

Draft Minutes  
YUFA General Membership Meeting  
Wednesday, 7 December 2011  
Accolade East (ACE) Building, Room 102  
Minutes taken by Heather Campbell

The meeting began at 9:42 am.

Agenda Approval: Executive Resolution that the agenda be approved. Carried.

Arthur Hilliker reviewed in detail the process that had resulted in the Primary Negotiating Positions currently before the membership. Because Arthur Hilliker had Chaired the Executive Contract Review Subcommittee, he asked Brenda Spotton-Visano to Chair the rest of the meeting so as to make himself available to respond to questions and comments.

Brenda Spotton-Visano assumed the Chair.

The Chair reviewed the procedural protocols for the meeting. In accordance with clause 9.1 of the YUFA Constitution, Executive is seeking ratification of the Primary Negotiating Positions. Within two weeks of the ratification of the Primary Negotiating Positions, the Bargaining Team will be selected and the list brought to Stewards' Council for ratification. The meeting will be conducted according to Bourinot's *Rules of Order*.

Motion: that the meeting proceed through the ratifications article by article. Moved by David Leyton-Brown, seconded by Peter McKinnon. Carried.

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**Acronyms** is a Housekeeping change.

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Motion: that **Article 3** be ratified. Moved by Executive, seconded by Michael Gilbert. Carried.

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Motion: that **Article 7** be ratified. Moved by Executive, seconded by John Amanitides. Walter Whiteley briefly explained the reasons for the decision to Reserve. Carried.

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Motion: that **Article 9** be ratified. Moved by Executive, seconded by Jennifer Kuk. Arthur Hilliker clarified the issue of carriage rights, including definition of the term, and explained the reasons YUFA is seeking it.

In response to questions, he noted that the appeals process would require by-law changes and have to be approved by both Executive and Stewards' Council, and expects that the Chief Steward who had taken the decision to refuse a grievance would be present for presentation of the case but be excused for debate and vote on the appeal. Union carriage rights would not affect most grievances, Executive will always err on the side of the grievor. Carried.

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Motion: that **Article 10** be ratified. Moved by Executive, seconded by John Mayberry. In response to questions, Arthur Hilliker explained that, since Ontario does not have "chill" legislation, a lawsuit that fails can still bankrupt the faculty member being sued. The simple fact of the backing of the University can often be enough to discourage lawsuits. Carried.

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Motion: that **Article 12** be ratified. Moved by Executive, seconded by Merle Jacobs. Arthur Hilliker explained that the intent of this article is to give CLAs rights equal to those of CUPE 3903 in key areas such as interview rights and eligibility for conversion, and to limit the number of CLAs so as to ensure graduate programmes can be appropriately staffed and units have sufficient full-time complement to function properly.

Consensus: that **Article 12** be severed into parts for ratification.

Motion: that **Paragraph 1** be ratified. Moved by Executive, seconded by Marcia Macaulay.

There was discussion of the relationship between the proposed conversions and the CUPE conversion programme and of the various difficulties inherent in manipulation of the hiring of CLAs to avoid replenishing the faculty complement.

Motion: that the sentence indicating the number of conversions be amended to include the phrase "provided that at least two conversions are requested by units" Moved by Michael Mozurkewich, seconded by John Amanatides. Defeated.

Motion: that the sentence indicating the number of conversions be amended to include the following phrase: "unless fewer than two unit-supported proposals are put forward, in which case the number of conversions shall equal the number of unit-supported proposals". Moved by Richard Wellen, seconded by Kim Maltman. Carried.

Motion: that **Paragraph 2** be ratified. Moved by Executive, seconded by Rose Steele.

Motion: that this paragraph be further divided into two. Moved by Lesley Sanders, seconded by Merle Jacobs. Defeated.

Motion: that the sentence "Further, units with a disproportionately high number of CLAs should convert many of these positions to Alternate or Professorial Stream positions" be amended to read: "Further, units with a disproportionately high number of CLAs should

have more Tenure Stream appointments.” Moved by Paula Wilson, seconded by Hassan Qudrat-Ullah. Carried.

Motion carried as amended.

Paul Baxter challenged the Chair, on grounds that the full paragraph had not appeared on the screen before the vote was taken. Seconded by Ken Little. Defeated.

Motion: that Article **12.07.a**. be ratified. Moved by Executive, seconded by William Denton. Carried.

Motion: that Article **12.12** be ratified. Moved by Executive, seconded by Kym Bird.  
Motion: that the sentence be amended to include: “where successive CLAs add up to six years, credit shall be awarded.” Moved by Leslie Sanders, seconded by Hassan Qudrat-Ullah. 34 in favour, 36 opposed. Defeated.  
Carried, unamended.

Motion: that Article **12.15**. be ratified. Moved by Executive, seconded by Craig Heron. Carried.

Motion: that Article **12.32**. be ratified. Moved by Executive, seconded by Ildikó Kovács.  
Motion: that the clause be amended to include: “Article 14.08 shall apply to SRCs.” Moved by Walter Whiteley, seconded by Paul Baxter. Carried.  
Carried as amended.

**Article 12** carried as amended.

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Motion: that **Article 13** be ratified. Moved by Executive, seconded by Peter McKinnon. Carried.

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Consensus: that **Article 14** be severed into discrete paragraphs for ratification.

Motion: that Article **14.02.d.i** be ratified. Moved by Executive, seconded by Leslie Sanders. Carried.

Motion: that Article **14.02.d.ii** be ratified. Moved by Executive, seconded by Michael Gilbert. Carried.

Motion: that Article **14.02.d.iii** be ratified. Moved by Executive, seconded by Paul Baxter. Carried.

Motion: that Article **14.02.d.iv** be ratified. Moved by Executive, seconded by Leslie Sanders. Carried.

Motion: that Article **14.02.d.i** be ratified. Moved by Executive, seconded by Leslie Sanders. Carried.

Motion: that Article **14.02.e** be ratified. Moved by Executive, seconded by Michael Gilbert. Arthur Hilliker clarified the language of the clause. Carried.

Motion: that Article **14.04.e** be ratified. Moved by Executive, seconded by Michael Gilbert. Carried.

Motion: that Article **14.05** be ratified. Moved by Executive, seconded by Scott Forsyth. Carried.

Kim Maltman noted that there was a potential for conflict in **14.05.c** and wished to instruct the Bargaining Team to be clear and vigilant in this area.

Motion: that Article **14.07** be ratified. Moved by Executive, seconded by Bernie Lightman. Carried.

Motion: that Article **14.08.a. new iii** be ratified. Moved by Executive, seconded by Leslie Sanders. Carried.

Motion: that Article **14.08(b)** be ratified. Moved by Executive, seconded by Bernie Lightman. Al Stauffer stressed the importance of this clause, noting that \$800,000.00 is still an inadequate amount. Carried.

Motion: that Article **14.09(c)** be ratified. Moved by Executive, seconded by Malcolm Blincow. Carried.

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Motion: that **Article 17** be ratified. Moved by Executive, seconded by Leslie Sanders. Carried.

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Motion: that **Article 18** be ratified. Moved by Executive, seconded by Bernie Lightman. John Bell asked whether the revised language might make it harder to clarify Service expectations in workload documents. Arthur Hilliker suggested that in fact it should make it easier, since units would be free to develop their own language in this area. Carried.

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Motion: that **Article 19** be ratified. Moved by Executive, seconded by Ken Little. Carried.

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Motion: that **Article 20** be ratified. Moved by Executive, seconded by Lauren Sergio. Carried.

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Motion: that **Article 22** be ratified. Moved by Executive, seconded by Gunnar Gotshalks.

Motion: that a Reserve be added to this clause. Moved by Walter Whiteley, seconded by Sheila Embleton. Carried.  
Carried as amended.

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Motion: that **Article 25** be ratified. Moved by Executive, seconded by Celia Haig-Brown.  
Motion: that in **25.09** the phrase "Dean / Principal" be amended to read "Dean / Principal or Designate". Moved by Richard Wellen, seconded by John Amanatides.

Motion to amend the amendment: that the phrase be further amended to read "Chair / Dean / Principal or Designate". Moved by Ken Little, seconded by Tania DasGupta.  
Defeated.

Motion to amend carried.

Motion to ratify **Article 25** carried as amended.

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Motion: that **Article 26** be ratified. Moved by Executive, seconded by Andrea Davis.

Motion: that a Reserve be added in **26.02**. Moved by Walter Whiteley, seconded by Nicola Short. Carried.

Motion: that **26.02** be amended to include: "none of the pension benefits enumerated in the pension plan as of 30 April 2012, be reduced during the life of the Collective Agreement. Moved by Richard Wellen, seconded by J.J. McMurtry.

Tied: 42 in favour, 42 opposed. The Chair broke to tie by voting against the motion.  
Defeated.

Motion: that the following be added to **26.08**: prosthetic coverage (including artificial limbs, myoelectric appliances, batteries, cosmetic covers and the fitting) should be (a) completely covered [so that the phrase "up to a maximum of \$10,000.00 per prosthesis be deleted] and (b) that these costs are paid directly rather than reimbursed. Moved by Robert Myers, seconded by Judy Pelham. Carried.

Kim Maltman instructed the Bargaining Team and Executive to consider the cost of premiums for LTD coverage, and seek to keep them in check. Arthur Hilliker responded that the Joint Subcommittee on Benefits would look into the matter.

**Article 26** ratified as amended.

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Motion: that **Article 27** be ratified. Moved by Executive, seconded by Bernie Lightman. Carried.

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**Article 31** is a Housekeeping change.

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Motion: that **Appendix C** be ratified. Moved by Executive, seconded by Shubra Gururani. Carried.

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Motion: that **Appendix D** be ratified. Moved by Executive, seconded by Shubra Gururani. Carried.

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Motion: that **Appendix F** be ratified. Moved by Executive, seconded by Kym Bird. Carried.

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Motion: that **Appendix M** be ratified. Moved by Executive, seconded by Hassan Quadrat-Ullah.

Kim Maltman noted that merit payments to faculty on sabbatical were often not properly credited as pensionable income. Arthur Hilliker responded that he would take this up with the Employer. Carried.

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Motion: that **Appendix O** be ratified. Moved by Executive, seconded by Gunnar Gotshalks.

Motion: that paragraph 1 be amended by the removal of the phrase "or a Directed Reading Course". Moved by Shubra Gururani, seconded by Carlota McAllister. Rationale: in small programmes, with too few faculty to deliver the curriculum, there is pressure on faculty to offer directed reading courses, and so faculty renewal continues

to be deferred. It is easier to resist the pressure to take on this extra work, which is substantial, if there is no compensation for it. Defeated.

Motion: that the Appendix be amended by removal of references to “maximum credits per year” throughout. Moved by Ellie Perkins, seconded by Ray Rogers. 30 in favour; 29 opposed. Carried.

**Appendix O** ratified as amended.

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Motion: that **Appendix P** be ratified. Moved by Executive, seconded by Hassan Qudrat-Ullah.

Motion: that Bullet # 2 be amended to read: “”medium” is defined as greater than or equal to 25 faculty resource total or 500 majors.” Moved by David Skinner, seconded by Gunnar Gotshalks. Friendly amendment by Paul Baxter: that 500 be revised to 250. Accepted by the mover. Carried.

Motion: that the word “large” in Category 4 be changed to “Medium”, as moved and carried in Stewards’ Council, 2 December 2011. Moved by Richard Wellen, seconded by Craig Heron. Carried.

Motion: that “faculty resource total” be amended to read: faculty full-time equivalent” throughout. Moved by Robert Myers, seconded by Leslie Sanders. Carried.

Motion: that in Bullet # 2, the phrase “or a minimum of 500 majors” be inserted after “40 full-time faculty equivalents”. Moved by Robert Myers, seconded by Berne Lightman. Carried.

Motion: that a category “extra large” be included, defined as having greater than or equal to 60 full-time faculty equivalents or a minimum of 750 majors. Moved by Art Redding, seconded by Leslie Sanders. Carried.

Procedural motion: that the meeting be extended by ten minutes. Moved by Jay Rahn, seconded by Bernie Lightman. Carried.

Motions: that in Bullet # 4, the word “heads” be replaced by “FFTEs”. Moved by Jay Rahn, seconded by Gunnar Gotshalks. Carried.

**Appendix P** ratified as amended.

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Motion: that **Appendix Q** be ratified. Moved by Executive, seconded by Idikó Kovács. Carried.

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**Appendix R** is a Housekeeping change.

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Motion: that **New Appendix re Post-Doctoral Visitors** be ratified. Moved by Executive, seconded by Walter Whiteley. Carried.

Motion: that the meeting be adjourned. Moved by Bob Drummond, seconded by Stephanie Ross. Carried.

The meeting adjourned at 12:37 pm.