

Faculty Association Report

Board of Governors Meeting, October 10, 2024

Submitted by Dr. Tianyuan Yu, FA President

The Mount Saint Vincent University Faculty Association (MSVUFA) represents approximately 160 full-time faculty, librarians, and lab instructors.

Effort on Concluding the Collective Agreement with BoG

The past two months have been a challenging period of time in the history of MSVU in terms of labour relations in the aftermath of the FA strike and the motion of no confidence in the Chair of BoG and the three senior administrators passed by the FA in March. We have witnessed escalating labour disputes, a lack of trust, and intense hostility between the Employer and the FA. Seven months have passed since the two parties ratified the tentative agreement on March 14th, we still do not have a signed Collective Agreement (CA). The Employer's lead negotiator kept refusing to meet in person with the FA lead negotiator and alleged that the FA has been trying to negotiate new terms. The FA asserted that the Employer failed to provide a complete and accurate CA reflecting the tentative agreement on March 5th and continued using delay tactics. This stalemate resulted in tremendous anxiety and stress among FA members, especially due to the confusion on the RTPP (i.e., Reappointment, Tenure, Promotion, and Permanence) timelines & procedures and the withholding of the retroactive pay. Today, the RTPP processes are still being paused and the retroactive salary, salary-based compensation, Chair stipends, and professional expense funds are still being withheld by the Employer.

To address this situation, over the past two months the FA held two emergency Executive Committee meetings (August 29 and September 20), one special General Meeting (September 19) joined by the FA lawyer, CAUT officers and all FA members, one regular General Meeting (September 20), and three Communication Committee meetings (September 6, 16, and 27) joined by CAUT officers. The FA also offered regular updates on the signing of the CA to all FA members via the MSVUFA listserv to ensure timely and transparent communication.

I wish to highlight two critical incidents occurred during this intense period. First, on August 19th the FA asked the conciliators to intervene, and the conciliators scheduled a Conciliation Meeting on September 6th. However, instead of quickly resolving the 36 outstanding items through conciliation, the Employer directed their lead negotiator to prepare a 1300-page complaint package and filed it to the NS Labour Board on August 28th, alleging that the FA failed to make every reasonable effort to conclude a CA. The Labour Board then scheduled a procedural CMC (i.e., Case Management Conference) for October 9th which extended the process to at least a

month later. On August 29th I requested to meet with the Chair of BoG in the hope of resolving the remaining issues quickly through the upcoming Conciliation. The Chair of BoG made clear on September 11 that a meeting with him before October 9th was not possible. On September 12th I wrote a long letter to the Chair of BoG to thoroughly explain the urgency of the situation and the FA's position, hoping that the Employer would direct their lead negotiator to meet with the FA lead negotiator directly and promptly before October 9th for a quick solution. However, the Chair of BoG replied that the Board of Governors "are not the direct employer of faculty". Since then, the Employer's lead negotiator has stressed multiple times in both oral and written communications that the Employer was not the *Board of Governors*, but *Mount Saint Vincent University*. The FA holds that Mount Saint Vincent University is a comprehensive term incorporating both the Employer and the Employees and that it has been clearly defined in both the CA and the MSVU Charter that the "Employer" is precisely the "MSVU Board of Governors".

Second, on September 11th the FA lawyer proposed for the parties to jointly appoint a mediator-arbitrator to resolve the remaining issues as quickly as possible. But the Employer never responded to that proposal. Having exhausted all other options, the FA filed its own complaint against the Employer to the Labour Board on September 18th. The FA lawyer requested the Labour Board to combine the two complaints and implement an early intervention. The Labour Board then asked the Employer twice in writing (on September 19th and 20th) for their availability for a Labour Board intervention tentatively scheduled for September 25th. Not hearing any response, on September 24th I wrote to the Vice President Academic and Provost urging the Employer to respond. But the Employer kept ignoring this request and never responded to the Labour Board. On September 25th the Labour Board forcefully implemented an intervention and summoned the two parties to participate in a "facilitated discussion". Considerable progress was made through this seven-hour facilitated discussion. The two parties confirmed to meet again on October 9, 2024 at the Labour Board to continue the facilitated discussion.

The September 20th FA General Meeting

At the September 20th FA General Meeting, the FA members in attendance (60 members) unanimously passed a motion that the FA supports the Statement on Academic Freedom as reflected in Article 2 of the MSVU CA and endorsed by our colleagues in CUPE 3912 on October 24, 2023. This is a collective recognition of the need to restate the FA's position to protect the rights and safety of all FA members including but not limited to those who are targeted because of their scholarship and political work concerning the war in Gaza.