

Dear SFUFA Members:

The following bulletin contains information on:

- Governance: the Human Rights Office and University Secretary
- Pension Calculations and PDR
- Pension Contributions on Study Leave and in Phased Retirement
- Bargaining Update
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Governance and Transparency: Human Rights Office Re-Organization and University Secretary Vacancy

The SFUFA Executive has serious concerns that SFU's actions of late are undermining collegial governance, procedural fairness, and academic freedom. They are most certainly undermining community confidence in those areas.

As noted in an earlier bulletin, the University is in the process of updating policies and procedures related to Bullying and Harassment, and is restructuring these together with the Human Rights Office, bringing them under the umbrella of the Vice President, People, Equity, Inclusion. SFUFA has serious concerns about both of the above, but for now we note in particular the issue of the Human Rights Office.

The VP, PEI is responsible not only or even primarily for the University's equity initiatives; the VP, PEI is SFU's senior Human Resources leader, overseeing all the HR functions of the University. The Human Rights Office, or HRO, has until recently been (and in fact remains in policy) an arms-length office, reporting directly to the University Secretary and the Board of Governors. The arms-length status is critical, and has been shared with only two other bodies: the office of Internal Audit, and the Ombuds office. These, with the Human Rights Office, have been recognized for their specific roles in holding the University accountable in areas related to its financial dealings, human rights obligations, and fair treatment of students.

This Fall, SFU announced its intention to change the reporting structure of the Human Rights Office. Rather than an arms-length reporting system, the HRO is now a part of the VP, PEI portfolio – that is, a once largely independent office devoted to the protection of the rights of community members is now an office of the University's human resources branch. This move was made without prior consultation with employee or student organizations, without the required Senate review, and without consultation with the University's own Human Rights Advisory Board.

More recently, the University announced the departure of its General Counsel and Secretary. The University Secretary plays a crucial role in the collegial governance system, as is described

by Shannon Dea, a professor at the University of Ottawa and a specialist in collegial governance of the academy.

If you don't know very much about collegial governance, you might not know much about the role of "University Secretary" or "Secretary of the University." For this role, read "secretary" as you would "Secretary of State" or "Secretary of Defense." That is, the secretary of the university is a very senior position. The holder of that position is the boss for all the folks in the university secretariat — drafters, lawyers, privacy officers, and yes secretaries (in the more familiar sense of the term). This administrative unit is charged with the good function of university governance. They are the keepers and wise interpreters of policy and of governance records; they support the operations and the leadership of the Board of Governors and the Senate; and so forth. (<https://dailyacademicfreedom.wordpress.com/page/3/>)

Again, in itself, this may not appear a serious concern. But a pattern is emerging, in which key aspects of university governance are quietly being re-organized in ways that displace faculty members (and Senate, for that matter). We will elaborate in detail in a future bulletin, but for now a simple list will suffice:

- over the objections of all employee organizations, the University combined its equity and HR functions in one portfolio, (the Vice President, People, Equity and Inclusion), which blurs the lines between equity commitments, on the one hand, and collective bargaining and staff management, on the other. Since that change, SFU has begun the process of moving many faculty matters from the purview of the VPA to Human Resources, leading to diminished academic oversight over many issues impacting faculty work.
- policies have been re-written behind closed doors and then brought for cursory review by the community, rather than being openly discussed at the outset;
- the Human Rights Office, which is responsible for ensuring SFU's accountability to the law, and its Bullying and Harassment procedures, which are similarly critical to institutional accountability, have seen their levels of independence reduced as they are brought under control of the Human Resources wing of the University. Having a single office responsible for both protection of complainants and defense of managers seems contrary to building community confidence.
- Faculty Relations has been directed to report jointly to the VPA and the VP, PEI — the former manages decision making on substantive issues, the latter manages the structure of the office, leading to a disconnect between FR's purpose and its operations;
- the President has announced an intention to conduct a review of Senate — how and to what end being as yet unclear;
- with the departure of the University Secretary, the functions of the Secretary — a critical position in governance — have been reassigned to people who answer to the day to day administration of the University; no specifics have been provided as to when the Secretary position is to be restored in full;
- senior administrators have begun to mention in passing, both to the Association and to Chairs and Directors, that the University believes we need to re-think academic freedom.

SFUFA will be doing what we can to address the emerging pattern of centralization and the impact on faculty rights. Legal challenges, collective bargaining, active engagement with Senate and its committees, exploring options to test community confidence – these and more will require our continued attention in the coming months.

Academic Freedom

Our recent bargaining survey showed that some 40% of members are concerned about the status of academic freedom at SFU, and a number of issues have arisen lately that suggest we need to pay particularly close attention to possible encroachment in this area:

- in certain Faculties, there are moves to establish common standards for syllabi. Syllabi are the intellectual creation and intellectual property of faculty members, and no faculty member should be pressured to accept a pre-written syllabus that does not reflect their individual choices;
- many areas have introduced or are introducing grading guidelines. Assessment is a core part of academic freedom, and while there may be good reasons for faculty members to coordinate, decisions about assessment must ultimately rest with the instructor. Any member who (in the absence of a formal grade appeal) feels pressured to change grades or grading approaches is encouraged to reach out to us;
- some Departments and Faculties have begun to formalize University mandates that are more political than legal. While SFUFA is committed to equity and social justice, we do not believe it appropriate for an employer to require as a condition of employment compliance with any particular political mandate;
- SFU's senior administrators have alluded in recent weeks to a need to talk about academic freedom. While no details have been provided, this is concerning given the wider context, and a marked departure from the University's approach historically;
- and for all of us, our own challenge to bear in mind: defense of academic freedom demands not only or even primarily that we defend our own, but that of colleagues whose positions we disagree with and even find offensive.

At our recent General Meeting, Alison Hearn, Chair of CAUT's Academic Freedom and Tenure Committee, presented an overview on academic freedom. Slides of that presentation are available [here](#).

Pension Plan – next round of past service purchase and PDR:

As previously noted, a second and final opportunity to purchase past service in the BC College Pension Plan will open in 2023, and members who would like the option to participate have

been advised to write to pensions@sfu.ca to have a calculation of cost produced. Also as previously reported, in this second round the first \$500 of the cost of calculation must be borne by members.

For those who participate, there is language in the Collective Agreement that may allow this cost to be claimed in the PDR process. The provision does not apply to those under 50 years old, and is a non-recurring benefit, so its use for this purpose may exhaust one's right to submit future claims under this Article. It is, however, applicable to the generation of a statement of cost, which is an actuarial service.

49.5 Financial Counselling for Retirement is a non-recurring service for employees who are clearly at or near retirement (i.e. within 15 years of the individual's normal retirement date) where the primary emphasis is on retirement issues, but does not include advice relating to the purchase of specific investments or the promotion of a particular investment strategy.

49.6 A maximum of three hours or \$750 (whichever is less) of Financial Counselling for Retirement will be an allowable Professional Development Reimbursement expense provided the provider of the service has one of these specified designations:

1. 49.6.1 Actuary
2. 49.6.2 Chartered Professional Accountant (CPA)
3. 49.6.3 Lawyer
4. 49.6.4 Certified Financial Planner (CFP)
5. 49.6.5 Registered Financial Planner (RFP)

Pension Contributions, Study Leave, and Phased Retirements:

Further to pension issues, members ought to be aware of the following regarding certain types of leave - most notably study leave - and phased retirements.

In both of these cases, faculty members often earn less than 100% salary, but under the Agreement are owed 100% of employer pension contributions. BCCPP rules, however, do not allow an employer to contribute at a higher rate than the member. And so we have reached an agreement with SFU as to how to manage this situation so that no member is under-compensated.

1. Each semester, SFU's Faculty Relations office will contact members who are on reduced salary but eligible for full pension contributions, attaching any relevant forms.
2. Members will choose *either* to match the pension contributions, and thereby achieve full pension coverage for the period in question, *or* choose to be paid out for any remaining pension contribution owed by the University. For example, if one is on a study leave at 80% salary, SFU and the member will contribute 80% of normal pension contributions for that period. The member may elect to pay the additional 20%, which would be matched by SFU in pension contributions, or the member may elect to simply receive an equivalent to SFU's 20% contribution as additional salary.

Bargaining Update:

SFUFA and the University will begin meeting to bargain a new collective agreement on November 22nd and 23rd, with further dates scheduled in late December. This time, SFU has hired an external chief negotiator, so we expect a slightly different process than we are used to. But we remain committed to a productive process which provides meaningful action on the priorities identified by members: salaries and inflation; workload; benefits; teaching faculty; and collegial governance and transparency.

Medical School:

While no official decision has yet been made, the province continues to advance the possibility of a medical school at SFU in the coming years. The University has been provided funds to develop a business case for a new medical school, and has engaged consultants to assist in the planning and development of that proposal. It is early days, and we would expect to see considerably more community consultation before any decision is reached, but it seems clear that the government-University planning process is actively underway. Given recent patterns related to transparency and governance, we will need to watch closely how decisions related to a potential medical school are made.

General Meeting:

The Association's Fall General Meeting was held on Thursday, November 17, and included presentations by Alison Hearn (Western University), Chair of CAUT's Academic Freedom and Tenure Committee, and Annabree Fairweather, Executive Director of the CUFA/BC. Slides of both presentations are available for review on the SFUFA website, [here](#).

Winter Social:

SFUFA will be holding its Winter Social on Wednesday, December 7, 3:30-6:30, at the Biercraft on the Burnaby campus. Please do make a note in your calendars and plan to join with colleagues to celebrate the season.

Alternate Contact Info:

Finally, a reminder that SFUFA is collecting alternate contact info – email or phone numbers – for members. Given some of the issues we have faced with periodic unstable University communications, we are hoping to maintain alternate ways of reaching you in the event that

SFU's systems are not available and we need to communicate with members. Emails and/ or phone numbers provided will not be used for regular business, but would only be relied upon in the event that SFU's systems are not functioning securely. To provide us with an alternate means of reaching you, please contact Executive Director Brian Green at bsgreen@sfu.ca