

Present: Pippin Anderson, Kehinde Awodele, Peter Bruyns, Tracy Craig, Shari Daya, Bette Davidowitz, Asief Dhansay, Mqhele Dlodlo, Richard Drummond, Landi du Toit, Paula Ensor, David Erwin, Emma Fergus, Nico Fischer, Elisa Galgut, David Gammon, Terri Grant, Thulane Gxubane, Michal Harty, Charles Hellaby, Leon Holtzhausen, Simon Hull, Cathy Hutchings, Rob Ingle, Salma Ismail, Ian Jay, Jacob Japtha, Maria Keet, Mariola Kirova, Khosi Kuneka, Michelle Kuttell, Johannes John-Langba, David Lincoln, Tim Low, Mark Massyn, Helen McDonald, Kelley Moulton, Tom Moultrie, Maanda Mulaudzi, Saul Nurick, Christine Rogers, Fiona Ross, Jacques Rosseau, Christine Swart, Francois Toerien, Thomas van Heerden, Jenny Whittal

Apologies: Melanie Alperstein, Neil Armitage, David Benatar, Martin Botha, Helen Buchanan, Sheila Clow, Brandon Collier-Reed, Rob Dorrington, Andrew Hibberd, CT Gaunt, Claudia Kalil, Evance Kalulu, Tara Kuhn, Theresa Lorenzo, David Marais, Heather Marco, Janice McMillan, Peter Meissner, Gideon Nomdo, Sophie Oldfield, Celeste Reyneke, Laura Roden, Ulrike Rivett, Marguerite Schneider, Lee-Ann Tong, Chris von Klemperer, Herman Wasserman, Jimmy Winfield

In Attendance

Shirifa Hellaby (AU Administrator)

1. Welcome and Apologies

Tom Moultrie (President of the AU) extended a welcome to everyone present.

2. Confirmation of the 2014 AGM Minutes

As there were no comments, the minutes were accepted by the meeting without further comment or correction.

3. Matters Arising

From the AU Executive side, the matters which will be discussed today are mainly in the President's report.

4. President's Report

A full copy of the President's and committee reports have been distributed via email prior to the meeting and is mainly a list of activities that the AU Executive were involved in during the year.

In Summary:

Tom informed the meeting that as in previous years, the Union has busied itself with the task of representing its members at UCT. The Union continued its representation in a number of UCT structures and committees, dealing with members' issues and grievances, negotiating pay and improvements in working conditions. The Union also sought to play a constructive role in working with the university administration and executive to safeguard and further members' interests. Since the previous AGM, several important events and initiatives, notably the #RhodesMustFall and #TransformUCT campaigns, have had an important influence on the work of the Union.

a.) Participation in University structures

Tom informed the meeting that the Union still and remains involved in a number of university structures over the last year still remain involved in the Institutional Forum.

- i. Institutional Forum (IF): As Tom reported in the previous year, the IF remains a somewhat dysfunctional body. It has a legislatively mandated role to play in exercising oversights of transformation at UCT. Unfortunately, this body has struggled to fulfil this role and it will be one of the challenges, as the University moves to navigate the 'waters of transformation' to find a role for the IF and to ensure it exercises a credible, meaningful and powerful role in governing transformational activities at UCT.

Other committees

In addition, the Union has been represented on a number of other committees including the

- Academic Freedom Committee
- UCT Retirement Fund
- Timetable Committee
- University Transformation Advisory Committee
- Physical Risk Co-Ordinating Committee (PRCC)
- Occupational Health Forum

Tom expressed his thanks to the various members who have volunteered to serve on those committees on behalf of the Union and to represent its interests.

- ii. UCT Retirement Fund (UCTRF): Tom expressed particular thanks and gratitude to Dave Strugnell, who was the Union representative on the UCTRF for several years now. Dave will be leaving UCT at the end of 2015 and his loss on this committee will be sorely felt. Tom indicated that the Union is grateful that Joanna Legutko, also from Actuarial Science and a member of the Union, has agreed to take on the role, in terms of protecting members' interests in the Retirement Fund and is grateful to them both.

In terms of the Union's relationship with the University Management, Tom indicated these have remained for the most part cordial and collegial, even when under some strain towards the end of the previous year when salary negotiations were concluded. At the time, it seemed the negotiations would break down entirely and the Union had reached a point where it had given notice of its intention to referring the matter to the CCMA.

Tom indicated that the Union's relationship with Management is a difficult one to navigate. On the one hand, collegiality allows matters to be debated and discussed from a position of trust and respect. On the other, there is a real danger of the AU being seen as a 'sweet-heart Union' within the context of University structures. In going forward, the AU should carefully choose the battles and terrain for more adversarial engagement and continual awareness of the balance between co-option and co-operation is of vital importance for the Union over the next while.

ACTIVITIES OVER THE YEAR

In addition to our participation in formal structures within the university, the Union has been involved in a number of other activities.

#RhodesMustFall and University Transformation

The initial energy behind the #RhodesMustFall campaign was a significant event in the life of the Union. Early on in the campaign, the AU Executive released a statement in support for some of the goals of that the campaign. Subsequent to this, the AU Executive convened a meeting with membership to discuss whether this statement should be endorsed by the AU as a whole. That meeting came out strongly in

favour of a much stronger statement in support of the goals and ambitions of transformation initiatives at UCT.

This endeavour started the process of setting the Union onto a new and different path it had been on historically. Since those events, the Union has been involved in a number of dialogues and discussions with other stakeholders. It is party to the campus-wide Transformation Dialogue initiated by the Vice-Chancellor, although this dialogue became bogged down by matters relating to disciplinary action taken against some students, particularly in the context of occupying Avenue House. It is imperative that the Union and academic staff ensure this process restarts and gains momentum.

The Union also met and forged good working relations, with members of the SRC, particularly in relation to the role and functioning of the IF. The Union also met with members of what was #TransformUCT (now the Black Academics' Caucus) to begin a process of mapping out joint activities between the two bodies. Issues that arose from the AU Statement at the time of the #RhodesMustFall campaign, is that the Union felt there were several aspects it had to take forward, namely that of the ad-hominem process and curriculum reform and the overall historical culture of the University. However, these issues have been stalled because of the Vice-Chancellor's dialogue on transformation. The question for the Union is whether it should discuss these issues independently of other fora or wait until these issues are raised in the broader campus-wide dialogues.

Interest arbitration and the pay policy

Tom informed the meeting that the issues of interest arbitration and the pay policy are still on the agenda. At the previous year's AGM, the Union reported at length on the proposal that the Union moves towards a system of interest arbitration, in which unions renounce the right to strike in return for an agreed process in which disputes are taken to arbitration.

Due to the executive's slowness in engagement on this issue, very little progress has been made as the university management's attention has been diverted elsewhere.

Building links with other Unions

Tom reported to the meeting that the Union had started the process of building links with other Unions and had a very productive meeting with the President of the WITS Academics Union early in February this year, where it was agreed there were several areas of common interest which affect academic staff at institutions of higher education across the country.

While they have localised bargaining and localised engagements with their respective executives, there are questions of over-arching interests, for example, the Department of Higher Education & Training's approach and attitude towards subsidy and funding of higher education in the country.

These initial discussions were, however, disrupted by the events at both Wits and UCT in the first semester.

Grievances

Tom reported to the meeting that grievances are an area which is invisible to members, until they need the help of the Executive in engaging where they have questions on whether they have been treated fairly or whether their working conditions are acceptable to them.

The Union has dealt with 25 grievances this year. Most of these have been mainly high level, involving Deans or members of the Executive.

Tom expressed his thanks and appreciation to Catherine Hutchings who has convened this process in the AU Executive for bringing together those members of the Executive who deal with grievances, to share information and to strategize around how best to handle grievances and handle the best interests of the Union's members.

For the most part, the Union has been mostly successful in solving grievances. Where the Union has not been successful they have continued to engage with the University on those matters where they can find alternative resolutions to them.

FUTURE CHALLENGES

These are exciting times for universities and academics in South Africa. However, there are several challenges facing not only this Union but also other institutions of higher education in the country.

Firstly, there is the issue of the University's finances. The University intimated that its funding model is largely unsustainable. The prospect of increasing fees to cover its operating costs are going to be diminished in the future and how to balance the University budgets becomes central. Generally, staffing and academic costs are of prime importance to the University. Already in a formal discussion, management has suggested that should no major change in the university's financial position be forthcoming, questions of retrenchment and early planned retirements are issues they might put on the agenda.

While there are these localised issues, these issues also affect other institutions in the country and elsewhere in the world; with the rise of "zero-hour" contracts in the UK and the casualization of academic markets in the US where graduate students are teaching undergraduates at a far lower cost than academic staff members.

There are a number of questions relating to the security of academic employment, tenure and academic staff rights. Within that, one has to see those global issues, which academics locally will not be immune to and this raises fundamental questions of transformation at this university. If discussions occur on gradually diminishing the overall staff body, this will limit the scope of transformation of the academic staff body. If academic staff members are replaced by casualised members from previous disadvantaged groups, is this transformation in the real sense of the word?

These issues, which are common across the globe, have additional layers of complexity in the South African context where institutional transformation is an urgent and pressing matter.

CONCLUSION

Tom acknowledges many of the people who contribute to the Union, namely Ian Jay, the Treasurer, who has kept the Union finances on the straight-and-narrow. He will be standing down at this AGM. Tom conveyed his thanks and gratitude to Ian for his service for the Union over the years.

Tom also conveyed his thanks to the other members of the Executive for their dedication and commitment to the affairs of the Union and indicated they were a good team to work with.

Tom thanked Shirifa, the Union's Administrator for effectively running the office and for increasingly taking on a more central role in the management of the affairs of the Union.

Tom indicated to the meeting that after terms as Vice-President and President, and many years of leading the AU salary bargaining process, and with a sabbatical coming up in the second half of 2016, it is time for him to step down from Union leadership. Tom indicated that the Union has come a long way in the last few years, and is well set to face the challenges and opportunities he addressed above. Tom conveyed his thanks to the members for their support and trust over the years and wished them and the Union all the best.

The meeting acknowledged Tom Moultrie's report and contribution to the Union activities with applause.

Treasury update

Tom indicated to the meeting that at the 2014 AGM, a decision to charge membership fees a percentage of their CoE and not a flat rate occurred. This decision was largely argued on the grounds that such a fee would be to attract more junior staff members and also to build the Union's reserves to make it sustainable should the University decide they would not contribute towards the operating costs of the Union.

One of the conditions approving this shift in membership fee structure is that it would be reviewed at the 2016 AGM.

a. Draft 2014 audited financial statement

A copy of the draft 2014 audited financial statement produced by Nolands (Mowbray branch) was made available to members via email. Ian Jay (Treasurer) provided an overview.

Income and expenditure Summary:

- The Union assumes that the membership would remain at the current level.
- Operating costs of the AU, excluding subscriptions and salaries in 2014 were R45 279, which is sustainable. The operating costs increased as the Union relocated and had to replace some of its office equipment.
- The Audit fees for 2014 were R17 698.50 and the increase was primarily due to the legislation which required the Union to register for tax purposes. Although the Union is tax exempt, it still had to complete the tax return forms for the period of its existence. Nolands, the auditors assisted the Union with the tax registration process. This cost will not recur.
- Membership fees from 2013 to 2014 increased. Membership fees in 2014 were R360 015.25. Currently membership representation is just over 50% for all lecturing ranks.
- The 2016 budget presented allows for inflation.
- The grant received from the University in 2014 increased, but the Union has not yet received the University subsidy for 2015.
- The reserve for 2013 was R1.3 million and in 2014 it was R1.8 million and the current balance is R1.9 million and it is envisaged that in 2016 this reserve would be a substantial amount, which might be required if the Union faces 'rocky' times.

A question raised in response to the Treasurer's report by Peter Johnston at the meeting was:

- a. How the investment funds increased so much in 2014?

In response to the above question, Ian explained that it depends on the type of capital grant the investment fund is in. Tom further indicated that the Union would investigate and report back to membership.

Ian indicated to the meeting that he had great pleasure in doing the Union's funds and was able to find a successor in Mark Massyn (from the Department of Construction Economics & Management), who would take over the role as Treasurer.

Feedback on Salary Negotiations

Tom informed the meeting that members were consulted to establish what they felt were a fair set of demands to table with the management of the University. These demands were tabled to management on 13 July and unlike the previous year, the pay negotiation team (Shadreck Chirikure; Maanda Mulaudzi; Christine Swart and Tom Moultrie) received a timeous response and had a first meeting with Professor Francis Petersen, the DVC on 11 August to discuss the demands and hear management's counter-offers.

The situation on the demands currently is as follows:

- a. On salary matters, the bargaining team tabled a demand of 6.5% for all ranks, except for 7.5% for Associate Professors, where the increase for the latter was designed to correct for distortions in the differential in pay between Associate Professors and Professors on the one hand and for senior lecturers and Associate Professors on the other.
- b. The bargaining team received a counter offer of 6% and 6.5% for Associate Professors.
- c. The counter offer management is proposing is not justified in terms of the Pay Policy but only justified in terms of inflation expectations for 2016.
- d. Out of awareness of the financial constraints the University is facing and possible transformation initiatives the latter might want to engage in, the bargaining team's initial demand was lower than was what required in terms of the Pay policy.
- e. The team requested management to fully justify why their offer of 6% generally is acceptable.
- f. One of management's requests to the Union that it moves to a 60th percentile for academics staff pay rather than the 75th percentile staff pay. The reason the Union pegged itself at the 75th percentile historically is because UCT staff is better than the other 10 comparative institutions, as its staff members not only publishes more, but also produce more graduates, etc.
- g. Management's response to the above is that other institutions are now competing to match UCT's pay and to stop this; they intend to set their pay scale at the 60th percentile.
- h. In the team's response, they requested management to justify the above. The team also indicated that the University would not save itself any money by setting its pay scale at the 60th percentile and what they are actually conveying is that UCT staff are not in the top quartile, but are instead average.
- i. In terms of the non-salary demands, the perennial demand on parking was tabled. One of the suggestions the bargaining team forwarded to management is for the latter to impose a ban or cut back on parking for 2nd year students on upper campus from 2017 onwards. This demand is not being considered by management and their response was that they could try to find more parking bays.
- j. A demand to increase paternity leave for academic staff was made, which is beyond the Basic Conditions of Employment Act and the response from management is that they will reconsider this and come up with a proposal.
- k. The bargaining team requested the University to take a more nuanced approach to the accommodation of disabled academic staff members. One of the issues is that the cost of employing a disabled person in terms of office equipment, computers or high-teach readers, etc. have to be borne by the departments or the Faculty concerned. The team's concern was that due to financial constraints, this might form a barrier to the employment of people with disabilities and perhaps the University should at least be willing to act as a guarantor of last resort to cover the costs and to ensure that disabled persons are not unfairly discriminated against an employment process. The bargaining team is still attempting to convince management about the above.
- l. On tuition fee rebates, the University agreed to this demand and in future, academics may now apply for these rebates, which is on a per course basis.
- m. The demand for invigilation duties to be enforced as several departments are non-compliant with the Senate resolution.
- n. The team managed to make some progress with management on the demand of building research capacity. The demand was that each staff member be allocated funds via the Post-graduate Funding

Office to have 1 doctoral student at a time. This would basically be to cover the fees associated with having 1 PhD student. The proposal is that academic staff members would be able to, on an enrolling basis, apply for a second doctoral grant, after they have successfully graduated a doctoral student. This is to try and counter-balance the effects in some disciplines where funding is easily accessible for doctoral students than in other disciplines and to try and equalise it. This has transformation implications and also implications for academic staff where the graduation of doctoral students is important in considering promotions. There is a willingness on management's side to consider the allocation of a doctoral grant to any staff member who has not yet graduated a doctoral student. How this will be processed will be discussed at further rounds of negotiations.

- o. In response to the demand for the crèche to be enhanced to improve barriers to women in the University to take on academic positions, management indicated they would investigate this further.
- p. The demand of the University's treatment of clinical educators in the Faculty of Health Sciences and instrument specialists in the College of Music is an anomaly, especially in terms of their contract and employment conditions. In the latter area, all contract music specialists are paid a fraction of the lecturer level rate and they have no prospect for promotion or advancement. The bargaining team wishes the University to treat these staff more equitably.
- q. In terms of the SFARS, the demands here were for the University to make progress in terms of clarifying the role of cost recovery. Management's response to these demands were that they are confused so the bargaining team will seek to clarify these for them.
- r. More discussions in terms of the non-salary demands will ensue with Management.

Election of the new Executive Committee for the 2015-2016

Tom informed the meeting that the current Executive committee members have made themselves available to serve another term, with the exception of Tom Moultrie and Ian Jay, who are standing down. When the Union sent out the documents for this meeting, it requested members to either nominate themselves or to nominate others to join the Executive of the Union. The Union received two (2) nominations, namely: Nico Fischer (Centre for Catalysis Research) and Mark Massyn (Department of Construction Economics & Management)

There were no further nominations for the AU Executive from the floor.

In terms of the AU Constitution, an election for the positions of office-bearers is required:

For the position of President, Maanda Mulaudzi as President was nominated by Kelley Moul and seconded by Ian Jay.

The meeting unanimously accepted Maanda Mulaudzi as President.

For the position of Vice President, Kelley Moul was nominated by Catherine Hutchings and seconded by Maanda Mulaudzi.

The meeting unanimously accepted Kelley Moul as Vice-President

For the position of Treasurer, Mark Massyn was nominated by Ian Jay and seconded by Christine Swart.

The meeting unanimously accepted Mark Massey as Treasurer

Name	Position	Faculty	Years serving on AU	Standing for Re-election
Maanda Mulaudzi	President	Humanities	3	Yes
Kelley Moulton	Vice-President	Law	1	Yes
Shadreck Chirikure	Elected	Science	1	Yes
Bette Davidowitz	Elected	CHED	6	Yes
Michal Harty	Elected	Health Sciences	2	Yes
Catherine Hutchings	Elected	CHED	5	Yes
Christine Rogers	Elected	Health Sciences	3	Yes
Roman Roth	Elected	Humanities	3	Yes
Emma Fergus	Elected	Law	1	Yes
Kathryn Stinson	Elected	Health Sciences	3	Yes
Christine Swart	Elected	Science	1	Yes
Tim Low	Elected	CHED	1	Yes

The following members stood for election from 18 August 2015

Name	Position	Faculty
Nico Fischer	Elected	EBE
Mark Massyn	Elected	EBE

Charles Hellaby seconded the above nominations.

The majority members of this meeting accepted those nominated as office-bearers and those standing for re-election. One member abstained.

Tom thanked Maanda Mulaudzi and Kelley Moulton for taking on the central leadership roles in the Union.

Open Forum

- a. Jacques Rosseau proposed that the members extend a vote of thanks for Tom Moultrie's contribution to the Union activities. The meeting acknowledged Tom Moultrie's contribution with applause.
- b. On the issue of the University's salary levels, Professor David Gammon made the following comment: Does not the fact that we find ourselves at a much lower level than many universities in the country, we can already argue against the fact that salaries are proportional to how good we are? In other words, *de facto*, the salaries are being determined by the university, not on the basis of how good we are. I think the executive is correct in that regard and I would argue that there are other considerations, like moral obligations in the current national climate and even global maybe why we should be cautious.
- c. Michelle Kuttel queried what Tom means by Transformation initiatives and what is the University thinking?
- d. Michelle Kuttel comment is that UCT has gone for a one pay for everyone and this why at this instance they find it very hard to retain Black staff that are in demand at other universities because we will have an idea of what particular level and qualifications are and would expect people to move through the ranks. If someone is highly in demand, they can be pushed by this. Is the initiative or idea that there can be an extra amount of money made available so we do not lose staff? But then there are a number of other issues around this, for example, the Pay Policy.
- e. On the issue of Transformational initiatives, David Gammon made the following query: I particularly pick up on your comment in your report where you felt that the events of the past year have possibly injected the Union into a new role. Then you have also mentioned that you have yourself been in productive discussions with various groups and if you could elaborate on that? Maybe partly because I think it is frustrating for ordinary rank and file members of the University for that matter to not really know what is being done or who is doing it. So when statements such as you have reported on things have to come to a halt because someone talks about something else? Who should be taking the initiative here? Or do we just

carry on, each of us beavering away our way in our own little place and hope we are doing the right thing. How do you see the process going forward from here and do you think the Union needs to take a much more forceful line in a sense?

In response to the above questions, Tom made the following comments:

- i. The origins of the 75th percentile stems from an age where UCT was the only one amongst the comparative institutions to have a rate for job or a standard academic salary package, which for those at UCT, has been a central plank of the Union's engagement with the University. There should be implicit solidarity across the University at each rank where a lecturer in Philosophy or a lecture in Mathematics should be equally valued. Other universities have historically not done that and they have left it to individuals within a department to negotiate their own salaries. So while UCT was the only institution which had a fairly uniform salary structure, the idea of the 75th percentile made a lot of sense. As other universities have moved towards a salary model, which is more similar to UCT's and they looked at the latter's salaries and decided to match those. This might be that other universities are over-rating the performance of their staff, as UCT as always argued that they were better.

The question of where the Union goes from there is an important one. If the union pushes too much, might they not implicitly be condemning its members to retrenchment under the conditions of financial austerity? One of the reasons for the Union electing not to target what the Pay Policy sets out is to indicate if the University needs to save money, they can apply it usefully to transformational initiatives, which is fundamental.

In the longer term, the idea of the 75th percentile is redundant and the union will be using a completely different model to remunerate its staff.

- ii. Other universities particularly WITS and Stellenbosch have both announced the creation of multimillion rand funds from within their budgets to either recruit more staff members who are either non-White or non-male or to accelerate their prospects for promotion. Any range of options which might serve to expedite or a change in the profile, particularly of the Professorial rank is of interest. Both WITS and Stellenbosch have announced initiatives with this regard, but UCT has not gone this route yet.
- iii. If such an idea occurs, it would undermine the solidarity at UCT. These issues should be considered, but at the moment, the university is not thinking along these lines. If money can be created for this, the Union would have to decide whether solidarity across all ranks is more important than differential pay. The problem with the initiative you raise, is that lecturers in the Philosophy Department, for instance, might be paid less than lecturers in the Mathematics Department and is this route necessarily where the Union should go? These questions are certainly not easily resolved when one looks at the University's Transformation Plan, as there are contradictions in it. For example, in their talks, they indicate that by 2020, there will be a 7% increase in the number of academic staff, but where will the money for this come from when the University is simultaneously indicating there is no funds to pay academic staff? How to change the profile of the academic staff is not an easy one and is something the Union has to think about in terms of how we approach pay policy and questions of equity. This will be the crucial debate for the next three or four years.
- iv. Prior to the events of this year, the AU had tended to be very parochial and disengaged and the events surrounding #RhodesMustFall has had an important impact on the University generally and I think on the staff body, in terms of giving them things to think about. In terms of where the Union finds itself now, I would say, it is a very difficult and frustrating period. The Vice-Chancellor convened a Transformation dialogue to start the process of mapping out very high level transformational agendas for the University and that got bogged down within fifteen minutes of the meeting starting. Nothing has happened since then. I have started a process of communicating with the newly appointed special person in the Vice-Chancellor's office to enquire

what has happened now and what the next step is or if they intend to wait on the University processes to begin again? As I indicated in my report, should the Union consider starting the dialogues on the ad-hominem process and curriculum reform independently? The danger is that the Union might become passive again about waiting for initiatives to emerge to be able to slot themselves in these initiatives or otherwise starting the role of engendering those discussions not only within the Union but also with academic staff members, generally.

Closure

Tom thanked everyone for attending and for their involvement and engagement with the Union.

There being no further business, the meeting was adjourned at 13h55

DRAFT