

2019 UMFA ANNUAL REPORT

*PRESENTED TO THE MEMBERS OF UMFA
AT THE ANNUAL GENERAL MEETING (AGM)
ON MAY 29, 2019*

UNIVERSITY OF MANITOBA
Faculty Association

We make **UofM** happen

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***Please note that Members can apply for reimbursement of dependent care costs
in order to attend any UMFA meeting***

AGENDA

1. APPROVAL OF THE AGENDA

2. CORRESPONDENCE AND ANNOUNCEMENTS

- a) Incoming President
- b) Incoming Vice-President

3. MINUTES:

- a) Approval of the minutes of the Annual General Meeting held on May 30, 2018:
MOTION: THAT the minutes of the Annual General Meeting held on May 30, 2018, be approved.

4. MATTERS ARISING OUT OF THE MINUTES

5. REPORTS:

- a) President's Report (see page 13).
- b) Treasurer's Report:
 - i) 2018-19 Auditor's Report (see page 15).
MOTION: Board of Representatives /
THAT the Auditor's Report for the 2018-2019 fiscal year be approved as circulated.
 - ii) MOTION:
THAT the Board of Representatives be given the authority to appoint an auditor for the 2019-2020 fiscal year.
 - iii) 2019-2020 Proposed Budget (see page 28).
MOTION: Board of Representatives /
THAT the Proposed Budget for 2019-2020 be approved.
 - iv) Reserve Fund Committee Report (see page 32).
MOTION: O. Dingwall /
THAT the Reserve Fund Committee Report be received as circulated.
- c) Grievance Officers' Report (see page 33).
- d) Sex and Salary Report
- e) UMFA Committee Reports:
 - i) Workplace Health and Safety (see page 38)
 - ii) Staff Benefits Committee (see page 39)
 - iii) Communications Committee (see page 40)
 - iv) Diversity and Equity Committee and Gender Solidarity Working Group (see page 41)
 - v) Manitoba Federation of Labour (see page 42)
 - vi) Winnipeg Labour Council (see page 43)
 - vii) Board of Governors Assessor (see page 44)
 - viii) Senate Assessor (see page 44)
 - ix) Ad-hoc Committee on Instructor Rank Change (see page 45)
 - x) Alternate Accommodation Committee (see page 45)
 - xi) SEEQ Ad-hoc Committee (see page 45)

6. QUESTION PERIOD

AGENDA CONTINUED

7. NEW BUSINESS:

a) MOTION:

Where the Department of Food Science has merged with the Department of Human Nutritional Sciences to become the Department of Food and Human Nutritional Sciences,

THAT the UMFA constituencies of 1. “Human Nutritional Sciences” and 2. “Agribusiness & Agricultural Economics/Food Science” be merged into one constituency named “Agribusiness Agricultural Economics/Food and Human Nutritional Sciences”;

THAT this new constituency have two (2) representatives on the Board; and,

THAT the current representatives complete their term on the Board.

b) MOTION:

WHERE section 4.2.2.2 of the UMFA Constitution allows one (1) representative on the Board of Representatives for approximately every 15 Members in a designated constituency;

WHERE the constituency of Community Health Sciences/Psychiatry has 30 UMFA members and only one (1) representative on the Board,

THAT the constituency be given one (1) additional representative position on the Board, and

THAT a by-election for the position be held as soon as possible.

c) MOTION:

THAT the Members in Social Work’s Indigenous Knowledge Program become part of the Social Work (Fort Garry) Constituency on the UMFA Board of Representatives.

d) MOTION: Board of Representatives /

THAT Section 2 of the Reserve Fund Policy be amended to read as follows:

“The goal of the Association is to maintain a Reserve Fund at three-times the annual operating budget. To meet this goal, over the next ten (10) years the Treasurer will budget for an annual operating surplus sufficient to achieve the goal.” (see page 47)

Further, THAT \$220,000 be transferred from UMFA’s Operating Account to the Reserve Fund toward the accomplishment of the above stated goal.

e) MOTION: Board of Representatives /

THAT Section 6.3 of the UMFA Constitution be amended to include the following:

UMFA will make every effort to ensure gender diversity in its complement of grievance officers. (See page 52)

f) Presentation of Paul Fortier Prize for Student Activism.

g) Presentation of CAUT Dedicated Service Award.

h) Presentation of Roy Vogt Memorial Award for Exceptionally Meritorious Service.

8. ADJOURNMENT

Members and guests are cordially invited to a reception following the meeting.

MINUTES OF MAY 30, 2018 ANNUAL GENERAL MEETING

Faculty Association

UNIVERSITY OF MANITOBA ♦ 100-29 DYSART RD., WINNIPEG, MB R3T 2M7 ♦ PH - (204) 474-8272 ♦ FAX - (204) 474-7548 ♦ FAUM@UMFA.CA

Minutes of the UMFA Annual General Meeting held on **Wednesday, May 30, 2018, at 2:00 p.m.** in Marshall McLuhan Hall, Fort Garry Campus.

Regular Members: M. Babb, E. Baraban, A. Bolefski, C. Bone, G. Boyer, D. Brueckner, A. Brule-Babel, A. Calder, S. Cardona, T. Chen, R. Chernomas, L. Churchill, C. Cooke, F. Cormier, P. Dass, O. Dingwall, M. Driedger, E. Epp, C. Eyland, R. Finlay, K. Fowke, A. Frederiksen, B. Fristensky, W. Fry, D. Halonen, J. Hare, D. Harrington, I. Hudson, M. Hudson, J. Hughes, G.I. Moghaddam, D. Isleifson, T. Ivanco, C. Kelly, W. Kerr, C. Kindret, T. Kucera, L. Kuffert, J. Lewis, A. Major, J. Mammei, K. Matheos, V. Martinez Lagunas, C. Morrill, J. Morrill, J. Morrison, C. Neilson, L. Neville, N. Oranye, D. Pahud, T. Peter, W. Poluha, M. Pomrenke, M. Porter, S. Prentice, S. Renault, K. Scott, M. Shaw, M. Soderstrom, M. Speare, J. Stacey, S. Strachan, B. Travica, J. Toews, J. Trebert, M. Unruh, V. Warne, D. Weihrauch, I. Whicher, A. Woolford

Retired Members: none

Staff: D. Abraham, I. Ceplis, G. Flemming, K. Gibson, A. MacIsaac

Guests: C. Graydon (Paul Fortier Prize Recipient)

Regrets: J. Anderson, B. Brown, D. Camfield, B. Cohen, A. Desmarais, J. Dodd, M. Faubert, T. Galloway, J. Gilchrist, J. Guard, S. Hannan, D. Johnson, S. Kouritzin, D. Laporte, RJ Leland, J. Maiello, J. Nallim, P. Nicholls, C. Reitano, K. Rochon, N. Rosen, A. Swift, A. Thavaneswaran, U. Thiyam-Hollander, D. Watt, R. Warren, V. Yurkov,

President Janet Morrill called the meeting to order at 2:00 p.m. and announced that quorum had been met.

1. Approval of the Agenda

MOTION:

THAT the agenda be approved.

CARRIED

There was some discussion about the introduction of several items, and then the agenda was approved by consensus.

2. Correspondence and Announcements

G. Flemming announced the election by acclamation of Janet Morrill as President and Michael Shaw as Vice-President.

3. Minutes

Approval of the minutes of the Annual General Meeting held on May 17, 2017:

MOTION:

S. Prentice / L. Neville

THAT the minutes of the Annual General Meeting held on May 17, 2017, be approved.

CARRIED

MINUTES OF MAY 30, 2018 ANNUAL GENERAL MEETING

4. Matters arising out of the minutes
None.

5. Reports

a. President's Report:

J. Morrill noted that her written report is included in the meeting package. She described UMFA's values and goals, including advocacy, standing up for others, and making alliances. She thanked members of the Metrics and Sex and Salary Committees for their hard work, and noted that R. Chernomas has received the Donald C. Savage Award from CAUT, while B. Austin-Smith is CAUT Vice-President. Members also undertake advocacy and activist activities in a variety of other organizations, such as MOFA, the WLC, and the MLC. She noted that the report from the Metrics Committee has not been released yet, pending a meeting with the Administration. The Sex and Salary Committee is ongoing. She noted that UMSU is concerned about rising costs for students and passed on their suggestion that faculty members consider using open access materials and course packs in their teaching. She thanked the UMFA staff for their many contributions.

MOTION: *M. Soderstrom / E. Epp*
THAT the President's Report be received as circulated.

CARRIED

b. Treasurer's Report:

i. 2017-2018 Auditor's Report

O. Dingwall reviewed the auditor's report and thanked staff for their hard work.

MOTION: *Board of Representatives /*
THAT the Auditor's Report for the 2017-2018 fiscal year be approved as circulated.

CARRIED

ii. Appointment of Auditor

MOTION: *O. Dingwall / C. Morrill*
THAT the Board of Representatives be given the authority to appoint an auditor for the 2018-2019 fiscal year.

CARRIED

iii. 2018-2019 Proposed Budget

MOTION: *Board of Representatives /*
THAT the proposed budget for 2018-2019 be approved.

S. Prentice introduced an amendment regarding funding the Sex and Salary Committee to continue their work.

MOTION:
WHEREAS the 2016 Collective Agreement's Letter of Understanding Appendix "G" establishes a Joint Committee to investigate whether gender-based salary differentials exist and the scope/extent of any identified problems; and

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WHEREAS the report completed in 2018 by a third party consultant did not adequately answer this question, and further does not include results from hierarchical linear modelling analysis as requested by the committee; and

WHEREAS it is in the interest of UMFA Members to have a robust and rigorous analysis of Members' salaries in order to better respond to concerns about possible systemic inequity in salaries;

BE IT RESOLVED THAT the Association allocate \$30,000 to the "Contingency" line of the 2018-2019 UMFA operating budget, to be spent in whole or in part upon approval of the Executive Committee should these monies be necessary to secure a qualified consultant for a detailed statistical analysis of University of Manitoba salaries, undertaken under the direction of the Joint Committee.

She stated that this joint committee is working very well together and that both UMFA and Administration members feel this way. She stated that the UM allotted \$100,000 to hire a consultant, who has ultimately produced an inadequate report. No committee member thinks that the methodology is sound. The consultant would not do what the committee asked.

M. Shaw took over the Chair at this point.

A member asked whether the original committee would still be involved, and whether the Administration would also contribute funds.

S. Prentice stated that the committee members intend to continue. They do not know the final dispensation of funds. She stated that there is still money remaining in the initial \$100K.

J. Morrill stated that the Executive supports this amendment. This is a long-standing issue and we need to maintain momentum.

A member asked about how an unsatisfactory consultant was allowed to be involved, and whether continued funding of the committee would produce any better results.

S. Prentice stated that a different consultant should have been hired. Despite promises of cooperation, the consultant did not do what the committee wanted.

A member asked whether the consultant could have been fired, and S. Prentice indicated that he would not be receiving positive reviews.

T. Chen, a member of the committee, spoke to the importance of having third-party analysis. The work must produce valid results.

A member suggested that the next contract should be more specific, and another member clarified that the same consultant would not be hired again.

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A member asked whether \$30K was enough to fund the project to completion or whether it depended on the Administration contributing, and S. Prentice stated that the committee is absolutely confident that the funds will be enough.

MOTION: *S. Prentice / C. Morrill*

THAT the 2018-2019 proposed budget be revised to include the motion as introduced above.
CARRIED

At this point J. Morrill resumed the Chair.

M. Shaw introduced an amendment regarding dependent care, in order to formalize an already-existing practice.

MOTION: *M. Shaw / K. Scott*

THAT Members may apply for reimbursement of costs associated with providing alternative care for dependents that normally rely primarily upon the UMFA member for physical care when the UMFA meeting or activity is outside of normal care hours.
CARRIED

MOTION:

THAT the Proposed Budget for 2018-2019 be approved as amended.
CARRIED

- iv. Reserve Fund Committee Report
O. Dingwall reviewed the report.

MOTION: *O. Dingwall / M. Driedger*

THAT the Reserve Fund Committee Report be received as circulated.
CARRIED

- c. Grievance Officers' Report

J. Hare spoke to the report and stressed that working through grievances requires the collaboration of officers, in-house legal counsel, and staff.

A Member asked whether J. Hare had noted any trends in the type of grievances that are arising. J. Hare said that there has been an increase in issues relating to the Respectful Workplace and Learning Environment policy and the Responsible Conduct of Research policy.

A member asked how the UM compares with other universities in terms of the numbers of grievances filed. J. Hare stated that we are not unusual in this regard.

A member asked whether the workload guidelines process in Arts could be grieved, and J. Hare said that it could, but only if it violated the CA. UMFA has had extensive consultations with most Faculties during this process.

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MOTION: *R. Chernomas / J. Lewis*

THAT the Grievance Officers' Report be received as circulated.

CARRIED

d. UMFA Committee Reports

An Omnibus motion including all reports was proposed.

- i. Workplace Health and Safety Committee:
- ii. Staff Benefits Committee
- iii. Communications Committee
- iv. Equity and Diversity Committee
- v. Board of Governors Assessor
- vi. Senate Assessor
- vii. Manitoba Federation of Labour
- viii. Winnipeg Labour Council
- ix. Collective Agreement Committee

MOTION: *T. Kucera / J. Hare*

THAT the UMFA Committee Reports listed above be received as circulated.

CARRIED

6. Order of the Day: UMFA Strategic Planning

J. Morrill outlined the work that has been done to date on this matter, including the SWOT analysis carried out by the Board earlier this year. She emphasized the need to find out what UMFA isn't doing but should be, and is doing but shouldn't be. She suggested group work on this topic.

7. Question Period

- a. J. Lewis described the precarious working environment for instructors in the Faculty of Arts and inquired as to what actions UMFA is taking.
J. Morrill emphasized that using the new workload guidelines and ensuring the practice of collegial governance are good methods for improving and maintaining working conditions. The grievance process is another avenue available to members.
- b. Fristensky initiated a discussion around UMFA having a closer relationship with the provincial government.
R. Chernomas and M. Shaw emphasized the difference between lobbying the public and conversations directly with government, as well as the need for the university to remain autonomous from the government.

MINUTES OF MAY 30, 2018 ANNUAL GENERAL MEETING

8. New Business

- a. **MOTION:** *Board of Representatives /*
WHEREAS the USFA has made two donations, one of \$5,000 and one of \$45,000, toward UMFA's 2016 strike effort,
THAT the UMFA Board of Representatives, or, in the event of extenuating circumstances, the Executive Council, be authorized to identify and/or approve a joint donation with the University of Saskatchewan Faculty Association of up to \$45,000 to a worthy cause addressing the struggles of academic faculty for academic freedom, job security, fair working conditions, and/or collegial governance. **CARRIED**
UNANIMOUSLY

- b. **MOTION:** *Executive Council /*
THAT the Reserve Fund Investment Guide be amended as attached. **CARRIED**
UNANIMOUSLY

Discussion: S. Prentice inquired whether the fund manager fees are high. O Dingwall confirmed they are not.

- c. **MOTION:** *M. Hudson / M. Shaw*
THAT the constituency of the College of Medical Rehabilitation Sciences include the following programs:
1. *Occupational Therapy*
 2. *Physical Therapy*
 3. *Respiratory Therapy*
 4. *Rehabilitation*
 5. *Applied Health Sciences*
- CARRIED**
UNANIMOUSLY

MOTION: *O. Dingwall / M. Driedger*
THAT the constituency of Civil Engineering/ACCESS/Dean's Office now also include the Centre for Engineering Professional Practice and Engineering Education. **CARRIED**
UNANIMOUSLY

MOTION: *K. Scott / C. Morrill*
THAT the constituency of Extended Ed/Student Affairs/Disability Studies now also include the Centre for the Advancement of Teaching and Learning (CATL). **CARRIED**
UNANIMOUSLY

- d. **MOTION:** *Board of Representatives /*
THAT UMFA offer the following scholarship to undergraduate students over a three year period starting in 2018-2019:

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UMFA Scholarship for the Advancement of Labour Rights

Over the past two years the University of Manitoba Faculty Association has thrice sought remedy for violations of the Manitoba Labour Relations Act with the Manitoba Labour Board. Several of those violations resulted in orders from the Board that fines be paid to the Association. UMFA now offers those funds to students of all disciplines who are interested in advancing the rights of organized labour in Manitoba, Canada, and internationally.

***CARRIED
UNANIMOUSLY***

Details:

- This scholarship is made available to any undergraduate student so long as an aspect of their studies is labour law, labour rights, labour history, and/or social justice;
- Applicants can be in any year of study, and enrolled either full-time or part-time;
- Applicants must write and submit their own original essay of 1,500-2,000 words on the importance of labour rights in the province of Manitoba, Canada, and/or internationally. Adherence to normal academic standards, including those regarding plagiarism, is expected;
- There is no GPA requirement;
- UMFA will select the successful candidate on the basis of the essays submitted, and reserves the right to not offer the award should no suitable essays/applications be received;
- The award is provided as a tax-free scholarship;
- The scholarship will be between \$2,000 and \$2,500 and offered once per year for three years, but more scholarships may be offered if circumstances demand;
- UMFA may publish the essay of the successful applicant on its website, in its newsletter, or in other formats, but will only do so with the permission of the author.

Essay requirements:

- Include a statement about your course of study;
- Describe the importance of labour rights in Manitoba, Canada, and/or the world.

- e. Presentation of Paul Fortier Prize for Student Activism
J. Morrill presented this award to Colin Graydon.
C. Graydon spoke in acceptance of the award.
- f. Presentation of CAUT Dedicated Service Awards
J. Morrill presented this award to both James Hare and Mark Hudson.
Both J. Hare and M. Hudson spoke in acceptance of this award and acknowledged the value and importance of service.
- g. Presentation of Roy Vogt Memorial Award for Exceptionally Meritorious Service
J. Morrill presented this award to Mark Hudson.

9. Adjournment

MOTION: *Many Hands*

THAT the meeting be adjourned (3:52 p.m.)

CARRIED

J. Morrill invited Members and guests to stay for the reception following the meeting.

PRESIDENT'S REPORT: JANET MORRILL

We are entering the third year of a four year agreement, so there was no bargaining last year and there will be no bargaining in the upcoming year. You might think that should mean that things are very quiet around UMFA.

In some ways, that is correct. Last year, we were able to do some renovations around the office to provide greater accessibility, improve our computer network and paint the walls. Staff were also able to organize the archives – this allows us to create a database of all the grievances UMFA has defended over the years, as well as organizing all of the historical documents produced over the years. This provides us with a wealth of knowledge of past precedents, a greater understanding of our context, and the opportunity to learn from past successes and failures.

In other ways, things have not been quiet at all. We continue to deal with a never-ending stream of grievances. There have also been a large number of policies issued or modified this year and task forces around respectful workplace, sexual harassment, sexual violence, relationships between employees and students, relationships between employees with differential power, and student assessments of teaching. These policies are very complex, involve difficult situations with high stakes in terms of discipline, mental health, and safety, and must be viewed through the lens of different parties involved.

With bargaining far in the past and far in the future, we have less influence with the employer which can change the tenor of our interactions and requires us to be creative in our approach. There have been some successes: for example, administration agreed to grant an extension to the anomalies committee to allow us to enlarge the scope of our investigation. They also agreed, and paid for, a second consultant for our Joint Committee on Gender-Based Salary Differentials as the committee found the quality of work done by the original consultant to be deficient. However, it took many months for administration to agree to meet with us to re-visit the decision of the metrics committee regarding the incorporation of the Appendix H language into our collective agreement. They ultimately stood by the decision of their appointees even though those judgments seemed at odds with the findings in the report. And the board of governors ignored calls from UMFA and motions from Senate to conduct an open presidential search or a modified closed search where final candidates would make a presentation to a closed session of Senate. We are learning to make better use of the influence of our members who volunteer their time to serve on important bodies such as Senate and the Budget Advisory Committee by inviting them to meet in advance. In some cases, we provide them with UMFA's recommendations or concerns. In other cases, the purpose of meeting is for the members involved to simply discuss issues openly amongst themselves, arrive at a consensus if possible, thus minimizing the risk that their votes are split and hence subject to dilution.

And bargaining actually is fast approaching. While we have a four-year agreement, salaries for the fourth year will be negotiated next summer, and full bargaining on our next agreement will commence the spring after that. We have appointed Cameron Morrill as chief bargainer for both negotiations, and consultations will begin this fall to identify your salary expectations, share with you issues we have identified, and to hear from you on the issues that you would like to see addressed in the next collective agreement. We are also monitoring the political landscape closely. The current government continues their assault on public sector workers. The constitutional challenge of the Public Services Sustainability Act will take place this November. The government cut the university operating grant but allowed tuition to increase, so UM's finances continue to be exceptionally healthy. The salary re-opener will take place just before the fixed date provincial elections unless an election is called early, and our new president will just have taken office.

I continue to marvel at the competence, dedication and cohesiveness of all those who work and volunteer at UMFA:

UMFA Staff: One of the best parts of being president has been the privilege to work with the UMFA Staff: Greg Flemming (executive director), Jason Gisser and Andrew MacIsaac (UMFA's In-house legal counsel), Candace Weselowski (communications officer), and Debbie Abraham and Ilze Ceplis (financial and administrative staff). We are very lucky to have such a great team.

UMFA Executive: The UMFA executive is a collegial group of hard-working, talented academics who sacrifice

PRESIDENT'S REPORT: JANET MORRILL

many hours to serve the membership. They believe in the importance of solidarity, they believe in academia and their wise counsel is essential to all of us.

Board of Representatives: This is another essential, dedicated group who provide support and advice, and are effectively our ongoing line of two way communication to you, the members.

Canadian Association of University Teachers, the Manitoba Federation of Labour, Winnipeg Labour Council, and unions and faculty associations across the country: I believe we are all learning the importance of solidarity and collective bargaining. Our membership in Manitoba Federation of Labour have provided us with the financial support for our legal challenges, and the CAUT Defense Fund provides the moral support and political strength to other associations around the country as they fight with their employers as we did in 2016.

In solidarity and gratitude,



Janet Morrill

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION

Financial Statements

Year Ended March 31, 2019

Draft for discussion purposes only

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION
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Year Ended March 31, 2019

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Draft for discussion purposes only



INDEPENDENT AUDITORS' REPORT

To the Members of University of Manitoba Faculty Association

Opinion

We have audited the financial statements of University of Manitoba Faculty Association (the Association), which comprise the statement of financial position as at March 31, 2019, and the statements of operations - operating fund, changes in fund balances and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Association as at March 31, 2019, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Association in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with those requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Association's financial reporting process.

(continues)

INDEPENDENT AUDITORS' REPORT

Independent Auditors' Report to the Members of University of Manitoba Faculty Association (*continued*)

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Exchange

Chartered Professional Accountants LLP
Winnipeg, Manitoba

FINANCIAL STATEMENTS YEAR END MARCH 31, 2019

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION Statement of Financial Position March 31, 2019

	Operating Fund	Reserve Fund	Total 2019	Total 2018
ASSETS				
CURRENT				
Cash	\$ 539,144	\$ 10,366	\$ 549,510	\$ 351,132
Accounts receivable	130,180	-	130,180	128,349
Interest receivable	-	8,525	8,525	12,805
Investments (Notes 2, 4)	-	318,365	318,365	297,489
Prepaid expenses	11,375	-	11,375	8,532
	680,699	337,256	1,017,955	798,307
INVESTMENTS (Notes 2, 4)	-	3,076,748	3,076,748	3,555,062
CAPITAL ASSETS (Notes 2, 5)	15,790	-	15,790	14,128
	\$ 696,489	\$ 3,414,004	\$ 4,110,493	\$ 4,367,497
LIABILITIES				
CURRENT				
Accounts payable and accrued liabilities	\$ 12,400	\$ -	\$ 12,400	\$ 6,500
Vacation payable	10,366	-	10,366	15,909
	22,766	-	22,766	22,409
FUND BALANCES	673,723	3,414,004	4,087,727	4,345,088
	\$ 696,489	\$ 3,414,004	\$ 4,110,493	\$ 4,367,497

LEASE COMMITMENTS (Note 6)

ON BEHALF OF THE BOARD

Director

Director

See notes to financial statements

FINANCIAL STATEMENTS YEAR END MARCH 31, 2019

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION Statement of Operations - Operating Fund Year Ended March 31, 2019

	Budget (Unaudited) 2019	Total 2019	Total 2018
REVENUE			
Dues	\$ 1,518,938	\$ 1,565,178	\$ 1,529,176
CAUT Defence Fund benefits	-	13,704	91,014
Interest income	-	3,755	627
Other income	-	2,000	2,000
	1,518,938	1,584,637	1,622,817
EXPENDITURES			
Manitoba Organization of Faculty Associations	18,000	18,030	17,820
CAUT dues	214,138	214,999	210,590
CAUT Defence Fund	78,936	79,211	79,376
NUCAUT	12,727	12,994	12,883
Manitoba Federation of Labour	15,215	15,574	15,287
Winnipeg Labour Council	7,110	7,260	7,194
Legal and consulting	120,000	93,756	159,991
Officers release time	117,000	88,572	100,994
Bargaining team release time	-	-	82,087
Job action	-	-	(22,380)
Office salaries	545,970	501,947	521,646
Employee benefits	148,017	138,773	145,124
Public relations and donations	37,000	23,591	28,301
Publications	3,000	3,135	5,311
Communication	12,500	10,015	6,331
Printing	3,000	3,175	903
Bursaries and scholarships	7,900	5,900	10,800
Conferences, travel and meetings	45,000	36,994	38,508
Office lease	53,244	53,244	53,244
Photocopier	7,400	3,888	5,942
Office	45,000	31,499	28,125
Equipment and computers	17,500	5,723	4,971
Professional fees	8,000	7,308	7,095
Contingency	33,500	-	-
Amortization of capital assets	-	3,939	3,795
	1,550,157	1,359,527	1,523,938
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES FROM OPERATIONS	(31,219)	225,110	98,879
LOSS ON DISPOSAL OF CAPITAL ASSETS	-	(1,650)	-
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	\$ (31,219)	\$ 223,460	\$ 98,879

See notes to financial statements

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION
Statement of Operations - Reserve Fund
Year Ended March 31, 2019

	2019	2018
REVENUE		
Net change in unrealized gains in fair value of equity instruments	\$ 44,647	\$ 16,104
Interest and dividends	109,249	103,334
Realized losses on disposal of investments	43,335	(57,795)
	197,231	61,643
EXPENDITURES		
Investment management fees	21,886	22,406
Job action	656,166	-
	678,052	22,406
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	\$ (480,821)	\$ 39,237

See notes to financial statements

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION
Statement of Changes in Fund Balances
Year Ended March 31, 2019

	Operating Fund	Reserve Fund	2019	2018
FUND BALANCES - BEGINNING OF YEAR	\$ 450,263	\$ 3,894,825	\$ 4,345,088	\$ 4,206,972
Excess (deficiency) of revenue over expenditures	223,460	(480,821)	(257,361)	138,116
FUND BALANCES - END OF YEAR	\$ 673,723	\$ 3,414,004	\$ 4,087,727	\$ 4,345,088

Draft for discussion purposes only

See notes to financial statements

FINANCIAL STATEMENTS YEAR END MARCH 31, 2019

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION Statement of Cash Flows Year Ended March 31, 2019

	2019	2018
OPERATING ACTIVITIES		
Cash receipts from members	\$ 1,582,806	\$ 1,620,154
Investment income received	115,795	120,765
Cash paid to suppliers and employees	(1,379,958)	(1,639,940)
Payments to members	(656,166)	-
Cash flow from (used by) operating activities	(337,523)	100,979
INVESTING ACTIVITY		
Purchase of capital assets	(7,251)	-
Cash flow from (used by) investing activity	(7,251)	-
FINANCING ACTIVITIES		
Purchase of investments	(939,099)	(1,325,614)
Proceeds on redemption of investments	1,482,250	1,243,548
Cash flow from (used by) financing activities	543,151	(82,066)
INCREASE IN CASH	198,377	18,913
CASH - BEGINNING OF YEAR	351,132	332,219
CASH - END OF YEAR	\$ 549,510	\$ 351,132

See notes to financial statements

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION

Notes to Financial Statements

Year Ended March 31, 2019

1. DESCRIPTION OF OPERATIONS

The University of Manitoba Faculty Association is chartered under the Labour Relations Act in the Province of Manitoba to collectively bargain and promote the interests of academics at the University of Manitoba, and to represent the members in employer-employee relationships.

The Association is exempt from tax under Section 149 of the Income Tax Act.

2. SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations. Because a precise determination of many assets and liabilities is dependent upon future events, the preparation of financial statements for a period necessarily involves the use of estimates which have been made using careful judgment. The financial statements have, in management's opinion, been properly prepared within the reasonable limits of materiality and within the framework of the significant accounting policies summarized below:

Financial instruments policy

Financial instruments are recorded at fair value when acquired or issued. In subsequent periods, equity investments with actively traded markets are reported at fair value, with any unrealized gains and losses reported in income. All other financial instruments are reported at amortized cost, and tested for impairment at each reporting date. Transaction costs on the acquisition, sale, or issue of financial instruments are expensed when incurred.

Fund accounting

The Association uses fund accounting procedures which result in a self-balancing set of accounts for each fund established by legal, contractual or voluntary actions.

The Association follows the deferral fund method of accounting on the accrual basis.

- Operating Fund - accounts for the Association's unrestricted operating and administrative activities
- Reserve Fund (per policy updated May 15, 2014) - reports resources available for members in the event of a strike or lockout, bargaining or job action expenditures that are not otherwise budgeted for in the operating fund, or other non-recurring expenditures that cannot be financed through the changes in the operating fund budget lines.

Investments and other non-cash assets

All gains and losses from the sale, collection, or other disposition of investments and other non-cash assets are accounted for in the fund that owned the assets.

Ordinary income from investments, receivables, and similar assets is accounted for in the fund owning the assets.

(continues)

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION
Notes to Financial Statements
Year Ended March 31, 2019

2. SIGNIFICANT ACCOUNTING POLICIES (*continued*)

Capital Assets

Capital assets are stated at cost less accumulated amortization. Capital assets are amortized over their estimated useful lives at the following rates and methods:

Leasehold improvements	10%	straight-line method
Computer equipment	20%	declining balance method

The Company regularly reviews its capital assets to eliminate obsolete items.

Revenue recognition

Unrestricted revenues are recognized as revenue of the Operating Fund in the year received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Investment income earned on Reserve Fund resources must be spent on non-recurring expenditures including defence activities according to the Reserve Fund policy, and therefore is recognized as revenue of the Reserve Fund. All other investment income is recognized as revenue of the Operating Fund.

Investment income comprises interest from cash, interest from fixed income investments, reinvested distributions from equity instruments, realized gains and losses on the sale of investments and unrealized appreciation and depreciation in the fair value of equity instruments. Revenue is recognized on an accrual basis. Interest on fixed income investments is recognized over the terms of these investments using the effective interest method.

3. FINANCIAL INSTRUMENTS

The Association is exposed to various risks through its financial instruments and has a comprehensive risk management framework to monitor, evaluate and manage these risks. The following analysis provides information about the Association's risk exposure and concentration as of March 31, 2019.

(a) Credit risk

Credit risk is the possibility that other parties may default on their financial obligations. The credit risk is minimized by collective bargaining agreements that stipulate the terms of the dues to be paid to the Association. In compliance with the Association's reserve fund policy fixed income investments are limited to those of or fully guaranteed by the Canadian federal or provincial governments. Equities must be common or preferred shares, publicly traded on recognized stock exchanges upon which market prices are readily available.

(b) Liquidity risk

Liquidity risk is the risk that the Association will not be able to fund its obligations as they come due, including being unable to liquidate assets in a timely manner at a reasonable price. The Association meets its liquidity requirement by preparing and monitoring detailed forecasts of cash flows from operations, and holding assets that can be readily converted into cash.

(*continues*)

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION
Notes to Financial Statements
Year Ended March 31, 2019

3. FINANCIAL INSTRUMENTS *(continued)*

(c) Market risk

The risk that the fair value of financial instruments will fluctuate due to changes in market prices is managed through compliance with the Association's reserve fund policy, which requires a target of 60% of fixed income securities and a target of 40% of equities in the portfolio. The investment philosophy is to maximize yields consistent with a conservative, low risk profile portfolio.

(d) Interest rate risk

Interest rate risk refers to the risk that the fair value of financial instruments or future cash flows associated with the instruments will fluctuate due to changes in market interest rates. The risk is managed through compliance with the Association's reserve fund policy to stagger maturity dates. Fluctuations in interest rates do not have a significant effect on the Association's results of operations.

4. INVESTMENTS

	2019	2018
Measured at amortized cost		
Fixed income securities	\$ 1,787,075	\$ 2,045,307
Measured at fair value		
Equity securities	1,608,038	1,807,244
	3,395,113	3,852,551
As disclosed on the statement of financial position:		
Current		
Fixed income securities	318,365	297,489
Long Term		
Fixed income securities	1,468,710	1,747,818
Equity securities	1,608,038	1,807,244
	\$ 3,395,113	\$ 3,852,551

Fixed income securities have effective interest rates ranging from 1.897% to 3.193% and maturity dates ranging from April 2, 2019 to March 15, 2028.

UNIVERSITY OF MANITOBA FACULTY ASSOCIATION
Notes to Financial Statements
Year Ended March 31, 2019

5. CAPITAL ASSETS

	2019		2018	
	Cost	Accumulated amortization	Cost	Accumulated amortization
Leasehold improvements	\$ 325,550	\$ 321,587	\$ 325,550	\$ 319,050
Computer equipment	17,578	5,751	18,195	10,567
	\$ 343,128	\$ 327,338	\$ 343,745	\$ 329,617
Net book value	\$ 15,790		\$ 14,128	

6. LEASE COMMITMENTS

The Association rents premises at St. Andrew's College under a long term operating lease which expires November 2021 and office equipment which expires October 2022. The annual lease payments to the end of the lease are as follows:

2020	\$ 56,021
2021	56,021
2022	38,273
2023	1,388

UMFA PROPOSED OPERATING BUDGET 2019-2020

University of Manitoba FACULTY ASSOCIATION 2019-2020

2016-2017		2017-2018		2018-2019		2019-2020	
Budget	Actual	Budget	Actual	Budget	Projected	Budget	Notes

REVENUE

Membership Dues	\$1,561,497	\$1,438,298	\$1,497,141	\$1,529,176	\$1,518,938	\$1,562,610	\$1,578,236	A
Interest Income	\$0	\$0	\$0	\$1,255	\$0	\$3,886	\$0	B
Transfer from Reserve Fund	\$0	\$549,808	\$0	\$0	\$0	\$0	\$0	C
Miscellaneous Income	\$0	\$2,063,880	\$0	\$93,014	\$0	\$15,704	\$0	D

TOTAL REVENUE

	\$1,561,497	\$4,051,986	\$1,497,141	\$1,623,445	\$1,518,938	\$1,582,200	\$1,578,236	
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EXPENSES

MOFA Dues	\$18,435	\$18,000	\$18,000	\$17,820	\$18,000	\$18,030	\$18,570	E
CAUT Dues	\$214,724	\$195,833	\$210,371	\$210,590	\$214,138	\$215,423	\$218,434	F
CAUT Defence Fund	\$78,604	\$73,445	\$79,464	\$79,376	\$78,936	\$77,936	\$80,586	G
NUCAUT	\$13,200	\$12,937	\$12,738	\$12,883	\$12,727	\$12,992	\$13,296	H
MFL	\$15,338	\$15,086	\$15,121	\$15,287	\$15,215	\$15,556	\$16,044	H
WLC	\$7,374	\$7,219	\$7,116	\$7,194	\$7,110	\$7,259	\$7,428	H
Legal & Consulting	\$95,000	\$81,616	\$50,000	\$169,537	\$120,000	\$85,000	\$100,000	I
Release Time - Officers	\$115,995	\$78,182	\$115,005	\$100,994	\$117,000	\$88,572	\$120,000	J
Release Time - Bargaining Team	\$81,197	\$83,330	\$95,838	\$82,087	\$0	\$0	\$52,000	K
Job Action	\$100,000	\$2,102,841	\$125,000	-\$23,926	\$0	-\$700	\$0	L
Salaries - Office	\$505,260	\$556,329	\$637,597	\$521,646	\$544,470	\$508,557	\$633,805	M
Salaries - Casual	\$1,500	\$0	\$1,500	\$0	\$1,500	\$0	\$1,500	N
Employee Benefits	\$120,000	\$131,057	\$149,068	\$145,124	\$148,017	\$133,579	\$150,622	O
Public Relations & Donations	\$27,000	\$5,133	\$27,000	\$28,301	\$37,000	\$22,000	\$27,000	P
Publications	\$2,400	\$6,318	\$9,700	\$5,311	\$3,000	\$7,000	\$3,500	Q
Communication	\$71,850	\$54,871	\$8,500	\$6,331	\$12,500	\$10,072	\$10,800	R
Printing	\$10,000	\$7,721	\$7,850	\$903	\$3,000	\$3,175	\$1,500	S
Bursaries & Scholarships	\$5,400	\$0	\$5,400	\$10,800	\$7,900	\$5,400	\$10,400	T
Conferences & Meetings	\$40,000	\$30,372	\$45,000	\$38,143	\$45,000	\$36,778	\$45,000	U
Office Lease	\$53,244	\$53,244	\$53,244	\$53,244	\$53,244	\$53,244	\$53,244	V
Photocopier	\$7,400	\$7,497	\$7,400	\$5,942	\$7,400	\$3,982	\$7,400	W
Office Expenses	\$29,000	\$25,141	\$29,000	\$11,261	\$45,000	\$35,852	\$29,000	X
Equipment & Computer	\$5,000	\$4,407	\$5,000	\$4,971	\$17,500	\$12,145	\$15,000	Y
Accounting	\$8,500	\$8,419	\$8,000	\$7,095	\$8,000	\$8,000	\$8,000	Z
Transfer to Reserve Fund	\$0	\$400,000	\$0	\$0	\$0	\$0	\$0	AA
Contingency	\$45,000	\$0	\$0	\$0	\$33,500	\$0	\$0	BB

TOTAL EXPENSES

	\$1,671,421	\$3,958,997	\$1,722,912	\$1,510,914	\$1,550,157	\$1,359,852	\$1,623,129	
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OPERATING BUDGET NOTES 2019-2020

A. Estimated dues income for 2019-2020 is set at \$1,578,236 (calculated at 11 mills), based on projected 2018-2019 dues multiplied by the negotiated 1.0% salary increase. Estimated membership is 1,238, using the December 2018 dues disk membership of 1,221 plus the 3 year average new hires of 70 per year less the 3 year average exited members of 53 per year. As at December 31, 2018, the estimated dues income for 2018-2019 is \$1,562,610.

B. Interest income based on Operating Fund balance.

C. There are no scheduled transfers from the Reserve Fund for the purposes outlined in sections 4c. or 6 of the Reserve Fund Policy passed on May 30, 2018.

D. No miscellaneous income is budgeted in 2019-2020. For 2018-2019, miscellaneous income of \$15,704 consists of \$13,704 reimbursement from the CAUT Defence Fund for ULP expenses and \$2,000 from the U of M in Labour Board awarded penalties.

E. MOFA dues are calculated at the rate of \$15 per member.

F. CAUT dues of \$218,434 are arrived at by considering the dues income increases over the last three years and the December 2018 membership of 1,221. In December 2018, the current per month membership by rank and dues rates were:

Rank	Membership	Dues Rates
Full Professor	353	\$18.41
Associate Professor	358	\$14.83
Assistant Professor	243	\$12.00
Librarians/Instructors/Lecturers	267	\$11.90

G. CAUT Defence Fund - The membership numbers as of December 1st of each year determine the annual dues of each association and, in the event of a strike, shall determine the strike benefits paid by the Defence Fund to the member association. The current rate per Member is \$5.50 per month. The membership in December 2018 was 1,221 or \$6,715.50 per month, making the budgeted amount for the 2019-2020 fiscal year \$80,586.

H. NUCAUT membership dues @ January 1, 2019 are \$0.895 per member per month. MFL membership dues @ January 1, 2019 are \$1.08 per member per month. WLC membership dues @ January 1, 2019 are \$0.50 per member per month. Estimate of 1,238 members.

I. Legal and Consulting includes all expenses relating to legal and consultant costs associated with grievances, arbitrations and other matters. For 2018-2019, \$13,704 was received from the CAUT Defence Fund to offset legal expenses associated with Unfair Labour Practices filed with the Labour Board, which is included above as miscellaneous income.

J. Article 36 of the Collective Agreement provides that Release Time be calculated by dividing the average bargaining unit salary on April 1 by 15 to arrive at the per unit value. Number of units for Officers' Release Time for 2019-2020 has been set at 15. Estimated average salary on April 1, 2018 is \$119,684, rounded to \$120,000, for a value of \$8,000 per unit.

OPERATING BUDGET NOTES 2018-2019

K. Article 36 of the Collective Agreement provides that Release Time be calculated by dividing the average bargaining unit salary on April 1 by 15 to arrive at the per unit value. Provision is made for Bargaining Team Release Time for 2019-2020 for the Chief Negotiator and 2 Bargaining Team members.

L. Job Action includes all expenses relating to bargaining, such as printing, editorial services, bargaining preparation, and strike headquarters set up costs.

M. Office Salaries are calculated on a full complement of staff, plus a negotiated increase, increments and leaves.

N. Hiring of casual staff for updating of filing and archiving systems, clerical support, and other minor office needs.

O. Employee benefits include staff pension plan, group health and dental insurance premiums, WCB premiums, and CPP and EI employer portions.

P. Public Relations/Donations includes UMFA promotional materials, strike support for faculty associations, Roy Vogt Awards, and other events.

Q. Publications includes subscriptions to the Winnipeg Free Press and the Globe and Mail, and occasional books, reports, and public notices.

R. Communication includes email costs, web-hosting, postage, and telephone costs.

S. Printing includes costs of printing the Collective Agreement, AGM report, production and printing of non-bargaining newsletters and occasional large documents.

T. Bursaries/Scholarships include three undergraduate bursaries administered by Student Aid and Awards and one \$2,500 undergraduate scholarship to a candidate selected by UMFA.

U. Conferences and Meetings: This budget item covers the costs of UMFA and CAUT travel, including conference registration fees, hotel accommodation, conference per diems, costs of hosting UMFA constituency and committee receptions, and refreshments and lunches for meetings of committees, Executive Council and Board of Representatives.

Conferences in 2019-2020 include:

Conference	When	Number of Attendees
CAUT Council (Ottawa)	May 2019	2
COFAS Conference (Charlottetown, PEI)	May/June 2019	3
Canadian Association of Labour Lawyers (Toronto)	May/June 2019	2
CAUT Forum for New Presidents (Ottawa)	May/June 2019	1
Canadian Association of Labour Media (Winnipeg)	June 2019	3
Western Regional Conference (Regina, SK)	October 2019	3
Librarians' & Archivists Conference (Ottawa)	October 2019	2
New Activists Workshop (Ottawa)	November 2019	2
CAUT Council (Ottawa)	November 2019	2
CAUT Forum for Sr. Grievance Officers (Ottawa)	December 2019	2
CAUT Forum for Presidents (Ottawa)	January 2020	1
Equity Conference (Ottawa)	February 2020	2

OPERATING BUDGET NOTES 2018-2019

Conference	When	Number of Attendees
Mel Myers Labour Conference (Winnipeg)	March 2020	3
CAUT Forum for Chief Negotiators (Ottawa)	March 2020	2
Additional Conferences		2

V. Lease for office space at St. Andrew's College is \$4,437 per month.

W. Photocopier includes contract and usage charges.

X. Office Expenses includes office renovations, insurance policies, professional development for staff, parking, office supplies, minor building repairs, office and meeting refreshments, printer toner, paper and office supplies, etc.

Y. Equipment and Computer includes expenses related to the purchase and maintenance of computer hardware and software. Provision has been made for the purchase of two new computers.

Z. Accounting includes expenses for UMFA's annual external audit.

AA. A budgeted transfer from the Operating Fund to the Reserve Fund.

BB. Contingency fund expenses require approval by the Executive Council prior to expenditure.

RESERVE FUND COMMITTEE REPORT

SUBMITTED BY:

Orvie Dingwall, Chair
Reserve Fund Committee

The Committee is comprised of the following members:

- Orvie Dingwall (Libraries) – Chair, Treasurer
- Michael Shaw (Biological Science) – Past Treasurer
- Peter Blunden (Physics & Astronomy) – Member at Large
- Caterina Reitano (French/Spanish/Italian/German/Slavic Studies) – Member at Large
- Janet Morrill (Accounting and Finance) – President (Ex-officio)
- Tom Booth (Biological Science) – CAUT Defense Fund Trustee
- Greg Flemming, Executive Director (Ex-officio)
- Debbie Abraham, Administrative Assistant

The Committee met twice in 2018-2019. Terry Wong of Cardinal Capital is the fund Manager and will continue in this role in 2019-2020.

The Reserve Fund is designed to achieve the best return possible, while meeting the Reserve Fund Guidelines.

As part of the back-to-work-protocol from the 2016 strike, UMFA negotiated a provision that had administration agree to accept payment from the Association for Members' forgone pension contributions and restore our pension entitlements "if possible". After over two years of legal action, expert opinions, and failed negotiations, UMFA decided to pay a portion of the forgone salary directly to Members. Therefore, in December 2018, the Reserve Fund transferred \$667,000 to the operating fund. In January 2019, UMFA distributed cheques to members who had been on strike in 2016, and who were eligible to contribute to the pension fund, amounting to \$667,449.76. After review of members' eligibility to contribute to the pension fund in 2016, \$10,833.83 was transferred back to the Reserve Fund.

The Reserve Fund Committee is recommending revisions to the Reserve Fund Policy (see the policy on page 47), as recommended by the Executive and Board of Representatives to the AGM for discussion and vote. These recommendations will create a more evidence-based approach to the Policy and a more sustainable Reserve Fund.

The draft UMFA budget for 2019-2020, to be approved at the AGM, does not include any transfers for the 2019-2020 year, due to the budget already being in a deficit position. However, due to UMFA's accumulated surpluses over the past three years, the Reserve Fund Committee, Executive, and Board of Representatives are recommending the following:

a transfer of \$220,000 from UMFA's Operating Account to the Reserve Fund, toward the accomplishment of maintaining the Reserve Fund at three-times the annual operating budget.

The Reserve Fund has performed modestly this year on account of market fluctuations, and has decreased in value this year due to the pension payment to members. At the Executive's direction, the Reserve Fund Committee continues to examine and review the types of investments in the Reserve Fund, ensuring we are invested in companies that take a socially responsible approach in their business practices.

GRIEVANCE REPORT, 1 APRIL 2018 – 31 MARCH 2019

Grievance Officers:	Dr. Mark Gabbert Dr. James Hare Dr. Joy Stacey
In-house Legal Counsel:	Mr. Jason Gisser Mr. Andrew MacIsaac
Executive Director:	Dr. Greg Flemming

Introduction

Your Grievance Officers work with UMFA In-house Legal Counsel and/or the Executive Director to resolve claims of unjust treatment and grievances against Administrators who are alleged to have violated the rights of Members under the Collective Agreement. Further, we provide consultation, advice, and representation for Members accused of violating University policies (e.g. The Respectful Work and Learning Environment Policy, The Responsible Conduct of Research Policy), who are alleged to have committed any action that could result in disciplinary action as outlined in Sections 17.A.8, 19.B, and 34.10 of the Collective Agreement, or who are experiencing difficulty with the tenure or promotion processes. Finally, we advise, and if need be, represent our Members' interests in the context of other concerns about their ability to effectively carry out the duties and responsibilities of their position at The University of Manitoba, including, but not limited to, matters of harassment, discrimination or failure to accommodate.

As detailed in Article 32 of the Collective Agreement, an unjust treatment claim is an allegation by an UMFA Member that an Administrator has exercised her/his authority in an unreasonable manner in carrying out University policies. A grievance is an allegation that the Collective Agreement has been violated, misapplied or misinterpreted. The Collective Agreement allows for three types of grievances: UMFA Member grievances against the Administration, Association grievances against the Administration, and Administration grievances against the Association.

Resolution of Unjust Treatment Claims and Grievances

If an Administration or Association grievance cannot be resolved by the parties themselves, the matter can be submitted to binding arbitration as outlined under Section 32.4 of the Collective Agreement. Member grievances and unjust treatment claims are resolved at the earliest possible stage of the four-stage process outlined under Section 32.3.3 of the Collective Agreement.

Stage 1 - The Member discusses the matter informally with the relevant Administrator (typically the Department Head or the Dean/Director).

Stage 2 - If there is no resolution at Stage 1, a formal grievance/unjust treatment claim is prepared in consultation with UMFA In-house Legal Counsel or Executive Director and filed with the Dean/Director/University Librarian of the faculty/school/library. A meeting of the Member, UMFA Grievance Officer, UMFA In-house Legal Counsel, Human Resources Officer and the Member's Dean/Director/University Librarian is then held to seek a satisfactory resolution for the Member.

Stage 3 - If there is no resolution at Stage 2, the matter is referred to the Vice-President (Academic) and Provost, and a meeting is held between the Vice-President (Academic) and Provost, a Human Resources Officer, UMFA In-house Legal Counsel or Executive Director, and an UMFA Grievance Officer in an attempt to resolve the matter at hand.

Stage 4 - If Stage 3 fails to produce a satisfactory resolution, grievances can be submitted to binding arbitration as outlined under Section 32.4 of the Collective Agreement, and claims of unjust treatment can be submitted to an inquiry committee as described under Section 32.3.3.5. The decision to proceed to arbitration or an inquiry

GRIEVANCE REPORT, 1 APRIL 2018 – 31 MARCH 2019

committee, however, rests with the UMFA Executive, which will normally seek an outside legal opinion to assist in arriving at a decision that best serves the interests of both the member who is the subject of the grievance or claim of unjust treatment, and the UMFA membership at large.

Case Load

a) Member Grievances Carried Over from 2017-2018

Stage	Issue	Status
1	Suspension, Unreasonable Remedial Orders & Performance Increment Denial	Resolved
2	Tenure Denial/Reprisal for Discrimination Complaint	Resolved
2	Academic Freedom/Personal Harassment/Reprisal	Ongoing
3	Discipline re demotion/re-assignment	Resolved
4	Academic Freedom/Sexual Harassment/Reprisal	Ongoing
4	Violation of Memorandum of Settlement	Ongoing
4	Letter of Direction as Reprimand	Ongoing
4	Inappropriate process in seeking 2nd medical opinion	Ongoing

b) New Member Grievances 2018-2019

Stage	Issue	Status
2	Bad faith performance evaluation	Ongoing
2	Workplace Safety and Health Violations	Ongoing
3	RWLE enforcement	Ongoing
3	Group grievance re tenure committee exclusion	Ongoing
4	Violation of Memorandum of Settlement	Ongoing
4	Inappropriate (second) process in seeking 2nd medical opinion	Ongoing
4	Sexual Harassment/Failure to Remediate	Ongoing
4	Withholding Increment	Ongoing

c) Association Grievances

Stage	Issue	Status
3	Contingent Appointments - miscategorised	Ongoing
3	Research/Study Leave Commencement Dates for Librarians	Ongoing
3	UMFA Appointments of Less than 12 Months	Ongoing
4	Required Inclusion of Performance Evaluations in Tenure Materials	Ongoing
4	Violation of Memorandum of Settlement	Ongoing
4	Problematic clauses of Guidelines for Assignment of Teaching	Ongoing
4	Problematic clauses of Guidelines for Assignment of Teaching (2)	Ongoing
4	Payment Formula for Spring/Summer Teaching	Ongoing
4	Out-of-Class Mid-terms	Ongoing

d) Labour Board Actions

Issue	Status
Member Complaint against UMFA re Duty of Fair Representation	Dismissed
ULP v. Administration re Violation of Memorandum of Settlement	Ongoing

e) Respectful Workplace Investigations

7 members with external investigators (3 Resolved, 4 Ongoing)
2 members with Dean (Resolved)

f) Responsible Conduct of Research Investigations

2 members (1 completed w/ finding of breach, 1 ongoing)
1 member (2 matters) (1 completed w/ finding of breach, 1 ongoing)

g) Consultation Regarding Member Concerns

Tenure

2 members (denials, ongoing); 1 member (early tenure, withdrawn)

Promotion

3 members (2 ongoing, 1 withdrawn)

h) Other Representation and Consultation

Your Grievance Officers, In-house Legal Counsel, and Executive Director provide representation and advice on a variety of issues beyond those resulting in discipline or denial of tenure/promotion. In 2018-2019 these have included:

- Activity Report/Consultation with Dean – **5 members**
- Administrative Duties and Administrative Support – **2 members**
- Anomalies Fund – **7 Members**
- Appointment Type – **4 Members**
- Benefits/Insurance – **5 members**
- Committee Issues – **1 group of members**
- Conflict of Interest – **3 members**
- Copyright/Intellectual Property – **7 members**
- Financial Matters – **1 member**
- Hiring Committee Bias – **2 members**
- Hiring Issues – **5 members**
- Hiring and Retention of Indigenous Faculty – **1 Member**
- Inter-member Relations – **2 members**
- Investigations with potential disciplinary outcomes – **18 members**
- Leave of Absence – **4 members**
- Letter of Offer – **7 members**
- Library Access -- **1 Member**
- Long Term Disability – **1 Member**
- Maternity/Parental Leave – **5 members**
- Moving Expenses – **1 Member**
- Overpayment – **2 members**
- Outside Activities – **8 members**
- Parental Leave – **2 members**

GRIEVANCE REPORT, 1 APRIL 2018 – 31 MARCH 2019

- Parking – **3 Members**
- Performance Evaluation – **5 members**
- Personal File – **2 Members**
- Reduced Appointments – **3 members**
- Reorganization of Faculty – **1 group (14 members)**
- Research Study Leave – **8 members**
- Resignation – **2 members**
- Retirement Advice – **18 Members**
- Return to Work – **3 members**
- RWLE Advice (no complaint filed) – **25 members**
- Second Medical Opinion – **2 members**
- Senior Scholar Status – **3 members**
- Sick Leave – **9 members**
- Spousal Hire – **4 Members**
- Student Complaints – **3 Members**
- Student Safety Concerns – **1 member**
- Teaching Assignment – **3 members**
- Teaching Workload Guidelines – **7 members and 1 group of members**
- Tenure/Promotion Advice – **7 members**
- Term Renewal/Contingent Appointment/Probationary Period - **2 members**
- Travel/Expense Funds – **2 Member**
- Vacation – **4 members**
- Workload – **6 members**
- Workplace Accommodation – **4 members**
- Workplace Safety and Health Issues – **3 members**

Summary

Of the 16 grievance/unjust treatment cases summarized above (relative to 17 Member grievances reported in our 2017-2018 AGM report), 3 were resolved in our Member's favour as of 31 March 2018, and 13 are ongoing at Stages 1 through 4. The Manitoba Labour Board action levelled by a former Member against UMFA was resolved in the favour of UMFA. Our Labour Board Action alleging an Unfair Labour Practice based on our Administration's failure to adhere to a Memorandum of Settlement is ongoing. Our 9 Association Grievances (up appreciably from 4 reported at last year's AGM) are ongoing, and are the subject of ongoing efforts to protect the rights of our Members. While we made significant gains in the last round of Collective Bargaining with language being added to the Collective Agreement promoting a collegial process underlying the establishment of workload guidelines, and the protection of our Members' privacy, we remain vigilant against the potential misapplication of those, and against increasing Member workload. Similarly, while the joint UMFA/Administration Working Group on metrics recognized that metrics cannot be meaningfully applied at this point in time, the stalemate produced by Administration appointees to that group voting against incorporating protections against the use of metrics in evaluating our members into the Collective Agreement reinforces the fact that we must work diligently on behalf of our Members to ensure their rights are upheld in all aspects of their professional lives.

Many potential grievances have been averted, and concerns of our Members addressed via informal discussions between Members and Grievance Officers, UMFA Executive Members and/or UMFA In-house Legal Counsel (particular thanks are owed to In-house Legal Counsel Jason Gisser and Andrew MacIsaac, and our Executive

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Director, Dr. Greg Flemming). Members are urged to contact the Association promptly upon becoming aware of any situation that may be subject to grievance or where they feel they have been subjected to unjust treatment. Article 32 of the Collective Agreement stipulates that grievances or claims of unjust treatment must be formally filed within 20 working days of the event giving rise thereto. Thus, we encourage Members to keep that 20 working-day deadline in mind so as to avoid compromising their right to grieve or file a claim of unjust treatment where they have been subjected to such treatment by University administrators. We remain committed to serving your interests, and encourage you to contact the UMFA Office to arrange a meeting should you have any concerns.

WORKPLACE SAFETY AND HEALTH REPORT

SUBMITTED BY:

Bill Poluha

Local Area Safety and Health Committees

Safety and health training is in the process of being reviewed by Human Resources. New employees receiving onboarding training include safety and health. However, for continuing employees, training is triggered during position changes or during performance reviews. Changes in workplace safety and health necessitate training reviews and Human Resources is working on improving coverage and consistency of its triggers for annually notifying existing employees.

Several Health and Safety concerns in the Education Building expressed by the Education LASH Committee were brought to UMFA's attention including:

- Recent changes to the Education Building which may be related to fire code regulations, including newly locked doors;
- Safety concerns related to working alone or in isolation, particularly during evening classes;
- Safety concerns related to sexual harassment and assault;
- Lack of information or communication with respect to potential emergencies in the Education Building, such as active shooter situations, fires, and blackouts (We are advised that a July 11, 2018 evacuation of the Education Building due to a fire alarm was not accompanied by sufficient circulation of information as to what was happening or what to do, mirroring the inadequate response during the last several evacuations that have taken place in the Education Building);
- Dealing with individuals with mental health concerns; and
- Dealing with individuals who are exhibiting violent behaviour, or addressing unusual behaviour in the Education Building.

UMFA responded with the following recommendations:

- Annual mental health care training that includes strategies on how to deal with someone in the Education Building who is exhibiting mental-health related symptoms;
- Annual training on sexual harassment and assault, and respectful workplace and learning environment and sexual assault policies and procedures with customized training, supports and resources for the Faculty of Education;
- Annual CRP training courses which is especially pertinent for Faculty teaching during evenings;
- Recent construction in the Education Building necessitated updating available exits and fire evacuation doors and routes and communicating these updates to Faculty;
- Evening teaching and safety planning to ensure that evening classes are located adjacent to each other. Faculty should be given the opportunity to have their classroom changed to ensure they are closer to other occupied classrooms; and
- Room 222 in the Education Building should be reviewed for the risk of an active shooter situation.

These issues are currently in the process of being addressed by the Faculty of Education, OSHAC (Organizational Safety and Health Advisory Committee) and UMFA. There are implications for the broader University community to more effectively address safety and health concerns.

The February 14, 2017 attack of a Winnipeg Transit operator on campus has resulted in University Administration updating the Critical Incident Protocol in consultation with the OSHAC Committee. The Protocol is still in draft and a work in progress.

Local Area Safety and Health (LASH) Committee participation at the University continues to increase.

Environmental Safety and Health Office (EHSO) purchased institutional licenses for the inspection software iAuditor which has a template customized to the safety and health needs of the University. Carrying out inspections is a lot more streamlined and time efficient. Faculty are encouraged to participate on LASH committees in their areas.

STAFF BENEFITS COMMITTEE REPORT

SUBMITTED BY:

Cameron Morrill, Chair

UMFA Staff Benefits Committee

2016-2018 saw some enhancements to the UM Staff Benefit plans, the most significant we have seen in over twenty years. By comparison, 2018-2019 was very quiet. The UM Staff Benefits Committee has not met in almost a year.

Pension plan. After four pretty good years in which the Plan enjoyed effective annual returns of 8.0% on its assets, the Plan hit a bit of a rough patch in 2018. The return for the year was -0.91%, well below the Plan's benchmark of 6% - 6.5%. 2019 is off to a good start, however.

The UM continues to offer Retirement Planning Workshops. I took one and found it very informative. I encourage UMFA members to sign up for these workshops, even if retirement still seems far away.

Long-term disability (LTD) plan. Continuing on from last year, there has been some more slow progress in revamping the LTD Plan to improve its income tax efficiency. The UM and its consultants have come up with some more interesting plans that promise higher benefits at lower total cost. There are a couple of problems, however.

Under the current plan, the UM and each employee pays half of the cost of the LTD premium. Under a new tax-efficient plan, each employee would pay 100% of the premium. This raises the question: What happens to the money that UM is paying into the current Plan? Originally, the UM had agreed in principle to paying out its share of the LTD premium as increased salary. The Administration has changed its mind, however, arguing that it will use its share of the premium to pay for the benefit enhancements negotiated in 2016. This is an entirely new twist that did not come up in bargaining.

In addition, there are still significant uncertainties about the features of a new 100% employee-paid LTD plan. The UM insists that this arrangement is only possible if it is an entirely new plan negotiated with an insurance company. So far, we have seen no information about the precise features of any of the proposed plans (e. g., Who qualifies for benefits? How long does coverage last?) or about how hard-nosed the insurance companies can be.

We will continue to press for more information on these questions and, if necessary, prepare to bring the Plan to the bargaining table in 2021.

Finally, I would like to thank the UMFA members and staff who served with me on the Staff Benefits Committee this year: Orvie Dingwall, Jay Goldstein, Janet Morrill, Wendy Schultz and Greg Flemming.

COMMUNICATIONS COMMITTEE REPORT

SUBMITTED BY:

**Alison Calder, Chair
Communications Committee**

The role of the Communications Committee is to advise the Executive in internal and external communications, to promote effective communications through social media and other means, and to facilitate member education related to communications. We met in the autumn to review UMFA's 2018-19 communications plan and to suggest some more features for the "Professors Make UM Happen" and "Instructors Make UM Happen" series. We organized a "Labour on Film" lunch-time movie event on December 6. We also discussed the need to respond to sexual violence issues on campus, which resulted in a "Know Your CA" item on how UMFA and the Collective Agreement connect with these matters, and what Members' rights are in this context. We also reviewed the available information about our amount of web traffic, the efficacy of our email communications, and the visibility of our social media platforms. As we move towards bargaining, I anticipate that the committee will meet more frequently in order to suggest direction to the Executive and to contemplate the role of communications in a job action setting. I would also like to thank the committee members for the time and energy that they've contributed to these and other UMFA initiatives.

DIVERSITY AND EQUITY COMMITTEE and GENDER SOLIDARITY WORKING GROUP REPORT

SUBMITTED BY:
Janet Morrill, Co-Chair

The Diversity and Equity Committee met in September 2018, enthusiastic about making progress towards this committee's important goals. One of the items discussed in that meeting was a suggestion by a member to create a Gender Solidarity Working Group. This suggestion was in response to messages from David Barnard and the Administration regarding their distress at the instances of sexual violence at the University, and their resolve to root out this behaviour, protect members of the University of Manitoba community, and discipline the offenders.

Because of the urgency of the issues involved, the Gender Solidarity Working Group has been very active. The Gender Solidarity Working Group has scheduled training for its members with the Human Rights Commission and Rainbow Resource Center to ensure that we are equipped to understand and support our members with compassion and respect, while considering the legal environment. We have also participated in UMFA's responses to administration's draft policies on sexual violence, sexual harassment, Respectful Work and Learning Environment, and plan to respond to UM's policies on relationships between employees/students and between employees with power differentials.

Orvie Dingwall has agreed to co-chair the Diversity and Equity Committee with me, and together I hope we can move other important initiatives forward, as there is much work to be done related to diversity and equity for all of our equity seeking groups:

- Indigenous academic staff
- Women academic staff
- Racialized academic staff
- Academic staff with disabilities
- LGBTQQ academic staff

We continue to face enormous challenges on campus. We have seen high profile indigenous staff leave UM this year, citing multiple barriers to indigenization. While the Fort Garry campus saw the campus daycare expansion opened this year, all the spots have been earmarked for students in exchange for UMSU's contribution to the daycare. Given that the UM Playcare was closed this year, and there are still no plans for campus daycare at Bannatyne, our members with children have even less access to quality childcare than they did when the Ad Hoc Childcare working group released its report in 2013. Administration continues to believe that SEEQ's, or some variation thereof, provide valuable information despite convincing evidence that they are biased against equity seeking groups.

We will keep you apprised of the committee's activities in the upcoming year.

MANITOBA FEDERATION OF LABOUR REPORT

SUBMITTED BY:

Janet Morrill, President

The Manitoba Federation of Labour has been very active this year fighting off the Palliser government's continued efforts to undermine organized labour and reduce the quality and availability of public services under the guise of administrative efficiencies. Our brothers and sisters in the health care profession have been hit especially hard.

As you may recall, the MFL formed the Partnership to Defend Public Services (PDPS) last year to legally challenge the government's unproclaimed Public Sector Sustainability Act (PSSA) that capped wage increases to 0%, 0%, 0.75%, and 1%. The advantage of forming a partnership was to allow the unions to share the legal costs and speak with one strong voice. It has permitted UMFA to protest our experience at the hands of the government in 2016, lending great strength to the legal arguments, while reducing our legal costs to a very manageable level. This very much embodies the spirit of organized labour: people joining together greatly increase their power and influence, and spread the costs over a large number rather than imposing catastrophic costs on an unlucky few.

The injunction against PSSA was rejected by the courts, but they instead accelerated the constitutional hearing. Ordinarily, such hearings take place years after the alleged offense, but the PDPS will face off against the provincial government this November, only six months from now.

The MFL has also been very active in preparing for the commemoration activities of the Winnipeg 1919 General Strike. This is much more than a series of parties: this is an opportunity to revive an important historical event to bring alive the important message above: people joining together greatly increase their power and influence, and spread the costs over a large number rather than imposing catastrophic costs on an unlucky few. While the 1919 strike appeared to fail, the length of the strike and sheer numbers inspired others around the world to make substantial gains in worker's rights and living conditions in the years that followed. The MFL has worked for a decade on this, ensuring that the message will be widely sent through many media: There are exhibits at the Manitoba Museum and the Canadian Museum for Human rights, parades, free concerts, Strike! The musical, Stand! The movie, and the unveiling of a streetcar sculpture later on in the summer.

Finally, the MFL in conjunction with the CLC continues to advocate for changes that affect everyone. Pushing for Universal Health Care continues. This should be of great interest to UMFA members, who are lucky enough to have health care coverage, and that coverage was substantially improved in 2016. However, typical UMFA members could still have to pay thousands of dollars to cover their drug costs as there is a large gap between the ceiling of our coverage and the deductible before Manitoba Pharmacare kicks in.

See you at the 1919 Celebrations: Enjoy, learn, and be inspired!

WINNIPEG LABOUR COUNCIL REPORT

SUBMITTED BY:

David Camfield, on behalf of UMFA's WLC Delegates

What is Winnipeg Labour Council (WLC)?

WLC is a body to which unions in the city that belong to the Canadian Labour Congress (CLC) affiliate. UMFA belongs to the CLC through our affiliation to NUCAUT (National Union of CAUT). WLC holds monthly meetings of delegates from affiliated unions (except in July and August) and has several committees. The president is a full-time elected position but all other work is carried out by volunteers.

UMFA is currently able to name 12 delegates to the WLC. In 2017 I was elected as a Member at Large on the WLC Executive. I serve on the WLC Education Committee. Ruby Warren and I also served on WLC's Political Action Committee during a period in 2018 when WLC was developing its list of endorsements for the municipal and school board elections.

Why does WLC matter?

WLC is the *only* organization in the city that brings members from many unions together on an ongoing basis to do things together that we can't do on our own. Unionized workers in Canada are highly fragmented by how we're divided into many unions and a huge number of narrowly-defined bargaining units, so any organization that tries to bridge those divisions is potentially valuable.

Developments at WLC

WLC – like most of the unions on which it is dependent for its vitality – has long been lacking in dynamism. For years delegates' participation was only encouraged in minimal and quite controlled ways. Questioning and debate was not welcomed. In late 2016 Basia Sokal, a member of the Canadian Union of Postal Workers (CUPW), was acclaimed as WLC president. This created an opening for change, given her commitment to a more open, democratic and active approach. The November 2017 visit to Winnipeg of US researcher and organizer Jane McAlevey, which was of real benefit to UMFA, was made possible by this shift. The departure of Unifor from the CLC in January 2018 dealt a blow to WLC and to efforts to make change there. With Unifor delegates no longer seated at WLC, the council lost a number of activists. Unifor's split also reduced WLC's revenue by approximately one-seventh.

As I explained in last year's report, early in 2018 an effort by the WLC executive to propose a policy to guide WLC's political action was stymied by the president of a large affiliated local. At the May WLC meeting a group of delegates mainly from that local and led by the then-president of the provincial component of the union to which it belongs engaged in bullying and made false accusations aimed at the WLC executive in the course of getting WLC to endorse six candidates for municipal office rather than waiting until the June meeting when, in accordance with the process adopted at the behest of delegates from that same union at a meeting earlier in 2018, the executive was scheduled to present a full list of recommended candidates. This behaviour led the WLC president to call a special meeting of leaders of WLC-affiliated unions, at which UMFA was represented. Leaders from a number of affiliates also wrote a letter to the CLC executive about what happened at the May WLC meeting.

After that tensions persisted behind the scenes. These delayed the executive's effort to propose amendments to update WLC's bylaws. At the March 2019 meeting of WLC, Sokal made the surprise announcement that she was going on leave and would then be resigning as WLC president because of the sexist and anti-democratic behaviour to which she had been subjected. She has since made a formal complaint to the CLC.

A low level of delegate participation in committees has made it hard for WLC to accomplish much of late. An interim election for president will probably happen in June, and a full election will take place in November. I expect an effort will be made to elect a president and possibly other members of the executive who are committed to undoing the limited positive changes made at WLC during Sokal's time in office.

WINNIPEG LABOUR COUNCIL REPORT (CONTINUED)

In spite of these problems, it is important for UMFA to continue to participate in WLC because it is the only organization in the city in which members of a range of unions can get together to share information, support each other, and do things that they are unable to do separately. It is still possible to do useful work through WLC committees. UMFA delegates have played a positive role at WLC, and to stop participating or disaffiliate from WLC because of the problems there would weaken support for democracy and efforts to make WLC a more effective organization. If anything, we should increase our participation.

BOARD OF GOVERNORS ASSESSOR REPORT

SUBMITTED BY:

Mark Hudson, Past President

2018 continued the trend of most matters of substance being put under the closed agenda. The UMFA Assessor is excluded from any closed session items dealing with human resources, and forbidden from disclosing anything that happens in the closed session. The closed session is where nearly all issues of any political or administrative import occur. However, as your Assessor, I was able to make interventions in BoG on disciplinary cases involving UMFA members, and on important matters such as the composition of the Presidential Search Committee, and the procedures by which that committee would undertake its work.

SENATE ASSESSOR REPORT

SUBMITTED BY:

Mark Hudson, Past President

I assumed an active role as Senate Assessor in January of 2019, the position having been ably filled by UMFA VP Mike Shaw up until then. The most significant aspect of senate business of relevance to the union during my active period were deliberations on the composition and procedures of the Presidential Search Committee. This began with the election of UMFA members Dr. Cary Miller, Dr. Peter Blunden, and Dr. Tina Chen as the Senate representatives on the committee. They will join Dr. Robert Chernomas as the UMFA-appointed representative on the committee. Subsequently, a motion was brought by Dr. Mark Gabbert proposing that the Presidential search committee's short-listed candidates be made public, and proposing further that those candidates make a public presentation to the university community, and that the community be provided with a means of furnishing commentary on the short-listed candidates. This was passed by a large majority in Senate, then considered and rejected in the Board of Governors. A compromise motion was subsequently put forward, also by Dr. Gabbert, that the short-listed candidates be made known in a closed session of the Senate, that presentations by the candidates would be made to Senate, and that Senators be given an opportunity to provide commentary on the candidates to the Search committee. This also was passed by the Senate, and defeated at the Board. Senate was given an opportunity subsequently to address the Search committee to provide input into the search criteria. However, in the view of the Assessor, that is a weak form of collegial input into the search. It is important, in the view of the Assessor, that Senate so strongly supported the principle of collegial input into the search for the University's highest administrative office, and we will continue to push for this same principle at every opportunity.

REPORT OF THE AD HOC COMMITTEE ON INSTRUCTOR RANK CHANGE

Members: Kevin Scott
Michael Shaw
Mark Hudson
Caterina Reitano
Miriam Unruh

The Committee has not met yet this year but has been continuing to collect data on the hiring, compensation, and promotion process of individuals who are full time faculty members but who have a primary role in teaching. The committee will be meeting in May, prior to the AGM, but after the date of report submission and may be able to update next steps at the AGM.

ALTERNATE ACCOMMODATION COMMITTEE REPORT

Members: Janet Morrill
Greg Flemming
Michael Shaw
Orvie Dingwall

This committee has been tasked by the Board of Representatives to examine options for moving the UMFA office off campus to a location that will serve members, as the current office does now, but also provide a location that could be used in the event of future job action. The lease with St Andrews Collage does not allow us to use the space for job action so we lease a short term location each bargaining round at considerable expense to UMFA. We have been working with a commercial realtor in the search to find a location that meets all of our potential needs including parking, accessibility, public transport, pedestrian/bicycle access, and proximity to both main campuses. In October/2018 the committee, at the direction of the executive, made an offer, conditional on final membership approval, on a property on Pembina Highway north of the university. Had the offer been accepted we would have called a Special General Meeting of the membership to approve the purchase. The offer was not accepted by the property owner. The committee continues to look at options.

SEEQ AD HOC SUBCOMMITTEE REPORT

SUBMITTED BY:
Janet Morrill

UMFA's SEEQ Ad Hoc Subcommittee was formed to provide input to the Evaluation of Teaching and Courses Review Committee, a subcommittee of the Senate Committee on Instruction and Evaluation. The ten members of the UM committee included only three UMFA members. We are very thankful to them for serving on the committee and bringing a faculty perspective to this committee dominated by administrators and students.

The committee's draft report was issued in April, and in it they noted that the committee had sought broad input from the UM community in December 2018 to their following broad statement:

SEEQ AD HOC SUBCOMMITTEE REPORT (CONTINUED)

Student rating of instruction and courses is an important tool to recognize effective teaching. However, research of the past 10 years has shown the complexity and breadth of teaching practices requires a similar multi-faceted evaluation process and such an approach is more effective than student ratings of instruction alone. This is especially important for any summative decision making.

The committee then issued an invitation to all instructional faculty on campus, writing that “the first opportunity for input will be through a series of focus groups examining and providing input to the following broad statement and questions.”

In the meantime, our subcommittee gathered information from our members which has now been shared to the UM committee.

One of our main concerns is the UM committee’s starting point: “*Student rating of instruction and courses is an important tool to recognize effective teaching.*” This seems to be an attempt to stifle debate over a highly contentious issue. Research has demonstrated that student ratings of instruction are highly biased, which was an important factor in a recent arbitration decision out of Ryerson University, which prohibited the use of Student Evaluations of Teaching for the purposes of granting promotion or tenure.

Some of the most prevalent comments from our own consultations with our members were:

- Feedback about teaching is valuable, but SEEQ’s were problematic.
- Many of the SEEQ questions are irrelevant, important questions are not asked, attention was focussed only on questions 31 to 33, which seemed to be uncorrelated with performance on other questions but correlated with student grades.
- Comments, although rare, were often helpful. Unfortunately, some comments were harassing, biased, inappropriate or even abusive.
- Some respondents used other techniques and processes to improve and evaluate teaching, but they noted they were not common practice at UM.

Some of the suggestions in the UM committee’s draft recommendations fit with the observations of our members. They have suggested that evaluations of the instructor should be clearly separated from evaluations of the course (we note insofar as this is possible), and should be comprised of fewer criteria. Instructors should be protected from, and students should be accountable for, harassing and abusive comments.

However, there are other areas of disagreement: The UM committee suggests the collection and reporting of student ratings be entirely digital, although with completion by the students in-class. We are concerned that as long as evaluations are done electronically, response rates will be as low as those of other institutions who have adopted this route, with commensurate concerns of even greater bias and lack of validity. We also oppose administrators, particularly those who are involved in evaluations, promotion and tenure decisions, having access to the authorship of students’ comments or SEEQ results from small enrolment courses when our members do not.

We will continue to monitor the progress of this policy. The committee’s final recommendations may well propose changes that do not address all of our concerns. Whether we address these concerns in future bargaining will be for the membership to decide.

APPENDIX A: RESERVE FUND POLICY

University of Manitoba Faculty Association Reserve Fund Policy

1. The Association shall formally establish a Reserve Fund. This fund will not be shown in the budget, but will be held in a separate account having its own financial statement. It will be externally audited every year.
2. The goal of the Association is to maintain ~~the a~~ Reserve Fund at ~~twice-three-times~~ the annual operating budget, ~~as passed at the Annual General Meeting. If this goal is not met~~ To meet this goal, over the next ten (10) years the Treasurer will budget for an annual operating surplus sufficient to achieve the goal ~~within five (5) years~~.
3. The budget shall include a statement of the current amount in the Reserve Fund and the estimated investment income over the fiscal year. The budget will include a line for anticipated net transfers between the Reserve Fund and the Operating account.
4. Monies from the Reserve Fund may only be spent for the following purposes:
 - a. To provide benefits to members in the event of a strike or lockout, and to meet the daily expenses of the Association office in such an event. These expenditures must be authorized by the Board of Representatives;
 - b. To cover expenses of the Association directly related to bargaining and job action preparation that are not otherwise budgeted for in the operating budget of the Association. These expenditures must be authorized by the Board of Representatives; and
 - c. To provide money to meet major non-recurring expenditures [other than those in part (a) or (b) above] that cannot be financed through changes in the regular budget lines. Such expenditures must be authorized by the membership at a General Meeting.
5. Any change to the rules governing the Reserve Fund requires the approval by the Membership at a General Meeting, voted after at least one week's written notice of motion.
6. The Executive (acting with the approval of the Board, and after seeking the advice of the Reserve Fund Committee), may authorize permanent transfers from the Reserve Fund to the Operating Account throughout the fiscal year provided the above goal (see 2. above) has been met. If, during the fiscal year, the Operating Account experiences cash flow deficits, the Executive may authorize temporary transfers from the Reserve Fund; i.e. the Reserve Fund will provide an interest-free overdraft for the Operating Account which must be rectified by the end of the fiscal year.
7. Reserve Fund Committee Membership and Responsibilities:
 - a. The Reserve Fund Committee shall be made up of the Treasurer and four to six Regular Members and may also include up to two Retired Members. The Regular Members will be approved by the Board of Representatives and will be appointed for a two-year term. The Retired Members will be appointed for a two-year term in a non-voting capacity by the Board of Representatives. The Regular Members will include the Past-Treasurer unless he/she is unable or unwilling to serve or is a Retired Member, and where possible should include an UMFA representative to the CAUT Defence Fund. Regular Members and Retired Members may be re-

APPENDIX A: RESERVE FUND POLICY

appointed at the end of their term. The Treasurer shall chair the Reserve Fund Committee and ensure that its membership is at full complement.

- b. The Reserve Fund Committee shall manage the investments of the Reserve Fund according to the “prudent person” standard set out in the Federal Insurance Companies Act:
The directors of an insurance holding company shall establish and the insurance holding company shall adhere to investment and lending policies, standards, and procedures that a reasonable and prudent person would apply to avoid undue risk of loss and obtain a reasonable return.
 - c. The Reserve Fund Committee will manage the Reserve Fund according to the Investment Guidelines shown in Appendix A, with a view to:
 - i. meeting liquidity requirements of the Reserve Fund;
 - ii. achieving stability by investing only in moderate to low risk investments;
 - iii. reducing unnecessary management and administration fees; and
 - iv. showing preference for Canadian and socially responsible investments.
 - d. The Reserve Fund Committee will review its investment management services every 5 to 7 years, effective May 2013. The process for review of investment advisors shall involve requesting proposals from select investment management firms.
 - e. The Reserve Fund Committee will prepare an annual report to the Treasurer for presentation to the Board and Annual Meeting; the report will detail the state and performance of investments (by category) of the fund at the end of the fiscal year (March 31) and the performance of the fund by category, over the previous year. The details of how the fund is invested will be made available to members on request. The report shall include a description of the steps being taken to meet the goal for the size of the Fund, and the steps being taken to rectify any discrepancies with the guidelines in Appendix A.
 - f. The Reserve Fund Committee will review the short-term and long-term investment strategies of the Fund from time to time, but not less than once each fiscal year. In particular, the Committee will monitor the market value of the investment portfolio and make adjustments as required by the “prudent person” standard outlined in Clause 7b.
8. The Reserve Fund Committee shall meet at least 3 times a year.

University of Manitoba Faculty Association Reserve Fund – Investment Guide

A. Investment Philosophy

1. Investment of the portfolio must be managed so as not to expose the portfolio to undue risk of loss or impairment while maintaining the purchasing power of the capital.
2. The portfolio is to be constructed so as to maximize yields consistent with a conservative, low risk profile portfolio.
3. Within the policy guidelines described below, the investment manager (the “Manager”) may exercise full investment discretion and shall:
 - i. comply with all applicable laws, rules and regulations, including the CFA Institute’s Code of Ethics and Standards of Professional Conduct governing its professional activities;
 - ii. not knowingly participate or assist in any violation of such laws, rules or regulations;
 - iii. exercise the care and skill expected of a prudent investment manager;
 - iv. at all times act on a basis which is fair and reasonable; and
 - v. exercise its power and duties in good faith and in accordance with its best judgment.
4. The Manager will not engage in short sales or in the purchase of securities on margin. In addition, the Manager may not purchase or sell derivatives, options or futures contracts.
5. All voting rights acquired through the ownership of securities will be the responsibility of the Manager. The Manager will exercise voting rights with the intent of fulfilling the investment policies and objectives of the Reserve Fund. The Manager is expected to act in good faith and to exercise the voting rights in a prudent manner that will maximize returns to the Reserve Fund and act against any proposal which will increase the risk level or reduce the investment value of the relevant security. The Manager will maintain a voting record which will be available for review upon request.
6. When making selections, the Manager will invest in companies which take a socially responsible approach in their business practises.

B. Investment Objectives

1. Capital
Protect the purchasing power of the capital by ensuring that growth exceeds inflation (as measured by The Canadian Consumer Price Index) plus 3%, calculated on a rolling five year average. This objective is to be achieved through the development and implementation of investment strategies within a conservative, low risk portfolio.
2. Revenue and liquidity
Reinvest the income on an ongoing basis. The Manager shall ensure, in consultation with the Reserve Fund Committee, that in the event of job action or potential job action the liquidity requirements of UMFA are met. The Reserve Fund Committee will advise the Manager of any actual or possible upcoming job action.

APPENDIX B: RESERVE FUND INVESTMENT GUIDE

C. Portfolio Diversification and Asset Quality Standards

The fund shall be held in (1) Cash and Cash equivalents; (2) Fixed Income Securities; and (3) Equities; and adhere to the following guidelines:

1. Cash and Cash Equivalents:
 - 1.1 Cash and cash equivalents are short term securities of less than one year term.
 - 1.2 Cash and cash equivalents may be invested in:
 - a) Securities of or fully guaranteed by the Government of Canada;
 - b) Securities of or fully guaranteed by any province of Canada;
 - c) Term deposits, Guaranteed Investment Certificates, and Bankers Acceptance of Federal Schedule 1 chartered banks or provincial credit unions;
 - d) Pooled or mutual funds or exchange traded funds (ETFs) limited to those invested in the above categories.
 - 1.3 All Cash Equivalents will be rated Investment Grade by a recognized rating agency.
2. Fixed Income Securities:
 - 2.1 Fixed income securities may be invested in:
 - a) Securities of or fully guaranteed by the Government of Canada;
 - b) Securities of or fully guaranteed by any province or territory of Canada or municipal government in Canada;
 - c) Canadian corporations;
 - d) Pooled or mutual funds or exchange traded funds (ETFs) limited to those invested in the above categories.
 - 2.2 Other than for securities defined in 2.1(a) and (b), the amount invested in any single issuer will be not more than 5% of the total portfolio at market value.
 - 2.3 All debt securities will be Investment Grade rated by a recognized rating agency.
3. Equities:
 - 3.1 Securities may be invested in common or preferred shares, publicly traded on recognized stock exchanges upon which market prices are readily available.
 - 3.2 At the time of purchase:
 - a) Not more than 7% of the total equities at market value shall be invested in the common stock or preferred shares of any single corporation.
 - b) Not more than 15% of the total equities at market value shall be invested in foreign equities.
 - 3.3 No portion of the total portfolio will be invested in small capitalization stocks, currently defined as those with market capitalization (including closely held shares) of less than C\$200 million.
 - 3.4 Pooled or mutual funds or exchange traded funds (ETFs) limited to those invested in the above categories.
 - 3.5 Except during periods of liquidation or accumulation, each equity investment should normally constitute at least 1% of the total equities.

The Manager will ensure an appropriate diversification within each asset class.

These guidelines must be approved by the Membership at a General Membership meeting but may, in emergent situations, be modified by the Board of Representatives subject to approval at the next General

APPENDIX B: RESERVE FUND INVESTMENT GUIDE

Meeting of the Membership. Such modification shall take effect at the time of Board of Representatives approval.

D. Asset Mix Policy and Range of Discretion

1. Subject to the statements of Investment Philosophy (section A), Investment Objectives (section B), Portfolio Diversification and Asset Quality Standards (section C), the Manager shall have the following range of investment discretion, based on market values:

	Minimum	Maximum	Target
Cash and Cash equivalents	0%	15%	0%
Fixed Income Securities	50%	70%	60%
Equities	30%	50%	40%

2. The Fund shall be managed with the goal of meeting the percentage requirements of this paragraph at fiscal year-end. In the event that the Fund has been depleted due to expenditures under the Reserve Fund Policy, the Fund shall be managed with the goal of meeting the percentage requirements of this paragraph no later than the end of the second fiscal year following such an expenditure.

E. Reporting

1. Trade confirmations and monthly activity statements will be provided by the custodian.
2. The Manager will provide on a quarterly basis, a comprehensive investment summary outlining current portfolio positions, income generated by the portfolio, fees and expenses paid and investment performance (both before and after fees) compared to the relevant benchmarks.
3. The Manager will provide a quarterly newsletter highlighting significant economic and financial events, market performance and market outlook.
4. Annually, the Manager will provide a Compliance Report.
5. The Manager will make a formal presentation to the Reserve Fund Committee at least annually to review the portfolio's performance and to update the investment strategy for the coming year.

F. Conflict of Interest

1. The Investment Managers and all members of the Reserve Fund Committee, both voting and non-voting, must disclose any direct or indirect association or material interest or involvement in aspects related to his or her role with regard to the Reserve Fund that would result in any potential, actual or perceived conflict of interest.
2. A conflict of interest arises when one of the parties in F)1) receives a direct or indirect benefit on account of any transaction made on behalf of the Reserve Fund or benefit from any actual or proposed contracts with the issuer of any securities which are or will be included in the portfolio. The best interest of the Reserve Fund is the primary consideration in resolving all such conflicts.

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APPENDIX C: REVISION TO THE CONSTITUTION

6. OFFICERS

- 6.1 The President or his/her delegate shall preside at all general meetings of UMFA and at all meetings of the Board and of the Executive Council; he/she shall be a member ex officio of all committees, and he/she shall be the chief executive officer of the Association. The official spokesperson of the Association shall be the President or designate.
- 6.2 The Vice-President shall perform such duties as may be delegated to him/her by the President and in the absence or incapacity of the President shall perform the duties of the President. The Vice-President shall be a member ex officio of all standing committees and shall normally be responsible for maintaining Association communications internally and externally. The vice-president shall normally serve as the Faculty Association assessor of the Senate and as co-ordinator of volunteers. Should the President vacate his/her office, the Vice-President shall automatically become President. Should a Vice-President become President more than 60 days before the Annual General Meeting, the Board shall conduct an election for a new Vice-President in accordance with section 7.1 and Standing Rules.
- 6.3 The Grievance Officer shall be responsible for the grievance process on behalf of the Association; shall bring forward recommendations to the Executive as to whether the Association should proceed to arbitration in any particular grievance. UMFA will make every effort to ensure gender diversity in its complement of Grievance Officers.
- 6.4 The Contract Administrator shall be responsible for the interpretation, administration and implementation of the Collective Agreement.
- 6.5 The Secretary shall be responsible for the recording of proceedings of all meetings of the Association, the Board and the Executive Council and for the sending of proper notices, agendas, etc., for such meetings, and shall perform such other duties as may be assigned by the Board or the Executive Council.
- 6.6 The Treasurer shall be responsible for the proper conduct of the financial affairs of UMFA; for proper reporting of such affairs to the Association, the Board and the Executive Council; and shall perform such other duties as may be assigned by the Board or the Executive Council.
- 6.7 The Immediate Past President shall be a member of the Executive Council and of the Board for one year following the expiration of his/her term as President. The Past President shall serve as Faculty Association assessor to the Board of Governors and as chair of the Nominations Committee.

APPENDIX C: REVISION TO THE CONSTITUTION

- 6.8 In order that the Association shall always have an authorized representative regardless of the absence of specific Executive officers, the following order of selection shall prevail: President, Vice-President, Past President, Secretary, Treasurer, Executive Member-At-Large.
- 6.9 The Executive Director
 - 6.9.1 The Executive Director shall be under the direction of the Executive Council. The duties, remuneration and terms of appointment shall be agreed upon by the Executive of the Association and the Executive Director, subject to the approval of the Board. The roles and responsibilities arrived at through this process can be revised by mutual agreement of the Executive and the Director.
 - 6.9.2 The Executive Director shall be: an ex-officio member of the Association; a non-voting member of the Executive, the Board and standing committees of UMFA, with the exception of the Nominations Committee; a policy adviser to the President, Executive and the Board; office manager; supervisor of the office staff; responsible for the drafting and distribution of minutes; involved in providing advice, support and expertise in external relations, lobbying activities with government and other agencies.
 - 6.9.3 The Director's duties and responsibilities, once agreed to by the Executive Council and the Director, should be written down in the form of a job description.



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