



Representing Contract Faculty, Teaching Assistants, Graduate Assistants,  
and Part-Time Librarians and Archivists @York University, Toronto

Canadian Union of Public Employees/Syndicat canadien de la fonction publique local/section locale 3903

## **2018-2019 YEAR END COMMITTEE REPORTS**

### **ACCESSIBILITY COMMITTEE**

**Members: Odelia Bay, Drew Danielle Belsky, Cath Duchastel, Dion Tubrett**

The committee was elected on August 15 after the end of the 2018 strike. We were able to meet 8 times over the course of the academic year. During that time, the committee has planned several specific actions as well as visioning possible future actions.

#### ***Completed activities:***

1. Newsletter statement on contacting AC
2. Updated accessibility guidelines for forums, including relevant bylaw amendments
3. Composed and issued statement from CUPE 3903 on International Day of Persons with Disabilities
4. Organized two workshops on “Unpacking Ableism” for executive, committees, SC, staff, and general membership. (Presented by CRIP – Community Resistance Intimacy Project)

#### ***Activities and projects in process:***

5. CUPE 3903 statement on accessibility
6. Member survey on accessibility
7. Accessibility and disability accommodations town halls
8. Additional workshops & training
9. Ongoing visibility & outreach efforts

#### ***Projects for the future:***

10. Handbook for union members with disabilities
11. Accessibility audit of CUPE 3903

#### ***Meetings*** (Minutes posted to CUPEForums.ca)

1. Tuesday 18 September 2018: Meeting 11:00am – 1:00pm (143 Atkinson College Building)
2. Tuesday 2 October 2018: Meeting 11:00am – 1:00pm (143 Atkinson College Building)
3. Tuesday 23 October 2018: Meeting 11:00am – 1:00pm (143 Atkinson College Building)
4. Tuesday 27 November 2018: Meeting 11:00am – 1:00pm (143 Atkinson College Building) – Collaborative drafting of statement for International Day of Persons with Disabilities Statement
5. Tuesday 22 January 2019- Meeting (132 Atkinson College Building)
6. Friday 8 February 2019: Meeting 1:30pm – 3:30pm (320 Lonsdale Road) – Collaborative drafting of member survey
7. Tuesday 12 February 2019: Meeting 1:30pm – 3:30pm (via Skype)



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### ***Other Actions***

1. Friday 26 October 2018: Newsletter statement: “Contacting the Accessibility Committee” (posted to CUPEForums.ca)
2. Friday 23 November 2018: November GMM 9.e. “Bylaw Amendment: Amendment to Appendix F” (posted to CUPEForums.ca)
3. Monday 3 December 2018: International Day of Persons with Disabilities Statement (posted to CUPEForums.ca)
4. Monday 4 March 2019: “Unpacking Ableism” Workshop (poster posted to CUPEForums.ca)
5. Friday March 15 2019: Second “Unpacking Ableism” Workshop



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## ADVISORY COMMITTEE ON RACE/ETHNIC RELATIONS, DISCRIMINATION AND/OR HARASSMENT

*Members: Equity Officer (ex officio), Shila Khayambashi, and Yasir Hameed*

Dear all,

My name is Shila Khayambashi, and I have been a member of the York/CUPE 3903 Advisory Committee on Race/Ethnic Relations, Discrimination and/or Harassment. Due to the lengthy strike, this committee was formed later. We had our first meeting on November 29, 2018. During this meeting, we discussed systematic and individual racism. We also spoke about the systematic racism in the education system. We decided to hold a meeting with the employer regarding racism and the racist climate in certain departments and certain courses.

Yasir mentioned the cases of some law professors whose course materials have been racially biased. Yasir suggested that we needed to maintain a scan on the course contents. We talked about the possibility to hold a CUPE-wide survey to obtain a better picture on racism in a variety of departments and diverse subjects. We briefly discussed the topic of hate-speech and its misguided association with the free speech.

In this meeting, we spoke about the Employment Equity Committee and their review of the systematic racism. Through the use of the survey, it was shown that nothing had changed yet regarding the systematic racism (Indigenous and black faculties face great systematic racism).

It was suggested that we need to obtain the report for a number of racism complaints which were filed. Also, it was recommended holding a series of informal walk-in sessions for the people who would like to discuss their issues regarding systematic racism with us rather than filing the formal complaints.

At the end of this meeting, we set a date for a second meeting on December 18 th, which was cancelled, and we have not been successful in setting a time for the next meeting. Please feel free to contact me in case of any further question via [shilakh7@gmail.com](mailto:shilakh7@gmail.com).

### **Yasir Hameed:**

#### **Overview:**

Given the delays caused by the strike of 2018, this committee was formed quite late in the year and was able to meet only once on November 29, 2018. At the November 29 meeting, it was explained the role, function and overall reach of this committee to the new members on the committee. We discussed possible avenues to address the plethora of issues related to racism at York University. The committee decided to hold a meeting with the employer to discuss the racist climate in certain departments and courses. The possibility to research and understand issues faced by CUPE members through a CUPE-wide survey was also discussed. Our second meeting on December 18th was cancelled, and we have not been successful in setting a time for the next meeting. It is my opinion that unfortunately, not a lot could be done by this committee in terms of actions, given limited time and a generally disrupted year due several reasons (including to delays in payments etc.) on part of the employer. Nevertheless, much remains to be done and the importance of having such a committee cannot be understated. For any questions and concerns regarding this report, please feel free to contact me at [ar.yasirhameed@gmail.com](mailto:ar.yasirhameed@gmail.com).



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## **ALL-UNIVERSITY PENSION COMMITTEE**

### **Sylvia Peacock**

A few personal remarks first, and then onto my activities on the Pension Board of Trustees. The volunteer position as a pension Board Trustee is time consuming and bears more responsibility than first anticipated. The frequency of meetings at the board level are four times a year, but I always end up volunteering for other positions, for example, on the subcommittee for sustainable investing and in an investment policy review working group. Interestingly, on these subcommittees I usually encounter the same group of people; most of them are not faculty members, but governors who have been suggested for their position by undemocratic mechanisms. In the most recent survey I flagged the undemocratic nomination practise for governors at York University and suggested a democratic voting procedure, where staff and faculty get to decide who acts on their Board of Governors. Regardless, the work gets done and although the discussions are contentious, contrarian views are taken into consideration and discussed. By my (unfortunate) nature, I have a contrarian stance and stretched the patience of a good number of our more conservative members beyond their limits without personal repercussions, which is surprising and welcome. In the very last meeting I reminded the investment committee chair that market oversight is tainted by vested interests and the Pension Fund of York University has no business sitting at the poker table; when we discuss the policies for our investments. My apologies, if I digress.

My activities on the Pension Board of Trustee are mainly centred on nudging the director, the board and the members of subcommittees to closely consider ethical investment principles, and my input is valued. At this point it may be good to mention that the fund budget presented in December 2018 showed our pension fund to be on solid financial footing. The sub-committee on sustainable investing has gone dormant for now, and I am still trying to figure out how to revive it without taking on any of the chair's work, because it would be his job, strictly speaking. I would also like to publish the final version of the principled sets of questions that all portfolio manager need to answer in their yearly reviews, for our members. YorkU administration would like to align this procedure with their endowment fund although that may stay a pipe dream because the regulatory framework for those two funds is a different one. Sitting on our committees I am pressing for a stronger emphasis on including measures to alleviate climate change, i.e., a carbon footprint analysis, or becoming a UNPRI signatory, or a yearly internal carbon audit, or a combination of these measures.

In conclusion, there is a willingness to tackle the intricate problem of merging finance and ethics issues with ongoing input requiring a steep learning curves to understand the linkages, the disconnects, the possibilities and a vast array of problems attached to information asymmetry in finance and corporate governance. Tentative optimism is perhaps the best way to frame the process of nudging a mid-sized pension fund like YorkU's to pursue better corporate citizenship going into 2019. Let me close with a thank you; to our 3903 members for entrusting me to carry on in this position for another three years.



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## **ARCHIVE COMMITTEE**

The Archive Committee met sporadically this year. This year the Archive Committee only had one representative and this impacted the productivity of the committee this year. The focus of the Archive Committee revolved on clean up and maintenance rather than taking on specific projects like the Archive Committee has in the past. Using the Archives Index organized by the 2015/16 Archives Committee, this year's committee has tried to maintain files accordingly. A lot of the clean-up activities of the committee have centered on re-filing items used for bargaining purposes. This has been a slow process as the arbitration process was extended late into last year and follow through on the arbitration decision is still ongoing. There will continue to be a need to re-file certain bargaining related documents once this has completed.

There are several projects that remain on the books from previous Archive Committee plans, but not started, and that should be considered in the near future. One such project would be to work with staff in order to historically analyze grievance patterns. This information could tell us where the bulk of grievances are concentrated and on the nature of the grievances. This could help us better target those departments that are not honouring our collective agreements. Another project that is recommended for future committees is to tackle the storage container. To index and organize its contents and to work with the Executive Committee to ensure that materials kept at the storage facility are at the necessary levels to support the local.



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## **BILINGUALISM COMMITTEE**

***Members: Emilie Hurst, Maija Duncan***

Our term began in September 2018. Since the Bilingualism Committee is a new committee, we did not have a model on which to build the activities of the committee. The direction we chose emphasized placing the framework to increase French-language accessibility in the local. We met approximately once a month, with additional meetings to discuss our proposals (GMMs, TFAC, executive meetings).

**French-Language Forms:** Following a survey completed last year, in which members indicated they would like to submit union forms in French, we put together a proposal to translate the forms adjudicated by the union and its committees. A motion to do so passed at the general membership level and received the support of the Trans Feminist Action Caucus (TFAC) for forms adjudicated by TFAC. We also passed a bylaw amendment to reflect the new duties of the committee and to ensure that in future at least one member is a TFAC member. On January 28th, we met with the Teaching Commons Coordinator to talk about the feasibility of translating the forms of the funds that are co-adjudicated with them (Tuition Cost Fund and Teaching Development Grant). That discussion is ongoing.

Once the funds are approved, we will move to hire a member of the local to begin the translation projects that are currently approved.

**Bylaws and Wider Campaigns:** We envision a French Portal on the CUPE 3903 website which would include all the resources that we have available in French. We believe that the bylaws should be next (after the forms), and have put together a proposal to ask CUPE National to contribute to a cost-share campaign where this translation work would be part of a larger campaign to increase French-language accessibility and broaden outreach to our colleagues at Glendon.

**In-Committee Translations:** In order to provide any translator hired with agreed-upon vocabulary, we translated a number of key terms and CA language ourselves in December. These terms would also be included on the aforementioned French Portal, mirroring the “3903 speak” page currently on the website.



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## **COMMUNICATIONS COMMITTEE**

### **Murray Cooke:**

I was elected to the Communications Committee on August 15, 2018 at our AGM. I attended meetings with our Communication Officer and the Committee on September 28 and November 30. I was teaching and unavailable to attend the meeting on November 14. As far as I know, there haven't been any Communications Committee meetings during the Winter term. As a member of the Committee, I was regularly sending mass email updates to Unit 2 members on Unit 2 issues during the Fall term. My busy teaching schedule has made that much more difficult in the Winter Term. Near the start of the Fall term, I was responsible for the CUPE 3903 Facebook page. We then switched roles and I took over the CUPE 3903 Twitter account. That has been my ongoing responsibility. It would be very useful if there were members elected to the Communications Committee with specific skills such as (among other things) social media, web design, graphic design and even basic video Production.



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## **DISTRIBUTION COMMITTEE**

### **Murray Cooke:**

I was elected to the Distribution Committee on September 20, 2018. Unfortunately, there was very little direction offered in terms of where I was supposed to poster. Perhaps this was due to the fact that I joined the committee late. At times, the posters seemed to be produced relatively late for meetings. This, combined with my teaching schedule at another university, made it difficult for me to participate in the distribution of posters. As a result, I did not claim any honoraria for this committee. It would be helpful if there was greater coordination of the committee's activities and a clearer schedule of meetings, with posters prepared well in advance. I recognize that posters in public areas of campus do not stay up for long, but within departments there are places where posters are more secure.

### **Shila Khayambashi:**

My name is Shila Khayambashi, and I have been an active member of Distribution Committee since 2015. I acted as the representative member of this committee for the zone 4, which included the following areas: Health and Nursing Building, Atkinson Building, TEL Building, Accolade East, and Accolade West. This distribution usually took 2 to 3 hours each diem. As members of this committee, we posted posters in the appointed areas separately after picking up the posters and materials from the CUPE local office. I worked as distributor for this committee in following dates: September 25, 2018 TFAC poster, September 28, 2018 CUPE BBQ poster, October 4, 2018 TFAC poster, November 9, 2018 SGMM poster, November 14, 2018 GMM poster, November 19, 2018 GMM re-poster, November 29, 2018 GMM poster December 4, 2018 GMM poster, January 31, 2019 Sexual Assault Survivor Support poster.

Please let me know if you have any further question at [shilakh7@gmail.com](mailto:shilakh7@gmail.com).





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## EMPLOYMENT EQUITY COMMITTEE

*Members: Elena Chou, Firoza Elavia, Nadia Habib, Equity Officer (ex officio)*

### Report on activities for 2018-2019:

1. After our election to the committee (henceforth referred to as the EEC) in August 2018, we first met as a committee on September 6, 2019 to briefly discuss the purpose and goals for the EEC, and to get caught up on the previous work completed to date by the EEC.
2. We next met on September 13, 2018 to go over the EEC plan for 2016-2020 and the items we will need to review with the Employer, and to review what was achieved in the 2017-2018 round of bargaining in terms of equity related issues, particularly with the Unit 2 Memorandum of Settlement (MoS) as we were all still awaiting the decision by the Arbitrator.
3. The EEC was invited to sit in a meeting with the 3903 Grievance Committee on October 4, 2018, where we reviewed the current and outstanding policy grievances related to remediation for all three Units along with group, individual and department specific grievances, as well as the items we planned to send to arbitration.
4. On October 24, 2018, the EEC had our first meeting with the Employer, consisting of Annette Boodram, Rob Lawson and Kate McPherson. We identified a number of issues to discuss together over the coming year. These included reviewing the new items in the MoS as they pertain to equity issues, asking the Employer for an updated EEC plan, and requesting updated data and reports from the self-ID forms. We also discussed whether information on disability accommodations was posted for Unit 2s; core competency training for Chairs, UPDs, GPDs, etc.; and meeting dates for the rest of the year.
5. On October 29, 2018 we were asked by the YUFA Race Equity Caucus (YUREC) to meet to discuss equity related issues pertaining to bargaining and mutual concerns related to equity in hiring and promotion. We discussed 3903 and YUFA's self-ID data and how YUFA might increase their self-ID response rates, and YUREC's concerns regarding the low number of racialized faculty, in particular black women faculty and hires, and how to increase those numbers, perhaps through conversions and other joint programs.
6. We met for the second time with the Employer on November 21, 2018. We continued our discussion on the self-ID reports and the challenges that Annette was having in obtaining this data, as well as the implementation of equity related aspects outlined in the MoS such as video remote interpreting services, program extension language on all code based grounds, sexual violence leaves as outlined in the CA, and disability accommodation procedures. We also brought up the issue of late contracts and the effects on pay for members as well as discussed updates on core competency training.
7. Our third meeting with the Employer took place on January 22, 2019. We got an update from Annette on the self-ID data reports and discussed whether there was a university-report-CUPE 3903 EEC 2018-2019 2 wide campaign to get people to complete the sexual violence module and how one would be able to access this and other training modules. We asked about an updated



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EE plan and Annette reported that this would be ready in time for our next EEC meeting with the Employer scheduled for February 7, 2019. We also discussed disability accommodation procedures, as well as how equity would be implemented for LSTAs and conversions.

8. Our meeting scheduled with the Employer for February 7, 2019 had to be cancelled but we did receive the updated self-ID data reports as well as an updated EEC plan from Annette on that day. No future meetings with the Employer have been scheduled although we have contacted them numerous times about this.

9. The EEC met on February 26, 2019 to go over the updated EEC plan and flag items we'd like to discuss further with the Employer. We also discussed the self-ID data reports.

10. We had our second meeting with YUREC at their request on March 5, 2019 to further discuss SRCs and conversions, along with other equity related issues of mutual interest to YUFA and 3903. There was discussion of a workshop to be held by YUFA to converse further about ways to enhance equity related issues amongst their membership in which 3903 would be invited to attend.



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## **E-VOTING WORKING GROUP**

**Group Members:** *Carl W., Affan S., Judith C., Caroline S., Caroline D., Murray C., Steven P.*  
(*withdrawn: Cath D., Kate K., John M.*)

### **Meetings Held:**

- Dec. 6 (Informal, in hallway of Town Hall/GMM)
- Dec. 17 – only 4 members in attendance; focused on identification and basic division of immediate tasks.
- Otherwise, business conducted by email.

### **Summary of Activities:**

- Contacted other CUPE locals about implementation and use of E-voting.
- Contacted vendor Simply Voting – tested a demo, obtained a quote.
- Discussed basic outlines of an eventual proposal

## **Main Report**

### **1. Background**

In the aftermath of the 2018 strike, which featured both a botched paper Unit 2 ratification vote and an electronic forced ratification vote in which fully 84% (85%) of the membership of Unit 1 (2) participated, the decision was made to re-activate the long-dormant electronic-vote working group. There have been repeated calls over the years for electronic voting in CUPE 3903 going back at least as far as 2008. However previous attempts have not resulted in concrete proposals (nor have they left any apparent records).

The group's mandate is to explore the technical issues involved in implementing electronic voting as a means of improving accessibility, member participation, and engagement in the local's decision-making processes. Electronic voting could also help to improve confidence in those processes and eliminate opportunities for voter suppression/intimidation.

Electronic voting (E-voting) won't solve all of the local's problems of engagement and accessibility, of course, but it would represent a start and would acknowledge the highly heterogeneous nature of CUPE 3903's membership in terms of schedules and geographical distribution. The working group views this matter as being fundamentally one of equity.

### **2. Findings & Options**

Many organizations now use E-voting, including several municipalities, student government organizations, and union locals. The working group has been in contact with several other labour groups that already use E-voting, and their experiences appear to have been very positive. Some have also kindly shared some helpful "lessons learned". No serious roadblocks to E-vote implementation were reported in these exchanges. Although we have yet to contact them directly, CUPE National does permit E-voting, with the possible exception of voting on bylaw



changes. The question of what types of E-votes CUPE National will allow today (as opposed to a few years ago) is one that remains to be explored.

Our local's needs can probably be met by a company called "Simply Voting", which is used by many similar groups including all but one of the union locals that we contacted. Simply Voting is a Canadian company headquartered in Montreal and with Data Centers in Kelowna, BC and Montreal. The "self-service" option seems well-suited to our needs. Self-service is done through a dedicated Election Manager portal and involves 3 steps:

**A. Setup.** Define election date/times, description, and questions, and upload a list of eligible electors together with voting credentials. Multiple question types are available, including ranked ballots. Voter credentials can be generated by the Simply Voting system or can be provided by the local (eg. employee numbers). Once the list is defined electors receive email containing their unique credentials (eg. password). (This highlights the importance of maintaining an accurate membership list, something that was mentioned by other locals also.)

**B. Voting.** Electors visit a custom-branded website (eg. [cupe3903.simplyvoting.com](http://cupe3903.simplyvoting.com)) where they log in with their unique credentials and, if they have not yet voted, the ballot appears. Once the completed ballot is submitted a printable receipt is issued to the voter, who is now blocked from voting again. (The elector's identity is stripped from the ballot, only the receipt number remains.)

**C. Results.** Once the voting period has ended results are immediately tabulated and can be downloaded along with a variety of reports. Results can also be published on the same website upon completion of the vote. Separate paper ballots can be entered manually and tabulated with the rest. (We are still investigating best practices needed to maintain a proper audit trail when using paper ballots.)

Beyond secure voting other notable features of this system include a voter-verified audit trail, accessible ballots, telephone support, and in-person "kiosk" voting support where credentials can be made available to individuals who have no email/internet access but are able to vote using, for example, a laptop made available at an in-person polling station. The full quote, including description of Simply Voting's infrastructure, can be obtained from the Working Group upon request and will be included when a final recommendation is made.

Assuming 3000 electors, we have been provided with a quote of \$1000 (plus tax) for one election, and \$1700 (plus tax) for up to 10 elections per year. (A fully-managed election option costs an additional \$700 per election. It is unlikely we would need that premium service.) The current Executive elections involve 4 all-units positions and two Unit 2 positions, which would require one all-units ballot and one Unit 2-only ballot, using up 2 of the 10 elections. Were Unit 3 and/or Unit 4 positions also to be contested that number would rise. We have asked Simply Voting about the cost of additional elections but because of a vacation we had not received a response as of press time. Presumably, an additional 10 elections would cost no more than an extra \$1700 per year.

### 3. Preliminary Recommendations and Next Steps

An argument can be made that all current paper ballot votes, be they held at voting stations across campus or at a GMM, should become E-votes. But it is the view of the working group that the safe first step is to deploy E-voting in all situations involving voting stations over



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extended hours/days (such as the current election and strike votes) as well as ratification votes. Expansion of the scope of E-voting can be considered later if the membership wants it.

The Simply Voting system has been tested by the working group in a “demo” election. It is straightforward to setup and manage elections using the Election Manager, and the voter experience is even better. None of us experienced any difficulties over several days. To assess the most obvious security/integrity concern some of us tried deliberately (and failed) to vote twice. At a cost of \$1700 for up to 10 votes Simply Voting’s solution also makes financial sense in light of the local’s tight budget. For comparison, according to our Treasurer the current election is expected to cost between \$4500 and \$4700, and that includes almost \$3700 for poll clerks alone. It is highly likely that this platform will be the eventual recommendation.

Going forward we will be examining the local's bylaws to determine what changes will be needed to implement e-voting for the types of votes described above. A cursory examination of other locals' bylaws reveals these are probably minimal.

The working group believes, independently of E-voting, that member engagement could be enhanced through improved communication surrounding decision-making, including increased use of non-binding electronic polls/surveys, and the timely availability of minutes of meetings on a secure online portal. Such changes would also indirectly support E-voting by promoting more informed voters.

Finally, we will soon launch a brief survey of the membership to obtain feedback concerning the e-voting option. We hope this additional information will assist us in crafting a final proposal package acceptable to all and that can be decided upon in the fall of 2019.



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## **FIRST NATIONS SOLIDARITY WORKING GROUP**

### **Basis of Unity**

The First Nations Solidarity Working Group (FNSWG) is a group of past and present CUPE 3903 members who are committed to building long-term relationships with Indigenous peoples through supporting, popularizing and defending struggles for self-determination and liberation. The work we do is primarily led by the relationships we have formed and maintained by supporting anti-colonial grassroots initiatives led by members of Six Nations of the Grand River Territory, Ojibway Nation of Saugeen No. 258 and Mishkeegogamang Ojibway Nation. Our goal as a working group within a union is twofold: to (1) support and learn from Indigenous peoples who are struggling against issues of poverty, homelessness, racism, colonialism while also (2) encouraging active membership participation and awareness of current issues affecting the communities we are connected to. We aim to build rank and file networks of union members who are committed to supporting Indigenous' struggles for self-determination — including the fight for housing, land, education, and freedom from violence.

We believe that labour organizations in Canada have a responsibility to engage meaningfully and respectfully with the ongoing colonial realities that Indigenous communities face each day and to organize in ways that build relationships among labour struggles and Indigenous struggles. In doing so, we affirm the inseparability of labour issues from the realities of hetero-patriarchal colonialism, imperialism and racism that affect Indigenous communities while implicating all of us living on Turtle Island.

### **Year in Review**

#### **Bimaadiziwin Campaign – Supporting self-determination struggles in the Ojibway Nation of Saugeen no. 258**

Since November 2012, FNSWG has been working in support of struggles of community members of Ojibway Nation of Saugeen no. 258 covering issues ranging from lack of housing and homelessness, to encroaching mining and forestry on territories and traplines and to a governance crisis. This began when members of FNSWG met Darlene Necan, the spokesperson for off-reserve members of the Ojibway Nation of Saugeen No. 258 at the ILPS conference in 2012. FNSWG helped Necan with her efforts to build housing for homeless persons from her community to address the lack of housing for off-reserve members, including herself. In the summer of 2013, members of FNSWG fundraised to cover the costs of traveling to and building a log cabin on Darlene's trapline (ancestral hunting grounds) and a plywood house on her family's land in Savant Lake, ON. FNSWG has been part of a larger network of supporters and organizations (including No More Silence, Muskrat Magazine, and the Anti-Colonial Law Union of Ontario) in providing support for Darlene in the face of harassment, cease work orders and steep fines from the Ministry of Natural Resources over the construction of her home on her family's land.

Over the past year, Darlene Necan continues in her capacity as off-reserve spokeswoman and one of seven clan mothers to play a crucial role in advocating for the members of the community for fair distribution of resources and representation in consultations on resource development and industry partnerships regarding mining, transmission lines, and forestry.



In addition, this year the clan mothers and headmen have increased their efforts to self-determination in the context of a Chief-in-Council that has failed to deliver essential services, failed to demonstrate transparency to its members, failed to follow their customary leadership laws and policed dissent and intimidated women in the community<sup>1</sup>. According to the community's customary leadership convention, the clan mothers and headmen held a 21-year review of the leadership and selected new leadership. In response, the Chief-in-council has applied to take these community members to Federal Court to preserve his lifetime position in power.<sup>2</sup> Around this issue FNSWG has played a supportive role to community members by providing resources and support necessary to facilitating meetings among these community members such as: meeting space, transportation to meetings, food for meetings, printed materials, and so on.

Other projects out of this campaign in the 2018-19 year have included:

- Assisting Darlene Necan and Joyce Medicine to travel to Ottawa to work with Environ Native on Indigenous women's housing empowerment project (March 2019)
- Solidarity donation to Nic Necan Legal & Prisoner Support Group

### **Solidarity for Wet'suwet'en Land Defenders**

FNSWG supported two Toronto solidarity actions this January in solidarity with Wet'suwet'en land defender's blockades at Gidimt'en and Unist'ot'en to maintain sovereign control over their land and prevent construction on the Coastal Gas Link pipeline without their consent. Arrests at Gidimt'en were made and Unist'ot'en agreed to let CGL in for surveying but will continue to fight the pipeline

Members of FNSWG helped organize and marshal at both rallies, helped with supplying and setting up audio equipment for the rallies, assisting with covering honorariums, and purchased tokens for folks to attend rally.

Going into next year FNSWG plans to continue to work with Porcupine Warriors on future actions and events, and look at organizing a teach-in at York regarding CGL and Wet'suwet'en territories.

### **Toronto Support Committee for Ring of Fire affected communities**

In November 2018, members of FNSWG were invited to join a preliminary meeting with a coalition of Toronto organizations (including Mining Injustice Solidarity Network, Council of Canadians, No One Is Illegal – Toronto, Rising Tide – Toronto, Yellowhead Institute) and members of Neskantaga and Eabametoong First Nations to form a solidarity coalition network in Toronto for these Nations that are experiencing the encroachment of mining companies in their territories to exploit the Ring of Fire. A campaign to support the jurisdiction of the communities over their territories and their right to say no to mining and extractivism is in development.

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<sup>1</sup> Jorge Barrera (2019), 'No election until I die': A First Nation's 'lifetime' chief faces a revolution rising from his 242-member band, CBC News, 2 February 2019, <https://newsinteractives.cbc.ca/longform/no-election-until-i-die>.

<sup>2</sup> Jorge Barrera (2019), First Nation's lifetime chief goes to Federal Court to preserve position, CBC News 7 February 2019, <https://www.cbc.ca/news/indigenous/saugeen-chief-machimity-federal-court-1.5008620>.



### Friends of Grassy Narrows

FNSWG has continued to organize in coalition with other Toronto organizers under the group Friends of Grassy Narrows in support of Grassy Narrows First Nation, who have been struggling for justice since mercury was dumped in their water system in the 1960s. Generations of Grassy Narrows' people have been suffering symptoms of mercury poisoning that continues to seep from the mill site that is the source of the mercury dump, buried barrels of mercury, and from the contaminated river. For decades Grassy Narrows' people have been demanding justice concerning the toxic level of mercury in their food and water systems, an end to clear cutting on their territories, and sovereignty over their territories in order to prevent such environmental disasters in the future.

In 2017, then-Premier Kathleen Wynne promised Grassy Narrows that Ontario would clean up the English-Wabigoon River system and the Dryden Mill. This victory was a result of the sustained grassroots Indigenous resistance led by Grassy Narrows over decades. While we celebrate this victory, remediation efforts are still in negotiation and Grassy Narrows has yet to see the clean up fully realized. The community continues to fight for mercury justice, including full remediation, a full clean-up of the water system, compensation to those suffering of mercury poisoning and losses of their previously sustainable food system, and the construction of a mercury treatment home so community members can access treatment in their own community.

On October 11, 2018, beloved Grassy Narrows leader Steve Fobister Sr. died of mercury poisoning at the age of 66. Steve served 5 terms as Grassy Narrows Chief and became Grand Chief of Treaty #3. He led Grassy Narrows through negotiations for mercury justice and against clear-cut logging. He was a strong voice for Indigenous sovereignty, and he called governments and institutions to account for systemic racism against Indigenous people in their own homelands. He fought for forty-eight years against political dissemblers who still refuse to admit that even one person in Grassy Narrows has been poisoned by mercury. FNSWG joined Friends of Grassy Narrows in organizing a vigil and action in Toronto to honour Steve Fobister.

Currently, Friends of Grassy Narrows is organizing with Grassy Narrows to host a delegation of Grassy Narrows community members in Toronto this spring to put on an event to call on the governments of Ontario and Canada to follow through on their commitments to mercury compensation and a mercury treatment centre for Grassy Narrows.

### 2018-19 Budget

Budget Item	Budgeted	Actual
Honorariums for Speakers	1,000	250
Bimaadiziwin Campaign	8,000	5,476.42
Food for events	1,000	250
Solidarity Donations	2,000	2,000
Six Nations Solidarity	2,000	1,359.28
Other	1,000	241.53
Total	15,000	9,577





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## 2019-20 Budget – Proposed

<b>Budget Item</b>	<b>Budgeted</b>
Honorariums for Speakers	1,000
Bimaadiziwin Campaign	12,000
Food for events	1,000
Solidarity Donations	2,000
Six Nations Solidarity	2,000
Grassy Narrows delegation	2,000
Ring of Fire Support Committee	1,000
Other/misc.	1,000
<b>Total</b>	<b>22,000</b>

**Note:** Numbers are based off the 2017-18 budget, in which FNSWG was budgeted \$22,000 in the AGM. The 2018-19 budget was cut based on the number of months left in the financial year after the 2018 strike.

### **Accountability to Union Membership**

FNSWG remains committed to being accountable to CUPE 3903 membership. Our annual budget and all our initiatives are reported back to and voted on at the AGM and GMMs. Any initiative requiring the use of our funds is voted on internally only if quorum is met. All expenses are submitted to the union as receipts, and have corresponding documentation in our bi-weekly minutes. All cheques made out to reimburse FNSWG members are signed by a member of the Executive. Our meetings and initiatives are open to all members, and we encourage you to get involved!

### ***Quorum***

Our quorum is 5 union members in good standing. Financial decisions and any major decisions cannot be made without quorum.

### **JOIN US!**

As a volunteer, membership driven working group, FNSWG is always looking to include more members and to expand our capacity to support Indigenous sovereignty movements. We especially hope to build up greater capacity in the 2018-2019 year as many long-time members leave York or focus on other commitments. If you are interested in getting involved or have ideas about how FNSWG can expand its support for grassroots action, please reach out to us and get involved! Contact [cupe3903fnswg@gmail.com](mailto:cupe3903fnswg@gmail.com)



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## JOINT HEALTH AND SAFETY COMMITTEE

**2018-19 Members:** *Annelies Cooper (worker co-chair), Megan Hillman, Nicole Leach, Erin Grosjean, Naeem Shahid, Lindsay Harding*

### Summary:

In the 2018-19 year, the worker members of the CUPE 3903 Joint Health and Safety Committee (JHSC) found little to no improvement on the issues reported on in 2017 with regards to the functioning of the JHSC and response of the employer to health and safety concerns. We continued to struggle to get the employer to schedule regular committee meetings and follow-up on health and safety issues our members face. Our committee is preparing to undergo a complete restructure in the way Joint Health and Safety is organized campus wide, beginning in April 2019. The current model of union-based committees that work with the employer will be replaced with a system that will combine workers from multiple unions sitting together on site-based committees based on a building or cluster of buildings. This will see a dramatic increase in the number of committees across campus, and as such also see an increase in the number of committee positions opened up for CUPE 3903 members. For more detail on this see the section of this report entitled 'JHSC Restructuring'.

### General Activities

**Meetings:** The employer continues to delay meetings and respond to health and safety JHSC issues slowly. The worker and employer members met only once over the course of this year. An unresponsive employer co-chair frustrated our ability to meet as a joint worker and employer committee every 2 months as stated in our terms of agreement, or even every 3 months as required by the Ontario Occupational Health and Safety Act. Meetings that have occurred included:

- November 7, 2018 – Meeting with Teresa DuCroix on JHSC Restructure (Director of Health, Safety and Employee Wellbeing)
- November 22, 2018 – JHSC Change team meeting
- November 28, 2018 – CUPE 3903 Joint Health and Safety Committee (with employer)
- January 28, 2019 – JHSC Change team (regrets)

**Inspections:** In this term we have inspected and reported on health and safety in the workplace in Stong College, Glendon Campus, and Scott Library.

**Accident & Incident Reports:** We have received an increase in incident reports again in this term. Most of these related to workplace hazards such as: icy and snow covered paths and inadequate accessibility of campus facilities. We remind all CUPE 3903 members that while accidents/injuries/incidents should be reported to your supervisor or manager we also encourage all members to contact us directly at [jhscupe3903@gmail.com](mailto:jhscupe3903@gmail.com) or drop by the union office).

### JHSC Restructuring

**Background:** JHSCs are a requirement for workplaces under the Ontario Occupational Health and Safety Act and include members representing both managers and employees. York University has five Multisite JHSCs (MJHSCs) organized by union group and covering multiple work areas and locations. The Ministry of Labour (MOL) must approve all MJHSCs. In 2014, the MOL revoked the CUPE 1356 MJHSC approval. This led to a university-wide review of the MJHSC structure, which began in 2016 and



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ended in late 2017. The result of the review was to recommend the committee structure is reorganized to one central steering committee and a number of “local committees” that would be organized by “hazard, location or work-type.” A change team was formed in December 2017 with representation from each union and staff association, Health Safety and Employee Wellbeing, and management. The change team is responsible for detailing the new committee structure. New structure: Beginning in April 2019, the CUPE 3903 specific JHSC will be dissolved and CUPE 3903 JHSC members will be assigned to sit on various Faculty/site-based “local” JHSCs. We move from having 6 JHSC members assigned to a single committee to 12 members assigned to local JHSCs, and one member assigned to a “Health and Safety Executive Council” (HSEC). The HSEC will be chaired by the VP Finance, and is intended to be a central body that supports the local JHSCs, acts on unresolved issues and assists with pan-university items (e.g. policy questions Local JHSCs with CUPE 3903 members (see Map):

- Libraries
- Engineering
- LAPS
- Central Square, Stedman, Curtis Lecture Halls, Accolade West
- Science, Health (incl. College), & Environmental Studies
- Osgoode
- Victor Phillip Dahdaleh
- Faculty of Education
- Kaneff Tower
- AMPD, Winters College, Stong House
- Glendon
- York Lanes

This new structure represents a drastic change for how CUPE will be involved in JHSC work. Our members will sit on committees alongside colleagues from other employee groups and unions including YUSA, YUFA, Research, OPSEU, OHFA, CUPE 1356 and IOUE. Our main concerns in the change process is to ensure fair representation for our members within the new structure and so that our representatives can ensure our member’s health and safety is protected. At a recent GMM, the membership passed a bylaw amendment to allow CUPE 3903 to elect the positions needed to fill the new local JHSC spots. The amendment also included the creation of a JHSC Coordinator role. It is our intention that the CUPE 3903 JHSC member assigned to this role is the same member who sits on the HSEC. The Coordinator will then act as a point person for CUPE 3903 health and safety concerns, act as an advocate for CUPE 3903 specific health and safety concerns, coordinate communication across committee members on local JHSCs, an advocate on systemic issues at HSEC.

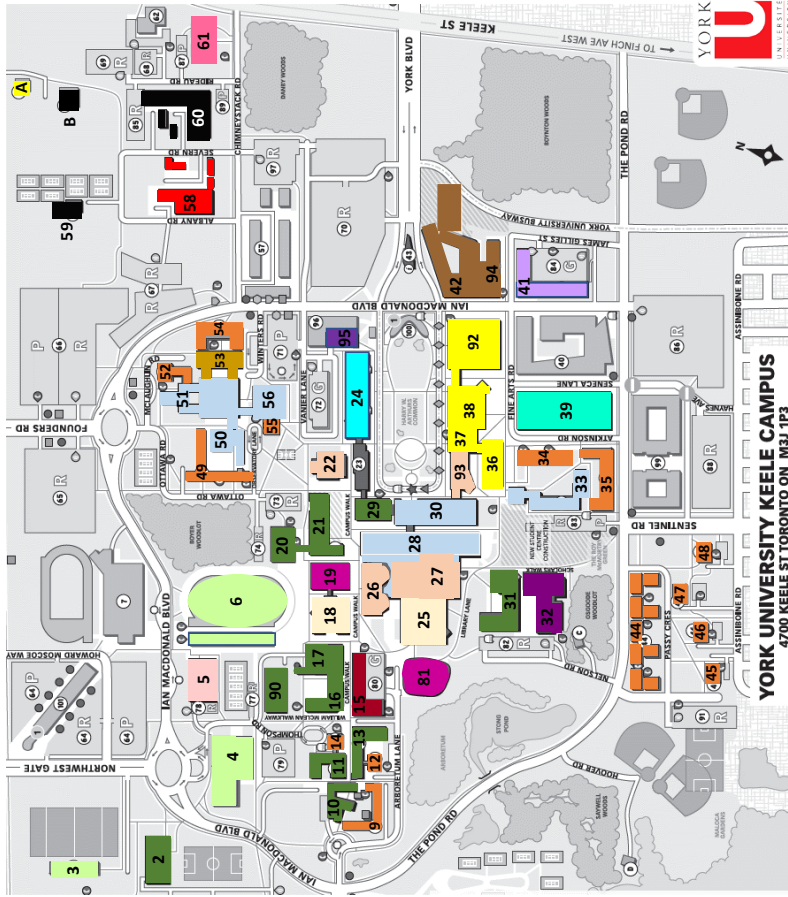


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**York University Joint Health and Safety Committees**

<b>Housing &amp; Residences (9, 12, 14, 34, 35, 44, 45, 46, 47, 48, 49, 52, 54, 55)</b> Reps: YUSA, 1356
<b>CUB (58, including tunnels)</b> Reps: IUOE, YUSA
<b>Facilities Services (69, 60, Stong Barn (B), Grounds/Walkways, Rooftops, Maintenance Areas, Mech. &amp; Elect. rooms)</b> Reps: YUSA, 1356
<b>Faculty of Education (53)</b> Reps: YUFA, 3903; YUSA, AMPD
<b>Kinsmen &amp; 4747 Keele (61)</b> Reps: YUSA
<b>Kaneff Tower (95)</b> Reps: YUSA, YUFA, 3903
<b>York Lanes (24)</b> Reps: YUFA, YUSA, 3903
<b>Schulich &amp; Executive Learning Center (42, 94)</b> Reps: YUSA, YUFA
<b>AMPD, Winters College, Stong House (36, 37, 38, 92, A)</b> Reps: YUSA, YUFA, 3903
<b>Bennett Center (41)</b> Reps: YUSA
<b>Glendon</b> Reps: IUOE, YUSA, YUFA, 1356, 1356-1, 1356-2, 3903
<b>Osgoode Professional Development</b> Reps: YUSA



<b>West Office Building (5)</b> Reps: YUSA
<b>Athletics &amp; Recreation (3, 4, 6)</b> Reps: YUSA
<b>Libraries (18, 25)</b> Reps: YUSA, YUFA, 3903
<b>William Small (incl. Security) (15, non-adjacent parking lots)</b> Reps: YUSA, 1356-1, 1356-2
<b>Engineering (19, 81)</b> Reps: YUSA, YUFA, 3903
<b>LAPS (Ross, Vari Hall, Founders, McLaughlin Vanier, Atkinson, Cont. Education, YUELI) (28, 30, 33, 50, 51, 56)</b> Reps: YUSA, YUFA, CUPE 3903, OPSEU
<b>Central Square, Stedman, Curtis Lecture Halls, Accolade West (27, 22, 26, 93)</b> Reps: YUFA, 3903, YUSA
<b>Science, Health (incl. Colleges) &amp; Env. Studies (2, 10, 11, 13, 16, 17, 20, 21, 29, 31, 90)</b> Reps: YUSA, YUFA, 3903
<b>Osgoode (32)</b> Reps: YUSA, OHFA, 3903
<b>Victor Phillip Dahdaleh (39)</b> Reps: YUSA, YUFA, 3903
<b>Schulich Executive Education Centre</b> Reps: YUSA

Revision date: January 2019

**YORK UNIVERSITY KEELE CAMPUS**  
4700 KEELE ST TORONTO ON M3J 1P3



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## **LABOUR MANAGEMENT COMMITTEE (UNITS 1-3)**

### ***Maija Duncan – Unit 1 Rep***

Between waiting for the arbitration results and the employer dragging its heels in scheduling the first LMC meeting of the contract, by the end of my term as Unit 1 LMC rep, we will have only met with the employer three times: October 19th (remediation-focused meeting), February 14th, and March 15th.

### **Remediation**

The employer refused to move on any issues pertaining to remediation, often to the point of denying that the issues we highlighted existed. Consequently, LMC, which is an advisory body, was unable to push remediation issues forward. All remediation grievances are going forward through formal processes (grievances and arbitration).

### **Retroactive Pay Increases**

The 2.1% (for 2017-18) and 2.2% (for 2018-19) retroactive increases should have been paid out as of the February paycheque. Retroactive increases to the Graduate Financial Assistance (GFA) have likewise been applied to student accounts. If you've not received yours, get in touch with [cupe3903csu1@gmail.com](mailto:cupe3903csu1@gmail.com).

In terms of the 2% increase to vacation pay for members with 5 years or more of service (won through bargaining), the employer is still claiming that it is too complicated to figure out who should get it. They are now in violation of the timelines outlined in the arbitration award. Hopefully we get a firm answer to this on March 15th.

### **Summer Funding**

One of the biggest strike issues for Unit 1 was the possibility of having funding in the summer, as was the case before the introduction of the fellowship funding model. Through bargaining (and confirmed in the arbitration award) we have achieved this. On February 14th, the employer has confirmed that they are working on a model to implement this. The goal is to have everything ready by end of summer 2019 so that members of Unit 1 can opt in if they choose to for the following academic year.

### **Blanket Applications/IT Issues**

We raised issues with Unit 1 members being logged in as Unit 2 when they submitted their blanket applications. There are also many more IT issues that need to be resolved (work histories, postings archives, PER for Unit 2, etc.) so it appears as though we are moving towards an IT working group with the employer to resolve some of these issues.



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## **Looking Forward to 2019-2020**

The circumstances are such that there is little to report as LMC rep this year. However, 2019-2020 will be our last chance to work the wrinkles out of the current collective agreement at LMC before we return to the bargaining table, at which point the LMC is suspended. It is imperative that the next Unit 1 LMC representative ensure that critical Unit 1 issues are addressed, especially summer funding and any problems that arise with its implementation. We will also have to vigilantly keep an eye on funding for international student members, since the York Board of Governors has voted in favour of two (2019-2020 and 2020-2021) 10% tuition increases for international students. The employer may try to circumvent our tuition offset language, as they did in 2013 and 2015.



## **POSTINGS OFFICERS**

### **David Ravensbergen & Alie Hermanutz**

The CUPE 3903 Postings Committee was initially comprised of David Ravensbergen and Tracy Supruniuk. Tracy stepped down from the committee in January 2019 to attend to other commitments. In his place, Alie Hermanutz (a Unit 1 member in good standing) stepped in as an interim committee member.

As a result of the strike and the terms of the Unit 2 Memorandum of Settlement, postings for Fall 2018 were deemed to fall outside of the process outlined in the Collective Agreement. Nevertheless, the committee continued to contest those postings containing provisions that violate our collective agreement. This report is divided into two sections. In the first section, ongoing postings issues that have carried over from the previous years, and new issues that have cropped up during the current period, are discussed. Section two outlines our recommendations for the coming year. For the sake of brevity, issues identified with particular postings have not been included. Questions, comments, or concerns regarding this report can be directed towards [dravensbe@gmail.com](mailto:dravensbe@gmail.com) and/or [ahermanu@yorku.ca](mailto:ahermanu@yorku.ca).

### **Section One: Ongoing Issues**

- Archived postings from 2015 onward are not available on the CUPE jobs page. This issue has been repeatedly raised with the Employer, including most recently at the LMC meeting in February 2019. Lack of access to archived postings from recent years seriously impedes the committee's work, particularly when it comes to evaluating new or revised postings. We also need to be able to access archived postings in order to track changes in the number of postings in each department per year.
- Multiple postings through the Faculty of Health, specifically the Psychology, Health Studies, and Nursing departments, have requirements that applicants obtain a WHMIS (Workplace Hazardous Materials Information Systems) Certificate (Level 1) within one month of hiring, and attend 'train the trainer' sessions, but do not specify that attendance at these programs will be paid work per Article 15.02.3.
- An issue arose regarding a ticketed course directorship that was assigned to a Unit 1 member without being posted to the CUPE job board. Upon looking into the issue, it seems that there is no clear framework governing which courses can be offered as Unit 1 tickets, and thus distributed outside of the normal postings process. This has been put forward as a 2020 bargaining issue.

### **Summer 2019 Postings Deadline Violations**

- Glendon's Communications department had multiple late summer postings.
- CSSP Fall/Winter 2019-2020 Deadline Violations
- French Studies
- International Studies (Glendon)
- Kinesiology



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- English as a Second Language
- Anthropology

We are pleased to report that CSSP deadline compliance has generally improved.

## **Section 2: Recommendations**

Since a functioning postings archive is integral to the committee's work, we recommend the Union make a concerted effort to pressure the employer into updating the archive on the job board website to include the postings from 2015 onward. Given that the employer hasn't responded to our repeated requests to update the archive in a timely manner, the Union may wish to consider organizing a political response through Stewards' Council or initiating a grievance. Some departments contain postings language that is highly detailed and specific. Given the complexity of postings found in departments such as Nursing, we recommend closer consultation between the committee and departmental stewards or other CUPE 3903 members familiar with the terminology and requirements. Building these connections will help to clarify the kind of violations the committee should be looking out for.

In general, the committee's work can be improved through closer cooperation with the Grievance Committee. We would also like to encourage individual members who have encountered issues with postings to reach out to the committee.

Finally, when the new collective agreement is made available, the committee suggests that a workshop be organized to cover changes that the membership should be aware of, including any changes to regulations governing postings.





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## **PROFESSIONAL DEVELOPMENT FUND**

***Members of the Committee: Caroline Disler, Joanna Pearce, Maija Duncan (Coordinator)***

There have been two adjudication periods since our election in September: Summer (September 10th deadline) and Fall (January 10th deadline).

### **September 10th deadline**

Number of applications: 151

Applications approved: 128

Applications rejected: 10

Applications deferred to next round: 13

Total disbursed: \$34,016

There were an unusually high number of applications for a summer round (possibly higher membership participation due to the strike resulted in more members knowing of the fund), so each member received lower than typical amounts. As summer is typically the round with the fewest applications, fewer funds were left over.

### **January 10th deadline**

Number of applications: 116

Applications approved: 96

Applications rejected: 11

Applications deferred to next round: 9

Total disbursed: \$41,632

### **Suggestions from PDF committee members**

The PDF adjudication process would be greatly expedited by:

1. Accepting online applications only. PDF Committee Members would personally help fill out application forms for any members with accessibility issues, as part of PDF Committee duties.
2. Simplifying the online application forms in order to make required documentation, deadlines and other conditions much clearer.
3. Deferring incomplete applications to the next adjudication round, thus not forcing members, who completed forms correctly, to wait for reimbursement. Warnings about this deferral should be clearly posted on the online application form.

### **PDF Coordinator's Report: Maija Duncan**

As Coordinator, I participated in adjudicating the two above rounds. I also checked the email weekly and answered member questions. During adjudication rounds, I emailed members who were missing information, and emailed members about the results of the adjudication. If you are submitting a PDF application, please make sure that all your supporting documentation is included. Needing to email dozens of members and await their reply slows down the adjudication process for everyone. Proof of presentation for Type A applications (presentation at a conference) is the most typical omission. I also met with the Teaching Commons Coordinator to discuss a Tuition Cost Fund application that had been misplaced. The other TCF applications had been adjudicated by the previous coordinator shortly following the August 31st deadline.



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## **RESEARCH COSTS FUND COMMITTEE**

### ***CUPE 3903 representatives: Amber Merucci and Soma Tripathi***

The Research Cost Fund adjudication committee was not contacted by a rep from the Dean of Graduate Studies nor was there contact made by a faculty member or internal CUPE committee member. Thus, there was no meeting during the academic year of 2018-2019.

The committee did not review any applications.

Representatives received one request for support applying for funding. The representatives spent several weeks emailing and contacting different departments and were eventually able to provide the student with the requested information.

A spreadsheet has not been provided as there is no information for the committee members to submit.



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## **SENATE REPRESENTATIVE: Devin Clancy**

Since the end of the strike, the university administration has continued to control the university Senate. During the strike, a majority of programs and student groups passed motions of non-confidence in Rhonda Lenton's administration and Rick Waugh's Board of Governors, but calls for their resignations have been ignored.

Notably, during the strike, the Senate expressed its view that it has jurisdiction over the suspension of classes during a labour disruption. Despite this motion, the Senate executive has deferred to the Board of Governors and supported their position that it is the BoG that makes the decision to suspend classes. This new interpretation of the York Act vastly disempowers the Senate in general, and empowers the Senate executive and the BoG. In response to this the Senate executive has moved to strike a joint-Senate-BoG working group to come to a mutually agreeable position regarding jurisdiction. This sets a dangerous precedent and will likely enable the Senate executive and the BoG to impose its view while claiming the view has been reached via consultation, thus depoliticizing the usurpation of powers.

The senate was also a key sight of struggle regarding the imposition of Doug Ford's Free Speech policy. Various student groups protested the free speech policy at the consultation meetings and concerns were raised in the senate. However, because university funding is tied to the development of this policy, the senate had no choice but to pass the policy. Again, the Senate executive did not stand up for student rights and instead used a veneer of "consultation" to downplay their role in reproducing the political censorship of students across Ontario.

The senate executive has refused to acknowledge its role in pursuing reprisals against 8 students (5 of whom are CUPE 3903 members). Unfortunately, the horrible deal that Maria Wallis and Sharon Davidson signed in direct violation of our union's bylaws exposed our members to reprisals while also stopping us from pursuing sanctions against scabs. This has enabled VP Finance Carol McAulay to call for the suspension of union members on behalf of the BoG.

The Senate is an important place of political resistance. However, it is currently held by the Senate executive and many other anti-union or centrist community members. Building a community of resistance in this body is important if we are to challenge the top-down austerity agenda of the administration.



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## **TEACHING DEVELOPMENT FUND COMMITTEE**

The CUPE 3903 Teaching Development Fund members, Elena Chou and Keith O'Regan, and the Teaching Commons Director, Genevieve Maheux-Pelletier, met on Wednesday February 13<sup>th</sup> to adjudicate the Major and Minor Award applications. The committee was unanimous in its decision to grant a Major and Minor Award to the qualifying applicants, who have been subsequently notified via Charles Bisram and Rob Lawson. Two major grants were given out, and four minor. Essentially, every applicant who was eligible received funds. More than a minimum of 1/3 of all granted applicants in both categories were members who self-identify as members of a designated equity seeking group, so the threshold requirements for Article 15.18 were met.

There was some discussion regarding providing French Translation for the application forms. While this idea was not officially pursued, the Teaching Commons was helpful in that they were willing to discuss the form and provide French language assistance where possible to applicants, dependent on their ability to provide that service. At present the ability is there.



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## **TORONTO AND YORK REGION LABOUR COUNCIL REPRESENTATIVES**

▪

### **Murray Cooke:**

I was elected as a delegate to the Labour Council on September 20, 2018. I attended the Labour Council meetings on November 1, December 4, January 3 and March 7. I sent regrets for the meetings on October 4 (my partner's birthday) and February 7 (family responsibilities). Being a member of our 3903 Communications Committee, I often shared information from Labour Council on 3903 social media (especially Twitter). The Labour Council is an important space for connecting with the labour movement in Toronto. The meetings themselves are largely orchestrated from the front of the room and generally aren't a forum for debate. Still, they are useful for finding out information from council and other union locals. There are also opportunities for making contacts with delegates from other locals around bargaining and political activism. It would be useful for our local to 1) fill our delegate spots with members that are willing and able to attend labour council meetings and 2) collectively discuss and plan our approach to participating at labour council. CUPE 3903 Labour Council delegate Brian Mossop deserves thanks and recognition for 1) sending out reminders of the meetings to our group of delegates, 2) regularly attending the meetings, and 3) submitting report-backs to our Communications Officer.



## **2018 BARGAINING TEAMS POST-MORTEM**

- **UNITS 1, 2 AND 3**

*By Mariful Alam, Murray Cooke, Erin Grosjean, Justin Panos, Tai Vo, Stefania Mendolia, Sabina Mirza, Chelsea Bauer*

### **Summary**

We began this round of bargaining following a relatively successful strike in 2015. However, very little “bargaining” took place. The employer hired a notorious anti-union lawyer, Simon Mortimer, from the law firm Hicks-Morley who barely negotiated throughout six months of discussions. The employer’s refusal to bargain enabled the bargaining team, executive, stewards, the 8th line, and active members of the local to effectively mobilize the membership prior to the strike through to the failed forced ratification vote in April 2018. Due to the prolonged length of the strike and the refusal of the employer to engage in meaningful bargaining, mobilization of members and eventually solidarity within the bargaining team itself began to deteriorate as the strike dragged on. After an unsuccessful attempt to pass back-to-work legislation in May by the Liberal government, Unit 2 ratified an offer in June. Units 1 and 3 were officially legislated back to work on July 16, 2018 by the newly elected Conservative government, with the strike coming to an end on July 25, after the legislation received Royal Assent. Arbitration took place from August through November 2018, with Arbitrator Jim Hayes’s final decision being delivered on December 3, 2018. We are still awaiting final Collective Agreement language.

### **What Worked?**

#### **Bargaining Team Internal Dynamics**

- Solidarity between all units - “no daylight” between units was an excellent strategy that allowed the team to remain strong well into the strike.
- From the very beginning, the BT emphasized the need for collective coordination, honest and open communication, and respect for each other. This proved to be highly successful until the first attempt at back-to-work legislation, as seven out of nine bargaining team members were usually on the same page. Even if there were major disagreements amongst the seven members, honest communication and respect between BT members made difficult decisions a lot easier to make.
- Participating in equity training at the start of BT organizing, such as Anti-Oppression training and Conflict Management and Resolution training, facilitated by staff of the local and external community organizers assisted with BT internal dynamics by solidifying collective understanding of systemic oppression. This ensured BT members were on the same page with each other, and the ethos of the local.



## **Bargaining Team Relations to other Bodies of the Union**

- The BT was also mostly on the same page with the executive which made for effective mobilizing prior to the strike. Membership engagement via departmental talks, phone-trees, surveys, petitions, and town halls were excellent methods that helped mobilize a strong strike mandate vote. Town Halls during the strike also provided opportunities to touch base with members and re-engage members who may not have been as actively engaged in the strike (for example a Unit 1 town hall held in Engineering). The phone-in town hall organized with CUPE National was particularly highly successful albeit very expensive.
- The emphasis on solidarity by both the BT and exec played an important role in mobilizing. Many Unit 1s, for example, were on strike not only for their own issues, but for Unit 2 job security and Unit 3 issues.
- A vocal and engaged contingent of members, including 8th line members, were very active on social media, especially Twitter, helping to communicate the issues at stake in the strike, as well as wider issues experienced by members during the strike. The use of social media was crucial to helping mobilize and maintain member solidarity throughout the strike. It was also a huge concern for the employer and its counsel, which may or may not have been to our benefit. Open communication between the BT and members was helpful in terms of member engagement and education.
- The strike itself was very effectively organized and maintained. It was highly disruptive. Most members withdrew their labour. Picket lines were initially strong and remained strong for most of the strike. Overall, picket line organization and strike administration was probably the best it has ever been in CUPE 3903.

## **At the Bargaining Table**

- Despite many attempts by the employer to divide and negotiate the units separately, the BT's emphasis on solidarity between all three units made it difficult for the employer to break us apart until well into the strike. The employer repeatedly made known their frustration with the local for not succumbing to their 'divide and conquer' strategy.
- Open bargaining proved effective due to the employer's counsel's lack of familiarity and comfort with the process. This made it very difficult for them to force concessions on us or try to use one unit as leverage to get another unit to settle.

## **What didn't Work?**

### **BT's Internal issues:**

- Two members of the BT undermined months of inter-unit solidarity and trust built up between both members of the BT and between the BT and membership by surreptitiously signing off on one of the employer's offers. This offer became the baseline to which all units were held in the final decision of Arbitrator Jim Hayes.
- Members of the BT went into meetings with the wider membership thinking we were all on the same page about particular issues when in reality we weren't. This showed to the



membership and caused internal divisions, both within the BT and the larger membership, to widen. Open communication around expectations and support of strategic decisions could have been better.

- Due to the strenuous nature of a prolonged strike, most BT communications happened in open BT meetings as the tradition goes for 3903. This made for one kind of communication, in a particular meeting style, to dominate communications on decision-making. Written communication via email or smaller meetings could encourage more dialogue among the BT in order to encourage consensus and minimize internal divisions.

#### **BT's relations to other bodies of the union:**

- More communication between the Exec and BT was needed throughout the strike, but 143 days on strike meant we were all burnt out!
- It is fundamentally important there is a clear division of labour and responsibilities among different bodies and members within the local. Members of the Executive, the Bargaining Team and other committees should focus on their core responsibilities and clearly delegate additional tasks to other specific members of the union.
- The BT carried too much weight in terms of leadership of the union. The Executive Committee's position on issues such as our "Framework for Settlement" and the use of strategic arbitration were never adequately conveyed to the membership. There seemed to be an ongoing issue that Executive Committee members would partake in strategic discussions at joint BT/Executive meetings but fail to communicate their positions in regards to these issues to the membership. The Executive Committee often times would wait to see how the membership would react to a particular idea before taking a stance on it publicly.

#### **At the table:**

- We did not adequately anticipate a hardline 'no-bargain' strategy by the employer. The employer called for arbitration from day 1 and largely refused to negotiate or take concessions off the table. They were not interested in moving on proposals, even symbolically.
- We did not expect that 'bargaining' would be solely carried out by the employer's counsel who did not have a strong understanding of many of the issues on the table. This led to many issues with basic communication on proposals that may have been easily avoided if communicating with the employer's own representatives of the bargaining team.
- We underestimated the administration's willingness to both prolong the strike and to throw away the Summer term. We did not anticipate that the York administration would take a scorched-earth approach rather than seek a reasonable compromise. The Summer term could have been saved through a willingness to compromise on both sides, but York insisted on prolonging the strike in order to continue to push concessions, such as the reduction in Unit 2 Conversions.
- We had too many proposals heading into bargaining, including highly ambitious (e.g.: automatic Conversions for Unit 2, significant changes to qualifications language, a workload





guarantee within the CSSP, 700 jobs for Unit 3, etc.) and unclear proposals (e.g.: Racial Discrimination Fund). This made it easier for the employer to depict us as “unreasonable.”

- Where possible and when necessary, we should focus on incremental gains and improvements to existing language rather than entirely new programs or clauses. Certainly, as our history shows, it is important to be bold and to seek breakthrough language in priority areas. However, it is also important to recognize and appreciate incremental improvements.
- We should have narrowed the focus of our proposals earlier. From the beginning, the membership and the BT should have identified clearer priorities, especially for Unit 2. Even after the “red line” meeting, the BT should have narrowed down our proposal package, but the Unit 2 members of the Bargaining Team were divided on that.
- During bargaining and especially when on strike, when the Bargaining Team wished to narrow down our package of proposals, that needs to be clearly presented, explained and defended to the membership to avoid confusion, mistrust, and a backlash. On May 3rd, the Bargaining Team brought a proposal for a “Framework for Settlement” to the membership at a SGMM. Unfortunately, due to a combination of factors, that meeting was highly contentious and adjourned without voting on the Framework. That was a serious missed opportunity. And the divisive and inconclusive meeting magnified tensions within the local. As a BT, we should have done a better job at that meeting and we should have ensured that the Executive was onside.
- It remains an issue that low seniority Unit 2 members do not get enough attention in bargaining. It remains fundamentally important to address the issues of higher seniority Unit 2 members, but we largely failed to develop proposals that would significantly and directly impact low seniority Unit 2 members.
- We should have more seriously considered the strategic use of arbitration on proposals such as wages, benefits, and ‘status quo’ items earlier on in order to maximize the time and attention that could be spent on more complex issues that required bargaining at the table. This may be one way to combat our issue of having ‘too many’ proposals on the table due, in part, to the complex nature of our multi-unit collective agreement.
- The employer’s main mode of communication with the local and its members was through their own website and emails to members. The employer complains about our open bargaining, but has no qualms about trying to reach around our bargaining team to communicate directly with our membership and “bargaining in public” through their own misleading public relations statements. Our local is at a disadvantage in communication with our members in that we rely on the employer to share members’ email addresses with us, but they provide incomplete lists. This meant that some members were only hearing from the employer. Our local needs to ensure that the employer actually provides complete and up-to-date contact information for our members, but we also need to do a better job of collecting and compiling contact information for our members and communicating regularly and clearly with our membership. In general, we need to find a way to provide a stronger communications strategy, for our members, the university community, the media, and the wider public.



### **Broader issues of the local:**

- Engaged members of the local were aware that the university admin would attempt to hold classes in the event of a strike. The university has attempted to do so during past strikes, such as 2000-01. Now, with the subway on campus, it was clear that the university would attempt to hold classes during this 2018 strike. Despite the subway and the university's attempt to hold classes, the strike was highly disruptive, but York's strategy raised a number of issues. Some members were surprised and somewhat disheartened by York's actions. More fundamentally, there was insufficient planning around scabs or strike-breakers which becomes an issue when York attempts to run classes. There needs to be clear planning and the development of policy on the part of the union leadership toward scabbing. How to strike effectively with direct subway access to campus, circumventing picket lines, also needs consideration.
- A small but very vocal part of the membership did not feel adequately represented. This was mostly disagreement on the role of how bargaining should be conducted and the level of autonomy each unit has.
- We do not have a simple or streamlined way of gauging ongoing support for the BT and proposals on the table nor for 'checking in' with many members who were not able to attend meetings in person. This was repeatedly brought up by members throughout the strike.
- Many members felt that meetings fostered an uncompromising tone, rendering them voiceless out of fear of antagonism and shaming. The use of terms like "good" and "bad" in referring to members of various units resulted in creating a polarized and toxic environment where discussion of moderate positions or compromise were discouraged. While some members may have generally supported the BT and proposals on the table, they felt silenced by a very vocal contingent of members on both sides of the political spectrum.

### **Recommendations for future BTs:**

#### **Fight Against Closed Bargaining:**

- The employer has made it clear that they will challenge our open bargaining structure. After all, they have never liked it. This is not a new development. We need to continue fighting to ensure opening bargaining continues. This is essential to member engagement in the local during bargaining, as well as to creating pressure on the employer at the bargaining table. Having members at the table and actively engaged in the negotiation process is central to maintaining the best collective agreement in the sector.
- The union needs to prepare to fight against the employer's push to dismantle this practice and will have to think of creative ways to actively keep members involved in bargaining, should the employer be successful in forcing a closed bargaining round.



### **Avoid Divide & Conquer: Solidarity & Coordinated Bargaining:**

- Maintaining collegial and supportive relationships between units between rounds will be central to the election of a strong, mutually supportive BT. All attempts to bargain the units separately should be avoided, as coordinated bargaining is key to winning a strong contract.

### **Early Mobilization & Strike Mandate Vote:**

- More members need to seriously engage earlier in the process. Likewise, union activists need to engage the wider membership earlier in the process and on an ongoing basis. Despite (or because of) the recent experience of the 2015 strike, member engagement in the local in 2016-17 was at a low level. The process of directly preparing for bargaining started in February 2017 with the election of our bargaining team. However, much of the work was being done by a small group of people. It is crucial that more members are involved earlier in the process of preparing for and mobilizing for bargaining.
- Surveys, departmental talks, town halls, should all begin well in advance of bargaining.
- Many members did not understand some of the complex issues at stake in the strike even months in (i.e.: Fellowship Model, scholarship clawbacks, Sexual Assault Survivor Fund, etc.). Fact sheets, glossaries, and social media messaging toolkits should be created and circulated to all members prior to (and updated during) a strike. This could help mobilize members and give them a more solid grounding in the issues.
- The timing of a strike is crucial to putting adequate pressure on the employer to bargain, as well as to mobilizing and maintaining the engagement of members. An earlier strike may have helped us this round. It certainly would have given us greater leverage. Previous strikes in 2001 and 2007 began during the Fall term. The 2015 strike began in the Winter term and was relatively successful, but that was in the specific and unusual context of the Pan Am and Parapan Am games being held at York in the summer of 2015. The 2015 strike timeline should not have been taken as a model for this round of bargaining. Going on strike so late in the year made it easier for York to (academic integrity be damned) provide students with assessed final grades based on work done before the strike. If we had gone on strike in the Fall term, there would not have been assessed grades for any Fall-Winter courses. The Fall and Winter terms are much more important than the Summer term. The York administration ultimately sacrificed the Summer term; it would have been much more difficult for them to cancel the Winter Term.

### **Continued Mobilization and Member Engagement:**

- Social media is key to building and maintaining internal and public solidarity. The local needs to work on its branding and messaging long before a strike in order that communications with members, media, and the public are unified, clear, and easily understandable.
- Mid-strike surveys should be considered as a means to “check in” with the wider membership. Membership should be consulted on an ongoing basis, including outside of regular meetings, in order to ensure that the BT can represent the interests of members at the



table. There may be multiple, shifting perspectives on and support for red lines and proposals as a strike evolves and this cannot be adequately gauged by the ~50-100 members who regularly attend meetings.

- We need to do a better job of communicating with and speaking with members. During the Forced Ratification Vote, there was a huge effort to phone and otherwise directly contact members. That was a very impressive and successful effort. There should be more on-going outreach and communication with individual members during bargaining and especially during a strike, but also when we aren't in bargaining.
- Another phone-in town hall organized with CUPE National is highly recommended.
- Since it is clear the employer will continue to try to run business as usual during CUPE 3903 strikes in the future, we recommend more carefully planned but creative actions.

### **Continue to Ensure Proper Documentation:**

- Institutional memory is important to ensure mistakes are avoided.
- All meeting minutes should be easily accessible through a shared folder or drive (e.g. Google Drive; Drop box) so that members of the bargaining and executive team can locate them when needed and members of the union can access them. Such values align with the transparency and openness that CUPE 3903 is built on. Minutes should only be revised and edited through formal and official motions passed during officially convened meetings and all minutes need to be officially approved by bargaining team members before they are released to all members of the union for use and for the purposes of public distribution. While minutes do not need to be a verbatim account of what individuals say, it is important to capture the essence and spirit of the issues, concerns and points made by members in attendance. It is the responsibility of the recording secretary to take minutes in such a way that discussions are presented neutrally, giving appropriate emphasis to arguments on all sides of the discussion. It is best to capture as much detail as possible in order to get a complete picture of what happened at the meeting.

### **Preparing to win! Steps Needed to Win A Great Contract**

Justin Panos

#### **Core concepts for negotiations for WINNING a great contract**

- Train our minds to what it takes to win –WINNING
- Contract negotiations are fundamental—its the time most rank and file is most engaged
- Short contract and negotiating fairly often will keep members engaged
- Whatever gets workers most involved is good
- More people who learn to fight and win is good
- Negotiations are most important—because the process involves a ton of people
- Large, participatory negotiations works if we CHOOSE to—choosing to bring people to participate



### **Framework of winning a good contract:**

1. Power—how to build it and measure it
2. Building demonstrable majorities
3. Large negotiations

*We don't win in the room and at the table—our power is the unity and structure of the members away from the table*

### **What matters away from table**

- Culture of clever people/clever negotiators is a fallacy
- When the boss knows we have a majority in motion
- When the boss sees our power: demonstrable majorities

### **Charting your workplace to garner high-participation:**

Identify number 1's who are “organic leaders” of number 3s. Organic leaders have respect and trust of co-workers and can get them to get involved:

1. Organic leader can get people can do things, have respect of colleagues
2. Activists- pro-union: they are already on board and we don't need to focus energy on organizing them
3. Vast Undecideds- spend most of our time/efforts/energy here, convincing wishy-washy or undecideds to support the campaign.
4. Anti-Union—10% people are anti union

### **Assigning**

- Philosophy of open negotiations brings in undecided.
- Organic leaders perform Structure Tests. These are tests that show us our demonstrable majority. Signing a petition is a structure test. It shows us people who will publicly commit to a petition. The goal is to get to 50%. Then structure test 2 is getting to 55%. Structure test 3 is 60% and so on....
- Structure Tests: are we reaching a demonstrable majority? How can we know unless individual people put their name or face on a union campaign (sticker ups, button ups, endless petitions)
- Hand Signed Petitions: Negotiators need a plan for when the boss says no: this means anticipating it and having a majority petition in hand. (If you anticipate the employer will say no—then have a demonstrable majority petition of the members where 50%+ say we support this issue and deliver it to the employer before the session
- Petition ideas: “I stand with the committee” or “want to win a,b,c,d petitions”
- Breakdown the workers into as many discernable chunks in order to organize them... How quickly can they get petitions?



- **UNIT 4 (DIFFERENT BARGAINING CYCLE)**

Unit 4's Collective Agreement expired at the end of August 2018. The negotiations for Unit 4's first ever Collective Agreement had taken over a year and half (2015-16) as the membership found it important to establish baselines and precedents that would shape all future Unit 4 Collective Agreements. While much of the language of the Collective Agreement was borrowed from other units, particularly Unit 2, many sections had to be added or amended to cover the unique aspects of the work performed by York's part-time librarians and archivists.

Unit 4, part-time archivists and librarians, established their first ever Collective Agreement in 2016. The negotiations had taken over a year and half to complete over 2015-16, as the membership found it important to establish baselines and precedents that would shape future Unit 4 Collective Agreements. While much of the language of the CA was borrowed from other units, particularly Unit 2, many sections had to be added or amended to cover the unique aspects of the work performed by York's part-time librarians and archivists. Unit 4's Collective Agreement expired at the end of August 2018.

During initial negotiations, the bargaining team proposed that the expiry of Unit 4's Collective Agreement line up with other units. This would have allowed Unit 4 to join the other units in united bargaining for their next Collective Agreement. However, the employer rejected the unit's proposal, refused to line up Unit 4 with the other units and ultimately this proposal was withdrawn. It was felt, at the time, that an alignment of the CA's expiration dates could be sought in subsequent CA bargaining.

The withdrawal of this proposal in the first CA negotiations meant that Unit 4 was not part of the long and bitter negotiations and strike that affected units 1, 2 & 3 in the spring and summer of 2018. Unit 4 began developing their proposals as units 1, 2 & 3 were being legislated back to work. When the Unit 4 bargaining team sat down with the employer on November 17, 2018, the other units were still waiting for the outcome of the mandatory arbitration. The ongoing labour dispute shaped and informed the bargaining of Unit 4's second Collective Agreement – this is probably the main factor contributing to the speed at which an agreement was reached.

The ongoing labour dispute between the employer and Units 1-3 shaped and informed the bargaining of Unit 4's second Collective Agreement and was surely a factor in the speediness with which an agreement was reached with Unit 4. Bargaining took place on November 17th from approximately 10:00 am until 5:00 pm.

### **Bargaining Team**

#### **What worked:**

- The Bargaining Team of 2 members (in two iterations) worked well together and they were well supported by the brand new Unit 4 Chief Steward and the CUPE exec and staff.



### **What didn't work:**

- There was no recording secretary. A member had expressed interest but the bargaining had finished by the time she could take up the role.
- One of the original bargaining team members had to leave the team upon getting a CLA position. The nomination process for a replacement was only over a few days before the BT was due to meet the employer. Fortunately, the new second member was acclaimed or the election process would have taken place after the bargaining was over.

### **The Proposals**

#### **What worked:**

- The bargaining team was clear on their objectives. There were only two substantial proposals that formed the basis of the original set of proposals: Pay and the extension of benefits in line with the other units. It was understood by the BT that in this round of bargaining that these two proposals were the priorities.
- Staff Representative sent the bargaining team's proposals to the employer in advance so they were prepared on the day of bargaining to make a decision.
- Other proposals included details that brought the CA in line with the new Employment Act, or were issues raised during a canvas of the membership, including hours, vacation time, receipt of applications, and language (e.g. changing "Transsexual Transition Leave" to "Transgender Transition Leave" in the CA). Even with these inclusions, there were only 10 proposals on the Unit's side and none from the employer. This made for speedier negotiations.
- The small number of proposals is at least partially a result of Unit 4 piggybacking on the Units 1, 2 & 3 negotiations. For example, both the employer and the union know that whatever health benefits negotiated by the other units will be given to Unit 4 due to its small size—anything else would be cumbersome and expensive. Unit 4's small size also explains why the employer so quickly acceded to the extension of benefits past the end of contracts. It was too cumbersome and expensive to stop and restart health benefits for a handful of returning Unit 4 employees.

#### **What didn't work:**

- The lack of appetite for a drawn out negotiation both on the employer's side and the union's, The desire to come to a speedy resolution meant that a number of the less substantive proposals could not be negotiated into this CA. However, these have been logged and will be brought forward in the LMC and future rounds of collective bargaining.



## **At The Table**

### **What worked:**

- Submitting our proposals to the employer ahead of time meant that the employer came ready to agree to the two major proposals outlined by Unit 4. When the day of bargaining turned to the two most substantive issues there was no quibbling or hardball – while the pay offered by the employer was less than what was proposed by U4, it was in line with the pay schedule accepted by YUFA and was marginally better than the expected pay increases for units 1, 2 & 3.
- The Employer treated the other proposals with respect even if they expressed the wish to deal with these issues in other ways, such as via the Labour Management Committee.
- The presence of members of the Executive was integral to the success – providing substantial advice and mentoring to the BT.

### **What didn't work:**

- A thought – was the employer's relatively respectful approach, fair numbers and easy acquiescence a strategic move to create division between Unit 4 and the other units?

## **Ratification Vote**

### **What worked:**

- After the BT voted to take the proposed agreement to the membership for ratification , there was an effort by the BT and the Chief Steward to ensure that Unit 4 membership and mailing lists were up to date. The small number of Unit 4 members, meant that before the ratification vote the BT had contacted all members to ask if they wished to be on the Unit 4 listserv. The BT and CSU4 were confident that everyone had access to the agreement and knew where and when to vote. These personalised efforts and the small number of members probably accounts for the relatively high ratification voter turnout – 56%.
- The CA was ratified with 89% acceptance.

### **What didn't work:**

- Only one member other than the BT and CSU4 came to the ratification meeting. With part-time work spread across branches and days, it was difficult to schedule a time that worked for a majority of members.
- While the Unit's size was beneficial when it came to getting out the vote, it was a significant problem when actually holding the vote. Opening a poll in Glendon for 5 days for 2 members is expensive and cumbersome. It is just one example where the CUPE 3903 bylaws developed with larger units in mind. The bylaws need to be reviewed and





Representing Contract Faculty, Teaching Assistants, Graduate Assistants,  
and Part-Time Librarians and Archivists @York University, Toronto

Canadian Union of Public Employees/Syndicat canadien de la fonction publique local/section locale 3903

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amended in places where they do not make sense for a Unit of less than 20 members. A proxy or online voting option would likely increase voter turnout and decrease demand for a physical polling station -- saving both time and funds.