

**UNIVERSITY OF LETHBRIDGE FACULTY ASSOCIATION**

**FALL GENERAL MEETING  
THURSDAY, DECEMBER 7, 2017  
NOON, PE275**

**FINAL AGENDA**

1. Adoption of Agenda
2. Approval of Minutes  
Annual General Meeting, April 10, 2017 [Encl. 1, p. 2-6]
3. President's Report
4. Items for Action:
  - a) Election of Nominating Committee [Encl. 2, p. 7]
5. Items for Information:
  - a) Bargaining Reports
  - b) Lockout/Strike Preparedness Fund Policy and Job Action Protocol [Encl. 3, p. 8-19]
  - c) Committee Reports
  - d) UAPP Report
  - e) CAUT Defence Fund Trustees
  - f) Working Group Reports
  - g) Interim Report – Ombuds Officer
6. New Business:
7. Adjournment

*Lunch and refreshments at noon*

**UNIVERSITY OF LETHBRIDGE FACULTY ASSOCIATION**

**ANNUAL GENERAL MEETING**

**MONDAY, APRIL 10, 2017**

**NOON, PE264**

1. Adoption of Agenda – J. Vokey/C. Carnaghan  
CARRIED
2. Approval of Minutes – Fall General Meeting, December 8, 2016 –  
J. Vokey/O. Awosoga  
CARRIED

3. Business Arising From Minutes:

None.

4. President's Report

Amelinckx reported on the activities of the Association since the last general meeting, including the government's introduction of Bill 7 An Act to Enhance Post-secondary Bargaining. Once the bill passes, there will be significant changes to our labour relations and bargaining realities.

a) Implications of Censure

Amelinckx provided an update on grievance/arbitration issues since the last general meeting. ULFA has worked closely with CAUT in an effort to resolve the outstanding grievance of a suspended member who was initially suspended without pay and now is suspended with pay. The Board continues to deny ULFA's grievance and attempts to resolve the dispute. A motion will be brought to CAUT Council in May to move forward with threat of censure against the University.

b) Confirmation of CAUT Arbitration Service & Financial Support re. Suspended Member

CAUT has approved ULFA's request for Arbitration Services in the ongoing suspension dispute and will now cover ULFA's legal costs. Though a court date has been set for August 8, 2017 to have an arbitrator appointed, there may be a novel and welcome opportunity to achieve this arbitrator appointment through the Ministry of Labour following changes introduced by Bill 7. ULFA will continue to work with its legal counsel to pursue its options in the changing legislative context.

5. Items for Action:

a) ULFA Financial Matters

Secretary/Treasurer K. Vos presented the following financial information.

1. Audit for Year End June 30, 2016

**MOTION:** Executive/J. Morris

That the accepts the Year End June 30, 2016 Audit Report.

electronically  
CARRIED

2. Appointing Auditor for 2016-17 Fiscal Year

The Membership selected Allen Accounting as the preferred auditor for this fiscal year by a show of hands.

b) **MOTION:** Executive/J. Byrne

That Allen Accounting be appointed as auditor for the 2016-17 fiscal year.

electronically  
CARRIED

3. Proposed 2017-18 ULFA Budget

**MOTION:** Executive/G. Hale

That the membership approves the 2017-2018 budget.

electronically  
CARRIED

There was discussion regarding the increased costs of assignment release borne out of last year's bargaining settlement and the reality of ULFA's structural deficit. This upcoming year is a bargaining year and permits additional course releases for Executive that are not normally available in non-bargaining years. There will be a need in future to address the growing deficit but there has been no initiative to increase the mil rate at this time.

b) Nominating Committee Report

K. Peacock, Chair of this year's Nominating Committee, presented the report (with updates since the final agenda package went out) and called three times for further nominations from the floor. No nominations were brought forward.

**MOTION:** K. Peacock/G. Hale

That nominations cease.

CARRIED

There will be no electronic ballot as all nominees were elected by acclamation. Peacock thanked all members of the committee for their efforts during the past few months.

c) Collective Bargaining Training Certificate Presentation

Handbooks Chair D. O'Donnell presented certificates of participation to those volunteers who participated in bargaining training. O'Donnell thanked those who contributed time and effort

d) Ad hoc Committee on Lockout/Strike Policy & Protocol

A. Fairweather solicited volunteers to assist in the creation of a policy and protocol that would govern ULFA's management during a lockout or strike. William Ramp, Paula Cardozo, Joy Morris, Glenda Bonifacio, Anthony Hall, and Lance Chong volunteered.

e) Bylaws Amendments

1. Opt-out Members

**MOTION:** Executive/J. Morris

That the membership accepts the amendment to Bylaw 5.3 regarding opt-out members.

electronically  
CARRIED

**MOTION TO AMEND:** A. Hall/G. Hale

That the Terms of Reference be amended to replace "their" with "his/her."

DEFEATED

2. GEDC Terms of Reference

**Motion:** Executive/H. Jiskoot

That the membership accepts the amendments to the Bylaws Terms of Reference for the Gender, Equity and Diversity Committee.

electronically  
CARRIED

With friendly amendment to correct the reference to “academic staff” in point 2 to be consistent with current definitions.

**MOTION TO AMEND:** J. Vokey/K. Peacock

That the Terms of Reference be amended to remove “[...] identify best practices[...]”

DEFEATED

6. Items for Information:

a) Ombuds Officer Report

S. Allen had no news to report. Allen reported that his term will end June 30, 2016 and he will not be seeking renewal. Allen was presented with a thank-you gift for his seven years of service.

b) Committee Reports

Handbooks Committee –Chair D. O’Donnell reported on activities of the committee and the preparations they have made for bargaining in 2017-18. A pre-bargaining survey will be circulated to the membership in the coming weeks that will assist in developing an opening position. O’Donnell discussed possible implications of Bill 7 on bargaining. O’Donnell thanked his committee members, the Executive, and ULFA staff.

Economic Benefits Committee – Chair P. Hayes reported on activities of the committee in preparing for bargaining next year. Hayes reported on general outcomes from the recent pre-bargaining survey. Hayes thanked his committee members, negotiating team, Executive, and ULFA staff.

Grievance – Chair D. Gill reported on informal grievances and resolutions since the FGM. There have been issues raised w.r.t. workplace safety and accessibility and interference with STP processes. There was the resolution of a grievance related to professional supplement caps for prorated contracts, although there may be emerging other issues facing reduced load members. Gill thanked the members of his committee and welcomed incoming Chair B. Brown.

Gender, Equity and Diversity Committee – K. Tran provided a report in absence of Chair N. Eva. The committee submitted recommendations to change the University's guideline on Best Practices for Hiring. The committee also organized a White Ribbon Campaign and a Talking About Teaching event in March. The committee is undertaking a review of the use of student teaching evaluations and domestic violence leave.

c) Working Group Reports – A. Cuellar presented an update on the Equity Working Group, a joint project with the Board. A draft report will be ready soon.

D. Kaminski and J. Morris presented on the Voluntary Retirement Incentive Working Group, a joint project with the Board. A draft report is underway.

d) Pension Report – D. Kaminski and G. Hale reported on the activities of the Sponsors and Trustees. The Trustees are monitoring the developments in CPP and changes to their funding model to see what consequences will bear out on the UAPP. The Sponsors group has had little activity due to ongoing issues of faculty association reps and their liability coverage.

e) Area & Department Representatives

No update was provided in J. Doan's absence.

f) ULFA 50<sup>th</sup> Anniversary Presidents Panel & Picnic

Amelinckx informed the Membership of ULFA's event in celebration of its 50<sup>th</sup> anniversary taking place on September 5. Former ULFA Presidents will be invited to a panel to discuss historical developments of ULFA.

7. New Business:

None.

8. Adjournment

The meeting adjourned at 2:35pm

**Enclosure 3 – Fall General Meeting, December 7, 2017**

**2017-2018 ULFA NOMINATING COMMITTEE MEMBERS**

1. Kent Peacock, Past Chair, Nominating Committee, ex officio
2. Andrea Amelinckx, ULFA President
3. Jon Doan, Executive Appointee

**5 Elected Statutory Members:**

1. Paula Cardozo
- 2.
- 3.
- 4.
- 5.

## POLICY

### Lockout/Strike Preparedness Fund

A local Fund is hereby established for the purpose of participating in a lockout/strike and associated costs for health benefits and supplementary costs incurred during periods of labour disruption affecting Members.

The Fund shall be used to pay the health care premiums for Members on behalf of the Board of Governors, as well as to pay for supplementary costs of office relocation, staff overtime during periods of labour dispute, rental of additional equipment and services, purchase of job action related supplies, and other relevant expenses.

This Fund is intended to work in relation with the CAUT Defence Fund of which ULFA is already a member.

The target value of the Fund is based on the following principles:

1. Job action pay will cover the first three (3) days of the strike or lockout at the rate of up to \$160 per Member per calendar day;
2. Daily job action pay will supplement the CAUT Defence Fund pay up to a total of \$160 per Member per calendar day.
3. The Fund will be able to support a job action of up to 30 days.
4. The Fund will cover the Board's costs for health care premiums for Members up to \$100,000.
5. An additional \$50,000 will be included for supplementary costs associated with a job action.

In the beginning of each bargaining year, this Fund policy shall be reviewed by the Finance Committee, who shall make recommendations to the Executive regarding this Fund.

There may be a reduction in provisions for job action pay in the event of a lockout/strike prior to the Fund achieving its target value.

The Finance Committee shall report annually to the Membership the financial standing of this Fund.

Approved in principle by the membership: April 22, 2016  
Thereafter approved by Executive: October 26, 2017



## ULFA JOB ACTION POLICY

### PREAMBLE

The authority to manage the collective bargaining process on behalf of its Members is delegated to the Executive Committee by ULFA Bylaws, in compliance with any applicable legislation. The authority to accept or reject a negotiated collective agreement or to authorize strike action, however, rests solely with the membership.

While it is never a goal for ULFA to engage in job action, it is nevertheless prudent to prepare for the event of a job action. The Board of Governors has control over whether or not a lockout takes place and ULFA's membership has control over the decision to go on strike through a strike vote. This policy will focus on job action when it is initiated by ULFA in the form of a strike and will often refer to strikes throughout, though many of these principles and procedures will apply during the event of any type of job action.

All Members will participate in job action other than those who meet the requirements for exceptional cases as identified herein. All Members are required to withhold their labour, including their presence, from the University of Lethbridge campuses in Lethbridge and Calgary throughout the duration of the job action.

ULFA is a member of the CAUT Defence Fund, which provides limited pay to Members during job action starting on the fourth day of the job action. The CAUT Defence Fund also provides a loan to ULFA to cover costs associated with job action. In addition to the CAUT Defence Fund, ULFA has a local Lockout/Strike Preparedness Fund that will be used to cover the Member's job action pay during the first three days of the job action as well as benefits pay (if ceased by the Board), as well as supplementary costs of office relocation, staff overtime during periods of labour dispute, rental of additional equipment and services, purchase of job action related supplies, and other relevant expenses. It is the ultimate intention of this local Fund to supplement the CAUT Defence Fund pay to Members to offset some of the loss of income.

In the beginning of each bargaining year, this policy shall be reviewed by Executive, who shall make recommendations to the Membership regarding this policy.

### A. Definitions

- A.1. **Job Action** shall mean any authorized temporary action undertaken by ULFA as a means to end a labour dispute. For the purpose of this policy, job action may include, but is not limited to, a lockout and a strike, and shall refer to both unless specifically stated otherwise.
- A.2. **Job Action Committee** shall mean the regulatory committee tasked with fulfilling the logistical duties associated with conducting job action. The committee members shall elect a Chair from within the committee.  
Committee Membership:
  - a. Representative of ULFA Executive (appointed from Executive)
  - b. Representative of the Handbooks Committee (appointed from the committee)

- c. Representative of the Economic Benefits Committee (appointed from the committee)
  - d. Representative of the Grievance Committee (appointed from the committee)
  - e. Representative of the Gender, Equity and Diversity Committee (appointed from the committee)
  - f. Representative from the general membership (appointed by Executive)
  - g. Representative from the Calgary Campus (appointed by Executive)
    - A Representative from the Calgary Campus shall only be appointed in the event that this constituency is not already filled in A.2.(a)-(f).
- A.3. **Job Action Headquarters** shall mean the temporary office in which ULFA establishes itself during the time of job action.
- A.4. **Strikebreaking Actions** shall mean any action that undermines the integrity of the job action. Strikebreaking actions may include, but are not limited to, crossing the picket line without obtaining prior approval or otherwise not participating in the job action.

#### B. Job Action Principles:

- B.1. All ULFA Members will withhold their teaching, service, and administrative labour and presence at the University of Lethbridge campuses in Lethbridge and Calgary for the duration of the job action.
- B.2. ULFA's initial stance will be pickets that do not impede traffic, including people and vehicles.
- B.3. ULFA will engage in job action on all University campuses and worksites.
- B.4. ULFA will be inclusive in its distribution of job action pay and all Members will be eligible as long as they observe the job action, participate in assigned duties, and do not cross picket lines.
- B.5. ULFA will ensure health benefits contributions will continue throughout the job action.
- B.6. ULFA will not prevent graduate students from continuing work, so long as it is not the work of ULFA Members.
- B.7. When asked by other unions, student, and employee groups how they can support our job action, ULFA will respond to this request by inviting groups to participate in events, such as pickets, rallies or organized events that are well-advertised and will be well-attended by ULFA Members and media.

#### C. During Job Action:

- C.1. All Members will receive up to \$160 per calendar day. Job action pay is non-taxable and will only be distributed to those who perform job action duties (such as picket duty or other equivalent work as assigned).
- C.2. Job action pay will be distributed by cheque every two weeks to those who are eligible.
- C.3. All Members will continue to receive health benefits.
- C.4. A Member must be available to work normally one shift each work day (Monday through Friday) as determined by the Job Action Committee. Special consideration will be made for scheduling on Calgary campus and for Sessional Lecturers which may include evening and/or Saturday shifts.

- C.5. A shift will be an amount of time determined by the Job Action Committee and may depend on the assigned duties. Shifts will normally not last more than four (4) hours per day, though exceptional circumstances may arise that require more time.
- C.6. A Member must sign-in either at the Job Action Headquarters or with the picket line captain in order to be counted for job action pay.
- C.7. A Member who is unable to meet a scheduled shift or task must inform the Job Action Headquarters in a timely manner and provide valid reasons for not meeting the obligation (see example request in Appendix A). The Job Action Committee will decide whether or not to provide pay to the Member for the missed time or require additional work in lieu.
- C.8. The Job Action Committee will be responsible for keeping attendance and documenting hours of work for pay.
- C.9. In the event of a dispute with respect to payment, the ULFA Executive will make the final decision whether to issue pay to the Member.
- C.10. ULFA will provide passes to approved Members for minimal support of time-sensitive or nature-sensitive research.

D. Members Considered to be Exceptions & Entitled to Continue to be Paid by the University:

- D.1. Members who are off campus due to study leave, sick leave, long-term disability, political leave, maternity/parental leave, compassionate leave, or other leaves approved by the University.
- D.2. Any Member serving in the capacity of an Inactive Member as identified in Articles 4.06 and 4.07.
- D.3. Other cases may be agreed to between ULFA and the Board of Governors as they arise (see Appendix A for sample request).

E. Members Considered to be part of Job Action and Eligible for Job Action Pay Include:

- E.1. Members who are on an authorized leave but who wish to be considered part of job action shall advise the University in writing of their intentions to participate in the job action. The Member will provide the Job Action Committee a copy of communication with the employer.
- E.2. Members who were approved for a leave (such as a study leave or other kind of leave) prior to the start of job action but whose leave were to start during job action will be eligible for job action pay up until the day the job action starts, after which the Member would normally be considered as an exception under C.1.
- E.3. All other cases will be referred to the Job Action Committee for a decision as they arise (see Appendix A for sample request).

F. Job Action Pay Disbursement

Job action pay will be paid every two weeks and will be paid by cheque. Members will need to pick up their cheque at the Job Action Headquarters. Alternate pay methods will be arranged for Members without access to either campus headquarters.

### G. Job Action Pay Entitlement

To receive job action pay, Member will be expected to contribute to the maintenance of the job action. For most, this will mean some time on the picket line. To qualify for pay during job action, all Members must withhold their teaching, service, and administrative labour from the University. Members must cease teaching, supervision, advising, library work, service, and administrative duties. Members must not hold classes off-campus or ask teaching assistants to take over duties that would otherwise be duties of the academic staff, as both of these actions are considered strikebreaking activities. There may be some exceptions in certain limited circumstances for which passes to cross the picket line need to be provided for time-sensitive or nature-sensitive research (see Appendix B), and ULFA will accommodate reasonable requests. Members shall participate in job action duty as assigned and each shift worked will be counted toward the calculation of pay.

### H. Job Action Pay for Weekend Days

Though job action pay is provided on a calendar day basis and, therefore, includes weekend days, Members will not be assigned duties on the weekend. It is expected, however, that Members will keep up with communication during the weekend days as necessary.

### I. Job Action Pay Accommodation

ULFA represents approximately 600 Members on two campuses. In scheduling job action duties each day, considerable effort will be made to accommodate shift preferences, including time of day and types of duty.

Accommodations will be made for disabilities, religious needs, pre-existing circumstances and appointments, medical and family circumstances, and emergencies.

Other accommodations will be made as is reasonable and possible, but should be limited to unusual or specialized situations.

Approved by Executive: October 26, 2017

## PROCEDURES

### I. Organizing a Strike

Strikes take a great deal of organization and require the complex coordination of picket lines, financial management, and headquarters, and media and membership communications. At every front there needs to be trained and supported volunteers who can organize themselves and others along the way.

It is recognized that Members will be facing financial and emotional challenges that need to be supported throughout a strike.

ULFA will need to take into consideration the necessity for a great deal of work to be done during high emotional stakes. Some of this work will require the specialized skills of those who can organize, recruit, and train volunteers. Committees will need to be organized who can deal with the coordination of the strike on the picket line or managing all aspects of finding and relocating to a designated headquarters.

### II. Job Action Committee

The Job Action Committee is responsible for the direction and way the strike will be run on both University of Lethbridge campuses, including duties such as:

- Coordinating all strike related activities;
- Establishing a job action headquarters and contact information;
- Obtaining necessary permission for location of pickets, portable toilets, and parking;
- Working out a strategy for dealing with strikebreakers;
- Dealing with emergencies on the picket line;
- Working on a communications plan for Members, other campus groups, and the press;
- Coordinating events to keep the job action in the news and to put pressure on the Board to improve the offer.

#### *Forming a Job Action Committee:*

1. The Executive has the authority to appoint a Job Action Committee comprising representatives from both Lethbridge and Calgary campuses and a Chair to plan, coordinate and execute all job action activities that may be necessary to support the collective bargaining process. The Executive has the authority to select and appoint and, if necessary, to remove or replace any member on the Job Action Committee.
2. The Executive is responsible for instructing and coordinating the work of the Negotiating Team and the Job Action Committee.
3. The Executive, in consultation with the Negotiating Team and the Chair of the Job Action Committee, shall have the authority to determine whether or not job action should be recommended to the Membership via a strike vote (see Appendix C).
4. The Job Action Committee shall be appointed prior to the start of formal negotiations.
5. The Job Action Committee is responsible to the Executive under the direction of its Chair.

6. The Job Action Committee has the responsibility to provide overall leadership, planning, coordination, and executive of all job action activities, including strike action.
7. The Job Action Committee, through its Chair, shall consult regularly with, report to, and take instruction from the Executive as to job actions and strategies in support of the collective bargaining process.
8. The Job Action Committee Chair shall be the sole spokesperson on behalf of the Job Action Committee and shall have the authority and responsibility to delegate roles and responsibilities for the Committee members.
9. During the collective bargaining process, the Job Action Committee Chair or designate may attend meetings of the Executive at which negotiation issues are to be discussed.

### III. Other Duties As Needed

#### *Financial Management*

Volunteers will be needed who will be responsible for all financial matters associated with the strike, including:

- Setting up financial controls and a bookkeeping system for all job action related income and expenses;
- Administering and distributing job action pay, and dealing with disputes over pay;
- Budgeting and overseeing local union funds used for job action related activities;
- Collecting donations and drafting job action related appeals;
- Completing an audit at the conclusion of the job action;
- Counselling Members in financial difficulty, and helping them deal with financial institutions.

#### *Picket Line Management*

Volunteers will be needed who will be responsible for the organization and support of the picket lines, including:

- Preparing duty rosters (who pickets where and when);
- Coordinating picket captains;
- Ensuring picket information gets to picket captains;
- Liaising with law enforcement officers;
- Ensuring the availability of all materials necessary on the picket lines, such as memos, picket captain report forms, signs, etc.
- Organizing transportation, such as for picketers to access routes and for information to be shared between headquarters and picketers;
- Organizing and monitors alternative assignment of job action duties;
- Organizing and deploys flying squads of picketers;
- Organizing portable toilets;
- Coordinating food and beverages during picket shifts.

### *Membership Assistance Management*

No job action fund is large enough to take care of all the needs of the membership. Members with outstanding loans or mortgages may have trouble making payments and the loss of a paycheque can have many financial consequences. Volunteers will be needed to help Members facing financial and emotional hardship, including:

- Work with picket captains to identify members facing hardship during the job action;
- Act as a referral agent for social agencies;
- Meet with the various credit and loan companies to negotiate a moratorium on payments (see draft form in Appendix D)

### *Website & Email*

Volunteers will be needed to organize a dedicated job action site to manage contact information as well as dissemination of all communications during the job action, with daily photo sets, reports, and updates.

Email access is provided by the University; however, disruptions in email access will likely occur during a labour dispute. Alternate email addresses (not associated with the University's email server) should be obtained from ULFA Members for communications.

### IV. Consequences for Crossing the Picket Line

While all Members are required to withhold their labour and participation in the University during job action, there may be Members who choose to cross the picket line for one reason or another. If someone is crossing the picket line, inform them of the job action and politely request that they respect the picket line. Conversation should be courteous. Do not physically interfere with the person if they insist on crossing the picket line, instead secure their name, Faculty or Department. Relay this information to the Job Action Committee.

Consequences for crossing the picket line may include cessation of job action pay benefits, a fine, or other consequence as determined by the Job Action Committee.

Appendix A  
Sample Request to Job Action Committee

Date: \_\_\_\_\_

Request to the Job Action Committee

Choose one of the following:

- I request a change in my scheduled picketing duties.
- I request accommodation from duties on the picket line.
- I request permission to cross the picket line for an exceptional circumstance.

Describe the request with brief rationale:

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\_\_\_\_\_  
Member Name

\_\_\_\_\_  
Member Signature

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***For Internal Use Only***

Job Action Committee Decision:       Approved       Not Approved

Conditions and/or Rationale:

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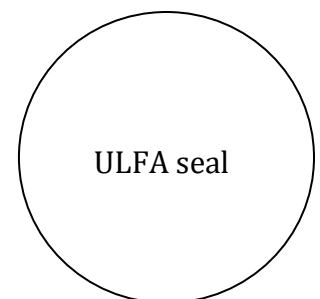
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\_\_\_\_\_  
Job Action Committee Rep Name

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_





Appendix B  
Sample Picket Pass

ULFA PICKET PASS

\_\_\_\_\_ is authorized to cross the picket line.

This pass is valid from: \_\_\_\_\_ am/pm

Until: \_\_\_\_\_ am/pm

For the following dates:

\_\_\_\_\_

\_\_\_\_\_

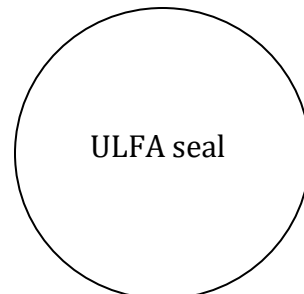
\_\_\_\_\_

Authorized by: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



Appendix C  
Sample Strike Ballot

Electronic ballot:

Are you in favour of the Executive calling a strike if it becomes necessary?

Yes       No

Appendix D

*Sample letter from ULFA to banks or finance companies*

TO WHOM IT MAY CONCERN

The University of Lethbridge Faculty Association is currently out of the workplace on strike.

Members of this union have made us aware of debts owed to your organization.

We request your patience in these matters should you be contacted by union members about their debt payments.

If you have any questions, don't hesitate to contact President \_\_\_\_\_ at \_\_\_\_\_.

Thank you for your attention to this matter.

Sincerely,

\_\_\_\_\_

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*Sample letter from members to banks or finance companies*

Dear Sir/Madam,

I am a member of the University of Lethbridge Faculty Association, a union that is currently out on strike.

This letter is a request for your patience in receiving payments of my debt owed to your organization (***fill in the necessary information concerning your debt***) until our strike has been resolved.

If you have any questions, don't hesitate to contact me at \_\_\_\_\_.

Sincerely,

\_\_\_\_\_