This, however, turned out to be one of the minor annoyances of my time on the Executive in 1999/2001.

I presumed (wrongly it seems) that since a three-year salary agreement meant a relatively quiet period for the Joint Committee vis à vis salary negotiations, we on the Executive and at the Joint Committee could spend more time on other issues which affect faculty in the University. Looking back from Spring 2001, I realize that my optimism was naive and I was unprepared for the level of labour unrest which erupted at McMaster in the next two years. During my Vice Presidency there were several strikes on campus, the most visible of which was the TA strike in December 1999. John Platt, MUFA President in 1999/2000, brought forward a proposal for a policy on "The Rights and Responsibilities of Faculty Members during Work Stoppages" following the settlement of the TA strike. This was discussed by the MUFA Executive and brought to the Joint Committee early in the new year (2000). In Spring 2000, it was announced that MUSA had certified as a union and it became more imperative that a policy on faculty rights and responsibilities be agreed on. At the same time the Joint Committee was working on revisions to the CP/M Policy to clarify language and bring it up to date.

The first part of my presidency in 2000 was relatively uneventful. We heard periodically through the summer and fall of 2000 that MUSA negotiations were not going well and we were apprised in Spring 2000 of the results of an extensive staff survey which revealed the intense and generalized dissatisfaction

of McMaster staff. We understood the significance of this information and tried to learn about the problems which MUSA and the Administration faced in their attempts to negotiate a first contract.

The beginnings of my presidency were grounded in small events which reflected more profound and significant issues. One, the Mactron (an electronic scoreboard donated to the University under the agreement to broadcast commercial messages of the donor), was an eyesore which flashed commercial messages night and day at the Business building and adjacent parking lot. It not only visually offended faculty, staff, and students, but also homeowners who lived next to the University. Through MUFA's efforts the electronic scoreboard was moved and the advertisements curtailed. Decidedly, the Mactron issue was a minor one, but it reflected a larger issue, that is, the commercial threat to the academic endeavour, i.e. commercialization of the University.

The Mactron issue offered an entrance to the debate on how far universities should go in selling themselves for private donations. Should a university accept donations when there are strings attached which limit academic freedom? This question is a pertinent one and requires University members to undertake fundraising with their eyes open. Increasingly, the funding crisis in Ontario universities creates the potential for deal-making that could injure the academic credibility of institutions. We at McMaster have noticed peripheral deals such as advertisements in washrooms, TV monitors in cafeterias and a Coca Cola monopoly on campus, which do not directly impinge on academic life, but which may foreshadow future agreements which do, in fact, limit academic pursuits.

Such issues as commercialization were the "stuff" of Fall 2000 on the MUFA Executive. By November 2000 the policy on "Rights and Responsibilities of Faculty during Work Stoppages" was completed by the Joint Committee, approved by the MUFA Executive and sent out to faculty members for their approval. Both "The Rights and Responsibilities" document and the CP/M revisions were approved by the MUFA membership in December 2000. In the meantime, the Library Negotiating Committee began to negotiate a parallel policy for MUFA librarians to provide them with a delineation of their rights and responsibilities during work stoppages by union groups on campus. It was necessary to conduct these librarian negotiations speedily, since by January 2001, relations between the MUSA and University bargaining teams had deteriorated greatly. The possibility of a MUSA strike was becoming imminent. The Librarians Negotiating Committee exchanged drafts of the policy and with the outstanding work of Nora Gaskin and Carl Spadoni, the MUFA librarians policy was approved on the day the MUSA strike was announced in March 2001. (Talk about eleventh hour negotiations.)

The MUSA strike was the nadir of my MUFA presidency. The MUFA Executive had been kept abreast of MUSA negotiations by both sides — the negotiators from MUSA and those from the Administration. The Executive and I saw that negotiations to reach an agreement on a first contract had reached an impasse. Both sides were adamant about the appropriateness of their positions, and it had become very difficult for either MUSA or the University Administration to compromise. Certainly, the longstanding unhappiness of MUSA caused by what they believed was lack of respect for them and their contribution to the University, created a very unhealthy negotiating atmosphere as well as a loss of trust in the University Administration.

We on the MUFA Executive were dismayed at the MUSA strike vote and its consequent work action. The MUFA Executive tried to maintain a neutral position on the strike, encouraging both sides to work toward a negotiated settlement at the bargaining table. Many faculty members chose to exercise their rights during the strike, refraining from crossing the picket line, holding classes off campus, cancelling classes, and even reorganizing their class exams. One of the issues that arose came from faculty members, especially untenured ones, who felt threatened in taking action in support of the strike. The MUFA Executive tried to communicate to its members that the Policy on Rights and Responsibilities defined the potential cost to them to support the strike action, namely the loss of a certain amount of pay. Nevertheless, some members still felt exposed to some vague "disciplinary action" despite the fact that I had assurances from the Provost that our policies defined the potential extent of action that could be taken if members did not perform their duties during the strike. Sadly, even though we tried to explain the

policy to our members, some did not believe our interpretation.

Despite these problems in the University, I was impressed, as MUFA President, by the openness and collegiality that MUFA and the University Administration had developed since my first experiences with MUFA in the 1980s. Understandably MUFA and the Administration do not always agree, but we have been able to discuss our differences, argue our respective positions and maintain our mutual respect for each other. One of the areas where I saw this collegiality manifested was in revisions of the Tenure and Promotion document which took place over the years 1997-2000. The joint Senate/MUFA drafting committee had suggested a revision to the Appeals Procedure in the Tenure document, taking the final decision for an appeal away from the Appeal Tribunal and moving it back to the original committee that had made the negative decision. The MUFA Executive opposed this change arguing that it introduced bias and denied the appellant natural justice. MUFA suggested that perhaps better trained tribunal members would answer the defects in the current procedure that motivated the change recommended by the drafting committee.

In fact the T&P revisions went forward to Senate in 2000 without any change to the appeal procedure. Plans are underway to develop a trained hearings panel drawn from all parts of the University that would be used for the many types of hearings (tenure and promotion appeals, grievance, research ethics, etc.) described in our policies. I believe the results of MUFA collaborating with the University Administration may provide a superior result to any of the parties acting alone.

Another area where we have had a major success in 2000/2001 is in the area of the MUFA librarian process for future negotiations. Since May 1995 when many McMaster librarians chose to align themselves with MUFA, we have conducted negotiations a number of times, both over salary and policy issues. It has been MUFA's belief that librarians' salary and benefit negotiations should be linked to faculty negotiations. Since MUFA librarians are not covered by the Tripartite Agreement under which faculty negotiate, we had to negotiate separately for librarians outside the Joint Committee process. We have now come to an agreement on a formula to link MUFA librarian salary negotiations to those agreed to in the Joint Committee. This will indirectly bring the librarians under the aegis of the Tripartite Agreement and its dispute resolution procedure and protect them from the potential of imposed settlements. This agreement was reached collegially through discussion and debate. It will allow MUFA librarian negotiations to concentrate on policy areas relevant to them and spend less time repeating the salary and benefits negotiations already undertaken in the Joint Committee.

I approached my year as President of MUFA with much trepidation. One of the major areas which MUFA had to lend its support was the negotiation of and subsequent agreement to sharing a portion of the McMaster Pension Surplus. Les Robb served as the MUFA representative (and official spokesman for the Pension Members Group) on the committee that negotiated the pension surplus sharing agreement and oversaw the communication of the agreement and the voting on it by members. The outcome of this effort is still not clear, since insufficient votes have been cast to reach the 90% requirement for lawyers to present our case to the official regulative channels.

My year as President of MUFA in 2000/2001 has had its high points, such as signing of the preliminary agreement on the pension surplus, and it has had its low points as in the MUSA strike. The poor morale of returning MUSA staff and the unhappiness of some faculty that MUFA did not take a more active role in supporting the MUSA strike (and the anger of some faculty that we took too strong a position during the strike) has created a turbulent environment at McMaster which I hope will create positive changes. I am an optimist and somewhat old fashioned in that I believe discussion of issues can lead to resolution and improvement, given willingness and good faith on both sides. What McMaster will look like in five or ten years is at once a matter of speculation and planning. To maintain our academic excellence and our strong reputation, we at MUFA need to be continuously vigilant and ensure that faculty have a strong voice in all aspects of the University operation. In my year as MUFA President, I tried to do this and I realize sometimes I was successful and other times I stumbled a bit. I learned, however, that being MUFA President means representing McMaster faculty, not representing myself. The diversity of views among

McMaster faculty is only imperfectly reflected by the MUFA Executive, and trying to represent these differences was the exciting and frustrating part of being MUFA President. Harvey Weingarten, Provost during my MUFA presidency, reminded me continuously that MUFA is too democratic and I reminded him that democracy is MUFA's strength.

What will McMaster look like in five to ten years? I hope its faculty still operate collegially. I hope it continues and improves its recruitment of first class students and that it is able to renew itself with first class faculty appointments. I hope that MUSA staff will reach an agreement which creates an environment that respects and values its contributions. I hope that McMaster's research efforts move it to the top position in Canada (we are only fifth or sixth currently in 2001). Finally, I hope my presidency of MUFA and all my previous efforts on the Executive help to strengthen the organization and make it vital to its members.

Bernadette Lynn

Announcements

Welcome New MUFA Members

Phillip Koshy

Mechanical Engineering

Parminder S. Raina

CE&B

2000 OCUFA Teaching & Academic Librarianship

Congratulations to **RICHARD BUTLER**, Professor of Pathology and Molecular Medicine, who will be honoured with a 2000 OCUFA Teaching Award at a special ceremony on June 8, 2001.

Established in 1973 and presented annually by the Ontario Confederation of University Faculty Associations (OCUFA), the OCUFA Teaching Awards acknowledge the immense contributions made to teaching by university professors. The OCUFA Academic Librarianship Award was established in 1990 and honours the work of an academic librarian in his or her area of expertise. In announcing the 2000 Award winners, OCUFA President, Hank Jacek said, "These are the men and women who both inspire and inform their students. The recipients of the teaching awards are people who make a difference both to their profession, and in the lives of their students by ensuring the best in course development, instruction, and research. And the recipient of the academic librarianship award is one who has made a significant contribution to scholarly achievement in the academic community."



Results of our "Participation Please!!!" Poll

In the February issue of the *Newsletter*, we asked for comments on two issues. Here are the results, and the Executive's decisions based on these results.

1. Deferment Option in the Pension Plan. The question was whether to rescind the option which allows non-participation in the Plan for the first year of employment. There were 20 in favour of this and 5 opposed. [Note the total response was 25: this is about 3.5% of our membership.] The Joint Committee decided to leave the terms for joining the Pension Plan as they are. The Executive agreed, but urged that better information about the consequences of not opting in in the first year should be made available to new employees.

2. Evening Classes. The question was whether a 6:30 p.m. start or a 7:00 p.m. start was preferable. Again, the response was underwhelming. There were 21 in favour of 6:30 p.m. and 7 in favour of 7:00 p.m.

What did come out in the comments was that some instructors start their teaching day at 8:30 a.m. and end at 10:00 p.m. (or end the day at 10:00 p.m. and start the next day at 9:30 a.m.). This regime is in violation of the 12-hour rule spelled out in the *Guidelines for the Implementation of Load Teaching in Part-Time Degree Studies* [see Faculty Handbook, p. C*42, II.4]. The Joint Committee agreed that the Provost would ask the Registrar to look into the scheduling software which should protect against violations of the 12-hour rule.



Civility in Electronic Communications

The recent labour unrest gave rise to instances of incivility and downright intemperate and offensive e-mails on g-mufagab. The Provost, who is well known for his commitment to free civil speech, and other MUFA members asked what could be done about these occurrences. The Executive responded that g-mufagab provides an open forum for discussion and so is intrinsically valuable. However, the Executive also agreed that the University's Code of Conduct for Computer and Network Users should be adhered to. Section 2c of the Code states: "*The ONet network must not be used to transmit any communication where the meaning of the message, or its transmission or distribution, is intended to be or is likely to be perceived as being abusive, offensive, or harassing to the recipient or recipients thereof.*" Offenders could face loss of e-mail privileges if the Code were conscientiously applied.

Important Motions Pass Unanimously at AGM

At the April 24, 2001 AGM of the McMaster University Faculty Association, the following motions were unanimously passed:

In light of the Administration's recent call for arbitration of the conflict between itself and MUSA, MUFA supports the two parties in their bid to some form of arbitration that will result in a fair and expeditious settlement of this dispute



MUFA calls upon the University not to use the services of strike circumvention companies

such as Accu-Fax in future.

Following the meeting, Bernadette Lynn sent the motions to President Peter George and distributed them to members of the Board of Governors on April 26.

Members Vote to Lower Mill Rate

At the MUFA Annual General meeting on April 24, 2001, members voted to lower the mill rate on which MUFA dues are calculated from 5.2 to 5.1. Treasurer, Bernice Kaczynski, explained that the current reserve fund was in line with Faculty Association policy and that it should be sufficient to cover any unexpected expenses and requirements. Regular operating expenses could be met using the lower mill rate.

The 5.1 mill rate will go into effect on July 1, 2001.



For Rent

Lovely, almost new townhouse in Dundas. Large master bedroom available with en suite bathroom, including Jacuzzi tub. Includes everything except telephone. On the bus route. Home also has living room, recreation room, kitchen, and laundry room to be shared with two women. Contact Carla at 905-628-1768.

Fully furnished, 3 bedroom house in Westdale. A 5-minute walk to McMaster. \$1350 plus utilities. Available from mid-August 2001 until the end of June 2002. Ideal sabbatical home. Non-smokers. Close to all schools. Families only, please. Phone 905-577-9102 after 6:00 p.m.

Executive home for rent in old Aldershot. Three-bedroom (plus one in lower level) ranch is available to rent. Eight minute drive door-to-door from McMaster by car. Fully renovated and tastefully decorated. New kitchen and baths (two 3-piece). Slate, marble, granite and hardwoods throughout. House has living/dining, family room and built in office (cable wired for net). Mature, private 100 x 200 sq ft ravine lot near lake and golf course. All appliances included (incl. laundry). Glenwood School (French Immersion, Gr K-6), which was ranked top in Burlington, is at the end of the street (3-4 minute walk). The home is ideal for sabbatical or short-term faculty. Asking \$1,900 per month. Option to rent furnished as well. Please contact Mike or Shelly at **905-639-2098**.

Three-bedroom Furnished house is available from September 1, 2001 to August 31, 2002. Dates and rent are negotiable. Two and a half baths and large backyard; property backs onto Chedoke Radial Trail and faces quiet street. Eight minute drive to McMaster campus or fifteen minutes by bicycle. Close to public schools. Non-smokers and no pets, please. Phone 905-525-9140, ext. 22744.

Cakes & Ale ?



Here is a true story regarding exams at Cambridge. It seems that during an examination one day a bright young student popped up and asked the proctor to bring him Cakes and Ale. The following dialogue ensued:

Proctor: I beg your pardon?

Student: Sir, I request that you bring me Cakes and Ale.

Proctor: Sorry, no.

Student: Sir, I really must insist. I request and require that you bring me Cakes and Ale.

At this point, the student produced a copy of the four hundred year old Laws of Cambridge, written in Latin and still nominally in effect, and pointed to the section which read (rough translation from the Latin):

"Gentlemen sitting examinations may request and require Cakes and Ale."

Pepsi and hamburgers were judged the modern equivalent, and the student sat there, writing his examination and happily slurping away.

Three weeks later the student was fined five pounds for not wearing a sword to the examination.

[reprinted with thanks to the University of Waterloo Faculty Association]

Will You be RETIRING this Year?



ELECTRONIC MAIL ACCOUNTS: It is agreed that provision of e-mail computer accounts for retired faculty members is to be treated similarly to the provision of mail boxes or library cards. All retired faculty should have access to an e-mail account on the same terms as active faculty. Like the mail box or library card, the e-mail account is to be used for University or academic business. The account may be accessed from University computers or by modem. In the latter case, if the retired faculty member wishes a fee modem account, this is also available and can be arranged (for example, through the purchase of vouchers at the Bookstore or by provision of a research account number).

Given past experience with illegitimate use of computer accounts by "hackers", it is recognized that for management purposes it might be necessary to require retired faculty to renew the e-mail computer account from time to time, or for CIS to remove accounts that are inactive over a long period of time.

This policy shall be reviewed no later than five years after its implementation.

*Approved by Joint Committee
December 9, 1996*

TERMINATION OPTION: During the fall of 1996, the Joint Committee recommended and the President agreed that those faculty who at the time of retirement elect the Pension Plan's Termination Option, should continue to qualify for the normal retirement benefits.

MAJOR MEDICAL & DENTAL BENEFITS: Continuation of benefits which were in effect prior to retirement, for retiree, spouse and eligible children. Out-of-Province/Out-of-Country-Coverage is reduced to \$10,000/lifetime. It is recommended that you obtain extra travel insurance very time you travel out of Ontario or Canada.

LIFE INSURANCE: At normal retirement age (65 years) you will be provided with a paid up policy of \$5,000. If you wish to convert your insurance to a private insurance plan, you must apply within one month of your retirement date. Please contact Human Resources for more information.

If you take early retirement, you are able to keep your current coverage (Grandfathered Plan) or the basic plan of 175% of salary (maximum salary \$100,000) by paying the full premium which is based on age factors, gender and smoking vs non-smoking. At age 65, however, the policy will be reduced to the Paid Up policy of \$5,000.

PARKING:

1. Faculty and Staff who have retired but have a post-retirement appointment for which they receive remuneration from the University shall pay for parking (effective July 1, 1992).
2. Faculty and staff who have retired on or before June 30, 1992 shall continue to receive free parking; in the case of those who are under 65 the free parking shall be provided on West Campus. Any who have already reached 65 and are parking on West Campus should receive a Central Campus sticker immediately.
3. Faculty and staff who retire after June 30, 1992 may obtain a permit which allows (i) free parking on West Campus at all times and (ii) free parking on Central Campus for the period May to August and after 12:30 p.m. on days when classes are held between September and April; alternatively such individuals may purchase, at the Central Campus rate for eight months, a permit for Central Campus.

*Approved by Joint Committee
December 3, 1991*

Notice: to Retirees with Restricted Retiree Parking Permits

(1) HOURLY PARKING

We are pleased to inform you that the automation of the kiosks has given us an opportunity to set up 1, 2 and 3 hour blocks of parking for retirees holding restricted retiree permits that become valid at 12:30 p.m. Retirees who wish to park on central campus prior to 12:30 p.m. may purchase parking for the duration of time prior to 12:30 p.m. only. The following deposit [subject to change] is required when entering the

University between the given times below:

11:30-12:30 — 1 hour — \$2.50
10:30-12:30 — 2 hours — \$4.50
09:30-12:30 — 3 hours — \$6.50
Prior to 09:30 requires — \$8.50

The above issued permits must be displayed with a restricted retiree permit, which takes effect at 12:30 pm.

(2) CENTRAL CAMPUS PARKING

Eight month central campus parking permits are available for the regular permit fee of \$36/month [price subject to change].

Retiree permits are for the sole use of the retiree and are not transferrable to family members.

Please contact the Parking & Transit Services office, CUC 102, at 24921 or e-mail: parking@mcmaster.ca

RECREATIONAL FACILITIES: Anyone who retired prior to 1999 will continue to receive free membership at the Ivor Wynne Centre. Those who retired in 1999 may apply for membership at one-half price. All retirees after 1999 are eligible for membership in the Ivor Wynne Centre at a rate that will be prescribed annually and approved by the Board of Governors.

*Approved by Joint Committee
June 21, 1999*

CAUT SERVICES: Individuals who were eligible for membership in CAUT before retirement, are eligible for membership as CAUT retirees. Individual retired members may join CAUT as Retired Associate Members for an annual fee of \$25. For this fee they receive a subscription to the CAUT Bulletin, and may join a number of group plans offered for Life Insurance, Personal Accident Insurance, Family Life Insurance, Professional Property Insurance, Group Home Insurance, Travel Insurance, and other financial services. Retired members can also take advantage of discounted travel rates offered by Finlay Travel.

RETIRE WEB: RetireWeb is a WWW site packed with financial planning information for Canadians of all ages to help them with all stages of retirement: saving for retirement, options at retirement and post retirement. You can reach it through the MUFA web page (www.mcmaster.ca/mufa) — just go to "LINKS" and click on "Other Interesting Sites" — or go directly to www.retireweb.com/index.html.

Thanks to MUFA Volunteers!

Many thanks to all members who have actively participated on MUFA committees or represented MUFA on University committees or boards. The Association has benefitted from your participation during 2000/01 and looks forward to working with many of you again in 2001/02.