

Present: Pippin Anderson, Herman Chitonge, Brandon Collier-Reed, Shari Daya, Greg Distiller, Nico Fischer, Tim Gebbie, Shane Godfrey, Freedom Gumede, Thulani Gxubane, Charles Hellaby, Catherine Hutchings, Ron Irwin, Jacob Jaftha, Tertius Kohn, Henri Laurie, Andrew Lilley, Tim Low, Helen Macdonald, Mark Massyn, Frank Matose, Mandisa Mbali, Duncan Mhakure, Kelley Moulton, Tom Moultrie, Shaheen Mowla, Mutama Muasya, Maanda Mulaudzi, Gideon Nomdo, Sophie Oldfield, Maxwell Rani, Ulrike Rivett, Neill Robertson, Fiona Ross, Jacques Rosseau, Julian Smit, Hussein Suleman, David Taylor, Mohohle Tsoeu, Thomas van Heerden, Marianne Vanderschuren, Herman Wasserman, Jennifer Whittal and Nicky Wolmarans

Apologies: Waheeda Amien, Helen Buchanan, Sheila Clow, Jacques de Wet, Carren Duffy, Geney Gunston, Derek Hellenberg, Simon Hull, Salma Ismail, Mundia Kabinga, Maria Keet, Anastacia Koch, Patricia Kooyman, Theresa Lorenzo, David Marais, Heather Marco, Laura Roden, Christine Rogers, Christine Swart and Chris von Klemperer

In Attendance

Shirifa Hellaby (Academics Union Organiser)

1. Welcome and Apologies

Maanda Mulaudzi (President of the Academics Union) extended a welcome to everyone and apologised for the venue, which was the best available.

Apologies from members who have been unable to attend were received and noted above.

2. Confirmation of the 2017 AGM Minutes

The minutes which were sent to members via email was approved by the meeting.

3. President's Report

Maanda informed the meeting that due to time constraints, he would be brief and only highlight a few of the activities the Academics Union Executive (AU Executive) were involved in during the past year.

In Summary:

Maanda informed the meeting of that the Academic Union's (AU) primary mission remains unchanged, which is the following: to represent and advance the interests and concerns of academic staff at UCT in its involvement through various committees; addressing members' various issues and grievances; negotiating salaries and working on improving members working conditions. These tasks the AU Executive did in the past year to the best of their abilities.

Despite increasing challenges and tensions over the past year, the AU Executive continues to be committed to a constructive approach in its interactions with the University Management.

Where necessary and with the support of members, the AU Executive had and shall continue to adopt appropriate responses when a constructive approach is not effective. While the Union's mission remains largely the same, the context in which it works, is a dynamic one which requires that it remains agile and vigilant. A concern is that the Higher education sector remains trapped in a crisis, one which manifests itself largely in terms of under-funding. Members feel these crises because you are being asked to do more with less.

With a recently installed Vice-Chancellor (VC) who is relatively new and without senior leadership at various Faculty levels, the University faces particularly challenging times ahead. If one wants to be optimistic, one can say it is a transition to a new dawn or if one wishes to be realistic, one can say we are in for interesting times under this new leadership.

While we have not experienced student protests, the underlying issues that led to their occurrence remains in place and one searches in vain for the likelihood for sound plans as opposed to ad-hoc reactive measures to address the crises that continues to be present in our sector.

Maanda assured members in the meeting that the above points were not intended to present a bleak picture but simply to illustrate the increasingly challenging environment in which our work will continue.

a.) Participation in University structures

(i.) Institutional Forum (IF):

Despite the introduction of a few remedial measures, the Institutional Forum (IF), remains dysfunctional, as issues around power, functions and responsibilities, remain unclear.

An amendment of the Higher Education Act now requires Council to provide written justification for rejecting any recommendations that comes from the IF. The AU in particular, face specific challenges in the IF, as we are often excluded from some committees that other constituencies participate in and where they mainly come to deliberate on issues they have already decided on.

The procedure is that issues are supposed to be reviewed in IF and when questioned, these constituencies become defensive about their rulings. The tendencies of the administration and Council is for IF to rubber stamp their decisions. This is a continuing frustration but despite these challenges, the IF remains an important body that the AU will continue to work with.

(ii.) Other University Committees

The AU continue to serve and participate in a number of University Committees, ranging from the Academic Freedom Committee to the Naming of Buildings Committee (NOBC).

The Union currently does not have representative on the NOBC and the AU would welcome a member to volunteer serving on this Committee.

On behalf of the Union, Maanda extend his appreciation and thanks for its members who give of their time in serving on these various University Committees.

(iii.) Relationship with University Management:

The Union continues to hold meetings with the University Management where it engages within various forums, namely in the Consultative Forum for Academic Staff Matters (CFASM) and the HR-AU Collaboration meetings. These forums provide the Union with important channels to engage with Management to address members' conditions of service and other issues pertaining to staff scarcity, merits and exceeds awards. At these forums,

the Union continue to insist that CFASM, for example, should not be a forum where issues are merely parked but not addressed.

Through CFASM, the Union have requested the VC and the University Management to brief us on their sense where things are and could be going, especially as we are nearing the announcement of the Budget and student fees.

In the 2017 report, we indicated that the Union's relationship with the University Management was poor, almost non-existent. While the Union continued to maintain cordial and collegial relations with Management, our sense is that there is not a consistent reciprocity from the other side. In this past year, the relationship experienced severe strains and serious tensions.

A continued frustration in this regard is the vast gulf of understanding between what constitutes substantive consultation. For the University Management it is a functionary tick-box exercise where they present final decisions to us to approve, whereas we insist on being party to discussions from the beginning.

The University's increasing use of a legal consultant in its interaction with staff bodies including ourselves, has done little to improve matters because this has introduced a barrier where cordial relations cannot develop.

While the Union has had promises of a new beginning and a new direction with the new VC, it is still too early to tell how things will unfold in the coming year. Like most things in life, managing the relationship with University Management, is a challenge that requires us to find the right balance between co-option and co-operation. However, we will continue to work towards maintaining cordial relations.

(iv.) Institutional Reconciliation and Transformation Commission (IRTC)

The Union has continued to play a role within this body and we have interacted with the Commissioners on the first phase, which is amnesty to students and the second phase on institutional culture. The Union plans to make a written summary submission to the Commissioners at the end of this week.

As expressed earlier, the Union, like other staff bodies, was invited to a meeting with the VC and some members of the University Management. The purpose of this meeting was to enquire from the Unions to consider their withdrawal of impending internal and external disciplinary criminal proceedings against some students.

Together with the Employees' Union (EU), the AU made a formal response to the VC and University Management in which we state that we could not consider these cases without clarity on the nature of the charges facing the students. While we received an acknowledgement of receipt of our letter, the University Management has not responded to the substance of our letter.

In the meantime, the Registrar informed us that the University Management has referred the abstaining cases to the IRTC. This is peculiar since the IRTC itself has categorically stated that they would not consider any outstanding or pending cases. Furthermore, what complicates this somewhat is that we were informed that the drive to reconciliation is formed by national consent where there are some moves towards amnesty, but as you are no doubt aware, in the last few days, the President indicated they are in no position to intervene in ongoing legal matters, so we are not entirely sure where matters stand. The Union will however, do a follow-up on the letter we wrote to the VC.

Conclusion

a. Salary negotiations

Maanda informed the meeting that at the last AGM, the Union alerted members upfront that it would be a challenging year. However, it was worse than that, because salary negotiations were deadlocked, and the Union approached the CCMA. The University was then forced to negotiate. After 4 months of negotiations, the administration switched leadership and a lawyer represented the University and the Union was then forced to employ the services of a lawyer.

On behalf of the Union, Maanda acknowledged and thanked Ulrike Rivett for her leadership role on the bargaining team. Ulrike gave up much of her sabbatical to lead the bargaining team and that is indeed exemplary.

Members in the meeting acknowledged Ulrike's efforts with applause.

Maanda also acknowledged and thanked the following members for their work on the bargaining team: Kelley Moul, Christine Swart, Shane Godfrey and Mark Massyn who also gave a great deal of their time.

Members in the meeting acknowledged the bargaining team's efforts with applause.

b. Grievances

Maanda informed the meeting that apart from negotiating salaries, grievances are something the Union deals with on a going basis. Under the leadership of Tim Low, the following members also assist with grievances: Kelley Moul, Emma Fergus, Shaheen Mowla, Mark Massyn and Catherine Hutchings. Although Catherine and Emma are no longer members on the AU Executive, they continue to serve on the Grievance Committee.

We also have the services of Ulrike Rivett and Tom Moultrie whom we have called on several occasions to deal with some of the very complex cases that come the Union's way. They represent the very important work for the Union.

Maanda acknowledged and thank the above members for their services on the Grievance Committee.

c. Membership

Maanda informed the meeting that membership remains largely stable and the Union received some new members over this past year.

Maanda indicated that he is pleased that the Union surpassed the quorum today and expressed concern about the apathy of members, a possible result of the problems in the environment, which was raised earlier in the meeting.

If the Union is to continue serving members as well as it should, Maanda appealed to members to take their membership seriously and this should be more than just paying their membership dues.

Maanda pointed out that this apathy on the part of members is not unique to the Union but also found in other University committees where the meetings cannot obtain a quorate.

Maanda acknowledged and thanked the members of the AU Executive for their time and commitment, namely: Kelley Moulton, Christine Swart, Shaheen Mowla, Nico Fischer, Tim Low, Andrew Lilley, Mark Massyn and Hussein Suleman.

Maanda informed the meeting that Hussein Suleman has indicated his intention to step down from the AU Executive.

Maanda conveyed his thanks to Shirifa Hellaby, the Union organiser for her work. Maanda indicated that without Shirifa, the wheels do not turn.

Maanda also thanked the efforts of Kelley Moulton, whom he refers to as the "Fighting K" admitting that he has leaned on her a great deal.

In closing, Maanda also thanked all the members for allowing him to serve the Union this past year. He informed the meeting that he will step aside as Union President and is assured that the new team will inject new energy and fresh ideas to take the Union forward in the next year.

Maanda indicated that despite challenges ahead, he is confident the Union is in the capable hands of "Fighting K" as President.

Members in the meeting acknowledged Maanda's message with applause.

4. An update on the Pay Policy and Salary Negotiations

Mark Massyn apologized that he is not able to present his prepared reports, as the venue does not have a projector.

Mark informed the meeting of the following:

- a) As Maanda indicated, the Union had a challenging year previously where negotiations carried on through November when the agreement was eventually signed.
- b) It was the intention of the Bargaining team to negotiate the new Pay Policy in 2017, but this could not occur due to the protracted negotiations.
- c) At the end of January 2018, Hugh Corder stepped down as Acting DVC and Anton le Roex was appointed to this position.
- d) Anton le Roex had initially been part of the salary negotiations and therefore had an inkling of what was expected.
- e) Tim Gebbie (Department of Statistical Sciences) and Sahal Yacoob (Department of Physics) joined the Bargaining team.
- f) The Bargaining team and Anton le Roex had two informal meetings where they came to the realization that it would be difficult to formulate a new Pay Policy within one year.
- g) The team and Anton le Roex came up with a proposal, which was sent to the University Remunerations Committee (REMCOM) who met for the first time at the end of July. REMCOM granted approval for Anton le Roex to negotiate with the Bargaining team.
- h) However, Anton le Roex's term of office officially ended at the end of July. Fortunately, after discussions with the VC, approval was given for Anton le Roex to remain to negotiate on behalf of Management for the next three months. This all depends on the duration of the negotiations process.
- i) The Bargaining team looked at several issues or concerns:

- the initial Pay Policy was put in place to motivate and recognize the contributions staff members make and this was the key reason salaries were pitched at the 75th percentile against 10 comparator universities. This was used as a benchmark.
 - In 2017, the lawyers questioned the PWC data which the Bargaining team receive from REMCOM. One of the queries were whether the team was comparing similarities with the comparator universities.
 - The data PWC provides REMCOM represents a lump sum amount from the ten comparator universities. They include their basic salaries, merit awards and the bonuses, etc.
 - Another concern raised by the lawyers in 2017 is if the Bargaining team continues to benchmark UCT's salary against the guaranteed package, then we would be benchmarking against a number that is inflated. This means UCT would always be behind the line and therefore always requesting a bigger increase.
 - The above issue (l.) is one which the AU must address in the new Pay Policy.
 - The Bargaining team and Anton le Roex acknowledged that revising the Pay Policy could possible take three years to negotiate.
- j) To facilitate salary negotiations, the proposal is to implement a three year pay agreement.
- k) For the next three years the proposal is to apply three basic rules in calculating the salaries: in terms of the data the team received and across the ranks of Professor, Associate Professor, Senior Lecturer and Lecturer when it gets to the 75th percentile and a range of 2% up or 2% below; the salary recommendation by UCT Management will be based on CPI plus 1 percent; within the next year, UCT Management will review the following: merit bonuses, scarcity allowances, exceeds and excellence awards.
- l) The reason for the review of the above allowances by UCT Management is as a result of the following concerns the Bargaining team raised: if a merit bonus was given to a staff member 10 years ago, no end date was given; there is no consistency between the way Faculties manage and process these; there is acceptance that the money comes from different sources but it appears that the University does not have control over the procedures.
- m) The Bargaining team is concerned about the CPI. UCT Management uses the generic CPI calculation, which is out of line with that of the University. One proposal is to look at CPI nationally or CPI for the Western Cape.
- n) The Bargaining team is aware that over the next three years fluctuations might arise which could skew the increase and they will be looking at other indices to include as a form of counter proposal to UCT Management.
- o) Whatever salary increases, and lump sum is agreed upon with UCT Management, the AU Executive and Bargaining team will then decide on the differentials between the various ranks.
- p) The proposal will be sent to members in due course and your comments and suggestions are requested.

Tim Gebbie, who is investigating further on CPI indicated that the Bargaining team envisages including other expenditure and these include, transport and education costs.

Members posed the following questions or concerns:

- a. In connection with the suggestion of the regional CPI, the team should also include the cost of housing and property in Cape Town, because if the University wish to attract and attain the best talent, this issue must be addressed.
- b. This is a question about sustainability and what we experienced is that it is an emergency response from Management that suddenly sustainability makes it impossible to grant us an increase. And from what you said, it seems that it is still something they can pull out of their pocket at any time. I would like to suggest the following: that the issue of sustainability, with all the components of its argument, and round the question of fairness and

what the University is spending money on be included in the discussion so that we in the Union, hear the considerations and what decisions have been taken. It is the distance between the University's central decision-making processes and we are on the ground. It is also perhaps leading to the apathy that someone referred to earlier.

- c. In the current arrangement, has the 75th percentile been completely abandoned? Will the 75th percentile be included in next proposal? I would also like to suggest that since UCT gives almost no merit increases we should be comparing to other universities with merit increases.

Responses by Mark Massyn and other members of the Bargaining Team:

- (i.) Tim Gebbie: In principle, we agree that the variance on the regional CPI is much higher than the variance in the national CPI. If we track regional CPI one can expect a lot of more variances in our annual increases. So, if there is a pay off between the inherit risk of having a choppy increase in our salaries or having added on a fixed bump annually. If we try to focus on national CPI, which has lower variants but a larger incremental increase of + 1 or +2 we can obtain to try and account for this. The basic argument in expenditure brackets is to try and obtain agreement on the expenditure brackets that our members face, rather than an argument about which index.
- (ii.) Mark: During negotiations in 2017 there was an issue around sustainability and what it is or what it is not. The Bargaining team has come up with some basic factors to be considered during the current Pay Policy which would have to be revisited. One factor is if funding from government decreases drastically.
- (iii.) Maanda: What Mark conveyed earlier is that this is a very important issue and is a proposal from Management, which should be taken to members to be thoroughly discussed before we can provide an alternative.
- (iv.) Mark: It is the intention of the Bargaining team to quantify the changes in inflation.
- (v.) Mark: We are still considering the 75th percentile and requested PWC to provide a report that includes the following percentiles: the 70th, 75th 80th and 85th to consider how the increases have benchmarked us in some cases.
- (vi.) Kelley: The AU Executive will have a full discussion and submit the proposal on Vula.

5. Draft 2017 Audited Financial Statement and 2017-2018 Income and expenses report

a. Draft 2017 audited financial statement

A copy of the draft 2017 audited financial statement produced by Nolands (Mowbray branch) was made available to members via email. Mark Massyn (Treasurer) provided an overview.

Income and expenditure Summary:

- There were two main expenses in 2017, which were salaries and legal fees. We spent R75 000 on legal fees in 2017 and another R100 000 was carried forward to this year. The R175 000 in legal fees were as a result of UCT management bringing a lawyer on board to negotiate salaries.
- The total source of income for 2017 was R985 000, which was made up of three categories namely: R516 000 in membership fees, R318 000 in the form of a grant from the University and lastly, R150 000 from investment income
- Our expenditure in 2017 was R528 000 and left us with a surplus of R456 000
- Currently, our reserve is R3.2m.
- The reserve might seem a huge, but this will change. The Union has received a grant of approximately R300 000 from the University annually, but this might grant might come to an end in the near future. The Union landscape is changing as more than five Unions exist now who are also requesting financial support.
- Reduced the budget for 2019 and estimated the Union might receive a R200 000 grant from the University.

- If the Union is able to increase its membership considerably, by having 75% of the academic staff, we can review the amount recovered. In 2017, our membership fees increased by 7%, which is slightly more than the salary increase we received.
- Recommend that members email him if they require clarity on the reports and proposed the Union re-appoint Nolands as auditor, which was approved by the meeting.

6. SFARS

Kelley Moulton (incoming AU President) reported the following:

- i. That the soft funded research staff sub-committee, which, since 2006 worked to get some of their issues on the agenda made significant progress in the last six months.
- ii. The members on the subcommittee are: Kelley, Shane Godfrey and Nico Fischer.
- iii. SFARS demands were largely around: payment for teaching, ways to return some of their publication subsidies to bridge funds so they are able to create salary stability when a contract comes to an end, or to avoid the retrenchment of staff or the lapsing of contracts.
- iv. A draft proposal, addressing SFARS concerns was made within a specific framework and to their knowledge, input has been sought from Deans, which has been overwhelmingly supported.
- v. One of the items in the proposal stipulates that in future, research staff would have to be remunerated for any teaching they do. This remuneration would come from the budgets of the Deans and HoDs. Currently, SFARS are not remunerated for any teaching they do.
- vi. The SFARS sub-committee have raised their concern about the impact point v. above might have, as HoDs, for instance might consider finding other staff to teach.
- vii. The sub-committee is waiting on the go-ahead from Anton le Roex to distribute the draft proposal widely.
- viii. Once the go-ahead is received from Anton le Roex, the proposal would be distributed via the AU.
- ix. Further, a meeting with all SFARS staff would be planned to receive their formal input on the contents of the proposal.
- x. Kelley expressed her acknowledgement and thanks to Shane and Nico for the many hours they put into the work of the SFARS sub-committee.

Members in the meeting acknowledged Kelley's word of thanks to Shane and Nico with applause.

7. Election of the new Executive Committee for 2017-2018

Maanda informed the meeting that the current Executive committee members have made themselves available to serve another term, with the exception of Hussein Suleman and himself, who are stepping down.

Tim Gebbie has availed himself to serve on the AU Executive.

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

Name	Position	Faculty	Years serving on AU	Standing for Re-election
Maanda Mulaudzi	President	Humanities	6	No
Kelley Moulton	Vice-President	Law	4	Yes
Mark Massyn	Treasurer	EBE	3	Yes

Fadia Gamielien	Elected	Health Sciences	2	No. Resigned as an AU Member as she is pursuing her PhD studies
Nico Fischer	Elected	EBE	3	Yes
Andrew Lilley	Elected	Humanities	3	Yes
Tim Low	Elected	CHED	4	Yes
Shaheen Mowla	Elected	Health Sciences	1	Yes
Hussein Suleman	Elected	Science	3	No
Christine Swart	Elected	Science	4	Yes

Maanda encouraged members to avail themselves to serve on the AU Executive, the Negotiations team or other Union committees. Members can contact Shirifa.

The majority members of this meeting accepted those members standing for re-election.

8. General Discussion

- i. I would like to include two non-salary demands, namely:
 - The one issue I wish to highlight is around the parking on campus. I am aware it is an old issue, but I pay for a red bay and it is expensive, as you are all well aware. Red bays are never available, and I frequently almost miss lectures, etc. And then one finds people who are not accredited with a disc, park in disabled parking spaces and then the issue of Uber drivers who block or park in spaces and students, who are not entitled as well. This is an ongoing issue and really needs to be addressed, as it messes with my quality of work place experience.
 - The issue of sanitation, which is one I have already raised with Shirifa. My deep concern that as an historian on Public Health it is not acceptable to have no soap available on campus. My concern is that it could lead to the spread of viral and bacterial gastro infections, affecting our ability to teach and to do research. Very often in our building, no water is available. I tried to open the taps to get something to drink so now I bring my own bottled water. Then there is the issue of bottled water, which is not sustainable environmentally. I do not think this should continue. It is outrageous.
- ii. The Pay Policy Mark raised earlier, which is a three-year pay agreement. Effectively, if we agree to that, there will not be annual salary negotiations unless there were drastic changes. I think we must continue to demand that there should be annual negotiations over non-salary demands and to negotiate this type of issues. The problem is that academics are reluctant to go on strike over salary demands and they are even less reluctant to go on strike on non-salary demands.
- iii. Health & safety matters should also be reported to the building managers. Every single building has a manager.
- iv. Is UCT the last standing manual registration system? For a non-salary demand, by 2020 I am not registering manually. If UCT want students registered they need have a system.

Responses from the AU Executive:

- a. Kelley: On the issue of parking, it is a constant item on our CFASM agenda, but we also have a sub-committee who attend parking meetings, which goes on far longer than any other meetings. We have some AU members who are very concerned about this...thank you very much for your contribution on that. We are trying really hard to hold Management to their commitment in terms of resolving the parking matter. I think the answer they would give you is: You buy a red disc which gives you the opportunity to seek a red parking bay on campus. What is important to note is that Traffic Services are themselves extremely frustrated by the current situation on campus, particularly by Management's accession to the EU's increased demand on the

number of red bays available to their own members. Initially this number was 100 in the first year and 75 in the second year. This means that academic staff who are used to having red bays are apparently dropping their keys on the traffic office's desks and asking them to park their cars as they have to go to their lectures. There is frustration all round and none of which helps any of us in this room. We raised many matters at these parking meetings, on booming around certain areas, access control. We are told that these alternate methods cost money and infrastructure. There are many plans afoot which has been signed off by Council to address the bus access, along with a multi-storey parking and other initiatives which the University hopes, in the longer term will resolve some of the problems.

- b. Maanda: Around the issue of Uber, this is a serious concern. Do members realise that it is due to people's insistence on being dropped right at the entrance of University Avenue which contribute to the problem? If we however insist on being let out and the drop and go area, this problem would be minimised.
- c. Kelley: About the sanitation issue, this has also been on the CFASM agenda for the last two meetings.
- d. Mark: Around the sanitation issue, you as a staff member, should raise and table this via your Health & Safety meetings, which should be held within your department or Faculty once per month. These matters are then taken to Management. We were informed at one of our Health & Safety meetings in our Faculty that the problem was the person who was in charge of this was the Acting Executive Director, hence the problem was aggravated. In our building, which is in Snape, we have a contractor who provide paper towels, soap and running water but am not sure if this is applied throughout the Faculty or the University. These matters should also be addressed in your departmental meetings, where a special item on health & safety issues exist. This then creates a record within the university.

9. Closure

Kelley Moulton (Vice-President) thanked Maanda for his service on the AU Executive. Maanda might call me "Fighting K" but he is "Mighty M" as he does a lot in the background, which many of our members are not aware of.

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