

From: George Luste [luste@utfa.org] and Scott Prudham [Prudham@utfa.org]
Sent: October 12, 2010
To: ALL UTFA Members

Subject: Arbitration award for 2009-10 and 2010-11

Dear Colleagues

The long awaited arbitration award on compensation for faculty and librarians covering 2009-10 and 2010-11 is now public. Under the somewhat archaic terms of our Memorandum, an award cannot be released until ten days following its issuance, but we agreed with the Administration to shorten that time to allow for the release to take place today.

The award is accessible by a link at the UTFA home page www.utfa.org as well as from the Salary and Benefits area of UTFA's website. The 17-page pdf file is also directly available via <http://utfa.org/images/file/SBP%20Teplitsky%20Award%20for%202009-10-11.pdf>

This award was issued by Mr. Martin Teplitsky, Q.C. who acted as both mediator and arbitrator. The award covers the two academic years from July 1 2009 to June 30 2011. You will see that Mr. Teplitsky has only ruled on salary, benefit, and pension matters in this portion of the award. Workload matters -- now negotiated in the same manner as compensation as per our March 2010 mediation settlement -- will be addressed shortly in a second portion of the award.

Obviously this settlement was a long time in coming. So the first order of business is to thank all UTFA members for their extraordinary support and patience during a long, complex and difficult round of negotiations. The arbitration award has several notable features and we encourage all members to read it carefully. We will be issuing a bargaining bulletin shortly to explain and discuss some aspects of the award, to look back on this round of negotiations and to begin to look ahead to the next one. But some of the features members will want to take immediate note of include:

- Positive across-the-board (ATB) salary increases in both years roughly equivalent to *year end* salary increases of 2.25 percent, with minimum increases set to the median salary in each of the tenure, teaching, librarian, and CLTA streams. The ATB is to be delivered in two phases during each year, the first (1.25 percent) effective July 1 and the second (1.00 percent) effective January 1.
- The minimum flat sum ATB proviso establishes a floor for the award equivalent to a year-end salary increase of 2.25 percent of the median salary in each salary stream. The flat dollar increase will be more favourable to those with salaries below the median salary in each group and the percentage increase will be more favourable to those with salaries above the median in each salary group. The overall value of the

across the board increase is, therefore, approximately 2.5% of the total salary mass. The flat dollar approach for lower paid faculty is something for which UTFA advocated very strongly, particularly in a context in which the administration was pushing for a salary freeze in *both* years of the award, and amid the economic conditions we have been facing in Ontario for at least the last two years, placing downward pressure on the value of the salary increase as discussed in the award by Mr. Teplitsky.

- PTR for 2010-11 will be allocated as usual (PTR was already distributed for 2009-10) and remains unchanged by the award.
- Because of the sequencing and complexity, the award cannot be implemented instantly by payroll at UofT. The Administration plans to implement it as follows: (i) your November 2010 pay should reflect both the July 1, 2009 and the January 1, 2010 ATB awards and (ii) the January 2011 pay should reflect the July 1, 2010 and January 1, 2011 ATB award as well as the PTR award for 2010-11. All implementations will be retroactive to the date of the award.
- Professional Expense Reimbursement Allowance (PERA) is increased to \$1500 per year, with supplements for pre-tenure and pre-promotion faculty and librarians boosting the PERA for them to \$1750 per year, all retroactive to July 1 2009.
- The arbitrator rejected the Administration's attempts to increase pension contribution rates for active members, but also rejected UTFA's strenuous attempts to secure pension augmentation for retired members.
- The individual course stipend for UTFA members (including retirees) is increased to \$15,000 per full course (i.e. two term) equivalent for 2009-10 and to \$15,340 for 2010-11, retroactively.

The award also deals with or helps the parties resolve a number of outstanding matters as detailed in the 2-page Schedule "A" attachment at the end of the award. These matters include: (i) ensuring that the full amount negotiated for the child care benefit is spent, and on a one time basis, carrying forward unspent residuals from 2008 and 2009 to ensure these too are spent on child care; (ii) establishing a working group to deal with the controversial Supplemental Retirement Allowance (SRA) issue; (iii) agreement in

principle that adoption leave benefits should be harmonized with leaves for biological parents; (iv) clarification and adjustment of the mechanism allowing UTFA dues redirection; (v) introduction of application forms and regularization of procedures for early retirement notification; and (vi) establishing a Joint Benefits Committee to deal with a number of issues associated with the administration of negotiated benefits, and to take on a new role in dispute resolution in matters dealing with the administration of benefits.

There is much to digest in the award, and we encourage all members to read it fully and carefully. Any questions and comments are always welcome at bargaining@utfa.org. As noted above, we will be in touch shortly with a more detailed “debrief” in the form of a bargaining bulletin. In addition, we will make the pending workload portion of this arbitration award –including a new and detailed workload article for faculty and librarians – available as soon as we have concluded the mediation/arbitration before Mr. Teplitsky.

Your negotiating team in this lengthy round included the following UTFA members: Peter Russell, Judith Teichman, Peter Sawchuck, Cynthia Messenger, Terezia Zoric, Jeff Newman, Scott Prudham and George Luste. Helen Rosenthal covered for Peter Russell when he was out of the country. Our very able counsel, Jeffrey Sack and Steven Barrett from Sack, Goldblatt Mitchell, did most of the negotiating for us with the Arbitrator. Consultant Hugh Mackenzie and actuary Steve Eadie also assisted as did UTFA employees Heather Diggle and Reni Chang.

On behalf of the entire UTFA negotiating team,

Yours sincerely

Scott Prudham, UTFA Vice-President, Salaries Benefits and Pensions.

George Luste, UTFA President