

**Revised
UTFA Council Agenda**

Thursday, March 24, 2022

3:00 – 5:00 p.m.

Zoom

1. Approval of the Agenda
2. Minutes of the Previous Meeting
 - a. February 23, 2022 *
3. Business Arising
 - a. From the Minutes of Council
 - b. From the Minutes of the Executive Committee
 - i. January 14, 2022 *
 - ii. January 21, 2022 *
 - iii. February 4, 2022 *
 - iv. February 18, 2022 *
 - v. March 4, 2022 *
 - vi. March 16, 2022
4. Order of the Day: 3:15 p.m. Presentation “Strategies for enhancing collegial governance and effectiveness in governance space” Sue Wurtele, OCUFA President (15 min) *
5. Report of the Chief Returning Officer (CRO) (5 min)
6. Report of the Chair of the Nominating Committee (L. Stewart Rose) (15 min)
 - a. Nominating Committee Guidelines 2022 (Executive motion) *
 - b. Key dates*
7. Special Report of the Executive Director and General Counsel (10 min)
 - a. Interim Dispute Resolution Policy – for information*
8. Timed Break – 3:55 pm (5 min)
9. Times Item 4 p.m. Report of the President (30 min)
 - a. Solidarity for Ukrainian - Actions in progress (with R. Gillis)
 - b. Students for Survivors Campaign
 - c. Health and Safety
 - i. Central Health and Safety Committee
 - ii. Change in Provincial policy and Administration announcement
 - iii. Unique risks in libraries

- d. U of T commuting distance expectations
 - e. Policy negotiations update
 - f. Association grievances updates
 - i. Implementation of vaccine policy and UTFA members
 - ii. Without prejudice grievance responses
 - iii. COVID Health and Safety Grievance – Mediation Update
 - iv. Other association grievances in progress
10. Report of the Chair of the Membership Committee (10 min)
- a. AGM
 - i. Approval of AGM agenda *
 - b. UTFA Donations Policy (with B. McDonagh) (Executive motion) *
 - c. C.B. Macpherson speaker
 - d. Council communication
 - e. Ideas generated at Thursday, January 27, meeting
 - i. Librarian campaign
 - ii. Reading campaign
 - iii. Did you know? Fact Fridays
11. Report of the Vice-President, University and External Affairs (5 min)
- a. Academic Citizenship Award (with J. Taylor) (Executive motion) *
12. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (10 min)
- a. COVID LOU (with T. Zorić)
 - b. SBPW bargaining update (with T. Zorić)
 - c. SBPW Committee meeting
 - d. Concern re appropriation of research monies
13. Report of the Chair of the Appointments Committee (5 min)
- a. Part time policies
 - b. SETs
14. Approval of Committee members to UTFA Committees (5 min)
- a. SBPW Committee – Raymond Kwong, Electrical and Computer Engineering
 - b. Teaching Stream Committee – Leslie Stewart Rose, OISE
 - c. University and External Affairs Committee – Ruth Marshall, Department for the Study of Religion
15. Other Business
- a. Winter Term Council Meetings
 - i. Tuesday, April 19 3:00 – 3:45 p.m. (preceding the AGM)
 - ii. Thursday, May 19 3:00 – 5:00 p.m.
 - iii. Wednesday, June 15 3:00 – 5:00 p.m.
 - b. Annual General Meeting
 - i. Tuesday, April 19 4:00 – 6:00 p.m.
16. Adjournment

* materials attached



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UTFA Council Minutes

Wednesday, February 23, 2022

3:00 – 5:00 p.m.

Zoom

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: J. Bale, E. Barbeau, C.H. Chen, L. Chen, S. Darnell, C. Desai, G. de Souza, A. Fenner, D. Gastaldo, W. Ghobriel, A. Giacca, G. Grasselli, P. Gries, C. Guberman, M.A. Guttman, R. Helms-Park, A. Hojatollah Taleghani, A. Keith, E. Kim, R. Kwong, R. Levine, J. Mason, R. Marshall, M. O'Connor, M. Peski, H. Rodd, S. Ruddick, S. Rupp, A. Sabl, K. Scheaffer, A. Siddiqi, S. Wagner, K. Weaver Z. Zhang, A. Zilman

Regrets: K. Adamson

Absent: V. Arora, A. Braun, E. Comelli, A. Emon, C. Messenger, M. Vieta

Also present: H. Diggle (Counsel)
M. Horban (Business Officer)
K. Johnson (Executive Director)
V. Ng (Faculty of Music Undergraduate Association)
H. Nowak (General Counsel)
C. Penn (Notes and Senior Administrative Assistant)
D. Puscas (Technical Support)
N. Ptinis (Executive Assistant)
H. Russell (Speaker)
C. Jia En Tan (Faculty of Music Undergraduate Association)

H. Russell called the meeting to order at 3:02 p.m.

1. Approval of the Agenda

Motion by K. Weaver, seconded by M. Attridge, that the agenda be approved as distributed. **Carried.**

2. Minutes of the Previous Meetings

- a. January 20, 2022 *
- b. February 2, 2022 *

As there were no changes to the Council minutes of January 20 and February 2, 2022, they were approved as distributed.

3. Business Arising

a. From the Minutes of Council

There was no business arising from the minutes of Council.

b. From the Minutes of the Executive Committee

- i. January 14, 2022 *
- ii. January 21, 2022 *
- iii. February 4, 2022 *

Business arising from the minutes of the Executive Committee was deferred to the next meeting.

4. Timed Item 3:10 p.m. Students for Survivors Campaign (10 min)

Guests: Presentation by Faculty of Music Undergraduate Association Board Members Catherine Jia En Tan, VP External, and Vanessa Ng, VP Communications.

C. Jia En Tan and V. Ng gave a presentation on the Students for Survivors campaign.

T. Zorić thanked C. Jia En Tan and V. Ng for their leadership on these issues. UTFA will be reaching out to explore ways we can work together on this initiative.

5. Report of the Chief Returning Officer (CRO) (10 min)

a. Presidential Election Guidelines (Executive motion) *

M. O'Connor reviewed the proposed Presidential Election Guidelines document with the members.

Motion by R. Levine, seconded by M. Peski, that the following amendment be made: Strike "No video will be posted or distributed" and substitute "UTFA will post or distribute the video up to the duration of the election campaign with the consent of the candidates' campaigns."

The members discussed the proposed amendment.

H. Russell called for a vote on the proposed amendment. **Carried.**

Motion by R. Levine, seconded by M. Peski, that the following amendment be made:

If a member or members of the Executive is a presidential candidate in the election, those members will need to recuse themselves from deliberations over any disputes, and disputes will be resolved through a majority vote by the Executive without the candidates. **Carried.**

Motion: The Executive Committee recommends to Council approval of the Presidential Election Guidelines as amended. **Carried**

6. Report of the Chair of the Equity Committee (15 min)

a. Equity Committee meetings

K. Banning reported that she attended a retreat of OCUFA's Status of Women and Equity Committee. The committee is preparing a survey and will be developing guidelines and language to help with attaining equity goals.

b. CAUT Anti-harassment & Non-Discrimination Statement * (Document for information; Executive motion)

The Executive Committee recommends that Council adopt the principles embodied in the CAUT Anti-harassment & Non-Discrimination Statement.

K. Banning said that the Equity Committee proposed the motion that was passed at Executive. It is meant only to adopt provisionally the principles of the CAUT document. The Equity Committee will continue work on an official policy and would then bring it to Executive and then Council for approval. She is interested in receiving feedback.

The members discussed the document.

M. Peski proposed replacing "All UTFA events" with All UTFA operations."

H. Russell ruled that the proposal to tweak the wording was out of order.

M. Peski appealed the ruling and asked for a vote on the decision not to put his motion forward.

H. Russell said that the motion was to adopt the principles and not the precise wording.

H. Russell called the question regarding upholding the ruling. **Carried.**

H. Russell said that the ruling was upheld.

J. Nogami proposed adding "and that further work on UTFA's statement would be handled by the Equity Committee with the understanding that the Equity Committee would accept input from all Council members."

H. Russell said that he believes what is being suggested is procedure. The motion is asking for a general agreement to the principles and is the start of the discussion and not the end. He ruled J. Nogami's proposed amendment out of order.

Motion by A. Sabl, seconded by K. Weaver, that the following be added to the motion: "pending further deliberation by the Equity committee on specific wording and proper procedures." **Carried.**

The amended motion now reads:

The Executive Committee recommends that Council adopt the principles embodied in the CAUT Anti-harassment & Non-Discrimination Statement pending further deliberation by the Equity Committee on specific wording and proper procedures. **Carried unanimously.**

c. UTFA Council survey (with J. Taylor)

K. Banning reported on the survey that is being prepared for Council.

An external equity manager is being hired to receive the data and write the report.

The members discussed the proposed survey.

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

a. COVID LOU (with T. Zorić)

J. Nogami called the members' attention to the COVID LOU extension and reviewed the document with the members.

i. Ratification vote *

Motion: The Executive Committee recommends that Council approved the COVID LOU extension as circulated. **Carried unanimously.**

T. Zorić thanked the SBPW negotiating team, supported by R. Chang. She said that the COVID LOU is one of the best agreements in the province.

b. SBPW bargaining update (with T. Zorić)

i. Town halls report back

J. Nogami reported that four town halls were held, one for the retirees and one for each of the three campuses, to present the LOU and address questions. The members response to the agreement has been positive particularly with the benefits given the legislative cap at 1%. They supported the view that retiree health benefits should remain the same as those of active members. This long-standing principle of UTFA will be asserted in arbitration for the third year of the agreement and a campaign conducted if Administration continues to propose a roll back for Retirees.

ii. Next steps

T. Zorić said that we are trying to get dates with an arbitrator, which may not be until fall. We may need an emergency meeting over the summer. The next step is to prepare an arbitration brief and have a campaign. UTFA needs to be united, especially if the Administration tables cuts to retiree benefits.

c. Concern re appropriation of research monies (taxing of grants)

J. Nogami reported that this issue has to do with carry-forward monies in certain research accounts, especially series 100 accounts. This money is distributed internally and is not related to grants from external resources. He asked members to contact him for further information.

8. Report of the President (40 min)

a. Challenging Anti-Asian Racism at U of T *

T. Zorić said that at an OISE meeting focusing on anti-Asian racism, held on Zoom, a white man broke in and pointed a gun at the Asian students and faculty. The History community wrote a letter to President Gertler expressing its disappointment that U of T did not deal with this event seriously enough and did not let the general community know what happened or what actions it was going to take. The Executive Committee commended the letter from the History community and UTFA sent a letter supporting it to President Gertler. She asked Council to further commend the History letter and commit UTFA to working with the community to challenge Anti-Asian and all other forms of racism and discrimination.

Motion: The UTFA Executive recommends to Council that Council commend the History community letter and commit to working in solidarity with its cosignatories in challenging Anti-Asian racism and all forms of racism and discrimination. **Carried unanimously.**

b. Students for Survivors Campaign (with N. Niknafs)

T. Zorić asked C. Guberman to facilitate the discussion of the presentation on the Students for Survivors Campaign.

C. Guberman said that she and N. Niknafs thought that it should be discussed early on the agenda at the next Council meeting instead.

c. Faculty of Music proposed cuts to tenure-stream faculty positions (with N. Niknafs and L. Stewart Rose)

This item was deferred to the next meeting.

d. Health and Safety

This item was deferred to the next meeting.

- i. Central Health and Safety Committee
- ii. Expanded advisory group
- iii. Winter term
 - a. Administration's Pulse Survey, Winter 2022
 - b. Implementation of vaccine mandate update
 - c. Coalition work
 - d. Communication to members

e. U of T commuting distance expectations

This item was deferred to the next meeting.

Motion by M. Attridge, seconded by R. Marshall, that the meeting be extended by 10 minutes. **Carried.**

f. Release funds * (Executive motion)

T. Zorić reported that UTFA has an obligation to bring a motion on release funds before Council. The release fund allocations are in the same proportions as last year. The one change is to add release funds for the UTFA UPP representative.

Motion: The Executive Committee recommends that Council approve the allocation of release funds as presented. **Carried.**

g. Joint Committee meeting *

This item was deferred to the next meeting.

h. Policy negotiations update

This item was deferred to the next meeting.

i. Association grievances updates

This item was deferred to the next meeting.

- i. Implementation of vaccine policy and UTFA members
- ii. Without prejudice grievance responses
- iii. COVID Health and Safety Grievance – Mediation Update
- iv. Other association grievances in progress

9. Timed break – 3:55 pm (5 min)

10. Report of the Chair of the Membership Committee (15 min)

This report was deferred to the next meeting.

- a. AGM
 - i. Speaker
- b. UTFA Donations Policy (with B. McDonagh)
- c. C.B. Macpherson speaker
- d. Council communication (with K. Banning)
- e. Ideas generated at Thursday, January 27, meeting
 - i. Librarian campaign
 - ii. Reading campaign
 - iii. Did you know? Fact Fridays

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

This report was deferred to the next meeting.

- a. Academic Citizenship Award (with J. Taylor) (Executive motion) *
- b. Faculty Associations on strike
 - i. Acadia University Faculty Association
 - ii. Lethbridge Faculty Association; and
 - iii. University of Ontario Institute of Technology Faculty Association

12. Report of the Chair of the Nominating Committee (L. Stewart Rose) (5 min)

This report was deferred to the next meeting.

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

This report was deferred to the next meeting.

- a. Part time policies
- b. SETs

14. Report of the Chair of the Teaching Stream Committee * (Written Report)
15. Report of the Chair of the Librarians Committee * (Written Report)
16. Approval of Committee members to UTFA Committees (5 min)
 - a. SBPW Committee – Raymond Kwong, Electrical and Computer Engineering
 - b. Teaching Stream Committee – Leslie Stewart Rose, OISE
 - c. University and External Affairs Committee – Ruth Marshall, Department for the Study of Religion

This item was deferred to the next meeting.

17. Report of the Executive Director (5 min)

This report was deferred to the next meeting.

18. Other Business

- a. Winter Term Council Meetings
 - i. Thursday, March 24 3:00 – 5:00 p.m.
 - ii. Tuesday, April 19 3:00 – 3:45 p.m. (preceding the AGM)
 - iii. Thursday, May 19 3:00 – 5:00 p.m.
 - iv. Wednesday, June 15 3:00 – 5:00 p.m.
- b. Annual General Meeting
 - i. Tuesday, April 19 4:00 – 6:00 p.m.

19. Adjournment

Motion by M. Attridge, seconded by L. Stewart Rose, that the meeting adjourn. **Carried.**

The meeting adjourned at 5:05 p.m.

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Council Summary

UTFA Executive Minutes

Friday, January 14, 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), H. Nowak (General
Counsel), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant)

T. Zorić called the meeting to order at 10:00 a.m.

1. Approval of the agenda: The agenda was approved as amended.
2. Reading of the Statement of Acknowledgement of Traditional Land
The members discussed alternatives to reading the Acknowledgement.
3. Minutes of the previous meeting
 - a. December 10, 2021: The minutes were approved as distributed.
4. Business arising (not elsewhere on the agenda): There was no business arising.
5. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (10 min)
Motion by J. Nogami, seconded by W. Kemble, that the meeting go in camera. **Carried.**
 - a. COVID LOU (with T. Zorić)
 - b. SBPW bargaining update (with T. Zorić)
Motion by J. Nogami, seconded by W. Kemble, to return to the regular meeting. **Carried.**
6. Report of the Chair of the Membership Committee (15 min)
 - a. Speakers for the C.B. Macpherson Lecture

J. Taylor suggested the following names for the C.B. Macpherson Lecture. She will bring them to Council for discussion.

- Armine Yalnizyan (economist, former sr. economist with Canadian Centre of Policy Alternatives, basic income)
- James Turk, Ryerson (Director of the Centre for Free Expression)
- Chris Newfield (UC Santa Barbara) (university donations, philanthropy)

b. Motion of support and thanks for U of T HR Committees on Anti-Black Racism, Anti-semitism, and Anti-Islamophobia

Motion by J. Taylor, seconded by T. Zorić, that the Executive Committee recommends that Council commend the constructive direction begun by the Division of the Vice-President and Provost, Human Resources and Equity, the Division of People Strategy, Equity, and Culture, and the Scarborough Office of the Vice-President and Principal by their anti-racism initiatives of the last two years. We commend the conclusions of the Anti-Black Racism Task Force and the Antisemitism Working Group, and we look forward to the report from the Anti-Islamophobia Community Working Group. We support the values of the Scarborough Charter, and the creation of the Office of Indigenous Initiatives. UTFA Council aims to work in tandem with these initiatives to oppose discrimination on, and to transform, our three campuses. We look forward to working with the Administration to make change. **Carried.**

c. Council member to constituent communications (breadth and constancy)

Motion by J. Taylor, seconded by M. Attridge, that the meeting go in camera. **Carried.**

Motion by M. Attridge, seconded by J. Taylor, to return to the regular meeting. **Carried.**

J. Nogami assumed the chair.

7. Report of the President (40 min)

a. UTFA Pension Committee

T. Zorić said that the UTFA Pension Committee terms of reference and nomination form were sent out to Council.

b. Chief Returning Officer (Executive Motion) *

Motion: The Executive Committee recommends to Council that **Michael O'Connor** be the Chief Returning Officer for the UTFA Pension Committee elections, Presidential election, and Executive elections at Council. **Carried.**

c. Nominating Committee (Executive Motion) *

Motion: The Executive Committee, in keeping with UTFA's Constitution and By-laws, suggests to Council the following slate of four names for membership in the 2022 Nominating Committee: **Leslie Stewart Rose, Rena Helms-Park, Azita Hojatollah Taleghani, and Alison Keith.** **Carried.**

d. Academic Citizenship Award

i. Who administers the award (with R Gillis)

T. Zorić reported that, after discussion with R. Gillis and J. Taylor, it was decided that the Membership Committee will administer it.

ii. Celebration of winners

The members discussed how UTFA could celebrate recipients of the Award.

e. Joint Committee meeting

Motion by T. Zorić, seconded by W. Kemble, that the meeting go in camera. **Carried.**

- i. Association grievance on implementation of vaccine policy and UTFA members
- ii. Association grievance re responses to grievances
- iii. Health and Safety Update

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

f. Health and Safety

- i. Winter term
 - a. Precautionary Principles
- ii. Central Health and Safety Committee update
- iii. MOA Significant terms and conditions language

This item was deferred.

g. U of T Sexual Violence Consultations

J. Nogami reported that some members of this group discussed the U of T sexual violence consultation and the survey that was sent out.

h. Policy

- i. Donation Policy
- ii. Vaccination Policy
- iii. Sexual Violence Policy
- iv. Academic Continuity Policy
- v. Librarian Systemic Bias Working Group (with W. Kemble)

W. Kemble said that there was nothing new to report on the Librarian Systemic Bias Working Group.

All other items were deferred.

i. Association grievances

- i. Implementation of vaccine policy and UTFA members (awaiting Joint Committee reply)
- ii. Without prejudice grievance responses (awaiting Joint Committee reply)
- iii. COVID Health and Safety Grievance – Jan 12, 2022, mediation

This item was deferred.

8. Break: timed item 11:00 am (10 min)

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

- a. Update from the Annual Retiree Reception: Engaging with Indigenous Perspectives at U of T

J. Macdonald reported that the annual retiree reception was a success. She sent a written report to Council.

b. 2022 Annual Retiree Reception

J. Macdonald reported that the Retired Members Committee met and decided to continue with the theme of Indigenous perspectives at U of T or something similar for next year's event. The event will be held on Monday, October 24, from 1:00 to 3:00 p.m.

10. Report of the Vice-President, University and External Affairs (15 min)

a. Victoria College Chapter Bylaws Approval (with M. Attridge) *

R. Gillis said that the Victoria College Chapter Bylaws were previously sent to Executive and Council so that they could read the bylaws before voting on them at the January Council meeting.

b. Concordia University of Edmonton Faculty Association (CUEFA) Strike

R. Gillis reported that UTFA has made a donation to CUEFA's strike fund.

c. Nominations to CAUT Executive and standing committees

R. Gillis noted that CAUT is calling for nominations to its Executive and standing committees.

11. Report of the Chair of the Librarians Committee * (Written report)

12. Report of Executive Director (5 min)

a. Transition of UTFA staff to UPP (with J. Nogami)

K. Johnson reported that the staff have now been enrolled in the UPP and thanked M. Horban and R. Schmelzer for their work in implementing the process.

13. Other Business

a. UTFA Executive Meetings

i.	Friday, January 21	10:00 a.m. – 12:00 p.m.
ii.	Friday, February 4	10:00 a.m. – 12:00 p.m.
iii.	Friday, February 18	10:00 a.m. – 12:00 p.m.
iv.	Friday, March 4	10:00 a.m. – 12:00 p.m.
v.	Friday, March 18	10:00 a.m. – 12:00 p.m.
vi.	Friday, April 1	10:00 a.m. – 12:00 p.m.
vii.	Thursday, April 14	10:00 a.m. – 12:00 p.m.
viii.	Wednesday, April 27	10:00 a.m. – 12:00 p.m.
ix.	Friday, May 13	10:00 a.m. – 12:00 p.m.
x.	Friday, May 27	10:00 a.m. – 12:00 p.m.
xi.	Friday, June 10	10:00 a.m. – 12:00 p.m.
xii.	Friday, June 24	10:00 a.m. – 12:00 p.m.

b. UTFA Council Meetings

i.	Thursday, January 20	3:00 – 5:00 p.m.
ii.	Wednesday, February 23	3:00 – 5:00 p.m.
iii.	Thursday, March 24	3:00 – 5:00 p.m.
iv.	Tuesday, April 19	3:00 – 3:45 p.m. (preceding AGM)
v.	Thursday, May 19	3:00 – 5:00 p.m.

- vi. Wednesday, June 15 3:00 – 5:00 p.m.
- c. Annual General Meeting
- i. Tuesday, April 19 4:00 – 6:00 p.m.

14. Adjournment

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

The meeting adjourned at 11:52 a.m.

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Council Summary

UTFA Executive Minutes

Friday, January 21, 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), H. Nowak (General Counsel), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant)

T. Zorić called the meeting to order at 10:15 a.m.

1. Approval of the agenda: The agenda was approved as amended.
2. Minutes of the previous meeting
 - a. January 14, 2022: The minutes were approved as distributed.
Business arising (not elsewhere on the agenda)
There was no business arising.
3. Report of the Vice-President, Salary, Benefits, Pensions, and Workload (10 min)
 - a. COVID LOU (with T. Zorić)
 - i. Entitlements
 - b. SBPW bargaining update (with T. Zorić)
These items were deferred to the next meeting.
- J. Nogami assumed the chair.
4. Report of the President
 - a. Annual General Meeting – newsletter deadlines

T. Zorić said that the AGM is on April 19 and the first drafts of AGM Newsletter reports are due by February 22.

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

- b. Council follow-up
 - i. Meeting timeframe & childcare demands
 - ii. Other
- c. Health and Safety
 - i. Winter term
 - a. Administration communications
 - b. Faculty/campus plans
 - c. Member input
 - d. UTFA response

T. Zorić was called away on an urgent matter.

- d. U of T Sexual Violence Consultations
- e. Academic Citizenship Award

Motion by J. Nogami, seconded by W. Kemble, to return to the regular meeting. **Carried.**

5. Other Business

- a. UTFA Executive Meetings
 - i. Friday, February 4 10:00 a.m. – 12:00 p.m.
 - ii. Friday, February 18 10:00 a.m. – 12:00 p.m.
 - iii. Friday, March 4 10:00 a.m. – 12:00 p.m.
 - iv. Friday, March 18 10:00 a.m. – 12:00 p.m.
 - v. Friday, April 1 10:00 a.m. – 12:00 p.m.
 - vi. Thursday, April 14 10:00 a.m. – 12:00 p.m.
 - vii. Wednesday, April 27 10:00 a.m. – 12:00 p.m.
 - viii. Friday, May 13 10:00 a.m. – 12:00 p.m.
 - ix. Friday, May 27 10:00 a.m. – 12:00 p.m.
 - x. Friday, June 10 10:00 a.m. – 12:00 p.m.
 - xi. Friday, June 24 10:00 a.m. – 12:00 p.m.
- b. UTFA Council Meetings
 - i. Wednesday, February 23 3:00 – 5:00 p.m.
 - ii. Thursday, March 24 3:00 – 5:00 p.m.
 - iii. Tuesday, April 19 3:00 – 3:45 p.m. (preceding AGM)
 - iv. Thursday, May 19 3:00 – 5:00 p.m.
 - v. Wednesday, June 15 3:00 – 5:00 p.m.
- c. Annual General Meeting
 - i. Tuesday, April 19 4:00 – 6:00 p.m.

6. Adjournment

Motion by J. Taylor, seconded by M. Attridge, that the meeting adjourn. **Carried.**

The meeting adjourned at 11:45 a.m.

Chris Penn
Senior Administrative Assistant



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Council Summary

UTFA Executive Minutes

Friday, February 4, 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), H. Nowak (General Counsel), M. O'Connor (Chief Returning Officer), C. Penn (Senior Administrative Assistant), N. Ptinis (Executive Assistant)

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. January 21, 2022: The minutes were approved as distributed.
 3. Business arising (not elsewhere on the agenda): There was no business arising.
- Report of the Vice-President, Salary, Benefits, Pensions, and Workload (10 min)

Motion by T. Zorić, seconded by W. Kemble, that the meeting go in camera. **Carried.**

- a. COVID LOU (with T. Zorić)
 - i. Entitlements
 - ii. Extension
- b. SBPW bargaining update (with T. Zorić)
 - i. Ratification
 - ii. Member communication
 - iii. Townhalls
 - iv. Next steps

J. Nogami assumed the chair.

4. Report of the President (45 min)a. Health and Safety

- i. Long COVID concerns
- ii. Central Health and Safety Committee

Motion by T. Zorić, seconded by L. Stewart Rose, to return to the regular meeting. **Carried.**

T. Zorić reported that the UTFA and U of T CHSC invited Leanne MacMillan to act as a facilitator at the CHSC table. The Administration is considering UTFA's ongoing request to conduct ventilation assessments of non-classroom spaces and, after over a year of UTFA's advocacy.

T. Zorić reported that the Administration had stated that medical masks will be a floor. Its website still says that cotton and nonsurgical masks are allowed. The Administration has now clarified that medical masks are only a recommendation and not a floor.

iii. Winter term

- a. Administration's Pulse Survey, Winter 2022

T. Zorić said that the Administration sent out a survey asking about returning to in-person work. It does not raise key issues such as ventilation or air exchange rates, crowded classrooms, or requiring third doses.

- b. Implementation of vaccine mandate update
- c. Faculty of Music

Items b and c were deferred to the next meeting.

d. Student Action

T. Zorić reported that several U of T student petitions are circulating calling for the option to continue to learn online; improved public health measures, including physical distancing; N95 masks; rapid antigen tests; contact tracing; ventilation improvements, etc. Other student groups are conducting an email campaign regarding health and safety measures for a safe return to campus.

e. UTEAU campaign

T. Zorić said that UTEAU, which includes student groups, is taking positions that go even farther than UTFA's.

f. Technology/ Intellectual Property & Video Recording of Lecturesiv. Communication to members

Items a(iii)(f) and (iv) were deferred to the next meeting.

b. Faculty of Music and trucker disruption – N. Niknafs

N. Niknafs said that faculty, librarians, staff, and students in the Faculty of Music are concerned about their safety if the trucker demonstration takes place at Queen's Park on February 5.

T. Zorić asked H. Nowak to write to the Administration asking about its plans to protect people on the U of T campus.

Motion by N. Niknafs, seconded by L. Stewart Rose, to go in camera. **Carried**

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

c. Concern re appropriation of research monies (taxing of grants) (with J. Nogami)

J. Nogami that he is looking into reports of a U of T claw back of carry-forwards from certain research grants. He will bring more information to the next Executive meeting.

- d. Joint Committee meeting
- e. Policy Tables Updates
- f. Association Grievances Updates

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

- 5. Break: timed item 10:55 am (10 min)
- 6. Report of the Chair of the Membership Committee (10 min)

This report was deferred to the next meeting.

- a. CBM speaker: Jim Turk plus panel
- b. Speaking up survey
- c. Council Communication (with K. Banning)
- d. Ideas generated at Thursday Jan 27th meeting
 - i. Librarian campaign
 - ii. Reading campaign
 - iii. Did you know? Fact Fridays
- e. AGM Agenda

- 7. Order of the Day 11:15 a.m. – Michael O’Connor – Chief Returning Officer (20 min)*

- a. Guidelines for the Presidential Election *

Motion by J. Nogami, seconded by M. Attridge, that the Executive Committee recommend to Council approval of the Presidential Election Guidelines as amended. **Carried.**

- b. Approval of external firm re: voting

Motion by J. Nogami, seconded by K. Banning, that that UTFA retain Simply Voting as the voting company, contingent on the approval of the Guidelines for the Presidential Election. **Carried.**

- 8. Report of the Chair of the Librarians Committee (10 min)
 - a. Best Practices Document for taking research leaves for Librarians

This item was deferred to the next meeting.

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

This item was deferred to the next meeting.

- a. Citizenship Award move to Membership Committee (with J. Taylor)
- b. Acadia University Faculty Association (AUFA) strike

- 10. Report of the Executive Director (5 min)

- a. Staffing update

K. Johnson announced that C. Penn will be celebrating her 33rd anniversary with UTFA on February 6. K. Johnson, as well as the other Executive and staff, congratulated C. Penn.

- 11. Report of the Chair of the Appointments Committee (5 min)

This item was deferred to the next meeting.

12. Other Business

a. UTFA Executive Meetings

- | | | |
|-------|---------------------|-------------------------|
| i. | Friday, February 18 | 10:00 a.m. – 12:00 p.m. |
| ii. | Friday, March 4 | 10:00 a.m. – 12:00 p.m. |
| iii. | Friday, March 18 | 10:00 a.m. – 12:00 p.m. |
| iv. | Friday, April 1 | 10:00 a.m. – 12:00 p.m. |
| v. | Thursday, April 14 | 10:00 a.m. – 12:00 p.m. |
| vi. | Wednesday, April 27 | 10:00 a.m. – 12:00 p.m. |
| vii. | Friday, May 13 | 10:00 a.m. – 12:00 p.m. |
| viii. | Friday, May 27 | 10:00 a.m. – 12:00 p.m. |
| ix. | Friday, June 10 | 10:00 a.m. – 12:00 p.m. |
| x. | Friday, June 24 | 10:00 a.m. – 12:00 p.m. |

b. UTFA Council Meetings

- | | | |
|------|------------------------|----------------------------------|
| i. | Wednesday, February 23 | 3:00 – 5:00 p.m. |
| ii. | Thursday, March 24 | 3:00 – 5:00 p.m. |
| iii. | Tuesday, April 19 | 3:00 – 3:45 p.m. (preceding AGM) |
| iv. | Thursday, May 19 | 3:00 – 5:00 p.m. |
| v. | Wednesday, June 15 | 3:00 – 5:00 p.m. |

c. Annual General Meeting

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

13. Adjournment

Motion by W. Kemble, seconded by M. Attridge, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:00 p.m.

Chris Penn

Senior Administrative Assistant



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Council Summary

UTFA Executive Minutes

Friday, February 18, 2022

Zoom Conference Call

9:30 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), 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 9:35 a.m.

1. Approval of the agenda: The agenda was approved as distributed.
2. Minutes of the previous meeting
 - a. February 4, 2022: As there were no changes to the February 4, 2022, 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 (30 min)
 - a. Anti-Asian Letter

T. Zorić said that on February 7 violent and racist threats were made in a Zoom meeting of the University of Toronto Asian Student Alliance.

The members discussed how U of T did not do enough to inform the community that this happened or to support those who were traumatized by the event.

It was agreed that Executive would endorse the letter from the History community to President Meric Gertler about the incident; that UTFA should meet with the people involved and ask how UTFA can support them; and that UTFA needs to speak up when racist attacks take place.

Motion by T. Zorić, seconded by K. Banning, that the UTFA Executive commends the History Community letter and is committed to working in solidarity with its cosignatories in challenging Anti-Asian racism and all forms of racism and discrimination. **Carried.**

b. AGM

i. Newsletter Deadline – February 22

J. Taylor noted that reports for the AGM Newsletter were due by February 22.

c. UTFA Donations Policy (with B. McDonagh)

J. Taylor said that she has been working with B. McDonagh on a proposed donations policy. It will be presented in phases.

B. McDonagh said that he would provide an updated version of the segment he is currently working on for discussion at the next meeting..

d. C.B. Macpherson speaker: Jim Turk plus panel**

J. Taylor said that the Membership Committee voted unanimously to invite Jim Turk as the guest speaker for the C.B. Macpherson lecture. J. Turk is the Director, Centre for Free Expression, at Ryerson University. She will work with him to assemble a panel of diverse speakers from his centre for the lecture.

e. Speaking Up survey **

This item was deferred.

f. Council communication (with K. Banning) **

J. Taylor said a short survey is being prepared for Council, to be sent out from the Equity Committee and analyzed by an equity consultant. The aim is to have more equitable dialogue on Council.

The survey will be brought to Executive before it is circulated.

g. Ideas generated at the Thursday, January 27, meeting **

J. Taylor said that the Membership Committee had met and generated ideas for three UTFA campaigns.

i. Librarian campaign

This would spotlight partnerships between teaching faculty and librarians who do research and work on collections together.

ii. Reading campaign

This would involve culling information from newsletters, including CAUT's and OCUFA's, and other sources to provide to Council representatives to send to their constituents.

iii. Did you know? Fact Fridays

UTFA could send members useful information and facts every Friday.

5. Report of the Chair of the Librarians Committee (10 min) **

a. Best Practices Document for taking research leaves for Librarians

H. Sonne de Torrens deferred her report on the Best Practices Document but did take a moment to report on the successful academic freedom session for librarians.

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

- a. Academic Citizenship Award move to Membership Committee (with J. Taylor) **

R. Gillis said that the following motion was referred back to Executive from Council.

Motion by R. Gillis, seconded by M. Attridge, that the Executive Committee recommend that UTFA Council delegate the sole responsibility for the administration and the recommendation to UTFA Council for the recipient(s) of the UTFA Academic Citizenship Award to the UTFA Membership Committee, to run on a calendar year basis. **Carried.**

- b. Faculty Associations on strike

- i. Acadia University Faculty Association**
- ii. Lethbridge Faculty Association; and
- iii. University of Ontario Institute of Technology Faculty Association

It was noted that beyond the three associations that are on strike, 15 other units in Ontario are going into bargaining this year.

7. Report of the Chair of the Equity Committee (15 min)

- a. Equity Committee meeting

K. Banning said that S. Olexson attended the Equity Committee meeting, and she unpacked the U of T **Report on Employment Equity 2020**.

- b. SWEC retreats

K. Banning reported on a three-day OCUFA conference that she attended. OCUFA is preparing an equity survey that will be sent out soon and developing a databank with information and language for faculty associations to use.

- c. CAUT Anti-harassment & Non-Discrimination Statement

<https://www.caut.ca/about-us/caut-policy/lists/administrative-procedures-and-guidelines/caut-anti-harassment-statement>

K. Banning said that the Equity Committee reviewed and passed a motion on the CAUT Anti-harassment and Non-Discrimination Statement.

The members discussed the document.

Motion by K. Banning, seconded by J. Nogami, that the UTFA Executive Committee recommend that Council adopt the principles embodied in the CAUT Anti-harassment and Non-Discrimination Statement. **Carried.**

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

- a. COVID LOU (with T. Zorić)

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

Motion by J. Nogami, seconded by S. Helwig, to return to the regular meeting. **Carried.**

- b. SBPW bargaining update (with T. Zorić)

i. Town halls report back

J. Nogami reported that UTFA held four town halls, one for each campus and one for retired members. Members were generally positive, especially about benefits.

T. Zorić said that there was appreciation for UTFA's work to defend retired members' benefits.

ii. Next steps

J. Nogami said that the next steps are to move forward to arbitration with Eli Gedalof.

Motion by J. Nogami, seconded by K. Banning, that the meeting go in camera. **Carried.**

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

9. Report of the Chair of the Nominating Committee (L. Stewart Rose) (5 min)

L. Stewart Rose reported that the Nominating Committee met and she was chosen to be Chair. Weekly meetings have been scheduled.

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

J. Nogami assumed the chair.

11. Report of the President (55 min)a. Health and Safetyi. Central Health and Safety Committee

T. Zorić reported that Leanne MacMillan has agreed to act as facilitator at these meetings. At the last meeting the Administration confirmed that it has no plans to change its vaccine mandate for the present term. They will not be requiring, only recommending, medical grade masks. They did not accept that N95 or KN95 masks should be used, in spite of what the science shows. They confirmed that students are being allowed to eat in more spaces in Robarts and Gerstein libraries. An in-person course may have up to 1/3 of scheduled activities online and faculty have academic freedom to choose what 1/3 to teach online. This 1/3 rule applies to an entire course, not each section.

ii. Expanded advisory group

T. Zorić reported on the meeting with the expanded Central Health and Safety advisory group. They discussed returning to in-person work, third dose vaccines and mandates, masks, wastewater testing, ventilation, indoor occupancy limits/physical distancing, rapid tests, and CO2/particle monitors.

T. Zorić said that UTFA is advocating for faculty choice.

The members discussed the request by M. Peski to put forward a motion to Council on health and safety.

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

Motion by J. Taylor, seconded by W. Kemble, to return to the regular meeting. **Carried.**

Motion by W. Kemble, seconded by N. Niknafs, that the motion proposed by M. Peski, not be sent to Council. **Carried.**

iii. Winter term

- a. Administration's Pulse Survey, Winter 2022**
- b. Implementation of vaccine mandate update**

Items a. and b. were deferred.

- c. Faculty of Music **

N. Niknafs said that the University of Toronto Students Union, the PEARS project, and the Faculty of Music Undergraduate Association (FMUA) are holding "Students For Survivors—VOICES through the Arts," a campaign to address gender-based violence, sexual harassment, and sexual assault. A few students have been invited to attend the February 23 Council meeting to speak about it.

The members discussed how UTFA could support this campaign.

Items 11a(iii)d through 11h were deferred.

- d. Technology/ Intellectual Property & Video Recording of Lectures**
- e. Coalition work
- iv. Communication to members
- b. "Students for Survivors Campaign" (with N. Niknafs)
- c. Concern re appropriation of research monies (taxing of grants) (with J. Nogami)
- d. U of T commuting distance expectations
- e. Release funds*
- f. Joint Committee meeting**
- g. Policy Tables Update**
- h. Association Grievances Updates**

12. Report of the Executive Director (5 min)

This item was deferred.

13. Other Business

- a. UTFA Executive Meetings
 - i. Friday, March 4 10:00 a.m. – 12:00 p.m.
 - ii. Friday, March 18 10:00 a.m. – 12:00 p.m.
 - iii. Friday, April 1 10:00 a.m. – 12:00 p.m.
 - iv. Thursday, April 14 10:00 a.m. – 12:00 p.m.
 - v. Wednesday, April 27 10:00 a.m. – 12:00 p.m.
 - vi. Friday, May 13 10:00 a.m. – 12:00 p.m.
 - vii. Friday, May 27 10:00 a.m. – 12:00 p.m.
 - viii. Friday, June 10 10:00 a.m. – 12:00 p.m.
 - ix. Friday, June 24 10:00 a.m. – 12:00 p.m.
- b. UTFA Council Meetings
 - i. Wednesday, February 23 3:00 – 5:00 p.m.
 - ii. Thursday, March 24 3:00 – 5:00 p.m.
 - iii. Tuesday, April 19 3:00 – 3:45 p.m. (preceding AGM)
 - iv. Thursday, May 19 3:00 – 5:00 p.m.
 - v. Wednesday, June 15 3:00 – 5:00 p.m.
- c. Annual General Meeting

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

14. Adjournment

Motion by J. Nogami, seconded by N. Niknafs, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:05 p.m.

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Council Summary

UTFA Executive Minutes

Friday, March 4, 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, L. Stewart Rose,
J. Taylor, T. Zorić

Regrets: M. Stapleton

Also present: M. Horban (Business Officer), K. Johnson (Executive Director), H. Nowak
(General Counsel), N. Ptinis (Executive Assistant), R. Schmelzer (Bookkeeper and
Note Taker)

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

1. Approval of the agenda: The agenda was approved as distributed.

2. Minutes of the previous meeting

a. February 18, 2022: Deferred to the next meeting.

3. Business arising (not elsewhere on the agenda)

There was no business arising.

4. Special Report of the Executive Director and General Counsel (50 min)

a. Interim Dispute Resolution Process

Motion by B. McDonagh, seconded by S. Helwig, that the meeting go in camera. **Carried.**

Motion by L. Stewart Rose, seconded by N. Niknafs, to return to the regular meeting. **Carried.**

5. Break: timed item 11:20 am (5 min)

6. Report of the President (50 min)

a. Council meeting conduct (with J. Nogami)

M. Attridge assumed the chair.

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

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

- i. Equity Survey (with K. Banning)

This item was deferred.

- b. Ukraine Statement * (with R. Gillis)

T. Zorić presented a draft statement on Ukraine and asked the members to send her additional suggestions on it.

R. Gillis volunteered to reach out to student groups; U of T faculty, librarians, staff, and the Administration; OCUFA and CAUT to see how we can support solidarity actions already in progress

- 7. Health and Safety Update (with J. Nogami)

This item was deferred.

- 8 Report of the Chair of the Membership Committee (10 min)

- a. AGM

- i. Draft agenda (to be approved at the March 24 Council meeting)

J. Taylor reminded the members, as applicable, to submit their AGM newsletter reports to M. Horban.

J. Taylor said that she is drafting an AGM agenda that will go to the March Council meeting. A draft agenda will be circulated prior to the next executive meeting.

- b. UTFA Donations Policy * (with B. McDonagh)

B. McDonagh noted two small changes to the UTFA Donations Policy.

Motion by M. Attridge, seconded by B. McDonagh, the Executive recommend that Council approve the sections of a future comprehensive UTFA donations policy that deal with memorial tributes and sponsorship of non-UTFA events and other initiatives, as amended. **Carried.**

- c. Academic Citizenship Award

J. Taylor spoke about celebrating the recipients of the UTFA Academic Citizenship Award.

- d. Resource requests

- i. “Students for Survivors Campaign” (with N. Niknafs)

- ii. Scholar Strike

Motion by N. Niknafs, seconded by J. Macdonald, to donate up to \$1000 for “Students for Survivors Campaign”, subject to seeing their budget, and \$500 for ASL translation for Scholar Strike, counted against the \$10K ceiling for 2021-2022. **Carried.**

- 7. Other Business (5 min)

- a. UTFA Executive Meetings

- i. Friday, March 18 10:00 a.m. – 12:00 p.m.
- ii. Friday, April 1 10:00 a.m. – 12:00 p.m.

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

8. Adjournment

Motion by B. McDonagh, seconded by H. Sonne de Torrens, that the meeting adjourn. **Carried.**

The meeting adjourned at 12:15

Rucsandra Schmelzer
Bookkeeper and Note Taker

Strategies for enhancing collegial governance and effectiveness in governance spaces

A University Governance Committee resource

February 2022



Ontario Confederation of University Faculty Associations
Union des associations des professeurs des universités de l'Ontario

Strategies for enhancing collegial governance and effectiveness in governance spaces
A University Governance Committee resource

February 2022

Ontario Confederation of University Faculty Associations (OCUFA)

The Ontario Confederation of University Faculty Associations has been the provincial voice of university faculty since 1964. OCUFA represents over 17,000 professors, academic librarians, and other academic professionals in 30 member associations across Ontario.

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Introduction

Collegial governance has been increasingly under attack at Ontario universities over the last several years. Faculty and academic librarian associations across the province have raised alarm about how universities are being governed, including a lack of meaningful faculty and academic librarian input and involvement in university decisions, top-down management from increasingly corporatized boards and administrations, and an erosion of transparency and accountability.

The OCUFA University Governance Committee was tasked with developing a resource to assist member associations in protecting and enhancing collegial governance at their institutions. Given the range of governance models at universities across the province and the differences in size and resources among OCUFA member associations, this document provides a wide range of suggestions with the understanding that not all are possible at all institutions. The committee decided to provide a comprehensive list of possible interventions to give member associations a range of strategies to select from based on their individual contexts.

This document speaks to an overall erosion of collegial governance at Ontario's universities due to increasingly overreaching boards of governors with corporate mentalities and composition. In addition, tenured faculty have become increasingly burdened with other responsibilities and casualized contract faculty—who are not compensated for research or service activities—now make up the majority of teaching faculty on many Ontario campuses. Further, many governance matters have shifted into the realm of administrators, which has led to a decreased awareness of the history and importance of shared governance as well as skepticism about its potential impact. The switch to remote employment during the COVID-19 pandemic only elevated concerns about the lack of faculty and academic librarian engagement in university governance. As faculty and academic librarians return to campuses when it is safe to do so, we must ensure that the shared governance models are respected, as they ensure the proper functioning of our public universities and are formally enshrined in policies and provincial university acts. This document suggests concrete steps that member associations can take to protect against some of the most pronounced threats to shared governance at universities in Ontario.

Methodology

The work on this resource began with the development of a comprehensive list of structural barriers to collegial governance and, in particular, faculty and academic librarian participation in governance processes. The committee then identified common concerns and structural and practical barriers in different areas of university governance. The committee's expertise, its members' observations and research on this topic, have been relied on throughout the process.

Increasing engagement in governance

With the gradual erosion of collegial governance at Ontario's universities faculty and academic librarian participation in university governance structures has also diminished. This is due to several factors, including increased time pressures and the devaluation of service work compared to research and teaching; the systemic exclusion of faculty and academic librarian representatives from key governance bodies and decisions; the growing corporatization of governance, including the use of consulting firms and external companies; an alarming rise in numbers of contract faculty who are usually excluded from governance structures; and the development of new policies and practices centred on notions of confidentiality, secrecy, and reprisal, which limit intramural academic freedom and the ability to be effective and engage with their colleagues and community.

In this section, the committee has provided recommendations on ways to address barriers to engagement in governance and to facilitate effective faculty and academic librarian participation in governance spaces. The committee posed a number of questions in developing this section, including:

- ▶ How do we ensure that participation in governance is not an added burden on faculty and academic librarians?
- ▶ How can faculty and academic librarians participate in governance “smartly”, i.e. be effective and informed without the need to attend countless meetings?
- ▶ How can an individual member be effective in governance bodies such as boards and senates?
- ▶ How can faculty and academic librarians regain ground in areas of governance, such as senior administrative searches, recruitment strategies, investment priorities and practices, etc. where they have been pushed out and replaced by consulting and professional firms?
- ▶ How can contract faculty be meaningfully involved and compensated for their service, including in governance?

Recommendations

1. Publicize positive instances where faculty and academic librarian input has been solicited and incorporated into important decisions through collegial governance. It is important to note that the more effective members feel in governance spaces, the more interested and engaged they will be. The lack of interest in engaging with governance issues or volunteering for governing positions is often the result of people feeling that the spaces are not worth the effort because they cannot have a substantial impact on important decisions.
2. Ensure that faculty and academic librarians in representative roles are in communication with their constituencies so they can both report back on the proceedings at the governing body and seek feedback on issues that are going to be debated and discussed at the senate or board. Faculty and academic librarians should either make use of existing structures or create new mechanisms for communicating with their constituency and resist any confidentiality policies that unduly limit what can be reported back.

3. Create a governance committee within your association. This committee should have Senators, contract faculty, and board representatives and have a mandate of ensuring that your members have a strong voice at senate, board, and any other bodies that influence institutional governance.
4. Establish a pre-senate caucus or other consultation where faculty, academic librarian, student, and staff Senators can gather and discuss issues of importance on the agenda, develop a strategy and coordinate responses, and share the workload of going through meeting packages.
5. Reach out to students and staff and their unions on issues of common concern.
6. Ensure that service work is not devalued. If the collective agreement has clear definitions about service yet the service work is being devalued (e.g., in terms of promotion, merit), then associations need to ensure their members' service is counted. It may be helpful to educate members serving on promotion and tenure committees on the value and scope of service as defined by the collective agreement to ensure that service to governance bodies is duly recognized.
7. Know the content of the legislation establishing your university, as well as rules and procedures governing the different bodies. It is helpful to ensure that Senators and board members know their rights and responsibilities through training provided by the association or via board and senate.
8. Ensure that representatives on board and senate bring issues of importance to the floor and follow procedures to have them added to the agenda after consultation with their constituency. Often, the agendas of senates and boards are very rigid and are set by the leadership of these bodies. It is the responsibility of Senators and board members to ensure, among other things, that issues of concern to their constituency are discussed and addressed at these bodies.
9. Utilize motions at senate and board both to invite debate and discussion and to create accountability. Senates and boards often become spaces where reports are made and conversations are had without clear direction or decision making, resulting in the common belief that these are useless or rubber-stamp bodies and that real decisions get made elsewhere. Submitting a motion is an effective tactic for creating space for discussion around a specific topic and for soliciting a clear decision on the matter. In larger bodies, it is important that faculty and academic librarian representatives find a way to share the burden of raising motions to prevent the voices of only a few being heard which, first, may suggest that only a small number are concerned and, second, unfairly puts the responsibility on a few members.
10. Utilize the option of requesting special meetings of senate to address issues that administrators may otherwise try to keep out of senate. Some universities have a dedicated space on their senate agendas for discussion of critical and timely issues. Senates also commonly have provisions for a minimum number of Senators who can request a special meeting to deal with an important issue.
11. Put an end to bullying that administrators in the senate may promote, such as silencing individuals who raise issues or debate the administration's decisions in senate meetings. Employ knowledge

of rules of order and respectful workplace policies when appropriate to ensure that the voices of faculty and academic librarian representatives, especially those from equity seeking groups, are not muzzled.

12. Reach out to other colleagues on senate ahead of time when there are important issues at play at senate. This creates a reliable network that can be activated on critical issues. It is very helpful to have a “map” of Senators and their networks prepared in advance to facilitate the process and in order to be effective and comprehensive in communication campaigns.
13. Ensure there are speakers at senate ready to line up at the microphone to speak on important issues so the issue can be framed well.
14. Propose having individual microphones at senate and board meetings as they help in increasing participation. Having to go to a central microphone can be intimidating or deterring to some representatives, especially if the debated issue is deemed controversial.
15. Coordinate questions and submit items of importance (to your members) to be put on the senate agenda. Take control so the issues that your members care about are on the agenda and discussed and debated. Some universities have adopted a “consent agenda” process in order to save time on routine matters and allow fuller discussion of important issues.

Contract faculty, academic librarians, and governance

Contract faculty and academic librarians are commonly underrepresented in university governance spaces, even though universities are increasingly reliant on their work. Contract faculty teach more than half of courses at most universities in Ontario and yet they continue to be excluded from most governance structures. One of the barriers to the involvement of contract faculty and academic librarians in governance work is the lack of recognition and compensation for their research and service work.

In this section, we have included some tactics and steps to facilitate the participation of contract faculty and academic librarians in governance structures and to increase their presence in the different areas of university and, where appropriate, faculty and academic librarian association spaces. It is essential to consult contract faculty and academic librarian members when engaging in these actions.

Recommendations

1. Examine your university's legislative act and bylaws of senate to see if there are restrictions on contract faculty and academic librarian membership in senate. If so, organize support for a bylaw change motion at senate. If senate bylaws are silent on contract faculty and academic librarian representation, propose a new bylaw provision that would mandate representation.
2. Advocate for the inclusion of contract faculty and academic librarians in departmental and decanal searches.
3. Bring motions to faculty and academic librarian councils for revisions to decanal search committee structures to include contract faculty and academic librarians if they are not already included.
4. Develop a brief on why contract faculty and academic librarians must be included in governance decisions and present it to your university's governing bodies.
5. Review the governing documents of departments and advocate for appropriate representation of contract faculty and academic librarians, including voting privileges, in the departmental governing body.
6. Review the internal structure of your association to ensure contract faculty and academic librarians are compensated for association work.
7. Gather information on what service contract faculty and academic librarians have been doing at your institution. What service has been paid and what service has been unpaid? Do tenured faculty, academic librarians, Chairs, or Deans ask contract faculty and academic librarians to do service? Is it paid or unpaid? Ensure that any university or association policies that include compensation for contract faculty and academic librarian service work explicitly include governance work.
8. Promote the contributions of contract faculty and academic librarians in areas of service, outreach, and research to the broader campus community and advocate for fair compensation and working conditions so they can continue to contribute to the university.

9. If your association has a governance committee, ensure that contract members are included on the committee. If your association does not represent contract faculty or academic librarians on your campus, consider reaching out to the appropriate union and forming a joint committee.
10. Improve collective agreement language to ensure that contract faculty and academic librarians are compensated for the service work they provide to the university (e.g., hiring committees, health and safety committees, curriculum committees).

Transparency and effective communications

One of the governance concerns often raised by members is the lack of transparency and the high degree of secrecy in university governance, particularly with regards to significant financial and strategic decisions at the university. Faculty and academic librarians are often not consulted or asked to engage in consultations that are superficial and seemingly designed for optics rather than genuine engagement. This goes hand in hand with ineffective communication practices resulting in a disconnect between the majority of the faculty and academic librarian complement and their representatives on governance bodies and the leadership of the university.

In this section, the committee has attempted to tackle the topics of communication and transparency in relation to collegial governance. We provide suggestions on how to ensure that members are more informed about the governance of the university and how members can contribute to establishing transparent practices at governing bodies. We also suggest strategies for better communication practices to address the disconnect between debates happening on university boards and senates and the members at large.

Recommendations

1. Circulate excerpts about relevant topics from senate and board meetings to your membership after each meeting.
2. Improve collective agreement language regarding transparency and proper communication.
3. Scrutinize in-camera practices at board and senate to determine whether they are necessary, or if they are simply designed to shield board members and Senators from public scrutiny and accountability.
4. Create an environment of two-way communication by ensuring the board is aware of member concerns and activities through some or all the following:
 - Encourage faculty and academic librarian members on senate to visit the board to summarize their issues or to present on their accomplishments at the institution in order to familiarize the board with faculty and academic librarian contributions.
 - Arrange for permanent and contract representatives to regularly visit board meetings or send communications to the board as a way to establish a line of communication between the board and your members. This will encourage the board to respond to questions and concerns brought to them in a meaningful way.
 - Ensure your association is in communication with the board and not just the senior administration around issues of priority to your members and offer the board the option to have its members receive news from your association, where appropriate.

Policies, practices, and domains

While the structure of governance bodies heavily contributes to their role in collegial governance at an institution, day-to-day governing practices and policies are often equally impactful. Gaps in institutional policies, continued use of flawed policies, and practices that diverge from the rules and principles of the institution all contribute to faulty models of shared governance.

Furthermore, the contrast between issues deliberated at shared governance bodies of an institution and the scope and nature of the decisions and issues that get decided through administrative channels are a good test of a university's governance model and whether it is top-down or rooted in collegiality. One way to measure this is whether matters that directly affect your members and their work are discussed and decided at shared governance bodies or through administrative channels.

In this section, the committee provides suggestions for how associations can conduct a governance audit of their institutions and advocate for policies and practices that are in line with principles of shared governance.

Recommendations

1. Use the [OCUFA University Governance Report Card](#) to assess how your university's governance practices measure up against the principles identified by OCUFA.
2. Poll association members, starting with a targeted group: Senators, past and present. The senate network (noted earlier in the document) could reach out and poll fellow faculty and academic librarians. If your association has a governance committee (noted earlier in this document), it could also take on this task.
3. Examine the use or abuse of in-camera sessions and advocate against excessive use of in-camera sessions.
4. Advocate for "sunset clauses" for any decisions made in exceptional circumstances. Challenge decisions that were made outside of appropriate academic channels. Ensure those decisions are taken through consultation moving forward.
5. Offer faculty and academic librarian-led education for members of the board on foundational principles of the university, including academic freedom, collegial governance, and the nature of academic work.

Budgets and governance

University budgets heavily influence how decisions are made at an institution. Even though there are clear distinctions between the budget as a political and planning document and actual spending at an institution, budgetary limitations are often used as justification for forcing decisions in governing bodies or going around the appropriate governing structures of the university. Further, the lack of meaningful consultation and transparency around university budgets, exclusionary practices around budget committees, and the lack of accountability and scrutiny around universities' spending are all too common.

In this section, the committee provides recommendations for ways in which associations and faculty and academic librarian representatives on governance bodies can address the challenges university budgets and financial decisions bring to collegial governance. Recognizing the direct ties between policy-making and financial decisions, we encourage faculty, academic librarians, and their associations to work towards more transparency and consultation in the development of university budgets and to oppose efforts to separate academic decisions from financial ones.

Recommendations

1. Know the budget model of your university and recruit experts within your membership to assist in reviewing and analyzing the institution's budgets and financial statements. OCUFA's University Finance Committee can assist associations with this task.
2. Consider striking a financial information sub-committee in your association that meets regularly with the administration to receive financial updates. This sub-committee can also advise the association on the information it should be regularly requesting and questions it should be asking the administration.
3. Consider proposing a senate budget committee as senates are often excluded from budgetary decisions. Forming a budget committee of senate or a joint committee with board, would allow for more transparency and scrutiny with regards to university budgets and for better communication between the senate and the board. Since finances are a board responsibility, the senate budget committee is best positioned as a committee to examine the academic implications of university budgets.
4. Organize to change the composition of board budget committees. Many boards of governors do not allow internal members, such as student, faculty, academic librarian, or staff representatives to sit on board budget committees. You can organize to ensure that internal members have voting or non-voting rights.
5. Include budget presentations and university financial updates at your association's general meetings to inform your members and to hear concerns that can be communicated to governing bodies. These budget reports can be regularly presented to members or be scheduled around collective agreement negotiations.

6. Ensure that your association has an ongoing relationship with the Chief Financial Officer (CFO) of the university and that you are receiving regular updates, data, and information on the university's financial status from the CFO.
7. Scrutinize the budgetary and financial decision-making practices at the faculty, departmental, and university levels and, in particular, inquire about the spending of central funds. Many universities are opting for shared responsibility budget models that allow for decentralized resource allocation to faculties based on their generated revenue. There are many concerns, including around equity and governance, with these new models and their impact on smaller departments and programs.

Senior administrative/academic searches

The [2018 OCUFA Survey of University Governance](#) demonstrated a marked tendency towards closed searches for Presidents and other senior administrative positions at most universities in the province. The data also showed an overwhelming increase in the employment of professional hiring and consulting firms and headhunters to administer search processes for senior administrators. This trend is in line with the growing prevalence of corporate members and the resulting corporate practices on university boards. This tendency towards secrecy both disempowers members and creates a culture where transparency in governance is not a priority.

In this section, the committee provides recommendations on how faculty and academic librarians, their representatives on governing bodies, and their associations can advocate for higher transparency in senior administrative and academic searches.

Recommendations

1. Explore ways to include language on open search processes in collective agreements.
2. Know the history of open searches at your institution, speak to precedents of open searches, and demand justification for any proposed changes to approach.
3. Ensure your association is closely engaged with the search committee selection process and is aware of relevant timelines for feedback.
4. Ensure that there is a consultation process on selecting hiring firms if search firms are being used. It is often search firms that recommend closed searches and secretive processes and it is important to ensure they are not setting university policy on this issue.
5. Ensure that the same open processes that apply to hiring are applied to renewal as well.
6. Advocate for a transparent consultation process. Feedback submitted through consultations is often kept confidential, so it is unclear whether the feedback of the community is in fact included in the selection process. If feedback was requested confidentially, aggregated results can still be shared without identifying information.
7. Advocate for individuals to have the choice to make their submissions public (anonymous or named) either through the search committee establishing a public space or through your association.
8. Review confidentiality statements prior to the search and advocate for a balance between confidentiality and transparency. Closed searches often tip the balance in favour of confidentiality.

Collegial governance during an emergency

It is not uncommon for an institution's governing policies and practices to be temporarily suspended, altered, or outright ignored during a local or provincial emergency. In these circumstances, if institutions do not have a plan for governing during an emergency, they most often revert to a top-down, non-consultative and non-collegial approach to decision-making. Recent examples of university responses to the COVID-19 pandemic, as well as the 2021 Laurentian University financial crisis, are indicative of this phenomenon.

In this section, the committee has focused on the topic of university governance during an emergency and provided suggestions for how universities can ensure proper governance during emergencies.

Recommendations

1. Ensure there are established channels for direct, regular communication during a crisis. Faculty and academic librarian associations must be in constant communication with appropriate administrators, decision-making bodies, and the association membership.

You can do so by:

- a. Reviewing the emergency measures defined in senate and board bylaws and, in the absence of clear process, ensuring that regular policies and processes for addressing crises and emergency situations are developed in advance.
 - b. Initiating a discussion through your association to develop emergency communications measures. You can use the COVID-19 crisis as an example to ensure they are developed prior to another crisis and are ready to be activated when needed.
 - c. Establishing joint committees of the administration, campus unions, senate, and board to develop and review temporary communication channels for use in emergencies.
 - d. Reviewing the emergency measures defined in senate and board bylaws and, in the absence of clear process, ensuring that regular policies and processes for addressing crises and emergency situations are developed in advance.
2. Work with your administration to ensure that emergency measures are temporary and are suspended at the conclusion of a crisis to avoid establishing a harmful precedent. Get a written confirmation of the temporary nature of such emergency measures.
 3. Review powers of the senate executive as this body often has particular powers to make decisions on behalf of senate during the summer months or in particular situations that require a speedy response.
 4. Review your association's internal policies and processes for addressing emergencies.

5. Ensure there are clear accountability processes for the board and clear expectations for senate representatives to the board to regularly report to senate, with added provisions during emergencies.
6. Ensure there are clear directions and permissions for faculty and academic librarian representatives on board and senate to speak to and consult with their constituents. This will immensely help with keeping the community informed and engaged during a crisis.
7. Review senate and board policies and bylaws regarding in-camera sessions. In the absence of clear language or provisions, develop clear policies for when and how in-camera sessions are held. There is a tendency to abuse in-camera provisions to avoid transparency and accountability in moments of crisis. Having clear policies and practices set ahead of time will play a role in minimizing this harmful practice.
8. Limit the scope and duration of emergency measures that violate collective agreements through clear and binding letters of understanding.
9. Once the emergency ends, participate in or initiate a critical review of the emergency procedures so that any needed adjustments are made before they need to be invoked again.

Conclusion

To preserve and enhance collegial governance, faculty and academic librarian associations must be vigilant. We hope this document equips member associations with tools to strengthen collegial governance bodies at their institutions and advance more accountable, transparent, and effective systems of shared governance.

We note that resources such as this one will inevitably be incomplete and risk becoming dated as new threats arise. Nonetheless, all of the concerns discussed in the introduction are likely to remain present on our campuses in the coming years. OCUFA will continue to serve as a resource for information and support of member organizations. Both OCUFA and its member associations must raise awareness about the importance of shared, collegial governance and the ways in which it has been limited or ignored by university employers in recent years. This document seeks to provide some tactics member associations can employ to prevent the further erosion of collegial governance and to help restore proper decision making that includes the voices of faculty, academic librarians, students, and our university communities.

For any inquiries regarding this resource or to share any comments, suggestions or feedback, please contact [Mina Rajabi Paak](#) at the OCUFA office or [Neil Brooks](#), the chair of OCUFA's University Governance Committee.

**Guidelines for conduct of the Executive Committee appointments
Proposed amendments to Guidelines for Conduct of the Executive Committee
appointments passed by Council February 13, 2020**

Bylaws, Article 10.10: “Council, by regulation, shall establish guidelines for conduct of the Executive Committee appointments.”

1. The Nominating Committee will select its own chair and will begin its work in a timely way and in accordance with the Constitution and Bylaws. The chair must keep a record of and acknowledge all correspondence in a timely and collegial manner.
2. Discussions at the Nominating Committee will be treated as confidential.
3. The Nominating Committee must set the dates on which the nomination period begins and ends and must make these and any other key process dates clear to UTFA Council.
4. The Nominating Committee will review the guidelines, and if needed clarify ground rules and/or update the Nominating Committee guidelines. The Chair must bring proposed amendments to these guidelines, if any, before the Executive Committee and Council for approval in a timely manner.
5. The Chair of the Nominating Committee will ask those members of the Executive whose terms are expiring but who have not reached the six-year limit for their positions, if they will seek nomination for another term. Incumbents seeking this continuance must be nominated according to the rules and procedures set out in Article 10 of the Bylaws and Article 9 of the Constitution. The Chair of the Nominating Committee will inform Council of current executive members’ intent to seek this continuance.
6. Members of the Executive Committee whose term is expiring or intend to step down mid-term must declare to the Nominating Committee their intention to return to the Executive Committee—or not—by **April 8**. In the case of a year coinciding with an UTFA presidential election, this deadline occurs after the presidential election results are announced. If an Executive Committee member declares in writing (email) that they will *not* return to an Executive Committee position, that declaration may *not* be reversed. Any member of the current Executive Committee whose term is expiring shall be deemed not to be returning to their position on the Executive Committee if they do not respond by the deadline.
7. In compiling a slate of nominees pursuant to Article 9.2 of the Constitution, the Nominating Committee shall solicit and consider recommendations from the incumbent President, Executive Committee members, and Council.
8. A slate of nominees from the Nominating Committee shall be communicated in writing by email to all members of Council no later than May 1. In no way shall the

recommendations of the Nominating committee be interpreted as other than recommendations.

9. After the Nominating Committee has communicated the slate of nominees to Council, further nominations will be accepted [by the CRO](#) until May 10, in accordance with the Constitution and Bylaws. A minimum of two members of Council shall be required to nominate any additional Executive nominees. [Members are not able to self-nominate.](#)
10. No later than May 11, all nominees are expected to submit a short (maximum of one page/[approximately 300 words](#)) statement that outlines their goals for serving on the Executive Committee in that position. Alternatively, the nominee may describe their goals orally in the time allocated to them at the May Council meeting. Statements are to be submitted to the chiefreturningofficer@utfa.org.
11. After the close of nominations, the CRO will distribute the full list of nominees (i.e. the slate proposed by the Nominating Committee and any further nominees) and the submitted statements by writing by email to all members of Council.
12. If there is more than one nominee for a position, each nominee for that position will have an opportunity to speak at the May Council meeting, for no longer than 3 minutes. These presentations will occur prior to the election during the May meeting. The CRO will adjust the time allocation for the nominees to speak so that the election process can be completed within the May Council meeting time frame.
13. No member of the Nominating Committee may run for an Executive seat or for UTFA President in the current round of elections/appointments. Any Nominating Committee appointee who decides to run for President or for an Executive seat must resign from the Nominating Committee before it meets for the first time.
14. The CRO will conduct elections at the appropriate Council meeting where more than one candidate is nominated for an Executive Committee seat. The CRO is encouraged to work with the Nominating Committee to bring forward any further guidelines for approval by UTFA Council.
15. Any disputes related to the work of the Nominating Committee should first be brought to the Chair of the Nominating Committee. If further discussion or clarification is needed, questions may be brought to the CRO.

Agenda Item 6a

The Executive Committee recommends to Council approval of the revised Guidelines for Conduct of the Executive Committee Appointments.

**Nominating Process
for
Executive Committee Appointment**

Key Dates for 2022

- March 24 Nominating Committee informs Council of the Executive positions where the incumbents' terms are expiring and of any other positions that are known to be vacant.
- March 25 – April 13
Council and Executive members may suggest names for consideration for possible inclusion on the slate to be presented to Council. Names for consideration are to be submitted to the Chair of the Nominating Committee leslie@utfa.org.
- April 5 Presidential election results announced
- April 9 The Nominating Committee informs Council which Executive members are eligible and willing to serve again. (*Bylaws 10.3*)
- By May 1 Nominating Committee presents slate to Council. (*Bylaws 10.7*).
- May 2–10
Council and members may submit further nominations (in addition to the slate presented by the Nominating Committee) for the vacant Executive positions. Further nominations are to be submitted to the Chief Returning Officer at chiefreturningofficer@utfa.org.
- May 10 Deadline for further nominations for the vacant Executive positions. (*Bylaws 10.7*)
- May 11 Deadline for nominees to submit statements for circulation to Council.
- May 19 Council Meeting. Agenda includes:
- Timed item 3:30 p.m. Report of the Chair of the Nominating Committee.
 - Executive Committee elections.

UTFA's Executive Director, Kathy Johnson, has been working with UTFA's General Counsel, Helen Nowak, and external Counsel at Kastner Law LLP, to develop an *Interim Policy and Procedure for Internal Harassment and Discrimination Complaints* (the 'Policy'). The attached draft Policy will be presented to UTFA's Executive Committee and Council for approval.

In developing the proposed interim Policy, research was conducted on what other Faculty Associations and Unions have put in place to address complaints that arise between members when conducting association/union business. Advice was also sought from external counsel, as well as senior OCUFA and CAUT representatives including David Robinson (President, CAUT), Russell Janzen (Senior Research Analyst, OCUFA), Mark Rosenfeld (former Executive Director, OCUFA), Sarah Godwin (Director, Legal Services & Labour Relations, General Counsel, CAUT) and Wayne Grey (Gray, Whitney LLP).

The intent of the proposed policy is to have in place an interim process for handling complaints of discrimination and harassment and is not intended to be permanent. It is believed, however, that the interim Policy will form a starting point for UTFA to consider in the development of a permanent Policy.

DRAFT**University of Toronto Faculty Association**
Interim 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. In the meantime, UTFA’s Executive Committee has prepared this Interim Policy and Procedure for Internal Harassment and Discrimination Complaints (the “Policy”). This Policy will apply until it is replaced by a new UTFA Policy.

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 or 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 involved in allegations of harassment or discrimination are covered by UTFA employee-specific policies and procedures.

Role of the UTFA Executive Committee

8. UTFA Executive Committee shall:

- a. be the decision-making body to address complaints pending the establishment of UTFA's internal dispute resolution policy.
- b. implement processes for handling complaints that are procedurally fair, appropriate, confidential, and expeditiously, to the extent possible.
- c. uphold UTFA's constitution, by-laws, and existing policies.
- d. receive Complaints and is responsible for ensuring that the Processes outlined in this Policy are followed.
- e. receive mediated agreement and may assist with implementation and enforcement, as appropriate.

9. The UTFA Executive Committee 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 UTFA Executive Committee 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 interests.
 - 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. Vexatious claims of harassment and/or discrimination are themselves infractions of this Policy.
 - iv. Complaints are made in **bad faith** when an adequate remedy already exists or the complainant is engaging in improper action – 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

10. The UTFA Executive Committee shall:
 - a. maintain the confidentiality of complaints dealt with under this Policy throughout the investigation to the extent possible.
 - b. 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.
11. Decisions made by the Executive Committee with regards to all aspects of the investigation process, including decisions on remedy, will require quorum as defined in UTFA's Constitution. Decisions of the Executive Committee under this Policy shall be made by a simple majority.
12. For clarity, the Executive Committee in elected office at the time a decision is to be made under this Policy will serve as the decision-making body.

Role of Administrator of UTFA

13. The Executive Director shall be the central administrator to facilitate the interim process (the "Administrator"). 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 Executive Committee shall determine an alternative Administrator.
14. The Administrator shall work with the Complainant, Respondent, UTFA Executive Committee and third-party Mediators/Facilitators and Investigators to implement this Policy.
15. The Administrator may work with internal and external counsel to identify appropriate Mediators/Facilitators and Investigators to address complaints under this Policy.
16. The Administrator may consult with internal or external counsel to obtain advice on issues raised by the Executive Committee or related to managing a dispute resolution process and report and/or provide advice to the UTFA Executive Committee, as appropriate.
17. 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.

18. Where a potentially contentious decision must be made regarding a process under this policy, the Administrator shall obtain instructions from the UTFA Executive Committee.
19. 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 Executive Committee.

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

20. 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 (as defined above) to seek assistance in communicating the concern to the person in question.
21. If the matter is not resolved under paragraph 20, 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

22. Where an UTFA member pursues the process under paragraph 21, 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.
23. The description 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 must be included as part of the description; and
 - e. The remedies sought by the Complainant.
24. The Complainant should be aware that, in addressing the Complaint, the particulars of the Complaint and documents will be shared with the Administrator, the UTFA Executive Committee ~~(in the event of an investigation under the Policy)~~, the Respondent, and any third-party Mediator/Facilitator or Investigator, as applicable. 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.
25. Once the Complainant provides the particulars set out above, 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.
26. The Administrator will then notify the UTFA Executive Committee 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 preliminary analysis will contain 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. If circumstances warrant, the external counsel may seek a preliminary response from the Respondent before making their recommendation. External counsel shall also consider 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 to address same.
27. 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.
28. If the Complainant or Respondent refuses to sign the confidentiality agreement, processes under this Policy may proceed without their participation.

29. The Administrator will then appoint a third-party Mediator/Facilitator.
30. 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 taken out of suspension. If necessary, and with due consideration to the circumstances of the individual case, the Administrator and/or UTFA Executive Committee may seek recommendations from external counsel to make decisions when another proceeding is engaged.

Mediation/Facilitation process

31. The objective of mediation/facilitation is to efficiently reach a practical resolution to a complaint that both the Complainant and the Respondent can accept.
32. 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.
33. 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.
34. 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.
35. 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 UTFA Executive Committee as part of their mediated settlement.
36. 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 UTFA Executive Committee, with appropriate redactions as agreed by the parties.

37. If a mutual agreement is not reached by the parties, the Complainant may request a formal investigation process.

Investigation Process

38. 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.
39. 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.
40. The investigation process shall be procedurally fair, confidential, and appropriate in the circumstances. Investigations will be handled confidentially and expeditiously. 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.
41. 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").
42. The Investigator then interviews the Complainant to discuss the complaint.
43. Following the Complainant interview, the Investigator provides the Respondent with the full Complaint. The Investigator may also provide the Respondent with other information obtained from the interview with the Complainant, as deemed appropriate by the Investigator.
44. 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

45. 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.
46. 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.
47. The Administrator shall share the Report with the UTFA Executive Committee. Prior to sharing the Report with the UTFA Executive Committee, the Administrator may redact portions of the Report if appropriate pursuant to the UTFA Privacy Policy or to protect sensitive or private personal information.
48. At the discretion of the UTFA Executive Committee, 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.
49. The Report will be kept confidential by the UTFA Executive Committee, to the maximum extent possible. The UTFA Executive Committee may, at its discretion, and when circumstances warrant, release a summary of the Report, the bottom-line findings in the Report, or the corrective actions or remedies that flow from the Report.

Remedy

50. 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.
51. Where a matter is addressed through the investigation process, UTFA's Executive Committee shall determine what remedies and/or corrective actions are appropriate considering the findings in the Report from the Investigator. Where the Investigator offers recommendations, the Investigator's recommendations will also be taken into consideration by UTFA's Executive Committee.
52. A summary of the Report shall be provided to the Complainant and Respondent. The Complainant and the Respondent will be given the opportunity to make

submissions to the UTFA Executive Committee on the summary Report, which the UTFA Executive Committee shall consider, prior to the UTFA Executive Committee making any final determinations as to remedy.

53. 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.

Reporting to the Complainant and Respondent on Remedy

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

UTFA 2021-22 AGM

Agenda

April 19, 2022, 4 pm – 6pm

1. Acknowledgement of Traditional Land
2. Review of the Agenda
3. Minutes of 2020 – 2021 AGM
4. Welcome and President's Remarks (Terezia Zorić) (10 min)
5. Panel: Jim Turk and colleagues, Centre for Free Expression, Ryerson University (50 min)
6. Greeting; Susan Wurtele, OCUFA President (5 min)
7. Presentation of the UTFA Citizenship Awards (Zoric/ Taylor) (10 min)
8. Reports of the 2021-2022 UTFA Officers and Chairs of Committees (10-15)

The reports are published in the AGM Newsletter and will not be read at the meeting. However, the President, Vice-Presidents, Treasurer and Committee Chairs will be available to answer any questions. Also, the Past President will be available to answer any questions on the University Pension Plan (UPP).

9. Presentation of UTFA Student Award Recipients (Roy Gillis) (10 min)

2021 UTFA Al Miller Memorial Awards

2021 Undergraduate Tuition Awards

10. Other business and questions from the floor (10 min)
11. Adjournment

Agenda Item #10a(i)

The Executive Committee recommends to Council that the draft agenda for the AGM be approved as distributed.

Donation Policy – Part II

Memorial tributes

1. Individuals whose memory may be honoured:
 - a. President
 - b. Members of Council
 - c. Members of the Executive Committee
 - d. UTFA staff
 - e. Family members of a, b. c. and d. above
 - f. Individuals outside UTFA who have been participants or partners in work related to UTFA's purpose
 - g. Past-President

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 tributes** and **Donations to support non-UTFA events and other initiatives** is \$10,000.

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, 2008

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

Pending submission to Council March 2022

Agenda Item 10b

The Executive recommend that Council approve the sections of a future comprehensive UTFA donations policy that deal with memorial tributes and sponsorship of non-UTFA events and other initiatives.

Agenda Item #11a

The Executive Committee recommends that the UTFA Council delegate sole responsibility for the administration of, and for the recommendation to UTFA Council of, the recipient(s) of the UTFA Academic Citizenship Award to the members of the UTFA Membership Committee to run on a calendar year basis.