
Council Summary

UTFA Executive Special Meeting Minutes Thursday, May 13, 2021

Zoom Conference Call
3:00 p.m.- 4:00 p.m.
Chair – T. Zorić

Present: K. Adamson
M. Attridge
K. Banning
A. Braun
A. Giacca
R. Gillis
J. Macdonald
B. McDonagh
J. Nogami
D. Roberts
S. Rupp
H. Sonne de Torrens
M. Stapleton
T. Zorić

Also present: R. D'souza (Special Project Senior Strategic Communications Director and Policy Analyst)
M. Horban (Business Officer)
K. Johnson (Executive Director)
H. Nowak (General Counsel)
C. Penn (Senior Administrative Assistant)
J. Thiessen (Executive Assistant)

T. Zorić called the meeting to order at 3:05 p.m.

1. Approval of the agenda

Motion by M. Attridge, seconded by K. Adamson, to approve the agenda. **Carried.**

2. Association Grievance Protocol Working Group Report * (T. Zorić and B. McDonagh)

T. Zorić guided the members through a reading of the Executive Summary of the Association Grievance Protocol Working Group (Working Group) Report.

T. Zorić addressed J. Poë's request for time on the Council agenda for a minority report of the Working Group, and the reply by T. Zorić and B. McDonagh, co-chairs of the Working Group, sent to J. Poë and copied to Council. In it, the co-chairs deferred to the Speaker with respect to Robert's Rules. They asked J. Poë to send the minority report to Executive ahead of the present meeting and invited her to attend the Executive meeting. They did not receive a reply.

The members discussed the Association Grievance Protocol Working Group Report and recommendations.

J. Nogami assumed the chair.

Motion by T. Zorić, seconded by B. McDonagh, that the Executive Committee receive the report. **Carried unanimously.**

Recommendations 1 and 2

Motion by T. Zorić, seconded by B. McDonagh, that the Executive Committee recommend that Council approve Recommendations 1 and 2 as distributed. **Carried.**

Recommendation 3 – amended motion

Motion by T. Zorić, seconded by B. McDonagh, that the Executive Committee recommend that Council approve Recommendation 3 as amended to read: Council will be offered the opportunity to provide feedback on the major contours of the Association grievance. Council may refer the Association grievance back to the Executive for further discussion. **Carried with 1 opposed** (A. Braun asked that his vote in opposition be recorded).

Recommendation 4

Motion by T. Zorić, seconded by B. McDonagh, that the Executive Committee recommend to Council that Recommendation 4 be approved as distributed. **Carried with 2 opposed** (A. Braun and J. Macdonald asked that their votes in opposition be recorded).

3. UTFA's Statement on SIPP *(C. Messenger)

The members agreed that the document prepared by C. Messenger should be sent to Council, which will need a special meeting to discuss it.

4. Privacy Policy Negotiation Team

a. Jun Nogami, Terezia Zoric, Adria Giacca, Ariel Katz, Graeme Slaght

Motion by B. McDonagh, seconded by K. Adamson, that the Executive Committee recommend to Council that A. Giacca, A. Katz, and G. Slaght be added as UTFA's representatives on the Privacy Policy Negotiating Team. **Carried.**

5. Other Business

Chief Returning Officer

D. Roberts said that, after the motion to ask K. Weaver to be Chief Returning Officer for the May Council meeting for the Executive elections was approved, K. Weaver expressed the view that he felt hesitant to perform this duty as he was a member of the Nominating Committee. D. Roberts approached M. O'Connor to ask if he would serve as Chief Returning Officer and he agreed.

Motion by T. Zorić, seconded by D. Roberts, that M. O'Connor be the Chief Returning Officer for the Executive elections at Council. **Carried.**

Breach of Confidentiality

T. Zorić said that there has been a serious breach of confidentiality and she was seeking guidance from Executive on how to proceed.

T. Zorić said that she was approached separately by two Council members about confidential information contained in private and confidential grievance correspondence that was sent to Vice-Provost Heather Boon. The letter was also shared with a reporter. This poses an enormous threat to our members' confidence that we will be sure to keep their information strictly confidential.

T. Zorić discussed her concerns with H. Boon soon after learning of the breach. H. Boon agreed that this was a serious breach. T. Zorić asked the Administration to investigate how the breach occurred.

T. Zorić has also made efforts to determine how the breach occurred. She asked the Council members who approached her how they had come to be in receipt of the information in question. One replied that they had promised the Council member who shared the information that they would not identify them. The other has not replied.

The members discussed the breach and possible next steps.

J. Nogami said that the letter appeared on an internet image sharing site where information can be posted anonymously. The odds of anyone finding the letter on their own are very small, but 75 people have viewed it there.

J. Macdonald stated we need to consider if the leak could have come from an UTFA staff member. T. Zoric, J. Nogami, and the Executive Director K. Johnson said UTFA staff understand the seriousness of this type of breach and there is no evidence to suggest that staff have violated their confidentiality and privacy obligations. K. Johnson asked that if there is an allegation that staff have breached confidentiality and privacy to please notify her directly.

T. Zorić said that UTFA's obligations related to confidentiality and privilege are fundamental to the operation of the Association. What has happened is unprecedented.

Motion by T. Zorić, seconded by M. Stapleton, that the Executive Committee recommend that Council approve the following statement to condemn the recent breach of confidentiality:

We condemn the recent breach of confidentiality related to UTFA's grievance correspondence. All members of Council who receive or otherwise come into possession of confidential grievance materials will:

- a) delete such materials;
- b) refrain from recirculating such materials; and,
- c) immediately alert UTFA's General Counsel that they came into possession of the confidential materials and relate how they came to possess them.

The members discussed the motion. J. Nogami called the question.

Carried with 2 abstentions (J. Macdonald asked that her vote in abstention be recorded).

6. Adjournment

Motion by T. Zorić, seconded by, K. Adamson, that the meeting adjourn. **Carried.**

The meeting adjourned at 5:00 p.m.

Chris Penn

Senior Administrative Assistant