



SFUFA

THE FACULTY ASSOCIATION OF SIMON FRASER UNIVERSITY

SFUFA NEWS

March 2008

WHAT'S IN THIS EDITION?

Reminder: Change in E-mail for Contacting Senior SFUFA Staff

President's Report

- Financial Situation Worsens
- Other Financial Concerns
- Copyright Event April 11th
- New Staffing Arrangement

Copyright and Classroom Use of Videos

Changes To Professional Development Reimbursements (PDR)

Note from the Editor

REMINDER: Change in E-mail for Contacting Senior SFUFA Staff

If you need help with a particular work-related situation or have questions about university policies and procedures, please send your e-mail to sfufa@sfu.ca rather than to the personal e-mail addresses of the Executive Director or Associate Executive Director. E-mail to this address goes to both senior staff members ensuring that inquiries will be answered in a timely fashion.

PRESIDENT'S REPORT

David Mirhady, Department of Humanities
dmirhady@sfu.ca local 23906

Financial Situation Worsens

Recently announced, unanticipated government cuts to post-secondary funding have worsened an already difficult financial situation at SFU. At our consultation meeting with university administrators, President Stevenson briefed the Executive on the funding cuts, and their possible consequences. The university has made it clear that across the board cuts are no longer an option, and more targeted, program cuts will likely be necessary. When asked about the impact on the restructuring initiative, John Waterhouse responded that it is more important than ever to the future of the University to move ahead, although it may mean not doing everything at once or continuing just as imagined. There was also an indication that the Faculty Association members may be requested to give up something to deal with the new budget realities, but no specific cuts have been

requested or suggested at this time. Should we be approached, we will consult widely with members. The Faculty Association will continue to gather as much information as possible and update members as more specific information becomes available.

The financial situation will be a topic of discussion at the Faculty Association's Annual General Meeting to be held on Monday (March 31, 2008) from 1:30 to 3:30 in Halpern 126, Harbour Centre room 1510, and Surrey room 4010.

Other Financial Concerns

I wish to thank all the members who participated in the Survey of Faculty Opinions on the Report of the Faculty Structure Task Force. More than a quarter of you responded. Subsequently to the survey, discussion heated up over email and particularly at the University President's Open Forum in February. It seems clear that in order for the Senate to make an informed decision regarding the restructuring, some serious questions need answers, such as will the restructuring result in a net shift in funding from faculty and teaching support positions to staff and administrative positions? Will workloads change for faculty members shifting from one faculty to another?

One series of questions that has been expressed repeatedly through the restructuring discussions has been whether the Faculty of Arts and Social Sciences will be unduly affected, especially in light of the university's ongoing fiscal crisis. With approximately half the university's entire student body, and funding formulas that under-privilege most of its students - as well as a freshman dean - the faculty claims to have borne more than its share of the brunt of funding cutbacks. So far, the effects have been largely seen in cutbacks to temporary instructional (*viz.* TA and Sessional) budgets, but there has also been widespread freezing of replacement faculty positions.

The ramifications of a recent government decision to cut 2.6% from university grants are as yet unclear. What effect it will have on the restructuring initiative is an open question.

Copyright Event April 11th

In the January 2008 newsletter, I reported on a number of concerns relating to copying of course materials: 1) the guidelines for copying are neither clear nor readily accessible; 2) the guidelines, once one finds them, may not accurately reflect the law; 3) the law may be overly restrictive of the concept of fair dealing; 4) there is a perception that if faculty do prepare courseware packets under the Access Copyright guidelines, their students are being charged fees even on a great deal of material that is either covered by fair dealing or is in the public domain and on which fees need not be paid; 5) faculty are under-informed on the issues. Recent decisions by Canada's federal courts suggest that there is hope.

“Fair dealing” is being more broadly understood, and the “free for all” of the Internet is challenging many restrictive understandings of copyright.

As I predicted, this issue is a serious concern beyond SFU and has become a national issue. We have been in touch with CAUT, which has already been at work on various aspects of the problem. See <http://www.caut.ca/uploads/EducationReviewvol10no1-en.pdf>

SFUFA and the UBCFA are planning a joint workshop on the issue for 1 p.m. on April 11th at Harbour Centre. Sam Trosow, CAUT Visiting Scholar, will present at the event. He is an Associate Professor at the University of Western Ontario, and is jointly appointed in the Faculty of Law and the Faculty of Information and Media Studies. Please watch for a formal announcement of the event and join us on April 11th.

What’s needed now is for faculty members to be willing to share their stories: what do they think fair and reasonable copying of academic work for students in classes amounts to? How can we facilitate students’ inexpensive access to our research? Have faculty members been the victims of legal bullying from their university administrations or Access Copyright? These stories are needed, so that we can construct a broad, documented picture of what people deem “reasonable”.

New Staffing Arrangement

According to a plan suggested by Susan Stevenson and approved by the Executive, Doug Dorward, who began work as our Associate Executive Director in September 2007, is swapping positions with Susan. With his feet now firmly planted on Burnaby Mountain (and downtown Vancouver and Surrey!), Doug will be the point person in the office, freeing up Susan for various member services projects, including communications. Members can continue to reach Susan and Doug by sending email to sfufa@sfu.ca.

COPYRIGHT AND CLASSROOM USE OF VIDEOS

Don Taylor

Electronic Resources Librarian

Canadian Copyright Act states that cinematographic works (videos, DVDs, films, etc) shown in a public place, such as a classroom, must have Public Performance Rights (PPR). These rights can only be obtained from the copyright owner and may be purchased (or granted) either at the time of sale, or at a later date. Sadly, Canadian Copyright law does not have any educational exemption for the classroom use of videos or DVDs. This is in marked contrast to the USA, where US Copyright law allows any legal copy of a video to be shown in a face-to-face teaching situation without a Public Performance license. This most

certainly is not the case in Canada, where all videos and DVDs shown in the classroom must have accompanying Public Performance rights.

The good news is that the SFU Library carries thousands of videos and DVDs for which it has paid for the right for them to be used in classrooms at SFU. The Library also pays for feature film licenses that cover the majority of films released through Hollywood studios. Consequently, any legal copy of the films that are covered by the feature film licenses (whether they come from your home collection, the video store or the Library's collection) can be shown in the classroom at SFU. If the Library doesn't carry the feature film you wish to use in your class, please contact the Library's Media Booking Service at media@sfu.ca to determine if the film you want to show is covered by the feature film license.

Films for which the Library was unable to acquire Public Performance rights can still be viewed individually either in the Library's Media Resource Centre, or at home. However, they cannot be used for regular classroom viewing.

For further information about the Library's media collections and use of videos in the classroom please contact Carole Goldsmith, Media Librarian, at wisdom@sfu.ca.

CHANGES TO PROFESSIONAL DEVELOPMENT REIMBURSEMENTS (PDR)

Susan Stevenson

Associate Executive Director, SFUFA

In early February, Gayle Myers, the Director of Academic Relations sent an email to faculty that said "the change in the claim period [for PDR] from a three times a year to a once a year claim period resulted from negotiations between SFUFA and the University and was agreed to by SFUFA." In response, a number of you have asked how we could do this to our members, and we have had a number of queries and complaints from members and requests for us to negotiate a new deal.

The changes in PDR were part of the 2007-2010 economic benefits settlement that included a signing bonus and percentage increases of 3%, 3%, 3.5%, and 3.5% over the four years of the contract. The Public Sector Employers Council (PSEC) had approved these items, but would allow changes in benefits only if there was no increase in costs (a zero-sum game). Prior to the negotiations, a group of faculty had lobbied hard for changes to the parental leave policy to bring the benefits at SFU in better line with those of other Canadian Universities, and they received a great deal of support from other members. This put an improved parental leave policy on the table. Another issue was adding steps to the salary scales for teaching appointments and librarians. This was an item carried over from the previous negotiations. While tenure-track faculty had received two

steps at top of scale in the previous round of economic benefit negotiations, PSEC would not allow any changes to teaching appointments' and librarians' scales, so getting at least one step for these groups was also a priority.

To get something, the negotiators needed to give something in order to attain the zero sum. The changes to PDR were the final result. I do not remember any complaints about the PDR agreement when the proposed settlement was first presented to members, but there was a flood as soon as the changes were enacted.

We managed to get some concessions for the first year of the agreement, but only as a one-time deal. (Members received a series of emails explaining the situation at the beginning of last year.) Early this year, we tried again to convince the administration that they needed at least two submission periods per year. The administration insists this is not possible because that would put the university in breach of its agreement with PSEC.

It will be 2010 before we can negotiate a change in PDR. In the meantime, we will continue to raise concerns about the long time so many of you have been waiting for your reimbursements and keep looking for ways to improve the situation.

NOTE FROM THE EDITOR

Have a topic you'd like discussed, a question you'd like answered, or a contribution you'd like to make to the next newsletter? Please send me a message at stenenso@sfu.ca.