

**York University Faculty Association
Trustees Annual Report
2008-2009**

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Introduction

Under Article 1.5 of the York University Faculty Association (YUFA) Constitution two Trustees are to be elected at the Annual General Meeting to prepare a report reviewing the union's previous year's activities, policies and operations and are asked to make recommendations to improve YUFA's methods of operation.

Following our review of the YUFA Constitution, By-Laws, Auditor's Report, and Annual Financial Statement (2008-2009), the budget (2009-2010) and Executive Minutes 2008-2009, we conclude that, subject to some concerns mentioned in the *Review of Activities* below, the union is fulfilling its obligation to its members, operating responsibly and participating in important labour activities and solidarity efforts internal and external to York University.

Review of Activities

In addition to the day to day administration of the collective bargaining agreement and service to members such as grievance processing, YUFA considered a variety of new and continuing issues in 2008-09, such as restructuring, the resulting reapportioning of stewards, workload reduction, security and safety, pension plan matters, race/equity issues, retiree issues, university funding, tenure stream faculty numbers and casualization of teaching; representing YUFA's interests to both sides during the CUPE 3903 negotiations and strike, and providing support for students during that strike. It has also appointed members to several committees, struck new committees, sent members to several conferences and sent funds and flying pickets to faculty on strike in other jurisdictions. Finally, the Bargaining Priorities Sub Committee held information sessions on all contract related matters, the Executive prepared a bargaining position that was approved, with modification, by the membership, and YUFA entered negotiations with the employer on contract renewal, which led subsequently to the negotiation of a new contract that was ratified by the membership.

The protracted CUPE 3903 strike had a major impact on both our membership and on union operations. The consequences are continuing since the disruption revealed deep rifts within YUFA membership. YUFA policy with respect to support for CUPE 3903 was much debated; this led to considerable debate regarding union activities and governance in general. One positive result of this has been increased participation in YUFA, from which YUFA could draw renewed

energy. However, other consequences are troubling and need continuing attention. These include a degree of incivility and partisanship, as well as increased conflict between the various bodies (executive, stewards' council, membership meetings) involved in YUFA governance. Thus we had stewards' council and general membership meetings giving instructions to the Executive Committee, and Executive, on constitutional grounds, construing such instructions as advice. This was then followed by accusations of Executive being high-handed and undemocratic. The challenge now facing YUFA is how to channel the energies of members into making progress on common goals while minimizing infighting for dominance within the union.

Methods of Operation

Last year the recommendation of the YUFA Trustees reiterated recommendations from previous years. This year we review the consideration of these recommendations at the level of the Executive committee, or the President, as appropriate, and make a brief list of what remains to be addressed from the legacy recommendations.

(i) Course release for YUFA Officers Last year a recommendation was made that consideration be given to alternative forms of offering Executive compensation. A YUFA Compensation Committee, which consisted of the President, VP Internal, VP External and the Treasurer, met to discuss this issue but did not recommend any changes to Executive with respect to Executive compensation and course releases.

(ii) Dispute resolution committee Last year the Trustees' Report recommended a review of the usefulness of the Dispute Resolution Committee, in order to disband it if not found useful, and if found useful to appoint officers in May, and not later. A further recommendation was made to reconsider the make-up of the approved list of arbitrators to promote timeliness of resolution. YUFA Executive discussed the usefulness of the DRC, and it was agreed that YUFA would continue to use the DRC as well as to try and strengthen its role. YUFA's schedule was seriously altered due to the prolonged CUPE 3903 labour disruption of last year; as a result, the call for members to be appointed to the DRC did go out in the spring, but due to the altered schedules, the appointments were not ratified by Stewards Council until October. Finally, the list of arbitrators was revised, but not expanded.

(iii) Communications Last year, the Trustees were concerned about communications, and this year, too the issue of better communications between YUFA officers and members as well as among members, as also between members and well wishers in the public, is a central concern. we ask YUFA Executive to adopt the recommendations contained in the report for 2008-09.

(iv) Timing of Annual Membership Meeting Given the need to discuss the budget prior to its adoption by the AGM, the Trustees recommended that the AGM be moved to the spring. However, YUFA's schedule of planned activities was delayed by the CUPE 3903 labour disruption. As a result the planned AGM for the spring was postponed to the fall this year.

Review of Financial Statement and Auditors Report

We have reviewed the financial statements and the auditors report and note the following:

1. There is as yet no independent verification of the membership fees that allow the auditor to certify YUFA revenue. Since this is the main source of revenue for the organization, it remains a serious deficiency in the audit procedure noted since 2007.
2. In 2008, the auditor observed that more cash could be allocated from the Cash account to the investment account, and the Executive has just recently increased its investment by \$100,000. Even so, the Cash account, which still amounts to five months operating expenditures, after netting out direct costs (CAUT, OCUFA, etc.), seems high to the Trustees.

Recommendations

Recommendation 1. We renew the recommendation that the AGM be held in the spring. In years when events intervene, as they did last year, we recommend that the Executive disseminate the budget at a time well before its adoption *pro tem* (subject to later ratification by the AGM), to allow members an opportunity to discuss the budget and possibly recommend changes to it.

Recommendation 2. Given the auditor's recommendation to find an independent way to verify the membership fees received by YUFA, we recommend that Executive consider asking the University to make its record of payroll deductions with respect to Union dues accessible to the auditor so that the auditor can exercise due diligence.

Recommendation 3. That the Executive consider placing all funds in the Cash account that exceed the estimated expenditure of the following three months, calculated on a rolling forward average basis after netting out direct costs (CAUT, OCUFA, etc.), be transferred to investments. In this manner, the Executive will not need to make special decisions to invest in the funds, and the best use of YUFA money will be made until such time as it may be needed.

Recommendation 4. YUFA members are often unable to come to campus for meetings and/or voting for reasons ranging from familial responsibilities to travel in carrying out research activities. Given this, we recommend that YUFA try to improve voting procedures to make it easier for YUFA members to register their votes even when unavailable to come to campus. We note that a member's initiative with respect to this has been included in the agenda.