

Report from the Chair, Grievance - Jesmen Mendoza

It has been a busy start to this Fall's academic term! In total, nine new grievances have been filed with the Administration, and they are in various stages in our grievance procedures since September. The majority of the new grievances filed have been either in promotion denials, or unjust disciplines. Launching these new grievances have been done not only to support our affected members, but also to protect our processes and values articulated in the collective agreement.

Apart from the nine new grievances filed, I am also happy to report that three grievances filed in early 2018, reached a resolution. Of these three grievances, two reached a settlement before the summer hiatus began, while the other was settled by the end of September. However, there continues to be an additional 13 active grievances, that are also in various stages in the grievance procedures or are headed towards arbitration. The Association is working diligently to find resolution to these matters in a timely way.

One more issue to mention is with respect to the Kaplan Award regarding Faculty Course Surveys (FCS). We continue to meet with the Administration to ensure that the award is being implemented properly, such as a joint committee being formed to consider and revise the current FCS. What's important to note about this award is that although it arose from an interest arbitration that only applies to our Collective Agreement, it has had an impact on our sector. At a recent meeting of grievance officers at the Ontario Council of University Faculty Associations, some member associations reported that their respective university administrations initiated discussions to discuss revising their own student evaluations of teaching. With respect to this Award, I wanted to acknowledge Sophie Quigley and Ian Sakinofsky, who have worked hard to represent our interests, and especially to Sophie who has provided incredible leadership as the Grievance Officer for this grievance and matters, like the Award implementation, that have flowed from it. Sophie and Ian, I am very grateful for your continued participation with this important issue to our members.

Finally, not all issues that members bring forward to the Association become a grievance. The Association works diligently to take reasonable steps at resolving a member's issue(s) under dispute. Currently, the RFA is managing many cases, ranging from discrimination and civility, to tenure and promotion. We encourage all members to bring forward any concerns that they might have, no matter the size.

Grievance Committee

The purpose of the Grievance Committee is to deliberate and make recommendations as to how a particular grievance may proceed. Much thought, effort and deep listening is needed when they make their invaluable comments and recommendations to me, during our deliberations. I very much appreciate the time that each member puts into this committee. Each member has provided support without hesitation and each has readily volunteered to act as co-Grievance Officer on select matters. I want to recognize this committed and dedicated group of individuals here. The 2018/2019 Grievance Committee members are:

- Susan Cody
- Corrine Hart
- Jennifer Poole

In addition, our President, Ron Babin, sits on the committee ex-officio, and Andre Foucault, our Director of Labour Relations, along with Shiraz Vally, Labour Relations Officer, also participate. Quite recently, Catherine Ellis was on this committee, but stepped down to serve as chair for her department. Thank you Catherine, for the time that you spent with us!

Report from the Chair, Equity Issues - Tariq Amin-Khan

The Equity Committee will be holding an important event: *Doug Ford's Attack on Education* in RCC 204 at 6:30 PM on November 7, 2018.

In August/September 2018, the Equity Committee worked with two members of the RFA Executive on the formation of an RFA Committee on Indigenous hires. This Committee is now in place and is made up of three Indigenous faculty members with the President of the RFA as its fourth member. It will represent the RFA in discussions with the administration on increasing the representation of Indigenous faculty as part of Ryerson's response to the Calls to Action by the Truth and Reconciliation Commission (TRC) of Canada.

The rest of the report is devoted to Equity Committee's work in raising RFA's concerns about the Ford government's directive of August 30, 2018 to universities and colleges on developing a "free speech policy" by January 1, 2019 (<https://news.ontario.ca/opo/en/2018/08/upholding-free-speech-on-ontarios-university-and-college-campuses.html>), and Ryerson administration's response to this move. For a variety of reasons, work on revising Senate's Freedom of Expression (FoE) Statement began earlier this year, albeit at a slow pace, and before Ford's edict was issued. However, once the directive was in place, work on Senate's FoE Statement has moved hurriedly and without meaningful dialogue. The administration did not outline, and has still not outlined, a clear consultative process to obtain the input of Ryerson students, faculty and staff on the directive *itself*, and concerns around its prescriptive stipulations, which: (i) forbid protests that "obstruct or interfere" with speech – without problematizing speech that harms or is hateful; and (ii) penalize through punitive action those who are caught by the stipulation mentioned in (i) without being sensitive to how their future study or career may be adversely impacted by the University's potential disciplinary action. The administration appears to separate the Senate's draft FoE Statement from Ford's directive. This became apparent at the October 24 Town Hall the administration held with two days' notice. The impression given at the meeting was that the Senate's draft Statement was independent of Ford's directive – though even a cursory reading of the Statement shows how closely it follows the directive, to the extent of even including an entire paragraph and other phrases from the University of Chicago's Principle of Free Expression: <https://provost.uchicago.edu/sites/default/files/documents/reports/FOECommitteeReport.pdf> .

The directive mandates Canadian universities and colleges to follow the private University of Chicago's Principles of Free Expression. In the name of promoting "free speech," the directive undergirds the threat of cuts to university funding if its stipulations are not incorporated in a "free speech policy." Such a policy would effectively deny the right to protest – which by its very nature involves a degree of disruption. Ontario universities and colleges are also expected to take disciplinary measures according to existing rules and codes of conduct against students/faculty/staff who contravene this policy.

As for Premier Ford's directives in general to secondary schools, colleges and universities, these began as an attack on education immediately after he assumed office. In the Equity Committee's view, the thrust of these directives is political and ideological. The repealing of the 2015 sex ed curriculum in secondary schools and forcing the return to the regressive 1998 curriculum fails to address issues around consent, LGBTQ2+ rights, and gender identity. This move puts students at risk for sexual violence. In his attack on secondary and postsecondary rights on campuses, Ford's action thus specifically threatens to harm vulnerable populations. Ontario's university faculties strongly support a culture of free and diverse speech on our campuses and already have academic freedom provisions in collective agreements that provide strong speech protections, as well as policies that attempt to foster free expression on campus while maintaining a safe and secure educational environment. Canadian universities are places of open debate and discussion even on most difficult issues. There are no sacred cows in the context of academic freedom, but university administrations are being forced in deplorably prescriptive manner to effectively restrict the right to dissent and protest – in order to comply with Ford's edicts. Regrettably, the notion of harm caused by speech does

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not seem to be on the radar of the administration when so much harm and more has been caused by hate speech in North America.

More disturbing is that the Ministry of Training, Colleges and Universities want Ontario university administrations to police the conduct of students, student unions/student groups and faculty and staff around “free speech policy” under threat of disciplinary action and withdrawal of funding. The Ministry will do periodic audits of universities and institute cuts in “operating grant funding” to universities and colleges if the directive of the Ford government is contravened. This is overreach that could conceivably curtail education opportunities and threaten careers, while funding cuts will ultimately undermine the future of education in Ontario.

In the rush to not run afoul of the directive, the administration apparently has not really examined the political and ideological dimensions of Ford’s directive. It may be helpful to pause and reflect on the statement from concerned unions, including OCUFA, on this issue: <https://ocufa.on.ca/press-releases/ontario-universities-and-colleges-coalitionstatement-on-government-mandated-free-speech-policies/>, which emphasizes that

there is no free speech crisis on Ontario campuses. This is an ideological fiction advanced by the government to justify interference in the academic governance and autonomy of Ontario’s universities and colleges.

Tariq Amin-Khan
Chair Equity Issue Committee