

ULFA News



A Word from the President

With the fall semester ending, ULFA's President Andrea Amelinckx would like to take this opportunity to update the membership on the Association's activities.

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ULFA Academic Scholarship

The fund provides tuition benefits for spouses and dependents of ULFA Members. Twelve students have been selected to receive the 2017 ULFA Academic Scholarship.

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Copyright Corner

In this edition, Dr. Rumi Graham updates on copyright and textbooks and how it relates to ULFA members.

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A Word from the President

Welcome back to a new semester and a new year (2018). The ULFA Executive and I look forward to an active and productive Spring semester which will, undoubtedly, bring fresh opportunities and new challenges, particularly as we head into bargaining under the new legislative regime.

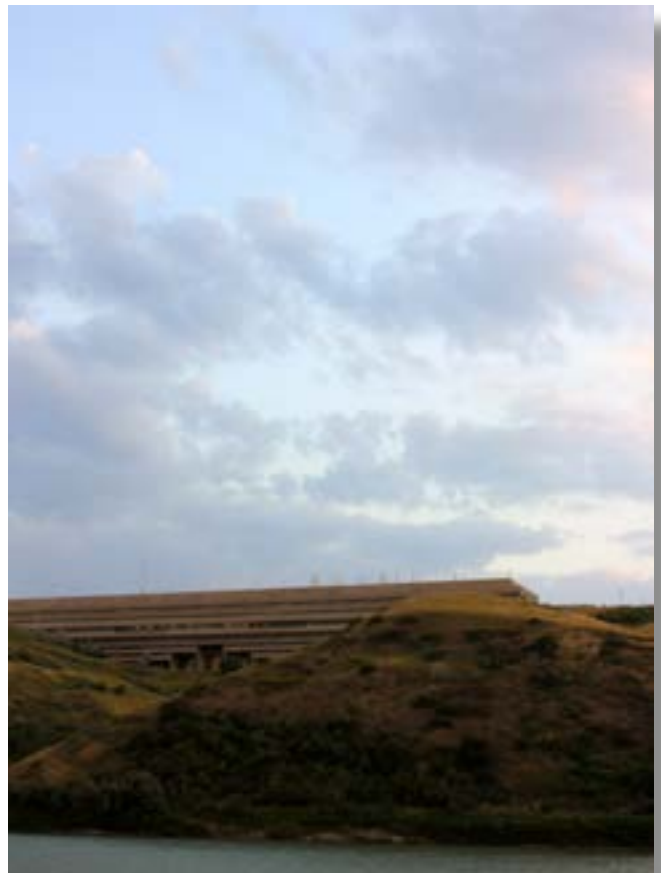
As was noted in our recent Fall General Meeting, ULFA is pleased that there has been some positive movement on certain grievance fronts yet we still have others that will be going to arbitration this coming term.

2017 saw ULFA working closely with CAUT in regards to significant labour relations issues and CAUT providing substantial support for which we are very grateful. We also continue to work closely with the Confederation of Alberta Faculty Associations (CAFA) for a united voice on upcoming additional legislative changes, such as possible change to the six sector model and the probable changes to the provincial funding model for the post-secondary education sector.

We want to thank all of you that have volunteered for UFLA positions for 2018 and encourage those of you who have yet to volunteer to become active in ULFA, whether

that be by sending us your concerns and/or suggestions for additional union activities/ socials/seminars or as a member of the executive and/or through committee work. As always, whenever you or a colleague have a concern arising from our collective agreement, we encourage you to contact us and stop by our offices.

Once again, we welcome all of you back and look forward to an invigorating and lively spring term.



Important Notice

Bargaining Meet & Greets

The ULFA bargaining team wants to meet with members to discuss bargaining topics as we begin negotiations. The following meetings have been scheduled for each faculty and campus on the following dates. (If you can't make your specific faculty meeting, please attend any time that works for you of the options below.)

Monday, February 5, 2018

Time: 12:00 a.m. - 1:00 p.m.

Location: Markin Hall (M1030)

Audience: Faculty of Management

Tuesday, February 13, 2018

Time: 12:15 p.m. – 1:15 p.m.

Location: Library Information Centre (L1114)

Audience: Professional Librarians

Wednesday, February 21, 2018

Time: 11:00 a.m. – 12:00 p.m.

Location: University Hall (B756)

Audience: Faculty of Arts & Science

Wednesday, February 28, 2018

Time: 11:00 a.m. – 12:00 p.m.

Location: University Hall (B756)

Audience: Faculty of Fine Arts

Monday, March 5, 2018

Time: 11:00 a.m. - 12:00 p.m.

Location: Turcotte Hall (TH277)

Audience: Faculty of Education

Tuesday, March 13, 2018

Time: 3:00 p.m. – 4:00 p.m.

Location: Markin Hall (M1035)

Audience: Faculty of Health Sciences

Wednesday, March 21, 2018

Time: 5:00 p.m. – 6:00 p.m.

Location: Calgary Campus Boardroom
(S6025)

Audience: Members on the Calgary Campus

Thursday, March 29, 2018

Time: 1:30 p.m. – 2:30 p.m.

Location: Physical Education Building
(PE020)

Audience: Faculty of Arts & Science



Committee Updates

Gender, Equity & Diversity

The Gender, Equity and Diversity Committee has been busy working on our various projects we've identified as priorities for the year. Salary and diversity perception surveys are being finalized, so please look for those in your inbox during the Spring term. The only way we can gather data on the state of diversity and equity at the U of L is if people self-report, so we would really appreciate your participation. We are also completing a recommendation on the use of evaluations of teaching for evaluative purposes, given the inherent biases they often contain. We will have a draft article on a proposed Domestic Violence Leave for the Handbooks committee to consider in their negotiations by January, and we are still looking at an analysis of merit and award distribution and committee structures. Finally, we are pleased to announce that Dr. Melanee Thomas, Associate Professor of Political Science at the University of Calgary and former U of L alumna, will be giving a talk on gender, sexism, and politics on the Lethbridge campus on March 9th, so watch for more information on that. If you would like her to present to any of your classes that day, please let me know as she may be amenable to that as well.

The Equity Working Group that was established in the 2016 negotiations has recently signed off on their completed report, so we look forward to seeing that and implementing their recommendations going forward.

Please feel free to reach out to any of our members if you have any questions, concerns, or comments about issues of equity and diversity on campus: Robert Benkoczi (Math & Computer Science), Andrea Cuellar (Anthropology), Bente Hansen (Music), Caroline Hodes (Women & Gender Studies), Sheila McManus (History), John Sheriff (Past Chair, Math & Computer Science), & Kelly Williams-Whitt (Management, Calgary Campus).



Nicole Eva,
*Chair, Gender, Equity and
Diversity Committee*

Economic Benefits

Dear ULFA Members,

As reported at the Fall General Meeting, EBC continues to work closely with Handbooks in preparation for upcoming negotiations. As a member of ULFA's negotiating team I have participated in two pre-bargaining meetings with the Board's representatives.

We have nearly completed our research which has been instrumental in providing valuable information as we prepare for bargaining. That information has been used to develop our negotiation positions that have been supported by ULFA Executive in spirit (meaning that EBC may still make small revisions, particularly upon further consultation with Handbooks).

I continue to do all I can to better prepare myself for upcoming negotiations. Accordingly, I will be attending the CAUT Forum for Chief Negotiators in Ottawa in March of 2018. I have also been actively participating in conference calls with fellow CAFA negotiating teams (Athabasca, U of C and U of A).

I would like to conclude by thanking all of the members of EBC (Marc Roussel, James Byrne, Paul Hazendonk, Chad Povey, Olu Awosoga, Vishaal Baulkaran, Rumi Graham, and Jeff Davidson) whom have worked tirelessly over the past semester on your behalf. As a consequence of their dedication I can confidently state that we are well prepared as we ready ourselves for negotiations that will begin during the spring semester. I also wish to thank ULFA staff members Derrick Antson and Annabree Fairweather for their ongoing expert assistance on many fronts.

Do not hesitate to direct questions or concerns regarding EB matters to the ULFA office, myself (p.hayes@uleth.ca, 403-329-2313) or any member of EBC.



Paul Hayes,
*Chair, Economic Benefits
Committee*

Grievance

The grievance that has occupied so much of our time and effort since Fall 2016 is now (at long last) well on the way to being resolved; the agreed resolution is being fulfilled, and the outcome settles the very troubling procedural concerns raised by that case. Most importantly, while administrative suspensions based on security concerns may still occur, we will be able to grieve any such suspension under the handbook procedure if we don't believe it is justified. Some other matters have also been successfully resolved: we have reached agreement on the language to be used when explaining what evidence is admissible in STP appeal procedures, and also managed to settle an unfair labour practice grievance in a satisfactory way. I do want to bring your attention to one ongoing grievance, regarding merit increments for members on part-time contracts, which is now underway. On checking their salary calculation, a member on a voluntary half-time contract noticed that the merit increment amount had been divided by half not once, but twice, before being added to their ongoing half-time salary. It appears that this practice began some years ago, and we are grateful the member for her diligence in checking the numbers and revealing this strange change in how an important calculation has been carried out. Unfortunately, we were unable to persuade administration that this is not the way merit increments for such members should be calculated; instead, the grievance will be going to arbitration this coming spring. A related grievance will be heard at this arbitration concerning the impact of these miscalculations on the general merit pool. As always, some other issues are also on the table, and we will continue to update those involved and the membership as they go forward. I want to thank the members of the Grievance committee, the Executive and Annabree and Derrick for all the work they have done in connection with grievance matters since I came on board last summer.



Bryson Brown,
Chair, Grievance Committee

Handbooks

The Handbooks Committee has begun meeting with increased frequency as we get closer to proposing a mandate to ULFA executive and preparing negotiating positions.

The most important part of our work today has involved researching the changes required in our Handbook in response to Bill 7 - the act that made the Faculty Association a Union and moved negotiations in the Post Secondary Sector into the Labour Relations Code.

This means reading through the Handbook and the Labour Relations Code identifying inconsistencies and contradictions. We have also been examining the relationship between the "Sessional Lecturers Handbook" and the "Faculty Handbook." This is partially in connection to our larger review of the terms and conditions that govern the working conditions of our per-course contracted colleagues (see our blog post "[At the CAUT Contract Academic Staff \(Sessionals\) Workshop](#)"). It is also necessary preparation for "single-table" bargaining.

For up-to-date news on bargaining and related committee work, be sure to follow our Facebook page (facebook.com/ULFacultyAssociation) or our Twitter feed (twitter.com/ULFAssociation). You can also follow our bargaining blog directly from the ULFA website: ulfa.ca/bargaining/.

Thanks, as always, to the members of the Handbooks Committee who are cheerfully putting in an increasing number of hours for our collective benefit: Chris Burton, Ian McAdam, Patrick Wilson, YJ Bao, Lance Chong, John Usher, and David Scott. Also to the members of the Bargaining Committee: Dan O'Donnell, Paul Hayes, Terry Sway, and Annabree Fairweather.



Dan O'Donnell,
Chair, Handbooks Committee



Copyright Corner

Update on Copyright Cases Involving Universities

Copyright and Course Textbooks

Over the Fall 2017 term, an issue that happened to come across my desk a couple of times was textbook downloading. It seems safe to assume that price strongly influences whether students will buy a given textbook. At the same time, we don't have a lot of reliable facts on how students size up their course textbook options, as available information is often based on informal sources or is mainly about students in other countries like the U.S.

So I was glad to find a recently published Canadian study that surveyed post-secondary students regarding their views and use of textbooks.¹ Distributed by BCcampus to students enrolled in courses that used an open textbook, the survey generated responses from 320 undergraduates in 19 different courses at a total of 12 universities or colleges in British Columbia. Among other things, the study found that more than 50% of respondents said they had not purchased a required textbook at least once, and 30% said they downloaded textbooks from the Internet.

While some may view extortionate textbook pricing as a justification of sorts for using whatever can be found online, in Canadian copyright law, downloading a work means you now have a copy of the work. And if the work is copyrighted and was made available online without authorization of the copyright owner, your download is an infringing copy. In other words, the act of downloading an infringing

1 Rajiv Sunil, J., & Jhangiani, S. (2017). Investigating the perceptions, use, and impact of open textbooks: A survey of post-secondary students in British Columbia. *International Review of Research in Open and Distance Learning*, 18(4). Retrieved from <http://www.irrodl.org/index.php/irrodl/article/view/3012/4214>

copy results in an infringement of copyright.²

The relative ease of using online tools to obtain non-copyright compliant (infringing) copies of textbooks is outlined in a recent review of the literature on “textbook piracy.”³ What I found myself wondering, though, is what proportion of the commercially published textbooks adopted for U of L courses are easily findable online. I thought this was worth a look, so I used a list of Fall 2017 adopted textbooks kindly provided by the U of L Bookstore to see how many I could find online.

As this was a quick fact-finding exercise and my time was limited, I used only two search tools to look for a downloadable copy of each unique title that had an ISBN. I started each search in Library Genesis (LibGen), a tool described by [Wikipedia](#) as “a search engine for articles and books on various topics . . . which allows free access to content that is otherwise paywalled or not digitized elsewhere.” For each title not found in LibGen, I searched Google by ISBN or title for a PDF copy of the book.

What did I find? Of 562 unique book titles searched, 65% appeared to be downloadable: 61% as an infringing file and 4% as a non-infringing file (the latter were in the public domain or were made available by the copyright owner as an open access work). For

2 Note that if a copyright owner wishes to assert copyright in a work that is downloaded without authorization, under the “[notice and notice](#)” regime in the Canadian Copyright Act, the owner can send a notice of alleged infringement to a user’s Internet service provider, who must forward that notice to the user.

3 Cusker, J. (2016, Spring). Online textbook piracy: A literature review. *Issues in Science and Technology Librarianship*, 84. Retrieved from <http://www.istl.org/16-spring/reviews.html>.



6% of the titles, despite finding no match for the exact edition, I did note one or more variant editions were available via LibGen. The remaining 29% were not found at all. Someone with more file-sharing savvy or a more thorough search strategy, however, could perhaps locate a match for at least some of the titles I did not find.

Overall, it appears almost two-thirds of last term's adopted textbooks were downloadable. If we consider only the 345 titles for which I found infringing downloadable files, 55% were located via Google and 45% were found in LibGen. Most of the files identified via Google required the creation of a free account in order to have access. Since I did not set up any accounts to test this aspect, it's possible that some of those files are not easy to access or use, or that creating an account involves risky or intrusive steps that could deter some students from pursuing a download.

I'm still pondering what these findings tell us, but a number of further questions come to mind. For example, does adoption of a textbook perceived by students to be unaffordable have the unintended effect of increasing the likelihood that students will seek downloadable alternatives? Do students generally appreciate the non-copyright compliant nature of such downloads? Do our policies articulate with sufficient clarity the expectation that students will conduct themselves in accordance with all relevant laws, including the Copyright Act?

At minimum, I think it will be useful to provide more student-focused copyright guidance on the University's Copyright [website](#), which I'll work on this term. If you have comments or questions on textbook downloading, please send them along. In the meantime, if you are considering moving away from commercial textbooks, please note that in previous columns I have outlined some copyright-compliant alternatives to commercial textbooks that may be viable for some courses, including openly licensed textbooks and copyright-cleared readings selected by instructors that are made available in print or digital form.⁴

As always, if you have copyright questions or would like advice or information on copyright matters in your teaching, research or other U of L work, please feel free to contact me.



E-mail: copyright@uleth.ca

Phone: 403-332-4472

Website: www.uleth.ca/copyright

Rumi Graham,
University Copyright Advisor

⁴ For example, see the [March/April 2014](#), [October 2015](#), and [November/December 2016](#) columns.

UPCOMING EVENTS & WORKSHOPS

Annual General Meeting

When: Monday, April 16, 2018

Time: 12:00 - 3:00 p.m.

Where: PE275

The provisional agenda will be circulated 3 weeks prior to the meeting. Lunch and beverages (alcoholic and non-alcoholic) will be provided.

STP Workshops for Applicants

Workshop Option #1:

Tuesday, March 27, 2018

Time: 1:00 - 2:50 p.m.

Room: TH241

Workshop Option #2:

Wednesday, March 28, 2018

Time: 1:00 - 2:50 p.m.

Room: TH241

The presentation will cover the STP process as well as provide advice on putting together a teaching dossier, research materials, and the service component of your application. There will be information on how to engage the appeal process in the event of an unfavourable decision, along with a question and answer period.

An RSVP is not required; however, it would be greatly appreciated. To RSVP your attendance, place contact Derrick via phone (ext. 2578) or by email (antson@uleth.ca).

UNIVERSITY OF LETHBRIDGE FACULTY ASSOCIATION ACADEMIC SCHOLARSHIP

The scholarship is granted to a full-time student who is the spouse or dependent child of a dues-paying Statutory Member of ULFA.

The following individuals will each receive \$800.00 for a total of \$9,600.

- Benjamin Charlebois-Perry
- Joseph Charlebois-Perry
- Quentin Golsteyn
- Hanako Graham
- Alison Grigg
- Thomas Kazakoff
- Oliver Kienzle
- Maxwell Mueller
- Catharina O'Donnell
- Patrick O'Donnell
- Hilary Williams
- Sally Xu



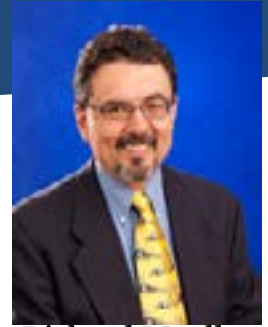
Andrea Amelinckx
President



David Kaminski
Past President



Jon Doan
VP/President Nominate



Richard Mueller
Secretary/Treasurer



Dan O'Donnell
*Chair, Handbooks
Committee*



Paul Hayes
*Chair, Economic
Benefits Committee*



Bryson Brown
*Chair, Grievance
Committee*



Nicole Eva
*Chair, Gender, Equity
and Diversity Committee*



Jim Wishloff
Ombuds Officer



Annabree Fairweather
Executive Director



Derrick Antson
Professional Officer

Current and past issues of ULFA news are posted on
the Association's website (www.ulfa.ca)

