

York University Faculty Association

Annual Trustees' Report

2020-21

Submitted by:

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In accordance with Article 3.5 of the YUFA Constitution, two trustees are elected at the Annual General Membership Meeting. The trustees are responsible for reviewing policies and activities within YUFA over the past academic year. They are also able to make recommendations for policy review or change in activity.

In preparation for this report, we examined the past year's minutes of the Executive and Stewards' Councils, the 2020-2021 budget and Auditors Report on the financial statements of YUFA for 2019-20, the last available Trustees' Report (2016-17), and the YUFA website.

Purpose of YUFA: promote the welfare of York University as an institution of higher learning and the socio-economic and general welfare of its academic staff, including the regulation of employment relations between the University and its academic staff. The Association shall promote the defence and extension of the civil rights and liberties of academic staff and the preservation and advancement of free democratic trade unionism. The Association is the certified bargaining agent of persons holding appointments as full-time faculty members of full-time librarians employed by the University.

It is our view that YUFA has fulfilled its obligations to its membership in giving close attention to significant issues affecting its membership and the broader community. We applaud YUFA on the broad range of issues it has addressed this year, especially given the unanticipated workload associated with COVID. Key issues considered or addressed over the last year include bargaining, COVID-related issues, equity (pay, diversity and inclusivity); governance, Long Term Disability (LTD) and YUFA operations (communication, YUFA budget, increasing engagement of members). Grievances are increasing and create significant workload. Areas of progress are summarized below.

Employment relations

- *Bargaining*: surveyed membership to establish priorities, work on Primary Negotiating Proposals.
- *Long Term Disability (LTD)*: evaluation of carrier (remain with Sun Life); ongoing issues: indexation, partial leave.

- *Progress on pay equity* for women (increases achieved) and librarians (ongoing – awaiting employer analysis of pay gap, concern that issues need to be resolved before CA expires).
- *Equity*: Justice, Equity, Diversity and Inclusivity Action Plan (JEDI); Anti-Black Racism Stewards Meeting and Statement¹; training and information session on role of Centre for Sexual Violence for YUFA Executive; recommendations for hiring, Affirmative Action (categories, AA representatives); organized forum on readiness to promote success of new hires; introduced personalized land acknowledgements at start of meetings. introduced roster of faculty available to support other faculty with caregiving responsibilities and is seeking funding.
- *CLA issues*: concerns with hiring process, precarity (no equivalent to CUPE conversions to achieve permanent positions); challenge to Glendon and AMPD use of 9-10-month contracts that blur CUPE/YUFA distinction; recommend use of YUFA AA provisions specifying % BIPOC priorities.

Defence and extension of rights and liberties of staff

- *Advocacy on COVID equity and workload issues*: organized Forum on impact of COVID on work; increased workload related to online teaching and accommodations for individual students, and impact on course planning, suggested strategies to manage workload (e.g., defer cyclical Program Reviews); concerns about timing and implications of requirements for plan to return to 50% in person teaching in Fall; impact on research, especially for pre-tenure members; principles for safe reopening; noted that the Employer is requesting excessive information to support requests for accommodation, especially for family reasons, and issued an advisory to members that all documentation related to accommodation should flow through the member and not from physician to Employee Wellbeing Office
- *University Governance*: University Governance Committee could organize faculty voice across academic decision-making venues; survey on renewal of the President; concern that Committee and Council agendas are set by Deans and administrators.
- *Grievances*: Increase in member grievances and complex harassment cases with unit-wide issues create high workload. Strategies to manage workload included shadowing and steward training.

Other academic concerns addressed or noted

- Recommendations to address falling student enrollment at Glendon College.
- Increase in student complaints made directly to Deans/President and administration ignoring protocol of redirecting student to faculty member first and failing to issue Agenda for meetings with faculty.
- Concerns about micro-credits through Continuing Education and in discussions for Markham Campus.
- Faculty right to ownership of own materials on eClass and workload of obtaining copyright clearance, issues with AltProf and Proctor for online exams.

Internal YUFA operations

- *Budget*: Addressed long-term decline in operating budget by transfer from LTD Premium rebate (approved, Fall GMM 2020) and increase in dues approved in General Meeting Spring 2020.

¹ Posted through YUFA-M listserv

- *Communications*: internal within Executive/ Management Committees and membership – social media workshops, more frequent YUFA communication with membership through E-NEWS and listserv broadcasts.
- *Policy* – minor changes to guidelines for YUFA-sponsored conferences & clarification of terms of office for Stewards

External

- YUFA active in promoting welfare of higher learning / academic communities (e.g., statements on Cromwell Report definition of anti-Semitism, Anti-Black Racism, Laurentian, other)

Recommendations

1. YUFA Operations and Accountability

We appreciate that YUFA's workload has increased significantly due to issues related to COVID and that this has impacted the sustainability of normal operations. Nevertheless, we are concerned that requirements for accountability outlined in the Bylaws (Items 10.2, 3 and 4) have not been fully implemented². Specifically, the workplans and progress reports that Executive is required to disseminate to the membership have not been posted on the website for the last two years; we understand that no workplan was created for 2020-21. We submit that a workplan is essential to ensure that YUFA prioritizes issues appropriately and remind the Executive that a workplan is required in Bylaw 10.2. A workplan can, of course, be revised as circumstances change (as recognized in Bylaw 10.4); the process of revising a workplan reminds members of the range of issues and priorities and so helps to ensure that reprioritization maintains balance between the 'important' and 'urgent'.

Further, transparency and accountability are critical components for building and maintaining the confidence and engagement of members. We are concerned that the current Trustees' Report is the first in four years. Without annual Trustees' Reports, it is difficult to determine whether some of the remaining recommendations from 2016-17 were implemented (for example, establishing a Task Force to review YUFA Trust Agreement and future direction). Reference to the YUFA website shows that some of the recommendations in the 2016-17 Trustees' Report do not appear to have been addressed³. While there may have been good reasons not to implement all recommendations, these reasons are not recorded for members' information. We also note that some of our recommendations (e.g. post summaries of Executive Committee Meetings) reiterate recommendations from 2016-17. We therefore recommend that:

- YUFA make every effort to encourage members to volunteer as Trustees. If there are no volunteers from the floor of General Meetings, YUFA can and must solicit volunteers (and if necessary, elect or ratify their appointment) using the newsletter or listserv and an evote.

² Bylaw items 10.2, 3 and 4 require preparation, ratification and dissemination of work plans, an organizing plan that references budget implications, and a progress report.

³ Examples include recommendations to post CUPE 1281 CA, summaries of Executive Committee Meetings on the YUFA website; reversion to holding YUFA Trust Meeting after, instead of during, AGM; Task Force to review YUFA Trust Agreement and future direction; amendment to Bylaws to restrict extraordinary extra-budgetary expenditures.

- The Executive should report annually to the membership on whether and how Trustees' recommendations have been, or will be, addressed. The recommendations should be considered in the context of, and could be referenced in, the annual workplan submission and progress updates.

2. Communication strategy

YUFA's communication strategy is essential to inform and engage members. We applaud the improvements in frequency of communication, including initiating e-News and increased use of the listserv to inform members of Advisories and Statements and to disseminate invitations for meetings. We also recognize the value of the website (redesigned approx. 2016).

We also recognize that implementing a communication strategy takes time and resources and that staff shortage and other factors delayed planned communications activities. Taking this into account, we note that the website has many areas that are incomplete or outdated, that navigation is challenging because it is hard to predict how some kinds of information will be categorized and because there is no search bar to help locate information easily. In addition, although the YUFA [Communications Policy](#) states that the website should have a Members' Forum in a password protected space, we were unable to locate such a Forum.

Given the importance of regular and open communication with members, we strongly encourage YUFA to ensure that there are adequate resources allocated to its communications strategy to ensure that relevant information is available, on a timely basis, and in a reader-friendly format.

With reference to the website structure, we recommend actions such as:

- clarifying the information structure and navigation on the website
- adding a section for YUFA position statements, reports and advisory notices
- adding the password-protected Members' Forum (or creating an alternative venue for such a Forum)
- adding search capability

With reference to content and reader-friendly format, we recommend actions such as:

- posting Agendas of upcoming Executive Committee and Stewards' Council meetings (in addition to circulating via the listserv)
- posting summaries or minutes of meetings so that members who cannot attend are kept informed
- providing meeting minutes in sufficient detail that issues and reasons for decisions can be understood by members who are unable to attend meetings regularly.
- completing all sections of the website (a significant number of sections are listed as 'under construction' or do not provide information)
- ensuring that information is updated quickly
- use of tags and/or other content management strategies so that information on important topics can be found efficiently
- descriptions of policies and guidelines on the YUFA website be updated routinely as changes are approved by the Executive Committee (e.g. changes to bylaws)

Given the Employer's vigorous PR campaigns during contract negotiations, we strongly recommend that YUFA prioritize and promote communication about the lead up to, and process of bargaining.

3. Engagement

While external events have precipitated imperatives to advance anti-racism and equity agendas and attend to COVID-related workplace issues, we remind YUFA that building an engaged and supportive membership is critical for YUFA's credibility in negotiations with the Employer, especially during bargaining. Recent strategies to increase engagement appear to have focused on increasing communication and social events. However, these strategies may be inadequate to address the deep divisions within the membership highlighted by the establishment of Profs4Change and reported interest of some groups in decertification.

We believe that YUFA has an essential role in maintaining and advancing the welfare of the University and the socio-economic and general welfare of members and so we urge YUFA to allocate resources and energy to advancing the work of the Union Engagement and Renewal Committee. A strong engagement strategy would recognize and address the diverse concerns, interests, priorities, and perspectives of our membership and by so doing would demonstrate that YUFA is more than a source of support for workplace grievances and bargaining. We therefore recommend that YUFA develop and implement an outreach strategy to identify interests and concerns of the membership, beyond the survey used to inform bargaining priorities. Information collected should be used to guide YUFA decisions on positions and priorities and activities.

We also recommend complementary strategies to facilitate engagement with YUFA. These would build on the social events initiated in recent years and could include use of additional venues and facilitated processes for constructive discussion of complex issues (i.e. outside the restrictions and rules of formal meeting formats), education about procedural rules for meetings, and return to disseminating regular updates on grievances, workplans and reports.

Similarly, YUFA can build on the Members section of the website to provide a central clearing house for information about university resources, policies and procedures to support member's work and academic success. Examples of topics that could be addressed include applying for employment accommodations for individual or family reasons, rules for use of PER, options and procedures for hiring research and teaching assistants.

We also note that the timing of the Fall General Membership may limit participation in a significant YUFA event (GMMs are usually held mid-week when many members are teaching). We recommend that YUFA contact the Registrar's Office and/or poll members to identify a day and time when more members are available (e.g. are there fewer classes on Mondays or Fridays than mid-week?) or defer the meeting until the end of teaching in December. Similar recommendations apply to optimizing the timing of meetings of the Stewards Council and Executive Cttee.

We also recommend that Stewards and/or other YUFA representatives of staff establish a regular time in their respective home Department meetings to engage members in updates and canvas opinions and suggestions.

4. Budget

As the 2016-17 Trustees' Report pointed out, YUFA Financial Statements have followed a pattern of declining balances in the Operating Fund since 2014-15 despite increases in membership dues. The Treasurer's Report at the November General Members Meeting projected an in-year deficit of \$162K largely due to increases in arbitration costs⁴ and the addition of a new YUFA staff member. This, combined with carry-over deficit from the previous year, resulted in a projected total deficit of \$312K; the membership approved a transfer of \$250,000 from the Long-Term Disability Premium over-contributions (held in trust) to the operating fund. With no appreciable increase in receipts and a small decrease in expenses, the budget provided to the Trustees still shows a carry-over from 2019-20 debt and the contribution of the \$250,000 transfer is not noted in the budget: the audited Financial Statement will be available for the Fall General Members Meeting. This transfer from restricted to operating funds will eliminate the deficit of 2019-20, however will not be sufficient to cover the new deficit forecasted. We strongly recommend that:

- in view of the increased burden of arbitration, YUFA must make hard decisions to limit other spending to avoid an additional increase in dues.
- We also note that investments can contribute to offsetting costs and that the 2016 – 17 Trustees' Report recommended forming a subcommittee to review and advise on investments. We are unable to determine whether this recommendation was acted on.
- Documentation was unavailable to determine whether procedures for the allocations to defence and arbitration funds have been followed.

5. Other concerns:

- Documentation indicated that a restorative process took place. A boycott of an Executive Meeting by many executive members was noted. No indication of any resolution in either case was indicated, so follow up would be recommended, if necessary.
- Determine whether the Joint Health and Safety Cttee Protocol needs to be updated to reflect changes in the way the University is organizing Health and Safety Cttee structures as an item for the future.

⁴ Arbitration and Consulting costs in 2019-20 were \$111,091 and \$55,214 above those budgeted for. The 2020-2021 budget forecasts for Arbitration and Consulting costs are \$210K and \$86K above the amounts allocated in the 2020-21 budget.