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## MY CAMPUS ADMINISTRATION, FACULTY ASSOCIATION AND ME: ACADEMIC MOBING AND SWEETHEART UNIONISM

### Introduction

This paper recounts recent experiences of mine with the University of British Columbia (UBC) Faculty Association (UBCFA) and its relationship with my campus administration at UBC Okanagan campus (UBCO). I am a tenured associate professor at UBCO and began my UBCFA role as 1<sup>st</sup> Vice-Chair of the Okanagan Faculty Committee (OFC), an Executive position on this standing committee of the UBCFA, in July 2017. The paper is couched in terms of the concept of academic mobbing, defined as “an insidious, non-violent and sophisticated kind of psychological bullying that predominantly takes place in college and university campuses” (Khoo, 2010, p. 61).<sup>1</sup> It also employs the concept of “sweetheart unionism” defined as a deal between an employer and union officials that benefits both at the expense of employees; in this case, a deal between UBCO and UBCFA that benefits UBCO management and UBCFA professional staff and Executive members in Vancouver, including but not limited to Association Management (AM) and Membership Assistance Representatives (MARs), at the expense of UBCO faculty members. The paper is one of a series of papers I have written and published in recent years on the institutional analysis of UBC, especially UBCO and the UBCFA. This wider scope of research is found in Wylie and Campbell (2017) and Wylie (2017, 2018a, 2018b, 2018c).

This inquiry and analysis draw on narrative and self-study data and methodologies to develop and ground the characterizations. Self-study is an “insider” methodology requiring a close, critical process of inquiry, reflection, and action (Clarke & Erickson, 2003). Self-study is often paired with narrative, which “explicates the imbalance that is prompted by a question, lived experience, or puzzling phenomenon” (Hendry, 2010, p. 73). The narrative and self-study are necessarily simultaneously experiential, personal, and public. Given the correspondence, care was taken to anonymize as much as possible.

At base, the article explores how managers explain away inconvenient data—the other mansplaining—and how sweetheart unionism helps them do it. As introduced by the Editors of this Special Issue, this “article demonstrates a turn on ‘(don't) shoot the messenger’ wisdom, as sweetheart unionism here at UBC goes out of its way to muzzle and sideline the inconvenient data acquirer.” I firmly believe that data and information made public that may appear unfavourable to some, in this case, far outweighs a necessity to suppress these data. Hence, the analysis is partially grounded on a particular theory of *inconvenient data*:

We habitually avoid or ignore evidence that contradicts long-held views and tend to believe only the things reported to us by people we like. We reject inconvenient data as lies and propaganda. We are massively susceptible to peer pressure. We also fiercely resist admitting error. (Behr, 2010)

Inasmuch as inconvenient personal data and evidence are made public and inconvenient public data are made personal, the objective is to invite and generate conversation, feedback, and input into the state of affairs here at UBC and future inquiry and research into the question of academic mobbing and sweetheart unionism. This includes

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<sup>1</sup> See also the special edition of *Workplace* on academic bullying and mobbing (ICES, 2014)

intent to generate dialogue over academic mobbing and sweetheart unionism. So this article, as challenging as it is, is offered in the spirit of critical analysis and engagement as well as insight into new courses of action.

### **Academic Mobbing**

The academic mobbing “process begins when a small group of instigators decide to cast someone out on the pretext that he or she is threatening their interests” and “negative communication frames the target as someone who is impossible to work with and who threatens the organization.” The target is characterized as a “troublemaker,” as someone who “doesn’t listen to advice,” who is “detrimental to the organization,” even who “is mentally ill.” Mobbing includes a range of oppressive tactics; “depriving the target of the right to have a voice, excluding them from committees and positions of responsibility, not responding to [their] emails, etc... the targets end up becoming completely ostracized – their reputation, credibility, authority, influence and contributions to the organization are nullified. As in a totalitarian situation, any attempts to defend themselves are perceived as additional proof of their “deviance.” The target becomes a “non-person.” Also “university administrations and human resource departments are involved in most mobbing campaigns” (Khoo, 2010; Seguin, 2016). These characterizations fit my personal treatment at the hands of the UBCFA and UBCO senior administration and management since I assumed my Executive position with the FA, my targeting, exclusion, and ostracism, as fully documented in the remainder of the paper. Despite a history of research and case studies, it must be noted at the outset that the UBCFA and UBC managers do *not* acknowledge the existence of academic mobbing as a phenomenon. Nor can one find references to academic mobbing among the extensive official resources given to “bullying.” Indeed, there is a double denial: once in denying that administrators or association officers rise or stoop to mobbing and twice in denying that the phenomenon even exists!

### **The UBCFA and UBCO: Sweetheart Unionism**

The Collective Agreement (CA) between the UBCFA and UBC was imposed on faculty members at UBCO when UBC took over the university functions of the former Okanagan University College in a hostile takeover in 2005 and renamed it UBCO. This left the faculty at UBCO with no local union representation, no local shop stewards, no empowered local union officers, with all employment relations disputes matters now having to be dealt with by the small professional staff at UBCFA headquarters in Vancouver. The UBCFA has been a disaster for UBCO faculty (Wylie, 2018b, p. 27-28). It has even recently gone so far as to set up the UBCO’s senior administration’s disciplinary meetings for faculty members for it. Moreover, the local standing committee of the UBCFA on the Okanagan campus, the OFC, has never been properly constituted over the last 12 years by the UBCFA, leaving it entirely powerless, and the AM and their MARs in Vancouver, supported by the FA President and Executive Committee, appear to want to keep it that way. For example, the OFC tried in August 2017 to resurrect a quarterly bulletin to Okanagan faculty members, with a first September 2017 issue, which was entirely drafted and edited by the OFC Executive members, but its publication was suppressed by the UBCFA in Vancouver and it is yet to appear to date. Presumably it was deemed to be too critical of UBCO management. So, newsletters to members in the Okanagan from the UBCFA are apparently not allowed, if the content is in any way critical of UBCO management.

The UBCFA on the Okanagan campus and the UBCO administration can be seen as colluding, for the benefit of the management, while the faculty members are left wondering what happened and fending for themselves. With minimal salary increases well below costs of living and little new language in the CA year after year, reasons for the pacification of the UBCFA are unclear. So this is a good example of sweetheart unionism; a deal between UBCO and UBCFA that benefits UBCO management and UBCFA staff at the expense of faculty members. Simply put, sweetheart unionism is defined as “collusion between management and labor” in terms “beneficial to management and detrimental to union workers” (Dictionary.com, 2018). Other definitions include “a union set up by the employer”, a “management-favoured union” or a union “that has no intention of attempting to secure gains for employees but will merely collect dues” (*Yale Law Journal*, 1966, Sachs, 2010, p. 711). Francis (1968, p. 613) argues that ‘sweetheart agreements are largely manipulated by the dominant member, the boss.’ Moreover, where these is a single bargaining agent for employees, it is the case that members cannot go elsewhere for representation so the union has a monopoly; the union Executive and staff then can easily get complacent and partner with the employer for their mutual benefit. A study of the 2004 merger of Natal and Westville Universities in South Africa into the University of KwaZulu-Natal (UKZN) found that: “It is evident that the winner in the process is university management, top professors and opportunistic union officials who portray themselves as Messiahs of the working

class while speaking the language of the bosses” (Cebekhulu & Mantzaris, 2006, p. 199). Is such sweetheart unionism now entrenched as a relatively established force at UBC or can it be challenged?

### **The UBCFA and Me: Seeking an Executive Position**

My own experiences with the UBCFA in the last year illustrate the issues of sweetheart unionism and academic mobbing, which seem to be in this case co-emergent and reinforcing. I was elected by acclamation to an Executive position in the UBCFA of 1<sup>st</sup> Vice-Chair of the OFC in March 2017, hence as an officer of the Executive of the OFC.<sup>2</sup> I responded to the following call for Nominations: “The Nominations Committee of the UBC Faculty Association is seeking candidates for the upcoming election of Executive Committee members: there are ten vacancies, including three positions open only to Okanagan faculty members.” I had wanted to get involved as an Executive officer given the poor treatment I had witnessed of some UBCO faculty colleagues at the hands of the UBCFA in recent years and wanted to see if I could improve things. The first experience was in 2013 when I was chair of a selection committee for a limited-term Instructor in my department. The case had to be taken away from the UBCFA MAR handling it after complaints by the member of endless months of frustration and the MAR’s blatant and fully documented dishonesty. The member left UBC in complete disgust of both UBCO and the UBCFA. The second case was in 2015 of a sessional faculty member with a continuing appointment. The department posted for a Lecturer without giving notice to the member and allowing them an opportunity to apply, in violation of the CA. The third case in 2016 was of another sessional faculty member with a continuing appointment. Again the program head posted for a Lecturer position without giving notice to the member and allowing them an opportunity to apply, in violation of the CA. I found that the AM and MARs in both of these cases failed miserably to defend the members’ interests and merely acquiesced to UBCO management’s view that it can post for specific and specialized Lecturers with disregard to existing sessional faculty members, a view that violates the CA. A fourth case was a MAR’s dealings with a member who questioned violations of UBC policies and procedures in their Faculty. Again, I saw the MAR take management’s side and not address the members concerns. It came to the point that I had to take the matter to Senate as an elected Senator to get it properly addressed, with no thanks to the UBCFA.

### **The UBCFA and Me: Assuming my Role in July and August 2017**

I assumed my role on July 1, 2017, and began to meet with faculty members on the UBCO campus who contacted me in my UBCFA Executive officer capacity to discuss their problems with the University and propose solutions. I was also welcomed as a member of the Member Services and Grievances Committee (MSGC), the UBCFA committee in Vancouver that oversees complaints and grievances under the CA and other UBC policies and procedures, as is normal for the 1<sup>st</sup> Vice-Chair and Executive officer of the OFC. In preparation of my role I went through past UBCFA Annual Reports and the President’s Reports, Reports of the MSGC, and Reports of the OFC contained therein. The MSGC Scope of Duties is reported in these Annual Reports as: “To *represent members in complaints and grievances including meetings with the administration*” [my italics] and “consider serious complaints and possible grievances and make recommendations including on potential remedies.” The Terms of Reference of the OFC is reported as to: “Bring to the attention of the Association matters which directly concern members employed on the Okanagan campus” and “assist in implementing the CA in respect of members employed on the Okanagan campus.” Various statements are made by the Chair of the OFC (the same Chair for the 12 years of existence of the OFC since 2006) in their OFC Reports in the UBCFA Annual Reports. In their reports of 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2014-15, 2015-16 and 2016-17 they state [my italics]: “The role of the OFC is to *represent the interests of faculty at Okanagan within the FA and with UBCO management.*” In 2009-10 they added: “Officers of the OFC have dual roles. First, *we have a representational role advocating on behalf of the membership both to the employer* as well as to our brothers and sisters in Vancouver. Second, we have a role as informal shop stewards (and are members of the MSGC)... In both capacities, the officers of the OFC have been heavily involved in attempting to improve the accountability and transparency of university processes that affect the terms and conditions of our members’ employment and to protect members from capricious, arbitrary and unfair treatment by the employer.” In 2010-11 they added: “Our [the OFC’s] relationship with UBCO’s management team [has] improved.” In 2011-12 they added: “We [the OFC] continue to deal with a large number of grievances pertaining to workload, merit, promotion and harassment.” In 2015-16 they added: “The full intent of creating the OFC as a standing committee has not yet been fully realized. Progress has been slow in improving the quality of

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<sup>2</sup> Constitution and By Laws of the UBCFA, Revised: February 2014, p. 5, Clause 7.6.

service to UBCO for a number of years.” In 2016-17 they added: “We [the OFC] have to deal with a lot of grievances... I deal with local policy and political issues in my role as an officer of the union. Normally I do not handle specific member complaints. That is work normally undertaken by the MSGC, on which the two vice-chairs normally sit. *However, from time to time, if requested by a member, I also do that work, and have done so this year.*” All three elected Executive officers of the OFC (myself as 1<sup>st</sup> Vice-Chair and the other two, the Chair and the 2<sup>nd</sup> Vice-Chair) were fully on board with this fully-explained-over-the-years OFC role, in July 2017; that as the three elected and Executive officers of the OFC we were there to deal with UBCO management on labour relations matters of UBCO members. Not only the Executive officers of the OFC, but also the MARs, agreed. I received an email from a MAR on July 21 stating “I look forward to working with you on the MSGC.”

On July 22, 2017 I wrote to the UBCFA AM and Chair of the MSGC in my capacity as newly elected and Executive 1<sup>st</sup> Vice-Chair of the OFC and new member of the MSGC. I lodged a complaint against a representative of the UBCFA. I began discussing a case with a member after they had approached me to meet and talk to me. No grievance had yet been filed. My experience in this case reinforced my opinion that the representative advocated for management, not faculty members, and hence filed a formal complaint. The representative had been dealing with this member for almost a year and I met with the member twice in July 2017. The member appeared to me to be on the verge of a complete nervous breakdown, not only because of their treatment by their director and dean, but also because of them having to endlessly argue their case not just with management but with the representative, both of them making the same arguments against them. I observed first hand the member’s deteriorating state brought on by this combination of affairs, and they informed me they was seeking medical advice. The member told me that the representative had told them they had no grounds for grievance. I spent just a day with the material and found ample ground. In speaking with the representative for an hour on July 20, 2017, their attitude was entirely that management was right on everything and the member was wrong on everything, and there is nothing the member could do about it (shades of Roald Dahl’s *Matilda*). So they should just suck it up and do whatever the University says. The representative even told me that I and the member should focus more on the positive, rather than the negative. Not good advice in the area of the intimidating work environment faculty find themselves in at UBCO.

In my conversation with the representative that day they went on to challenge me on every other matter I raised and take the management side. For example, on the illegitimacy of the director’s appointment in the Faculty which apparently was not undertaken according to UBC policy, they said that was fine, faculty members do not need to have a say in who assigns their workload, or runs their tenure and promotion committees, or decides on their pay increases (except that all of the above inconveniently violates the CA). On the fact that the “workload policy” of the Faculty was not a policy at all just a vacuous ad hoc statement that provided no guidance whatsoever as to what factors are taken into consideration in workload assignment, and where there is no normal workload (could be 10 courses a term if that meets the needs of the Faculty) they told me it was fine, it met the language of the CA, and if I wanted better language, I would need to lobby to put it into the CA. I disagreed that we already had the language in the CA, it was just that the UBCO was ignoring it and the UBCFA was choosing not to enforce it. On the fact a permanent faculty member had just been appointed to this member’s Faculty with no consultation with faculty members, the representative said, yes, management can do that. I know for a fact they cannot, all faculty appointments (or reassignment of appointments) in Faculties and departments must follow the departmental faculty consultative procedures of the CA.

I knew of just this case and the other cases I knew about before assuming my Executive role, but in each case I knew of the toll that the inaction of the UBCFA representatives for months on end and representatives agreeing and siding with management in each case had put the members under. I reported to a key representative that there was a great deal of dissatisfaction on the Okanagan campus with the UBCFA, especially in the area of the UBCFA handling of complaints and grievances. If it was 0 for 5 on the 5 cases I now knew about, what about all of the other ones I didn’t know about? I could only imagine and shudder. I also told the key representative that the Executive members of the OFC (two of whom are former heads including myself with intimate knowledge of the CA and UBC policies and faculty issues on the Okanagan campus) wanted to be involved in helping our Okanagan members. I asked for a list on all ongoing grievance cases with the representatives with Okanagan faculty, and what the cases were about (nature of the problems), and what stage they were at. I also suggested that we needed our own representative in the Okanagan who worked in the interests of the faculty members and not UBCO management. Or, have the elected Executive members of the OFC act as shop stewards and deal with the grievances on the Okanagan campus themselves using the representatives for research support but not as the lead on the cases. Better still perhaps I said was an idea the three Executive members of the OFC including myself discussed in a long conversation about these matters a week before in mid-July 2017. That we perhaps need our own MSGC in the Okanagan to deal with Okanagan campus matters, attended by the three Executive members of the OFC and the UBCFA representatives,

and any Okanagan faculty volunteers. Certainly I told the UBCFA representative, the elected Executive Vice-Chairs of the OFC, myself, and one other, wished to be more hands-on with the members and involved in sorting out their issues. I concluded: “We should probably all meet sometime for a frank discussion. Thank you and hopefully we can productively move forward to achieve fair representation and results for our Okanagan members.”

My complaint was ignored by the UBCFA for months, until I sent an email on November 13, 2017 to ask when they would be replying to my complaint. I got an email back on November 14 saying “Sorry we forgot to send it to you. Here it is. ....” The reply was dated September 27, 2017 and merely stated:

Dear Peter, I write in response to the complaint you filed against [UBCFA representative...] on July 22, 2017. Following a thorough review of your concerns, [we met with...] to hear their response to the allegations against them. Following a lengthy discussion, we are both satisfied that they carried out their duties and responsibilities in good faith and with appropriate care and attention. We therefore determined that there was no merit to your complaint. Sincerely...

I complained to the UBCFA President about this response in late November 2017, and I finally received a largely meaningless response four months later on March 20, 2018. However, my original complaint of July 2017 seemed to be the trigger that generated the academic mobbing campaign against me by both my campus administration and the UBCFA, in collusion and conspiracy. Both realized I was working with and meeting members at UBCO and discussing their issues with them, and trying to help them. They evidently did not like this at all. The UBCFA did not wish to see an interloper criticizing them and their sweetheart unionism deal with the campus administration, and interfering in their treatment of faculty members.

As a result of discussions with one member in particular, on August 2, 2017 I sent the following email to the UBCO Acting Provost:

Hi: I got an out-of-office message from [the Provost] with the information that you are Acting Provost in the interim (to August 13). This matter cannot wait for [the Provost's] return. Professor [...] has just contacted me urgently in my capacity as 1<sup>st</sup> Vice-Chair of the Okanagan Faculty Committee of UBCFA, elected to attend to the concerns of Okanagan faculty members. Professor [...] has told me that they are totally overwhelmed and traumatized by this, and is so distraught that they cannot function, so they have asked me to write to you on their behalf.... Could you please look into this with urgent expediency? Thanks. Copying to officers of the UBCFA.

The Acting Provost replied the same day to say:

Peter, I would like to acknowledge receipt of your email. I have started looking into this matter and will do my best to respond fast. However, many people are currently on holidays. Please be aware that I may not be in a position to give you a response before [the Provost] is back.

I then got this email from the Chair of the OFC of the FA the same day August 2, 2017:

Peter, I appreciate the delicate wording of your email to [the Acting Provost]. It will make my life easier when I get the inevitable call from [the UBCFA, who] will not like it, seeing it as doing the job of [a representative], but it seems to me that you are simply attending to the concerns of Okanagan faculty members. It is in our job description to “initiate and carry out such research or other activities as may from time to time seem desirable on issues of particular concern to members at UBCO”. It is also in our job description to “assist in implementing the Collective Agreement (CA) in respect to members employed at the Okanagan campus...”

I replied to say:

I hope and trust you can see why I went directly to the Provost's office. The “standard procedure” would be for the professor to approach UBCFA via [a representative], who would look into it. The [representative's] first advice would be “the University has the right to...” We (the OFC) need to go straight to the Provost's office as soon as serious problems such as this arise, that is the Provost's job, and our job, and so that there is a speedy resolution, in the interests of students and faculty.

The Chair of the OFC replied the same day;

I think we need to do four things: First we need to establish an OFC protocol to ensure that our dealing with member concerns does not bump into ongoing grievances. If a grievance is active, the Provost will simply refuse to comment [no grievance was active in this case]. Second, we need to get members to ask the

[UBCFA representatives] to initiate Step 1 Grievances. If they do not, there is no chance to move things along faster, because the [representative] and [Human Resources] will continue to behave as they always have. Third, we need to insist that the [representatives] follow the timelines in the CA for moving to Step 2 and Step 3. Fourth, we need to get the [representatives] to inform us fully of all issues they are dealing with, and keep the MSGC and you two informed as to the status of every grievance.

I replied the next day August 3 to the Acting Provost to say: “

Hi again: Given the seriousness with which I view this, and in the hope of a speedy resolution for Professor [...] sake, I am extending the cc: to the Principal.

On August 3 the Chair of the OFC emailed me again to say:

I had a talk with [the President of UBCFA] this morning about your email exchange with [the Acting Provost]. She is a little concerned that UBC might think you were speaking for the Association. I actually doubt that is the case but I do worry that they will pretend to think you speak for the Association when it suits their ends..... As you know I appreciate the fact that you made it clear that your communication was not on behalf of the union but that [...] themselves had asked you to write on their behalf. However because [...] contacted you in your capacity as 1<sup>st</sup> Vice-Chair of the OFC UBC may attempt to cast your communication as representing the union. So, could you in future, when you communicate with senior management, please just make it clear that you are not writing on behalf of the union? Thanks.

I replied the same day as follows:

Hi, I can't understand [the President's] point. In my email to [the Acting Provost] I was obviously speaking as the elected 1st Vice-Chair of the OFA of the UBCFA, just as I speak at other times say in Senate as an elected senator, or in classes or in my publications as an associate professor of UBC. There is no confusion that I might be construed as speaking (say in Senate) for Senate or (say in my classes or my papers) for UBC. All UBC can think is that I am speaking as the elected 1st Vice-Chair of the OFA of the UBCFA, how could they construe that in any different way? I said in my email which hat I was wearing. I don't start all of my classes saying that I am not speaking on behalf of UBC, and I don't preface my papers to say that I am not writing on behalf of UBC and that my views might not be those of UBC. Can [the President] clarify as to what exactly is her point? In my second email to [the Acting Provost], I say “. Given the seriousness with which I view this...” It is pretty clear I am stating my view, and not purporting to state the view of the union.

The Chair of the OFC made no reply, either then or later, to my email above. On August 26 I sent to following email to the Associate (no longer Acting) Provost:

So much for responding fast, and I think [the Provost] has been back for a couple of weeks now, and it is now well over three weeks since I first contacted you, so do you or [the Provost] yet have any answers for me, as 1st Vice-Chair of the Okanagan Faculty Committee of the UBCFA, I understand Professor... is unwell at this time..., so a timely response is required.

In the meantime, I was meeting with other Okanagan members and hearing their stories of the hands of UBCFA representatives over the last number of years, just siding with UBCO management. These members, numbering now approaching a dozen or so, and I, were generally in complete agreement about an apparent collusion and complicity of the UBCFA with UBCO management (the senior administration and the senior officers of the Department of Human Resources- HR).

On August 29, 2017, I received the following email from the President of the UBCFA:

Peter, I am concerned that you did not seem to hear the advice [the Chair of the OFC] gave you earlier this month. I have indicated to you in previous emails that you have NO [their capitalization] authority to represent the FA, or its membership, in any communications you issue, and you must not engage in corresponding with the University on FA related matters. Our staff do speak on grievance and related matters. However, they do not act in the abstract. Both the chair of the MSGC and the President are aware of the general thrusts of their communications with the administration. Given your recent correspondence, I need to remind you that you have NO [their capitalization again] authority to insert yourself into grievances or pretend you have some standing in the FA to speak to administration. You also have no special standing for information requests. I have advised [the UBCO Principal, Provost and Senior Manager, Faculty and

Employee Relations [HR] that they are to simply ignore any message from you that indicates in any way that you are speaking for the FA. Because you have no authority to do so. Best.

I replied to her later the same day to say:

Hi...: Yes I heard [the Chair of the OFC's] advice OK. I think I make it clear enough in my emails that I am not purporting to speak for the UBCFA. [The OFC Chair] certainly did not get that impression, so how and why do you get that impression? Please explain....When I communicate with senior administration as 1<sup>st</sup> Vice-Chair of the OFC of the UBCFA, I have no intention of prefacing my remarks by saying I am not writing on behalf of the union.... Thanks. Best.

The next day the UBCFA President wrote back to simply say:

Peter, your position as the elected 1<sup>st</sup> Vice-Chair of the OFA of the UBCFA does not give you standing to do the things you have been doing. You have imagined a role that is not part of the Association. Best.

I then sent an email to my Provost on August 31 saying:

Hi: I understand that you and [the UBCO Principal] and [the Senior Manager, Faculty and Employee Relations, HR] for that matter, have been directed by the President of the UBCFA to not respond to any of my emails if I identify myself as an officer of the FA (which they interpret as my purporting to speak for the FA). So here I am sending this email to you again, this time as a regular faculty member of UBCO. It is now almost a month since I first contacted you, and you said you would try to respond fast, or in any event once [the Provost] returned from vacation, three weeks ago now, so do you yet have any answers for me? Professor...is ill at this time and they have asked me to contact you on their behalf. Could you please now provide to me with this timely response? Thanks and regards.

### **The UBCFA, my Campus Administration and Me: Events September 2017 to May 2018**

In early September I was denied the usual place of the 1<sup>st</sup> Vice-Chair of the OFC on the Member Services and Grievances Committee (MSGC) by the UBCFA Executive Committee. The first meeting of the term of the MSGC scheduled on September 5 had already been cancelled because I was told by the Chair of the OFC that the UBCFA staff were in revolt against my participation on the committee and refused to attend the meeting if I was there, so it was cancelled. A good example of the tail, the staff, wagging the dog, the faculty members whose dues pay the UBCFA staff salaries, also known as agency capture.

So in late August the President of the UBCFA had told me that the UBCFA would no longer be replying to my emails, and that I could not help members, and then on September 12, 2017 I received a formal letter from my Provost, dated September 11, 2017, and signed by them as Provost and Vice-Principal Academic. The letter was not copied to others. In this letter, the Provost (of all people) stated, amongst other things, that I, as an elected Executive officer of the FA, must “cease and desist from any further involvement in the workplace affairs of faculty members” as I “do not have the authority to act on behalf of the Faculty Association” and my statement that I was the elected 1<sup>st</sup> Vice-Chair of the OFC Executive representative of UBCO faculty members was a “willful misrepresentation of my status” and that I has no authority to be “involved in labour relations matters concerning members of the Faculty Association” and I was “inappropriately engaging with Faculty Association members.” A good example of the collusion and complicity between UBCFA and UBCO senior administration.

On September 23 I wrote to all members of the UBCFA Executive Committee. I said:

I attach an inquiry I made and then had to repeatedly make as 1st Vice-Chair of the OFC to the UBCO Provost Office, a response I got from the UBCFA President regarding these emails and my response to them, and a letter I have received from my Provost regarding these emails...I am bringing this correspondence to your attention... A member told me re: the letter from my Provost: "Very unusual letter. Clearly you have irritated someone or the powers that be. From a union perspective, that must mean you are doing good work..." My reply was: "It goes without saying that the UBCFA President and [the Provost] are in conspiracy and collusion in this. UBCFA and UBC (O at least) appear to have a "sweetheart unionism" deal... This is why all complaints and grievances take years and go unresolved. The university of course wants to keep it that way and so does apparently the UBCFA, the latter perhaps just to keep its staff occupied, but also just to keep cozy with the senior administrators. UBCFA has been taken over the last 10 years by the paid staff to the detriment of the dues-paying members..."

I got no reply from any member of the Executive Committee, or from that committee itself.

On October 10 I received a further formal letter, this time from my UBCO campus Principal and Deputy Vice-Chancellor (DVC) of UBC, stating:

Dr..., in their role as [Provost]... sent you a clear letter directing you to cease and desist purporting to represent members of the UBCFA to the University's administration in matters related to their terms and conditions of employment as you do not have legal status to do so. ...They have done this based on the UBCFA's confirmation to the University that you have no authority to interfere in matters related to labour relations or to communicate directly with the University administration on such matters....I am restating the Provost's clear direction that you are to cease communicating with University administration on matters related to labour relations and interfering in these matters.. Sincerely.

I wrote back to my Principal and DVC on October 23 to say:

Thanks for your letter. As it turns out, I am actually elected as a member of the UBCFA Executive Committee, I am assuming of the Executive Committee of the Okanagan Faculty Committee, so I am actually an officer and representative of the UBCFA to the Okanagan faculty members who elected me, and to the UBCO administration, and will continue to act as such.

And reiterated to them on October 25:

As a member of the University's management, you are in no position, and are in fact in a blatant conflict of interest in my opinion, in telling me that I cannot interfere in matters related to labour relations involving the Okanagan faculty members I am elected as an Executive officer of the Okanagan Faculty Committee of the Faculty Association to represent. And if anyone in the Faculty Association has encouraged you to do this, for example the President of the Association, then that is another major problem.

My campus Principal and DVC did not reply further.

Earlier on October 17 I had received a letter from the Vice-President of the UBCFA stating to me that I was: "inappropriately engaging with FA members" saying... "you do not have the authority to become involved with labour relations matters concerning members of the bargaining unit". Also that "if you are approached by any members seeking assistance, you must refrain from providing advice."

Finally, in a letter to me under the signature of both the UBCFA Vice-President and the Chair of the OFC, dated February 1, 2018 I was told: "You are not to deal with members' concerns should they come to you, or you go to them...you do not have the authority...to deal with the University administration on any matters affecting the Faculty Association or any of its Membership...we consider this matter closed." The letter also stated: "You...have not been...requested to provide...services by anyone". This of course was patently untrue, as I had been requested by many members of the FA in the Okanagan to provide advice and services to them in my official capacity as an Executive officer of the OFC and UBCFA, over the previous year.

In February 2018 a group of 20 of so faculty members at UBCO organized eight election candidates to run in the UBCFA Executive Committee elections as protest against their poor representation by the UBCFA in Vancouver over the years. The group was largely organized by myself based on my treatment, exclusion, and ostracism by UBCFA and UBCO management, in complicity and collusion, as an elected Executive representative of the UBCO members since July 2017, which I have fully recounted in this paper. The candidates realized there was little to no chance of any of them being elected because of the 8:1 outnumbering by Vancouver faculty voters. But running in the election was intended as a protest signal. So on February 28, 2018 I resigned my Executive position as 1<sup>st</sup> Vice-Chair of the OFC in order to run for the UBCFA Vice-President position.

On March 19, the day the voting opened in the election, I sent my analysis of the poor treatment of UBCFA members in the Okanagan and my own exclusion and ostracism as their representative, by the UBCFA in Vancouver, to about 100 Okanagan faculty colleagues and about 300 Vancouver ones (about 400 total). This analysis recounted what in my view was a case of academic mobbing of me by the UBCFA and UBCO senior administration and of a sweetheart unionism deal going on that these organizations both did not want to see disrupted. In the cover letter email to which I attached my analysis, I said:

There is a group of faculty members at UBCO who are extremely dissatisfied by the UBCFA treatment by the professional staff of UBCO faculty members in their grievances and complaints. If you care to peruse the attached [analysis] it argues there is a sweetheart unionism deal between UBCFA and UBC senior

administration, at UBCO at least. Since July 2017 when I was elected as an Executive representative of my Okanagan colleagues through the Okanagan Faculty Committee of the UBCFA, I have been academically mobbed by both UBCFA and UBCO senior administration for questioning this state of affairs. All of the Okanagan candidates are committed to improving this situation for Okanagan and we hope also for Vancouver members.... we need a major turnout of voters in this election to be able to overturn some obviously well-entrenched vested interests.

In response, the UBCFA Executive Committee sent out a formal ‘Member Advisory’ the next day on March 20 to all 3,700 or so members of the association declaring that my analysis was false and unfounded, but providing no evidence as to why it thought so, and declaring that my criticisms of the UBCFA actions (rather inactions) on the Okanagan campus: “In our opinion...constitutes bullying and harassment against our staff.”

A few minutes later, a Professor at UBC Vancouver sent an email back to the UBCFA Executive Committee saying:

This is a completely inappropriate message to send to the membership at any time, but particularly in the midst of an election in which Dr. Wylie is a candidate. Moreover, this kind message can clearly be read as an attempt by the FA Executive Committee to directly undermine Dr. Wylie’s candidacy. Whether or not the allegations in Dr. Wylie’s report are accurate, this response seems to confirm that the UBCFA is actively working against him. In addition, this message unfairly interferes in the current election and threatens its legitimacy.

In response to its Member Advisory, on March 21 I sent an email to the UBCFA Executive Committee saying:

Dear UBCFA Executive Committee: I would like to express my objection to your Member Advisory. Quite apart from your confusion of “criticism” with “bullying and harassment” and your claim, without any evidence provided whatsoever, that my allegations are false and unfounded...my primary objection is your Committee acting as judge, jury and executioner. As far as I know there has been no complaint of bullying and harassment against me filed by any of your staff, and if there are any, then a due process of natural justice is no longer available to me as your Committee has pre-judged any potential result of any potential complaint and investigation by its statement in the advisory. So...I find this advisory from your Committee to be extremely disappointing and disreputable.

Another Professor at UBC Vancouver sent an email to the UBCFA Executive Committee on March 22 saying:

To the Faculty Association: I am writing to object strenuously to your email to the membership about Dr. Peter Wylie’s memorandum. I make no judgment about the accuracy of his allegations. But they appear to raise significant issues about the priorities of Faculty Association leadership. Instead of addressing his criticisms substantively, the association hides behind a bogus charge that he is harassing the staff. In fact, Wylie describes conduct of a few staff members—without mentioning their names—to substantiate his claim that the association has failed to support the Okanagan faculty. There is no way to provide evidence of the association’s effective priorities without describing the conduct of the staff in carrying them out. The charge of harassment is an attack on Dr. Wylie’s freedom of expression. It is an attempt to suppress debate and avoid criticism about matters of concern to the entire faculty. The University’s freedom-of-expression and anti-harassment policies are utterly clear in protecting Dr. Wylie’s right to express his views about the FA and to offer supporting evidence, exactly as he has done. Indeed, this episode serves to illustrate why a robust freedom-of-expression policy is crucial for the interests of less-powerful groups—one of which the Okanagan faculty certainly is in this context. If the association believes that Dr. Wylie’s criticisms are incorrect or unwarranted, it should provide a substantive rebuttal and make it available, along with his statement, to the entire faculty. Its use of the list-serve to disparage one of the candidates in the current election, without allowing him to respond, has undermined the legitimacy of the election.

Needless to say these three emails above could not go to all 3,700 members as the Executive Committee Member Advisory against me had, because members’ access to the membership list-serve is blocked by the UBCFA.

A series of articles then appeared in the UBC Vancouver student newspaper, *The Ubysey* (Nixon, 2018a, 2018b, 2018c). In these articles, I am quoted (2018a) as stating: “There’s a sweetheart union deal between UBC Okanagan and the UBCFA that benefits UBCO management and Faculty Association (staff) in Vancouver at the expense of UBCO faculty members.” Another UBCO faculty member and former 1<sup>st</sup> Vice-Chair of the OFC (2006-2017) is quoted as saying (2018b): “Okanagan faculty members are tired of being treated poorly by the university and by our Faculty Association.” In this same article, a Professor at UBC Vancouver is quoted as saying: “Wylie’s allegations of a ‘sweetheart union deal’ is an accurate representation of the perspectives of many faculty members on the

Vancouver campus too”. And an Associate Professor at UBC Vancouver is quoted as saying: “The concerns that Wylie highlights are not specific to UBCO... I have witnessed the... steady encroachment of ‘management-style’ governance within the UBCFA, to the detriment of the membership.” Another Professor at UBC Vancouver, who was a candidate in the election, stated: “The level of dysfunction and chaos that UBC faculty have to endure is unbearable. We cannot continue like this... The oligarchy won, but we got pretty close. We will be back. The days of the establishment are over. We will make UBC academic again.” Another article was published in the local Okanagan press (Gerding, 2018) where I am quoted as saying; “Criticism is not bullying and harassment. It is freedom of speech.” In late April 2018 I was informed by the Vice-President of the UBCFA that there was now a staff complaint against me and I would be informed if it required my further assistance (Nixon, 2018c).

## Conclusion

This in my view is a case of academic mobbing and sweetheart unionism, which is difficult to disrupt. Should an elected UBCFA Executive representative of faculty members be allowed to be targeted, excluded and ostracized by the powers that be in the union and university administration, working in collusion and complicity? Is a faculty member and dues-paying member of the UBCFA allowed to criticize the actions of the UBCFA and the UBCFA staff or does such criticism constitute “bullying and harassment”? Perhaps has UBC and the UBCFA adopted the advice given to Forrest Gump by his mother that if you can’t say anything nice, don’t say anything at all? UBC claims to set its ‘respectful environment’ policies on not the Golden Rule Maxim, but its own new Platinum Rule: “Treat others in the way they would want to be treated”. This is perhaps as characterized elsewhere as “The New Critiquette”; are we not allowed to engage in vigorous debate and conflicting views, must we be nice and agreeable at all times, like Stepford faculty, staff, and students? Is there no place for “reasonable hostility”; does the way one says something now count for more than what one has to say (Petrina, 2012, p. 41-42)? Moreover, can the Executive Committee of a faculty association tar-brush a member and an association election candidate to all 3,700 members, providing no evidence or analysis whatsoever, to which the member and candidate is unable to respond to the same 3,700 members? Can the Executive Committee of a faculty association that has an explicit policy on bullying and harassment say with no evidence and no investigation, “In our opinion this constitutes bullying and harassment of our staff” even though no complaint had been filed by any staff member and no investigations conducted? Indeed, why has the UBCFA failed to deal with the substantive issues since I first raised them in July 2017 but instead has been completely silent on the issues for months, and then publicly calls out “bullying and harassment” to my criticism and exercising of freedom of expression and academic freedom?

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