



+ Know Your Rights: Professional Supplement

A Professional Activities Report (PAR) is an important aspect to an academic's career. But what should be included/excluded in the evaluation and what happens if you receive a bad evaluation?

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+ Handbooks & Economic Benefits Ratification Meeting

Tuesday, May 24, 2016 in L1060 at 12:00 p.m.

For more events check on page **11**

+ Copyright Corner

A new update regarding Copyright is now available.

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+ Quote of the Month

“ Action is the foundational key to all success.”

-Pablo Picasso

A Word from the President

Greetings Everyone,

Well, this is my last newsletter contribution as ULFA President, and we're finishing the academic year in an interesting state.

If you had occasion to attend either of the town halls on lockout/strike or the AGM, then you'll already know some of the issues before us. We know we're in a legislative environment that has asserted our right to strike (and the concomitant right of the University to lock us out), and at the town halls and AGM, the Executive made the case for taking steps to protect us financially through joining the CAUT Defence Fund and starting to grow our own local lockout/strike preparedness fund. I'm pleased to see that this initiative received overwhelming support from the membership, and you can expect to receive status updates on ULFA's progress in joining the Defence Fund.

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A Word from the President continued...

At the town hall meetings and the AGM we also gave the membership a heads-up about much of the uncertainty surrounding legislation the government is expected to unveil later this summer or in early fall: we expect our collective bargaining process to be folded somewhere into the Labour Code in the province, but we cannot tell, at this time, what the demands will be on us and the University to come into compliance. We don't know what grandfathering terms will be in place for collective agreements that are in force when the proclamation of what legislation gets rolled out, nor do we know if we will face a certification drive to comply with the constitutional right to freedom of association, nor do we know if our current two-table collective bargaining process (with terms of employment negotiated at one table, and economic benefits done at a different table subject to different procedures) can continue.

(That was almost a championship run-on sentence, BTW.)

We have been advised that we will have an opportunity to respond to whatever legislation is being crafted, and we will participate as fully as possible, and keep you, our Members, informed over the summer as the process unfolds.

The AGM's discussion about the reappointment of KPMG (which some of you have pointed out were implicated in morally elastic activities) as our auditors has been noted by the Executive. Even though the motion to reappoint (essentially an automatic type of decision) also passed handily, I anticipate that next year's Executive will investigate alternatives to KPMG for the membership to consider.

Other big news from the AGM was the announcement that Handbooks negotiations reached a conclusion, with each side making some gains. I'll assume our Handbooks Chief Negotiator will provide some comment about the negotiations this semester elsewhere in this newsletter, and so not steal his thunder. And as this is being written comes word that economic benefits negotiations have also drawn to a close, and so our EB chief negotiator will have word also in this newsletter about the tentative deal reached.

Both agreements will have to undergo a ratification vote.

At the Fall General Meeting (FGM), we staffed an Ombuds Office/Officer Appraisal Committee (Paul Hayes, Jennifer Mather, Chris Burton) for the Ombuds officer, and they produced an excellent report with a ringing endorsement of our current Ombuds officer, Scott Allen. The report goes on to provide some well thought out recommendations which will result in changes to our by-laws, which will have to be dealt with in future.

With that, the balance of my turn in the chair will play out with a few remaining tasks (CAUT and CAFA meetings are looming) that I'm looking forward to. I expect Andrea Amelinckx, our current VP, will not disappoint as she assumes her role of Association President at the start of July. She has been shadowing me over the course of the past year and she has shown herself to be thoughtful and knowledgeable.

The Association office will soon be operating on a summer schedule, but people will still be around should you need the help of the Association (or, if you just want to pop by for a visit), though the timing of vacations and other summer travel may mean a bit of a lull in arranging face-to-face meetings. If you've harboured a willingness to serve your fellows in our academic community, please let us know --- our Association can almost always use the talents of you, its Members, for the wider benefit of us all.

Have a great summer!

David Kaminski
ULFA President



Committee Updates



Handbooks Committee

Handbooks negotiations commenced March 9 and continued through until April 14.

There were 12 main issues under discussion:

- Lecturers (Articles 2.11, 17.01, 19.01.1, 20.02.3, and Schedule A.01.1);
- Procedural fairness (Article 2.22);
- Negotiating timelines & course release for Association (Articles 3, 5.05, and Schedule C);
- ULFA dues Opt-out (Article 5.04);
- Accompaniment (Article 11);
- Probationary Instructors/Academic Assistants (Article 15);
- Death Benefit calculation (Article 16.03);
- STP Appeals and External Appeals (Articles 17 and 24);
- Merit and increments (Articles 21 and 32);
- Sick Leave (Article 34.01);
- Equity and Anomalies (Article 35);
- Sessional Lecturer Handbook: "Right of First Refusal/Consideration."



During the negotiations, we agreed to drop or defer a few of these topics (34.01, 21/32 most prominently). But in most cases, we were able to come to agreement on mutually beneficial changes. Here are some of the highlights:

- 1) The deletion of the Lecturer rank (current lecturers will retain the title until their contracts are concluded but otherwise fall under the improved new rules);
- 2) Changes to the way the Association can access course release for its executive, grievance, and negotiations committees that will leave us better prepared for negotiations and day-to-day operations in the new Lockout/Strike world;
- 3) Improved processes and procedures (improved STP Appeals; multi-year sessional contracts and portfolios; an option for Instructors/Academic Assistants to have prior service count against their probationary service requirement);
- 4) The formation of a new working group on Equity and Diversity;
- 5) Changes to the rules governing Procedural Fairness so that it now applies explicitly, by default, throughout the Handbook.

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Committee Updates



Handbooks Committee continued...

These highlights are not the official language and none of these agreements have been officially signed off on nor will they come into effect until the Board and the Association membership ratify the agreement. There are also important details for the membership to consider before ratification. Full details of the agreements will be circulated in advance of the ratification vote.

I would like to conclude what I believe was a very successful Handbook negotiations year by thanking those who helped make it a success.

First of all, there are the members of the Handbooks Committee and Negotiating team themselves. These volunteers spent a considerable amount of time planning our negotiations, researching and preparing our positions, and evaluating proposals from the Board:

Handbooks Committee

Pamela Adams, Andrea Amelinckx, Jon Doan, Richelle Marynowski, Kevin McGeough, Joy Morris, Greg Patenaude, Rhys Stevens.

Negotiating Team

Pamela Adams, Andrea Amelinckx, Jon Doan, Kevin McGeough, Joy Morris.

Secondly, there are the members of the Gender, Equity, and Diversity Committee, who prepared ready-to-use language on Diversity and Equity which led to the proposed Working Group:

John Sheriff (chair), Nicole Eva, James Graham, Bente Hansen, Andrew Stewart, Kien Tran, Kelly Williams-Whitt.

Finally, there is the ULFA staff: Derrick Antson, who responded extremely quickly and thoroughly to research requests and otherwise managed our paper-trail in an exemplary fashion; and the Executive Director, Annabree Fairweather, who attended all Committee meetings and negotiating sessions, and provided excellent advice and wisdom throughout. We would have achieved nothing without this support.

I am looking forward to presenting the full details of our negotiations at the ratification meeting.

Dan O'Donnell,
Chair, Handbooks Committee



Committee Updates

Economic Benefits Committee

Dear ULFA Members,

You should have received the communication from ULFA with a summary of the recently concluded Economic Benefits negotiations with the Board of Governors. The agreement is still subject to ratification by the membership on May 24th. With the two year agreement, we have made gains in several areas of the Faculty Handbook, Schedules A and B (<http://ulfa.ca/news-events/item/ulfa-notice-ratification-meeting-may-24>), including in Career Progress Increments, Cost of Living Adjustments, contribution to Merit Increments pools, Salary floors and ceilings, Professional Supplement, course overloads and dental schedule. Once again, I thank the outgoing EBC – Carla Carnaghan, Rumi Graham (also negotiating team members), Christopher Burton, Trent Takeyasu (observers), David Kaminski and Olu Awosoga – some of whom will continue in the EBC, and also Annabree Fairweather (Executive Director, ULFA and resource person during negotiations) and Derrick Antson (Professional Officer, ULFA) for their valuable help and support before and during negotiations. I would also like to take this opportunity to extend my warm welcome to the new EBC and its Chair Paul Hayes. The EBC will continue its good work on behalf of the ULFA membership. I wish everyone a pleasant summer and rest of the year ahead.

Saurya Das,
Chair, Economic Benefits Committee



Gender, Equity & Diversity Committee

A number of items deserve note from the spring semester just concluded.

ULFA provided funding in support of the DarkMatter performance, which was held at the Galt Museum. As anticipated, the trans south Asian performance art duo treated the standing room only audience to a wonderfully entertaining and thought-provoking evening.

ULFA also provided funding in support of the Talking About Teaching event in March, which was coordinated by the GEDC and the Teaching Centre. The topic under discussion was student accommodation. Three 'cases' provided the background for a wide ranging and engaging conversation among those in attendance. As we prepare for our upcoming courses, it is worth noting that we should not assume that our students are aware of the various supports available at the university. As faculty we are an important point of contact for students, often at times when they are in need of assistance of some sort. If such information is not already present on our course outlines and course sites, we might wish to include information regarding supports such as the Accommodated Learning Centre, Student Success Centre, and Counselling Services.

Committee Updates

Gender, Equity & Diversity Committee continued...

During the spring semester, the GEDC presented handbook language to the Handbooks Committee. The proposed language addressed the issues of equity and accommodation. While inclusion of the language may require further rounds of negotiation, equity issues are set to receive more attention in the near future. The GEDC is appreciative of the efforts of the Handbooks Committee and the Handbooks negotiating team in support of the proposed language.

Finally, as the university begins work on the Destination Project, individuals will no longer be able to access University Hall at Level 6. At present, there are four parking spots at that location (Lot L) to accommodate individuals with special needs. In anticipation of the loss of these parking spaces, the university has increased the special needs parking available near the Level 4 entrance (Lot J).

As we finish the academic year, I would like to thank Andrea Amelinckx, Nicole Eva, James Graham, Bente Hansen, Andrew D. Stewart, Kien Tran, and Kelly Williams-Whitt for the contributions each made to the work of the GEDC during the year. I would also sincerely like to thank Annabree Fairweather and Derrick Antson for their invaluable support. Looking toward the upcoming academic year it is my pleasure to welcome new member Andrea Cuellar.

As always, I encourage all ULFA members to communicate any concerns and suggestions to the GEDC. If there is an issue you feel should receive more attention from the GEDC, we want to hear from you.

John Sheriff
Chair, Gender, Equity and Diversity Committee



Know Your Rights

Professional Supplement

Each year, our Members receive professional supplement money. Full time Faculty Members receive \$1,900, full time Instructors/Academic Assistants receive \$1,520 and part time Members and those who are on reduced load receive proportional amounts.* Prior to 2014, Members were permitted to carry forward an unlimited amount of unspent monies; however, with the 2014 Faculty Handbook we saw the implementation of a new 4-year cap on the maximum accumulation of unspent monies. A Faculty Member can accrue up to a maximum of \$7,600 and Instructors/Academic Assistants can accrue up to \$6,080. For those of you who do not carry forward a balance on your professional supplement accounts, this notice will not be relevant to you. But for many of our Members, there have been questions about the logistics of ensuring access to the maximum allotment of professional supplement.

How do I make sure I receive all of my professional supplement entitlement on July 1?

Faculty Members:

- ~If you want to receive the full \$1,900, then you would need to have at most \$5,700 in your account on June 30.**†
- ~If you have more than \$5,700 but less than the maximum, then you will only be topped up to the maximum.
- ~If you have more than the maximum amount, you will not receive any professional supplement but you will also not have any excess money taken away.

Instructors/Academic Assistants:

- ~If you want to receive the full \$1,520, then you would need to have at most \$4,560 in your account on June 30.**†
- ~If you have more than \$4,560 but less than the maximum, then you will only be topped up to the maximum.
- ~If you have more than the maximum amount, you will not receive any professional supplement but you will also not have any excess money taken away.

*Note: This June 30 deadline implies that all receipts have been submitted and claims for reimbursement have been processed by HR.

†Note: The entitlement and maximum are prorated for individuals who are on appointments that are less than 1.0 FTE.

How HR will administer the instalments?

Come July 1, every single Faculty Member's and Professional Librarian's account will show an instalment of \$1900. If your account has more than \$5700 and the instalment puts your account over the maximum, then an amount will be withdrawn (up to \$1900) to bring your account to the maximum. If you are already over the maximum before the instalment, then \$1900 will be withdrawn but you will be able to retain the remainder of your professional supplement monies without penalty.

Related Article: Schedule B (B.05)

	Per Member per Year	Maximum Accumulated Balance per Member as of July 1
Faculty Members/Professional Librarians	\$1,900	\$7,600
Instructors/Academic Assistants	\$1,520	\$6,080

* Note that these amounts may change as a result of the tentative agreement reached in Economic Benefits negotiations.



+ Copyright Corner

In this issue I highlight some copyright-related aspects of a looming “elephant in the room”—the unsustainability of the scholarly publishing system as currently structured.

Copyright, open access and academic authors

The problem

Even before the USD exchange rate reached heights above 1.4 earlier this year, the Library’s acquisitions budget was already under considerable strain. The recurring culprit is cumulative effects of unrelenting annual increases in scholarly journal subscription costs, especially those imposed by an “oligopoly” of primarily large, for-profit corporations.¹ These difficulties are not unique to our institution, as academic libraries across Canada face similar unwieldy collections budget challenges.²

Copyright connection

So how does this relate to copyright? The heart of the matter is, in fact, the copyright you own as an academic author. Tax payers’ dollars fund public universities like the U of L, which in turn hire faculty principally to teach, research, and publicly disseminate results of scholarly and creative endeavours. Since publication is required for promotion and tenure and is a basis for administering, as well as an expected outcome of, research grant awards, faculty seek highly regarded venues in which to transact scholarly communications. Those venues are often the domain of the scholarly publishing oligopoly.

Commercial publishers usually demand complete copyright assignment. They require you to formally transfer to them all copyrights in your work, including the rights to reproduce, publicly perform, publish, distribute, translate and adapt the work. The transfer agreement typically applies worldwide to all languages, forms and media currently known or developed in the future for the full term of copyright. You and your institution may be permitted to use your copyrighted work for scholarly and teaching purposes, but such permission does not apply to users elsewhere.

Publishing bargain

Faculty submit scholarly works for publication and perform (unpaid) peer review of works created by other scholars to help build a rich scholarly corpus and advance their academic careers. Publishers, in exchange for scholars’ freely assigned copyrights, agree to publish and market the works, in order to generate profits. Presumably the bargain was once fair when both parties benefited equitably. But today the system is faltering, as its original public dissemination goal is greatly overshadowed by the profit motive.³ Thus, the Library may be unable to afford the cost of acquiring access to tax payer-funded publications (authored by you and your colleagues) needed for teaching and further research.

Copyright Corner

Open access movement

“Open access” (OA) has emerged over the past fifteen years or so as a movement to secure unimpeded, timely public access to scholarly works. OA is commonly understood as

free availability [of scholarly literature] on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The . . . only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited.⁴

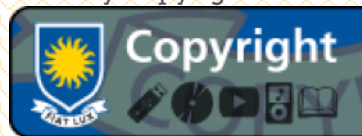
Possible means of achieving OA abound. They include granting agency-imposed requirements to make peer-reviewed work publicly accessible within a specified period after publication,⁵ “flipping” journals from subscription-based to OA,⁶ and adoption of mandated immediate deposit of all peer-reviewed work in faculty members’ institutional repository (IR) accompanied by consideration of only the IR deposit version of peer-reviewed publications in promotion, tenure and grant application and renewal proceedings.⁷

Ways Forward

Despite the promise of OA goals, scholarly publishing remains chiefly in the hands of a small number of very large commercial publishers and library attempts to provide adequate access to segments of the scholarly literature most needed by faculty are perennially hampered by inadequate budgets. But finding viable ways to establish a better system is almost certainly achievable with concerted, informed collective action to use scholars’ copyrights in more OA-friendly ways. This is a critical issue we all have an enormous stake in understanding and solving—faculty researchers and instructors, administrators, librarians, granting agencies and publishers alike.

As always, please feel free to contact me or Betsy Greenlees in the Copyright Advisor office for more information on this or any other copyright matter.

Rumi Graham
University Copyright Advisor



¹ Larivière, V., Haustein, S., & Mongeon, P. (2015). The oligopoly of academic publishers in the digital era. *PLoS ONE*, 10(6). Retrieved from <http://bit.ly/1Ry5BIa>.

² For example, see Howells, L. (2015, December 13). Ryerson University says it must cancel journal subscriptions, like MUN is considering. *CBC News*. Retrieved from <http://bit.ly/1I6E6EG>; Howells, L. (2016, February 4). MUN cancels 1,700 journals, as national association says libraries in 'crisis'. *CBC News*. Retrieved from <http://bit.ly/1QOclCy>; Murphy, C. (2015, December 14). University of Regina Library: Library resources – cancellations. Retrieved from <http://bit.ly/1WPMOM4>.

³ Major academic publishers' 12 to 25% profit margins far outstrip that of many highly profitable companies in other markets. See Table 1, Fuchs, C., & Sandoval, M. (2013). The diamond model of open access publishing: Why policy makers, scholars, universities, libraries, labour unions and the publishing world need to take non-commercial, non-profit open access serious. *triple C: Communication, capitalism & critique*, 11(2). Retrieved from <http://bit.ly/1kyYSSw>.

⁴ Budapest Open Access Initiative. (2002, February 14). *Read the Budapest Open Access Initiative*. Retrieved from <http://bit.ly/1oBBIZD>.

⁵ For example, Canada's Tri-Agency Open Access Policy on Publications, available at <http://bit.ly/1Bqt17l>.

⁶ See Solomon, D. J., Laakso, M., & Bjork, B.-C. (2016). *Converting scholarly journals to open access: A review of approaches and experiences*. Retrieved from <http://bit.ly/1WtKys1>.

⁷ Harnad, S. (2015). Optimizing open access policy. *Serials Librarian*, 69(2), 133-141. Retrieved from <http://bit.ly/1NrMGjU>.

Annual General Meeting Results

Hello Faculty Association Members,

I want to thank you for your participation in the electronic ballot, as well as the Lockout/Strike Town Halls and the General Meeting. It is a busy time of year for you and your engagement is especially appreciated.

Summary of results are as follows:

1. All motions on financial matters have passed

Regarding the KPMG appointment as year end auditor for current fiscal year, there was 68% support for this appointment. ULFA Secretary/Treasurer Paul Hayes would like to say that despite this motion passing, the spirit of the argument put forth at the meeting is appreciated and accordingly ULFA Executive will conscientiously explore options to bring back to the membership.

2. Election results

Elections concluded with James Byrne and Paul Hazendonk serving on Economic Benefits and Andrea Cuellar serving on Gender, Equity and Diversity Committee. Thank you for volunteering and congratulations. Thank you to all those who were nominated and I hope you will consider putting your name forward in future.

3. Lockout/Strike Preparedness Fund

The motion to create a local lockout/strike preparedness fund and join the CAUT Defence Fund has passed with 78.5%. The Executive put in a significant amount of time into considering this initiative with the due gravity required and in the honest consideration for the Membership, and we are appreciative that you got involved in the discussion and cast your vote.

Should you have any questions or comments, you are welcome to contact President David Kaminski or any member of the Executive (Andrea Amelinckx, Paul Hayes, Dan O'Donnell, Saurya Das, Don Gill, John Sheriff, and Rob Sutherland).

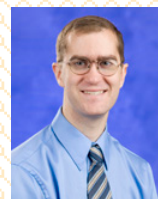
4. New members to the 2016/2017 ULFA Executive



Jon Doan
VP/Pres. Nominate



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



Paul Hayes
*Chair, Economic
Benefits Committee*



Upcoming ULFA Events & Important Dates

+ COCAL Conference

When: August 5th – 7th, 2016

Where: Edmonton

The Coalition of Contingent Academic Labor (COCAL)

Conference is a yearly conference that takes place in a different North American city each year.

Here is the link for the conference brochure: <http://cocalinternational.org/COCAL%20XII%20info.pdf>

Please also consider accessing ULFA's Policy on conference travel: http://ulfa.ca/images/pdf/policy_procedure/conference_attendance.pdf

+ Fall General Meeting

When: Thursday, December 8, 2016

Time: 12:00 – 3:00pm

Where: TBA

Lunch will be provided and WebEx videoconferencing will be available.



+ Convocation Spring 2016

When: Thursday, June 2 & Friday, June 3, 2016

Faculty who are interested in purchasing their own regalia can do so through the professional supplement program. You must first order the regalia and then submit an electronic expense claim and a physical copy of proof of payment to Financial Services.

Two suggested regalia sources in Canada are Gaspard and Sons in Winnipeg (www.gaspard.ca) and Harcourts Ltd in Toronto (www.harcourts.com).

For more information about purchasing regalia through the professional supplement, contact Kelsey Rowntree, Financial Assistant – Professional Supplement (ext. 1870) or Kelsey.rowntree@uleth.ca.

+ Handbooks & Economic Benefits Ratification Meeting

When: Tuesday, May 24, 2016

Time: 12:00 – 1:30 p.m.

Where: L1060

A meeting will be held on May 24th to present the tentative Handbooks and Economic Benefits packages. WebEx will be made available for those who would like to attend virtually. Language will be released in the coming days.

+ STP Workshops

When: Monday, September 12 & Tuesday, September 13

Time: 1:00–3:00pm & 1:40–3:40pm

Where: TBA

This workshop is a great opportunity for Members & Chairs of Salary, Tenure, & Promotion Committees. The workshop will cover the STP process as well as provide advise on chairing a STP Committee under our Handbook and how the STP Procedures relate to the Handbook. There will also be time for a questions and answer period.



+ Although all academic staff members are encouraged to attend, ULFA can provide financial support to one Member to attend the forum. To apply for funding, please contact Derrick by email (antson@uleth.ca) or by phone (2578).



have an
impact at the
negotiating
table

collective bargaining

21–22 October 2016

Librarians' & Archivists' Conference
Fairmont Château Laurier Ottawa



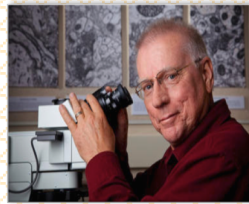
Sponsored by the Canadian Association of University Teachers

www.caut.ca

ULFA's Executive Committee 2015/2016



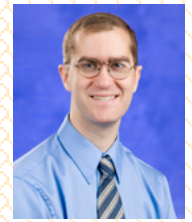
David Kaminski
President



Rob Sutherland
Past President



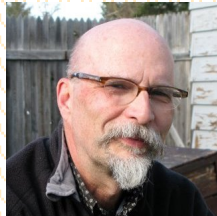
Andrea Amelinckx
VP/President Nominate



Paul Hayes
Secretary/Treasurer



Dan O'Donnell
*Chair, Handbooks
Committee*



Don Gill
*Chair, Grievance
Committee*



Saurya Das
*Chair, Economic
Benefits Committee*



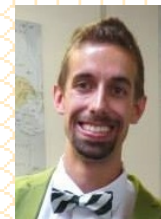
John Sheriff
*Chair, Gender, Equity
and Diversity Committee*



Scott Allen
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)

