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Update on Bargaining/Arbitration

June 19, 2023

Dear Colleagues,

We write with important bargaining updates. As we announced previously, [when Bill 124 was struck down](#) UTFA reengaged the Administration in bilateral negotiations for the current agreement expiring June 30, 2023.

UTFA has been striving to achieve an agreement that rectifies the fact that Bill 124 has, unconstitutionally, capped our salary increases to 1% per year during a three-year period when inflation, housing costs in the Greater Toronto Area (GTA), and faculty and librarian workloads have all been skyrocketing.

Regrettably, the Administration rejected our proposals and the parties proceeded to arbitration. In our arbitration hearing on May 31st, UTFA and the Administration were far apart on nearly everything important (as was the case throughout this marathon round of bargaining of 3+ years).

On the central issue of salary catch-up following the striking down of Bill 124, UTFA proposed a salary catch-up of increases between 8.5% and 12.75% to address our members' losses in purchasing power (the two figures reflect different methods of assessing inflation within negotiations, and would be in addition to the 1% salary increases we received for each year in the July 1, 2020 - June 30, 2023 period). The Administration argued for a catch-up increase of only 1.7% (beyond the 1% per year already granted under Bill 124, i.e., a total of 4.7% for the three years of the Agreement). Not only does the Administration's proposal seriously fail to account for lost wages and diminished buying power but it also proposes far less than others in our sector are receiving.

In our detailed arbitration submissions, UTFA emphasized our members' need for financial catch-up within the context of an extraordinary constellation of factors, including inflation that was the highest it's been in forty years, the crisis in housing affordability, and ever-increasing and weakly regulated workloads, amidst three years of unconstitutional wage caps.

The Administration's submissions were primarily procedural rather than substantive, and heavily reliant upon the advantages that our one-sided [Memorandum of Agreement](#) gives the Administration. In the main, the Administration sought to persuade the arbitrator to order minimal increases by:

- applying an unduly narrow and rigid interpretation of the arbitrator's jurisdiction and of how relevant interest arbitration principles apply (unsupported by our 2022 Agreement or by normal collective bargaining practices);
- ignoring the impact of inflation on our members and minimizing the need for inflationary salary increases;
- downplaying the relevance of other recent settlements (such as the fully retroactive September 1, 2021, to August 31, 2024, [11% agreement the U of T Administration reached with CUPE 3902 UNIT 3](#) (which represents U of T sessional lecturers) or the July 1, 2020, to June 30, 2023, fully retroactive [8.25% agreement reached between Toronto Metropolitan University's Administration and TMU's Faculty Association](#)); and
- arguing that the Administration's 1.7% proposed increase is justified because, even if UTFA had the ability to strike, our members would not go on strike to support our demand for significant inflationary adjustments.

If you would like to review the arbitration briefs, they can be found on our website, [here](#).

This was an extraordinarily long and frustrating round. The whole of the UTFA Negotiating Team is to be commended for its skill and persistence over the last 3+ years. We expect to receive Arbitrator Eli Gedalof's decision, which would include a ruling on important policy items such as workload, within the next few weeks.

UTFA's preparation for the next round of negotiations is already underway. Stay tuned for invitations to participate in setting our bargaining priorities via surveys, town halls, and other means of member engagement.

Sincerely,

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Ariel Katz
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