

Minutes of the General Assembly of Delegates 2020

Topic	MiniGA Actionuni 2020-Motion 3 only
Author	Sophie Girardin (actionuni)
Date	24. November 2020
Time	16.00-19.00h
Location	Online with Zoom

Present: **actionuni:** Carmen Faso (CF), Rashmi Rai-Rawat (RR), Martina Von Arx (MA), Sophie Giardin (SG); **AVUBA:** Ann-Kathrin Hess (AH); **VMAD:** Beat Müller (BM); **VAUZ:** Fanny Georgi (FG)

vmph FHNW: David Bisang (DB); **MVUB:** Daniela Feller (DF); **MVUB-actionuni:** Prabitha Urwyler (PU); **MVUB:** Muriel Nann (MN); **ACIDUL:** Maximilien Stauber; **MOL:** Tanya Kasper (TK); **AVUBA:** Camila Plaza (CP); **CSWM:** Florian Lippke (FL); **ACCORDER:** Myriam Piguët (MP); **VAUZ:** Christine Wittlin (CW); **AVETH:** Timo Niepel (TN)

1. Welcome by the Co-Presidents (CF, MA, RR)

Carmen Faso (CF) welcomes the participants.

2. Quorum (CF)

Total of votes that can be cast by the delegates present at the meeting: 47 votes.

Delegates of vmph Bern were absent but vmph Bern had informed actionuni in advance they would like to add their 2 votes to the majority.

3. Volunteers

3.1. minutes taker

Sophie Girardin (actionuni)

3.2. poll and votation monitors

Rashmi Rai-Rawat (actionuni) and Martina von Arx (actionuni), both don't have a right to vote.

4. Agenda and amendments

CF goes over the number of votes which each association is allowed to cast and presents the online voting form.

Vote 1: accepting the agenda

Outcome: 49/49, the agenda is accepted without amendments (this includes the 2 votes of vmph Bern).

5. Discussion and vote on the phrasing of Motion 3

5.1. Opening notes from CF:

- a) vmph Bern has already communicated its support for any outcome of today's assembly.
- b) This change will have to be incorporated in the statutes and will be presented at the next GA.

5.2. Discussion on the different versions of the motion

TN: For AVETH, each member organisation is independent, because we represent employees and midlevel staff of very different institutions. For this reason, AVETH and I would find it restrictive to the freedom of the individual associations if the national level initiatives have to be “*coordinated*” by actionuni (Version 1). However, actionuni is a very important organisation, since it coordinates the efforts between the different associations. It's a platform for opinions and for joint actions. Therefore it's vital that each member association communicates which initiatives they are supporting. So we will vote for Version 4.

AH: [Comment] AVUBA is also in favor of Version 4.

[Question] Version 2 defines procedures more clearly than the other versions. In the case of the other versions, what will concretely happen after a national level initiative is communicated to the Board?

CF: The spirit behind this motion is to ensure that whatever gets done on a national level is agreed upon by all of the members of actionuni, which actionuni represents on a national level. We appreciate the autonomy of the members and do not question it, but an individual member launching or participating in a national initiative will have an impact on all the other members, possibly without them having a say in it. There are only two ways for the other members to have a say: if they are individually contacted, or if the national initiative is coordinated by actionuni.

When it comes to concrete consequences following the communication of an initiative to actionuni, the situation has not had a precedent yet. I can personally imagine that if there is a national initiative communicated to or coordinated with actionuni, we would then put that initiative up to a vote for the members to decide if actionuni should support that initiative on the national level. Each member is still free to decide if they want to get involved with this initiative at the local level or not.

MA: There is no need to specify the process yet.

AH: Version 2 clearly states that a 2/3 majority of the assembly is needed to endorse a national initiative. Since this is not mentioned in the other versions, the majority would then be a simple majority (not 2/3) for all other versions?

CF: Indeed, the other versions don't have a clearly stated needed majority.

FL: [Comment] I would like to highlight that we are dealing with two different questions in this discussion:

- 1) How does a member association proceed when it wants to support something that is going on nationally?, and
- 2) How does actionuni proceed when a member association brings up a national initiative to its attention?

Many of the proposed versions are only covering the first question (the responsibility of a single association to communicate/coordinate with actionuni before they support a national initiative), but the second question is not covered (how does actionuni decide if they should support the national initiative or not).

[Question] How do we define the “members of a member association” mentioned in Versions 3 and 4?

CF: the difference between version 3 and 4 is in “driven” and “initiated”. If a member of a member association (e.g. a member of MVUB) drives an initiative that is on the national level, then the least they should do is to inform MVUB, which should then communicate/get actionuni involved in coordinating.

FG: Then we should specify that this is only about initiatives related to higher education topics, and not any initiative. If someone who is a member of a local association launches a national initiative about some non-higher education-related topic (e.g. against child labour), there is no reason why they should inform actionuni about it.

FL: From my perspective as a former actionuni Board member, I think Timo’s points are very valid. However, the versions we have say “coordinated with”, not “coordinated by”. This means talking about it, discussing it, but it doesn’t mean that actionuni takes it over. The Board might have current on-going initiatives and might give advice on when is a good time to launch something. In my opinion, “coordination” is better than “communication”, but it doesn’t mean taking control.

Regardless of the motion version, a member organization is still free to sign whatever they want for themselves. A naturally following question is: when the Board is confronted with an initiative, how do they decide what to do? Who has a mandate to decide on this: can they take a decision as a Board or should they run this by the General Assembly? Version 2 is interesting, because it clearly states that this responsibility falls on the member organizations, so it takes pressure off of the Board and ensures democracy.

TN: Requiring a 2/3 majority vote before actionuni can officially endorse a national petition would in fact be equivalent to a loss of freedom for the individual associations. I fear that if we chose Version 2, it will block national initiatives altogether. An initiative that benefits a single association but is not supported by actionuni should not be blocked.

FG: I think there is a misunderstanding here and I would like to make a clarification on Version 2: the 2/3 majority is only needed for actionuni to officially support the national initiative. According to this proposal, actionuni can only support national initiatives if agreed upon by 2/3 of the single associations. A single association would still be allowed to sign and support any initiative, regardless of whether the 2/3 majority is reached.

CF: This is also how the Board of actionuni understands this proposal. This version covers two topics: 1) the requirement for single associations to inform the national level about their national level initiatives and 2) the requirement of a 2/3 support from the assembly for actionuni to officially endorse the initiative.

FP: These two points are implied in each other version, but Version 2 makes it the most clear. I am aligned with Fanny and Carmen. It is important to clear this now, so that we don’t misunderstand that there is a limiting character to this version.

TN (through the chat): Then this should be reflected more clearly in the text.

TN: I propose a Version 5, which is Version 2, but replacing the word “coordination” by “bilateral communication and information”. It makes it less legally binding than “coordinating”, which in my understanding implies use of power.

PU: (in the chat) suggests adding information flow

Version 5: Signing/endorsement by actionuni members of national-level initiatives driven by individual member organizations requires **bilateral communication and information flow** with the board of actionuni sufficiently in advance. Moreover, signing/endorsement of initiatives by actionuni requires the vote of a 2/3 majority of the general assembly. Opposing member organizations may request to be named in public communications.

CF: This version is now added to the voting options.

CW: Some people seem to be under the impression that this motion is a potential threat of actionuni’s Board taking top-down approaches. I would like to underline that it is a wrong understanding of the situation. actionuni Board members and delegates are working for all their members/associations, they have relations with important stakeholders and they should be involved and consulted. That has nothing to do with top-down.

AH: A 5th version has just been proposed. But for us, it’s not possible to consider this version since we have already taken a vote within our association Board. In the future, it would be nice to receive this version in advance and not to have new propositions on the spot.

CF: It is not uncommon to propose amendments directly at the GA, but I agree with you that it would have been better to have this in advance.

RR: We could have a quick poll to know if people agree with voting on this motion now, despite the addition of a 5th version.

FL: Knowing the number of versions from the beginning makes it easier, but it limits the constructiveness of the discussions from the GA. As a actionuni delegate, you have the personal mandate to be able to take decisions that are aligned with what you know of your own association and the discussions that you have had, without necessary have your association vote on it.

TK: I agree with Ann-Kathrin. I’m here for Uni Luzern. We had a big discussion on these statements and disagreed on what to vote. I would definitely vote for Version 5, but I’m not sure that the rest of my Board would agree. So I would be in favour of postponing the vote. Our Board members don’t see a reason to put “coordination” in the statutes, they think that “communication” would be sufficient.

FP: Formally, as a representative of your association towards actionuni, the vote which you will cast here is your own personal decision. Your mandate is to represent your association, but you are not bound to follow their opinion. While not following the majority opinion does not invalidate your vote, you are still accountable towards your member association and may face consequences (i.e. they can fire you).

CF: Representatives come to the GA and take decisions as individuals. We must consult with our Board, but at some point, we need to take a decision. This motion is an important decision for the Board of actionuni, as similar national initiatives are likely to come up in the near future. I see that some people are uncomfortable taking this decision today, so we can vote on delaying this decision. Let’s have a poll to see if more than half of the members agree to take this decision today, but please do keep in mind that we cannot postpone this discussion forever.

FG: We could vote on things that have changed via circulation after this miniGA. e.g. we could decide that each association will be given a week's time to discuss internally. The voting will then be opened online on Dec 1st or so. Although, I'm not sure if this is legally possible for actionuni.

RR: There is a risk that even if we will postpone this vote, and members are given more time to discuss again with their board members. There might be new versions coming up and we don't want to stretch this discussion for too long, especially with the Christmas holidays ~~break~~ coming up.

CF: The window to propose alternative phrasing was open for several weeks. actionuni received a total of two inputs. The time was given to discuss this with your respective Boards and to come up with alternatives. There have been events in the past during the general assembly where amendments were proposed on the spot and voted on immediately.

As actionuni, we would prefer to have a decision taken on this today.

BM: We are discussing here how independent our organisations are. Similarly, the delegates in this assembly should in my opinion be independent enough to decide for themselves if they think that they can vote on the additional versions or if they should only consider the versions that they discussed with their Board. This would make this process smoother. Because we are independent associations, we should be able to make this decision now.

→ **Vote:** Can we vote on the 5 versions of this motion today?

Yes: Timo Niepel (AVETH), Daniela Feller (MVUB), Fanny Georgi (VAUZ), Tanya Kasper (MOL), Beat Müller (vmad), Ann-Kathrin Hess (AVUBA), Maximilien Stauber (ACIDUL), Florian Lippke (CSWM).

No: -

Abstain: Myriam Piguet (ACCORDER), David Bisang (vmph FHNW)

Outcome: The vote on Motion 3 will take place today.

DB: Version 2 states that "opposing member organisations may request to be named in public communications". Shouldn't it state that they may request *not* to be named?

FG: No, the phrasing is correct. For example, if AVUBA has a strong feeling against an initiative supported by 2/3 of the assembly, they could request that in official communications, it should be stated that "this initiative was endorsed by actionuni, without AVUBA".

FL: This is a good idea, because we have had this case in the past. There were cases where some associations didn't want to be accused by their faculty of having done nothing.

MP: It is unrealistic to guarantee that journalists or PR offices will actually mention the specific names of associations not supporting the majority decision, so we could take this part out.

SG: I agree that we cannot control how third parties communicate about it, but we can make sure that this is mentioned in all the official public communications from actionuni. For example on Twitter and on other social media. So this part of the proposal should in my opinion stay.

MA: A 2/3 majority does not mean it is a consensus, so the initiative might not be supported by each and every member association.

CW: I have a problem with the 2/3 majority, because actionuni as an umbrella association has the responsibility to represent all of its members. If actionuni acts on a national level, it should be the voice of all of its members associations. Therefore, I would recommend to act on a consensus-basis and not on a 2/3 majority-basis. If actionuni is involved, it is not fair not to include everybody. If the Board goes on a national level and discusses some topics with the stakeholders, it has to be communicated that members can have differences in opinion.

MA: That is what we do on a daily basis. For example, we transmit to the SNF that there are mixed reactions from our members, we don't say that "all our members are very happy/unhappy with what you are doing". We try to mirror what our members are telling us. The 2/3 majority is a good idea for political decisions, because a consensus for a political decision is very complicated to reach. We have now talked for more than an hour about the wording of a motion which at the end of the day is quite straightforward.

FG: An additional issue with aiming for a consensus is: what if single association are not responding or are being dismantled? Then we are completely blocked and cannot take a decision anymore.

CF: This is a valid observation, as this happens from time to time.

FL: Version 2 states that "opposing member organisations may request to be named in public communications." This comes from the fact that the autonomy of member association is held high. If a member association disagrees and is a minority, they are allowed to be protected through this (principle of "Minderheitenschutz"). I think it's a good thing.

RR: It does not have to be 2/3 majority. It could also be a simple majority.

CW: actionuni currently has 15 members, but could grow a lot more, as there are 113 members of mittelbau staff organization in Switzerland. It is important to have more organisations joining actionuni. The majority topic is tricky, because our focus should be on increasing the number of members. Nobody should be excluded from the start.

CF: Our outreach activities need to be increased to reach more people. This will mean diversity of opinion. But the more we are, the more difficult it will be to reach a consensus.

5.3. Voting on Motion 3

5 versions of the motion were official proposed:

Version 1: Signing / endorsement by actionuni members, of national-level initiatives, needs to be coordinated with actionuni.

Version 2: Signing/endorsement by actionuni members of national-level initiatives driven by individual member organizations requires coordination with the board of actionuni sufficiently in advance.

Moreover, signing/endorsement of initiatives by actionuni requires the vote of a 2/3 majority of the general assembly. Opposing member organizations may request to be named in public communications.

Version 3: Signing/endorsement by actionuni members of national-level initiatives, driven by member organizations and/or the members of member associations of actionuni, needs to be coordinated with actionuni.

Version 4: Signing/endorsement by actionuni members of national-level initiatives, that are initiated by member organizations and/or the members of member associations of actionuni, needs to be communicated to actionuni.

Version 5: Signing/endorsement by actionuni members of national-level initiatives driven by individual member organizations requires bilateral communication and information flow with the board of actionuni sufficiently in advance. Moreover, signing/endorsement of initiatives by actionuni requires the vote of a 2/3 majority of the general assembly. Opposing member organizations may request to be named in public communications.

The different versions were voted on using an online form, where each delegate could cast a number of votes proportional to the size of their association. An association with several votes can split these between several options.

5.3.1. VOTING – Outcome of Round 1

Version 1	6 votes
Version 2	0 votes
Version 3	0 votes
Version 4	15 votes
Version 5	23 votes (including the 2 votes from vmph Bern, requested to be added to the majority)
None of the above	4 votes
Abstain	1 vote

Note: Fanny Georgi (VAUZ) voted by communicating with Martina Van Arx (scrutinizer) rather than by using the form.

The total number of cast votes was 49, with an absolute majority set at 24. Since none of the options gathered an absolute majority, the vote was repeated.

5.3.2. VOTING – Outcome of Round 2

Version 1	0 votes
Version 2	0 votes
Version 3	0 votes
Version 4	15 votes
Version 5	27 votes (including the 2 votes from vmph Bern, requested to be added to the majority)
None of the above	2 votes
Abstain	0 votes

The representative of MVUB (Daniela Feller) had to leave before Round 2, so the total number of votes for this round was 44 (including 2 votes from vmph Bern), with an absolute majority set at 23.

Version 5 obtained 27 votes. It is thus the version officially adopted by the assembly and will be incorporated in the statutes of actionuni.

6. Closing remarks

6.1. Thank you

TN (association delegate): Thanks everybody. It is good to see how we're all working together.

CF(actionuni presidency): Thank you Timo for your inputs and thank you all for your participation. We feel like we have good channels to all of you, which is really great.

RR (actionuni presidency): Thank you everyone. All our delegates are doing a lot of work at the local level. We (actionuni board) are your elected representatives and we will try our best to support your initiatives in the best way we can.

Varia

TN (additional information shared by a delegate): At ETH, we are in the second round of negotiations for the Mittelbau salaries. People on fix-term contracts are always overlooked. We have worked together with Transfair und PVB (Personalverband des Bundes), two organisations which have a lot of experience in salary negotiation. They have been very helpful. If you have any questions regarding this, you're welcome to contact me.