

YUFA Annual General Meeting Agenda

Date: Wednesday, June 3, 2020

Time: 10:00 am to 1:00 pm

Location: Via Zoom

1. Acknowledgement of Traditional Territory (Attachment 1) 10:00

2. Consent Agenda 10:05
 - i. Approval of the Agenda
 - ii. Approval of Meeting Minutes (Attachments 2a, 2b, 2c, 2d,2e)

3. Budget* (Attachments 3a and 3b) 10:10
 - Executive presentation: 2020-2021 Budget (subject to electronic vote subsequent to the AGM) (R. Wellen, Acting Treasurer)

4. Election of Trustees 10:40

5. COVID-19 Update; Remote and On-Line Teaching Issues 11:00
(A. Redding; S. Embleton; N. Mulé)

6. President's Report (A. Redding) 11:30

7. Update: Scholars at Risk (T. Maley) 11:55

8. Lunch Break 12:00

9. Chief Stewards' Report (S. Embleton and M. Matesic) (Attachment 4) 12:30

10. JCOAA Report (N. Mulé) (Attachment 5) 12:45

11. Adjournment 1:00

*According to the YUFA Constitution, Article 3.5(c), assent to the annual budget and fee structure shall be given by a simple majority decision of those members voting electronically subsequent to the meeting.

Land Acknowledgment

We recognize that many Indigenous nations have longstanding relationships with the territories upon which York University campuses are located that precede the establishment of YUFA. York University acknowledges its presence on the traditional territory of many Indigenous Nations. The area known as Tkaronto has been care taken by the Anishinabek Nation, the Haudenosaunee Confederacy, the Huron-Wendat, and the Métis. It is now home to many Indigenous Peoples. We acknowledge the current treaty holders, the Mississaugas of the New Credit First Nation. This territory is subject of the Dish with One Spoon Wampum Belt Covenant, an agreement to peaceably share and care for the Great Lakes region.

YUFA Annual General Meeting April 24, 2019

Meeting called to order at 1:20 PM with attainment of quorum

1. **Acknowledgement of Traditional Territory** (Att. 1): Read by President Redding.
2. **Approval of Agenda**: Moved and seconded by executive resolution. Motion carried.
3. **Wage Freezes? More Budget Cuts? Higher Education in the Ford Era**: Michael Conlon, Executive Director of OCUFA made a presentation followed by discussion.

A precis of his presentation follows. Michael stated that under the guise of faculty renewal the government is attempting to take action to facilitate the retirement of 65+ faculty members, without really being committed to faculty renewal. The government also is attempting to take action on so called “double dipping” where faculty members at age 71 who have not retired will have their salaries reduced by the annual pension they receive. He noted that under federal legislation pensions must be taken at age 71 and that to call salary plus pension “double dipping” is erroneous and is age discrimination. The government is also considering centralized bargaining for the broad public sector including Universities. This could include possible wage freezes, although the government expressed the view that if the economy improves more than expected then the gains will be shared with the public sector. Universities are being targeted by the government with 60% of funding dependent on performance indicators.

In the following discussion, members suggested that we must mobilize against the government initiatives as the government does react to public opinion; that we not fall into the fear trap but positively mobilize; that we should join with the broader educational sector in opposing government initiatives; and that Senate might be the best forum to discuss performance indicators. Michael Conlon stated that we should put pressure on the Administration to support us and that the government was seeking a back door to impose retirement.

4. **Approval of Meeting Minutes** (Att. 2a, 2b, 2c, 2d and 2e). Moved by executive resolution that the minutes be approved *en masse*. Motion carried.
5. **Budget** (Att. 3a, 3b and 3c): The budget was presented by Paul Evans. It was moved by Chris Robinson and seconded by Jody Berland that the members attending this meeting endorse the budget and recommend electronic approval by the membership. Motion carried.
6. **President’s Report**: (i) Negotiations of a new SRC program are underway although progress has been slow. (ii) Indexation of pensions is now a major issue with the Employer and YUFA disagreeing on the nature of the commitment made by the University. (iii) The Executive encourages the use of Et al. for catering events. (iv) The Executive Committee plans to engage the membership to address divisive issues by outreach and communication including unit visits, by recruitment of younger faculty members to Executive and other positions, by holding

meetings with groups of chairs and by politically effective mobilization on important issues. (v) YUFA has subscribed to Zoom for electronic participation in meetings.

7. **Chief Stewards' Report** (Att. 4): Maura Matesic reported that it has been an incredibly busy year with a notable increase in grievances and arbitrations, which often take a long time to resolve, leading to frustration among members. However, some issues have been settled. The Dispute Resolution Committee is now being used much more and is proving to very effective. Moira expressed her appreciation for the support given by YUFA staff.

8. **JCOAA/LRP Report** (Att. 5). The written report was presented by Miriam Smith.

9. **Motion: LTD Funds Payment for Legal Expenses** (Att. 6): It was moved by Richard Wellen and seconded by Arthur Hilliker that the Executive bring the motion in Attachment 6 for approval. "YUFA is currently involved in initiative to negotiate and introduce indexing of Long Term Disability (LTD) and pension benefits and to make related improvements to these benefits plans for employees. The YUFA Executive moves that the funds withdrawn for the LTD surplus, which have been placed in reserve for benefits improvements and other purposes approved by the member, be made available to pay for legal, actuarial and other profession consulting fees that YUFA has and may incur in the aforementioned initiatives." Motion carried.

10. **Election of Trustees**: There were no volunteers to serve as Trustees.

11. **Adjournment**: The meeting adjourned as there was no further business.

Attachment 2b

**YUFA General Membership Meeting – Special Renewable Contract (SRC)
Appointment Language**

June 11, 2019

280N York Lanes

Minutes were not taken as quorum was not reached.

YUFA Special General Membership Meeting Agenda

Date: 2 October 2019

Time: 10:00 to 1:00 pm

Location: Founders 152

Minutes were not taken as quorum was not reached.

YUFA General Membership Meeting

Date: 13 November 2019

Time: 10:00 am to 1:30 pm

Location: Bethune 320

Minutes were not taken as quorum was not reached.

YUFA Special General Membership Meeting – et al. financing

Date: Tuesday, 25 February 2020

Time: 12:00 pm to 1:30 pm

Location: Bethune 203

Minutes were not taken as quorum was not reached.

Table I. Proposed Operating Budget 2020-21

	Forecast 2019- 2020	2019-20 Est.	Budget 2020- 2021	<i>notes</i>
Income				
Member Fees	2,902,142	2,902,699	2,963,213	<i>No change to 1.25% dues rate and 2.1% base salary increase</i>
YUFA Faculty Club Levy	37,736	37,259	0	
Article 26.11	40,000	40,000	40,000	<i>to offset Article 26.11</i>
YUFA Trust Foundation	100,000	100,000	100,000	<i>to offset Community Projects</i>
ARFL	500	600	500	
Total Income	3,080,378	3,080,558	3,103,713	
Fees Payable				
OCUFA Fees	270,527	277,739	283,849	
CAUT Fees	263,877	270,922	276,883	
CAUT Defence Fund	101,115	102,152	104,399	
National Union Fund	16,512	16,856	17,227	
Toronto & York Region LC	9,919	9,417	9,624	
Ontario Federation of Labour	11,623	11,865	12,126	
Total Fees Payable	673,573	688,951	704,108	
Gross Income	2,406,805	2,391,607	2,399,605	
Expenses				
Course Releases	361,756	312,196	312,678*	<i>Accrued liabilities of \$132,664 for banked course releases not included as in-year expense. See Table II below.</i>
Revenue Canada		2,521	500	

Attachment 3a

Total Releases, Stipends		314,717	313,178	
Payroll				
Salaries	753,631	805,363	942,444	<i>CPI at 0%, 1.5 additional employees</i>
Benefits	186,322	204,325	217,176	<i>RRSP, PEA, Tuition, CAUT Group Benefits (COFAS cancelled)</i>
Employer Expenses	35,532	39,038	44,001	<i>CPP, EI, EHT, WSIB</i>
Provision for retirement	17,540	17,610	17,650	
Total Payroll	993,025	1,066,336	1,242,005	
Office Expenses				
General Office Expenses	18,000	17,266	5,000	
Printing, Duplicating & Web	23,200	24,202	14,000	<i>Photocopier lease, printing</i>
Dues & Subscriptions	8,000	6,155	8,000	<i>Intuit Cda, Simply voting, Dropbox, CALM</i>
Office Equipment	9,590	11,501	5,000	<i>Computers</i>
Telephone	6,800	6,468	6,800	
Total Office Expenses	65,590	65,592	38,800	
Professional Services				
Legal	120,000	36,381	60,000	
Arbitration	240,000	352,340	270,000	<i>additional arbitration expenses</i>
Audit & Accounting	32,000	28,279	32,000	
Consulting	67,000	219,203	100,000	<i>additional consulting expenses</i>
Other Professional fees	12,157	15,674	15,000	<i>Legal expenses re: Staff Bargaining etc</i>
Total Professional Services	471,157	651,877	477,000	
Other Expenses				
Travel & Conferences	30,000	24,481	30,000	<i>CAUT, OCUFA conferences</i>
Meetings & Hospitality	35,000	37,228	30,000	<i>may be reduced by social distancing</i>

Attachment 3a

Retirement Centre Donation	9,738	9,738	9,738	Article 14.06
Faculty Club	35,000	36,307	45,000	YUFA's legal obligation for final liabilities
CAUT Academic Freedom Fund	5,000	5,000	5,000	motion passed at AGM 2015
Solidarity - External	20,000	11,000	20,000	UNBC, MT. Allison, YUGSA
Community Projects	77,000	82,500	77,000	offset by YUFA Foundation
Solidarity - Members	4,500	4,500	4,500	Tennis
Article 26.11	40,000	19,215	40,000	offset by Article 26.11 income
Miscellaneous Expenses	10,000	4,750	5,000	
Office Renovation			50,000	to retrofit for 2 staff offices
Depreciation	9,000	9,000	9,000	
strike expenses	0	0		
Promotional Items	10,000	0	5,000	
Total Other Expenses	285,238	243,720	330,238	
Total Expenses	2,176,766	2,342,242	2,401,221	
Operating Excess	230,039	49,365	19,118	See note on course releases above – accrued liabilities not recorded as in-year expense.
Other Revenue				
Bank Interest & investment income	3,150	2,290	2,000	
Total Other Revenue	3,150	2,290	2,000	
Bank Charges		48	24	
Total other expenses		48	24	
Net other Income		2,242	1,976	

Attachment 3a

Net Income	233,189	51,608	21,094	
carried forward				
By-Law 5 Transfer		-51,608	-21,094	
Balance		0	0	

*

Table II. Course Releases

<i>Position</i>	<i>Granted re fiscal 17-18</i>	<i>Granted re fiscal 18-19</i>	<i>Granted re fiscal 19-20</i>	<i>Granted re fiscal 20-21</i>
Executive Officers				
President-	2.5	2.5	2.5	1.5
V P Internal -	1.5	1.5	1.5	1.5
V P External -	1.5	1.5	1.5	1.5
Chief Steward -	2.5	2.5	2.5	2.5
Chief Steward -	2.5	2.5	2.5	2.5
Comm. Officer -	2.0	1.5	1.5	1.5
Equity Officer-	1.0	1.0	1.0	1.0
Equity Officer	1.0	1.0	1.0	1.0
Recording Secretary - vacant	1.0	1.0	1.0	1.0
Treasurer -	1.0	1.0	1.0	1.0
Past President -	0.0	0.5	0.5	0.5
Stewards Council Rep-	0.5	0.5	0.5	0.5
Stewards Council Rep -	0.5	0.5	0.5	0.5
JCOAA / LRP Co-Chairs	1.5	1.5	1.5	2.0
Community Projects				
member	0.5	0.5	0.5	0.5
member	0.5	0.5	0.5	0.5
Caucus Reps.				
Race Equity -	0.5	0.5	0.5	0.5

Attachment 3a

Race Equity - Glendon	0.0	0.0	0.0	0.5
Disablity Caucus - vacant	0.5	0.5	0.5	0.5
Aboriginal Caucus -	0.5	0.5	0.5	0.5
Queer Caucus -vacant	0.5	0.5	0.5	0.5
AUPC				
member -	0.0	0.0	0.5	0.5
Bargaining Team				
Chief Negotiator	0	2.5	0	1.0
member	0	1	0	0.5
member	0	1	0	0.5
member	0	0.5	0	0.5
member	0	1.25	0	0.5
member	0	0.5	0	0.5
Side table bargaining - total	0	1.5	0	0.0
Total Accrued	22.0	30.3	22.5	26.0
	Total Used/Taken 20-21			19.5
	Total paid by employer 20-21			7.0
	Total paid by YUFA in 20-21			12.5
	Total expense in 20-21 budget			\$312,678
	New accrued liability (banked)			\$132,664

Background Report on Budget

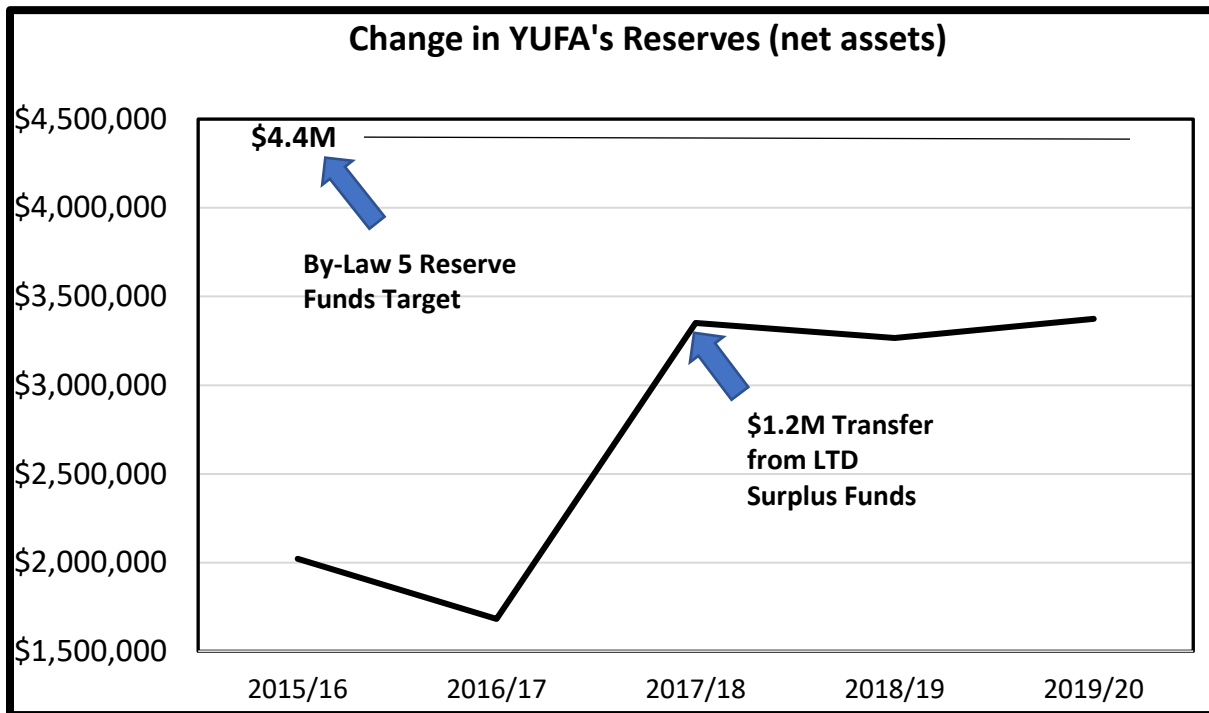
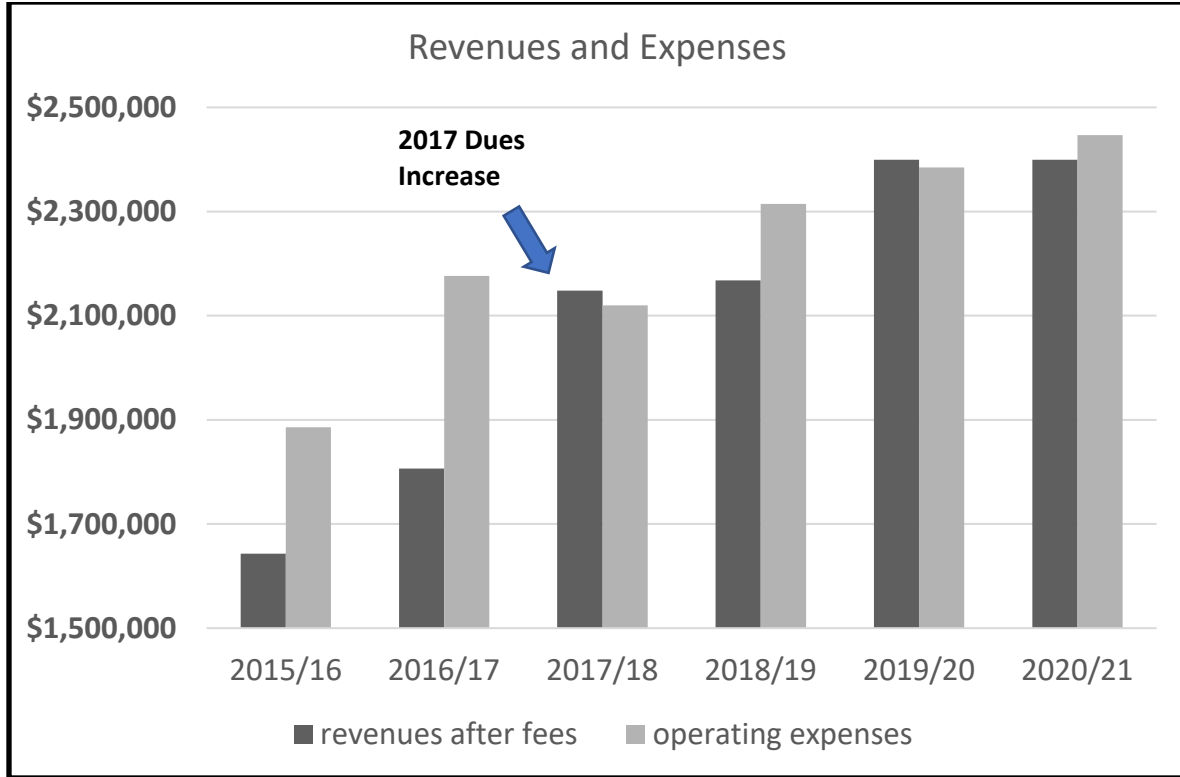
I. Key Five Year Trends in YUFA's finances

Higher revenues and reserves since 2017.

- Expense increases since 2015-6.
- Dues increase in 2017-8 from 1.1% to 1.25%.
- Meant to allowed YUFA to
 - o Absorb costs of increased full time staff complement from 5 to 6 employees and
 - o Enact By-law 5 to boost strike fund and other depleted reserve funds.
- 2017 Increase in reserves due to one-time transfer of \$1.2M from LTD surplus.
- Full dues increase was not expected to be permanent but now it seems unlikely YUFA can meet current needs with dues rate below 1.25% .

Current Challenges.

- By-law 5: approximately \$220,000 (10% of operating budget) should be saved in reserve funds until reserve level reaches \$4.4M (2x operating budget).
- Projected By-Law 5 Fund deficiency = \$1,040,476 – see below.
- Current expenditures in most years – including this year - are too high to meet By-law 5 target at current dues levels. What is the solution?
- 2020-21 – Exceptional staffing needs (to cover accumulated leaves) require two contract staff hires costing roughly \$235,000.
- Reserve Funds projected to shrink in 2020-21 due to \$132,664 accrued liability for banked (unused) course release which will offset operating surplus of \$19,118.



II. By Law 5 Issues

YUFA Reserve Fund Levels

	2019/20	2020/21 (projected)	By-Law 5 Target	Projected Deficiency/Surplus
Operating Fund	\$714,892	\$609,122	\$826,357	\$219,211
Arbitration Fund	\$150,000	\$152,858	\$165,271	\$12,413
Defense Fund	\$2,553,782	\$2,604,782	\$3,415,609	\$810,827
TOTAL	\$3,418,674	\$3,364,786	\$4,407,238	\$1,040,476

By Law 5 Requirement:

At the Annual General Meeting the Treasurer shall propose a budget and fee structure that provides for an amount of at least 10% of the current year annual operating budget to be accumulated in (or transferred into) the three funds of the Association (Operating, Arbitration and Defense) for any fiscal year in which such an amount or more would be required to meet the Fund target levels specified in the table **[above]**.

The total reserve target is 2x operating expenses (3 year average) mainly in order to provide adequate Defense Fund levels.

- Three year Average Operating Budget: \$2,203,619
- 10% of above number for 2020-21 is \$220,362 (transfer expected under by-law 5)
- Full compliance with By law 5 would require presenting a budget that either reduces expenditures (by up to \$220,002) or increases dues from 1.25% to 1.32% of salary.
- Executive has decided that exceptional expenses in 2020-21 make it impossible in practice to meet by-law 5 targets this year.
- Future prospect of meeting reserve fund targets (in by-law 5) should be discussed prior to 2021-22 budget.

III. Other:

Funds held in Trust for Member Benefits: \$1.3M (est.)

Chief Stewards – Sheila Embleton and Maura Matesic

In 2019-20, 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), 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) for various purposes, compassionate leave, inquiries about the salary anomalies exercise, disciplinary matters, research misconduct investigation, dismissal, Appendix P stipend and release issues, 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, unplanned and short-notice office moves/renovations whether of individuals or whole units, copyright, workplace accommodation, irrevocable reduced load, retirement benefits, sick-leave/long-term disability benefits, graduated returns to work following LTD, life insurance continuation for retirees post-71, chair and master search processes, decanal intervention in hiring processes (particularly in shortlisting and determination of conflict of interest), AA issues in hiring processes, etc. We continued to support members named in the Access Copyright lawsuit against York University (now ended). 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, or may be resolved as a mediation before 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 policy grievances that began earlier, these included: workload changes without proper process, CLA renewals for less than 12 months, severe reduction in GA support, pension undercontribution, termination for life insurance for those post-71, 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, or attempt to switch streams. We also worked with the CUPE conversion appointees, a process fraught with an erosion of previously granted practices, such as sabbatical before tenure. Special to this year were all the concerns related to covid19, the sudden pivot to remote teaching, and all its implications, including the very differential impact on different people (including but not limited to equity concerns). This included problems with extensions of interrupted sabbaticals and requests to postpone sabbaticals. In addition there was the mid-May last-minute “voluntary separation agreement”. Both of these brought a sharp increase in inquiries.

Attachment 4

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, but this year and last year we have laid some groundwork to use this process more frequently and have participated in several Dispute Resolution Committee Hearings. This is a positive development.
3. Worked on several arbitrations resulting from grievances; there are currently ten grievances at arbitration:
 - a) There are several grievances, both individual and policy, underway. The most significant involve GA support and departmental workload documents. In total there are 14 policy grievances active.
 - b) We have an ongoing policy grievance on the removal of GA support two years ago (closing arguments next week).
 - c) We have filed for intervenor status on AA issues and other procedural problems arising from a hiring, and in a complex case involving member-on-member complaints; both of these are currently at HRTO (Human Rights Tribunal of Ontario). In total, YUFA is intervener on five complaints before the HRTO.

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, Erin Black, Jeff Braun-Jackson, James Clark, and Sonja Killoran-McKibbin. 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.

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 (such as covid19)
 - c) ratifying the election/appointments of members to various positions and subcommittees throughout YUFA
 - d) discussion of collective bargaining implementation and eventual preparation.
5. Participated actively in regular meetings (every two weeks) and special meetings of the YUFA Executive.
6. Worked on a few items still remaining, best described as fallout from the CUPE 3903 strike, e.g. remediation pay, course cancellations, various other remediation issues.
7. Participated in meetings, caucuses and deliberations of the JCOAA, including its subcommittees such as on Long Range Planning. This year an ad hoc sub-group has been added since March, meeting with the President, two VPs, and the AVP Labour Relations to discuss the myriad questions, details, and general principles as we deal with covid19.

Attachment 4

8. Attended meetings with YUFA staff and personnel from Faculty Relations, at which we review concerns and grievances in an attempt to find quicker and less formal resolutions than full grievances.
9. Attended biweekly meetings on Accommodations, Complaints & Grievances. It is surprising how much time routine matters take to move forward on the part of the Employer. There was complete turnover in the staff of Faculty Relations with whom we interact on such matters, so a learning curve on both sides.
10. Attended meetings and workshops of OCUFA's Grievance Committee (twice per term); attended annual meeting of CAUT Grievance Officers; gave CAUT Grievance Handling Workshops (helping train grievance officers at other institutions – Athabasca, Mount Allison), one Equity Workshop (Alberta), and led/facilitated several groups at CAUT's Annual Equity Conference.

Concerns:

- a) Rising number of files at all stages (inquiries, consultations, complaints, grievances, arbitrations). There are currently over 100 open files. 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 six 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 five AGM reports)
- c) 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, the nature of the questions EWB asks.
- 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. 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) Several cases where senior administrators have announced, implemented, or tried to implement what YUFA sees as restructuring without adequate attention to the Collective Agreement sections on this topic (rights of members, consultation with Long Range Planning Committee of JCOAA, practice of collegial planning and discussion).
- f) Length of time that promotion or tenure-and-promotion files can 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.
- g) 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

Attachment 4

more collegial ways or not have become so serious so quickly. Procedures are often not clear, and often the dean/associate dean involved has had absolutely no training in these kinds of investigation.

**YUFA
Annual General Meeting**

JCOAA/LRP Report

June 3, 2020

The Joint Committee on the Administration of the Agreement (JCOAA) and the Long-Range Planning Committee (LRP) function in an advisory capacity to the Association and/or the Employer with the general aim of ensuring that our Collective Agreement is administered in a spirit of co-operation and mutual respect. The Joint Committee shall, further, direct itself to the fulfilment of any tasks explicitly assigned by this Agreement to the Joint Committee, or to joint Employer-Association committees, required to bring into effect and implement the provisions of our Collective Agreement (YUFA Collective Agreement, 2018 – 2021, A7.02, p. 20). Additionally, within the JCOAA, the Joint Subcommittee on Long Range Planning, undertakes joint consideration of factors bearing upon the future well-being of the University and the members of the YUFA bargaining unit (YUFA Collective Agreement, 2018 – 2021, A7.05, p. 21).

Acknowledgements

Thanks are extended to Miriam Smith who served as Co-Chair this past year up until January 2020, Sharon Wang, representative of Members at Large until December 2019, and Teresa Macias, Equity Officer until May 2020. Thanks are extended to existing JCOAA members Art Redding, YUFA President, Sheila Embleton, Chief Steward and Harjeet Badwall, representative of Members at Large.

Special thanks are extended to the YUFA staff. The incredible support provided by Sonja Killoran-McKibbin and Jeff Braun-Jackson, Kristin Skinner and Erin Black who have recently covered while Sonja was on vacation.

JCOAA/LRP

Major JCOAA Issues

- Addressing on campus security issues
- Following up with recommendations of the Joint Sub-Committee on Employment Equity and Inclusion (SCEEI) Report on Black Hires (Side Table)
- Reviewing and ensuring letters of offer are aligned with the CA
- Addressing new positions in VISTA and the Teaching Commons
- Finalizing course release for Joint Health and Safety Committee members
- Continue to work through the Equal Pay (Side Table) and related anomalies exercise
- Monitoring of GA assignment protocol

Attachment 5

- Urged that the Special Renewal Contracts (SRCs) timelines abide by those outlined in the CA
- Finalized Librarian job descriptions
- Clarified rationale for CLA renewals
- Signed off on the Special Advisor for the Markham campus
- Continued availability of paper course evaluations
- Expiration dates attached to research start-up funds
- Expanding of role of Affirmative Action, Equity and Inclusivity Officer (AAEIO)
- Inquiring into procedures undertaken for the Library Academic Officer and Mechanical Engineering Chair
- Urging of proper use of the Joint Committee on Affirmative Action (JCAA) regarding AA hires and the Designated Indigenous Hiring Program
- Follow up on the Centre of Human Rights, Equity and Inclusion providing workplace harassment and online bullying and harassment resources
- Scheduling of decommissioning of MyM mail and migration to Office 365
- Monitored and availed ourselves to membership regarding the voluntary separation agreement

Major LRP Issues

- Facilitated a Letter of Agreement in the merging of FES and Geography into the new Faculty of the Environment and Urban Change
- Currently reviewing the proposed University Academic Plan
- Monitoring workload issues for faculty involved in Global Health restructuring
- Urging updates on the City of Vaughan and Mackenzie Health and Venture Lab
- Monitoring the development of the Markham campus
- Monitoring SMA 3, albeit currently delayed due to pandemic
- Budget and SHARP also delayed due to pandemic, yet follow up continues

Special COVID-19 Meetings with the Employer

With Canada being severely impacted by the coronavirus in mid-March, YUFA urged immediate, regular and ongoing meetings with the Employer. Beginning the week of March 16, 2020, the YUFA JCOAA Co-Chair Nick Mulé, the President Art Redding, Chief Steward Sheila Embleton and one YUFA staff person Sonja Killoran-McKibbon with coverage by Jeff Braun-Jackson have been and continue to meet with senior administration of the university, including President and Vice-Chancellor Rhonda Lenton, Provost and Vice President, Academic Lisa Philipps, Vice President, Equity, People and Culture Sheila Cote-Meek and Assistant Vice-President, Labour Relations Dan Bradshaw twice weekly to discuss and work together on addressing COVID-19 issues. These discussions were scaled back to weekly meetings as of April 9th and are ongoing.

Below is an outline of the numerous discussions YUFA is engaged in with the employer related to the COVID-19 pandemic and its impact on faculty and the York community.

Agreements

YUFA has advocated for and achieved the following agreements with respect to this COVID-19 related disruption, on a without prejudice and without precedent basis, with the Employer:

1. That files for tenure and/or promotion must not be prejudiced by COVID-19. All efforts will be made to complete files on the normal timeline but any files where a decision to grant tenure or promotion is delayed beyond June 30, 2020, will have the granting of tenure or promotion backdated to July 1, 2020.
2. Student course evaluations for courses offered in Fall/Winter 19-20, Winter 2020, or Summer 2020 will be completed but only used if a faculty member so chooses.
3. Probationary colleagues may elect a stop-out in the Tenure and Promotion process for up to one year (12 months) in relation to this COVID-19 disruption. Work completed during the stop-out may be included in the Tenure and Promotion files.
4. There will be a blanket extension for PhD completion of one year (12 months) for colleagues who were hired between July 1, 2019 and June 30, 2020 whose appointment is conditional on completion of a PhD. All new hires effective July 1, 2020 whose appointment is conditional on completion of a PhD will have an additional year beyond the stipulated completion deadline to complete their PhD.
5. New hires starting in 2020 will be expected to begin their appointments as scheduled in their letters of offer but no new hire will be jeopardizing their appointment should they not be able to be physically on campus on their start date due to COVID-19 and related restrictions. Required new faculty orientation will be deferred or offered online/remotely if it cannot be held face-to-face.
6. Faculty members should include accepted conferences or other cancelled opportunities as a result of COVID-19 on their CV and note that they were cancelled/postponed. APA and other style-guides provide information on how to do this.
7. Librarians and Archivists will be given flexibility in the timeline for using any remaining vacation that was to be drawn down by October 2020. For clarity, the Dean of Libraries expectation is that she will respond to individual librarian and archivist requests to extend the timeline they will have to draw down their prior accrued vacation credit and that any such extension will be till no later than April 30, 2021. For context, the accrued vacation referenced here is the vacation accrued prior to the University ending the practice of librarian and archivists "tracking" their vacation.
8. Requests to delay a sabbatical scheduled to commence on July 1, 2020 will be reviewed and considered on a case-by-case basis. Factors considered will include the specific reasons impeding the ability of the sabbatical to proceed and the feasibility of conducting the originally planned sabbatical work. Rescheduling of sabbaticals that are scheduled to end on June 30, 2020 will only be granted for exceptional reasons where it is demonstrated the work critical to the sabbatical was irremediably lost.

Attachment 5

In addition to the above noted actions, during the course of YUFA's discussions with the Employer the University has also affirmed the following York-YUFA collective agreement rights:

1. Delivery of in-person courses through remote/online means during the COVID-19 pandemic does not alter any existing intellectual property rights in the York-YUFA collective agreement found in Article 23 or elsewhere in the collective agreement or create any new rights in favour of the Employer.
2. Delivery of in-person courses through remote/online means during the COVID-19 pandemic does not alter the academic freedom of members under Article 10, or elsewhere in the collective agreement, including academic freedom in teaching.

Ongoing Issues

These issues have been noted, are under continued discussion, yet not fully resolved.

- Equity and mental health implications
- Continued technical and pedagogical supports for summer and fall teaching
- Scenario planning for fall term
- Sabbatical requests for extensions and deferrals
- Extension of Research Release Program (RRP) by one (1) year
- Remote teaching, Intellectual Property (IP), tech supports, online harassment
- Campus/buildings access
- Current status of T&P files
- Working from home/home office expenses
- Workload accommodations for those with caregiving responsibilities

On Watch

These issues have begun to be discussed and are flagged for further discussion as related issues arise.

- Accommodations for faculty
- Sick leave for faculty members
- Interim Grades
- Accommodations for students
- Support for Immunocompromised or Immune Suppressed Faculty Members
- Searches
- Directed Readings
- Support for Designing Online Courses
- ER Needs to Provide Clear Communication
- Workload Accommodations for Those with Caregiving Responsibilities
- Sabbaticals

Attachment 5

Resolved Issues

The following are issues that YUFA worked quickly on with the employer to resolve at the beginning stages of the pandemic. We will need to return to a number of these as the fall term approaches.

- Libraries
- Nursing Placements
- Social Work Placements
- Out of country emergency medical
- Exams
- Buildings Access
- PDVs
- PDV Work from Home Agreements
- FES AD Communications
- NSERC/SSHRC Extensions
- PhD Completion Deadlines
- Tenure and Promotion
- New Hires
- Research Accounting
- Copyright/Security with Online Learning
- Moodle issues
- Virtual Grad School
- New Hires

Respectfully submitted by:

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