

Submission to the Law Amendments Committee

By

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About

Bill 100 – Universities Accountability and Sustainability Act

Tuesday, April 28, 2015

Introduction

- Here to make an individual submission on Bill 100
- I am the Servicing Coordinator/Policy Analyst at NSGEU. In that role, I am one of three NSGEU reps on the Nova Scotia Post-Secondary Education Coalition.
- This Coalition was formed in 2005 by the Association of Nova Scotia University Teachers, the Canadian Federation of Students – Nova Scotia and NSGEU.
- The Coalition has worked to raise the profile, and increase funding and accessibility for Post-Secondary Education, especially through its regular polls and lobbying of provincial and federal politicians.
- I am particularly concerned with the process followed that led to this Bill, its provisions, and its likely impacts.
- I am opposed to the Bill and in particular, to Section 8.

The Process

- The process that led to Bill 100 started last fall with the university consultation process announced last October 8 when it was promised that Nova Scotians would have the opportunity to shape the future of our provincial university system.
- But from the beginning, the process seemed flawed and biased to yield certain answers. For example, it was suggested that Nova Scotia's university system was not sustainable, that is, by needing more than \$50 million in funding during the next few years. It was also suggested that "a sustainable university system helps businesses grow, export and create jobs, and prepares young people to fill and create jobs themselves. In other words, the main purpose of universities should be to help businesses grow.

- We participated in two focus groups: one for members of our Coalition and one for unionized support staff. In both sessions, those biases were confirmed in almost all of the questions asked.
- Worse still, when we asked for copies of the minutes at those sessions, it was very clearly stated that this was not possible. When I applied through FOIPOP for a copy of the minutes, I was then advised by the Department of Labour and Advanced Education that such minutes did not exist. In that same application, I asked for copies of all written submissions, I was told that they could not be released because they were considered to be advice to the Minister.
- There was no hint of the results of the consultation process until the Minister reported to a stakeholders' meeting on March 24 at which time, she indicated that there would be legislation coming forward this spring to increase universities financial accountability, and in extreme circumstances to have authority to withhold grants.
- All in all, this process seemed to be braised from the start and that the main outcomes of what was in the Budget and in this Bill were pre-determined, and not based on what was said during the consultation process. Worse still, the process was secretive and not really an open process.

The Main Provisions of the Bill

- Bill 100 seems to consist of two main parts: one requiring greater financial accountability in order for universities to receive grants, and the other dealing with what have been called situations of last resort when a university says it is dire straits and has a "significant operating deficiency".
- I have no problem with greater financial accountability for universities, but what is outlined is only part of what might be required. Section 4(c) only talks about financial sustainability that is, financial statements, projections and forecasts. But there is nothing about the growth of administrative positions and expenses, the wage gap between senior administration and the lowest paid staff at a given institution, or even, about student retention levels as well as enrolments. In other words, there is much more to accountability than is outlined in the Bill.
- But the most problematic part of the Bill is the provisions related to the revitalization plans where it is quickly apparent that the main reason for a university's financial difficulties seems to be the wages, benefits, and collective bargaining rights of its unionized staff.
- Worse still is giving a university under Section 8 broad, sweeping and unconstitutional powers to take away those rights, and to give the same powers to any other university under Section 13 with whom there might be a merger. It also gives the Minister broad powers under Section 12 to undermine its

autonomy and dictate how it is to run with a major emphasis on turning research into business opportunities and collaboration between the university and industry.

The Impacts

- The impacts of this legislation combined with the recent Budget will be devastating. As we have already seen at CBU, we will see significant staff cuts, tuition increases and wage freezes.
- We will see a significant outflow of students and faculty and the loss of meaningful and decent job opportunities for staff as we are now seeing in health care as a result of Bills 30, 37 and 1.
- This is the very opposite of what was envisioned in the election platform of the government when it said that: "Education isn't a line item in a budget, it's our future" and "a Liberal government recognizes our post-secondary graduates as the key to Nova Scotia's success".

Conclusion

- In conclusion, this Bill does nothing to address the fundamental problems of underfunding and understaffing of our universities.
- Nor is there anything to finally recognize that faculty, students and staff should be equal partners in the future planning and operation of universities in the MOU process and at the institutional level. As took place with this consultation process, universities have generally been secretive and closed to broad participation of all key stakeholders, which our Coalition has repeatedly recommended over the last ten years.
- At the very least, Section 8 and any references to it must be removed. Ideally, the Bill should be tabled until there has been broad public consultation on it and not just with university presidents. Students, faculty and staff have significant contributions to make to the future of post-secondary education in this province.

I appreciate this opportunity to speak with you. I welcome any questions or comments from Committee members.