



GENERAL MEETING

Thursday, March 30, 2017
12:30 – 2:30 p.m.
Visual Arts Centre, room 100
(pizza will be available)

A G E N D A

1. Approval of the Agenda
2. Approval of Minutes of the General Meeting October 26, 2016 **EXHIBIT I**
3. Business Arising
4. President's Report: *A. Bigelow*
5. Nominating Committee Report: *K. Hoffmann* (Chair) **EXHIBIT II**
6. Policy and Governance Committee Report: *S. Pitel* (Chair) **EXHIBIT III**
7. OCUFA Director's Report: *J. Ciriello* **EXHIBIT IV**
8. Discussion: Enrollment challenges and Limited-Duties appointments
9. Announcement: Annual General Meeting, Tuesday, May 2, 2017, 12:00 noon to 2 p.m., University Community Centre, room 41
10. New Business
11. Adjournment

UWOFA General Meeting Minutes
 Wednesday, October 26, 2016
 1:30 to 3:30 p.m.
 Law Building, room 52

Speaker *pro tem*: Stephen Pitel

President: Ann Bigelow

The Speaker *pro tem* called the meeting to order at 1:35 p.m.

The UWOFA Speaker was unavailable for today's meeting. Article VII, clause 1 a), of the UWOFA Constitution states "...If the Speaker is unable to attend a meeting, the President of the Association shall appoint a Speaker *pro tem* for that meeting." The President proposed to appoint Stephen Pitel (UWOFA Vice-President) *pro tem* for the meeting.

Article VII, clause 1 c) states "The Speaker may not hold any other position within the Association during his or her tenure as Speaker." S. Pitel explained that this clause is unclear whether it refers to the elected Speaker or if it refers to any Speaker, including a Speaker *pro tem*. S. Pitel proposed that the meeting proceed on the basis that it refers only to the elected Speaker and that an appointed Speaker *pro tem* can hold simultaneously another position within UWOFA. S. Pitel asked if there were any objections to the proposed interpretation to Article VII, clause 1 c), of the UWOFA Constitution. Seeing no objections the meeting continued with S. Pitel as Speaker *pro tem*.

The Speaker *pro tem* noted that the meeting had not yet met the quorum requirement of thirty-five Members for a regular General Meeting as indicated in Article VIII of the Constitution. The Speaker explained that if quorum is not met the meeting would continue and any motions passed would be ratified at a subsequent proper meeting.

Attendance was according to the Nominal Roll. The Speaker *pro tem* reminded attendees that only members of the Faculty Association were permitted to vote on motions.

1. Approval of the Agenda:

MOVED: J. Davies/J. Ciriello

THAT the Agenda be approved. **Motion carried unanimously.**

2. Approval of minutes of May 2, 2016 Annual General Meeting:

MOVED: J. Ciriello/J. Tennant

THAT the minutes of the May 2, 2016 annual general meeting as shown in Exhibit I be approved. **Motion carried unanimously.**

3. Business Arising:

There was no business arising from the May 2, 2016 annual general meeting.

4. President's Report: A. Bigelow

The President began her report by listing her goals for the coming year:

- To visit all departments and faculties to get a better understanding of how members feel about UWOFA and to learn what concern or issues members may have.
- To make the monthly meetings with UWOFA President, Vice-President and Western's President and Provost more useful.
- To work on analyzing data about administrative costs/salaries at Western and compare to other universities.
- To develop a more professional relationship with UWOFA's external suppliers.
- To invite UWOFA Committee Chairs to attend at least one Board of Directors meeting and report on the activities of the Committee.

The President continued by providing an update on the following issues:

UWOFA Faculty Representative Council: UWOFA is working to strengthen its Faculty Representative Council before the next round of bargaining.

Librarians and Archivists pay equity process: As part of the 2011-2015 Collective Agreement the employer agreed to enter into a pay equity process with the LA bargaining unit. Since discussions began in December 2011, UWOFA has been to the Pay Equity Commission twice to try to resolve outstanding issues. UWOFA was disappointed with the last decision of the Pay Equity Commission. On the advice of UWOFA's legal counsel the Executive Committee of UWOFA has appealed the decision of the Pay Equity Commission to the Pay Equity Hearings Tribunal. The first hearing is scheduled for December 12, 2016.

Observer on Senate: John Sadler (Western Libraries) has been acclaimed as the Librarian and Archivists observer on Senate.

Dependents' Tuition Scholarship Plan: In August 2016 the Board of Directors approved increasing the value of the Dependents' Tuition Scholarship from \$4,800 to \$4,900. The application form can be found on the Benefits page of the UWOFA website.

Website project: UWOFA's Communications Committee is working of a redesign on the UWOFA website. Communications Officer Vanessa Brown met with members to discuss needs and how UWOFA can best meet those needs.

Student Questionnaires on Courses and Teaching: Western has moved from using a paper format to using an online format for student questionnaires on courses and teaching. UWOFA has established an ad-hoc working group on student questionnaires on courses and teaching. The mandate of this working group is to review the research literature on student questionnaires, focusing on the implementation of online questions in comparison with print questionnaires. Members of the working group are Marianne Larsen, Chair (Education), Michael Buzzelli (Geography), Kristin Hoffmann (Western Libraries and Past President), Amanda Moehring (Biology), Volker Nolte (Kinesiology) and Wendy Pearson (Women's Studies and Feminist Research).

At recent online student questionnaire information sessions organized by Western UWOFA members expressed concerns with the length of time the online questionnaires would be open to students (three weeks preceding the last day of class), bias and harassing or inappropriate comments. UWOFA will continue to monitor these issue.

Broader Public Sector Executive Compensation: Ontario's new framework for broader public sector executive compensation came into force on September 6, 2016. The framework requires employers to cap salary and performance payments at no more that the 50th percentile of appropriate comparators. It also prohibits signing bonuses, retention bonuses, cash housing allowance and the monetization of leaves. Public consultations will be required when determining executive compensation programs. Employers will also be required to submit reports attesting that the compensation complies with the framework. UWOFA will monitor the issue to ensure Western complies with the new framework.

Allan Heinicke Memorial Service Award: UWOFA will be calling for nominations for the Allan Heinicke Memorial Service Award. This award was established in honour of the late Allan Heinicke, former Chair and President of the University of Western Ontario Faculty Association who made significant contributions to UWOFA as our financial, technical and policy analyst. The award honours and recognizes outstanding service and achievement in financial, technical, or policy development and/or analysis supporting the aims of the Association. Recipients will be selected by the Executive Committee of UWOFA based on outstanding contributions to the Association either through a single project or activity or the accumulation of efforts over a long period of time.

Scholars at Risk: UWOFA has committed to donating \$10,000 per year for three years. UWOFA made its first donation in May 2016. Several UWOFA Board members attended an event on October 4, 2016 to meet the two current scholars, who are both from Syria.

Responding to a question about who has access to comments made on student questionnaires, A. Bigelow stated that course comments will go to the Chair or Dean's office. Comments about the instructor will only be seen by the instructor unless the instructor has requested that those comments be suppressed.

The Speaker *pro tem* thanked the President for her report.

5. **Treasurer's Report:** *M. Loveland*

The audited financial statements were presented for information. The Board of Directors approved the statements at its meeting on October 12, 2016.

M. Loveland reviewed the audited financial statements for the 2015-2016 fiscal year as presented in Exhibit II. She reviewed the Statement of Operations which showed the amount of revenue UWOFA received through members' dues and expenses paid throughout the year. She reviewed items showing a significant difference, up or down, from the prior year.

M. Loveland also reviewed the Statement of Financial Position which presents UWOFA's assets and liabilities. At the end of April 2016 UWOFA had \$5.1 million in assets with the majority, \$4.3 million, being held in long-term laddered (maturing in one to five years) guaranteed investment certificates. UWOFA's main liability is its post-retirement benefit obligation. As with faculty, librarian and archivist members, UWOFA staff is entitled to post-retirement benefits if they retire after the age of 55 and after completing ten years of employment.

Asked if UWOFA had considered moving a portion of its investments into something other than guaranteed investment certificates that pay very little interest, A. Bigelow explained that UWOFA's investment strategy has always been to take very little risk with its investments so that monies would be available in the event of a strike or lock-out.

The Speaker *pro tem* thanked the Treasurer for her report.

6. Policy and Governance Committee Report: S. Pitel (Chair)

S. Pitel identified two smaller projects that the Policy and Governance Committee has been working on: revising the existing Donations Policy to deal with the issue of gifts and a creating new Documents Management Policy.

The main project for the Policy and Governance Committee is to bring UWOFA's organizing documents into conformity with the law relating to non-share capital corporations. S. Pitel explained that UWOFA incorporated under the Ontario *Corporations Act* in 1985 but continued to behave as an unincorporated entity. For example, UWOFA continued to use its Constitution as one of the governing documents even though corporations cannot have a constitution. In order to properly correct this issue UWOFA obtained a legal opinion on how to move forward. Based on the information provided in the legal opinion the Board of Directors resolved that UWOFA remain incorporated and that the Policy and Governance Committee continue to seek legal assistance to prepare revised governing documents that will replicate as much as possible what UWOFA has been using but in the proper legal form that will comply with the applicable law.

The Policy and Governance Committee is aiming to have this project completed by the end of the current academic year.

7. New Business: None

8. Adjournment:

MOVED: M. Loveland/B. Dodson

THAT the meeting adjourn. In the absence of any objection, **motion carried** (2:30 p.m.).

2017-2018 UWOFA ELECTIONS**Slate of Nominees**

Vice-President Dan Belliveau (Health Studies)
Secretary Hiran Perinpanayagam (Schulich Medicine & Dentistry)

Designated Faculty Seats (two year terms: July 1, 2017 to June 30, 2019)

Arts & Humanities	Erica Lawson
Information & Media Studies	Mandy Grzyb
Health Sciences	Volker Nolte
Science	Beth MacDougall-Shackleton
Social Science	Johanna Weststar

Designated Membership Seat (two year term: July 1, 2017 to June 30, 2019)

Librarians & Archivists	Shawn Hendriks (Taylor Library)
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At-large Seats (two year terms: July 1, 2017 to June 30, 2019, one seat must be filled by a Part-Time Member)

Part-time Member	Natalie Pietrzak-Renaud (Earth Sciences)
Full-Time Member (elect two)	Les Kalman (Schulich Medicine & Dentistry) Felix Lee (Chemistry) Ben Rubin (Biology) Sam Trosow (Information & Media Studies/Law)

Speaker for UWOFA (one year term)	Kim Clark (Anthropology)
Speaker for UWOFA-LA (one year term)	Peggy Ellis (Weldon Library)
Secretary for UWOFA-LA (one year term)	Liz Hill (Map and Data Centre)

For Information: Continuing Officers and Board Members in 2017-2018

President	Stephen Pitel (Law)
Past President	Ann Bigelow (DAN Management & Organizational Studies)
Treasurer	Michelle Loveland (DAN Management & Organizational Studies)

Designated Faculty Seats

Education	Marianne Larsen
Engineering	Paul Charpentier
Ivey Business School	Darren Meister
Law	Zoe Sinel
Music	Jill Ball
Schulich Medicine & Dentistry	John Ciriello

Designated Membership Seats

Limited Term Membership	Nigmendra Narain (Political Science)
Part-time Membership	Kate Helsen (Music)

At-Large Seats

Full-Time Member	Jim Davies (Economics)
Librarian or Archivist Member	John Costella (Taylor Library)

Continuance of UWOFA under the *Canada Not-for-profit Corporations Act*Implementation Process
(as of March 7, 2017)

Motion:

That UWOFA, through one or more of its officers, take the steps necessary to continue UWOFA under the *Canada Not-for-profit Corporations Act* under the name “The University of Western Ontario Faculty Association”.

Key Features:

Jurisdiction

Currently a non-share capital corporation under the Ontario *Corporations Act*
Not in compliance with various aspects of that statute

That statute is dated and will likely be modernized in the future, but the timeline for that is unclear

In contrast, the equivalent Canada statute was recently modernized

For operational purposes, including collective bargaining, it makes no difference whether we are under the Ontario statute or Canada statute

We will continue (transfer) the corporation from the Ontario statute to the Canada statute and then come into compliance with it; use clear and known law

Need to continue in order to avoid various consequences of ending one corporation and beginning a new one

Documents

Currently there are Letters Patent, a “Constitution” and a by-law

We will replace these with Articles of Continuance, by-law 1 (dealing with fundamentals such as membership, directors, officers and meetings) and seven additional by-laws (2 to 8)

Committees; Officers; Policies; Bargaining Units; Representative Council;
LASC; Negotiations

Articles of Continuance, like the Letters Patent, are broadly worded and brief and likely never will be amended; the important day-to-day provisions are in the by-laws

Some discrete issues are better contained in their own by-law rather than in by-law 1 (such as issues relating to the collective bargaining process, separate from corporate governance)

Some issues currently in policies are better contained in by-laws (more formal approach)

Some issues are largely unaddressed in the current documents or policies and require a new by-law (job descriptions, terms for committees, role and process for policies)

Modernization

Spirit has been, for the most part, to retain the current operational approach (for elements such as meetings, directors, officers, committees) while complying with the requirements of the governing statute

Process allows us to update of much of the language for greater clarity; new by-laws should be easier to understand and follow

This is especially true beyond by-law 1, because the other by-laws are being drafted by us rather than by our lawyers; by-law 1 will be relatively technical in places

Elimination of some dated aspects (idea of member in good standing, fees, ex officio board members)

Greater clarification of the role and responsibility of the Executive Committee

Explicit language about the role of the auditor

All by-laws are amendable on 67% majority (rather than 50%) of members

Statute requires longer notice period for member meetings

Membership

Aim is to align the membership of UWOFA with the certifications from the Ontario Ministry of Labour

Consequences is removal of two types of member

Associate member: former members who request this membership to stay involved, notified (not paying dues)

Clinical Faculty eligible for membership in the Clinical Teachers

Association of The University of Western Ontario: can join voluntarily to express support (paying dues)

All known members of these types have been canvassed about this change and no objections have been raised

Central reason for removal is the amount of detail and administration that having these types of member involves as compared with the very small number of such members and the minimal benefits accruing to and from them

Name change

Current name is "The Faculty Association The University of Western Ontario"

This is not a name we use for any purpose other than as the name of the corporation

We will change the name to "The University of Western Ontario Faculty Association", which is the name we generally use

Legal name of the institution, under Ontario statutes, is "The University of Western Ontario", despite recent branding changes to "Western University"

Timeline:

April 2017

Motion for continuance adopted by the Board of Directors

May 2017

Motion for continuance adopted by the Members (mail vote)

Summer 2017

UWOFA obtains approval from Ontario to cease as an Ontario corporation and become a Canada corporation

UWOFA obtains articles of continuance from Canada

UWOFA changes the legal name of the corporation

UWOFA finalizes by-law 1 and other new by-laws

September 2017

New by-laws adopted by the Board of Directors

October 2017

New by-laws confirmed by the Members (mail vote)

OCUFA Director Report

The OCUFA Board of Directors has met twice, while many OCUFA subcommittees have met on numerous occasions during the past year focusing on issues ranging from university governance and accountability to future provincial funding for Universities.

At the last meeting of OCUFA, the Board of Directors identified several major priorities that required attention in the upcoming year: faculty pensions, contract faculty and faculty complement, university funding, and university governance and the setting up an Advocacy Day prior to the Ontario 2107 Budget.

Contract Faculty:

OCUFA continues to spearhead initiatives aimed at advancing fairness for contract faculty. As part of its campaign, special contract faculty-specific issues are published quarterly in the OCUFA Report which have provided information on:

- the work of the Contract Faculty and Faculty Complement Committee;
- updates on the organizing contract faculty that have been doing at the local level; and faculty profiles that highlight the teaching, research, and service contributions of contract faculty members.
- Additionally, following the success of CAUT's Fair Employment Week this past fall, the Contract Faculty and Faculty Complement Committee planned faculty association solidarity social events at both **Western (March 10)** and Windsor Universities. The committee also planned a social media day of action on March 3 that highlighted the intersection between university governance and challenges facing contract faculty.

University Funding:

- Since 2015, the provincial government has been developing a new funding model for Ontario's universities. Glenn Craney, Assistant Deputy Minister in the Ministry of Advanced Education and Skills Development attended the last Board meeting and gave a presentation on the structure of the new funding formula and the second round of Strategic Mandate Agreements (SMA2), through which the new funding model will be implemented.
- The new model will consist of three funding envelopes based on enrolment, existing special purpose grants, and differentiation priorities. While the first two funding envelopes appear fairly straightforward, the addition of a differentiation envelope based on performance metrics, where clearly some university funding will be at-risk, raised concerns for OCUFA. Although the new formula will be implemented through the upcoming round of SMA's - set to be completed in June - **the government still has not offered clarity on exactly how the differentiation envelope will work or what metrics will be used to determine whether a university is meeting or has met its performance targets.** While the differentiation envelopes will be in place for this round of SMAs, the government has suggested that no funding will be "at-risk" until the third round of SMAs are implemented three years from now.
- OCUFA has been in regular contact with the Ministry and articulated the faculty view that a performance-based funding model will harm the quality of education and negatively impact faculty, students, and institutions.

Collegial Governance:

- University governance, and a shift away from collegiality, continues to be a concern for all members. To help develop strategies for addressing these challenges, OCUFA will host a series of conference calls to share developments on individual campuses. During the first conference call, concerns were raised about lack of transparency in presidential searches, lack of meaningful engagement at Senate meetings, unrepresentative Boards of Governors, the importance of faculty input in the upcoming SMAs, and unreasonable compensation for senior administrators.
- The latter issue is one that has been raised in light of a recent proposal to dramatically increase compensation for executives at Ontario's colleges (also see recent article in CAUT Bulletin, Vol 64, #3, March 2017 by Jennifer Dekker). Although the province has told the colleges that their proposals are out of line, how it will handle each case remains unclear. Under the province's new Executive Compensation Framework, universities will be required to publicly post their own proposals for executive compensation increases by September 2017, which will at least inform the respective community of what to expect.

Pensions:

- OCUFA continues to keep member associations up-to-date about changes to solvency regulations and how it will impact member association joining a voluntary multi-employer jointly sponsored pension plan (JSPP).
- In addition, OCUFA staff have been monitoring the possible implications of changes to current pension regimes. In the coming months, OCUFA will offer member associations pre-bargaining sessions focusing on pension strategies.
- Work continues on the initiative aimed at creating a JSPP in the university sector. This will likely not impact Western due to its DCB pension plan.

OCUFA's 2017 pre-budget submission and other issues:

- The details of OCUFA's 2017 pre-budget submission were reviewed at the last Board meeting. While OCUFA has commended the government for aiming to make postsecondary education more accessible, there are serious concerns about the fact that **faculty hiring is not keeping pace with student enrolment**. The student to full-time faculty member ratio in Ontario remains over 33% higher than the national average. In addition, the amount of funds received per student by Ontario Universities has remained well below the national average. Without more public investment, there is a real possibility that the quality of university education in Ontario will suffer.
- Board Directors also discussed recent collective bargaining developments, grievance trends, campus equity initiatives, and other important issues.
- OCUFA-commissioned poll by the Innovative Research Group Inc. to compare perceptions of higher education in Canada and the US, as well as an Innovative Research poll which surveyed and compares public sentiments that influenced last year's US election with those in Canada. A presentation was given by Greg Lyle, President of Innovative Research Group Inc. on the results of the survey which showed that the view of Canadians on most issues is not different from those of our southern neighbours.

Advocacy Day:

- An Advocacy Day was held March 7-8- at Queen's Park in Toronto (ie before Ontario 2107 Budget) where Ann Bigelow, President of UWOFA, and John Ciriello, along with three other OCUFA Board members met with a number of MPP's from across Southwestern Ontario. During these meetings we highlighted our concerns on University funding, faculty renewal, precarious position that contract faculty find themselves in and university governance. In the evening, a reception was held where I was invited to present a post presentation on ongoing research within my own laboratory in Schulich to MPP's.
- Additionally, John Ciriello (OCUFA Director), along with OCUFA President Judy Bates, and OCUFA Executive Director, Mark Rosenfeld and OCUFA CBC Chair, Sue Wurtele (Pension Plans) met with Deb Matthews, the Minister of Advanced Education and Skills Development where again the issues of University funding, faculty renewal, precarious position that contract faculty find themselves in and university governance were raised.

Development of OCUFA Policy Proposal for Government:

- Finally, John Ciriello will be attending a two-day interactive conference (May 11-12, 2017) to develop policy solutions based on the strategic priorities identified by OCUFA members that will form the basis of OCUFA's government-facing policy proposals:
 1. The future of provincial funding for universities
 2. Precarious academic employment and the evolving role of contract faculty
 3. Reshaping university governance and accountability