

AGENDA

ANNUAL GENERAL MEETING
THURSDAY 16 June 2022, 1:00 P.M.

We are grateful to live and work on the traditional, ancestral, and unceded lands of the xʷməθkʷəy̓əm (Musqueam), Sełílwətaʔ/Selilwitulh (Tsleil-Watuth), Stó:lō, and Skwxwú7mesh (Squamish) Nations of the Coast Salish peoples, and in the Okanagan the unceded territory of the Syilx (Okanagan) Peoples.

- 1) **Approval of agenda;** *Motion: That the Agenda be approved*
- 2) **Adoption of the Minutes** from the 2021 Fall General Meeting;
Motion: That the Minutes of the Fall General Meeting of Oct 28, 2021 be adopted
- 3) **Presentation of the Annual Report** (Alan Richardson, President), including the Treasurer's Report & Review of 2021 Financial Statements and 2022 Budget (Doris Doudet, Treasurer)
- 4) **Proposed amendments to the Constitution & Bylaws**

[Summary and background to the proposed amendments to the Bylaws & red-lined copy of the Constitution and Bylaws](#)

The Executive Committee is providing notice of motion to the membership of the special resolution to adopt the amended bylaws. The motion set out below, that the membership ratify the Constitution and Bylaws as presented, will be voted on by electronic ballot following discussion at the Annual General Meeting. The Faculty Association will send notice to the membership announcing the opening and closing of the voting period following the AGM.

IT IS RESOLVED AS A SPECIAL RESOLUTION that effective upon ratification by the membership the Association's existing Bylaws be rescinded and replaced with the attached new Bylaws, with the proviso that the amendment on Vice Chairs of the OFC shall not go into effect until July 1, 2023.

- 5) **Motion to UBC Faculty Association: Collection of data & Commentary from the Executive on the motion.**

Motion to UBC Faculty Association: Collection of data (Moved, C. Laffin; Seconded by the signatories)

Whereas data is necessary to ascertain the nature of issues faculty members seek assistance for
Whereas data is necessary to ascertain if particular groups of faculty are more likely to experience injustice in the workplace

Whereas it is possible to collect aggregate data that does not identify complainants

Be it resolved that the UBC Faculty Association (UBC FA) provide members with the following data on an annual basis:

1. Number of members who contacted the UBC FA;
2. Number of members assisted by the UBC FA;
3. Nature of concerns related to employment or performance (e.g., tenure, teaching, leave, salary, general advice on policies and the Collective Agreement; specific advice relating to a workplace conflict; specific advice relating to a potential violation of the Collective Agreement)
4. Nature of concerns related to equity (e.g., racism, ableism, academic freedom, inequitable distribution of work, specific advice relating to a potential violation of the Collective Agreement or human rights law, or other issues);
5. Outcomes of assistance provided (e.g., representation in a grievance; representation during a disciplinary meeting; representation during an investigation; representation in

- arbitration);
6. Yearly equity audit that includes a survey to all members who sought assistance and, review of the membership of the UBC FA executive and committees.
Details of how data will be collected to ensure Freedom of Information and Protection of Privacy Act (FOIPPA) standards are met will be conducted by a committee of faculty with relevant legal and other expertise.

Executive Commentary on the motion: Collection of data.

The Executive recognizes the desire of our members to have more information on the labour relations work that we do. Indeed, thanks to recommendations for more data transparency within the Executive, we have introduced a higher level of reporting out; this commitment can be seen in this year's MSGC Chair's Report in our annual report.

With respect to this motion as currently written, the Executive recommends that it be defeated. There are several difficulties with the motion but among the most important are these: much of the information pertaining to grievances and investigations is not merely confidential but privileged, so depending on what certain provisions in the motion actually mean, our legal counsel has advised us that the FA might well not legally be able to implement the motion as written. Similarly, while transparency is a virtue, increased transparency risks increased identifiability of members we are helping; our labour relations staff have advised us that this motion might dissuade some members, particularly those in precarious positions, from seeking advice or representation from their union. Additionally, the contemplated annual audit is only vaguely described and if used to assess the work of our labour relations staff would violate the terms of their Collective Agreement.

While recommending that the motion be defeated should it come to a vote as currently written, the Executive welcomes discussion of the motion to better understand the concerns expressed therein. Members of the Executive will be prepared to make a subsidiary motion referring the motion to committee to get the details of data collection and reporting right. The committee who examines this matter will be drawn from the incoming Executive and the signatories of the motion and will be given a set time to report back to the Executive and the membership.

6) Motion to UBC Faculty Association: External Review of UBC FA & Executive Commentary on the motion.

Motion to UBC Faculty Association: External Review of UBC FA Moved, C. Laffin; Seconded by the signatories)

Be it resolved that the UBC Faculty Association ("FA") undertake an external review every five years, commencing the first in 2022 and completing in 2023.

- A budget will be allocated, including for hiring assistants.
- Reviewers will consist of three faculty members from outside UBC who will:
 - be nominated and voted on by FA members at the AGM.
 - include faculty members with lived experience and a publication record in anti-racism; anti-ableism; gender and sexual diversity; proactive inclusion; equity, labour, and human rights law.
 - conduct in-depth interviews, focus groups, and a survey of FA members, ensuring fair representation of members from historically excluded groups.
- Reviewers will:
 - review processes for grievances and investigations and make recommendations.
 - review the FA's governance, communications, member engagement, and financial processes and make recommendations.
 - brief duly elected and acclaimed Executive Officers of the FA, providing the review's report, recommendations, and summary of survey results.

- A report in compliance with British Columbia's Personal Information Protection Act and UBC's privacy legislation will be provided to FA members within two weeks of the reviewers' submission.
- FA members will be provided with a scheduled plan for follow-up action and a progress report.

Executive Commentary on the motion: External Review of the UBCFA.

The Executive understands this motion to be an effort in the direction of increasing the effectiveness of the FA in providing its services to our members. This is a laudable goal that the Executive, of course, shares and spends considerable effort each year trying to achieve.

With respect to the motion as currently written, however, the Executive recommends that it be defeated. The contemplated external review structure is unprecedented among faculty associations across Canada and in the union sector more generally. Moreover, there are good reasons why unions in particular are not suited to external reviews on this academic model: First and foremost, as a democratic organization, the Association is already subject to review in the form of biannual elections. It is this process which is key to keeping Unions accountable and effective. In addition to that, we have serious reservations about disclosing sensitive member information to external reviewers; indeed, if they were appointed by election (i.e. without the requirement to execute terms and conditions of appointment, including confidentiality agreements), but without the fiduciary responsibilities which fall upon members of the Executive, this would be impermissible. The motion seems to rest powers to create policy reports and recommendations with the review panel and assign to the Executive only the power to implement the recommendations, which is contrary to both the bylaws and the BC Societies Act. Finally, the work of the FA is subject to continuous internal review—committee self-studies, bylaw reviews, consultations with our counterpart associations through CUFA BC and the CAUT, and, of course, the reviews of our labour relations work through Section 12 of the BC Labour Code and Section 14 of the BC Human Rights Code.

While recommending that the motion be defeated should the motion come to a vote as currently written, the Executive welcomes discussion of the motion. Members of the Executive will be prepared in the debate to make a subsidiary motion referring the motion to committee in order to better understand the intentions of the motion and to see whether and how to implement additional review functions. The committee will be drawn from the incoming Executive and the signatories of the motion and will be given a set time to report back to the Executive and the membership.

7) Adjournment.