

Dear SFUFA Members:

The following bulletin contains information on:

- Member dues and SFUFA budget
- General Meeting, Social, and Elections
- Collective Bargaining
- RAs and Research Personnel
- Chairs and Directors list
- Reminder – alternate contacts

Member dues and SFUFA budget

Summary: Over the last several years, the costs of member legal representation have risen dramatically, and have resulted in use of our reserves. Our dues are substantially lower than both the provincial and national averages, a situation that is not sustainable. The Executive will be bringing to the General Meeting - and then to full electronic ballot - a motion to raise dues to both rebuild reserves and to ensure capacity to defend members legally when required. Info sessions on the dues matter will be held on March 30 and April 14 – details to follow.

We have over the last several years noted that SFU's approach to faculty relations has been oriented towards formal legal processes rather than informal resolution. Between 2019 and 2022, legal expenses rose from a norm of \$40,000-\$60,000 per year to some \$300,000, driven entirely by the need to defend the rights of faculty members. At that point, we came to you, our members, with a proposal for a modest dues increase in hopes the situation would improve.

Today, legal costs have continued to rise, and range in the \$500,000-\$650,000 range. We are actively working to manage these costs and, have taken steps including using expedited legal processes wherever possible and having staff rather than legal counsel prepare and present more straightforward cases. SFU has continued to use external lawyers even when we do not and often opposes our suggestions for less expensive, expedited processes. Whatever our fees are, theirs will be significantly higher, and we are carefully reviewing and managing our budget to ensure continued capacity to defend members - but the fact remains that we are using up our reserves and cannot continue to do so.

We have, as members are aware, between 300 and 400 advocacy cases per year; the vast majority are not formal grievances and require no legal consultation, but we are filing 30-40 formal grievances each year and dealing with 8-15 formal SFU-initiated processes (most typically investigations) at any given time. We cannot expect this to change and must presume that this pattern will continue.

Dues rates for Canadian Faculty Associations range from 0.5%-2.0%, with most falling between 1% and 2%. Of the 78 Associations and Unions, only 6 have rates lower than SFUFA, which is currently 0.85%. The average dues rate for organizations like ours is just

shy of 1.1%. Here in BC, the average rate at research universities is just over 1%; removing ourselves, the BC average is 1.07, consistent with what we see nationally.

The Association Executive is aware that for each of the last several years we have had to take money out of our reserves to cover legal costs, with the result that our reserves have dropped some \$400,000-\$500,000 since 2020. The situation is not sustainable. So long as SFU continues to press us into legal processes rather than work informally, we have only two options – to ensure our dues rate is adequate to the task of defending members, or to deny members the representation they deserve.

We do not raise the issue of a dues increase lightly, and have taken what budgetary steps we can internally before bringing this matter to you. We have:

- Conducted a thorough review of our budget to ensure that we are as lean as possible in all the areas over which we have direct control (that is, excluding legal fees which are responsive to member concerns and administrative response)
- Re-organized our arbitration handling so as to use legal counsel only in the most complicated of cases and to have staff prepare and present arguments ourselves whenever possible
- Proposed moving legal processes from full hearings to expedited, written documents-based processes whenever possible, though this relies to a great extent on SFU's agreement
- Reviewed and are in the process of reconsidering/renegotiating membership in our provincial federation, CUFA BC, to ensure that our dollars go where they are most needed - to the immediate and concrete support of SFUFA members
- Continued to propose, to Faculty Relations, senior administration, and at the bargaining table, mechanisms to encourage more informal resolution

Both staff and the Executive together are committed to making sure dues dollars are used as effectively as possible, and where changes are possible, we are making them. But those steps will not be sufficient given that our budgetary challenges are driven by a single factor - the cost of legal defence.

The legal representation we provide to faculty matters is important, and we are proud of what we have achieved. In the last 3 years, we have had 22 issues go forward to arbitration; 17 of those were won or settled, and another 2 resulted in decisions that split the award between us and SFU. We have also won both the non-grievance legal processes we were involved in. We have defended important rights cases, such as the right of Departments to collegially hire; we have seen grievances result in some 15 continuing appointments; and we have put well over a million dollars into the hands of members who were not properly compensated or were seriously mistreated. Each case, however, costs between \$40,000 and \$150,000, depending on the complexity and length of hearing and the role of legal counsel. We can and will continue to use staff resources rather than external counsel as much as possible, and we can and will continue to seek informal, cost-effective resolutions wherever we can. But we must also face the fact that SFU's increased

\$100,000	\$850	\$32.69
\$150,000	\$1275	\$49.04
\$200,000	\$1700	\$65.40
Dues income at .85%:	\$1,656,517	

Dues at 1.15%

<i>Salary</i>	<i>annual dues</i>	<i>dues per paycheque</i>
\$100,000	\$1150	\$44.22
\$150,000	\$1725	\$66.33
\$200,000	\$2300	\$88.44
Dues projected income at 1.15%:	\$2,241,169	

General Meeting, Social, and Elections

The Association's next General Meeting will be held on **Tuesday, April 28th at 2:00 pm**. The meeting will be held on zoom, and it is anticipated we will have discussion on the Association's budget, legal expenses, and dues rate (see previous item).

There will be a member social at Biercraft on the Burnaby campus following the meeting.

Executive Elections are held in the Spring for terms beginning in September of this year.

Further details on General Meeting, the Social, and the elections process will be sent in the coming weeks.

Collective Bargaining

SFUFA and SFU continue to negotiate a new collective agreement. The status of any provincial norm for the public sector remains uncertain, and has impacted our ability to speak directly about a specific monetary package. We are, however, continuing to work on a few remaining non-monetary priorities and to explore issues such as benefits that have a monetary component. Discussions are not easy, but they are open and at times collaborative as both we and SFU work towards a deal in a challenging context both at SFU and provincially.

RAs and Research Personnel

As noted in a recent bulletin, the Labour Relations Board has ruled that not only Research Assistants but most grant-funded research personnel are now members of the TSSU. SFU has indicated that this includes positions that faculty PIs may have intended as managerial or otherwise appropriate for exclusion. A number of issues of potential concern flow from this that faculty PIs should be attentive to, including:

- Possible impacts on protocols for hiring, performance assessment, and termination
- Possible extension by SFU of additional non-contractual benefits that are then costed to the grant with or without PI authorization
- Possible constraints on PIs ability to manage grant-funded staff including managerial staff

The complete bulletin is available [here](#) for those who may be impacted.

Chairs and Directors list

The Association maintains a list of Chairs and Directors for periodic meetings to allow this group of members an opportunity to meet together and with the Association regarding concerns specific to the role. Chairs and Directors who would like to be added to the list can write to Executive Director Brian Geen at bsgreen@sfu.ca to be added.

Reminder – Alternate Contacts

Given periodic disruption of SFU's internet and email systems, the Association is collecting alternate contacts (email or phone) for members, to be used only in the event that we need to reach you during a time that the University's communications systems are not functioning. Members can send alternate email addresses and/ or phone numbers to SFUFA Executive Director, Brian Green, at <mailto:bsgreen@sfu.ca>