

Present: Iesrafeel Abbas, Yunus Abdul Gaffar, Ala Alhourani, Neil Armitage, Kehinde Awodele, Jane Battersby, Asanda Benya, Elena Berdysheva, Louis Blond, Sarah-Louise Blyth, Adiilah Boodhoo, Tanja Bosch, Stefan Britz, Philip Broster, Sylvia Bruinders, Adheesh Budree, Andy Buffler, Bibi Burger, Justine Burns, Julia Cain, Fatemah Camroodien-Surve, Tony Carr, Keith Cattell, Francois Cilliers, Allan Clark, Brandon Collier-Reed, Sheila Clow, Vernon Coyne, Michael Cramer, Sarah Crawford-Browne, Melissa Densmore, Ruth De Oliveira, Monica De Souza Louw, Tania De Villiers, Rick Deya, Somikazi Deyi, Greg Distiller, Siphwe Dlamini, Carren Duffy, Peter Dunsby, Sebnem Er, David Erwin, Martha Evans, Nico Fischer, Jacqui Friedling, Daniela Gachago, Elise Galgut, Tim Gebbie, Dieter Geduld, Sharon Geeling, Sean Gossel, Shanali Govender, Freedom Gumedze, Kath Hall, Joanne Hardman, Vincent Hare, Stuart Hendry, James Hepworth, Richard Higgs, Inga Hitzeroth, Peter Hodgkinson, Chun-Sung Huang, Annette Hubschle, Simon Hull, Aditi Hunma, Peter Johnston, Michelle Kahn, Claudia Kalil, Meke Kapepo, Irvin Kinnes, Lucia Knight, Patricia Kooyman, Phil Janney, Mlenga Jere, Murray Leibbrandt, Mochelo Lefoka, Karen Le Jeune, Rochelle Le Roux, Tim Low, Nolundi Luwaya, Liani Maasdorp, Helen Macdonald, David Maralack, Sure Mataramvura, Duncan Mhakure, Mark Massyn, Alison Meadows, Kharnita Mohamed, Kelley Moulton, Tom Moultrie, Shaheen Mowla, Mbongeni Mtshali, Maanda Mulaudzi, Natasha Muna, Gwamaka Mwalemba, Camalita Naicker, Nisreen Narker, Caroline Ncube, Fred Nicolls, Lindokuhle Njozela, Gideon Nomdo, Saul Nurick, Thomas Oelgeschlager, John Akokpari, Grant Oosterwyk, Krystle Ontong, Elaine Opitz, Christopher Ouma, Amrita Pande, Lauren Paremoer, Shaun Parsons, Alexander Paterson, Ayanda Pekane, Rethabile Possa-Mogoera, Nomfundo Ramalekana, Raj Ramesar, Ulrike Rivett, Neill Robertson, Fiona Ross, Roman Roth, Jacques Rousseau, Signe Rousseau, Zainab Ruhwanya, Ed Rybicki, Sulaiman Salau, Mikael Samuelsson, Rebekka Sandmeier, Ayesha Sayed, Helen Scanlon, Anandaroop Sen, Marjanne Senekal, Matthew Shelton, Moreblessings Shoko, Kaveer Singh, Holger Spakowski, Sonja Spamer, Hussein Suleman, Anna Taylor, Patrick Tikolo, Lee-Ann Tong, Pitso Tsibolane, Marianne Vanderschuren, Thomas van Heerden, Lauren Van Niekerk, Louie Van Schalkwyk, Martine Visser, Catherine Ward, Bernhard Weiss, Adam West, Jennifer Whittal, Anna-Lise Williamson, Carolyn Williamson, Harald Winkler and Sahal Yacoob

Apologies : Waheeda Amien, Megan Becker, Jacques de Wet, Andrew Lilley, Deirdre Rule, David Taylor and Elona Toska

In Attendance

Shirifa Hellaby (Academics Union Organizer)

1. Welcome and Apologies

Kelley Moulton (President of the Academics Union) extended a welcome and thanked those members for making the time to attend the third online annual general meeting of the Union.

2. Confirmation of the 2021 AGM Minutes

Kelley informed members that Shirifa circulated the 2021 AGM minutes and enquired if there were any corrections to the minutes.

Kelley explained that in previous years if anybody had any corrections to the minutes, members could inform Shirifa.

Kelley provided members a few moments to put up their hands to see if there are any specific changes to the minutes.

3. AU President's Report

Kelley informed the meeting that for the last two years, she started her address at the AGM by saying that we had absolutely no inkling of what a year first, 2020 and then 2021 would turn out to be.

Kelley indicated that while the start of 2022 seemed to be taking a different path, where we came out of lockdown, we returned to campus and back into the classroom, but at present we are in an unprecedented point in terms of the crisis of governance of our institution.

The events of the last month also have serious implications for the reputation of the university. These events undermine the very cornerstones of what we consider a university to be, principles of institutional autonomy, academic freedom, the space for robust debate. These events have made a mockery out of respect for the principles of good governance.

And for us, this is a defining moment in the history of the university that we believe must be handled with rigor, conscientiousness, and objectivity. Towards that end, as many of the members should know, the Academics Union (AU) has taken the unprecedented step of instituting legal action against the university in the form of two letters of demand. These letters have been sent by our attorneys to Council to demand that the conflicted members of Council recuse themselves from the processes of investigation into the allegations that cover the potential misrepresentations by the Vice Chancellor and the chair of Council to Senate on the issues of the departure of Lis Lange and the alleged instability in the senior executive.

The AU has also demanded that Council vote to institute an independent external investigation into the allegations chaired by a retired judge, and that council affirm the integrity of Senate and its processes. The second letter of the AU continues our demand for the Deputy chair of Council to recuse herself from the deliberations due to her conflict of interest in the matter, since she had not done so to date.

The AU letter also calls on Council to be transparent about the processes to nominate and select the committee of five people who will undertake the independent investigation.

The second letter of the AU was sent to Fairbridges Wertheim Becker this past Monday evening. These are the lawyers that represent the University with a deadline of tomorrow, the 28th of October, for Council to comply and to respond to the letter.

The AU became aware that as of yesterday morning, the AU letter had not been circulated to the members of Council, and so our lawyers sent a further letter to Fairbridges Wertheim Becker yesterday to demand that they do so by 4:00 o'clock yesterday afternoon and to confirm in writing that this has been done.

This deadline passed without confirmation that it had happened, and so the letter was sent out yesterday evening by our lawyers directly to members of Council. The AU will now have to wait to see what will transpire in the next 24 hours in terms of whether the university complies with our demands.

Kelley informed the meeting that she is aware that this has been an enormously challenging time for all academics, and that there are deep divisions among some parts of the academic community about the core issues that are at the heart of what has transpired.

From the AU perspective, she wishes to be completely clear that the Union view these as questions of good governance, ones that we must address if we are to protect our institution and our role as academics within it.

Kelley is aware that there are some AU members who are discomforted at sending a second letter of demand, while others have welcomed the move. Further, she knows that some people have been concerned about doing anything to feed into the divisiveness on campus.

Kelley assures members that the AU Executive has not taken these decisions lightly and that they have proceeded on the overwhelming mandate that was provided at the last members' meeting. The second letter of demand reiterates the demand of the first letter that all conflicted parties should recuse themselves from the process.

Kelley explained that she is not sure what will happen in the next 24 hours. The AU face the possibility that the University will fail to meet the Union demands, in which case we will need to take advice again from our legal team on how to proceed.

Kelley indicated that it is highly likely that the AU will need to reconvene as a Union to discuss our options and to decide on a way forward.

The openness of discussion that we have had on the topic thus far, and the strength of the support that the Academics Union members have shown us, have provided us a clear path forward.

The AU hopes that it can continue on those discussions as we chart the course through next steps.

a.) Participation in University structures

Kelley informed the meeting that she will circulate the reports of the AU's participation in university structures. These include the Institutional Forum, the Transformation Committee, the Academic Freedom Committee, the UCT Retirement Fund, the Nominations Committee, the Staff Development Committee, the Occupational Health and Safety Forum, the Language Policy Committee and the Transport and Traffic Management Forum for members to read at another time.

Some of these reports from our subcommittees and representatives are available on our Vula site for your information.

The AU would especially like to thank its members who represent the Union on these committees. The AU value their time, their expertise and commitment in attending and reporting back to us on the work of these committees.

b.) Relationship with UCT Management

Kelley reported that while the AU has mostly had a collegial relationship with Management this year, it has been challenged in times again by disorganization and little tangible progress from the University side on some of the issues the AU has raised through the Consultative Forum.

The AU actively use the Consultative Forum to address members' concerns or to seek clarity on matters of interest to our membership. The Union encourage members to continue sending through issues that they would like to have raised in this forum and do so by emailing Shirifa, our Union organizer to include on our 3-monthly agenda.

c.) SFARS Policy

Kelley stated that it gives her less pleasure to report that the implementation of the SFARS policy has stalled, even though it was passed in the Senate Principal Circular 01 of 2021. This policy recognizes soft funded staff

contributions to teaching and creates mechanisms for sabbatical leave and basic salary security for permanent staff in this group, amongst other things.

The AU have continued to engage actively to demand the implementation of the policy and have recently been given an indication that management hopes that the policy will be fully operational by January 2023, although obviously it is not within our remit necessarily to make sure that this happens.

In response to an enquiry by a member in the Teams CHAT where the Policy got bogged down, Kelley explained that it got submerged in specific changes to individual areas, for example, finance, leave, HR administration that need to take place to enable the funds to be opened, funding to be allocated from GOB budgets, etc.

Kelley further explained that there seems to be less commitment at faculty level to move these things along but assures members that the AU is working actively to ensure that those knots are resolved.

Kelley thanked and acknowledged the new SFARS members, particularly Nico Fischer and Elona Toska for their persistence in making sure that this process does continue to move forward despite the disappointing progress.

d.) Pay Policy

Kelley informed the meeting that despite many requests from the AU to finalize negotiations for a new pay policy with management, this process has unfortunately not yet been concluded. This has taken three years thus far and have a few months to go before the end of the year.

The AU has provided input on the draft pay policy sent to us by management, but this document has yet to be finalized.

Although we predicted last year that we thought this would be a particularly contentious space, the draft policy that management produced was a continuation of the previous policy, with some adjustments to the criteria around financial sustainability.

The bulk of the comments from the AU to management have centered around setting limits for these criteria to clarify the circumstances that would trigger review, for example, in respect of financial sustainability, and the AU eagerly await the revised document from management.

Kelley explained that it is a priority from the side of management to finalize it too and is hopeful it would still happen this year.

Kelley expressed her thanks to the members of the AU Bargaining team for the amount of work they have committed again to the processes this year and to ensuring that management has met their obligations under our existing agreements.

e.) Salary negotiations

Kelley reported that the AU has not met yet with management in respect of salary increases for 2023. The AU has indicated to management prior to the current crisis that they demand an increase of Western Cape CPI plus 1% and that on the non-salary slate the Union demands the finalization of all outstanding non salary demands since 2018.

Kelley reported that thus far the AU has only attended a finance presentation which predictably paints a grim picture and that there have been no other movements since then. She indicated that the Union would continue to report back on the issue.

f.) Grievances

Kelley informed the meeting that grievances have again taken a lot of attention and capacity in the last year. The AU has protected the interests of many of its members because of the dedicated service of members of the grievance committee.

Kelley expressed her thanks and appreciation to Tim Low for his commitment and leadership of this group and also thanks Mark Massyn, Shaheen Mowla, Catherine Hutchings, Ulrike Rivett and Waheeda Amien for their service on this committee.

Members often only become aware of the work of the AU Executive when they require assistance.

Kelley indicated that supporting staff through grievances and disciplinary processes takes an enormous amount of time, skill and dedication and thanks this team for their concerted efforts.

g.) Membership

Kelley reported that this year the membership, prior to the last month has remained largely stable and the Union has easily maintained the thresholds in most of our categories.

The Union continues to face very low membership amongst the lecturer group and is again looking at ways to increase its visibility and grow its cohort amongst this group.

Kelley explained that the current crisis has been good for membership as it increased by around forty new members over the last month. This is good as the AU is getting a sense from people that they are interested in the activities of the Union, and they feel it is protecting or representing their interests efficiently to join.

The AU continues to urge members to refer interested staff to the Union to let them know about the benefits of Union membership.

Kelley indicated if members in the meeting require any written materials to assist them, they should reach out to Shirifa who would be happy to provide that.

h.) Membership fees

Kelley informed members that as can be seen from the report by the Treasurer, the Union is in a financially good position. The main concern by the Union is that they still face the risk that at some point, the University may discontinue its contribution to the Union's costs. We therefore support continuing to reserve the Union's funds to be able to withstand the impact of such a decision.

The Union will continue to incur legal fees, which it does not know the quantum of yet as we address the governance challenges that we face right now. The AU propose to continue its current membership fees at 0.1% of members' CoE, which means that the amount that we pay per rank is slightly different. This is still less than R130 per month at the highest level.

i.) Future challenges

Kelley indicated that in terms of future challenges, as the current climate on campus attests, the AU will continue to face challenges. She considers that the Union will face the continuing challenges of deepening funding deficits and austerity. The Union is aware that many academics are resigning and is enormously concerned about the impact of increasing workloads and demands on academics' productivity, their health and well-being and is concerned at the slow response by management in addressing these challenges.

Kelley indicated that we all know that the academic staff workload has consistently increased since 2016 and is at levels that are unmanageable and so addressing those issues remains a priority for the Union in engaging the University going forward.

j.) Conclusion

Kelley acknowledged and conveyed her personal thanks to the members of the Executive of the Union for their extraordinary commitment and service over the past year.

On behalf of Union members, Kelley extends her thanks to each of the Executive members, namely, Mark Massyn, as Treasurer, Andrew Lilley, Waheeda Amien, Collet Dandara, Nico Fischer, Sahal Yacoob, Shaheen Mowla and Tim Gebbie. It has been wonderful to see the inclusion of new members onto the AU Executive as they have brought fresh new ideas and perspectives.

Kelley expressed her thanks to each member of the AU Executive team and for the contribution each one has brought to the Union.

As was announced the previous year, Mark Massyn will be retiring from the University at the end of the year and therefore is stepping down as Treasurer and the Union thanks Nico Fischer for not only stepping up to take on this role, but for spending the time during 2022 to crossover with Mark in that role to ensure continuity of the Union's finances.

Kelley expressed her thanks to Nico for taking on that responsibility.

Kelley conveyed a special thanks to Shirifa Hellaby whose services as union organizer is often unseen but very much valued, particularly by herself. Her commitment this year has been extraordinary in attending extra meetings, turning around minutes at short notice, doing work after hours to support the work of the Executive and the Union. Kelley indicated that the contribution by Shirifa is invaluable, and that the Executive would definitely not be able to do this task without her efforts.

Kelley informed the meeting that her final task is to announce that this would be her last AGM as President of the Academics Union, although she will remain in office until the end of December 2022.

Kelley will be succeeded by Andrew Lilley as President. Waheeda Amien and Tim Gebbie will support Andrew as vice Presidents.

Kelley informed the meeting that Andrew brings a wealth of experience as one of the longest serving members of the AU Executive and wishes him every success in this position. Kelley will remain in office through the end of December to allow Andrew to complete his sabbatical and will be available to support Andrew and the team in the New Year as they form their new Executive and move forward.

Kelley requested a show of hand by members to affirm the election of the new president and vice-presidents.

This was supported by a show of hands by just over sixty-eight members.

Kelley wishes the new president and vice-presidents every success in their new positions and conveyed her thanks to members for all their support, indicated that the AU could not be a strong Union without that support and wishes everyone well over the next year.

4. Draft 2021 Audited report

A copy of the draft 2021 audited financial statement produced by Nolands (Mowbray branch) was made available to members via email. Mark Massyn (Treasurer) provided an overview.

Mark stated that as Kelley mentioned, the Union finances are in a healthy position.

Income and expenses for 2021:

- The expenditure for the year was about R560 000 of which 3 items contributed to the expenditure, namely the salary of Shirifa, the audit fees and legal expenses.
- The Union income for 2021 was about R1.19 million which is made up of three components, namely membership subscriptions, the support from the University and investments.
- The investment amount was R136 000, which is down this past year mainly because how the markets performed.
- The Union had a surplus of about R630 000
- The total investments are now R5.9 million.

5. Election of the new Executive Committee for 2022-2023

Name	Position	Faculty	Years/ months serving on AU	Standing for Re-election
Kelley Moulton	President	Law	8	No
Mark Massyn	Treasurer	EBE	7	No
Nico Fischer	Elected	EBE	7	Yes
Andrew Lilley	Elected	Humanities	7	Yes
Shaheen Mowla	Elected	Health Sciences	4	Yes
Tim Gebbie	Elected	Science	4	Yes
Maureen Tanner	Elected	Commerce	4	Yes
Sahal Yacoob	Elected	Science	3	No
Waheeda Amien	Elected	Law	10 months	Yes
Collet Dandara	Elected	Health Sciences	10 months	No
Elona Toska	Elected	Humanities	3 months	Yes

Nico Fischer acknowledged and thanked Kelley, indicating that she thanked everybody, but feels it is important to thank her as well. Nico reported to the meeting that he does not know how the AU Executive or Union would have manoeuvred through the situations without Kelley as President. The AU had a lot of laughs even

during panic modes and he appreciates how Kelley was able to steer the ship during difficult times, more so now when she is willing to continue to see things through till the end of the year until Andrew can take over as AU President.

Three other members thanked and expressed their appreciation to Kelley for her leadership and quality of work and thanked the AU Executive team who have contributed to the work of the Union.

In response to the above, Kelley indicated that she is pleased to be included in the rank of a former AU President and informed the meeting that she has relied on the counsel of former AU Presidents namely, Maanda Mulaudzi, Tom Moultrie, Bernhard Weiss, and Ulrike Rivett as they are a wealth of support and information and thanks them for all that they have done to help the Union navigate the challenges they have faced.

Many members expressed their thanks to Kelley and the AU Executive team in the Chat section of MS Teams.

General Discussion

Kelley enquired if members have any issues, they wish the AU to continue to advocate or points they wish to raise.

(a) A question from a member

The member thanked Kelley and the AU Executive team who have been extraordinary in an extraordinary time, indicating the University has been through a lot with #Fees Must Fall but this last year has posed a different set of challenges and expressed awe and gratitude for what the AU has done.

The member indicated when the AU made its statement, queried to what extent the Union speaks on behalf of the academics in the University and to what extent does the Union have the strength, the voice it is putting forward; how strong that voice is and wondered how more inclusive it could be. Request that the AU think about ways to include new staff members to the University and older staff members who are not part of the Union.

A response from Kelley

That is something the AU Executive have been engaging on and something she consistently stated is that the AU is a very diverse community, and the Union should not expect a statement that would represent everybody's viewpoint necessarily. Indicated that this one time she has not felt much division in the membership of the Union. Obviously, there might be systematic differences between people who are Union members and those who are not.

Kelley stated that the strength of the Union lies in all the little circles that we see on the screen right now. Propose that those who feel they have benefitted from the Union should chat to a non-Unionized colleague in their department to ensure they become aware of the work of the Union and inform them that membership of the Union is not automatic. Staff members assume that membership to the Union is automatic without realizing that they must sign up.

About recruitment and advertising the AU Executive committee proposed some ideas, one of which is to continuously engage its current members but also non-Unionized people by producing short videos about the benefits of the Union—a way different to the dry pack new staff members receive when they join the University.

In response to this proposal by the AU Executive, Liani Maasdorp, from the Film & Media Department offered to assist the AU with the production of the short videos.

Via the CHAT section in MS Teams, a member proposed that each department has a representative who would assist with the recruitment drive.

(b.) A question from a member

Requests information about the grim financial predictions or focus and the fact that the UCT brand academics have worked so hard for and to maintain is being associated with the Valencia online high school. Is aware that UCT is not investing anything financial but more importantly, the product of our sweat. Enquired what the AU Executive thinks about some of the implications of that association?

A response from Kelley

The biggest challenge that we face comes from two spaces. One is the reduced income from some of the income streams due to COVID which created a hole in the University coffers which would be felt for a few years going forward. On the horizon, the biggest challenge is the changes to NSFAS funding which will mean that the University has a really big hole to cover in terms of existing students, but also generating the kind of income that can fill that hole. As staffing is the largest single item on the university's budget, this is the place where we will see some squeeze.

Kelley explained that there are examples in her faculty where positions are not being filled, or at least not being filled immediately. Consider that it is getting harder for Deans to motivate for new positions and thinks that the Centre is definitely tightening up on those kinds of issues.

The AU has not had an opportunity to engage the Finance department on the budget this year, possibly because of the current state of events on campus. Informed the meeting that one of the issues the AU plan to address more forcibly with the University is how they plan to address the gap.

(c) A concern raised by a member

Propose that the Union discuss plans with management around curriculum development in response to NSFAS changes. Reported that he recently arranged a meeting with all HoDs in the Faculty of Humanities because their Dean is very keen on changing the curriculum to the extent that there will be a cut in the overall course load and the reduction of the number of majors, which will result within the next decade in a number of disciplines being removed effectively. This would also lead to staff losses.

Views the University's financial response to the NSFAS issue as misguided in which they can only think inside the box and have these hawkish budget cuts all the time, which always come at the cost of students, the value of the education, the value in terms of intellectual value, but also in terms of the development of staff as academics, for teaching and for job security.

Response by Tim Gebbie

Expressed his thanks to Kelley for everything she has done.

Indicated that in response to the comment on the financials, it is lost on many of the colleagues that without a strong academic lobby we cannot really influence the strategic direction of the university in the financial sense. Considers that there is a deep misunderstanding of what vision 2030 actually is all about. In that it diluted the ability of academics to drive the academic project as the primary objective of us being here, and this can be seen in the financial reports how money is allocated.

In response to the question in the CHAT about the difference of the Union and other staff associations explained that the AU is not a political organization. The AU serve the terms and conditions of employment of the members of the union. It is a legal function with regards to supporting staff to ensure that the contracts they have signed

are being met with the proper obligation on the side of the organization. All that the Union can do is to lobby if we have enough members.

Indicated that the Union does not have enough members in the lecturer ranks. When the Union, for instance, goes into financial discussions with the pay policy, the Union in prior years have fought very hard for assistant lecturers and lecturers and this is coming to an end now because we do not have sufficient numbers.

The result of this is that the Union cannot preferentially increase the lobby to have the salaries of the lower levels increased more than the middle and the higher levels. This will impact many of our lecturers and assistant lecturers in their pockets. People do not seem to understand this is a financial issue in terms of employment.

(d) A comment by a member

As HoD he has noticed that new organizations have cropped up and many new colleagues do not realize the difference between those and what the Union offers. Considers this is a danger to the Union but it is also a danger to the interests of those colleagues.

Confirms with the views of Tim and propose that the Union does a recruitment drive where presentations are necessary because other bodies do not have the depth of experience the AU has. Considers it is very important to once again increase Union numbers and be open what it offers whereas other bodies cannot, as they do not have the depth of experience and they lack the mandate which the AU has in its relationship with the institution.

A response by Kelley

Concurs with the above view of the member and explained that the Academics Union is the only Union that has rights to negotiate on behalf of academics. And even if other Unions have been able to negotiate, they do not have representation in the academic classes, something that could be used in our membership drive.

A response by Nico Fischer

Indicated that with the membership drive it is very important for people to be made aware of what the Union does. It is difficult for the Union executive to reach everyone because one becomes inundated with emails on a daily basis and those emails from one whom we do not know, is often deleted.

Explained that in prior years if one wanted to become a member of the AU Executive one had to write a short motivation, but this is no longer required.

Nico urges everyone present in this meeting to think whether their department or faculty is represented in the AU Executive because it would be advantageous to have a more diverse group on it with different views and insights.

7. Closure

Kelley thanked everyone for attending the meeting and for their involvement and engagement with the Union. Encourages members to keep their ears to the ground and continue reading any updates over the next week when the AU Executives keeps members up to date about events.

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