Report to the Governance Committee of the Faculty of Arts: Contract Faculty Role

Dr. Lélia Young

French Studies

York University

July 20th, 1998

This document attempts to give you a portrait of the situation of contract faculty members in the Faculty of Arts. Some issues relate to the question of governance while some other issues relate to bargaining and are directly linked to the administration. Although it is extensive it is not exhaustive, for this task demands much more time that the academic year allotted to it by our mandate.

First, I deal with some fundamental premises that govern my approach to the work of the governance committee.

All decisions should flow, directly or indirectly, from values and principles enunciated in the University Act and differentiated (modified, developed) over the years by collective debate. We need a decision-making culture steeped in respect for each individual in our community (student, professor, full time faculty, contract faculty, teaching assistant, etc.), the community as a whole, and its societal context. These and related values should impregnate decision-makers at the university. They need to be on constant vigil of them so that they feel a deep personal satisfaction in respecting and contributing to the communal process.

However, the current situation of contract faculty at York leads us to ask to what extent are decisions and the decision-making process reflective of these underlying principles? At one extreme, decisions speak to the advancement of learning, dissemination of knowledge, development of university members, and betterment of society, and yet at the other extreme they sometimes do or give the impression that they emanate from arbitrary procedures, non accountable dictates, secret covens, etc.

As for my role on the committee as representative of contract faculty, I believe that once the decision-making process becomes value-based and sensitive to all members of our community, then the contract faculty at York (among them 702 unit 2 members, according to the 1996-97 estimate, or about 40 % of faculty) will come to be better respected and incorporated at all levels of university decision-making. Inevitably, this will lead to more time for contract faculty to improve the quality of their research, teaching, and administrative service. And moreover, contract faculty are confident that a value-based, decision-making culture will recognize some of our most important concerns, such as obtaining more conversions for qualified/ competent long service. We must keep in mind that conversion is a form of recognition and even promotion, with a fund set aside to support it, valued at $ 130,000, and it was created to allow promising contract faculty to fulfill their potential. Note that even if the conversion process actualizes to its maximum, it could never be enough to compensate for the past denial of contract faculty rights. In this regard other forms of adjustment need to be considered and implemented such as retroactive pay equity and pension.

As for the particular question at hand, of addressing questions to chairs and the faculty about decision-making, I wonder to what extent they function from within the perspective that I have described. We need specific questions concerning the decision-making practices involving them, both in the past and present, but more important we need general questions (i.e., about principles / values) which address the manner in which these procedures should function in the future.

As contract faculty representative to this Faculty of Arts committee on governance, I have been asked to give the perspective of this often ignored segment of York's teaching faculty. The more that I speak to my colleagues and reflect upon my past role of president of the Action Committee of contract faculty (January, 1997 - March, 1998), the more I realize that the issues which you have asked me to consider are far ranging ones from our perspective. Sometimes there is direct overlap with the work of this committee, but sometimes the concerns of contract faculty are treated only tangentially by the committee, and rightfully so. My tendency is to be all-inclusive, given the years of injustice that we have experienced, the number of us involved, etc., and the absence of solutions or their misapplication (e.g., the inefficiency of the conversion process). Thus, I am suggesting that the present committee, as part of its deliberations and final conclusions, recommend that a joint YUFA-Contract Faculty ad hoc Committee (of the Faculty of Arts) be activated to deal with the grievances of contract faculty (e.g., 3-4 members from each unit). We will have to make sure that every year new members are elected to constitute it and that they will meet regularly (e.g., twice a month). One question that would have to be discussed is what is a full-time faculty member (see the York University Act, Appendix IV).

As David Bakan has reminded us in a memo dated November 22, 1997, there is a two-class citizenry in the qualified faculty at York, and this issue is separate from but intimately related to the issue of governance at the university (See appendix I for his full text, which supports my concerns about conversion, long term service, etc., for contract faculty).

Contract faculty consider themselves colleagues with YUFA in a joint struggle to improve faculty and university governance. I believe that full-time faculty can profit from our professional experience in all aspects of faculty and university life. Any one individual cannot stop all injustices, but collectively we can at least try to stop the ones we see by breaking the silence and acting upon them. I know that you empathize with our plight, and look forward to a larger forum to share our issues with you in order to create together realistic and just solutions. Inevitably, these will include suggestions that improve the governance process at the faculty. However, this aspect of the university is only one element to improve in the larger picture, and I think for us we need more than one representative to deal with the issues. I look forward to your sponsorship of such a joint committee at the level of the Arts Faculty Council, and ideally of the university Senate.

With respect to the role of the decision-making process of the dean, chairs, and the Faculty of Arts -- the current topic of our discussion, from the perspective of contract faculty -- democratic procedures must be in place at all points and levels. Inevitably, with democratic procedures in place and guiding all governance processes, all decision-making, --e.g., in hiring contract faculty and in converting them, -- the role of merit, qualifications, and past and potential contributions to the research and teaching enterprise of the university and to the community beyond the university become the primary consideration. For example, chairs and deans would fight for contract faculty rights because they would see the cumulative effects of past injustices. Gender equity in full time faculty ratios should be a paramount consideration in the conversion process. Women among us would be treated justly with respect to their needs, merits, and rights. Presently, women full-time faculty represent about one third of the overall full-time faculty complement. Working conditions would allow contract faculty time for research (e.g., paid summer research time and paid research leaves, equivalent to sabbaticals). The academic freedom of contract faculty would not be compromised by their somewhat fictional non permanent status. Long service contract faculty at York are permanent. The contracts of contract faculty are renewed every year, and some contract faculty have been at the university for over 20 years. This should lead all to see clearly that they are really full-time faculty for all intents and purposes, captured by a system that conveniently overlooks the manner in which they have been co-opted, often without choice due to multiple reasons, to work silently without adequate protection in the present, decent salary, full benefits, acceptable security in the future, etc. Their permanent status is reflected not only in their long term service but also it in its institutionalization in the text and subtext of the Unit 2 collective agreement. Salary equity is important for contract faculty. For example, when contract faculty do committee work they should be remunerated, as is the case for YUFA faculty members. If let go due to budgetary cuts, contract faculty should be treated fairly in terms of severance. And so on. The way to resolve the contract faculty dilemma is to address all of contract faculty concerns in a just and equitable manner, such as through urging the conversion of qualified, long service contract faculty, to accelerate this process. To support conversion is a governance issue; to find the budgetary means of doing so is an administrative one, independent of the policy itself, a policy that deserves unqualified support from the faculty of Arts. Note that it is agreed that some of these questions, such as with severance, belong more to bargaining issues than to governance.

Contract faculty are used as "buffers". In the Active Voice (Oct/Nov'97), Diana Cooper Clark wrote: "The security, professional life-style, and economic well-being of the comparatively insulated full-time tenured and tenured-track faculty may depend directly upon the continued exploitations and disenfranchisement of part-time faculty ... part-time faculty are the buffer. They take care of the budget surges and shortages." (part-time faculty meaning contract faculty). What kind of rationale requires a "loser" class in order to sustain a "winner" class? Where is our professional and intellectual integrity?

**SUMMARY OF ISSUES FOR CUPE 3903**

CUPE 3903 website is: http://www.yorku.ca/org/cupe/cupe3903.htm and the Collective Agreement for Unit 2 is at http://www.yorku.ca/org/cupe/U2CA.HTM

"CUPE 3903 represents approximately 1,800 Unit 1 and Unit 2 members" (702 according to the 1996-1997 "Fact book"), "consisting of teaching assistants, laboratory demonstrators, markers/graders and contract faculty." "...statistics gathered in past years demonstrate the value of our members to the university. In a study completed in 1987, CUEW/SCTTE Local 3 members were found to do 45% of the in-class teaching at York University. Since that study, the membership of the Local increased significantly up to the early 1990's, when budgetary cutbacks caused a decline in membership (mostly Unit 2). Most of the in-class teaching done by CUEW/SCTTE members was done by unit 2 members (contract faculty) who did about 35% of all teaching, but this has dramatically changed in recent years due to cutbacks. Full-time graduate students did the other 10% of in-class teaching, but this has increased significantly due to higher graduate enrollments." (CUPE 3903 Website "The Members' Manual" in CUPE 3903)

**1. In Departments**

**1.1. Contract Faculty vote**

According to the CUPE unit 2 collective agreement (article 15.11.3),

" The Employer agrees to recommend to (and use its best efforts to persuade) the appropriate bodies that hiring units in which CUPE 3903 members work include in their Rules of Procedure provisions respecting the participation

and privileges of Teaching Assistants and Contract Faculty including, but not be limited to:

- attendance as voting members at meetings of the departments in which they are employed;

- service on the appropriate committee of the employing departments."

But, in actual practice, each department in the Faculty seems free to adopt the policy it sees fit with respect to the degree to which contract faculty have the right to vote in department meetings. Chairs should be promoting maximum contribution by contract faculty in the department, and where this is not so, they should be taking steps to rectify the situation. Voting rights should be enforced strictly in departments' constitutions.

**1.2. Departmental Tenure and Promotion and Hiring Committees**

The above principle (1.1) should be applied to departmental T & P and hiring committees, where qualified contract faculty should be fairly represented and should be able to monitor the fair workings of the committees in terms of the rights of contract faculty, in general, e.g., in terms of equity, and evaluating specific contract faculty under consideration for hiring, in particular. For example, contract faculty with seniority and a competent record should be eligible.

**1.3. Departmental Executive Committee**

Contract faculty should be able to be elected by their colleagues to sit in the executive committee and other committees of their department.

**1.4. Chairs should be promoting conversion**

See section 3. Conversion should not be counted as part of a unit/department's normal tenure-stream appointments; conversion should be independent of normal tenure stream appointments, so that departments/units do not feel that they are losing but, to the contrary, are gaining (e.g., experience, quality, research, productivity, student satisfaction, administrative skill, etc.).

**1.5. Professional expense allowance**

Contract faculty should have, as their full-time colleagues do, professional expense allowance, to cover in part their travel (when they get a travel grant to present a paper) and to buy pedagogical teaching materials related to their courses and research.

**1.6. More professional freedom**

Contract faculty should be able to organize colloquia and to invite researchers in their field of research.

**1.7. Office space and resources**

Departments should ensure permanent assignment of the same office to each long term contract faculty.

Rationale: To facilitate their major functions, teaching, research and administration by providing adequate resources and reducing the wastage of time.

**1.8. Comment on participation**

According to article 15.11 of the CUPE unit 2 collective agreement, "the Parties agree that the valuable contributions made by CUPE 3903 members be recognized by incorporating them as fully as possible into the decision-making processes of the University. According to some gathered information (Donna Lillian's email communication), it seems that in some resistant departments contract faculty <<are not permitted to participate in departmental meetings and are thus not only left out of decision-making process, but might even be uninformed later of what was decided ... In some departments, contract faculty are not serviced at all by departmental office ... it should be a given that contract faculty have mail boxes within the department so that they can reliably receive memos, etc. ... If contract faculty are not given copies of things such as minutes of Arts Council, ballots, etc., then this would partly explain why they might not participate in the voting and decision-making ... this is not something that is entirely in the hands of the Council, but may need to be dealt with at the departmental level>> (Donna Lillian's email communication).

It should be strongly recommended that contract faculty be given rights of participation in their departments.

**1.9. Departments constitutions**

Each department should have a constitution in which contract faculty's rights should be clearly expressed. A possibility of standardization across all departments constitutions should be considered.

**1.10. More openness**

"... Chairs and the Dean should report openly on the proceedings of the regular chairs meetings that the Dean holds in the Faculty...We must therefore have more openness here if there is to be adequate reform in governance." (Dr. Richard Wellen, CUPE research officer)

Rationale:

"We are silenced, institutionally voiceless, regardless of our accomplishments. We have no say in our professional fate. There is a caste system of high and low status that does not necessarily reflect the individual's achievements" (Prof. Diana Cooper Clark, Active Voice, Oct/Nov, 1997).

**1.11. Reduction of contradictions**

A studies of contradictions linked to the two-tiered system should be done. This could improve our global situation at all levels through consequent revisions in university legislation and practice.

Some examples of contradictions:

1. Full-time faculty's summer time and sabbatical are expected to be devoted to research. So how do we explain that some faculty members in the professorial stream do no research at all during these periods of time assigned and paid by the university and that at the same time the university deprives long service contract faculty from adequately performing their research by not giving to them time, salary, funds, and space for research? Contract faculty end up being reproached for lack of publications, grants, etc., by the very system that denies them access to the means to succeed (although some of them nevertheless become the "shining stars" that the system would like to have, ironically adding to the university's reputation and its ability to attract funds, publications, and "shining stars" among its full-time tenured faculty).

2. The university helps YUFA faculty members who want to start a Ph.D., but weakens, by not recognizing their merits, the position of CUPE contract faculty who already have their Ph.D. and publications.

3. There are some departmental sections or programmes functioning with a majority of contract faculty, and yet they are excluded from the decision making process (e.g., ESL section of Languages. )

4. The ultimate contradiction resides in the stagnant conversion process of contract faculty. Because the rate of conversion is abysmal, seniority and qualifications are not taken into consideration, despite the fact that the long-service contract faculty involved could be more senior and/or as or more qualified than some of their full-time tenured departmental colleagues .

Rationale: If merits, competence and qualifications are not recognized, we are losing the knowledge, the initiatives, and the creativity of valuable contract-faculty.

**1.12. Remuneration**

Contract faculty departmental committee work should be remunerated in an equitable manner (a bargaining issue; it would become a governance issue if the current situation evolves into an entrenched refusal to remunerate contract faculty, accepting the status quo, and having full-time faculty acquiesce to the abuse of the good will, or the fears, of contract faculty).

**2. Contract Faculty and the Arts Faculty Council**

**2.1. Current Membership**

Contract Faculty have the right to participate in the life of the Arts Faculty Council and some do play an important role in its functioning. For their efforts, they should be entitled to

remuneration, because, unlike for full-time tenure-stream faculty, they do this work on their own time. Currently, it is not a part of their paid responsibility; it is not required by their contractual obligations.

**2.2. Suggested New Membership on the Faculty of Arts Council**

There are some categories of CUPE members presently excluded from participating in Faculty Council. This lacuna should be altered by inclusion in Faculty Council of representatives of these categories, i.e.,

2.2.1. Unit 1, teaching assistant (TA)

2.2.2. Tutorial leaders.

**2.3 Faculty Council T & P committee**

Contract faculty should be eligible to serve on the Council's T & P committee.

Rationale: To establish more equity between YUFA and CUPE faculty in the governance process at the most integral points where faculty are involved. For example, contract faculty with seniority and a competent record should be eligible.

**3. Conversion Issues**

We have to recognize that people have worked at York sometimes more than 20 years as contract faculty, without any promotion or other reward, and with many disadvantages, e.g., less time for research compared to their full-time tenured colleagues. This situation can be rectified, e.g., by considering the following.

3.1. What role does the Dean of Arts plays in implementing the conversion program?

We know that he has in many cases discouraged conversions that were promoted by some chairs. In doing so, the Dean is violating the collective agreement. The concerned parties are the academic vice-president and the union (article 23.03.1).

The Dean should actually promote conversions because such appointments are always cases in which the central administration subsidizes the Faculty of Arts - and more importantly because when someone is "converted" it usually means that they are simply being recognized (finally) for who they are and what they contribute.

3.2. Maximize the number of conversions

The Faculty of Arts should find a way to maximize the number of conversions.

Rationale:

1. Conversion should be considered as promotion. The long term use of contract faculty as contract faculty only is a denial of their academic potential.

2. Gender equity: Women contract faculty comprise one-half of total women faculty at York.

3. It is detrimental for the Faculty of Arts to slow down the pace of conversion because contract faculty are blocked unnecessarily and regular faculty renewal is compromised.

In 1987-1991, there were more than 6 conversions per year. However, since 1991, two things have happened:

-a slowing of conversion

-job reduction

"Actually, it is contract faculty renewal that is obstructed when there are too few conversions." [shared discussion with Dr. Richard Wellen]

3.3. Evaluation of Contract Faculty for Conversion

3.3.1. Employment equity survey

The employment equity survey jointly conducted by management and the union found the following:

"When asked how their status as "part-time", contract teaching faculty affected their opportunity to obtain a tenure-stream, full-time position (for those seeking the latter) members answered" with pessimism (e.g., if more than 10 years of service, 60% negative, only 13% positive).

"The survey also revealed further discrimination against contract faculty. Of those seeking full-time positions 75% had the qualifications considered similar to the average entry-level full-time appointee (1-2 publications) and 50% had qualifications (most with more than 6 publications) considered close to mid-career full-time faculty. This is despite much higher teaching loads " (Dr. Richard Wellen, CUPE research officer)

3.3.2. Long service contract faculty

3.3.2.1. For long service contract faculty (for example, 15+ years of service), I propose that they should be compensated for the damage to their career by being automatically converted if they obtained a Ph.D. and published a few articles in scholarly material (in journals or books).

3.3.2.2. For long service contract faculty who were not able to start or finish their Ph.D. (for example, 15+ years of service), I propose that a paid leave of absence of a certain specified period be given to them to help them undertake or complete it.

3.3.3. Recent contract faculty

As for more recent contract faculty, I propose that if they are offered a contract after 6 years of service, it should only be in the tenure stream.

4. Fund for conversion (Collective Agreement, Article 23.04)

4.1. "The fact is that $130,000 is allotted to conversion each year. Much less than this is normally spent. If the Faculty of Arts has been able to carry forward underspending from previous years, then some of this money should be spent on conversion because there is already accumulated money for conversion specifically." (Dr. Richard Wellen, CUPE research officer) A fund for conversion exists. The Faculty of Arts can have access to it. Where is this money? "This funding will normally cover the differential between the starting salary appointment and the cost of three full course directorships. The Employer shall make $130,000 available in incentive funding in each year of the Collective Agreement." (Collective Agreement, p. 80). Finally, incentive funding should be made available to the home department for each conversion on a permanent basis.

4.2. It seems there is a surplus of money, that the faculty budget has been cut more than needed. The Dean is thinking of spending it for new appointments (anonymous source). If this supplement exists, it can be used for the conversion process.

More rationale for conversion:

-See Diana Cooper Clark's article : "Equity now" and the Invisible Faculty" (Active Voice, Oct/Nov '97).

-"York University Contract Faculty positions are being systematically eliminated despite the numerous years of service by contract faculty, directly undermining both quality of education, academic morale and integrity" (the Action Committee for Contract Faculty, the ACCF). The problem is so big that Linda Briskin, in "Revisioning York" (Active Voice, June '97), wrote: "We must raise the issue of overload teaching by YUFA members, and the possibility of CUPE and YUFA joining together as one union."

-We have no benefits for our children. CUPE is the only union at York whose children have no tuition waiver.

-Our pension plan started only in 1988. As with full-time faculty, a good retirement plan is central to us; equity must extend to contract faculty.

- Etc..

**5. University Governance**

- Needless to say, the issue of governance of, by, and for contract faculty must also be considered at the university level, and not only the departmental and faculty level. I will be brief here, and provide only some select examples. First, at the university Senate, contract faculty should be fully and fairly represented. It is hard for contract faculty to commit ourselves to Senate committees before our course loads are established at the start of the academic year. Second, contract faculty should be fully eligible for all committees, including ones like hiring and Tenure and Promotions.

What I am criticizing here is the infrastructure governing contract faculty. This warped structure is debilitating to both contract and full-time faculty. The question of governance must not be seen only in a limited sense of rules and regulations; governance also concerns how we deal with the equity in our relationship with each other and in the justice of how CPU members are governed in the Faculty as a whole. The dilemmas of contract faculty are extremely connected with democracy because it is linked to a systemic injustice that leads to many types of abuses (personal and operational). Contract faculty need recognition for the contributions that they have made, make and will make. We need statutory order to protect faculty members from systemic injustices, which comes from legislative policy-making.

**6. Ombudsman**

To find a person outside the university community, with a legal formation or background, to advise and direct without prejudice to the unions. For example perhaps an ex-judge, to whom we can bring complaints that unions refuse to consider. (Derived in a discussion with a YEA member)

**CONCLUSION**

The exploitation of contract faculty is systemic despite their numerous years of service (seniority ranging up to 30 years) and done regardless of their qualifications and competence. Also York University contract faculty positions are being systematically eliminated despite the seniority mentioned above. An investigative process should be started dealing with abuses done to the mental and emotional health of our contractual colleagues. With solidarity with all my colleagues YUFA and CUPE, I am asking the Faculty of Arts to say NO to those systemic abuses that are eroding our values in the system of post-secondary education. We are facing a deep problem of governance that feeds not only our two-tiered faculty system, but which is also fed by our silence and passivity. Our battle is a battle of values. The Senate and the Board of Governors have significant roles in governance at York University; they are the ones that have to resist the culture of the golden calf and listen to our needs. Does "the Faculty of Arts Council has any significant role in governance"? To believe so, is it "to perpetuate an illusion"? (referring to a memo sent by David Bakan, on May 19, 1998). The unions YUFA, CUPE and the Employer should work together to see clearer. Why should we exclude some of our best contract faculty thinkers, denying them research time, benefits, decent salary, etc. Women contract faculty comprise one-half of total women faculty at York, and if these women lose their work, one-third of remaining faculty will be women (ACCF petition). Give a chance to women's creativity and understanding of our world without denying the rights of all contract faculty with just cause.

As a final conclusion, I strongly believe that there is enough material in this report about the problems facing Contract Faculty in the Faculty of Arts with respect to governance to warrant motions about their plight and solutions to and by Faculty council. In this guise, I suggest that the following recommendation, or possible motion, be considered by the Faculty Council, .

The recommendation, or possible motion, that is being suggested follows. The policy of the Faculty of Arts should be to actively recommend and promote the creation of a joint YUFA-Contract Faculty ad hoc Committee (of the Faculty of Arts) to understand the situation of Contract Faculty and to deal with their grievances and governance. Such a committee could be established in the Arts Faculty Council and in the University Senate. Senate jurisdiction is vital to implement improvements for contract faculty.

The rationale for this recommendation, or possible motion, follows. The question of governance must not be seen only in a limited sense of rules and regulations; governance also concerns how we deal with the equity in our relationship with each other and in the justice of how CUPE members are governed in the Faculty as a whole. As a contract faculty member, I believe I am included in the committee in order to address contract faculty concerns. I have consulted extensively about this recommendation, or possible motion, and its corollary suggestions with my colleagues and I believe that the committee has to voice our concerns in the most efficient way. Governance includes allowing the expression of minority opinions and the opinion of minorities. This recommendation, or possible motion, and its corollary suggestions reflect this principle. Kindly consider them in order to eventually present them to Council.

As part of its duties, the proposed joint committee should recommend to Council how Council may best establish a more democratic, inclusive, accountable, and collegial governance of the faculty as it relates to contract faculty. The joint committee may consult with and receive submissions from all interested parties, within and outside the faculty, university, and university community. All parties relevant to the deliberations of the committee (e.g., the faculty dean's office, the office of the vice president responsible for contract faculty), should be advised that their cooperation is imperative. The joint committee shall seek to clarify the contributions of existing administrative structures, roles, rules, and personnel to the democratic, inclusive, accountable, and collegial governance of the faculty as they relate to contract faculty, as well as to recommend innovations. In this regard, the committee should, in particular, examine in depth the issue of conversion of contract faculty to tenure stream faculty. In so doing, the committee should be guided by the fundamental postulate that the policy of the Faculty of Arts should be to actively promote and recruit conversion appointments for contract faculty and to consider such appointments as a legitimate and regular form of promotion; Recruitment should be regarded as part of the duties of departments; the Faculty should take every opportunity to promote this policy to the central administration. And in order to implement this policy, the committee should recommend that the number of conversion positions allocated to the Faculty of Arts should be significantly increased. The committee should support the idea that it should be made clear (and therefore stated on all postings) that each tenure stream opening in the Faculty of Arts will be open equally to all qualified contract faculty, and that the quality of these applicants will be judged from the perspective that their career paths have been significantly altered by their contract faculty experience. In addition, the joint committee should promote the idea that each department should have explicit rules of governance consonant with faculty and university regulations. These faculty and university regulations, by which each department shall abide, should always include meaningful participation and fair representation on the part of contract faculty, and should never be exclusive of contract faculty (e.g., in any form of voting procedure involving the department, including any involving tenure and promotion and hiring). These regulations should be made clear to support and develop article 15.11 (on participation) of the CUPE Unit 2 Collective Agreement.

The suggestion of a joint YUFA-CUPE working committee should be sponsored by the governance committee in order to foster stronger links between the two unions, in general. Unit 2 is a vulnerable segment of the university faculty, without protection, that has been cut back from about 1400 to about 700 members since 1992. Contract Faculty supported YUFA in their strike, even joining them on the picket lines. It has become clear to me that the fight for Contract Faculty rights is a broad one that must go beyond the committee level. Perhaps, YUFA can use its newsletter to inform its members about the insecure working conditions of their CUPE Unit 2 colleagues who work in the shadows. Ultimately, I will request that YUFA supports the position that Contract Faculty who are senior, competent and qualified should all be converted to YUFA faculty. The current conversion rate is abysmal, and it is our only tool for promotion, permanence, and security. The two-tiered system negatively affects student education and leads to injustices for us, all of which the administration presently seems to disregard; YUFA can help in our struggle to obtain better quality education for students and to obtain the professional dignity and justice that we deserve. The interests of colleagues in YUFA and CUPE converge. They should be helping each other in their reciprocal and complementary struggles. Solidarity provides a larger, uniform block, harder to dismiss and easier to energize. Each union is fighting for its rights independently for the most part, and thus in the current climate there is potential not only for interunion cooperation but also competition, so that unfortunately the latter may grow if future developments foster it. Instead of having one union playing off against the other by extraneous forces, it is time to coordinate better and more expansively their strategies and work for their mutual benefit in joint, official, ongoing, regularized union activity.

Dr. Lélia Young

French Studies

N 710 Ross

736-2100. Ext. 30183

lyoung@yorku.ca

Note: This document is meant to be available to all who wish to consult it.

cc.: President Lorna Marsden, David Clipsham, Chair (1997-98)

Office of the President, S 949 Ross YUFA

Vice-President Michael Stevenson, Penni Stewart, Chair (1998-99)

Office of the Vice-President YUFA

Academic affairs, S 939 Ross

Dean George Fallis Miriam Yaacov, Chair (1998-99)

Office of the Dean of Arts, S 930 A Ross CUPE 3903

**Appendix I**

Comments by Dr. David Bakan, Professor Emeritus, on Dr. Lélia Young's memorandum of November 21, 1997 (appended with his permission)

Subject: Re:L.Young's memo of November 21, 1997

Date: Sat, 22 Nov 1997 18:30:59 -0500 (EST)

From: David Bakan dbakan@yorku.ca

To: gov@mathstat.yorku.ca

November 22,1997

Some comments on L. Young's memorandum of November 21, 1997

Let us distinguish between two sets of issues: First, the existence of a distinct two-class citizenry in the qualified faculty at York University. Second, the governance issues which are involved. The two issues are, of course, intimately related.

The proposals with respect to conversion, Ph.D. and 15 years of service, automatic conversion, 15 year service to be aided with a year's paid leave of absence to complete PhD, where not held, and for new contract faculty, evaluation for conversion automatic after 6 years, are sound and just. If these three things were made a matter of policy, it would go very far towards solving the two-class citizenry in the qualified faculty problem at York University.

Short of that there are the matters of direct governance involved, such as the voting rights of contract faculty. These are clear governance issues, which the Committee should address directly.

In the larger sense the whole thing is a matter of direct concern to our committee because it involved the governance power of the faculty with respect to the two things. APPOINTMENTS and BUDGET.

With respect to Budget. The Administration has regularly been taking money out of the Operating Budget, which is supposed to pay Academic expenses, and putting it into Savings and Investments, Capital expenditures and covering deficits in Ancillary activities. It has reduced the complement of regular faculty, other teaching personnel, and allowed the number of students to increase.

The matter of Appointments covers the question of the conversions. Here there is no opening of any serious discussion, unless there were budgetary provision.

The governance question here is that there is no serious consultation in any systematic way at all in these matters.

David Bakan

**Appendix II**

Excerpt from "Notes From Meetings, February 23, 1998, Marla Chodak. Comments by Dr. Richard Wellen to the Governance Committee (aappended with his permission)

- Mr. Wellen then joined the meeting and was invited to address issues relating to contract faculty in the context of governance

- he expressed concern about the extent to which contract faculty can participate in governance and the collegial system: they are excluded from involvement in some departments and cannot sit on tenure and promotion committees - there was, he suggested, no good rationale for this - furthermore, voting rights are not enforced strictly and it was not clear that lists were kept current - he suggested that the requirement that contract faculty hold CDs be rethought in light of the Foundations programme which gives them more autonomy and responsibility for the curriculum than they previously had; distinctions between CDs and tutorial leaders are now fuzzier - he remarked that their status as contract faculty handicaps them; they should automatically be considered as collegial participants - rules in departments should be standardized re. participation - he observed that departments (including opportunities for continuing work) seem to be controlled by tenure stream colleagues without recognition that contract faculty are doing the same kind of work as those.

- Professor Drummond observed that there may be impediments to participation beyond those in formal rules; for example, full-time faculty are expected as part of their jobs to engage in service, while contract faculty are not paid to do so; an argument could be made that they should be paid for this but it is difficult to ask them to take an active part in governance when they are teaching heavy loads and may also be teaching elsewhere.

- Mr. Wellen agreed that this is where the real impediments lie - contract faculty used to participate when they could aspire to conversion appointments - contract faculty are regarded as a "contingent" work force; they are assigned courses at the last moment or have courses taken away from them after they have taught them - he suggested that there should be a set of policies which would allow their recognition - Arts should define promotion to include conversion and affirmative action appointments for CUPE members - at the present time, units which would like to make conversion appointments are told that conversion appointments would have to displace other appointments - if conversions were considered promotions, entitlement decisions could be centralized and adjusted to cover the conversion programme - he added that there is funding for 6 conversion appointments per year but Arts has not tried to use this opportunity.

- it was noted that the complements policy invalidated the logic enshrined in the contract around conversion appointments - departments can advertise more widely if they make regular appointments - there is also concern that contract faculty may not be able to meet the requirements for tenure - Mr. Wellen stated it was his understanding that department chairs were in favor of a change in this policy - this would be healthier for departments and faculty - otherwise, we will lose people and contract faculty will become more demoralized - if contract faculty did not achieve tenure, they could go back into the CUPE bargaining unit, but they should be given the opportunity to do so

- Arts could take a lead in this area - he referred members to a publication entitled The Invisible Faculty for further information on the situation of contract faculty at York and beyond.

- it was noted that to effect changes such as those suggested by Mr. Wellen more than a Faculty Council motion would be required - they would have to be discussed and negotiated among YUFA, CUPE, and the administration.

**Appendix III**

Some salient suggestions/solutions made by

Linda Joan Paul, "Dilemmas and Solutions for Part-timers," CAUT Bulletin Insert, Status of Women Supplement

1998, 45(4)

1. - administrators must be willing to care for and help meet CF "employment rights and needs"

2. -if possible, full time and CF faculty should be in the same union

3. -at the University of Windsor, for long term CF, salary is pegged at 80% of the minimum corresponding salary of equivalent full timers, up to and including associate professors

4. -At Queen's, long term CF can be promoted to assistant and associate levels

5. -yearly standard of living increments, merit pay, pay for canceled courses; more pay per course for long term CF; accountable allowance, bonus, more pay relative to full time overload teaching, cap on class size

6. -office for a full year once any course is assigned; library privileges before classes begin, and throughout a full year once any course assigned; also use of facilities like the gym and pool

7. -beginning of year faculty introductory wine and cheese party; career-termination recognition

8. -opportunities to obtain full time status

9. -benefits: pension, sick pay, dental, insurance benefits, long term disability, pregnancy/ parental/ adoption leave, counseling

10. -money for research, travel, memberships, personal development

11. -pay for committee work, student advising

Also, see attached corollary article by Jennifer Mather from the same CAUT Bulletin issue, on page 2, on "Fostering Women's Full Membership in the Academy"