



Smallman, V (2000). On the line: Memorial faculty strike. *Workplace*, 6, 82-85.

VICKY SMALLMAN

ON THE LINE:

Memorial Faculty Strike

"This strike is about fairness." —Noel Roy, MUNFA President

"This strike typifies the deterioration that has occurred in the public sector collective bargaining process in this province over the past decade. The members of MUNFA are struggling to achieve a collective agreement which fairly compensates their members. The university administration should concentrate their efforts on reaching a collective agreement and stop their misguided attempts at waging a public relations war with MUNFA." —Joint statement issued by CUPE, NAPE, AAHP, NLNU and NLTA (Public sector unions in Newfoundland

"The future of Memorial University is being played out at this moment. I may only hope that this insidious, divisive threat, coming from an Administration posing as the voice and vision of Memorial University, will serve its opposite purpose: to weld together the will of those faculty who make Memorial one of Canada's great, often untold successes." —from letter of support by Dr. Mark Lee, MUN alumnus and Assistant Professor, Mount Allison University

Members of the Memorial University of Newfoundland Faculty Association (MUNFA) walked out on October 31. Faculty at campuses at St. John's and Corner Brook had been negotiating for a year, with no real progress. The strike lasted almost two weeks. Picket lines remained strong, and despite dismal, rainy weather, spirits remained high. Strikers were especially buoyed by strong demonstrations of support from members of the community, and from visits from "flying picketers" representing members of the Canadian Association of University Teachers Defense Fund from York, Carleton, Mount St. Vincent, Cape Breton, Ottawa and Acadia. The labour movement in Newfoundland and Labrador showed strong support for the strikers. In addition to providing picket line support and a substantial presence at solidarity rallies, five major public sector unions issued a joint statement supporting the faculty union.

The strike arose from the inability to reach an agreement on a number of issues, including crucial items of workload and money. At the time the strike was called, MUNFA members had not had a salary scale increase since 1989. And although the university was offering an increase of approximately 20 per cent over three years (the same total percentage increase as the faculty association was looking for), the distribution of the increase differed considerably from the union's proposals. The university proposed to give bigger increases to members with doctorates—thereby creating inequities between faculty members and disadvantaging whole departments (like nursing or fine arts) that rely on teaching staff without doctorates (many of whom have taught at the university for years).

Under the employer's proposal faculty members with PhDs would receive about 20.6 per cent while those without PhDs would get about 15 per cent. Sessional lecturers would receive an increase of only 8 per cent. MUNFA's proposal would distribute the increase far more fairly among PhDs, those with masters degrees and sessional lecturers. Also, the association wanted the salary increases to start early in the term of a new agreement, while the administration proposed to pay a large portion of the increase near the end of the proposed three-year agreement.

Also on the table were demands by the administration to remove provisions in the current collective agreement that support faculty research, such as the banking of overload teaching and a one-course teaching remission for faculty with above-norm scholarly activity. The administration had also insisted the union drop its proposals on pension reform, increased payment for teaching overloads, payment of a severance allowance, accommodation for members with disabilities, and collegial governance. The administration also wanted to cap its payments to benefit plans

On the first morning of the strike the administration cancelled classes and declared the rest of the week "term break." Many students had already made plans to return home two weeks later during the regularly scheduled fall semester break. A student demonstration prompted the administration to offer financial compensation to students for additional travel expenses incurred by having to change their tickets. Keith Dunne, president of Memorial's student union, said the administration's action was taken "without the consultation of Memorial's student leaders," and that "students are being used to weaken the impact of the strike."

At strike headquarters messages of support poured in from across the country. Mark Lee, a Memorial alumnus and now an assistant professor at Mount Allison University wrote: "The future of Memorial University is being played out at this moment. I may only hope that this insidious, divisive threat, coming from an administration posing as the voice and vision of Memorial University, will serve its opposite purpose: to weld together the will of those faculty who make Memorial one of Canada's great, often untold, successes."

After nearly two weeks, the union and the employer reached a tentative settlement. What follows is the final bargaining update sent to MUNFA members by the union's negotiating team.

STRIKE 2000: FINAL MOMENTS

On Thursday, November 9th, via the conciliation officer, the MUNFA Negotiating Committee offered compromise proposals on outstanding matters. This was done to hasten an end to the strike and facilitate a return to our classrooms, laboratories and libraries. The administration responded on Friday, again through the conciliator, with positive responses on three of the items proffered.

The administration agreed to compensate tenure-track non-PhD lecturers with a special, two-year, \$750 per year, Professional Development Expense Reimbursement (PDER); even in its last proposal, the administration had denied any 'occupational adjustment' to this small group. The administration also agreed to PDER reimbursements for professional memberships for all members, an entitlement long denied. On the matter of paid vacation carryover, the administration conceded that, upon retirement, payment for unused vacation shall be made if notice of retirement is given two terms in advance, and teaching or other responsibilities prevent the taking of vacation before retirement.

It should be remembered that these improvements in our Collective Agreement are additional to the others that have come about over the course of negotiations, many of them in the last few weeks. In some instances, we have resisted clawbacks to our current Collective Agreement. In many others we have made substantial gains, especially in the important areas of collegial procedures. The new Collective Agreement

will provide:

- a far more equitable distribution of salary than that initially proposed by the administration;
- substantial salary increases and an earlier implementation of the so-called 'occupational adjustments' to salary;
- implementation of salary increases for colleagues who have retired or resigned since September 1, 1999;
- language that makes clear that total salary (basic annual salary plus market differential) cannot be reduced;
- procedures to initiate pension reform;
- an increase in PDER from \$200 to \$400 per year; language on Research Ethics Boards;
- a limit on parking fee increases (the administration had demanded no limit);
- for colleagues refused LTD benefits by the insurer, the option of taking reduced duties and responsibilities;
- a duration clause which prevents the administration from abrogating the Collective Agreement as it attempted to do in 1995.

The administration also agreed, contrary to their initial proposals, that there shall be:

- course remissions for scholarly activity;
- procedures for determination of course equivalencies for non-standard courses;
- accumulation of banked time;
- no contractual cap on the university's employee benefits premiums;
- no roll-back of distance education course stipends;
- no limitation on the use of the medical defence in discipline cases.

On the other outstanding issues, the administration refused to negotiate. They would not consider our modified proposal on reducing teaching norms from 6 courses to 5 in particular units, even though the proposal had involved collegial committees with purely advisory roles. They rejected severance and refused further movement on front-end loading of salaries. Earlier we succeeded in negotiating an increase in the per-course stipend from \$3519 to \$3800. We had hoped to increase it still further, but the administration refused to move on this point.

We decided, though, that the time had come to balance the gains made against the possibility of a protracted strike which might or might not have yielded further improvements. The Negotiating Committee therefore decided, in the interests of getting back to work and making sure that student concerns are met, to finalize the Collective Agreement. The final set of meetings between the two negotiating committees began at 1:00 pm on Saturday, November 11th and concluded at 10:00 on Sunday morning.

Throughout the final two weeks, the Negotiating Committee's hand was enormously strengthened by the many people who organized the strike, walked the picket lines day after rainy day, and performed all the other jobs around MUNFA Strike Headquarters that made the strike a success. We also appreciate the overwhelming support we received from the community, various student organizations and their individual members, retired colleagues who came out in support, other faculty associations across the country, the Canadian Association of University Teachers, and the CAUT Defence Fund.

Our objective throughout was to move towards a fair and equitable settlement, and to resist the administration's attempt to weaken practically every article of the Collective Agreement, often in significant ways. Rather than submit to the administration's 'take it or leave it' approach, we pressed for

and negotiated better contract language, better working conditions, and better salaries for all.

MUNFA Negotiating Committee

Bill Schrank (Economics) - Chief Negotiator

John Bear (Medicine)

Elizabeth Browne (Library)

Jon Church (Medicine)

Malcolm Grant (Psychology)

Clar Matchim (Business)

Eric Mintz (SWGC)

Jim Overton (Sociology)

Elizabeth Yeoman (Education)

Chris Youž (History)

Marian Atkinson (MUNFA Executive Officer, non-voting member)

All issues of Negotiating News are accessible at <http://www.mun.ca/munfa/negnews.html>.

Visit the Strike Archives at <http://www.mun.ca/munfa/strkover.htm>.

Vicky Smallman, Canadian Association of University Teachers