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Review of VIUFA's Relationship with the Federation of Post-Secondary Educators

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1. Background

In 2017, the VIUFA Executive completed a review of the association's membership in the Federation of Post-Secondary Educators (FPSE) and recommended that a review of VIUFA's affiliation with FPSE be conducted every 5 years. This report is a preliminary analysis of the current relationship, and the benefits of, and concerns with, that membership.

In 2017, the review concluded that though "there have been troubling elements to VIUFA's membership in FPSE, the recommendation of the VIUFA Executive is to stay with FPSE and work for change within the organization." It advised that VIUFA monitor: 1. the development of FPSE's Strategic Plan to develop a coherent organizational focus and strategy; 2. Labour Relations support and the fees associated with it as it relates to VIUFA's own in-house counsel; 3. collaboration with other FPSE locals to discuss shared concerns.

The subcommittee in 2021 interviewed 20 current and past VIUFA Executive and Committee members, consulted with VIUFA staff on dues calculations, considered FPSE's Constitution and Bylaws, referred to information available on FPSE's website, reviewed relevant communications and reports, including the report conducted by Thompson Rivers University Faculty Association (TRUFA, local 3) in 2011.

2. FPSE Governance

FPSE includes over 10,000 members at 20 autonomous locals across BC, "providing resources and support and advocating for workers' rights and benefits since the College Faculties Federation first formed in 1970" (www.fpse.ca/about).

FPSE's President's Council (PC) is comprised of all local Presidents plus the 6-member Executive Committee (President, Secretary-Treasurer, 1st and 2nd VP, and 2 members-at-large), which is elected at each AGM; PC is the main decision-making body between AGMs. The Executive Council members have a voice with no vote at regular meetings and each President has one vote, regardless of the size of the local. VIUFA is the sixth largest local and our current VIUFA President is also serving as FPSE's Second Vice-President on the Executive Committee.

FPSE employs labour relations, communications, and administrative staff, as well as an accountant. Twelve standing committees, comprised of locals' elected representatives by portfolio, engage in discussion on relevant topics, organize specific initiatives and forge resolutions to influence the direction and focus of the annual work of the organization. Full terms of reference for each of the following 12 committees is available on the FPSE website:

- Bargaining Coordination Committee
- Contract Administration Review Committee
- Decolonization, Reconciliation & Indigenization Standing Committee
- Disability Management & Rehabilitation Committee
- Education Policy Committee
- Human Rights & International Solidarity Committee
- Non-Regular Faculty Committee
- Pension Advisory Committee
- Private Sector Policy Committee
- Professional & Scholarly Development Committee
- Status of Women Committee
- Workplace Health, Safety & Environment Committee

FPSE is a member of the BC Federation of Labour, the Canadian Association of University Teachers (CAUT) and its National Union (NUCAUT), and the Canadian Labour Congress (CLC). This positions the Federation in a network that works for “quality public services, good jobs, positive working conditions, and strong benefits.” In addition to its focus on bargaining and the negotiation of collective agreements, pension investments, and grievance and arbitration between employees and employers, FPSE offers training opportunities to increase skill in “labour relations, bargaining, organizing, political action and communications.” FPSE also organizes social justice, equity, and labour campaigns, increasing awareness of human rights issues across the sector. This activism is encapsulated in this fundamental principle: “What we desire for ourselves, we wish for all” (www.fpse.ca/about).

For more information, see **APPENDIX 1: Purposes and Principles, FPSE Constitution** (www.fpse.ca/sites/default/files/imce/uploads/Constitution-20181116-web.pdf)

3. FPSE Dues Structure

FPSE's key source of revenue are the dues paid by member locals. In 2016-17, VIUFA paid \$356,390 to FPSE, approximately 45% of VIUFA's annual budget. In 2020, the total dues paid were \$441,791.63. VIU collects dues from all VIUFA members on every pay cheque, at 1.8% of each member's gross payroll, reports monthly on the amount of dues collected, and pays dues to VIUFA via direct deposit into the association's bank account. VIUFA then remits a portion of total dues to FPSE via cheque. Currently, we pay 0.9% of our members' salaries to FPSE (of which 10% is directed toward the FPSE Defence Fund).

4. Benefits of FPSE Membership

During the 2021 review process, all 20 interviewees had experience on FPSE standing committees, had attended one or more AGMs, and/or had become familiar with FPSE during the 2010 VIUFA strike (during which FPSE distributed Defence Fund payments that extended strike pay for 5 weeks and that allowed for hardship loans). Most interviewees felt that engagement in FPSE standing committees was more valuable in the second year of a representative's service, as there is a learning curve in regard to meetings structure, communications style, resolutions development, reporting processes, etc. Generally, interviewees indicated

VIUFA membership in FPSE positioned us in a larger collective that enables our affecting more change in the sector through active leadership, engagement, and financial commitment to a strong labour movement. More specifically, interviewees cited the following benefits:

Solidarity and Relationship Building: FPSE affords members diverse networking opportunities, connecting representatives in parallel positions across the province, enhancing communications between faculty associations, and informing reps about how issues are tackled at other institutions. This empowers members to share research and to consider a range of solutions to shared concerns while identifying ideological allies and drawing on collective expertise. Interviewees valued the opportunity to look at issues from an intersectional perspective, which gives like-minded committees the chance to coordinate meetings and discuss common priorities.

Because of the difficult and confidential nature of disability claims, contract negotiations, and grievances, local reps are often not able to discuss specific circumstances in their portfolios, and without FPSE's institutional knowledge and sectoral influence, it would be impossible to support local members. Some cited the mental health benefits of belonging to an affirming organization that reminds us of the strength in the larger community. FPSE is described as affording greater peace of mind, re: employment protection and fair labour advocacy. As all members have unique contract provisions and relationships with their faculty and employer, they felt membership is less about sector compliance than it is about sector solidarity and shared knowledge.

Legal Counsel: In grievances and arbitrations, VIUFA benefits from FPSE's access to an archive of precedents and strategies used in previous cases in the sector, and from financial resources needed to proceed with protracted (4-6 year) conflicts that can cost \$150K-\$200K. FPSE's knowledge of parallel cases at other institutions and successful approaches gives VIUFA significant advantage when similar cases arise locally. The additional funds also allow VIUFA to assist CUPE strikers and mitigate personal hardships within and beyond our own membership. Although VIUFA is unique in hiring a Labour Relations Advisor who has worked at one of only 3 unionized law firms in the country, VIUFA does not pay Bar Association fees so this position cannot directly represent VIUFA in arbitrations; VIUFA relies on FPSE for these services.

Bargaining and Contract Negotiations: Nearly all interviewees mentioned the value of this ongoing support and commented on the need for continued advice and perspective from FPSE experts and colleagues at other locals. Access to information about bargaining trends across the sector, and to common table history, harnesses the power of coordinated bargaining and joins disparate groups. Unlike the BCNU or BCTF that bargain one contract, the post-secondary sector features multiple contracts – where one local makes gains, other locals can improve their working conditions too, so discussion of common sector-related problems is crucial. Though FPSE locals are different sizes, with diverse programming and issues, and it is challenging to represent local issues while also participating in sectorial debate on topics that do not affect all contracts in the same way (i.e.. regularization, academic freedom, workloads), VIUFA's involvement supports advancements in post-secondary generally. This allows us to compare contract language quickly and easily. FPSE helps with preparation, communications, research, and the sharing of critical information. Sector-wide support propels confidence going into both strikes and negotiations.

Training, Professional Development, Mentorship: FPSE coordinates workshops, conferences, summer institutes, and specialized sessions on labour issues from parliamentary procedure to steward training, which increases capacity and augments succession planning at each local. Many interviewees commented on the value of these educational opportunities in serving both VIUFA and FPSE committees. The Canadian Labour Congress' annual winter school, BC Federation of Labour initiatives, the Summer Institute for Union Women, CAUT and NUCAUT AGMs, the FPSE spring conference PD sessions, workshops at FPSE AGMs, and travelling HRISC Speakers' Tours and visiting delegations increase competencies in labour relations and activism, share the cost of bringing experts to multiple campuses, and build solidarity.

Rights Advocacy: Being affiliated with a larger organization increases our clout in lobbying for faculty rights and campaigning for funding in the post-secondary sector, but it also leverages strength on specific issues like ethical investing in the pension plan to divest from carbon and mining in favour of sustainable energy. VIUFA has spearheaded environmental, Indigenous, human and gender rights, and anti-racism events and campaigns that have ultimately been adopted by FPSE and local unions; these valuable initiatives would have had significantly less impact if attempted only by one small local.

5. Concerns and Challenges Related to FPSE Membership

Responsiveness to Broader Membership: Most interviewees felt that FPSE's administrative structure needs to be more transparent and receptive to the broader membership, building more opportunities for discussion with locals beyond PC and the AGMs. This should involve more frequent and meaningful consultation on common issues, better access to training, and more regular updates from head office regarding meetings with provincial officials. Interviewees felt FPSE should have a higher media profile and marketing presence to engage the public in labour issues; targeted outreach and fiscally prudent educational campaigns are essential.

Governance Structure: Several felt the governance model of FPSE has not kept pace in the last 10 years, and that the policies and procedures, mission, value, direction, and vision need to be more efficient, less bureaucratic, and lead more clearly to tangible action. This includes onboarding Presidents, and revisiting voting structure at PC where representation should be based on faculty size rather than allowing 3-4 (often small) locals to have disproportionate sway, especially if their Presidents are too invested in their own local's issues vs. more universal matters. Small locals currently seem to resent bigger ones, and this can dominate discussion; locals who are threatened by change can ambush resolutions that don't benefit them personally. When resolutions are made, they should be integrated into FPSE practices comprehensively and locals should be strongly encouraged to have their own member unions mirror those examples. Other inefficiencies, such as surveys taking a year to report findings, have been noted. Finally, there was a feeling the FPSE President term should be capped at 5 years, that non-reg reps should be voting members at PC, and that all member locals should pay dues and remain in good standing to maintain their voting privileges.

Fiscal Responsibility: There was concern voiced about the need for fiscal transparency and astute budgeting, and questions arose about both the operating fund as well as the rules governing spending of the Defence Fund. The feeling was that the Defence Fund reserve should not be used for special projects; VIUFA dues designated to the DF should only be used for this purpose. Staffing costs, meetings expenses, large campaigns, small initiatives, and subsidies for travel and per diems, should all be communicated clearly and managed more responsibly. Interviewees felt committees should have a set budget to be used at their discretion that should not have to wait for PC approval if they are to be nimble and effective. Although many members liked the idea of holding AGMs in small, rural, campus communities, they feel better access and lower costs can be achieved by having AGMs in the lower mainland campus locales. This also reflected a feeling that FPSE needs to be more conscientious about the environmental impacts of travel and customize which committees could continue to meet remotely vs. a return to f2f format.

Committee Structure: Several interviewees suggested committee meetings were less effective than they could be due to timing and lack of focus, and that fragmented communications between local reps due to high turnover of positions, lack of accountability for accomplished goals, and confusion regarding the intent of resolutions arising from committee discussions, made for inefficiencies. Some felt the committees were operating in silos without clear TORs resulting in slow progress or overlooked concerns. Many felt the Climate Change Committee was particularly important, but had little power in the current governance structure. Many felt FPSE staff and committee chairs should also ensure that a few vocal people do not dominate the debate and that the discussion remain focused and constructive. Five-year term limits on committee chairs might also improve the above dynamics. Meetings could be re-envisioned for efficiency and sustainability, especially with respect to the typical Friday/Saturday timing, hotel costs, childcare, travel, and

food i.e. minimizing costs strategies need to be implemented. Understanding that local bylaws do not always align with FPSE's structure, efforts should still allow for reasonable turnover and succession of committee members, and recruiting non-regulars who are typically underrepresented. Greater racial and gender diversity in local and FPSE representation should be a clear priority for all committees. Other related concerns include the need for greater incorporation of Indigenous ways of knowing in committee structure, greater advocacy for paid releases across committee positions, and more onboarding training for new members as it can be a burden to attend multiple meetings to do advocacy work that is emotional and draining.

Prioritizing Equity: As noted above, many interviewees felt the FPSE executive did not reflect equity goals in terms of diversity, and that anti-racism, BIPOC, gender, orientation, ability, and cultural equity should be front of mind, and on all agendas as an ongoing priority. FPSE should actively recruit this representation.

Value in Bargaining: The contract is up for bargaining in 2022, and many felt we need to be confident in FPSE leadership by then, despite VIUFA bargaining team's strengths. Currently, the common table is about helping others and advocating for the sector, but there should also be gains for non-regulars and ROFR and salary increases in step with other institutions in the sector nationally. Several felt VIUFA's allies at Emily Carr, Capilano, TRU, and Kwantlen should expand to include additional locals from FPSE's 20 members.

Compensation for Legal Counsel: Having our own labour law expert on staff is invaluable and has meant we have accessed FPSE legal services significantly less than other locals with respect to grievances. Interviewees suggested we should be paying lower annual dues to FPSE as a result. However, FPSE Bylaw 1.1.5 states: "The underlying principles of the distinction between services received by regular and associate members are that: an associate member local has routine access to general services, but has only restricted access to those services particular to the local itself; and an associate member local has access in bargaining, contract administration, and legal services to consulting, but not to representation" (FPSE Policy & Procedure Manual p. 40). This does not allow current regular members to alter their status to Associate Membership (which pays 2/3 of regular dues and has limited access to some services), because it would deny the member access to the Defence Fund. There are currently no Associate Members in FPSE.

AGM Voting: There were concerns about undemocratic voting procedures at the virtual AGM where individuals should be able to vote independently rather than as a union block, and resolutions needed to be edited, reference broader contexts, and be prioritized collectively. In 2020, there was a "two camps" mentality that was divisive and this schism needs to be addressed.

Missed Opportunities: BC government lobbying hasn't been successful despite the cost of campaigns like Open Doors. If FPSE had a research analyst to leverage the numbers and create a compelling narrative, perhaps around international student enrollment, this could change and target embassies, premiers, Ministers of Education, etc. It was also felt that Fair Employment Week was not a good use of time and money for non-regular reps and needs reimagining.

6. Conclusion/Recommendations

Of the 20 interviewees consulted, the vast majority felt VIUFA should remain in FPSE, but demand more value for its dues by making the concerns above known to the Executive and PC so that action on these issues can be monitored and revisited. The sense from all was that we need to see greater attentiveness to these concerns and value for money with respect to FPSE's advancement of interests for workers in our sector. All acknowledged that FPSE was in transition, and we need to see how the new guard defines its vision and mandate, given that the pandemic made for a less-than-normal year on the heels of new leadership.

Given this, the majority felt it was not the right time to leave, but it was the right time to urge FPSE to harness its collective power and labour connections more effectively in order to make reforms both within the Federation structure and in the post secondary sector. Most agreed we should work with FPSE to initiate these discussions among the larger membership. If these concerns are not taken seriously and addressed,

withdrawing from FPSE, or becoming less than a full member may be an option, though several cautioned that alliances with other similar institutions may sacrifice clout, solidarity, and connections with CAUT and other organizations, thus giving VIUFA less of a voice and possibly risking colonization by larger research-intensive institutions. In recruiting executive members of VIUFA, we need to look for people who can take on these concerns, increase membership involvement generally, and keep these issues on the agenda both locally and at FPSE.

APPENDIX 1

Purposes and Principles, FPSE Constitution

(www.fpse.ca/sites/default/files/imce-uploads/Constitution-20181116-web.pdf)

3. PURPOSES

The purposes of the Federation are:

- 3.1. To foster and promote the objectives of post-secondary education in British Columbia.
- 3.2. To improve the economic and professional welfare of post-secondary educators, including faculty and staff, by organizing, providing assistance and support.
- 3.3. To foster effective communication and cooperation between member organizations and with other constituencies within BC's post-secondary education system.
- 3.4. To work with other groups concerned with post-secondary education to create an environment which will better serve provincial and community needs.
- 3.5. To act as the voice for member organizations on matters of provincial or national scope, while recognizing the need to preserve the authority of member organizations in matters of local concern.
- 3.6. To seek effective representation on all relevant bodies dealing with policies affecting BC's post-secondary education system.
- 3.7. To encourage inter-institutional cooperation, rather than competition, among member organizations and their own members in post-secondary education.
- 3.8. To provide support, including a strike/lockout Defence Fund and a disputes policy, to achieve satisfactory resolution of disputes.
- 3.9. To foster cooperation between member organizations in matters of professional development activities.
- 3.10. To assist member organizations in labour relations with employers.

4. PRINCIPLES

The intent and effect of the Constitution, structure and operation of the Federation shall be such as to satisfy the following:

- 4.1. To represent the interests of its member organizations as established by the Annual
- 4.2. Maintenance of local autonomy on all issues not assigned by the Constitution to the provincial body.
- 4.3. Greater strength and credibility in making policy statements on a provincial level.
- 4.4. Increased ability to provide management and information services on a centralized basis.
- 4.5. Greater continuity of resources, services and personnel.
- 4.6. Coordinated relationships with other resource groups.
- 4.7. Stable commitment by member organizations.
- 4.8. Maintenance of the right of each member organization to adopt central bargaining or to retain local bargaining.
- 4.9. Recognition of, and respect for, the individual needs and interests of member organizations.
- 4.10. Authority for the Presidents' Council, between Annual General Meetings, to make policies in areas assigned to the Federation by the Constitution, provided such policies are not inconsistent with Annual General Meeting decisions.

- 4.11. Provision for, and encouragement of, exchange of information on economic welfare and other terms and conditions of employment, and provision of assistance in the area of labour relations.
- 4.12. Establishment and promotion of guidelines for professional and ethical standards for members

APPENDIX 2

Dues Calculation, FPSE Constitution



Vancouver Island University Faculty Association
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250-740-6339 viufa.ca

Sample Data for FPSE dues paid: January 2021

675 unique members paid dues for a total of \$67,042.92.

VIUFA then remits a portion of these dues to FPSE.

Currently, we pay 0.9% of our members' salaries to FPSE (of which, 10% is directed towards the FPSE Defense Fund).

The calculation is: $\frac{\text{total VIUFA dues}}{1.8\%} \times 0.9\% = \text{total to be paid to FPSE.}$

\$67,042.92 membership dues collected

Divide by 1.8% = \$3,724,606.67 (our members' gross income for that month)

Multiply that figure by 0.9% to reach our total payable to FPSE: \$33,521.46.

Of that payment, 10% goes to the Defense Fund: \$3,352.45
and 90% goes to the regular operations fund: \$30,169.01