

Revised

UTFA Council Agenda

Wednesday, June 15, 2022

3:00 – 5:00 p.m.

Zoom

1. Approval of the Agenda
2. Minutes of the Previous Meeting
 - a. May 19, 2022 *
3. Business Arising
 - a. From the Minutes of Council
 - b. From the Minutes of the Executive Committee
 - i. March 18, 2022*
 - ii. April 1, 2022*
 - iii. April 14, 2022*
 - iv. April 27, 2022*
 - v. May 13, 2022*
 - vi. May 27, 2022*
4. Report of the Chair of the Equity Committee (15 minutes)
 - a. Policy and Procedure for Internal Harassment and Discrimination Complaints (with K. Johnson and H. Nowak)* (Executive Motion)
5. Report of the Executive Director (5 minutes)
 - a. Staffing update
6. Report of the Vice-President, Salary, Benefits, Pensions and Workload (10 min)
7. Timed Break – 4:00 pm (5 min)
8. Report of the President (30 min)
 - a. Bill 124 Challenge Update
 - b. Health and Safety (with J. Nogami)
 - i. Case tracking
 - ii. Event Planning
 - iii. Supporting JHSCs
 - c. Apportionment (with J. Nogami)
 - d. Indigenization of UTFA
 - e. Protecting CLTA rights
 - f. Policy Tables
 - i. Librarian Systemic Bias Working Group (with W. Kemble)

- ii. Sexual Violence Policy
 - iii. Academic Continuity Policy
 - iv. Copyright and Intellectual Property
 - v. Provostial Guidelines on Donations
- g. Association grievances
 - i. Salary Discrimination
 - ii. Pay Equity
 - iii. COVID & Health and Safety
 - iv. Divisional Guidelines on the Assessment of Teaching Effectiveness
 - v. Student Evaluations of Teaching (SET)/ Student Course Evaluations (SCE)
 - vi. Faculty of Law Hiring Controversy
 - vii. Implementation of vaccine policy and UTFA members
 - viii. Without prejudice grievance responses
- h. New Executive orientation and executive retreat
- i. Summer authority * (Executive motion)
- 9. Order of the Day: Report of the Treasurer (4:30 p.m.) (10 min)
 - a. 2022-2023 Draft Budget
- 10. Report of the Chair of the Membership Committee (5 min) (with B. McDonagh)
 - a. Donations Policy * (Executive Motion)
- 11. Report of the Chair of the Librarian's Committee (5 min)
 - a. Developments regarding the Acquisition Position
 - b. CAUT Webinar - Academic Publishing, Data Surveillance and Human Rights: A Panel Discussion *
- 12. Report of the Chair of the Nominating Committee* (10 min)
- 13. Other Business (5 min)
 - a. Thank you to members leaving Council and Executive
 - b. Next Council Meeting
 - i. TBD (September 2022)
- 14. Adjournment

*materials attached

UTFA Council Minutes

Thursday, May 19, 2022

3:00 – 5:00 p.m.

Zoom

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- Executive:** M. Attridge, K. Banning, R. Gillis, S. Helwig, W. Kemble, J. Macdonald, B. McDonagh, N. Niknafs, J. Nogami, H. Sonne de Torrens, M. Stapleton, L. Stewart Rose, J. Taylor, T. Zorić
- Present:** K. Adamson, V. Arora, J. Bale, E. Barbeau, C.H. Chen, L. Chen, E. Comelli, T. Dancer, A. Emon, A. Fenner, D. Gastaldo, W. Ghobriel, A. Giacca, G. Grasselli, C. Guberman, M.A. Guttman, R. Helms-Park, A. Hojatollah Taleghani, S. Ibrahim, N. Klenk, R. Kwong, B.S. Lee, R. Levine, J. Mason, R. Marshall, M. Mishler, M. O'Connor, F. Parsch, M. Pęski, H. Rodd, A. Sabl, K. Scheaffer, A. Siddiqi, S. Stefanović, S. Wagner, K. Weaver, Z. Zhang, A. Zilman
- Regrets:** P. Gries, E. Kim
- Absent:** A. Braun, S. Darnell, C. Desai, A. Keith, C. Messenger, S. Ruddick, S. Rupp, M. Vieta
- Also Present:** P. Hamel (Guest)
M. Horban (Business Officer)
K. Johnson (Executive Director)
A. Nardozi (Executive Assistant)
H. Nowak (General Counsel)
S. Olexson (Counsel)
D. Puscas (Technical Support)
H. Russell (Speaker)
R. Schmelzer (Notes and Bookkeeper)
S. Waldorf (Assistant Project Coordinator)

H. Russell called the meeting to order at 3:05 p.m.

1. Approval of the Agenda

Motion by R. Marshall, seconded by H. Sonne de Torrens, that the agenda be approved as distributed. **Carried.**

2. Minutes of the Previous Meeting

a. March 24, 2022 *

b. April 19, 2022 *

As there were no changes to the March 24, 2022, or April 19, 2022, Council minutes, they were approved as distributed.

3. Business Arising

a. From the Minutes of Council

b. From the Minutes of the Executive Committee

i. February 18, 2022 *

ii. March 4, 2022 *

iii. March 16, 2022 *

iv. March 18, 2022

v. April 1, 2022

vi. April 14, 2022

vii. April 27, 2022

T. Zorić indicated that the apportionment process will be included in a future Council agenda.

4. Report of the Vice-President, Salary, Benefits, Pensions and Workload (15 min)

a. SBPW bargaining update and next steps (with T. Zorić)

J. Nogami reminded members that UTFA and U of T are going to arbitration in the fall to settle the terms of the 3rd year of the agreement. Briefs are being prepared throughout the spring and summer.

The UTFA Executive will call a special meeting of Council once it has the Administration's brief in hand to inform Council what the Administration is putting on the table.

b. Process to appoint Chair of UTFA Pension Committee and UTFA representative on UPP Employee Sponsor Committee (ESC) (Executive motion) * (with T. Zorić)

T. Zorić reminded Council members that C. Messenger will be stepping down from the UPP Employee Sponsor Committee and as Chair of the Pension Committee.

Motion: The Executive Committee recommends to Council that on the replacement of Cynthia Messenger as the Chair of the UTFA Pension Committee, as well as the UTFA representative on the Employee Sponsor Committee of the UPP, UTFA Executive will consult with the UTFA Pension Committee to bring forward nominations to Council for approval.

Carried.

5. Order of the Day: 3:30 p.m. – Executive Committee Appointments (30 min)

a. Report of the Chief Returning Officer * (M. O'Connor)

M. O'Connor stated that he had nothing to add to his written report. He reminded Council that the Nominating Committee had produced a slate and he explained the process for the vote for contested seats and for the appointment of members to the Executive Committee.

b. Executive Committee elections

H. Russell explained that the election of the Chair of the Membership Committee would take place first, and then of the Member-at-Large. Each candidate would be given 3 minutes to address Council, then 5 minutes to answer questions. The vote would take place via Zoom and, for those unable to join via Zoom, text. He reminded those present that only members of Council were eligible to vote.

i. Chair of the Membership Committee

H. Russell announced the candidates, P. Hamel and R. Levine. The candidates presented their platforms. Then H. Russell took two questions from Council members for both candidates to answer. The candidates answered them.

H. Russell proceeded to the vote.

H. Russell closed the poll and announced P. Hamel as the winner of the election.

In response to a request, H. Russell shared the counts: P. Hamel 76% and R. Levine 24%.

ii. Member-at-Large

H. Russell announced the candidates, M. Attridge and G. Grasselli. The candidates presented their platforms. Then H. Russell took two questions from Council members for both candidates to answer. The candidates answered them.

H. Russell proceeded to the vote.

H. Russell closed the poll and announced M. Attridge the winner of the election.

H. Russell shared the counts: M. Attridge 77% and G. Grasselli 23%.

M. O'Connor reported that he received votes via text for both elections, but that they did not change the outcome of either one.

c. Appointment of Executive Committee

H. Russell stated that there are 9 nominees for the Executive Committee for the relevant terms.

Motion by S. Helwig, seconded by R. Marshall, that the following list of members be appointed to the Executive Committee for the terms indicated:

Portfolio	Name	Term Expiration
VP Grievances	B. McDonagh	2024
VP SBPW	J. Nogami	2024
VP University & External Affairs	J. Bale	2024
Treasurer	M. Stapleton	2024
Chair, Equity Committee	K. Banning	2023
Chair, Librarians Committee	H. Sonne de Torrens	2024

Chair, Membership Committee	P. Hamel	2024
Chair, Retired Members Committee	S. Rupp	2024
Member-at-Large	M. Attridge	2024

Carried with opposition and abstentions.

T. Zorić asked that the dissenting votes be recorded.

H. Russell ruled the request in order and asked the dissenting voters to identify themselves.

A. Zilman said that his was a dissenting vote but also raised a point of order, saying that the vote should not be recorded, as the request should have been made before the vote.

H. Russell said that his ruling is that the recording of the dissenting vote is in order.

A. Zilman challenged the chair.

The votes in favor had it. The chair's ruling was sustained.

H. Russell shared the results of the poll: For 67%; against 25%; abstentions 8%.

d. Report of the Chair of the Nominating Committee for discussion at June Council meeting (written)* (L. Stewart Rose)

6. Timed Break – 4:00 pm (5 min)

7. Report of the President (60 min)

a. OCUFA Governance Workshop report

T. Zorić was invited to give a presentation on how UTFA successfully advocated for enhanced collegial governance during the pandemic that was well received. There were many excellent presentations at the full-day workshop from both higher education scholars and faculty association leaders.

T. Zorić recommended the OCUFA website for all the resources it offers.

b. Health and Safety (with J. Nogami)

T. Zorić shared slides on Health and Safety updates:

Health and Safety Updates

- Two recent CHSC meetings (May 1 and 17)
- UTFA advocated for the measures recommended by public health and indoor air quality scientists on what is required for a safe re-opening
- UTFA asked a series of questions, including as relate to:
 - COVID-19 Case Notification Processes
 - Masking
 - Ventilation
 - Requirement to attend in-person meetings

Health and Safety Updates (continued)

- Admin does NOT intend to extend mask mandate past June 30th
- Admin is no longer doing contact tracing
- Admin wants faculty members to ask EHS before moving a class online (even for a short period of time) due to COVID-19 cases in their classrooms
- Admin wants to begin meeting quarterly (i.e., not again until mid-August) because "things are pretty static"

i. Administration and CHSC Update

T. Zorić reported that she, J. Nogami, staff, and others attended two recent Central Health and Safety Committee meetings, facilitated by Leanne MacMillan. UTFA advocated for COVID case reporting, ventilation, and in person meeting protections. The Administration did not

provide answers to UTFA's questions, and the meeting was not very productive. It did yield some information; for example, that the Administration does not intend to extend the mask mandate past June 30.

Many members have contacted UTFA with their worries about the lack of safety of in person work in the absence of mask mandates.

Motion by T. Zorić, seconded by K. Weaver, that the meeting go in camera. **Carried.**

- ii. JHSC concerns
- iii. Coalition work
- iv. Pandemic effects and members with heightened risks and vulnerabilities

Motion by R. Marshall, seconded by T. Zorić, to return to the regular meeting. **Carried.**

c. Policy Tables

- i. Librarian Systemic Bias Working Group (with W. Kemble)
- ii. Sexual Violence Policy
- iii. Academic Continuity Policy
- iv. Copyright and Intellectual Property
- v. Provostial Guidelines on Donations

T. Zorić shared a slide on Policy Tables:

Policy	Status Update
Librarian Systemic Bias Working Group	Next meeting scheduled May 24, 2022.
Vaccination Policy	
Academic Continuity Policy	UTFA presented its last pass on May 2, 2022. Awaiting the Administration's response
Copyright Policy	UTFA to create team to begin looking at relevant policies
Provostial Guidelines on Donations	To be discussed at mediation June 17, 2022

d. Association grievances

- i. Salary Discrimination
- ii. Pay Equity
- iii. COVID & Health and Safety
- iv. Divisional Guidelines on the Assessment of Teaching Effectiveness
- v. Student Evaluations of Teaching (SET)/ Student Course Evaluations (SCE)
- vi. Faculty of Law Hiring Controversy
- vii. Implementation of vaccine policy and UTFA members
- viii. Without prejudice grievance responses

T. Zorić shared a slide on Association Grievances:

Association Grievance	Status Update	Date first raised at Joint Committee
[Asbestos]	Returning to Wm. Kaplan who in May 2023 for mediation/arbitration.	2017
Salary Discrimination	Preparing for arbitration. Dates TBD	August 6, 2019
Pay Equity	Proceeding to mediation. Dates TBD	August 6, 2019
COVID & Health & Safety	Referred to arbitration. Dates TBD	November 26, 2020
Divisional Guidelines on the Assessment of Teaching Effectiveness	Mediation dates (3) scheduled for September and October 2022	July 8, 2019
SETs/SCEs	Referred to arbitration. Dates TBD	November 26, 2020
Faculty of Law Hiring Controversy	Next mediation date scheduled for June 17, 2022	November 26, 2020

Motion by T. Zorić, seconded by K. Weaver, that the meeting go in camera. **Carried.**

Motion by S. Helwig, seconded by A. Sabl to return to the regular meeting. **Carried.**

8. Report of the Executive Director (5 min)

d. Constituency representative vacancy process

K. Johnson gave an overview of the constituency nomination process in relation to the vacancies that are coming up in June. She explained the terms are tied to constituency seats rather than the individuals in them. The terms are listed on the UTFA website.

9. Other Business

d. Workshop reminder

- i. Teaching Stream – Continuing Status Review Workshop – Tuesday, May 24, 10:00 a.m. – 12:00 p.m.
- ii. Tenure Stream Workshop – Wednesday, May 25, 2:00 – 4:00 p.m.

e. Winter Term Council Meeting

- i. Wednesday, June 15 3:00 – 5:00 p.m.

10. Adjournment

Motion by A. Sabl, seconded by K. Banning, to adjourn. **Carried.**

The meeting adjourned at 5:15 p.m.

Rucsandra Schmelzer
Note taker

Council Summary

UTFA Executive Minutes

Friday, March 18, 2022

Zoom Conference Call

10:00 a.m. – 12:00 p.m.

Chair – T. Zorić

Present: M. Attridge, R. Gillis, S. Helwig, J. Macdonald, W. Kemble, B. McDonagh, N. Niknafs, J. Nogami, H. Sonne de Torrens, M. Stapleton, L. Stewart Rose, T. Zorić

Regrets: K. Banning, J. Taylor

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), H. Nowak (General Counsel), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant), S. Waldorf (Assistant Project Coordinator)

T. Zorić called the meeting to order at 10:05 a.m.

1. Approval of the agenda: The agenda was approved as amended.
2. Minutes of the previous meeting
 - a. February 18, 2022*
 - b. March 4, 2022 *
 - c. March 16, 2022 *

As there were no changes to the February 18, March 4 or March 16, 2022, Executive minutes, they were approved as distributed.

3. Business arising (not elsewhere on the agenda): There was no business arising.
4. Report of the Chair of the Membership Committee (10 min)
 - a. AGM
 - i. Draft agenda (to be approved at the March 24 Council meeting)

The members discussed the draft AGM agenda.

Motion by T. Zorić, seconded by M. Stapleton, that the Executive Committee recommend to Council that the draft agenda for the AGM be approved as amended. **Carried.**

5. Report of the Chair of the Nominating Committee (20 min)

a. Nominating Committee Guidelines 2022 *

L. Stewart Rose said that the Nominating Committee has been meeting weekly. It has focused on updating the 2020 Guidelines and setting key dates for the 2022 nominations. She acknowledged M. Horban and K. Johnson for their support of the committee's work.

L. Stewart Rose reviewed the document and highlighted the changes.

Motion by L. Stewart Rose, seconded by W. Kemble, that the Executive Committee recommend to Council approval of the revised Guidelines for conduct of the Executive Committee appointments. **Carried unanimously.**

b. Key dates *

L. Stewart Rose reviewed the key dates for 2022.

6. Report of the Executive Director (15 min)

a. Complaint

Motion by T. Zorić, seconded by S. Helwig, that the meeting go in camera. **Carried.**

Motion by S. Helwig, seconded by B. McDonagh, to return to the regular meeting. **Carried.**

Motion by S. Helwig, seconded by B. McDonagh, that the Executive Committee authorize the Executive Director to share the documents received from the complainant with external counsel for review, assessment, and recommendations as to how to proceed, in accordance with the principles passed at the February Council meeting. **Carried.**

b. Office Lease Update (with B. McDonagh)

K. Johnson reported that the lease on UTFA's space at 720 Spadina Avenue is up as of June 2023. She and B. McDonagh will report back to Executive when more information is available.

7. Break: timed item 10:55 am (5 min)

J. Nogami assumed the chair.

8. Report of the President (50 min)

a. Solidarity for Ukrainians, Actions in progress (with R. Gillis)

T. Zorić reported that the University and External Affairs Committee will discuss at its March 21 meeting how to work with other student and employee groups as well as OCUFA and CAUT on Ukrainian solidarity efforts.

b. Council meeting conduct (with J. Nogami)

The members discussed how to be more productive in Council meetings and how to engage more members in discussion.

i. Equity Survey (with K. Banning)

This item was deferred to the next meeting.

c. Health and Safety Update (with J. Nogami)

T. Zorić said that mediation with Linda Rothstein, GRP Chair, has not been successful. At this point Administration has indicated its mask and testing mandates will remain in place until the end of April, but have not made any decisions about what happens after May 1.

T. Zorić said that ventilation will be very important. Jeff Siegel has been working with the Environmental Protection Agency, and the Biden administration has accepted new ventilation standards that he helped to lobby for. UTFA continues to ask U of T to work with J. Siegel.

T. Zorić said that at the latest health and safety meeting UTFA stated its desire to work with the Administration to incentivize third doses. We are waiting to hear whether the Administration wants to work with us on that.

T. Zorić said that Mr. Kaplan is seized on the asbestos Association grievance. P. Bozek provided the Administration with a set of proposals on how to make asbestos management safer at U of T, but U of T did not accept any of them. We will be going back to Mr. Kaplan on this issue.

d. UTFA Pension Committee (with J. Nogami)

T. Zorić said that this committee has been working hard on an approach to responsible investing, in order to develop a position that UTFA can forward to the UPP. The committee has also discussed the pension calculator, which has been broken for several months. She will write to the UPP Board of Trustees to say that they should make fixing the pension calculator a priority.

e. Policy Tables Update

T. Zorić said that the members have been informed that several provisions of the Sexual Violence LOU have been extended.

We are supposed to be in ongoing conversations about centralized and streamlined accommodation guidelines, especially the acceptance of a family doctor's note. We are awaiting a response from the Administration.

T. Zorić said that D. Roberts is leading the Academic Continuity Policy Committee. We are making modest progress, but some areas may have to go to a facilitator for assistance.

f. Association Grievances Updates

i. Association grievance on implementation of vaccine policy and UTFA members

T. Zorić reported that on February 8 we referred the Association grievance on the implementation of the vaccine policy and how it affected UTFA members to the GRP. There was a threat to suspend for twelve months without pay any employee who was not vaccinated, whether they had to be on campus or not, and some other exemptions had not been dealt with using due process. The Administration has agreed to mediation on this matter.

9. Report of the Chair of the Appointments Committee (5 min)

a. Update on work of the Appointments Committee

L. Stewart Rose reported that a subcommittee of the Appointments Committee is reviewing research on SETs. It includes people who have a background in evaluation and education. They will draft language that members can use if they need to push back on the ways SETs are being used in PTR and promotions.

10. Other Business (5 min)

J. Macdonald reported that the recording of the talk that Professor Dale Turner gave on Engaging with Indigenous Perspectives at U of T at the December Retired Members reception is up on the website. The members discussed what UTFA could do next in this area, and they decided to put “Continuing work on Indigenization at UTFA” on the next Executive agenda.

The members discussed the Administration’s position that members must live within commuting distance of UofT. The also discussed UTFA looking at a housing loan program.

a. UTFA Executive Meetings

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|------|---------------------|-------------------------|
| i. | Friday, April 1 | 10:00 a.m. – 12:00 p.m. |
| ii. | Thursday, April 14 | 10:00 a.m. – 12:00 p.m. |
| iii. | Wednesday, April 27 | 10:00 a.m. – 12:00 p.m. |
| iv. | Friday, May 13 | 10:00 a.m. – 12:00 p.m. |
| v. | Friday, May 27 | 10:00 a.m. – 12:00 p.m. |
| vi. | Friday, June 10 | 10:00 a.m. – 12:00 p.m. |
| vii. | Friday, June 24 | 10:00 a.m. – 12:00 p.m. |

b. UTFA Council Meetings

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|------|--------------------|----------------------------------|
| i. | Thursday, March 24 | 3:00 – 5:00 p.m. |
| ii. | Tuesday, April 19 | 3:00 – 3:45 p.m. (preceding AGM) |
| iii. | Thursday, May 19 | 3:00 – 5:00 p.m. |
| iv. | Wednesday, June 15 | 3:00 – 5:00 p.m. |

c. Annual General Meeting

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|----|-------------------|------------------|
| i. | Tuesday, April 19 | 4:00 – 6:00 p.m. |
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11. Adjournment

Motion by J. Macdonald, seconded by L. Stewart Rose, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:10 p.m.

Chris Penn

Senior Administrative Assistant

UTFA Executive Minutes Council Summary

Friday, April 1, 2022

Zoom Conference Call
10:00 a.m. – 12:00 p.m.
Chair – T. Zorić

Present: K. Banning, R. Gillis, S. Helwig, J. Macdonald, W. Kemble, B. McDonagh, N. Niknafs, J. Nogami, H. Sonne de Torrens, M. Stapleton, L. Stewart Rose, J. Taylor, T. Zorić

Regrets: M. Attridge

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), H. Nowak (General Counsel), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant), S. Waldorf (Assistant Project Coordinator)

T. Zorić called the meeting to order at 10:05 a.m.

1. Approval of the agenda

Motion by B. McDonagh, seconded by N. Niknafs, that the agenda be approved as distributed.
Carried.

2. Minutes of the previous meeting

a. March 18, 2022*

As there were no changes to the March 18, 2022, minutes, they were approved as distributed.

3. Business arising (not elsewhere on the agenda)

There was no business arising.

The members discussed the Students for Survivors campaign. The members who attended “Voices Through the Arts” commended the students for this event. N. Niknafs said that a recording can be viewed at the following link: <https://www.youtube.com/watch?v=JMsilHvSFtc>.

4. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (15 min)

J. Nogami said that he has heard from several members indicating that there have been difficulties in meeting the deadline for claiming CERF funds.

a. COVID LOU (with T. Zorić)

i. Accommodations

J. Nogami said that he would follow up with the Administration on this issue. In the extension of the LOU agreement there is an understanding to have continuing conversations about streamlining accommodations.

Motion by J. Nogami, seconded by W. Kemble, that the meeting go in camera. **Carried.**

b. SBPW bargaining update (with T. Zorić)

c. Pension Committee (with M. Stapleton)

Motion by J. Nogami, seconded by B. McDonagh, to return to the regular meeting. **Carried.**

5. Continuing UTFA's work on Indigenization (30 min)

a. Overview of Retiree Event discussion (J. Macdonald)

J. Macdonald said guest speaker Professor Dale Turner drew on his research and teaching activities, and proposed a range of answers to the key question *How do we listen to Indigenous peoples in and on their own terms?*

T. Zorić said that it is important to think about what each UTFA portfolio can do to address Indigenous issues. She asked members to listen to the presentation by Dale Turner and to review the links from CAUT on Indigenization of the academy.

b. CAUT Indigenization of the Academy (T. Zorić)

https://www.caut.ca/sites/default/files/caut-indigenization-of-the-academy-checklist-english_0.pdf

https://www.caut.ca/sites/default/files/caut-bargaining-advisory-bargaining-for-indigenization-of-the-academy_2020-01.pdf

The members discussed ways in which UTFA could work on Indigenous concerns within UTFA, within U of T, and with Indigenous members.

c. Next Steps

T. Zorić said that when we have something to be approved by Council, we will first share it with people who have the confidence of their peers within our Indigenous faculty.

6. Report of the Chair of the Membership Committee (20 min)

a. Donations policy (with B. McDonagh)

It was agreed that B. McDonagh and J. Taylor would make further revisions to the Donation policy discussed and bring the document back to Executive.

b. AGM

i. Agenda

J. Taylor reported that J. Turk, Director at X University Centre for Free Expression, has agreed to be the guest speaker for the AGM.

ii. Reports

J. Taylor reminded the members to send M. Horban their AGM reports.

c. Self-Study

This item was deferred to the next meeting.

d. Librarians Campaign

There have been discussions about launching a campaign about the struggle required to negotiate a new contract for Librarians.

7. Break: timed item 10:55 am (5 min)

8. Report of the Chair of the Nominating Committee (10 min)

L. Stewart Rose reported that the Nominating Committee guidelines and key dates document will be made available on a dedicated page on the website. She asked all Executive members to let her know by April 8 whether they want to stand for their position.

L. Stewart Rose said that UTFA needs to be more deliberate about succession planning.

9. Report of the President (30min)

a. Health and Safety Update (with J. Nogami)

T. Zorić reported that members were sent an update on U of T's revised health and safety rules, which include pausing the vaccine mandate, Ucheck, and the mask mandate as of May 1. The Council of Universities (COU) pushed for this. Some universities are making similar announcements. Others are keeping the mask and vaccine mandates past the winter term. UTFA proposed that, absent a university-wide mask mandate, units should be able to discuss this collegially at the local level. Many members are upset about removal of the mandates.

b. Policy Tables Update

This item was deferred to the next meeting.

c. Association Grievances Updates

i. Association grievance on implementation of vaccine policy and UTFA members

See item 9a.

ii. Return to Arbitrator Kaplan on Asbestos

T. Zorić reported that the Administration has not accepted any of the proposals made. We are going back to Mr. Kaplan for mediation/arbitration.

10. Report of the Vice-President, University and External Affairs (10 min)

a. Solidarity for Ukrainians and other scholars at risk, actions in progress update

R. Gillis said that the University and External Affairs Committee looked at the international scholars at risk network. He shared information about what U of T, CAUT and other organizations are doing.

b. Annual Senior College Symposium, April 20, 2022

<https://seniorcollege.utoronto.ca/home/event/17th-annual-senior-college-symposium-what-have-we-learned-from-the-pandemic/>

R. Gillis said that Senior College asked UTFA to help advertise this event.

It was decided that J. Macdonald would inform the retired members about it.

11. Other Business

a. UTFA Executive Meetings

- | | | |
|------|---------------------|-------------------------|
| i. | Thursday, April 14 | 10:00 a.m. – 12:00 p.m. |
| ii. | Wednesday, April 27 | 10:00 a.m. – 12:00 p.m. |
| iii. | Friday, May 13 | 10:00 a.m. – 12:00 p.m. |
| iv. | Friday, May 27 | 10:00 a.m. – 12:00 p.m. |
| v. | Friday, June 10 | 10:00 a.m. – 12:00 p.m. |
| vi. | Friday, June 24 | 10:00 a.m. – 12:00 p.m. |

b. UTFA Council Meetings

- | | | |
|------|--------------------|----------------------------------|
| i. | Thursday, March 24 | 3:00 – 5:00 p.m. |
| ii. | Tuesday, April 19 | 3:00 – 3:45 p.m. (preceding AGM) |
| iii. | Thursday, May 19 | 3:00 – 5:00 p.m. |
| iv. | Wednesday, June 15 | 3:00 – 5:00 p.m. |

c. Annual General Meeting

- | | | |
|----|-------------------|------------------|
| i. | Tuesday, April 19 | 4:00 – 6:00 p.m. |
|----|-------------------|------------------|

12. Adjournment

Motion by L. Stewart Rose, seconded by S. Helwig, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:05 p.m.

Chris Penn
Senior Administrative Assistant

UTFA Executive Minutes Council Summary

Thursday April 14, 2022

Zoom Conference Call
10:00 a.m. –11:15 a.m.
Chair – T. Zorić

Present: K. Banning, R. Gillis, S. Helwig, J. Macdonald, W. Kemble, B. McDonagh, N. Niknafs, M. Stapleton, L. Stewart Rose, J. Taylor, T. Zorić

Regrets: M. Attridge, J. Nogami, H. Sonne de Torrens

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), H. Nowak (General Counsel), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant), S. Waldorf (Assistant Project Coordinator)

T. Zorić called the meeting to order at 10:05 a.m.

1. Approval of the agenda

Motion by B. McDonagh, seconded by L. Stewart Rose, that the agenda be approved as amended.
Carried.

2. Minutes of the previous meeting

a. April 1, 2022

The minutes were deferred to the next meeting.

3. Business arising (not elsewhere on the agenda)

There was no business arising.

4. Report of the Treasurer (10 min)

a. Year-to-date

M. Stapleton gave an update on UTFA finances from July 2021 to March 2022. The financial situation is not as strong as last year, due to an increase in expenses mainly because UTFA is doing

so much more than in previous years. UTFA members are getting value. Costs will also increase when we begin to meet in person.

M. Stapleton thanked M. Horban, K. Johnson, and R. Schmelzer for their work to implement cost control processes.

The members discussed UTFA's office space. There is a small committee working on rationalizing UTFA's space commitments.

Motion by T. Zorić, seconded by M. Stapleton, that the meeting go in camera. **Carried.**

Motion by J. Taylor, seconded by K. Banning, to return to the regular meeting. **Carried.**

5. Report of the Chair of the Membership Committee (10 min)

a. Donation policy (with B. McDonagh)

This item was deferred to the next meeting.

b. AGM

J. Taylor said that she would be meeting with J. Turk and R. Walcott to plan their agenda item.

T. Zorić said that she has received over 100 emails thanking her and UTFA for the work that we do.

6. Report of the Chair of the Nominating Committee (10 min)

a. Update

L. Stewart Rose said that an email was sent to Council on April 8 stating which Executive members would like to continue, and which will not return (R. Gillis, J. Macdonald and J. Taylor).

b. Discussion regarding succession planning

The members discussed some processes for succession planning.

c. April 13 deadline for names for consideration

L. Stewart Rose said that names for consideration for the Executive Committee were to be provided to the Nominating Committee by April 13.

7. Report of the Chair of the Appointments Committee (10 min)

a. SETs work update

L. Stewart Rose said that a working group has been formed to look at SETs. She has recruited members with expertise in this area. The working group is reviewing a number of policies, guidelines and reports. It expects to gather resources to share on the UTFA website, to help people understand what the issues are around SETs and how to deal with them.

8. Report of the President (20 min)

a. Health and Safety Update (with J. Nogami)

Motion by T. Zorić, seconded by S. Helwig, that the meeting go in camera. **Carried.**

Motion by T. Zorić, seconded by J. Macdonald, to return to the regular meeting. **Carried.**

b. Policy Tables

i. Donation Policy Team

Motion by T. Zorić, seconded by J. Taylor, that the Executive Committee recommend to Council that J. Bale, A. Emon, J. Nogami, D. Reaume, D. Roberts and T. Zorić be on the team to negotiate the Provostial Guidelines on Donations. **Carried.**

c. A.A.R. and UTFA Service

T. Zoric provided suggestions on what should be included in activity reports. UTFA will prepare a service letter for UTFA members who request them.

d. Learning from the Centre of Free Expression

T. Zorić said that UTFA should look into having an affiliation or partnership with the Centre for Free Expression at X University.

e. Association Grievances Updates

This item was deferred.

9. Report of the Chair of the Retired Members Committee (5 min)

a. Update on Retired Members Fall Reception

J. Macdonald reported that the fall Retired Members reception will take place on October 24, 1:00–3:00 p.m., by Zoom. The Committee is in the process of inviting a presenter.

J. Macdonald reported that the Retired Members Committee discussed the Interim Policy and Procedure for Internal Harassment and Discrimination Complaints. Their feedback will be shared with the Equity Committee. It was suggested that a plain language summary of just a few paragraphs be prepared once the policy is approved.

T. Zorić said that there has been an outpouring of appreciation for J. Macdonald's leadership as chair of the Retired Members Committee.

10. Report of the Vice-President, University and External Affairs (5 min)

a. Solidarity for Ukrainians and other scholars at risk, actions in progress update

This item was deferred to the next meeting.

11. Other Business

T. Zorić said that Jessica Fields, UTSC's Vice-Dean Faculty Affairs, Equity & Success, had written to Teaching Stream faculty advising them that they should not use the word "research" to describe what they do, as they could risk denial of promotion; they should only use "pedagogical/professional development" (the wording in the policy).

The members agreed that a letter should be sent to Vice-Dean Fields.

Motion by T. Zorić, seconded by L. Stewart Rose, that the meeting go in camera. **Carried.**

Motion by T. Zorić, seconded by N. Niknafs, to return to the regular meeting. **Carried.**

N. Niknafs reported that the climate and culture report regarding the Faculty of Music has been completed. The Dean will ask the Administration if she can share the report with the UTFA Executive.

a. UTFA Executive Meetings

- | | | |
|-----|---------------------|-------------------------|
| i. | Wednesday, April 27 | 10:00 a.m. – 12:00 p.m. |
| ii. | Friday, May 13 | 10:00 a.m. – 12:00 p.m. |

- iii. Friday, May 27 10:00 a.m. – 12:00 p.m.
- iv. Friday, June 10 10:00 a.m. – 12:00 p.m.
- v. Friday, June 24 10:00 a.m. – 12:00 p.m.

b. UTFA Council Meetings

- i. Tuesday, April 19 3:00 – 3:45 p.m. (preceding AGM)
- ii. Thursday, May 19 3:00 – 5:00 p.m.
- iii. Wednesday, June 15 3:00 – 5:00 p.m.

c. Annual General Meeting

- i. Tuesday, April 19 4:00 – 6:00 p.m.

12. Adjournment

Motion by T. Zorić, seconded by N. Niknafs, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:07 p.m.

Chris Penn

Senior Administrative Assistant

UTFA Executive Minutes Council Summary

Wednesday, April 27, 2022

Zoom Conference Call
10:00 a.m. –12:00 p.m.
Chair – T. Zorić

Present: M. Attridge, K. Banning, R. Gillis, S. Helwig, J. Macdonald, W. Kemble, B. McDonagh, N. Niknafs, J. Nogami, H. Sonne de Torrens, L. Stewart Rose, J. Taylor, T. Zorić

Regrets: M. Stapleton

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), H. Nowak (General Counsel), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant), S. Waldorf (Assistant Project Coordinator)

T. Zoric called the meeting to order at 10:05 a.m.

1. Approval of the agenda

Motion by M. Attridge, seconded by N. Niknafs, that the agenda be approved as distributed.
Carried.

2. Minutes of the previous meeting

- a. April 1, 2022
- b. April 14, 2022

The April 1 and April 14, 2022, minutes were deferred to the next meeting.

3. Business arising (not elsewhere on the agenda)

This item was deferred to the next meeting.

4. Appreciation of Administrative Staff (5 min)

T. Zorić drew attention to a message that she sent to UTFA's administrative staff, copied to Executive, expressing appreciation for their work.

The members showed their appreciation through applause.

5. Report of the Chair of the Membership Committee (10 min)

a. AGM debrief (with T. Zorić)

The members reviewed what worked well and what could have worked better, with the 2023 AGM in mind. All agreed that the AGM went smoothly and the discussion with J. Turk, R. Walcott, and J. Taylor was well received.

6. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (20 min)

a. PTR-focused survey (with S. Helwig)

J. Nogami said that a PTR-focused survey has been drafted and is being reviewed with S. Helwig and R. Chang. The members discussed what the best time would be to send it out. It was suggested that Council representatives be asked to gather information from their constituents about PTR practices in their departments. It was agreed that an email should go out to members regarding the right not to use SETs if they don't want to and quoting from Article 5 of the COVID LOU.

b. Negotiating accommodation (with T. Zorić)

T. Zorić said that UTFA will raise with the Administration why some members are being denied their requests for accommodation under the COVID LOU extension.

7. Report of the Chair of the Teaching Stream Committee (20 min)

a. Admin's FAQ for faculty - Course evaluation microaggression study (with L. Stewart Rose and T. Zorić)

Motion by S. Helwig, seconded by L. Stewart Rose, that the meeting go in camera. **Carried.**

b. Modes of teaching redefinition by the Administration (with T. Zorić)

8. Report of the Vice-President, University and External Affairs (10 min)

a. Allegations re: possible student award recipient

The meeting continued in camera.

9. Timed item 11:00 am Break (5 min)

J. Nogami assumed the chair.

Motion by T. Zorić, seconded by S. Helwig, to return to the regular meeting. **Carried.**

10. Timed item 11:05 am: Report of the President (30 min)

a. U of T residential schools apology

T. Zorić commended J. Carens's Land Acknowledgement statement at the AGM. We may encourage U of T, at Joint Committee, to join other institutions in putting out a formal apology.

b. Health and Safety (with J. Nogami)

i. Update

ii. Coalition work

T. Zorić said that the Administration announced that a version of the mask mandate will continue to June 30 but only where physical distancing is not possible. UTFA is concerned about rules around

masking in libraries, offices, hallways, common areas, etc. We applaud the extension but not the wording “where physical distancing is not possible.”

Motion by L. Stewart Rose, seconded by K. Banning, moved that meeting go in camera. **Carried.**

c. Pandemic effects on people with young children

d. Policy Tables

e. Association Grievances Updates

Items c, d, and e were deferred to the next meeting.

Motion by T. Zorić, seconded by J. Nogami, to return to the regular meeting. **Carried.**

f. Provocation Idea Festival

T. Zorić will let M. Rosenfeld know that UTFA will put information on this festival on the UTFA website and send it to Council.

11. Timed item 11:40 am Report of the Executive Director (20 min)

a. Interim Policy and Procedures for Internal Harassment and Discrimination Complaints

i. Meeting Debrief (April 26 meeting of Council)

K. Johnson noted that a meeting was held April 26 with Council to discuss the Interim Policy and Procedures for Internal Harassment and Discrimination Complaints document.

Another one-hour meeting should be arranged.

b. Real estate update

K. Johnson said that she is working with B. McDonagh and S. Waldorf, with support from M. Horban, to gather information and prepare recommendations for Executive regarding decisions that need to be made before the current lease is up in 2023.

K. Johnson said that U of T, the actual tenant, was contacted. It has provided UTFA with a real estate agent and a planner who will view our premises with her and then advise what our options are and provide recommendations.

12. Other Business

The members discussed information that some members received about a study on workload policy and equitable workload, in relation to PTR.

T. Zorić suggested having a meeting to discuss unit workload committees, PTR, and SETs but not until after the May Council meeting.

a. UTFA Executive Meetings

- | | | |
|------|-----------------|-------------------------|
| i. | Friday, May 13 | 10:00 a.m. – 12:00 p.m. |
| ii. | Friday, May 27 | 10:00 a.m. – 12:00 p.m. |
| iii. | Friday, June 10 | 10:00 a.m. – 12:00 p.m. |
| iv. | Friday, June 24 | 10:00 a.m. – 12:00 p.m. |

b. UTFA Council Meetings

- | | | |
|-----|--------------------|------------------|
| i. | Thursday, May 19 | 3:00 – 5:00 p.m. |
| ii. | Wednesday, June 15 | 3:00 – 5:00 p.m. |

c. Adjournment

Motion by B. McDonagh, seconded by N. Niknafs, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:10 p.m.

Chris Penn
Senior Administrative Assistant

UTFA Executive Minutes Council Summary

Friday, May 13, 2022

Zoom Conference Call
10:00 a.m. –12:00 p.m.
Chair – T. Zorić

Present: M. Attridge, K. Banning, R. Gillis, S. Helwig, J. Macdonald, B. McDonagh, N. Niknafs, J. Nogami, H. Sonne de Torrens, M. Stapleton, L. Stewart Rose, J. Taylor, T. Zorić

Regrets: W. Kemble

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), H. Nowak (General Counsel), C. Penn (Senior Administrative Assistant), A. Nardozi (Executive Assistant), S. Waldorf (Assistant Project Coordinator)

T. Zorić called the meeting to order at 10:05 a.m.

1. Approval of the agenda

Motion by B. McDonagh, seconded by K. Banning, that the agenda be approved as amended.
Carried.

2. Minutes of the previous meeting

- a. February 18, 2022
 - i. Council summary *
- b. March 4, 2022
 - i. Council summary *
- c. March 16, 2022
 - i. Council summary *
- d. April 1, 2022
 - i. Minutes *
- e. April 14, 2022
 - i. Minutes *
- f. April 27, 2022

i. Minutes *

Motion by M. Stapleton, seconded by N. Niknafs:
that the February 18, 2022, Council summary be approved as amended;
that the March 4 and March 16, 2022, Council summaries be accepted as distributed; and
that the April 1, April 14, and April 27, 2022, Executive minutes be approved as distributed.
Carried.

3. Business arising (not elsewhere on the agenda)

There was no business arising.

4. Report of the Treasurer (with K. Johnson) (10 min)a. Information Management platform

K. Johnson and M. Stapleton reported on a planned and much needed move to a new information management platform, AdvoLogix, and the financial implications of the move.

The members discussed how this would be paid for.

Motion by J. Nogami, seconded by M. Stapleton, that the Executive Committee approve withdrawal of up to \$200,000 from the UTFA investment portfolio as a one time cost to cover the acquisition, integration, implementation, and fees for a transition to the AdvoLogix information system. **Carried.**

J. Nogami thanked the staff and K. Johnson for their work on this project.

5. Report of the Executive Director (30 min)a. Complaint

Motion by N. Niknafs, seconded by J. Taylor, that the meeting go in camera. Carried.

Motion by J. Taylor, seconded by K. Banning, to return to the regular meeting. Carried.

Motion by M. Attridge, seconded by B. McDonagh, that the Executive Committee accept the recommendation of external counsel to initiate an investigation into the complaint received.
Carried.

b. Staffing Update

K. Johnson introduced A. Nardozi, who is working in a contract position as T. Zorić's new Executive Assistant.

K. Johnson announced that H. Diggle is leaving UTFA for position a with the Ministry of Education. The position has been posted.

6. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (15 min)a. SBPW bargaining update – team meeting on Wednesday and next steps

This item was deferred to the next meeting.

b. Chair of UTFA Pension Committee and UTFA representative on UPP Joint Sponsor committee (with T. Zorić)i. Process to appointment

J. Nogami said that C. Messenger is stepping down as chair of the Pension Committee and UTFA representative on the Employee Sponsor Committee, most likely in September.

The members discussed process on how UTFA might replace C. Messenger.

Motion by J. Nogami, seconded by M. Stapleton, that the Executive Committee recommend to Council that, on the replacement of Cynthia Messenger as the Chair of the UTFA Pension Committee, as well as the UTFA representative on the Employee Sponsor Committee of the UPP, UTFA Executive will consult with the UTFA Pension Committee to bring forward nominations to Council for approval. Carried.

ii. Upcoming vacancy

This item was deferred pending Council's decision related to the 6. (b) (i) Executive motion

7. Report of the Chair of the Teaching Stream Committee (5 min)

a. Workshops

This item was deferred to the next meeting.

8. Timed item 11:00 am Break (5 min)

9. Timed item 11:05 am: Report of the President (50 min)

a. OCUFA Governance workshop report

Items 9a, 9b (i) (ii), 9c, 9d, and 9e (i) (ii) (iii) (iv) and (v) were deferred to the next meeting.

b. Health and Safety (with J. Nogami)

- i. Administration and CHSC Update
 - a. OISE JHSC ventilation conversation
 - b. Chemistry JHSC

ii. Coalition work

c. Pandemic effects and members with heightened risks and vulnerabilities

d. Apportionment

e. Policy Tables

- i. Librarian Systemic Bias Working Group
- ii. Sexual Violence Policy
- iii. Vaccination Policy
- iv. Academic Continuity Policy
- v. Copyright Policy

S. Helwig assumed the chair.

Motion by T. Zorić, seconded by K. Banning, that the meeting go in camera. **Carried.**

vi. Provostial Guidelines on Donations

f. Grievance Review Panel (GRP)

g. Association grievances

- i. Salary Discrimination
- ii. Pay Equity
- iii. COVID & Health and Safety

- iv. Divisional Guidelines on the Assessment of Teaching Effectiveness
- v. Student Evaluations of Teaching (SET)/ Student Course Evaluations (SCE)
- vi. Faculty of Law Hiring Controversy
- vii. Implementation of vaccine policy and UTFA members
- viii. Without prejudice grievance responses

Motion by T. Zorić, seconded by B. McDonagh, to return to the regular meeting. **Carried**

h. Joint Committee Agenda

Items 9h and 9i were deferred to the next meeting.

i. Council agenda

10. Report of the Vice-President, University and External Affairs (5 min)

a. Allegations re: possible student award recipient update

This item was deferred to the next meeting.

11. Other Business

a. UTFA Executive Meetings

- i. Friday, May 27 10:00 a.m. – 12:00 p.m.
- ii. Friday, June 10 10:00 a.m. – 12:00 p.m.
- iii. Friday, June 24 10:00 a.m. – 12:00 p.m.

UTFA Council Meetings

- i. Thursday, May 19 3:00 – 5:00 p.m.
- ii. Wednesday, June 15 3:00 – 5:00 p.m.

c. Adjournment

Motion by M. Stapleton, seconded by J. Nogami, that the meeting adjourn. **Carried**.

The meeting adjourned at 12:15 p.m.

Chris Penn
Senior Administrative Assistant



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UTFA Executive Minutes Council Summary

Friday, May 27, 2022

Zoom Conference Call
10:00 a.m. – 12:00 p.m.
Chair – T. Zorić

Present: M. Attridge, K. Banning, R. Gillis, S. Helwig, W. Kemble, J. Macdonald, B. McDonagh, N. Niknafs, J. Nogami, H. Sonne de Torrens, M. Stapleton, L. Stewart Rose, J. Taylor, T. Zorić

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), A. Nardozi (Executive Assistant), H. Nowak (General Counsel), R. Schmelzer (Bookkeeper), S. Waldorf (Assistant Project Coordinator)

T. Zorić called the meeting to order at 10:05 a.m.

1. Approval of the agenda

Motion by B. McDonagh, seconded by W. Kemble, that the agenda be approved as amended.
Carried.

2. Minutes of the previous meeting

a. May 13, 2022*

Motion by M. Stapleton, seconded by J. Nogami, that the May 13, 2022, Executive minutes be approved as amended. **Carried.**

3. Business arising (not elsewhere on the agenda)

There was no business arising.

4. Report of the Chair of the Teaching Stream Committee (5 min)

a. UTFA Teaching Stream Workshop – May 24

This item was deferred.

5. Report of the Chair of the Appointments Committee (10 min)a. UTFA Tenure Workshop – May 25

L. Stewart Rose reported that the workshop was well attended, with about 46 participants, including part-time faculty. She noted with appreciation the participation of UTFA's legal team, together with J. Nogami, A. Keith, and M. Attridge, who provided practical examples, and with E. Phillips. She also thanked the administrative staff.

The workshop revealed how differently policy can be implemented in different units.

b. Part-time working group (with B. McDonagh)

B. McDonagh reported on a meeting of the working group. The participants outlined short-, medium-, and long-term plans for improving policy. The importance of part-time faculty issues to SBPW bargaining was noted.

6. Report of the Chair of the Librarians Committee (5 min) (with W. Kemble)a. CAUT webinar regarding current publishers

This item was deferred to the June 24 meeting.

7. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (10 min)

This item followed item 8, in camera.

a. Disclosure of benefits and other informationb. SBPW bargaining update

J. Nogami assumed the chair.

8. Timed item 10:35 am: Report of the President (45 min)a. Faculty of Music Update (with N. Niknafs)

N. Niknafs reported that the executive summary of the Climate and Culture Review report is available on the Faculty of Music website. The full report is being withheld to maintain anonymity. T. Zorić, K. Johnson, D. Sandhu, and H. Diggle met with members of faculty who had had been meeting with UTFA about shared concerns.

b. Executive release request process

Motion by T. Zorić, seconded by J. Nogami, that the meeting go in camera. **Carried.**

Motion by L. Stewart Rose, seconded by J. Nogami, to return to the regular meeting. **Carried**

T. Zorić advised members of the Executive to send her their proposals for release by July 1.

c. Executive transitioni. June Meeting

T. Zorić advised that the last June meeting will be attended by new Executive members J. Bale, P. Hamel, and S. Rupp.

ii. Executive Retreat

T. Zorić proposed to hold the retreat in the middle or the second last week of August.

d. Health and Safety (with J. Nogami)i. Administration and CHSC Update

J. Nogami noted that the last Health and Safety meeting was not particularly productive. The Administration was not very responsive to UTFA's questions and requests for transparency.

Motion by J. Nogami, seconded by M. Stapleton, that the meeting move in camera. **Carried.**

- ii. JHSC issues
 - a. Approving UTFA representatives
 - b. Chemistry
 - c. OISE
- iii. Coalition work: This item was deferred.
- iv. Upcoming educational event and membership outreach
- e. Joint Committee Report-back
 - i. Commercialization Mandate Framework
 - ii. Multi-Factor Authentication
 - iii. Right to Disconnect Policy
 - iv. Response times from Human Resources/Benefits/Pension
 - v. Use of PERA for tuition
 - vi. Stipends for Chairs and other UTFA members with administrative responsibilities
 - vii. Accommodation follow up (COVID LOU Extension)
 - viii. Defining modes of teaching
 - ix. Suit against Easy EDU tutoring company
 - x. Pulse Survey results
- f. Residential requirement
- g. Setting policy without UTFA participation
- h. Policy Tables
 - i. Librarian Systemic Bias Working Group (with W. Kemble)
- i. Association grievances
 - i. Divisional Guidelines
- j. Indigenization work of UTFA

T. Zorić assumed the chair.

9. Timed item 11:00 am Break (5 min)

10. Report of the Executive Director (25 min)

- a. 720 Spadina and market assessment (with T. Zorić and B. McDonagh)
- b. Return to Office
- c. Staffing

11. Report of the Chair of the Membership Committee (10 min) (with B. McDonagh)

- a. Donations Policy

This item was deferred.

12. Report of the Chair of the Retired Members Committee (10 min)

- a. Fall RMC annual reception

J. Macdonald reported that the committee had secured Uahikea Maile, a professor of Indigenous politics, as speaker for this event. The members expressed their support.

- b. CURAC Assembly

J. Macdonald reported on the CURAC assembly and the report presented there about Super-Seniors.

13. Other Business

Motion by H. Sonne de Torrens, seconded by J. Nogami, to return to the regular meeting. **Carried.**

a. UTFA Executive Meetings

- i. Friday, June 10 10:00 a.m. – 12:00 p.m.
- ii. Friday, June 24 10:00 a.m. – 12:00 p.m.

b. UTFA Council Meetings

- i. Wednesday, June 15 3:00 – 5:00 p.m.

c. Adjournment

Motion by M. Stapleton, seconded by J. Nogami, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:15.

Rucsandra Schmelzer
Note-taker

DRAFT**University of Toronto Faculty Association**
Policy and Procedure for Internal Harassment and Discrimination Complaints**Background**

1. The University of Toronto Faculty Association (“UTFA”) is committed to ensuring that all UTFA meetings, events, and communications are free of harassment and discrimination. Harassing or discriminatory behaviour undermines an individual’s right to participate fully and equally in UTFA’s work and the purposes and goals of our organization.
2. UTFA has resolved to adopt a policy for addressing complaints of harassment and discrimination within the organization.

Definitions

3. **Harassment** is any vexatious comment or conduct against someone that is known or ought reasonably to be known to be unwelcome. It includes harassment on the prohibited grounds identified under the Ontario *Human Rights Code*, as well as sexual, psychological, and personal harassment.
4. **Discrimination** is the act of treating an individual or group differently, unfairly, and usually to their detriment, because of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, disability, or other personal characteristics protected under the Ontario *Human Rights Code*.

Application of this Policy

5. This Policy applies to all UTFA members when they participate in UTFA meetings, events and communications with one another, and which flow from UTFA business. This Policy does not apply to UTFA members’ interactions which do not flow from or relate directly to UTFA activities.
6. Neither discrimination nor harassment will be tolerated in any UTFA meetings, events, or communications.
7. This Policy does not apply to UTFA employees. UTFA employees’ allegations of harassment or discrimination are covered by UTFA employee-specific policies and procedures.

Role of the Complaint Review Panel (“CRP”)

8. The CRP shall be five (5) members of the Executive Committee as follows: the President, two Vice-Presidents, and two other members of the Executive Committee, as appointed by the Executive Committee. Members of the CRP will be appointed bi-annually, as soon as practicable following the election of the UTFA President or a CRP member vacancy.
9. All members of the Executive Committee shall receive training on harassment and discrimination investigations and dispute resolution.
10. Conflicts of interest shall be handled as follows:
 - a) If a conflict of interest is substantiated for one (1) or two (2) of the members of the CRP, then the remaining four (4) or three (3) members shall proceed as the CRP for the purposes of this policy, and the person or persons with a conflict of interest shall recuse themselves.
 - b) If a conflict of interest is substantiated for three (3) or more members of the CRP, the Executive Committee shall appoint an alternate or alternates, as applicable.
11. The fact that someone has been named in a Complaint does not automatically create a conflict of interest such that they cannot participate in decision-making regarding the Complaint. It is only where the member cannot act impartially that they will need to be excluded from decision-making. A conflict of interest is substantiated when a threshold analysis concludes that the identified individual cannot act impartially in the decision-making process.
12. The President shall be the Chair of the CRP. If the President is excluded due to a conflict of interest or is otherwise unable to Chair the CRP for a given complaint process under this policy, the remaining members of the CRP shall select an alternate Chair.
13. The CRP shall:
 - a. be the decision-making body to address complaints.
 - b. implement processes for handling complaints that are procedurally fair, appropriate, confidential, and expeditious, to the extent possible.
 - c. uphold UTFA's constitution, by-laws, and existing policies.
 - d. receive Complaints and ensure that the processes outlined in this policy are followed.
 - e. receive mediated agreement and may assist with implementation and enforcement, as appropriate.

- f. make final decisions on the appointment of the external counsel, mediator/facilitator, and/or investigator.
- g. maintain the confidentiality of complaints dealt with under this Policy throughout the investigation to the extent possible.
- h. receive reports generated from investigations and make final determinations related to remedy, including at their discretion, releasing information regarding the outcome of the investigation, applicable remedies and/or a summary of the Report as appropriate.

14. The CRP may:

- a. discontinue a process under this Policy if it is satisfied that the complaint is trivial, frivolous, vexatious, or brought forward in bad faith. The CRP may also determine whether remedies or sanctions are appropriate in such circumstances.
 - i. **Trivial** complaints involve allegations that are of such a minor nature that proceeding with a dispute resolution process is not in UTFA's best interest.
 - ii. **Frivolous** complaints contain allegations that, even if true, could not amount to harassment or discrimination.
 - iii. **Vexatious** complaints are filed to annoy, embarrass, or harass the respondent, or are otherwise improperly motivated.
 - iv. Complaints are made in **bad faith** when an adequate remedy already exists or the complainant is engaging in improper action (including fraud, deception, intentional misrepresentation), or the complaint is filed out of malice, hostility, personal animosity, or vindictiveness.
- b. suspend a process under the Policy if it is satisfied that the complaint is, in whole or in part, the subject matter of any civil, criminal, administrative or other proceeding until such proceeding (including all rights of appeal) has been completed.

15. Decisions of the CRP will be made by a simple majority, provided all members of the committee have been given five (5) days notice of a meeting of the CRP, unless there is consensus amongst the CRP to waive the notice period. Where a simple majority cannot be reached, the Chair of the CRP shall make the final determination, considering the input from the CRP and the purposes of this policy.

Role of Administrator

16. The Executive Director shall be the central administrator (the "Administrator") to facilitate the processes under this policy. If the complaint relates to the Executive Director, or the Executive Director otherwise has a conflict of interest with respect to a Complaint, UTFA's General Counsel will act as the Administrator. If a further

conflict arises with the first designate, the CRP shall determine an alternative Administrator.

17. The Administrator shall work with the Complainant, Respondent, CRP, UTFA Executive Committee and third-party mediators/facilitators and investigators to implement this Policy.
18. The Administrator may work with internal and external counsel to identify appropriate mediators/facilitators and investigators to address complaints under this Policy. The Administrator shall make recommendations for the appointment of mediators/facilitators and investigators to the CRP, who are responsible for making the final selection.
19. The Administrator may consult with internal or external counsel to obtain advice on issues raised by the CRP or related to managing a dispute resolution process and report and/or provide advice to the CRP, as appropriate.
20. The Administrator shall review and approve retainer agreements with mediators/facilitators and investigators, confidentiality agreements, terms of reference, and other documents generated by third party mediators/facilitators and investigators in accordance with the processes and objectives set out herein.
21. Where a potentially contentious decision must be made regarding a process under this policy, the Administrator shall obtain instructions from the CRP.
22. The Administrator shall maintain the confidentiality of complaints dealt with under this Policy, to the extent possible, except as it relates to reporting to the CRP.

Process if a UTFA member experiences harassment or discrimination as defined in this Policy

23. The UTFA Executive and UTFA Council recognize the value of engaging in informal dispute resolution prior to initiating the procedures under this policy.
24. A UTFA member who believes they are being harassed or discriminated against is encouraged to make it clear to the person(s), if possible, that they do not welcome the behaviour. They can do so either on their own, verbally or in writing, or with the assistance of another party. The UTFA member should also indicate if they intend to take further action under this Policy if the behaviour continues. Alternatively, the UTFA member can reach out to the Administrator to seek assistance in communicating the concern to the person(s).
25. If the matter is not resolved under paragraph 24, or if the UTFA member is not comfortable approaching the person, they should contact the Administrator in

writing. The UTFA Administrator will serve as a liaison to facilitate a dispute resolution process under this Policy, which could be mediation/facilitation, investigation, or both.

Processes under this Policy

Intake Process

26. Where an UTFA member pursues the process under paragraph 25 the member becomes a Complainant under this Policy. The Complainant shall contact the Administrator and provide their Complaint in writing. When determinations are made about whether to investigate a matter, contextual factors will be considered, including but not limited to the time between the alleged incident and the date of the Report, the ability of the Respondent to respond to allegations due to the passage of time, the individual circumstances of the Complainant, the severity of the incident, and the principles of natural justice. Complaints under this Policy must normally be reported within twelve (12) months from the date of the alleged incident. In exceptional circumstances, such time limits may be extended having regard to contextual factors, including the individual circumstances of the Complainant and the severity of the incident, and the principles of natural justice.
27. The Complaint should include:
- a. Who is the Complainant;
 - b. Who is the Complaint about (the “Respondent”);
 - c. The particulars underlying the Complaint (including dates, times, who was involved, and what happened and who was present);
 - d. If there are key documents relating to the Complaint, they should be included as part of the description;
 - e. Information about other proceedings or complaints pending that arise from the same set of facts;
 - f. Any perceived conflicts of interest that may exist for members of the Executive Committee; and
 - g. The remedies sought by the Complainant.
28. The Complainant should be aware that, in addressing the Complaint, the particulars of the Complaint and documents may be shared with the Administrator, the CRP, the Respondent, and any appointed third-party mediator/facilitator or investigator, as applicable, and in accordance this policy. Documents provided by the Complainant and Respondent will only be shared as necessary with witnesses and other representatives of UTFA as set out in this Policy. All persons with involvement in the processes under this Policy shall keep the details of the Complaint, responses, and dispute resolution processes strictly confidential.

29. Once the Complainant provides the particulars, the Administrator shall speak with the Complainant to review the Complaint and the dispute resolution processes under this Policy. The Complainant will be required to sign a confidentiality agreement relating to the dispute resolution processes under this Policy.
30. The Administrator will then notify the CRP that an internal Complaint under this Policy has been received and that they will be submitting the Complaint to external counsel to conduct a preliminary analysis of the Complaint. The particulars of the Complaint will not be disclosed to the CRP until external counsel has completed its preliminary analysis.
31. The preliminary analysis will contain, if applicable:
- a) an opinion of whether the allegations could, if true, amount to a breach of the Policy such that UTFA should proceed with the processes under the Policy.
 - b) an opinion on whether there exist any conflicts of interest that ought to be considered in the processing of the Complaint and/or determinations on the merits, and offer recommendations on how UTFA should proceed.
 - c) A consideration of other proceedings or complaints pending, if applicable, and make recommendations about how UTFA should proceed.
 - d) A recommendation on whether interim measures may be needed.
 - e) If the subject matter of the Complaint relates to or may reasonably be found to engage the Complainant or Respondent's employment-related interests with the University of Toronto, provide an analysis of whether an alternate proceeding should supersede those outlined in this policy.
32. If circumstances warrant, the external counsel may seek a preliminary response from the Respondent before making their recommendation.
33. The CRP will be responsible for reviewing the recommendations of external counsel and make determinations on how to proceed.
34. If it is determined that the Complaint should be addressed through this Policy, the Administrator will be directed to contact the Respondent, to describe in general terms the nature of the Complaint against them, and to review the dispute resolution processes under this Policy. The Respondent will be required to sign a confidentiality agreement relating to the dispute resolution processes under this Policy.
35. If the Complainant or Respondent refuses to sign the confidentiality agreement, processes under this Policy may proceed without their participation.

36. The Administrator will then communicate with a third-party mediator/facilitator or investigator, as appointed by the CRP.
37. If a civil, criminal, administrative, or other proceeding is engaged and involves the same allegations giving rise to the Complaint, the processes set out herein may be suspended pending the resolution of the other proceeding. If the other proceeding (including all rights of appeal) concludes or is otherwise abandoned, the Complainant may request that their Complaint be resumed. In such circumstances, the CRP may seek recommendations from external counsel about whether it is appropriate to resume a process under this policy, and may decline to resume a process under this policy, considering the policy's purposes, the outcome of the other proceeding, UTFA's role and UTFA's resources..

Mediation/Facilitation process

38. The objective of mediation/facilitation is to efficiently reach a practical resolution to a complaint that both the Complainant and the Respondent can accept.
39. The Complainant and any Respondent participating in the process must voluntarily agree to engage in the process. Participants in mediation/facilitation are expected to conduct themselves respectfully and professionally during a mediation process.
40. Mediation/facilitation processes are without prejudice to any party's position in the event the matter is not resolved through mediation/facilitation. The Parties to the mediation/facilitation shall sign a mediation/facilitation agreement setting out the parameters of the process, including confidentiality and the without prejudice nature of the process. This agreement may be drafted by the mediator/facilitator in consultation with the Administrator. It is desirable for the parties to agree that the discussions in mediation will be treated as off the record for the purposes of this Policy and any other legal process, and should explicitly consider whether the mediation discussion will be subject to settlement, litigation, or any other privilege.
41. The mediator/facilitator does not have the authority to implement an outcome, but instead works to encourage parties to come to a mutual agreement voluntarily. Mediation/facilitation does not produce findings of fact or a determination of whether harassment or discrimination occurred.
42. The Parties to the mediation/facilitation do not have authority to bind UTFA to the resolution. They may agree to jointly make requests and recommendations to the CPR, if the request/recommendation falls within the CPR's jurisdiction under this policy, or to the UTFA Executive Committee, if the request/recommendation has more systemic or far-reaching implications for the organization which would usually fall under the UTFA Executive Committee's jurisdiction.

43. If the Parties reach an agreement to resolve the Complaint, then that resolution is binding on the Parties. The agreement shall be shared with the Administrator and the CRP, with appropriate redactions as agreed by the parties.
44. If a mutual agreement is not reached by the parties, the Complainant may request a formal investigation process.

Investigation Process

45. A formal investigation may occur
- a. following a mediation/facilitation process where a mutual agreement is not reached, or
 - b. if there is no mutual agreement to participate in a mediation/facilitation process.
46. In an investigation process, a neutral and external third-party engages in a fact-finding exercise with a view to determining whether harassment or discrimination occurred. The investigator will be a competent person, defined as someone who is impartial, and reasonably seen to be impartial, has knowledge, training and expertise on harassment and discrimination investigations, and has knowledge of relevant legislation and the Policy.
47. The investigator is appointed by the CRP.
48. The investigation process shall be procedurally fair, confidential, and appropriate in the circumstances. Investigations will be handled confidentially and expeditiously. Normally, confidentiality extends until a resolution is implemented.
49. Normally, the time frame for an investigation to be undertaken and an investigation report written is ninety (90) days after the appointment of an investigator, unless delays occur in good faith and no substantial prejudice will result to any person affected by the delay.
50. The Complainant shall review the information provided in advance of the intake process, as well as documentation, to confirm that the Complainant's full complaint is set out in writing (the "Full Complaint"). The investigator's mandate shall be to investigate the Complaint and shall not exceed that mandate without the express approval of the CRP.
51. The investigator shall then interview the Complainant to discuss the Complaint.
52. Following the Complainant interview, the investigator provides the Respondent with the Complaint. The investigator may also provide the Respondent with other

information obtained from the interview with the Complainant, as deemed appropriate by the investigator.

53. The investigator may review relevant documents from the parties. The investigator may also interview witnesses the investigator determines relevant to the Complaint. Witnesses shall also be required to agree to the confidentiality agreement prior to participating in the investigation.

Reporting on findings

54. At the conclusion of the investigation, the investigator shall provide their report (the "Report") to the Administrator. The Report may also be shared with internal and/or external counsel.
55. The Report should summarize the investigation process and include findings of fact and determinations of whether there has been harassment or discrimination within the meaning of the Policy.
56. The Administrator shall share the Report with the CRP. Prior to sharing the Report with the CRP, the Administrator may redact portions of the Report if appropriate pursuant to the UTFA Privacy Policy or to protect sensitive or private personal information.
57. At the discretion of the CRP, the investigator may be requested to:
- a. Make recommendations for corrective actions. These recommendations may focus on the particular parties to the Complaint or may be more general/systemic in nature;
 - b. Offer any other information or service which supports UTFA's desire to uphold UTFA's commitment to be a harassment- and discrimination-free organization and deters abuse or misuse of the Policy.
58. The Report will be kept confidential by the Administrator and the CRP, to the maximum extent possible.
59. A summary of the findings of the Report shall be provided to the Complainant and Respondent ("Summary Report").
60. The CRP may share, at its discretion, and when circumstances warrant, a summary of the Report with the UTFA Executive Committee, the bottom-line findings in the Report, or the corrective actions or remedies that flow from the Report.
61. The UTFA Executive Committee may, when circumstances warrant, share this information with Council.

Remedy

62. Where a Complaint is addressed and resolved through the mediation/facilitation process, the parties to the Complaint together determine the resolution with the assistance of the Mediator/Facilitator.
63. Where a matter is addressed through the investigation process, the CRP shall determine what remedies and/or corrective actions are appropriate considering the findings in the Report from the investigator and submissions of the Complainant and Respondent as set out below. Where the investigator offers recommendations, the investigator's recommendations will also be taken into consideration by the CRP. Where remedies implicate UTFA resources more broadly, or go beyond an individual remedy, those remedies must be submitted to the UTFA Executive Committee for consideration and/or approval.
64. The Complainant and the Respondent may make submissions to the CRP on the Summary Report and appropriate remedies. The CRP shall consider the Complainant's and Respondent's submissions prior to the CRP making any final determinations as to remedy.
65. Remedies may include, but are not limited to, reprimand, removal from a committee, coaching, training, and possible additional action in accordance with UTFA's legal obligations and policies. However, in no circumstances shall a remedy include the payment of monetary compensation or damages by UTFA or the Respondent. Remedies that follow investigations shall not constitute reprisals.

Reporting to the Complainant and Respondent on Remedy

66. Once the CRP has determined what remedies are appropriate in the circumstances, the CRP shall provide the Complainant and Respondent with a written notice indicating the outcome of the investigation and any corrective actions or remedies applicable.

Record of Complaints

67. All records of a Complaint, including the original Complaint and Investigation Report, shall be securely retained by the Administrator, for a period of at least seven years from the date of the conclusion of the process followed under this policy. Electronic records of the complaint may be stored, providing they may be accessed only by the Administrator, CRP, and UTFA staff responsible for providing support to the Administrator and CRP. Security protocols will be put in place to ensure that only the Administrator, CRP and UTFA staff have access. UTFA staff

shall be required to keep the records, and the information contained therein, confidential.

No Reprisals

68. A reprisal is an action, or threat, that is intended as retaliation for making a Complaint under the policy and/or participating in the investigation of a Complaint. Acts of reprisal are prohibited and shall be treated as a violation of the policy.

Frivolous, Malicious, Bad Faith, and/or Vexatious Complaints

69. Frivolous, malicious, bad faith, and/or vexatious Complaints (as defined above) are prohibited. Frivolous, malicious, bad faith, and/or vexatious Complaints shall be treated as a violation of the policy.

Retroactivity

70. This policy will have retroactive effect and all allegations raised as Complaints in the 12-month period prior to the approval of this policy shall be subject to its procedures. UTFA has an obligation to investigate allegations of harassment and discrimination pursuant to applicable Ontario legislation.

Motions to the June 15, 2022

UTFA Council Meeting

The Executive recommends to Council the adoption of the Policy and Procedure for Internal Harassment and Discrimination Complaints. This policy will be reviewed within the next three-year period.

Motions to the June 15, 2022

UTFA Council Meeting

The Executive recommends to Council that until the next regular meeting of Council (in September), summer authority be granted to the UTFA Executive Committee to:

- i. Conduct normal UTFA business
- ii. Authorize usual expenditures

Donation Policy – Part II

Memorial/ tributes/ acknowledgement

1. Individuals who may be honoured:
 - a. President
 - b. Members of Council
 - c. Members of the Executive Committee
 - d. Individuals within and outside UTFA who have been participants or partners in work related to UTFA's purpose
2. Tribute level and corresponding authorization required:

a. Flowers or memorial donations in lieu, up to \$250:	President
b. Memorial donations above \$250, up to \$1,000:	Executive Committee/ President
c. Memorial donations above \$1,000,	
up to an aggregate annual budgeted amount:	Council/ Executive/ President

Donations to support non-UTFA events and other initiatives

1. UTFA contributes to the cost of events and initiatives that align with UTFA's Purpose.
2. Levels of support and corresponding authorization required for disbursements up to an aggregate annual budgeted amount:

a. Up to \$500:	President
b. Above \$500, up to \$1,000:	Executive Committee/ President
c. Above \$1,000:	Council/ Executive/ President

All disbursements over the aggregate annual budgeted amount: Council/ Executive/ President

The recommended aggregate annual budget for **Memorial/ recognition** and **Donations to support nonUTFA events and other initiatives** is \$10,000.

2022-02-16

For reference only:

This policy is guided by the purpose of UTFA as stated in the Constitution, Article 2:

The purpose of the Association is to promote the welfare of the current and retired faculty, librarians, and research associates of the University of Toronto, the University of St. Michael's College, the University of Trinity College, and Victoria University, and generally to advance the interests of teachers, researchers and librarians in Canadian universities.

It does not address disbursements that have their own terms of reference, motions, or other authorities, such as:

- Student awards;
 - Contributions to the strike fund of every CAUT-affiliated university faculty association whose members are on strike or are locked out;
 - Donations to other organizations or causes in lieu of honoraria for speakers at UTFA events.
-

Donation Policy

Part I - Support for Striking Faculty Associations

Passed at Council: November 12, 2021

Part II - Memorial tributes / Donations to support non-UTFA events and other initiatives

Pending submission to Council June 2022

Motions to the June 15, 2022

UTFA Council Meeting

The Executive Committee recommends to Council the approval of the UTFA Donations Policy.

Report by Whitney Kemble, UTSC Librarian, Member-at-Large UTFA Executive
May 30, 2022

CAUT Webinar - Academic Publishing, Data Surveillance and Human Rights: A Panel Discussion

[Link to webinar recording](#)

Webinar description:

In recent months, international data surveillance experts, civil society organizations and activists have been raising the alarm regarding the mass aggregation and subsequent sale of user data by two major library vendors, Canadian-based Thomson Reuters and RELX (Elsevier), to government and law enforcement organizations including the U.S. Immigration and Customs Enforcement (ICE).

By using private commercial data brokers such as Thomson Reuters or RELX, governments can circumvent barriers that would otherwise prevent them from collecting personal information. Now this data is being used to track, detain and deport migrants on a massive scale. There is growing concern that libraries and their institutions, by continuing to subscribe to these companies' products, could be complicit in human rights abuses including the persecution of marginalized populations and inhumane family separation and detention, which the UN considers illegal under international law.

Just as university communities (including Laval, Concordia, UBC, Guelph, and UQÀM) are increasingly pushing for divestment of their pension funds from investments in fossil fuels, there is an imperative to assess concerning activities by major library companies (vendors who publish or distribute scholarly content) which universities are effectively bankrolling through both their pension funds and their library subscriptions.

In the past two years, [shareholder activism has brought these issues to the fore inside companies](#), and now is a key moment for librarians, academics, institutions and concerned citizens to get informed and consider taking action.

About the speakers:

Sarah Lamdan is Professor of Law at the City University of New York School of Law.

Emma Pullman is the Capital Stewardship Officer for the B.C. General Employees' Union (BCGEU).

Cinthya Rodriguez is based out of Chicago, IL as a National Organizer @ConMijente, a political home and national organizing hub for Chicanx and Latinx people.

Notes

- Companies like Thomson Reuters and RELX Group (formerly Reed Elsevier) not only sell research products to libraries, they also function as data brokers and sell data to marketing and law enforcement, including ICE used to track, detain, and deport people – these companies own news sources, archives, and academic collections including ScienceDirect, Scopus, ClinicalKey, all of the Reed Elsevier journal, Westlaw, and Lexis.
- Thomson Reuters has more than \$100 million in contracts with ICE and provides the immigration agency not only with raw data gathered from cellphone records, license plate

recognition, and other publicly available information but also with [in-house analysts and customized systems](#) to support the use of the data in ICE operations

- These companies are changing their business models, e.g. Reed Elsevier's corporation rebranded itself RELX Group and Morgan Stanley recategorized RELX Group as a "business company" instead of a "media group."
- They are able to follow library patrons' research activities, storing data about how people are using their services. When companies like Thomson Reuters and RELX Group are simultaneously library service providers and data brokers they can access library patron data and repackage that data for profit. Library vendors collect more and more patron data as they develop services to track patron preferences and make collection development decisions.
- In response to advocacy and shareholder pressure (led by from the British Columbia General Employees' Union BCGEU, Thomson Reuters announced that it would align with the United Nations Guiding Principles on Business and Human Rights (UNGPs) and conduct an independent, company-wide human rights impact assessment of its products and services
- Librarians/academics can organize to 1) demand accountability from our vendors, and 2) insist on transparency to ensure that vendors comply with our ethics.
 - The first issue is that the money libraries pay for products helps vendors develop surveillance products. The second issue is that the data that patrons provide vendors while using their products in libraries could be sold to law enforcement.
 - These are two discrete problems that impact patron privacy, and vendors should be prepared to address both issues with librarians. The issues of libraries funding surveillance with subscription fees and library vendors including library patron data in their surveillance products are both major issues that could be the difference between library privacy and libraries as surveillance hubs.
- To facilitate informed purchasing decisions, libraries can demand information about vendors' practices. Requiring disclosures about our vendors' research and product infrastructure should be part of doing business with data companies. With more transparency, librarians can assess which products are better at ensuring patron privacy and supporting intellectual freedom. The ethical conundrums raised by these products are multifaceted: Are we risking privacy and breaking our own ethical code? Are we funding unethical supply chains that harm people and violate ethics in the production of their products? If we are betraying the tenets of intellectual freedom, we must divest.
- Some library patrons, including University of California San Francisco faculty and thousands of mathematicians have already advocated for boycotting and divesting from companies like RELX Group over pricing practices. Universities are beginning to drop their Elsevier contracts and thousands of scholars are protesting Elsevier over the company's "exorbitantly high prices." Activism around pricing suggests that, rather than relying on corporations with sketchy practices, librarians can support and talk more about alternate companies and startups or create our own resources, open access consortia, and search options as alternatives to companies involved in ICE surveillance
- UTL still has a big deal with Elsevier – failure to show leadership in fighting the monopolistic price gouging, so I'm not optimistic about UTL's likelihood of fighting on this ethical front

What can we do?

- Write an open letter condemning these companies for their data surveillance practices (UTFA Libs ctee, or UTFA exec, or VP-UEA could find other groups to collaborate with us?)
- Call on UTL/UofT to develop ethical guidelines for vendors we do business with
- Call on UTL/UofT not to contracts with these vendors until they stop these unethical practices
- Bring it to the attention of the UTL Inclusion, Diversity, Equity, Anti-Racism Committee (IDEAR) for them to consider how our vendor contracts work against our values and professional ethics
- What else?

And here are some of the links shared during to learn more about it:

<http://www.inthelibrarywiththeleadpipe.org/2019/ice-surveillance/>

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3231431

<https://theintercept.com/2021/04/02/ice-database-surveillance-lexisnexis/>

<https://www.thomsonreuters.com/en/press-releases/2017/june/thomson-reuters-brings-vigilant-license-plate-recognition-data-to-clear-investigation-platform.html>

<https://youtu.be/WHb2RUUnkTw>

<https://endthecontract.wixsite.com/home/coalition-members>

<https://notechforice.com/>

https://twitter.com/search?q=%23notechforice&src=typed_query&f=live

One of the webinar panelists was very involved in this effort

<https://www.theverge.com/2022/4/29/23048819/thomson-reuters-human-rights-assessment-ice-bcgeu-mijente>

Report of the 2022 UTFA Nominating Committee

The Nominating Committee was established at the January Council meeting. We began meeting, weekly, in February at which time I (LSR) was nominated to chair the committee. Throughout March, the Committee updated, clarified, and proposed changes to the Nominating Committee Guidelines and Key Dates. The Guidelines were approved by Council at its March meeting.

Beginning March 25, the Committee assessed the field of potential candidates, accepted names for consideration, recruited, interviewed, and deliberated.

By April 9, each of the following Executive members who were eligible to do so indicated that they would continue in their roles.

Chair, Appointments Committee	L. Stewart Rose	2023
Chair, Teaching Stream Committee	S. Helwig	2023
Member-at-Large	W. Kemble	2023
Member-at-Large	N. Niknafs	2023

Judith Taylor (Interim) Chair of the Membership Committee; Roy Gillis, VP, University & External Affairs; and Jody McDonald, Chair of the Retired Members Committee, each announced that they would not seek re-appointment.

On May 1, I communicated the following slate of candidates to Council on behalf of the Nominating Committee (* denotes nominees who did not serve on Executive this past year):

<u>Portfolio</u>	<u>Name</u>	<u>Term Expiration</u>
VP Grievances	B. McDonagh	2024
VP SBPW	J. Nogami	2024
VP University & External Affairs*	J. Bale	2024
Treasurer	M. Stapleton	2024
Chair, Equity Committee	K. Banning	2023
Chair, Librarians Committee	H. Sonne de Torrens	2024
Chair, Membership Committee*	P. Hamel	2024
Chair, Retired Members Committee*	S. Rupp	2024
Member-at-Large	M. Attridge	2024

As we shared previously, Nominating Committee member Alison Keith recused herself from discussions regarding the Chair of the Retired Members Committee position due to her relationship with the candidate.

Following the Nominating Committee's announcement of its slate, UTFA's Chief Returning Officer (CRO) received two additional nominations in the May nomination period and distributed the submitted candidates' statements to Council. The two nominees and the portfolios they are seeking are:

<u>Portfolio</u>	<u>Name</u>	<u>Term Expiration</u>
Chair, Membership Committee	Renan Levine	2024
Member-at-Large	Giovanni Grasselli	2024

Thus, elections will be held for the two positions in which there are multiple nominees, Chair, Membership Committee, and Member-at-Large, at Council on Thursday, May 19.

The Nominating Committee notes the following (with some of these points carried over from previous years):

- The criteria for the Nominating Committee's selection of the slate of candidates is guided by Article 10.4 of the UTFA By-Laws.
- The Committee also recognized a range of long-standing considerations (some of which sometimes exist in tension with one another), including but not limited to: support for those leading important work on behalf of the membership; demographic and disciplinary diversity and representation; prior experience and past contributions to the work at UTFA; and succession planning.
- We note the significant need for greater BIPOC representation on Executive. Executive positions require knowledge and skills that are often most readily gained through Committee work; we strongly encourage outreach to diversify UTFA Committees and to broaden opportunities for learning, engagement, and contribution.
- Key dates and guidelines for UTFA presidential and executive election processes require annual review.

Appreciations are in order. Thank you to our outgoing Executive Committee members who have dedicated their expertise and time. Thank you to everyone who expressed interest in the Executive Committee positions. The Nominating Committee encourages everyone to participate in the important work of UTFA committees. Many thanks are due to UTFA staff for their support in documenting this work in order to support future Nominating Committees and updating the website.

And finally, as chair, I wish to personally thank this year's Nominating Committee for their dedication to UTFA's mandate and their remarkable generosity with their time to participate rigorously and fully on this committee. Please join me in recognizing Rena Helms-Park, Azita Hojatollah Taleghani, Alison Keith, and Kent Weaver.

Respectfully submitted,
Leslie Stewart Rose
Chair, UTFA Nominating Committee