

York University Faculty Association

Annual Trustees' Report

2021-23

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 two year's minutes of the Executive and Stewards' Councils, the financial reports for 2021-2022 and 2022-3 the last available Trustees' Report (2021), 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.

Summary 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 in the last two years in addition to its success in bargaining and continuing additional workload associated with COVID. November 2022 financial forecasts indicate that YUFA will finish the year with a small operating surplus, supported by the 0.1% fee increase approved in 2021. Recommendations for the future enhancement of YUFA operations are included.

Key activity areas in 2021/2 and 2022/3

Employment relations

Bargaining

The bargaining process was resolved following a strike vote. Although salary increases were limited to 1% by provincial legislation, achievements in the new Collective Agreement include gains in equity, improvements in benefits for active members and retirees, and retention of the Dispute Resolution Committee. The post-bargaining review promises to be a valuable initiative that can inform future negotiations.

Defence and extension of rights and liberties of staff

The workload of YUFA Stewards and staff continues to increase due to increases in member-on-member complaints (for reasons such as academic mobbing) and in the number of grievances leading to arbitration. We commend YUFA on developing new guidelines for dealing with member-on-member disputes. The growing costs of legal representation are cause for concern to all members of the University and are also being addressed through procedural changes. Attempts to revive the Grievance Committee are to be encouraged.

Other concerns

COVID YUFA contributed advocacy and support regarding health and safety concerns related to the return to on-campus teaching.

Ongoing areas of activity

Governance

Concerns included:

- The lack of consultation with Senate and Faculty Councils regarding significant academic planning decisions, including external recommendations for Glendon rebranding/restructuring following falling enrollments, and the proposed School of Medicine.
- Concerns about University budget allocations (such as the costs of external consultants) and increasing governmental influence through audits and focus on 'value'.

Actions:

- Establishment of new YUFA Governance Sub-Committee (2021) and addition of a new section of the YUFA website with [information about governance](#).

Other issues related to actions by the Employer

Concerns include:

- surveillance of email communication, eclass and zoom
- data governance and sovereignty with the introduction of a new electronic CV system
- Increases in teaching load for teaching stream appointees
- surveillance of in-person teaching
- policies about formats for course delivery
- Short notice for cancellation of courses.

Actions:

- Surveillance by the University
 - [Statement](#) from YUFA Digital Infrastructure Advisory Group regarding the new electronic CV system.
- Teaching load
 - YUFA has [successfully supported a grievance against an increased teaching load](#) for a teaching stream appointment.
 - YUFA continues to provide advice for prospective appointees and is actively engaged in the following Joint Committees:
 - Joint Committee on Teaching Load and Class Size.
 - Joint Working Group to Review Teaching Load Reductions Provided Under Appendix P.

Internal YUFA operations

Operations and accountability

We appreciate that YUFA's workload increased significantly between 2020 and 2023 due to issues related to COVID and bargaining, and that these, together with shortfalls and turnover in the membership of the YUFA Executive, have impacted the sustainability of normal operations. Nevertheless, we are concerned that requirements for accountability outlined in the Bylaws (Items 10.2, 3 and 4¹.) have not been fully implemented despite reminders of the importance of doing so in the Trustee Report of 2021. Specifically, the annual workplans, organizing plan referencing budget implications, and progress reports that Executive is required to disseminate

¹ 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.

to the membership have not been posted on the website since 2019. We understand that no workplan was created for 2020-21 due to the unanticipated workload created by COVID but have found no evidence of workplans being disseminated to the membership since then, despite the recommendations in the Trustees Report of 2021. We submit that workplans are essential to ensure that YUFA prioritizes and resources work appropriately. Workplans are also important for ensuring transparency and accountability of YUFA to its members. A workplan can, of course, be revised as circumstances change (as recognized in Bylaw 10.4); similarly, 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'. Workplans and reports can be disseminated at appropriate meetings in the early fall and late spring as well as through the website.

We also noted a discrepancy between the YUFA Constitution and Bylaws regarding responsibilities if the YUFA President is on leave. It was noted at the time that the Constitution takes precedence over Bylaws. We recommend that YUFA conduct a regular review of policies and procedures to ensure that these foundational documents are updated for consistency with one another and with changes in YUFA structure and the York environment, such as the creation of new Committees. While the Trustees' Report can identify such issues, it is YUFA's responsibility to ensure that policies and procedures are amended as necessary.

Budget

After a year of significant deficit in 2021/2, YUFA membership approved a 1% fee increase to stabilize future operations. The 2022/23 November forecast (Fall GMM) forecast a surplus of \$138,859, although year-end reports were not available to verify whether this was achieved.

The 2022 Year-end Reconciliation Report attributed the deficit to: forecast loss (41K); increase in professional fees (\$146K); additional course releases (\$42K); payroll (\$30K); and investment loss (\$25K). The November 2022 budget forecast indicates a similar pattern of increases beyond the amount budgeted. End of year reports for 2022/23 were not available at the time of writing this Report. In view of the patterns observed in reports that were available and the recommendation in the 2020-21 Trustees' Report (i.e. that YUFA exercise caution in spending to avoid further increases in fees), we offer the following recommendations:

Plan to meet targeted allocations to YUFA Funds.

Bylaw 5 states that allocations to the Operating, Arbitration and Defence funds should be 37.5%, 7.5%, and 155%, respectively, of the average budget over the last three years. While all three funds are below target, it is of particular concern that the Defence fund is significantly underfunded. We strongly encourage YUFA to develop a clear plan to address the shortfalls to these funds.

Need for accurate membership forecasts. While it is good news that the November forecast for income from member fees (income) is \$272K above the amount anticipated in the 2022/23 budget, we note that professional fees were above the amount budgeted in both years. While YUFA cannot control dues charged by external organizations, professional fee increases are based partly on increases in our membership count. There is a long lead time for hiring and retiring so that membership counts should be predictable well in advance. We encourage YUFA to ensure that the employer provides accurate and timely information about anticipated membership numbers.

Course release. Meeting minutes document approvals for several requests for additional release. Bylaw 17 allows some flexibility, but *ad hoc* decisions should also recognize the potential impact on YUFA's operating budget. We encourage YUFA Executive to ensure that guidelines for course release and course banking described in Bylaw 17 are followed appropriately.

Payroll. Payroll was cited as a factor contributing to the deficit in 2022. Starting from 2020-21, salaries to YUFA staff have increased from \$901,057 (audited report 20-21) to \$998,167 (audited report 2021-22) to a forecast of \$1,107,024 (2022-23 November In-Year Forecast for Fall GMM). The November salary forecast for 2022-23 is \$64K above the amount budgeted and represents an increase of almost 11% over the previous year. It appears that the overall number of staff has remained approximately the same over this period. YUFA is bound by the negotiated terms of the 1281 Collective Agreement which led to increased costs, in addition to other circumstances.

Consulting fees. Forecast (\$123,500) is significantly above the amount budgeted (\$70K) and significantly above 21/22. The notation states that the amount is based on 4-month year to date plus average of the last 2 years for the remainder of the year. We are concerned that a significant expense appears not to have been anticipated in budget planning.

Discretionary expenses

Solidarity. External Solidarity donations have increased fivefold, from \$4000 in 20-21 to \$20,000 in the most recent (November 2022) forecast.

Meetings and hospitality. The November 2022 forecast for meetings and hospitality is double the amount budgeted. (Notation reads 'tennis bbq and hospitality'). A further \$5000 was allocated for 2022 tennis tickets. We recommend that expenditures be directed to open events that will benefit more members.

Transparency. It would be helpful if current end of year financial information were available to Trustees in time to prepare their report. This would afford a more complete and current perspective on our current financial status.

Communications Strategy

YUFA's communication strategy is essential to inform and engage members. We applaud the efforts to increase communication between YUFA and its members. The new and informative area of the website devoted to Governance is an excellent example. Links from that area provide access to Communiqués, information about governance structures at York and relevant resources from OCUFA and CAUT.

We would also like to commend YUFA on the communication strategy developed during the last round of bargaining. The information provided was invaluable, especially for the many members who were recently hired and unfamiliar with bargaining processes and strike procedures. The campaign was also notable for its outreach to students.

Much of this communication effort was precipitated by the prospect of a strike vote, although the need for a vigorous and proactive communication strategy was identified in the previous Trustees Report. We encourage YUFA to retain these valuable informational resources and, as before, we recommend that YUFA develop a comprehensive communication strategy well in advance of future bargaining rounds. We are optimistic that the establishment of a standing Communications Committee provides a way to consolidate and build on these promising developments. Given the importance of regular and open communication with members, we strongly encourage YUFA to ensure that there are adequate financial and human resources allocated to its communications strategy to ensure that relevant information is available, on a timely basis, and in a reader-friendly format.

We recognize that implementing a communication strategy takes time and resources and that planned communications activities have been delayed by staff shortages and other factors. Taking this into account, we note that many issues identified with the YUFA website in the 2021 Trustees Report are still outstanding. Some of these issues include: completion of areas that are listed as under construction or that do not provide information; the need to update information in a timely way; the need to structure the website information appropriately; provide access to the legacy of YUFA documents, create a password-protected Members' Forum²; and the need for a content management strategy and search function. Some of these issues were also discussed at the Executive Meeting (May 13, 2022). We trust that the website review mentioned in Executive Committee Minutes in May 2022 has been initiated and that the findings, in addition to recommendations in this report, will assist YUFA in resourcing and implementing a website designed to meet our ongoing needs.

We also recommend that YUFA continue its newsletters and email announcements, and that it adds to existing social media as part of a comprehensive communication strategy. Multiple communication formats will allow YUFA to provide information about issues and actions on a

² As required by the YUFA [Communications Policy](#)

continuing basis to supplement event-based items and ensure that members are aware of information that would otherwise only be accessible through the website.

Our previous recommendations for increasing members' engagement with YUFA included adding more information about York policies and procedures to the website. Such information would demonstrate that YUFA is relevant and helpful for a wide range of employment issues. Some of these issues are listed as topics in the 'Members' area of the website, but this section is under construction and the section title/structure is confusing. (The heading 'Members' suggests that it will provide a list of YUFA members!) More informative section headings might be 'Information for members', or 'Employment FAQs'. The section would be more user-friendly if it clarified how items are allocated to FAQs or the topic links.)

Engagement

The 2020/21 Trustees Report made several recommendations for increasing engagement with the membership. Responsiveness to members' concerns beyond immediate labour and equity issues is important to build broader engagement, and the previous Report recommended outreach to identify members' interests beyond the issues addressed in the bargaining priorities survey.

One example of a lost opportunity for meaningful consultation about members goals and concerns was the internal discussion about reducing the list of PNPs. PNPs are identified through the bargaining survey. Future surveys could ask members to rank the relative importance of different priority areas. The additional information would ensure that YUFA is able to demonstrate and represent the PNPs with the strongest support and inform strategic decisions about the length of the list of PNPs. '

The tactical question of whether a long or short list of PNPs is preferable needs a more reasoned analysis than suggested by the discussion reported in the Minutes. An issue that was not raised (or at least not reported in the Minutes) was that the range and number of demands makes harder to communicate and, if necessary, justify the case for strike action to members.

In addition, sustainability of YUFA operations depends on willing volunteers. We have noted the trend of difficulty finding volunteers for many committees across the University and encourage YUFA to explore barriers and motivations to participation.

Other concerns

Documentation indicated apparent tensions in meetings in the summer of 2021. Reporting in minutes suggested that tensions may have related to discussions about equity issues. We trust that the issues have been resolved but follow up would be recommended if necessary.