



Canadian Association of University Teachers
Association canadienne des professeures et professeurs d'université

Memorandum 20:17

Date: April 7, 2020

To: Presidents and Administrative Officers,
Local, Federated and Provincial Associations

From: David Robinson, Executive Director

Re: **Conducting Association Business Remotely**

This memo discusses the issues arising from conducting association discussions, meetings, and other affairs during the COVID-19 pandemic.

The starting point for any consideration of conducting association business through video conference, teleconference, or an online platform is the association's constitution and by-laws. Any language mandating that certain meetings or issues be conducted in person is of course subject to emergency orders restricting the size of gatherings. In such cases, alternatives would have to be considered.

Where it is deemed necessary and where the constitution or by-laws are silent on requiring meetings or matters to be conducted in person, the association may explore alternative ways of holding its meetings. If there is no immediate and pressing need to call a meeting, then the association may consider waiting.

There are many software and online platform options for conducting virtual meetings, editing documents, and sharing information remotely. While freely available platforms are the most tempting options, these often pose significant privacy and confidentiality risks.

The association should choose a platform or software that can maintain confidentiality through encrypted connections, secure lines that require an invitation and login, voting that can remain anonymous while being secure, and cloud storage on servers located within Canada and that can be password protected. Associations can contact CAUT directly to discuss specific software or platforms.

It is recommended that you begin virtual meetings with a statement about privacy and confidentiality. When association staff and officers are discussing active files, ensure that all

participants are in a space that does not allow for eavesdropping or disruption. For those with others at home, this might require using headphones.

Association staff and officers should strive to maintain regular confidentiality standards when conducting association business from home. This means ensuring secure storage of any private and health information, and avoiding discussing sensitive matters with others.

General Membership Meetings and Financial Matters

If the constitution or by-laws specify that reports or general meetings must take place on or by a certain date, then the association may consider video conferencing solutions. If there is no date specified, then the association may wish to postpone until the pandemic situation resolves.

Associations should keep in mind that there is no statutory requirement for non-incorporated associations to hold general meetings or make financial reports by a certain date. The same is true for associations certified under applicable labour legislation. Associations that are incorporated will have to consider proceeding with reports and general meetings remotely, if absolutely required by your jurisdiction.

Collective Bargaining

Associations may wish to postpone collective bargaining negotiations, if they have not already started. In some instances, there may be compelling reasons to proceed or continue. Despite any timelines in labour statutes, both sides are generally able to agree to their own timeline for bargaining, including postponing next steps.

Where negotiations continue, it is recommended to do so by video conferencing rather than by telephone. It is important to ensure that the chosen software or platform is not under the institution's sole control. Choose a neutral platform, and have both sides set as "administrators". Verify that the other side cannot see or hear you at the start of each caucus or sidebar with your team.

Legal Requirements, Timelines, and Dates

Associations should check with local counsel or the CAUT office about the possible suspension of timelines and limitations periods in their jurisdiction. For timelines and dates related to grievances and arbitrations, we recommend suspending or postponing these for the time being on agreement with your institution's representatives.