



TO: Membership (Undergraduate Students)  
FROM: Central Student Association Executive Committee  
DATE: Wednesday April 3, 2013  
RE: Joint Application and Upcoming Statements

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On [Wednesday March 27<sup>th</sup>](#), 2013, after the much discussion and debate, the CSA Board of Directors passed the following motion:

***BIRT***, the CSA pursue a joint application with the CFS against the University regarding the collection of CFS membership fees,

***BIFRT***, the joint application seek court orders for the university to:

1. Remit the CFS membership fees collected in trust to the CSA,
2. Resume the collection of CFS membership fees immediately, and
3. To remit the equivalent of any uncollected CFS membership fees to the CSA

***BIFRT***, the CSA Board of Directors task the Executive Committee to coordinate this application until a court decision is made with regular updates to the Board of Directors,

***BIFRT***, this motion be made public and the CSA executive draft a press release publicizing the Board decision and its rationale in consultation with legal counsel

As stated in the motion, there will be a press release and further resources provided to all members (undergraduate students) within the next week. We are dedicated to providing you with details and more information surrounding this issue to explain what has led us to our current situation.

On Monday April 1, 2013, a Facebook event page was created. The event page contains a leaked partial version of the approved motion.

In January 2013, the CSA released a "Statement Of Facts" which provides additional background to the case including a brief history of the membership dispute. If you have not read it, please do so as it helps to explain some of the complexities of the case. There is also an opportunity at the end to leave feedback for your CSA Board of Directors via a google survey. Both can be accessed by visiting <http://www.csaonline.ca/cfsdispute/>.

It should be noted that this is not a straightforward issue. For example, the 2010 referendum on the discontinuation of CFS/CFS-O membership was set aside by a court of appeal. As the Statement Of Facts states:

*"Because the original Order was set aside, the referendum ought not to be considered as binding upon anyone and the case, and everyone's rights,*

*return to where they were before Justice O'Connor's Order – the requirement to hold a referendum on the basis of two student petitions remains undecided, the CSA continues legally to be a "Voting Member" and the University of Guelph students continue legally to be "Individual Members" of the CFS-N and the CFS-O. For these reasons undergraduate students at the University of Guelph remain members of the CFS-N and the CFS-O at this time and are required to continue to pay their CFS-N and CFS-O membership fees."*

Until the CFS-N and CFS-O pass a motion revoking our membership status, or a court rules similarly, the CSA and undergraduates students remain members and must remit membership fees.

The University of Guelph collected membership fees from 2010 until the Fall of 2012. The discontinued collection of fees means that the CSA is potentially liable for uncollected fees if there is no legal resolution. This is a serious concern of the Board of Directors and we are working to put the question of fee collection before a judge in order to minimize this financial liability. The CSA, is now responsible for \$270,000, which we do not have the financial capacity to cover. In addition, undergraduates and the CSA will not be able to have another membership referendum with outstanding membership fees.

As of August 2012, the CSA had spent over \$407, 000 on legal costs related to the CFS membership dispute. The Board of Directors is confident that its decision to pursue a settlement out of court with the CFS is the best way to reach a resolution to this 3 year-old issue without incurring further significant expenses or liabilities for the CSA and its members.

The CSA Board of Directors takes this matter very seriously and has dedicated over 40 hours and over 18 meetings this year to discussing and deciding on the direction of the legal case.

We look forward to providing further details on the case in the coming week. Subsequent statements and documents will be draft in consultation with our Lawyer and will be uploaded to the CFS Dispute page.

Documents currently being drafted will include details on:

- All of the options that the Board of Directors considered along with the associated financial and legal risks
- The financial position of the CSA
- A timeline of events
- The current CSA position and rationale for settlement

We hope these upcoming statements and documents will answer questions related to CFS. If you have any further questions, please feel free to contact your CSA at [csatalk@uoguelph.ca](mailto:csatalk@uoguelph.ca)