

YUFA Executive Officer Work Progress Reports 2016-2017

President's Work Plan Progress Report for 2017-18

Richard Wellen

For 2017-18 I have continued to fulfill my responsibility to coordinate the work of our Association. This has involved working closely with Executive Officers and staff to make sure YUFA's operations are conducted smoothly and in a way that is responsive and accountable to members. One important dimension of this has been to assist the Treasurer in managing the finances of YUFA. In addition, I have continued to play a role in communicating with members and representing the association in its dealings with our employer.

Over the last year YUFA faced several specific challenges which has required much of my attention and direct involvement. Several of these are outlined below:

1. Collective Bargaining: In YUFA the President plays a key role in negotiations, not only as a member of Executive but also as an *ex officio* member of the bargaining team. For the 2018 round of bargaining we have enlisted a Bargaining Priorities Subcommittee to assist with the bargaining preparation process and the preparation of a survey. We also plan to conduct extensive visits to departments to ensure that the bargaining process reflects the interests of our members and that we can develop strategies for engaging all sectors of our membership.

2. Financial Reform.

I have continued to work together with our Treasurer and The Executive Committee to ensure that YUFA's finances are placed on a sound footing. Considerations around membership fees, officers' release time and finding ways to curtail high professional fees will occupy our attention. We successfully resolved a previously unnoticed contradiction in our Constitution regarding the voting on dues.

3. New Campus. Our members expect YUFA to closely monitor the development of plans for the Markham campus and to protect the role of collegial decision making and other faculty interest in this planning process. I have continued our efforts to advocate for transparency and academic integrity as the administrative and academic governance structure on the new campus is developed.

4. University Governance and Campus Solidarity. YUFA played a leading role in publicizing the flawed and secretive presidential search process at York. We have worked with campus partners (e.g the Cross Campus Alliance or "CCA") and we are considering engaging in a review of governance at York, including procedures and composition of the Board of Governors. The involvement and support of the CCA was crucial to highlighting the struggle for the UniteHere food service workers for a fair settlement in their 2017 round of bargaining

5. External Environment. I have placed a very high priority on working with our faculty association counterparts at other universities to monitor the process of negotiating Strategic Mandate Agreements in Ontario. The pressure to adopt performance metrics has the potential to affect the terms and conditions of our members' work and also the integrity of our research and academic programs. The increased managerialism at our institution is a reflection of this process.

I have participated in the internal debate at York on these issues (on behalf of YUFA) and continue to work within CAUT and OCUFA to ensure that the voices of university faculty are heard in responding to the new management imperatives of subjecting more of our work to overly simplistic forms of quantitative measurement.

Maura Matesic

Vice President Internal

Progress Report – April 2017

I have performed the duties of the Vice-President Internal as outlined in the YUFA By-laws, including:

- Assisted the President in ensuring YUFA's internal operations are running smoothly and in accordance with YUFA's Constitution and By-laws
- Recruited members to participate in Association activities and serve on YUFA committees
- Chaired YUFA's staff relations committee
- Co-chaired YUFA's Labour Management Committee
- Attended meetings of the YUFA Executive and Stewards' Council
- Welcomed new members

In addition, for the 2016-2017 year, I focused on the following priorities:

- In accordance with current Health and Safety legislation, I drafted the following policies:
 - Workplace Harassment Policy and Program
 - Workplace Violence Policy and Program
- I attended OCUFA's AODA "Train the Trainer" workshop to assist in developing appropriate policies and training programs to ensure that YUFA is in compliance with the Accessibility for Ontarians with Disabilities Act, 2015.
 - I am currently working with the YUFA Equity Officers and staff to create appropriate training materials to ensure that YUFA meets the legislative requirements.
- I continue to serve as a member of the Joint Health and Safety Committee (YUFA/Employer)
- I implemented the Time Off Management software to facilitate YUFA office processes and transparency.
- I served as a member of the negotiating team for YUFA in the YUFA/CUPE 1281 negotiations.
- I served on the planning committee for of YUFA's 40th Anniversary celebrations

- I drafted a Confidentiality Policy and Procedures document
- I served on the Fellowships Appeal Panel

I served on the Sabbatical Fellowships Adjudication Committee

WORK PROGRESS REPORT

Didi Khayatt

Communications Officer

September 2016-April 2017

I was elected to this position in early July while away on holiday. I became an official member of the Executive by August when I assumed my role as Communications officer. My first Executive meeting was September 9th.

2016

September:

- The most notable business on the table was the application of **Article 18:15** which replaced Appendix O in the Collective Agreement. At this point in time only the Department of Mathematics at Glendon College as well as the Faculty of Education had a written agreement. Since all agreements with the various deans had to be handed in by October 20, YUFA Executive felt we needed to bring the ideas and the will to settle with the deans back to the Membership. Several strategies were adopted: First, YUFA President Richard Wellen and staff would organize Town Hall meetings in all Faculties, including Education. Second, meetings would be organized with the Deans across the University. Some of the issues in contention were: what counts as research? Does graduate supervision get counted? When to go for dispute resolutions if nothing is settled? And so on.
- YUFA passed a motion opposing the decimation of Graduate Assistantships at York University. The motion was passed at the meeting of August 19, 2016.
- YUFA Executive put forth a motion to write to the President Mamdouh Shukry regarding accepting funds from the controversial businessman Victor Dahdaleh and renaming the TEL building in his honour.
- YUFA Executive sent letters of support to the academics and scholars in Turkey who were being rounded up by the current regime.
- YUFA Executive agreed to send two Members to the CAUT New Activist Conference.

October:

- Richard Wellen, President of YUFA and staff member James Clark attended all the Town Hall meetings that were organized to talk with and advise Members from each Faculty across York University.
- Richard Wellen met with deans of Faculties from across the University. Some of the issues arising from this meeting continued to include problems of what counts as research, how to define research active and what is active enough, quantifying standards, is graduate supervision to be counted as research, and finally, when and how each Faculty would settle on an agreed-upon text for Article 18:15.
- Executive Members' work plans were due this month and all were handed in on time.
- Faculty Club update: YUFA discussed with the Faculty-Graduate Lounge. Meetings were scheduled with Gary Brewer and Richard Wellen reported back to the Executive regarding the information at hand.

November:

- YUFA General Meeting (GMM) occurred on Wednesday November 9, 2016. Over sixty members attended it. The most important issue that was discussed was Article 18:15 and the subsequent Town Hall meetings in each Faculty. Furthermore, there was an update on those units who were in negotiation, particularly around issues of what criteria were being used.
- Refugee Levy expiration: A motion was passed to extend the levy by two months. The electronic ballot showed that 41% of the membership replied and of those, 64.3% approved.
- November 18th saw the first of YUFA's celebrations for its 40th Anniversary. The Race Equity Caucus organized a public Lecture by Dr Malinda Smith from the University of Alberta. Her talk was entitled *Toward an Anti-Racist University: Racial (In)Equity, Intersectionality, and the Social Injustice of Sameness*. The lecture was extremely well attended, particularly for a Friday afternoon. Both the President and the Provost were present.
- Elections were conducted for an Equity Officer and a Chief Steward. Frances Latchford returns to a position she held last year and Sheila Embleton was re-elected for the position she currently holds.
- CAUT's 4th Conference on Equity is due to be held on February 24-25, 2017. The Executive is looking to send up to ten members in addition to the two Equity Officers.
- Finally, YUFA's holiday special is to be held on Friday December 2nd from 1:30pm to 4:30pm. All members were welcome.

2017

January

- Article 18:15 Research Release Program: Barry Miller complied with agreements. Deans were given until December 15 to forward criteria. By the end of January, YUFA hopes

that all units will have settled by the end of February. Many of the issues revolve around how to deal with grad supervision.

- YUFA set up Bargaining Priorities Subcommittee to consult with all units and with members, to review the last round of bargaining and to decide, after consultation, on the priorities for bargaining.
- Like most of the membership, YUFA is watching closely the Presidential Search.

February

I underwent major surgery and missed all meetings until end of March.

April

- Have been appointed to the Bargaining Priorities Committee and will be attending the next meeting
- Have been monitoring closely all correspondence online by YUFA
- Met with Richard Wellen, President and agreed to resume my initial plan for a newsletter every couple of weeks.

Chief Stewards – Sheila Embleton and Art Redding

In 2016-17, we have, between us:

1. Consulted with, assisted, and represented YUFA members in contract-related matters: consulted with a large number of members with a variety of different concerns in areas such as tenure and promotion processes (including difficulties in advancing to candidacy, tenure denials and delays, difficulties in full professor cases including inability to assemble the requisite committees, files which wait a long time for the decanal letter of transmittal, dismissal, workload, teaching assignments, use of banked courses, how to make up courses owed or allegedly owed, sabbatical scheduling and pay, disputes over sabbatical credit, maternity and parental leave scheduling, requests for LOAWOP (leave of absence without pay), compassionate leave, inquiries about the salary anomalies exercise, disciplinary matters, research misconduct investigation, Appendix P stipend and release issues, Appendix O (graduate supervision credit), problems with research accounting and Concur, problems with grant administration, member-to-member disputes, transfers between units, cross-appointments, chilly climate and harassment issues and complaints falling under Appendix Q, various infrastructural support/working conditions issues, copyright, workplace accommodation, irrevocable reduced load, retirement benefits, sick-leave/long-term disability benefits, chair and master search process, decanal intervention in hiring processes (particularly in shortlisting and determination of conflict of interest), etc. We supported members named in the Access Copyright lawsuit against York University, and a member named in a research misconduct case at another University. Typically these issues are handled confidentially, without grievance (while protecting that option if needed); in many cases the advice provided has enabled the YUFA member to reach a satisfactory solution without further intervention from us, often without even a complaint stage meeting. There are however many complaint stage meetings. Sometimes the matter goes on to grievance, but may be resolved (with minutes of settlement) without any need for arbitration. In addition, we worked on a number of policy grievances, bringing these to the attention of the YUFA Executive, who then voted to grieve on behalf of YUFA. Listing new as well as ongoing/unresolved grievances that began earlier, these included: employee engagement survey, copyright/document preservation, CV exercise and performance evaluation, use of briefing notes in tenure and promotion cases, workload for the alternate stream in units that didn't until recently have alternate stream, etc.
We also work with prospective members as they negotiate their letters of offer, and with continuing members as they move from CLA to tenure-stream status. We also worked very closely this year with the 8 CUPE conversion appointees, a process that was particularly fraught this year because of the inexplicable lateness of the whole process.
2. Between grievance and arbitration there can be the Dispute Resolution Process, if both parties agree. In the past few years, the Employer has not wanted to engage with this option. This year we have laid some groundwork and may be about to participate in one Dispute Resolution Committee Hearing.

3. Worked on several arbitrations resulting from grievances:

a) Won a lengthy arbitration related to a tenure-denial.

b) There are several arbitrations underway (dismissal, treatment of York terminal degree holders in our hiring processes, decanal intervention in hiring). Two cases resulted in a mediated settlement (on the brink of arbitration). Even after arbitration, with a written document, we have to maintain a watching brief until our negotiated memoranda of settlement are implemented. We may need to return to the arbitrator with respect to one arbitrated settlement from several years ago. (The same has recently proven true even of negotiated memoranda from grievances, which never went to arbitration.)

c) There are several further grievances, relating to Article 18.15 implementation, to appointments processes, to alternate stream workload, to Article 22.07 (use of CVs) which may proceed to arbitration in the coming months, or be withdrawn as a result of a negotiated Memorandum of Settlement.

d) We have filed a policy grievance on the removal of GA support last summer; we have applied for intervenor status at CUPE 3903's Unfair Labour Practices hearing on this same matter.

In our work described in (1), (2), and (3) we have worked closely with YUFA staff and lawyers (Goldblatt Partners), and truly appreciate their knowledge, wisdom, and support. In particular we work most closely on the largest number of cases with Kristin Skinner. We do work on our increasing number of cases with other staff as well, Andrea Harrington until she left in the summer of 2016, Jeff Braun-Jackson, and our newest employees, Sonja Killoran-McKibbin, James Clark, and Erin Black. We want to most sincerely acknowledge the huge support, wise counsel, and tremendous hard work, sometimes in quite difficult circumstances, from all the staff and GP over this past year. We would also like to acknowledge Penni Stewart's huge effort and wise counsel in continuing to work with us on some of the long-term cases she had handled as Chief Steward.

4. Assisted with the work of Stewards Council

a) during discussions of members' concerns

b) providing reports and updates on grievances and areas of special concern or interest (e.g. Concur, 18.15 research releases)

c) ratifying the election/appointments of members to various positions and subcommittees throughout YUFA

d) discussion of collective bargaining preparation.

5. Participated actively in regular meetings (every two weeks) and special meetings of the YUFA Executive.
6. Joined the Bargaining Priorities Committee; participated in Dispute Resolution Panels for 18.15 (research release).
7. Participated in meetings, caucuses and deliberations of the JCOAA, including its subcommittees such as on Long Range Planning.
8. Attended regular monthly meetings and occasional extra meetings with YUFA staff and Barry Miller (Faculty Relations), at which we review concerns and grievances in an attempt to find quicker and less formal resolutions than full grievances. Our ongoing list continues to grow and is the longest it has been in at least the last 6 years.
9. Attended monthly meetings on Accommodations. These meetings were a new initiative two years ago to try to deal expeditiously with members needing accommodations or having issues with medical leaves. Although the situation may be better than it would have been without these meetings, it is still shocking how much time routine matters take to move forward on the part of the Employer and in particular the Employee Well Being office (EWB).
10. Attended meetings and workshops of OCUFA's Grievance Committee (twice per term); attended annual meeting of CAUT Grievance Officers; gave three CAUT Grievance Handling Workshops (helping train grievance officers at other institutions – Brock, Windsor, St Jerome's (at Waterloo)).

Concerns:

- a) Rising number of files at all stages (inquiries, consultations, complaints, grievances, arbitrations). Length of time that files remain unresolved, leading to increased stress on members and compounding of the original issue (this was also a concern in at least the last three AGM reports)
- b) Number of members being called in for discipline or what is reasonably interpreted as discipline, often when the meeting agenda was something else or not announced; other aspects of the process also improper, such as not providing copies of written complaints or extreme delay in doing so (this was also a concern in at least the last three AGM reports)
- c) Rising number of problems with coming on/off sick-leave or LTD, receiving "bridging" salary while waiting for Sun Life to make its decisions about LTD, appeals of LTD denial, getting correct workplace accommodations, filling out EWB's forms. This is complicated by the ever-changing staff in EWB.
- d) Apparent lack of concern on the part of senior academic administrators for smoothly functioning labour relations. One indicator of this is the increasing desire (or even need) for faculty members to have a YUFA representative advise them first and then accompany them to any meeting with any senior administrator or EWO, even for what

used to be considered routine matters (this was also a concern in the last two AGM reports, but it is getting worse). Often YUFA members contact YUFA first, rather than the Employer, even for routine questions or matters where formerly no problems would have been anticipated – and this adds considerably to the workload of the YUFA staff and the chief stewards, and gives rise to a feeling that we are doing the Employer’s work for them.

- e) Length of time that promotion or tenure-and-promotion files take, mostly because of the time waiting for the Dean’s letter of transmission, and in some cases failure to initiate the process in a timely manner.
- f) There is a rising number of cases under harassment, with an ensuing formal (quasi-) disciplinary process (itself a problem) when such matters would have formerly been solved in less formal more collegial ways. Procedures are often not clear, and often the dean/associate dean involved has had absolutely no training in these kinds of investigation.

Equity Officers' Progress Report 2016-17

Submitted by YUFA Equity Officers Nick Mulé and Wilburn Hayden Jr.

Currently, there two newly elected Equity Officers (EO); one EO (Nick Mulé) elected at the beginning of a regular two-year term and the election of a second EO (Wilburn Hayden Jr.) that covers the current year because of an EO vacancy in the second year term resulting from sabbatical.

In 2016-2017 the EOs have pursued the on-going work of strengthening equity-related YUFA committees and equity-related joint YUFA-Employer committees to enhance organizational democracy, transparency and accountability and to reinforce and enhance equity at York and within YUFA. Additionally, the EOs have begun mutual equity-related discussions with CUPE 3903 and bargaining priorities for the next round of negotiations.

Regular Work and Meetings

Both EOs attended the regular meetings of YUFA's Executive Committee, Stewards' Council and General Membership Meetings and special YUFA Meetings to conduct a watching brief on emerging and on-going issues related to equity and the Collective Agreement. EO Nick Mulé is a member of the Joint Committee on Administration of the Agreement (JCOAA) and the Long-Range Planning (LRP), attending their caucus and actual meetings. . EO Wilburn Hayden Jr. serves on the YUFA Bargaining Sub-Committee. The EOs have responded to issues and concerns surrounding equity as they have arisen in relation to the context of day-to-day YUFA business, regular committee work, and has consulted within YUFA (e.g., JCOAA Co-Chair, Chief Stewards, YUFA Staff, Equity Caucuses, Executive, etc.). Externally both EOs are committed to attending the CAUT Equity Conference once their labour dispute is resolved and EO Nick Mulé attended and participated in the spring 2017 OCUFA Status of Women and Equity Committee Meeting.

Equity Sub-Committee (ESC)

With the assistance of YUFA staff the EOs have organized and chaired the regular ESC meetings. The EOs have worked in cooperation with ESC members and Equity Caucus Representatives to support, engage, raise awareness and enlist YUFA members in the interests and service of equity at York. The EOs and ESC have worked together to do so during 2016-2017 in the following ways:

- 1) The ESC was unable to meet during the fall 2016 semester, despite repeated attempts. The ESC had one (1) regular meeting during the winter 2017 semester with a second (2nd) now scheduled. The EOs and ESC members have developed various equity initiatives

and identified equity related concerns which the EOs have acted on, for instance, via and/or in conjunction with the appropriate committees on which she sits (e.g., Executive, JCOAA, LRP, Stewards, Bargaining Priorities Committee, etc).

- 2) The EOs' involvement with the Equity Caucuses has been appropriate to that desired by each Caucus; where Caucuses have no, or next to no, current members, the EOs have actively worked to engage and draw in new caucus members.
- 3) In conjunction with YUFA staff, the EOs organized one (1) important event this year: The "YUFA's 40th Anniversary Holiday Social" to encourage participation and new membership within the caucuses, as well as networking across them and within YUFA as it concerns equity. Beyond equity it was an opportunity for all YUFA members to meet, network and socialize. It took place on December 2nd, 2016 and has now taken place three (3) years in row to great success.

Communicating Equity

The EOs have engaged in outreach to the membership either through the sorts of events described above or through periodic reporting on equity news (e.g., YUFA equity statements), issues and events via the Communications Officer and YUFA staff, thus, YUFA newsletter and/or the YUFA Equity Bulletin listserv.

Implementation of Equity-Related Gains in the Collective Agreement (CA)

The EOs have been monitoring and consulting on the following list of equity-related gains in the current CA:

- Aboriginal (Indigenous) faculty hiring incentive program: minimum of 4 appointments (and potentially up to 6).
- Affirmative Action: 20% threshold for Visible Minorities (members of racialized groups) established within Affirmative Action hiring procedures (Art. 12.21)
- LGBTQ2 inclusion as employment equity group (Art. 7.08)
- LGBTQ2 and disaggregated categories of visible minorities (racialized groups) included within self-identification data collection (Art. 8.01 and 12.22)
- Amendments to Art. 7.08 (Joint Subcommittee on Employment Equity) and Art. 12.22 (Affirmative Action Officer)
- Transgender Health Fund - \$30,000 per year (Art. 26.11)

Through ongoing consultations and discussions with relevant bodies (i.e. ESC, JCOAA, LRP), the EOs continue to closely monitor the implementation of YUFA's latest gains on equity in the Collective Agreement.

Equity within JCOAA and LRP

EO Nick Mulé has and continues to sit on JCOAA and LRP to monitor on-going issues related to equity, such as the disaggregation of aggregated equity groups in data gathering tools, new campus, anticipated arrival of the subway, accommodations and/or the administration of the

Collective Agreement, and has regularly raised YUFA members' equity concerns with the Employer on the part of YUFA.

Consultations and Acknowledgements

Finally, to advance and promote equity at York, the EOs have liaised, as necessary with: the Equity Caucuses, various equity-seeking constituencies, groups and/or organizations, and/or members with expertise in equity-related fields on campus, as well as with organizations off-campus, such as CAUT and OCUFA.

The EOs would especially like to thank members of the ESC (Caucus Representatives and Members at Large) and the YUFA staff, in particular Erin Black, for their generous service to YUFA in support of equity!

Ricardo Grinspun
YUFA Treasurer
Progress Report – April 2017

YUFA's Treasurer plays a leading role in administering the finances of our union. Working with members of the YUFA Executive and staff, I monitor YUFA's financial position, ensure that funds are invested wisely, and provide regular spending updates. More specifically, I have:

- worked with YUFA's auditor and staff to develop an ongoing monthly budget reporting structure in order to facilitate greater financial transparency for Executive decisions;
- provided regular financial updates for the YUFA Executive;
- reviewed the annual audit of our Association's accounts and worked with YUFA's President, staff, auditors and financial advisor to maintain our financial position;
- worked with YUFA's President and staff to prepare the annual budget for presentation to the membership on April 19, 2017;
- worked with YUFA President to address the financial sustainability of the Association and explore ways to increase income and decrease costs.

In addition to my Treasurer role, I have actively participated in YUFA's Executive and Labour Management Committee and contributed to other YUFA activities such as governance.

As Recording Secretary and part of YUFA Executive, I am fulfilling my role by taking and submitting the minutes for YUFA's Executive meetings, Stewards' Council, General Membership Meetings, and Annual General Meeting. The Minutes records motions and major points in the discussion as well as summaries of reports of the officers and committees including the action taken on them.

Merle Jacobs.

Recording Secretary 2016-2017