

## Current Issues

**APPOINTMENTS**  
**ACADEMIC FREEDOM**



**PENSION**



**LAC COMMITTEE**



**GRIEVANCE**

# AUNBT Newsletter

## Message from the President

VIQAR HUSAIN | MATHEMATICS AND STATISTICS

Welcome to our second newsletter.

As incoming President, I am very fortunate to be working with an excellent team as we navigate the challenges for our membership, both locally at UNB and nationally where the broader role for universities and their structures is facing constant stresses. I am grateful for the collective wisdom of legal officers Lucia and Michael, executive assistant Brenda, past Presidents Melissa, Sue, and Vlad, and incoming VP Kerri for making this task a bit less daunting. I also welcome David Speed, who recently joined the team as VP Saint John.

As a glimpse into how we function, AUNBT communicates with the administration through several channels for short and longer-term planning and for resolving issues. The most frequent meetings are those with our legal staff and theirs and Joint Liaison Committee meetings with UNB's VPs, as needed, called by us or them. AUNBT's core team also meets regularly for information updates and brainstorming, in addition to several annual meetings of our Executive Committee.

For longer term planning toward negotiations for the next Collective Agreement, we are in the process of setting up several joint committees to look into issues facing membership, including topics ranging from economic adjustment and accessibility and accommodation, to impact of technology and assessment of teaching competence.

To contribute a  
story, please  
contact  
[aunbt@aunbt.ca](mailto:aunbt@aunbt.ca)

Please write to us with your thoughts and think about joining the team!



## AUNBT President and Officers 2024-25

President: Viqar Hussain

Past President: Sue Blair

VP Fredericton: Kerri Froc

VP Saint John: David Speed

VP CAE: Jeff McNally

Secretary: Merle Steeves

Treasurer: Glenn Leonard

Grievance Group 1: Sue Blair

Grievance Group 2: Kendra Haines

A complete list of AUNBT executive members is available [here](#).

## CURRENT ISSUES

### Academic Appointments and Collegial Governance

SUSAN BLAIR | ANTHROPOLOGY

In the last decade or so, AUNBT has been increasingly called upon to depart from the Collective Agreement processes around appointments to accommodate new kinds of joint and interdisciplinary appointments. In doing so, we have sought to shore up unit-based decision-making; this includes support for the ability to determine the nature of new academic appointments (i.e., their academic focus) but can also encompass an array of processes relating to course and curriculum development, pedagogy, and overall academic direction. These processes are broadly subsumed under collegial governance, but they are manifested in principles that inform not only collective agreement language, but also the way in which we interpret and apply that language. At the core of the current language is the nature of the academic units itself.

#### ACADEMIC UNITS AND DISCIPLINARITY

In a fundamental way, universities are places of structured approaches to knowledge-seeking and -producing. “Knowledge” itself is made of an array of approaches, subjects, and fields of

study, encompassing all aspects of the natural world and human experience. Academic disciplines are the primary way of structuring the work of making knowledge in universities; these are formalized above the level of the university and represent a shared understanding among widely dispersed groups of scholars about the kinds of methods and theories that are best deployed in knowledge production in a particular area.

Preventing the use of  
interdisciplinarity as a  
mechanism to dismantle  
disciplinary and collegial  
decision-making

For most of us, disciplines can both frame and, at times, constrain our work; many of us find

fruitful research paths that weave different perspectives and approaches together, borrow ideas and methods from one area to another, or allow new approaches to emerge at the edges of disciplinary discourse. Nonetheless, even when we push their limits and develop them in new ways, disciplines reflect a body of literature and an understanding of the way disciplinary knowledge is best shared (for example, in particular journals or in gatherings of scholars working on similar problems). The disciplinary structure of academic knowledge-making in universities enables us to educate our students in ways that reflect the historical, incremental growth of knowledge in particular subjects and is framed in terms of concepts, standards, and expectations that exist in national, international, and indeed, global contexts.

The various branches of disciplinary knowledge have traditionally resided in the academic unit, which is the basic unit for collegial governance. When we, as members of academic departments and faculties, undertake the work of shaping the vision for hiring into our unit, for example, we consider this disciplinary context carefully, evaluating emerging areas of knowledge and considering factors such as the way in which engaging a particular kind of expert might allow either consolidation in a particular subfield or movement of the unit in a new direction. We also carefully evaluate the local, regional, and national contexts for equity and diversity within our disciplines, as well as their pedagogical requirements, such as those needed to create graduates who have the academic background to apply what they have learned to their lives outside the university (whether or not those lives involve working in a given discipline). It is for these reasons that the

Canadian university system has emphasized the importance of academic staff being involved in core academic decision-making.

In recent years, disciplinary knowledge has been framed as somehow old fashioned, and there has been a growing interest in knowledge that breaks down, merges, or otherwise deconstructs disciplinary knowledge (such as through interdisciplinary, multidisciplinary and transdisciplinary research).<sup>1</sup> These approaches are very helpful for opening new avenues and surmounting barriers between disciplines. They are likely the way in which new disciplines can emerge. However, in the context of Canadian university administration (and even more so, in the US and the UK), interdisciplinarity is increasingly being used as a mechanism to dismantle disciplinary and collegial decision-making, especially where interdisciplinarity is driven by non-disciplinary academic needs, aimed at replacing disciplines, or used as a rationale for demolishing (through mergers or dissolution) discipline-affiliated academic units.

This long explanation of disciplinary knowledge is likely unnecessary for AUNBT members. Yet it is not clear that this understanding is shared by administrators, who may see bottom-up decision-making as unnecessary or irrelevant in solving the problems of the current moment, or by non-academic staff involved in university affairs (such as non-academic administrators or non-faculty serving of the Board of Governors). It is also helpful to reassert the value of discipline-based knowledge in contemplating the increasing focus on interdisciplinarity and to maintain disciplines themselves as its key driver.

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<sup>1</sup> While most faculties and departments at UNB are affiliated with or structured around disciplines, there are several academic units (in Arts on both campuses) that have been subject to disciplinary mergers in the past. Members of these units have particular insights into the intersections of governance and disciplinary knowledge, and these units succeed due to members working to find consensus and communicate through disciplinary frameworks. AUNBT does not seek to prevent units from redefining and reorganizing themselves, but in our view such restructuring must be driven by members in those units who understand the transdisciplinary opportunities and challenges

### APPOINTMENTS IN THE COLLECTIVE AGREEMENT

At UNB, the full-time Collective Agreement fundamentally establishes how members of academic units (departments and, in non-departmentalized faculties, faculties themselves) engage in hiring. While there is variability in how unit-based plans shape hiring through the development of job postings, the Collective Agreement contemplates hiring of academic staff as occurring within an academic unit.<sup>2</sup> While disciplinary expectations and needs are key factors shaping the appointment process, there are further solid, pragmatic reasons why assessment committees are formally structured within the academic unit (especially in departmentalized faculties):

- **Consensus-building:** academic units are governed through complex models of consensus. Potential conflict around hiring (especially determining priorities for attaching complement to a particular area or focus) is a significant challenge. Currently, academic units are able to set their own priorities — often with guidance from and reference to academic and strategic plans — for the kind of appointments that are required to accomplish larger academic and disciplinary goals, such as continuing with existing strengths by replacing vacated positions with someone who undertakes similar work or moving in a new direction. For this reason, the current system places this priority-setting within the unit and in the earliest stages of the process. In this context, members of units may be able to achieve consensus around hiring decisions when they can reference a set of external standards and frameworks, as provided by disciplinary knowledge. Decision-making that emanates from outside the unit (either through external funding or administrative input) has

significant potential to displace internal priorities.

- **Assessment:** it is critically important for the careers of AUNBT members that their placement in academic units is decided by members of those academic units, as these are the very places where they will be assessed for tenure and promotion. Through the appointment procedures, members of academic units have the opportunity to endorse not only the member's candidacy, but also the decisions on the larger academic direction of the unit as reflected by the kind of scholar the unit will seek.

### CURRENT INTERDISCIPLINARY HIRING

In the early 2000s, the first spate of interest in interdisciplinarity led to the development of procedures for joint appointments. These procedures allow for members to be hired with a primary appointment in one academic unit and a secondary appointment in another. Over the years, AUNBT and UNB administration have sought resolutions to many of the issues around assessment and workload that arise from such appointments.

In the last decade, however, there have been new pressures to undertake interdisciplinary appointments involving appointments to programs instead of to academic units. Because programs are not units of assessment, AUNBT has not supported such appointments and instead has worked with administration to find mechanisms that would reaffirm the role of academic units in appointments. Our goal has been to by allow interdisciplinary program committees consisting of members who are also members of academic units to be involved in shaping the academic direction for appointments of disciplinary scholars to support an interdisciplinary field. These *ad hoc* mechanisms have been used on a case-by-case

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<sup>2</sup> We wish to note here that librarians are also academic staff, and the Collective Agreement outlines collegial processes that are consistent with those that relate to other full-time academic staff.

basis and have been aimed at ensuring as much consistency with Collective Agreement principles as possible.

Generally, AUNBT has agreed to interdisciplinary appointments when the desire for appointments to interdisciplinary programs emanates from academic units themselves and when there are possible appointments that seek candidates for a subject that could be connected to several disciplines (Gender and Women's Studies is one example). The solutions have been on a case-by-case basis, but generally have involved carefully constructed search committees with members from several

academic units having input into both the job description and some stages of the candidate selection; unit-based assessment committees have also retained the final say on whether a candidate will be appointed to a particular unit.

Both joint appointments and interdisciplinary appointments highlight the importance of early

involvement of academic units in decision-making, as appointments – joint, interdisciplinary, or otherwise – will impact the ability of academic units to deliver sound academic programs and build critical mass for research.

**If you or members of your academic unit are interested in interdisciplinary and joint appointments, we encourage you to reach out to AUNBT so we can help you navigate the Collective Agreement processes.**

## Coming Events

### New Faculty Welcome

September 2024

This orientation event for new faculty will include a barbecue.



## Academic Freedom: A Brief Summary in Four Questions

*What follows below is derived from an article by Jon Thompson on the [AUNBT website](#).*

“Academic freedom is a central value, arguably the central value, of university life,” law professor and former university president Harry Arthurs declared in 1995([Academic Freedom](#)).

### What are the nature and purpose of Academic Freedom?

In its most clearly characterized and defensible form, academic freedom is a right of academics held by virtue of their institutional employment. In outline, its purpose is to ensure they can challenge received wisdom, put forth ideas, participate freely in collegial governance, and exercise fully their rights without any institutional penalties ([CAUT Policy Statement](#)). As such, it differs from general freedom of expression protected through the Canadian Charter of Rights and Freedoms and human rights codes.

### By what means is academic freedom protected in Canada?

In Canadian universities the right to academic freedom is protected through [collective bargaining agreements](#). Academic freedom must be exercised within the law and in accordance with the collective agreement.

### When did it arise?

The concept has ancient origins: in societies across the globe it was often accepted that, for the common good, deeply learned persons should have freedom of expression. In the Western world, universities long had religious restrictions, and thus modern forms of academic freedom began to arise only in the nineteenth century when ideas of the Enlightenment entered universities from the wider society. Freedom of expression was widely practised and promoted by public intellectuals such as Germaine de Staël, Wilhelm von Humboldt, and John Stuart Mill, noted scholars but not academics.

### How did it develop?

The most comprehensive and best protected characterization of academic freedom developed in Canada, for several reasons. First, the response of academic staff from coast to coast to the summary dismissal of historian Harry Crowe in 1958 was to build CAUT into a strong national faculty association. Second, the similar nature of employment and collective bargaining legislation across the provinces

## Further Reading

### CAUT [Resource Page](#)

Michael Lynk,  
"Academic Freedom,  
Canadian Labour Law  
and the Scope of Intra-  
Mural Expression"  
(2020) 29:2 [Const F](#) 45.

June Mills, Mary-  
Elizabeth Dill & Adriel  
Weaver, "Academic  
Freedom as a Labour  
Right: Development,  
Context, and  
Implications" (2023)  
25:1 [Canadian Lab &  
Emp LJ](#) 73.

Stephanie Ross et al.  
"Sessional Contract  
Faculty, Unionization,  
and Academic  
Freedom" (2021) 51:1  
[Canadian Journal of  
Higher Education /  
Revue canadienne  
d'enseignement  
supérieur](#) 57.

James L. Turk,  
"Academic Freedom in  
Canada: Its Origins,  
Components, and  
Limits" (2023)  
25:1 [Canadian Lab &  
Emp LJ](#) 35.

facilitated uniform policy establishment by CAUT. Third, robust exercise of academic freedom since this time by many courageous academics with the support of their colleagues and CAUT demonstrated repeatedly that academic freedom is for the common good.



## UNDERSTANDING YOUR PENSION PLAN

ALYSSA SANKEY | MATHEMATICS AND STATISTICS

### INTRODUCTION

The faculty pension plan, known as the Academic Employees Shared Risk Plan (AESRP), was adopted in 2013 following negotiations between AUNBT and the UNB administration. In November of 2013, members voted “resoundingly in favour” [ref: email November, 2013] to convert the existing pension plan to the AESRP. No major changes have been made since 2013.

The plan is subject to regulation under the NB Pension Benefits Act. The *funding level* and the *primary and secondary risk management goals* that are referenced in our annual COLA [Cost of Living Adjustment] statements are prescribed by the Act and mirrored in the AESRP plan text and funding policy.

The plan is administered by a Board of Trustees consisting of five AUNBT appointees and five UNB administration appointees. The Board oversees the smooth operation of the plan with guidance from Telus Health on daily administration, Vestcor Inc. on investment management, and Willis Towers Watson on actuarial services, including the annual valuation. The external auditor is KPMG, and Northern Trust provides payroll services.

Changes to the pension plan must be negotiated and agreed upon by the parties, that is, AUNBT and the UNB administration.

### WHERE TO FIND PENSION DOCUMENTATION

Documentation that is available on the [AESRP website](#) includes

1. The “AESRP Guide for Academic Employees”
  - provides an overview of how the plan works
2. The plan text, funding policy, investment policy, and trust agreement
  - contain all the legal text pertaining to the plan and its governance
3. The yearly Cost of Living Adjustment (COLA) statements, financial updates, investment reports, actuarial valuations, and annual financial statements

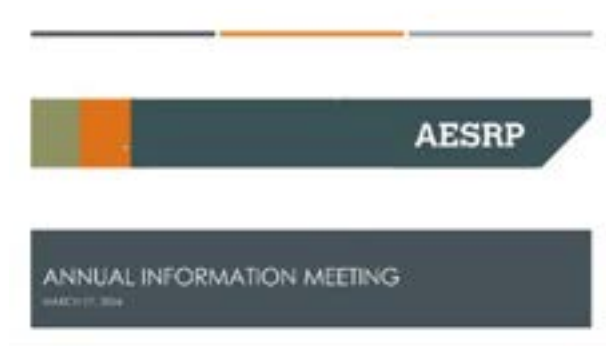
[AESRP Guide  
for Academic  
Employees](#)

- track how the plan is doing from year to year, especially the annual financial updates and semi-annual investment manager's reports
- actuarial valuations and audited annual financial statements provide more detail

Information on **your individual pension** is found in the annual COLA letters on the website and in your personal statements, available to active employees through Sharepoint.

#### FIRST ANNUAL PENSION INFORMATION MEETING

In March of this year, the Board of Trustees held an information meeting for members — the first of what will be an annual occurrence. The video recording of that meeting is available from the [AUNBT](#) and [AERSP](#) websites and also provides more information. It includes an overview of how the plan is structured and features presentations by three of our service providers: Philip Morse of Willis Towers Watson, Yves Plourde of Telus Health, and John Sinclair of Vestcor Inc. If you have questions about the plan, you are encouraged to view this video.



#### SOME KEY POINTS

- UNB is required to match your pension contributions, which amount to about 11.5% of your salary each year.
- For each year that you worked, an amount is added to your accrued pension using your salary from that year. The formula for this “base benefit” is found in Section 5 of the Plan Text. There are different rules for different periods due to negotiated changes in the plan that occurred in 2007 as well as 2013.

Accrued pension is not stored in an individual account in your name; rather, all accrued pensions are pooled in one central fund.

- The plan is mandated to keep up with inflation at an average rate of at least 75% of the Consumer Price Index while accruing funds for active employees. However, the amount awarded as a cost of living adjustment each year is restricted by law to **what the plan can afford**. The details of that calculation are found in Section 7 of the Funding Policy. The “open group funded ratio” referenced therein is determined by the actuarial valuation each year and is reported in the financial update.
- The available funds for cost of living increases are awarded at the discretion of the AERSP Board of Trustees based on the funding policy III 3.2 (a). How the COLA is apportioned is complex: there is an absolute maximum allowed for each year, according to the principle that pension recipients cannot receive more than the Consumer Price Index as an increase due to inflation. There are further restrictions of COLA amounts specified in Sections 10.03 and 10.04 of the Plan Text; that they differ for retirees versus active members is due to the agreement negotiated by the parties.
- Appendix B of the COLA statement tabulates the caps (“maximum COLA that could be granted”) and also (in the last column) the percentage of the maximum that has so far been granted, meaning that it has been incorporated into each member’s accrued pension to date. These numbers change from year to year, whenever COLA is awarded.



- For example, the “% of Eligible Base COLA granted” for the year 2018 is 74.47% in the [2024 statement](#), while it is 67.74% in the [2023 statement](#). This means that an amount dedicated to the 2018 portion of our pensions was added in 2024, and this was also done in 2024 for every past year in which the maximum had not yet been reached. In this way the COLA increases are compounded over time. Because of this, COLA is effectively awarded in many pieces, but is reported at the top of the annual statement as a single percentage.



## UPDATE FROM THE CAUT LIBRARIANS’ AND ARCHIVISTS’ COMMITTEE

JEANNIE BAIL | UNB LIBRARIES

The L&A Committee met March 8-9, 2024, in Ottawa for a hybrid meeting. On the agenda was a discussion around the anti-SLAPP application to the Supreme Court of Canada made by former UBC Educational Technology Support worker, Ian Linkletter (SLAPP stands for strategic lawsuit against public participation and is often meant to intimidate and silence critics). Linkletter’s application was ultimately denied. Linkletter, who joined the meeting, was charged with copyright infringement and violation of confidentiality by proctoring software company Proctorio when, in 2020, he linked to unlisted videos on YouTube and shared a screenshot provided by Proctorio’s Help Desk to expose how the technology works and privacy concerns around surveillance. In response, Proctorio filed a civil claim against him in BC. Linkletter is now Emerging Technology & Open Education Librarian at BC Institute of Technology.

The meeting also included a discussion with the CAUT Equity Committee on issues around the MLIS requirement and concerns around de-professionalization. The [CAUT Equity Toolkit](#) was highlighted as a resource and can be further developed to include library/archives specific material.

Related to the talks on Equity, the CAUT L&A Committee hosted a webinar on May 14th that featured a wide range of panelists who spoke on the topic of “The Role of the MLS Degree in Academic Libraries.” A statement titled “[Considering the MLS](#)” formed the basis of the discussion and focused on the question of whether the MLS degree is uniquely exclusionary when it comes to diversifying the profession.

If you would like to be added to the CAUT Librarians’ and Archivists’ listserv [CAUTLIB], which is a great resource for staying up-to-date on labour-related issues within the university library and archives community in Canada, please reach out directly to [Merle Steeves](#).

The next L&A meeting is scheduled for August 23-24, 2024.



# NOTES FROM YOUR GRIEVANCE TEAM

MICHAEL KELIHER AND LUCIA DEMAIO

## NEW GROUP 1 GRIEVANCE OFFICER

We are pleased to announce that Sue Blair has been appointed AUNBT Group 1 Grievance Chair effective July 1, 2024, replacing Co-Chairs Vlad Tasić and Melissa White, who have each begun a well-earned sabbatical leave.

## ELECTION OF ASSESSMENT COMMITTEES

With the beginning of a new Academic Year on July 1, units must elect their Faculty or Department Assessment Committee. Deadlines for Assessment Committee recommendations – the first of which is September 20 – can be found at Article 25B.02 of the Collective Agreement.

Units must also elect, during the first two (2) weeks of the Fall term, their Contract Academic Instructor Assessment Committee. The CAIAC is chaired by the Chair/Dean and includes one full-time faculty member (elected by the full-time members of the unit) and CAE with a ROFR or MYA (elected by those teaching CAEs appointed to teach courses in the unit during the Academic Year).

If you have any questions or concerns about assessment committee composition or procedures, please reach out to the AUNBT office.

## SABBATICAL CREDITS

Friendly reminder that applications for any sabbatical leaves scheduled to begin in the 25-26 Academic Year are due by October 1, 2024. Faculty members who defer their sabbatical for personal hardship or sound academic reasons should be sure to make a request in writing to the Dean to the effect that the one-year deferral shall be counted as credit toward the next sabbatical leave in order to preserve the sabbatical credit.

## DOWN THE PIKE

We continue to await an arbitration award relating to sick leave administration at UNB. And the Labour and Employment Board hearing relating to the bargaining unit rights of faculty-elected representatives on the Board of Governors will proceed in August. For more information about these matters, please see the last edition of this newsletter.

## QUESTIONS

If you have any questions or concerns regarding these or any other workplace issues, please feel free to contact [Lucia DeMaio](#) or [Michael Keliher](#), AUNBT's Labour Relations Lawyers. Inquiries can also be sent to your grievance officers – Sue Blair on the full-time side and Kendra Haines for CAEs – and to the [AUNBT general office](#).

