

# **The Aggrieved Librarian: Enforcing Workplace Rights through the Collective Agreement**

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Sponsored by the Canadian Association of University Teachers, “The Aggrieved Librarian” conference and workshop was given at the Westin Ottawa on Oct. 28-29, 2011. Eighty academic librarians, including this reporter, attended from across the country

CAUT President Wayne Peters greeted the participants. He noted the concern for the future of academic librarianship, including de-skilling, outsourcing, and declining staff complements. This theme was echoed by Francesca Holyoke, Chair of the CAUT Librarians Committee, in her welcome.

The workshop itself was centred on how the collective agreement, in particular the process of grievance and arbitration, can be used to defend librarians’ rights against managerial encroachment. All the attendees were involved in the role-playing of a grievance filed by a librarian for the denial of a sabbatical leave by the library director. The roles included the grievor, union grievance officer, human resource officer, and library director. Over a series of sessions, the various factors that led to the denial were reported and investigated, culminating in a meeting of the parties where an agreement was negotiated – or, at least, attempted to be negotiated, since not all the tables were able to agree.

Interspersed throughout were presentations on the historic development of the right to grievance, the legal foundation of grievance and arbitration, member versus member disputes, and the arbitration process. The concluding session was devoted to defending libraries.

A highlight was Peter Simpson’s talk on member v. member conflicts, which was embellished with real-life incidents that occurred when he was LUFA’s Chief Steward. He warned that administrators will try to enlist the union in finding “creative solutions” to deal with “the problem member.” Instead of taking sides, the union should engage at once in a preliminary investigation to determine if there is a conflict. (Delay is disastrous as the conflict will intensify.) If there is, the health and safety provisions of the collective agreement can then be used to file an individual or policy grievance. This puts the onus on the employer to investigate and take action which, depending on the outcome, may in turn be a basis for grieving.

It was emphasized the grievance officer provides emotional support to the grievor, but is *not* a counsellor. The officer should take detailed notes, but without taking a position. It was also suggested that is useful to “think backwards” from the outset of a case to see how the points at issue would be presented at arbitration, and what the employer’s position would be.

Grievance and arbitration is a far better and more straightforward way to handle these situations than becoming entangled in the respectful workplace policies that many institutions have, where the union

has no role. There was a stampede to the microphone in the Q&A that followed, with Simpson being asked a number of situational questions about conflict.

Also noteworthy was Douglas Vaisey's presentation of a survey of librarians (via the CAUT listserv) on their workplaces that was conducted in advance of the conference. At first glance, the survey indicated that most workplaces were collegial, with few grievances. But answers to other questions, which fleshed out the picture in more detail, indicated that all was not so rosy. There are issues of a lack of collaborative decision-making, a selective approach to the administration of the collective agreement, and insufficient support for research, including sabbatical replacements. This is complicated by the relationship with the University Librarian, which is more personal than with the Dean of a faculty. Isolation, insecurity and reprisal are among the fears that prevent grievances from being filed.

At the concluding session, the ACRL library directors' statement was presented on the vision of the academic librarian of the future – basically, a “technology *über alles*” scenario that would spell the end of the profession as we know it. It is incumbent on CAUT academic librarians to develop model contract language for their work and to defend resolutely their collective agreements.

Overall, I thought the conference was well worth attending. I myself am deeply worried about the corporatization of higher education, including the diminishing role of librarians, and I was gratified to meet many others who share that concern.

*Desmond Maley*

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