

# KUCFA

## Newsletter

January, 2024  
Vol. 4, Issue 1

### Co-Chairs Report

The 2023-24 academic year is the first year of a two-year pilot, approved by the Membership during the Winter 2023 term, to assess if a co-chair system of leadership is a viable form of leadership for KUCFA moving forward. Jacquie Newman began her first year as co-chair in July joining Rick Csiernik in the second year of his two-year term.

KUCFA held three General Members Meetings during the fall term. While a major focus has been the development of issues to include in the upcoming contract negotiations under the leadership of Lynne Jackson other important issues were also discussed this term. Dr. Robin Whitaker [home university Memorial] Andrea Harrington, and Anne-Marie Roy from CAUT joined us to discuss issues of Governance and actions we can take to better position ourselves in the forthcoming governance review to ensure we maintain our status in bicameral decision making. We invited leaders from PAOA, CUPE, and the King's Staff Association to the meeting in acknowledging that to address the internal and external issues facing King's going forward labour groups needed to work cooperatively and not be pitted against each other in decision making or in contract negotiations.

### Announcements

Please contact us at [info@kucfa.ca](mailto:info@kucfa.ca) if you have any questions about KUCFA. Check out our [website](#) too! Find us on OWL at [KUCFA Information Site](#).

## Co-Chairs Report

In November, EDID Director Jen Slay presented on her role and the role of her office clarifying what the office's responsibilities and limits are at King's. The EDID Office is a component of the operations division of King's and as such is grouped with human resources and finances with regards to its operations and mandate.

Safety has also been an ongoing concern on campus with issues of gendered violence and of antisemitism and Islamophobia being raised with administration during the fall term. A clearer interpretation of the process of the harassment and discrimination process was obtained and can be found on the KUCFA website <https://www.kucfa.ca/>. You can also now locate a link to the safe campus website <https://www.kings.uwo.ca/about-kings/safe-campus/> directly from the KUCFA website.

After a long struggle KUCFA has joined the Edvantage discount program [<https://www.edvantage.ca/login>] that you can avail yourself if you are interested. We also were able to negotiate a membership rate of \$0.00 per member per year.

Part of the responsibility and part of the opportunity being a member of the Executive allows for is to meet and interact with representations of other faculty associations. As in past years your Executive Members attended a variety of forums and events during the fall term to represent KUCFA and to obtain ideas to enhance the work of our union.

- Rick Csiernik attended and presented at the OCUFA Collective Bargaining Forum on Contract Re-openings
  - Lynne Jackson attended OCUFA bargaining committee meetings.
  - Ben Muller attended the OCUFA Board meeting in Toronto in October. As well, on November 30th and December 1st Ben attended OCUFA's conference "Funding our Future: Keeping Universities Public." There were representatives from government, university administrations, the media, and the Canadian centre for Policy alternatives released a report on higher ed at the conference. Also attending from King's Vice-President Finance and Support Services, Jeff Major.
  - Jacquie Newman attended
  - Nic Virtue attended monthly OCUFA contract Faculty Committee meetings as well as the CAUT Contract Academic Staff Conference in Ottawa, 20-21 October.
- Finally, KUCFA operates on a minimal budget under the stewardship of our treasurer Jason Dean and administrator Sandy Swartz. If you have any administrative questions you may reach Sandy at [SandySwartz.KUCFA@outlook.com](mailto:SandySwartz.KUCFA@outlook.com). Sandy does have a very small office provided by administration on campus and you can also arrange to meet her there in person but please arrange this in advance with Sandy.

## Collective Bargaining Committee Report

The Collective Bargaining Committee (CBC) has been hard at work preparing for upcoming contract negotiations. Here are a few highlights from our busy fall term:

- The committee, along with members of the Executive, participated in a course on Campaign-based Bargaining offered by OCUFA (“Countdown to Strong,” Sept. 19).
- Lynne took a week-long bargaining course offered by CAUT (Collective Bargaining Training, Oct. 23-27).
- The CBC set up a network within the membership to facilitate communication about the progress of bargaining over the months to come (many thanks to Brian Patton for organizing this and to all who agreed to take part).
- OCUFA provided us with analyses of the financial situation at King’s and the KUCFA benefit package.
- Committee members researched key contract issues in the sector, and we met several times to explore ways we might strengthen our contract.

- We sought and received input from advisors at OCUFA and CAUT on elements of our contract, and met with Chief Negotiators at other Ontario universities to learn about their progress and challenges.
- Most important, we consulted with you through focus groups, a town hall meeting, a member survey, and numerous conversations with many of you.

Results of the consultations and research will be presented at the January General Meeting. The early news is that we (the membership) are an engaged group of very hard-working faculty who deserve a good contract! In the January General Meeting, the CBC will present our proposed mandate for achieving this.

Respectfully submitted

Lynne Jackson

## Communications and Liaison Report

by Nicolas Virtue

I busied myself this term with advocacy concerning contract faculty issues. The increasing reliance of Canadian universities on precariously employed contract academic staff is one of the most pressing labour issues facing our sector, and it intersects with concerns over equity, collegial governance, the erosion of tenure, artificial intelligence, government underfunding, and student learning experiences. In recent years, contract faculty have organized themselves and achieved some gains at the bargaining table. Where gains have been made, bargaining committees repeatedly cite solidarity between contract faculty and full-time faculty as having been a key factor.

In October, KUCFA members displayed their solidarity with contract faculty by engaging in Fair Employment Week, a nationwide annual campaign to raise awareness about precarious employment in academic workplaces. In collaboration with part-time faculty represented by CUPE, we set up info tables in the Student Life Centre and took part in CAUT's social media day of action, via Twitter/X. The info table was a tremendous success. In particular, we had some wonderful conversations with students, who wanted to learn more about these issues. I want to give a huge thank you to all those who volunteered

at the table, signed OCUFA's petition, and demonstrated their support at College Council that week. And the biggest thanks of all to the team that helped plan the event and draft our Tweets: Michelle Hartley (CUPE), Lisa McLean (KUCFA), and Sandy Swartz (KUCFA). Collaborating as part of a cross-disciplinary team revealed how rewarding faculty association work can be.

To conclude Fair Employment Week, I represented KUCFA at CAUT's annual Contract Academic Staff Conference, held in Ottawa. In addition to attending monthly meetings with OCUFA's Contract Faculty Committee, this conference was a valuable opportunity to learn about how other faculty associations across Ontario and Canada have been confronting contract faculty issues. The theme for this year's conference, "A Seat at the Table," emphasized the importance of involving long-term contract academic staff in collegial governance as a way to diversify perspectives on decision-making bodies, alleviate faculty workload, and ensure that the situations of contract faculty are taken into consideration. The general trend in bargaining during recent years has been to recognize the permanency of contract academic staff in an underfunded system, and to focus on mobilizing to improve their working conditions and providing pathways to security.

## Communications and Liaison Report *(continued)*

We will continue our advocacy work in the New Year, headlined by OCUFA's social media day of action as part of its #Fairness4CF campaign. And, of course, as Communications and Liaison Director, I continue to facilitate KUCFA's hybrid meetings. We have some new functionality this year, including camera controls with which I am still familiarizing myself, and I hope to continue improving the experience for our online attendees. I have also gradually been updating the content on the [kucfa.ca](http://kucfa.ca) website. If you have suggestions for improving the hybrid meetings or the website, please contact me at:

[nvirtue2@uwo.ca](mailto:nvirtue2@uwo.ca).

### OCUFA 2023-24 November Report

The OCUFA board met on October 28th and 29th in Toronto. General discussions at the OCUFA Board meeting revolved around the following issues:

- Presentation on Intellectual Property rights, focused on Copyright and Patents – our collective agreement is solid in terms of comparable agreements in our sector.
- Some debate on whether OCUFA board meetings should return to a hybrid model or not – it is currently a one-year test of in-person only.

•Lengthy discussion on the closure of Brescia, and implications for full time and part time faculty in BUFA and the impact on UWOFA, particularly considering the total absence of collaboration.

UWOFA has filed for a judicial review of the Brescia closure.

OCUFA and CAUT have filed for intervenor status.

Lengthy discussion on the Brescia matter, that involved significant contributions from KUCFA and HUCFA.

Unanimous support from all OCUFA members for BUFA and UWOFA as they move forward in this fraught process.

- Discussion of some faculty associations receiving pressure to release statements on the War in Gaza, and/or address issues of Academic Freedom on their campuses related to expressions regarding the War in Gaza.
- At the time of the meeting, the **Blue-Ribbon Panel** had not released its report. It has since done so and OCUFA has provided a summary and analysis, and I encourage members to consult this.



## OCUFA 2023-24 November Report *(continued)*

- **Collective bargaining** has been going well across the province in our sector; many postBill 124 collective agreements have made notable gains in salary and benefits.

- The status of Collegial Governance remains a concern across the province remains a problematic issue.

- There was a presentation and lengthy discussion related to the recruitment of **international students** by post-secondary institutions in Ontario, and the forms of insecurity and precarity relating to housing, food, mental health, debt, etc. experienced by these (and other) students. For OCUFA this is most definitely an issue related directly to government underfunding of our sector

- On Nov 30 – Dec 1 OCUFA is hosting a Conference, “Funding our Future: Keeping Universities Public,” to which senior administrators were invited, along with policy makers and faculty union representatives. Ben Muller will attend this event on behalf of KUCFA.

I encourage our members to follow OCUFA on social media [[@OCUFA](#)] and if you have not already done so, Subscribe to the OCUFA Report - OCUFA, that provides a snapshot of current issues in our sector in the Province of Ontario and beyond. If you have any further questions about this report, the recent OCUFA Board Meeting, or any of the work of OCUFA, please do not hesitate to contact me: [bmuller@uwo.ca](mailto:bmuller@uwo.ca)

*Respectfully Submitted by Ben Muller*

### 2023-2024 King’s University College Faculty Association Volunteers

#### Executive

Co-Chair:

Jacquie

Newman

Co-Chair:

Rick Csiernik

Past Chair: Stephanie Bangarth

Grievance Committee Chair:

Coby Dowdell

Equity Officer:

Jess Notwell

Secretary/Treasurer:

Jason Dean

CBC Chair:

Lynne Jackson

OCUFA Director:

Ben Muller

Communication Directors:

Nic Virtue

Tenured Member-at-Large:

Adian McFarlane

Untenured Member-at-Large:

Lesley Bikos

Office Manager:

Sandy Swartz

**2023-2024 King's University College  
Faculty Association Volunteers** *(continued)*

**The Collective Bargaining Committee**

Stephanie Bangarth  
Hui Feng  
Jonathan Geen  
Lynne Jackson [Chair]  
Kristin Lozanski  
Ben Muller [Vice Chair]  
Pat Ryan  
Renfang Tian

**Grievance Committee**

Carrie Arnold  
Coby Dowdell [chair]  
Chaya Halberstam  
Kristin Lozanski  
Andrew Mantulak  
Jacquie Newman

**KUCFA Equity and Social Justice  
Committee**

Erika Katzman  
Jess Notwell [Chair]

**Pension Committee**

Stephanie Bangarth [Chair]  
Adam Bohnet  
Jonathan Geen  
Trevor Hunter  
Peter Ibbott  
Christine Lavrence  
Amanjot Singh  
Thomas Tiku

**Charities Committee**

Tara Bruno  
Joe Michalski

**Faculty Mentors:**

Tara Bruno  
Rick Csiernik  
John Grant  
Alison Meek  
Jane Sanders  
Rose Vito

## Campus tensions and the Mideast crisis: Will Ontario and Alberta's 'Chicago Principles' on university free expression stand?

By Dax D'Orazio, Queen's University, Ontario

*From the Conversation November 8, 2023*

Our tolerance for expression that we value often exceeds our tolerance for expression we find distasteful. Nonetheless, if there's a place in society where the high ground on free expression should be consistently held, surely it's on university campuses.

While universities are expected to foster robust debate on a range of contentious and controversial issues, finding the right balance between free expression and protection from harm is no easy task.

University campuses across Canada and the United States have been consumed by the war between Hamas and Israel, and there have been concerning incidents of antisemitism and Islamophobia. Prime Minister Justin Trudeau says antisemitic and Islamophobic incidents have left Canadians "scared in our own streets."

In Ontario and in Alberta, university decision-making will be an important test of recent university policy shifts pertaining to free expression.

### **Conservative campaign promises**

When majority Conservative governments came to power in Ontario in 2018 and Alberta in 2019, they quickly implemented campaign promises to compel post-secondary institutions to create or update their free expression policies.

These policy shifts arose in response to the perception of a "crisis" of free expression at universities that has gained momentum over the past decade.

They also followed high-profile expressive controversies on campus — like the Jordan Peterson and Lindsay Shepherd affairs in 2016 and 2017 respectively. Provincial policies were intended to address what some conservatives believe is an inhospitable environment for them on campus.

Alberta touted its comparatively collaborative approach, and Ontario explicitly threatened funding cuts for non-compliance.

Ontario reported every public college and university complied, and Alberta reported every institution obliged with the exception of one university (Burman University) for religious reasons.

### **'Chicago Principles' and free expression**

Alberta instructed post-secondary institutions to endorse "the Chicago Principles," a policy template with origins at the University of Chicago, and Ontario told post-secondary institutions to consult the Chicago Principles in creating or updating now-required policies.

Key pillars of the Chicago Principles are:

1. It's up to the university community — not the administration — to make judgments about the merits of campus expression.
2. The proper response to problematic expression is argument rather than censorship. In the words of the report that spawned these principles: "The university's fundamental



commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the university community to be offensive, unwise, immoral or wrong-headed.”

3. Universities ought not “shield individuals from ideas and opinions they find unwelcome, disagreeable or even deeply offensive.”

Widest possible latitude for expression

While the Chicago Principles emphasize civility and collegiality, they also argue the absence of these values ought not be invoked as a justification for expressive restrictions, even in the context of “offensive or disagreeable” expression.

The principles envision the widest latitude possible for campus expression, subject only to narrow time, place and manner restrictions (to ensure the proper functioning of the university) and any applicable legal prohibitions (that is, criminal hate speech and anti-discrimination legislation).

The Chicago Principles are relatively uncontroversial for an academic environment, even if they reflect American laws that are much more tolerant of harmful expression.

But applying them to a Canadian context is easier said than done. Although institutional policies now reflect them in some form, there is still some variability between them.

Furthermore, most expression that sparks campus controversy exists in a grey area between the controversial and the potentially discriminatory.

Challenges responding at universities

Following Hamas’s attack on Israeli civilians and Israel’s siege of Gaza, university administrations have issued statements condemning discriminatory forms of expression and intimidation.

In response, some faculty and students have questioned administrations and are accusing them of bias and silencing dissent.

At York University, the administration gave student unions an ultimatum in response to an open letter that it says has been widely interpreted as a “justification for attacking civilians and a call to violence.”

As a result of such controversies, the reasonable limits for expression are being redefined in real time.

### **Disagreement on expressive harms**

Within academic communities, there is intense disagreement about which forms of expressive harms ought to result in expressive restrictions.

To complicate matters further, universities have significant discretion in their decision-making in the context of expressive restrictions. It’s subject to a deferential standard of “reasonableness” in administrative law, and Canada’s strongest protection for free expression — Section 2(b) of the Charter of Rights — scarcely applies at all.

## **Legal remedies, questions of university mission**

Universities are faced with the dilemma of what to do about expression that may not be discriminatory as a point of law.

Universities can exercise their additional discretion and restrict expression if they believe it compromises their mission (facilitating an inhospitable environment) or rely solely upon the reasonable limits established by Canadian jurisprudence.

Each option has costs and benefits. In the context of polarizing issues, university decision-making will rarely satisfy everyone.

Given redoubled efforts to protect expression in Ontario and Alberta, universities arguably bear the burden of showing that any expression they restrict at least appears to cross a legal threshold.

### **Conservatives embracing restrictions?**

However, the dilemma for some conservative politicians, parties and pundits who have insisted before now that free expression is imperilled on campus is more daunting.

Ontario Premier Doug Ford's government recently took the extraordinary step of barring Sarah Jama, an NDP member of the Ontario legislature, from speaking in the legislature in response to her criticisms of Israel.

In response to campus reactions to the conflict in the Middle East, the National Post recently said "universities need to be fixed," including "reprimanding the most egregious professors."

### **Will calls for censorship grow?**

With no sign of campus unrest relenting, calls for censorship may grow.

In theory, compelling universities to conform to the Chicago Principles means they bear a greater obligation to protect expression that is within the bounds of law.

But given the backlash and legitimate concern about discrimination and hate, how universities will navigate this fraught time is far from certain.

Dax D'Orazio, Peacock Postdoctoral Fellow in Pedagogy, Department of Political Studies, Queen's University, Ontario

**This article is republished from The Conversation under a Creative Commons license.**