

# CUASA COMMUNIQUE

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## FACULTY REPRESENTATION ON THE BOARD OF GOVERNORS

by Mark Langer

In May 1993, the final report of the Task Force on University Accountability was finished. This report suggested, among other things, that faculty, students and support staff each be represented by two directly elected representatives on university boards of governors. The Task Force report further suggested that the heads of faculty, staff and student associations be given *ex officio* non-voting membership on boards of governors.

In his 28 October letter of response, addressed to David Cooke, Minister of Education and Training, President Farquhar alleged that direct election of faculty to the Carleton Board of Governors is unnecessary, that Senate representation on the Board of Governors guarantees faculty representation. Farquhar cited Article 6 of our Collective Agreement as proof.

But the Collective Agreement does not state that Senate represents faculty on Carleton's Board of Governors. With the assistance of Michel Gaulin and Don McEown, we conducted a fruitless search through the New University Government document, the Carleton University Act, etc. for a single statement clearly indicating that Senate representation on the Board constitutes faculty representation. No such statement exists.

Despite this, management insists that since Senate nominees to the Board must be faculty members, they constitute faculty representation. CUASA maintains that the requirement that Senate representatives be faculty members is a **selection criterion** and that an individual is **representative only of the body that elects that individual**. Senate nominees to the Board can be nominated by **any** Senate member, including those elected by students or

appointed by the Board of Governors. In no way can this be construed as a direct election of faculty representatives **by the faculty**.

CUASA President Shirley Mills informed the Minister of our opinion that Senate representatives on the Board of Governors only represent Senate. Although students and support staff directly elect representatives to the Board of Governors at Carleton, there is **no direct faculty representation on the Board at Carleton**.

Other universities distinguish between Senate and faculty representation. For example, Wilfrid Laurier, McMaster and the University of Western Ontario have both Senate representation and direct faculty election of representatives to their Boards. These institutions differentiate Senate's function on the Board of Governors (which is part of the normal consultation process between two governing bodies within the institution) from the meaningful participation of major stakeholders (students, support staff and academic staff) in the deliberations of the Board of Governors.

In his letter to the Minister of Education and Training, President Farquhar rejected the inclusion of *ex officio* non-voting union members of the Board of Governors because the Board fears that unions would "embarrass the management before its superiors". Shirley Mills has written to both the President and the Minister expressing CUASA's bewilderment at this.

CUASA has a long record of cooperation with management on such initiatives as Transition Assistance Funding, University Restructuring Fund and the challenges posed by the Social Contract legislation. Indeed, only eleven days after writing to the Minister, President Farquhar commended us in writing for



"CUASA's good corporate citizenship".

The University of Ottawa's Board of Governors includes a non-voting representative of their faculty association who is free to speak on all matters. At Carleton, despite the President's praise for us, our participation would be an embarrassment.

CUASA's certificate, granted under the Ontario Labour Relations Act, forbids union membership for faculty nominated from the Senate to the Board of Governors. In practice, this has not depleted CUASA's membership. Over the last 19 years there have been, at most, only four nominees from Senate who were not already excluded from our union as members of management. Management represents Senate on the Board. Since 1975, only two women have been Senate nominees and there have been no visible minority nominees. This is the face of management, not of the faculty as a whole. CUASA believes that management opposes direct election of faculty to the Board because they wish to represent themselves as the sole voice of faculty.

Staff and students already have directly elected representation on the Board. CUPE2424's representative is not excluded from the bargaining unit, and may, therefore, represent the interests of that employee stakeholder group. As for our stakeholder group, CUASA does not believe that members of management function as our representatives.

The Task Force proposals for reform promote a spirit of inclusion, equity, non-discrimination and a sense of community ownership. CUASA endorses this spirit. Management's defence of the status quo is no more than an imposition of management power on the democratic will of the academic staff. The Board's University Relations Committee will probably continue to recommend maintenance of the status quo. CUASA will press our case with the Board of Governors and with the Minister of Education and Training. The future promises to be difficult for universities in Ontario. It is imperative that directly elected academic staff voices be heard when the Board of Governors deliberates the issues that lie ahead.

Senate, on February 11, unanimously supported directly elected academic staff representatives on the Board.

#### PROFESSIONAL EXPENSE ALLOWANCE

Because the collective agreement has been extended to April 30, 1996 you may carry forward all or part of your professional expense allowance from 1993-4 to 1994-5. You must provide written notice of intent to do so to your dean/university librarian no later than April 30, 1994. The \$600 allowance may be used for the purchase of items related to performance of professional/teaching duties, books, equipment, memberships in professional associations and/or travel related expenses not covered by or in excess of other travel grants. Moneys not used by members are retained by the employer. (Article 40.13)

#### CAUT FEBRUARY BULLETIN/TAX GUIDE

Your copy of the CAUT Bulletin for February contains the tax guide. CUASA receives no extra copies of the Bulletin so cannot replace missing or lost copies. The office has one copy of the tax guide which may be consulted in the office.

Co-operation is spelled with two letters -- WE.  
*George M. Verity*

#### CAUT CIVIL LIBERTIES DEFENCE FUND

CAUT has established a charitable trust called the Civil Liberties Defence Fund. This fund is intended to support the interest of CAUT members on a wider basis than the cases dealt with by the Academic Freedom and Tenure Committee. The fund can only use interest until the capital exceeds \$100,000. Currently the fund has less than \$6,000. CAUT is seeking charitable contributions to increase this amount. CUASA Council directs members' attention to this tax deductible fund in support of academic interests. Address for donations: CAUT Civil Liberties Defence Fund, c/o Executive Director, CAUT, 2675 Queensview Dr., Ottawa, K2B 8K2. Please make cheques payable to The CAUT Civil Liberties Defence Fund.

#### HOUSING NOTICES

Ottawa South close to C.U. fully furnished 3 storey 4 bed house, study, family room, central air, driveway, 2 adult cats (negotiable). 1 Sept.94-June 95. 788-2600 x6638 or 730-2098.

Glebe fully furnished duplex, 2 beds, 2 studies overlooking park, dishwasher, laundry, sunroom, no yard. Quiet/careful tenant(s) who will look after apt. July 94-Aug.95. \$950/mo. 788-2600 x3751

