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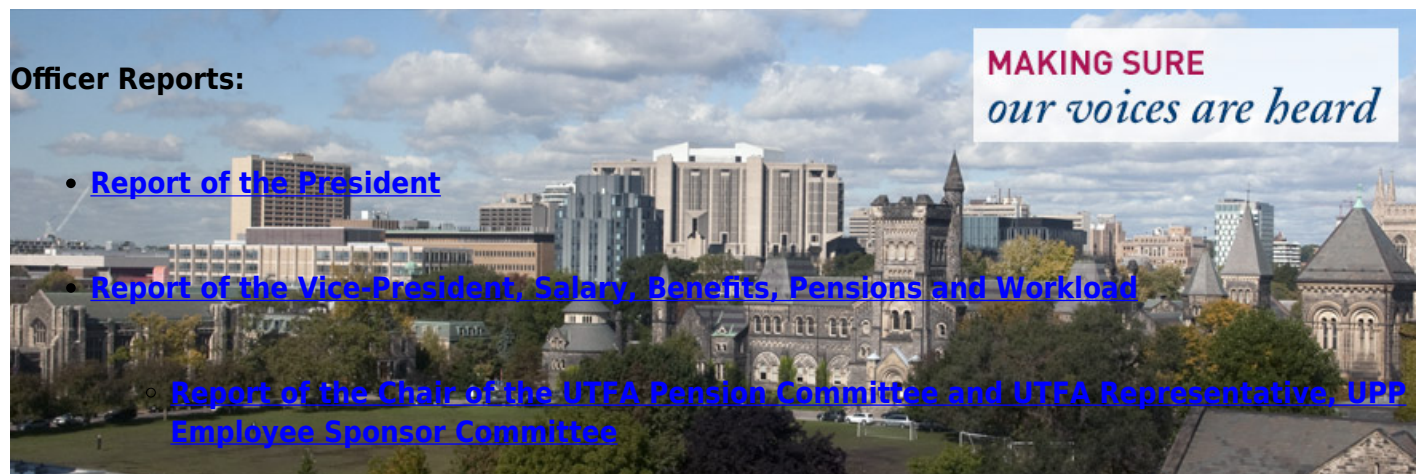
## 2022-23 AGM Newsletter

**UTFA is the only democratically accountable collective body representative of faculty and librarians at the University of Toronto.**

April 18, 2023

# Annual Newsletter (2022-2023)

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# **Report of the President**

by Terezia Zorić

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# Overview

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## Introduction

As I think back over the 2022-2023 academic year, I am especially proud of UTFA's resolute and principled advocacy on behalf of faculty members and librarians. Whenever possible, the Association's leadership works cooperatively with the Administration to meaningfully address issues and concerns; however, UTFA is also willing to challenge the Administration to improve our members' working lives when that is what is needed.

That kind of challenge is necessary right now. As I write to you, your UTFA Salary, Benefits, and Workload negotiating team, co-led by VP Jun Nogami and myself, is preparing a legal brief to support our arguments in favour of improved salary increases, including "catch up" for lost ground, at arbitration. [When we last wrote to you about about negotiations with the Administration at the end of February](#), Bill 124 – which artificially capped our salary increases at 1% per year, for each of three years, during a period of rampant inflation and an explosion in the cost-of-living – had been [declared unconstitutional](#). We are heading to arbitration before arbitrator Eli Gedalof on May 28 because mediation failed to produce an agreement. UTFA and the Administration were simply too far apart on monetary issues.

**It is hard to overstate the impact of Bill 124 or how much the U of T Administration has**

**materially benefitted from the provincial government's unlawful interference in our bargaining.** It is not merely that, but for the 1% caps, UTFA would have negotiated higher ATB increases, merit pay/PTR, and course stipends. Rather, the entire process of negotiation for the 2020-2023 period was arbitrarily and unfairly distorted in favour of the University Administration in a manner which directly interfered with fundamental, constitutionally-protected rights of UTFA members. This interference tied UTFA's hands so that it was not able to engage in the normal process of negotiation for improvements to compensation and trade-offs between monetary and non-monetary items. It influenced which proposals UTFA was able to pursue in negotiation, and which proposals UTFA ultimately withdrew (because we could not achieve these proposals anyway as a result of Bill 124).

On May 28, Arbitrator Gedalof will also rule on all remaining aspects of our current three-year agreement with the University Administration – an agreement that will expire June 30, 2023. Yes, years after we commenced bargaining, we are still trying to reach agreement about a three-year term that ends in fewer than two months! At the same time, we are preparing for the next round of bargaining for an Agreement starting July 1, 2023.

You no doubt have questions: why is our bargaining with the University Administration such a long and protracted process? The purpose of the featured panel presentation at this year's Annual General Meeting (AGM) is to address this issue, and to explain why **our bargaining framework with the University Administration needs to be reformed.** This is an urgent priority for the UTFA leadership: without reform, we will continue to face these untenable timelines. This AGM is an opportunity for your elected leaders to engage with you in the conversation, so that all of us can work together to improve our ability to bargain for better salaries, benefits, and working conditions for all faculty and librarians.

I will focus the majority of this report on a few key areas of our work together that I believe are of critical importance to the membership at this juncture, while providing a brief commentary on UTFA's role in our University. The remainder of this Newsletter contains informative reports from each of our Vice-Presidents, our Treasurer, and the Chairs of our Standing Committees. I hope you will find the reports to be both informative and interesting.

## What is UTFA?

**Together, we are the University of Toronto Faculty Association.**

UTFA is the only democratically accountable, collective body representative of faculty and librarians at the University of Toronto. Elected leaders of our Association represent and advance members' interests and negotiate and enforce workplace standards on behalf of the membership via bargaining, grievances, and other forms of advocacy.

## What does UTFA do?

As an official bargaining agent for our members, UTFA negotiates salary, benefits, workload improvements, and policy changes with the senior University Administration (also herein referred to as the Administration). The extensive work that UTFA's elected bargaining teams put into these negotiations has a significant impact on our working conditions, compensation, pensions, and benefits.

In addition to our significant work in bargaining, UTFA's leadership also assists individual members and groups with concerns about University policies and procedures, as well as any rights or protections they

may have under the [Memorandum of Agreement](#) (Memorandum or MOA) between UTFA and the Administration. To learn more about the kinds of individual assistance UTFA provides to members, see the [Report of the Vice-President, Grievances](#).

Finally, **UTFA is also engaged in advocacy on issues that affect our members in all categories of appointment, that is: Tenure Stream, Teaching Stream, and Librarians, including part-time and Contractually Limited Term Appointment (CLTA) appointees, as well as retired members.**

This advocacy includes [policy negotiations](#) and [Association grievances](#), with the latter described more fully in the [Report of the Vice-President, Grievances](#). Some prominent recent issues about which UTFA has been advocating include the crisis in housing affordability; pay equity; salary discrimination; student evaluations of teaching/student course evaluations (SETs/SCEs); health and safety; dual delivery teaching; procedural fairness in investigations; and, retiree access to Microsoft 365. Many of these issues are described in greater detail in the Executive reports below.

## **We need to significantly reform how our bargaining and dispute resolution systems work.**

### **What's the problem?**

**Collectively, as faculty and librarians at U of T, we have weaker workplace rights and protections in many important respects as compared to our counterparts across the Canadian university sector.**

Individually and collectively, we are poorly served by a Memorandum that stacks the deck overwhelmingly in favour of the senior Administration. At stake are the major terms and provisions governing our work and how those terms are established and changed over time.

In 1977, the Memorandum was crafted explicitly as an alternative to union certification and, as such, it operates outside of the suite of protections afforded by the Labour Relations Act. There have been a few updates to the Memorandum over the years, such as the agreement to eliminate mandatory retirement and, more recently, the [Special Joint Advisory Committee \(SJAC\)](#), a joint UTFA-Administration reform initiative. In the case of SJAC, the UTFA team's concerted efforts to modernize the Memorandum produced some meaningful improvements. (See [here](#) to learn more about the improvements, including updates to academic freedom language that apply to research/scholarship/creative professional activity, teaching, librarians' professional practice, and service.)

At the same time, **the 2012-2016 SJAC process of reforming the Memorandum did not achieve UTFA's earlier, more ambitious goals**, as expressed by UTFA's negotiating team in a September 14, 2011 open letter to Vice-President, Human Resources and Equity, Angela Hildyard:

UTFA is now proposing to expand the scope of mediation and arbitration to make all terms and conditions of academic employment for faculty and librarians negotiable in a fair, rigorous and comprehensive manner. ... We are no longer willing to negotiate without accountability, without provision for an adequate and due process, and most importantly, without fairness.

**What issues and concerns have persisted since the last major reform—in 2014—of our Memorandum (i.e. the SJAC process)?**

**SJAC's promise of fundamentally improving the efficacy and fairness of our bargaining and dispute resolution processes with the University Administration has never been realized in practice. As these two critical processes are currently written in the Memorandum, they rely heavily upon the Administration's willingness to share power and voluntarily and substantively engage with the Association on important matters. They are not fit for purpose because the Administration frequently refuses to share the power it asymmetrically exercises.**

In fact, some of the 2014 reforms to the Memorandum have significantly expanded UTFA's obligations (e.g., to re-negotiate previously frozen policies) without equipping the Association's bargaining teams with the tools they need (outlined in the next section below), and that other faculty associations routinely rely upon, to advance members' interests in a cost- and time-efficient fashion—or too often, in any fashion at all.

**Our current system is broken and must be fixed.**

## **What's the solution? What specific improvements are needed, and why?**

1. **Real, full, and enforceable good faith bargaining.** This legal principle involves adherence to a standard with several interconnected duties, including:
  - Duty to meet and make every reasonable effort to enter into an agreement;
  - Duty to engage in full discussion (including providing reasons for responses) of all the issues between the parties;
  - Duty to supply information;
  - Duty to complete the negotiations; and
  - Duty to refrain from engaging in unfair bargaining tactics.

Two of these duties require further elaboration:

i) The University Administration's fulfillment of a robust good faith duty to supply information would significantly improve UTFA's access to data and expand our capacity for evidence-informed advocacy. Currently, the Administration routinely refuses disclosure to UTFA, citing the more limited language in our current Memorandum. One-sided access to relevant data about our members' working lives limits our capacity to protect our members' rights and to advance their interests.

ii) Receiving the Administration's reasons for responses would greatly facilitate a more collegial

bargaining framework where both the Administration and the Association could engage in meaningful discussions to arrive at mutually acceptable agreements more often.

2. **The right to bargain all terms and conditions of employment for our members and to do so within a modern mediation/arbitration framework (as needed).** Currently, there is no dispute resolution mechanism in the Memorandum that results in a binding agreement when we seek to negotiate significant University-wide terms and conditions of our employment, including, for example, Articles 7 (Grievances) and 10 (Privacy).
3. **Freeze provisions that protect the terms and conditions of employment of our members between negotiated Agreements** so that the Administration cannot unilaterally withhold a benefit from faculty and librarians, as it did with our [July 1, 2020 PTR increases](#). A freeze provision would protect UTFA from being pressured at the negotiating table by the Administration threatening to unilaterally withhold something that had been agreed upon in a prior round. A freeze provision would foster more cooperative and collegial bargaining practices and provide greater stability for our members. This provision is the norm in the university sector.
4. **Enforceable timelines, as well as an expedited arbitration process, to eliminate what are now routine lengthy delays in bargaining, grievances, and the resolution of other disputes.** Enforceable timelines would mean that unresolved issues could advance as expeditiously as possible, and reduce the deep frustration and excessive legal costs associated with the current model.
5. **A repeal of the archaic provision within the Memorandum where decisions of a dispute resolution panel can be overturned unilaterally by the UofT Governing Council. See Article 6, paragraphs 23-26 of the Memorandum.** Substitute modern, professional, neutral, mediation/arbitration as the dispute resolution process between the parties, consistent with common practice across the academic sector.

## **Historic shifts in faculty complement: rising precarity and a declining proportion of Tenure Stream positions (2004 to 2022)**

Over the past several months, the UTFA Executive has begun to examine data pertaining to faculty complement, in response to growing concerns about increasing precarity and the supplanting of tenure stream positions.

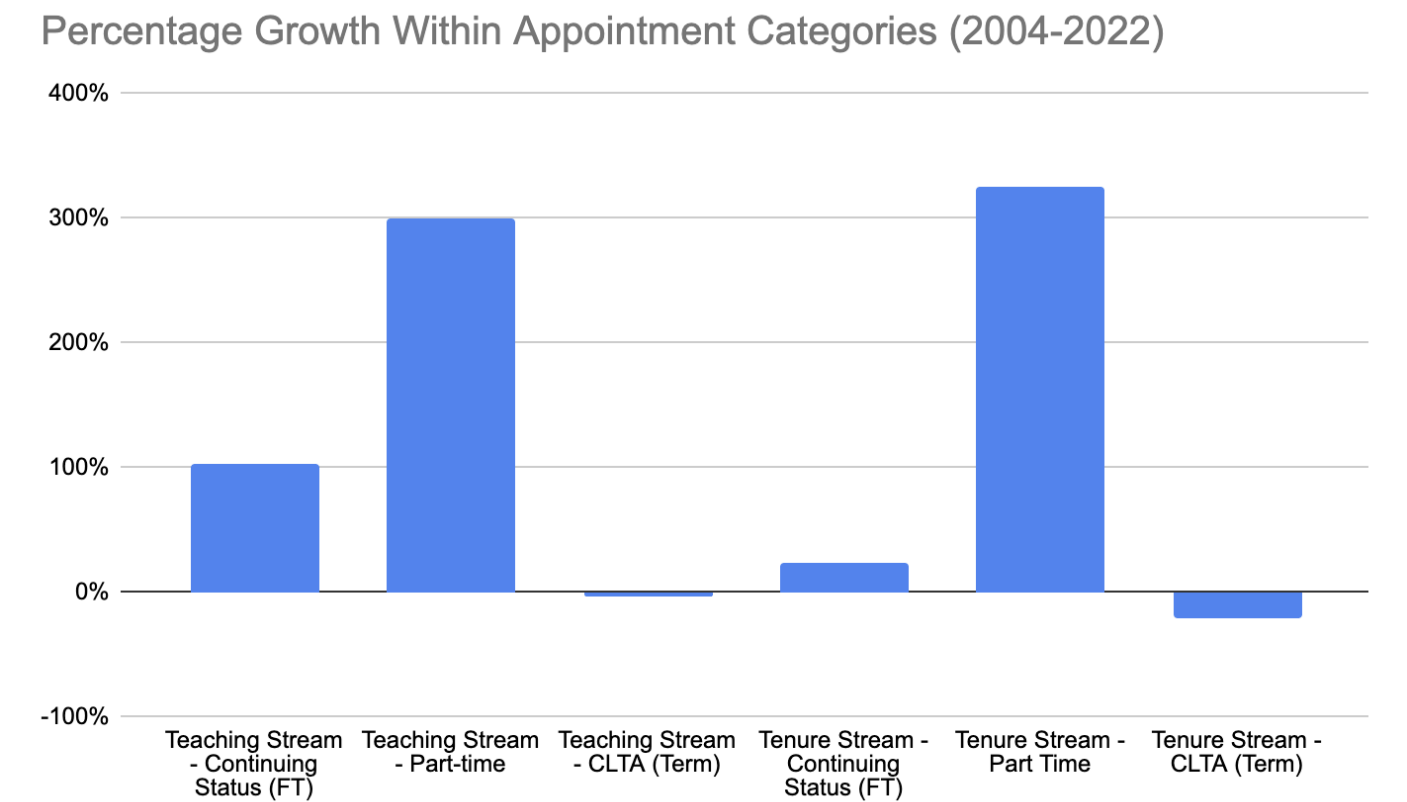
The following two charts indicate the percentage of growth in the number of positions within each of the six appointment categories, over an 18-year period (2004-2022). Overall, **part-time appointments in both the Teaching Stream and Tenure Stream categories have shown the most growth, at 300% and 325% respectively.** By contrast, full-time Contractually Limited Term Appointments (CLTAs) in both streams have declined. We also see that there has been greater growth in Teaching Stream



continuing status appointments over Tenure Stream appointments, at 103% and 23% growth respectively.

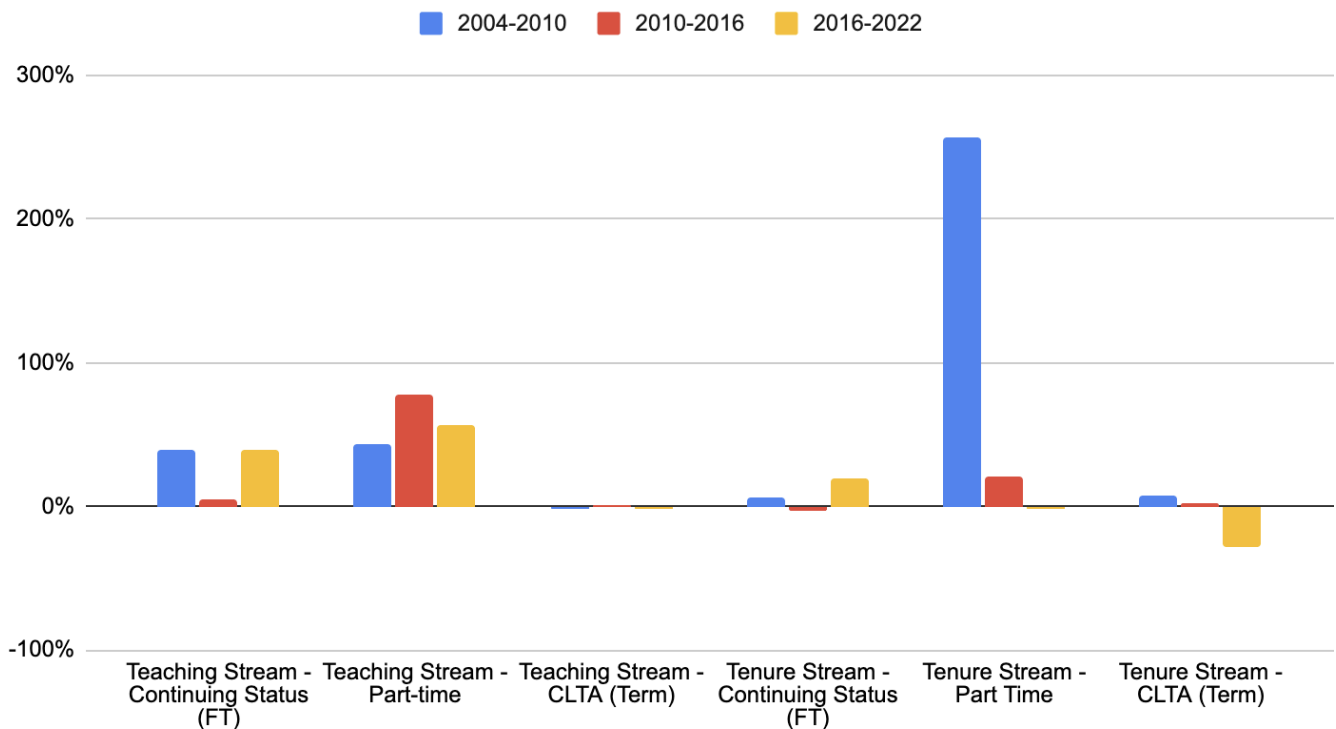
The data also show that the part-time Tenure Stream category had a period of rapid growth between 2004-2010, with smaller increases in the 12-year span since 2010. The part-time Teaching Stream has had more steady growth over the three 6-year intervals, with the most growth happening between 2010-2016. Another interesting observation is that there has been a large decline in Tenure Stream CLTA appointments since 2016 (following 12 years of rapid growth in part-time appointments in the preceding 12 years).

Percentage Growth Within Faculty Appointments (2004-2022)



Percentage Growth Within Faculty Appointments (Six-Year Increments; 2004-2022)

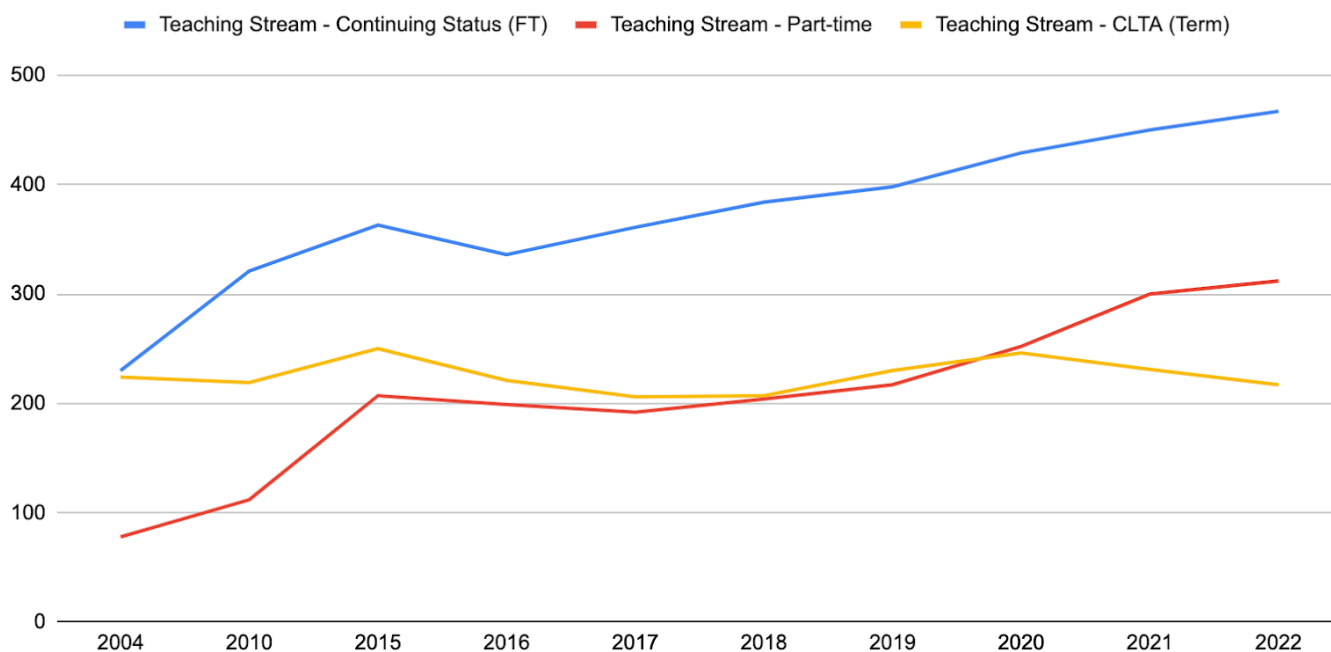
## Percentage Growth Within Appointment Categories Every Six Years



Overall, what the data suggest is that **the University Administration has tended to favour an increasing number of Teaching Stream appointments over Tenure Stream appointments, and far more precarious part-time appointments particularly within the Teaching Stream.** Note that the CLTA is a limited-term position that can be held for a maximum of 5 years. Part-time faculty have a pathway to ongoing or rolling appointments, “continuing appointments,” but NOT “continuing status.” That is, part-time faculty lack the same degree of job security that comes with a full-time appointment; even after achieving a “continuing appointment,” part-time faculty can be dismissed at any time without just cause.

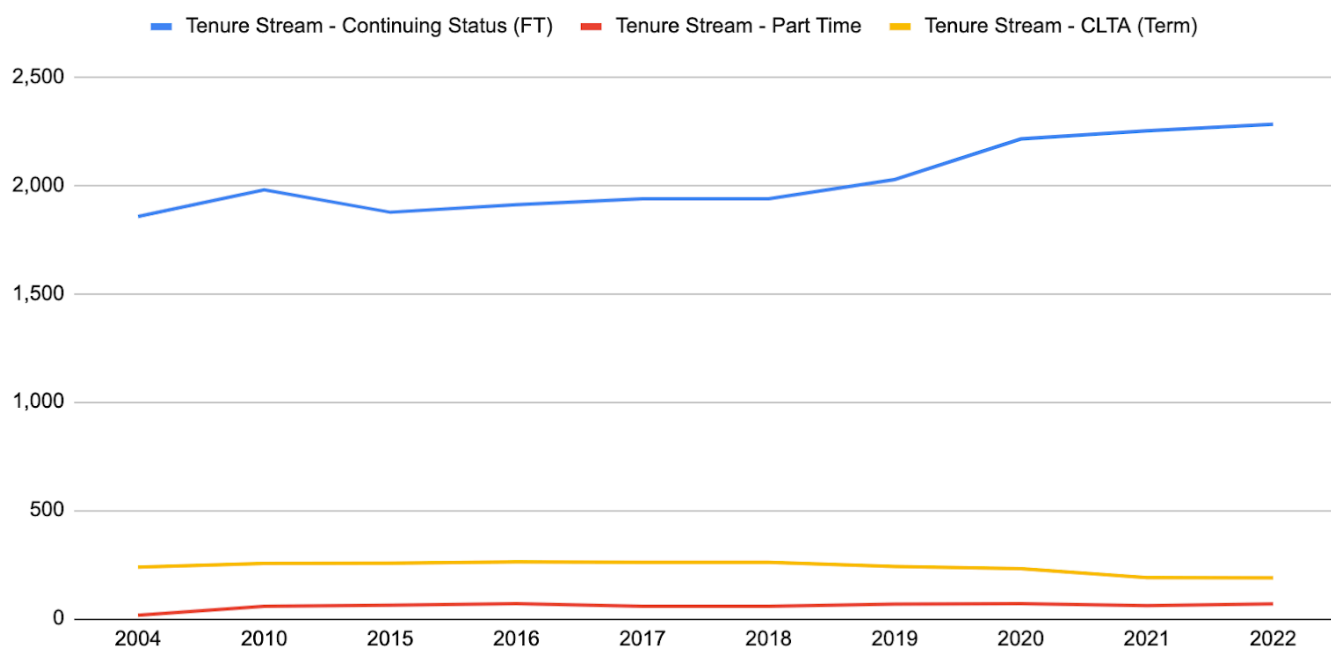
### Number of Continuing Status, Part-Time, and CLTA (Teaching Stream Comparisons, 2004-2022)

## Teaching Stream - Continuing Status (FT), Teaching Stream - Part-time and Teaching Stream - CLTA (Term)



## Number of Continuing Status, Part-Time, and CLTA (Tenure Stream Comparisons, 2004-2022)

### Tenure Stream - Continuing Status (FT), Tenure Stream - Part Time and Tenure Stream - CLTA (Term)



Our analysis of the data will continue, to allow us to examine the significantly different trends across and

within individual divisions, faculties, departments, and other units. Findings will be reported at upcoming UTFA Council meetings, and communicated to constituents via Council representatives.

## Health and Safety

### Central Health and Safety Committee

As part of a grievance settlement related to a series of breaches during large-scale asbestos abatement at the Faculty of Medicine, UTFA and the University Administration established a Central Health and Safety Committee (CHSC) to deal with all health and safety issues. However, there are limits to the CHSC's jurisdiction that make it challenging to get the information UTFA needs to protect our members and to ensure the Administration's compliance.

The role of the CHSC is to monitor, assist, and provide direction to the main Joint Health and Safety Committee (JHSC) and the local JHSCs; however, the CHSC does not have the legislative powers under the Occupational Health and Safety Act to enforce compliance and relies entirely on the good will of the Administration. Such good will should manifest itself through the sharing of data and decision making. Unfortunately, this collegial sharing of information and power has been strenuously opposed by the University's senior Administration. This opposition seriously impedes our collective efforts to create a safer workplace for our members and the University as a whole.

**In our health and safety policy advocacy, UTFA is guided by our internationally recognized faculty colleagues with public health science expertise, and five key principles: respect for science; transparent decision-making; the precautionary principle; striving for best practices that exceed legislative standards; and consultation and cooperation with all affected members of the University community.**

Even though [U of T's Health and Safety Policy](#) clearly requires the University to strive to exceed legislative minimum requirements by adopting the best practices available to protect the University community and promote a positive health and safety culture, the Administration's actions have consistently fallen short of this.

A highly relevant and disturbing example of this shortfall: the senior Administration, on multiple occasions over the past three years, has explicitly and publicly stated that their ventilation and filtration systems were achieving six air exchanges per hour—and that this achievement could be heavily relied upon to protect our members and the broader University from getting infected by COVID. UTFA, in turn, repeatedly expressed skepticism and requested verification of the Administration's claims—which they steadfastly refused. **Then, at our February 9, 2023 CHSC meeting, the Administration abruptly and without apology changed their script and stated that the standard of six air exchanges per hour for University classrooms and other common areas is now — and always has been! — an aspirational goal rather than a reliable achievement.** If this contradictory messaging by the Administration (about something as important as indoor air quality during a pandemic) meets the Administration's definition of good faith discussions with UTFA, then our health and safety framework is well and truly broken.

**The Administration is non-compliant with our agreement on asbestos management.**

UTFA is committed to preventing the adverse health and safety impacts of asbestos exposure on our members and the broader community. For many years, UTFA has been concerned that the Administration consistently resists adhering to established best practices for asbestos removal and disposal. Even though UTFA negotiated an Agreement with the Administration that defined clear and enhanced obligations concerning large-scale asbestos abatement work on campus, the Administration has repeatedly refused to disclose proof to demonstrate that they have implemented the terms of the Agreement. Their response to UTFA's numerous requests essentially has been that demonstrating compliance is an auditing role not envisioned in our Agreement. **Once again, the Administration is failing to share data and to operate in good faith.** As a result, UTFA is being compelled to endure unnecessary, lengthy, and costly delays as we return to an arbitrator to direct the Administration to comply with our Agreement.

## Other important matters and concerns

### **Indigenous faculty are raising serious concerns with UTFA about ongoing experiences of bullying, harassment, and discrimination.**

Increasingly, UTFA is hearing from Indigenous members who are experiencing persistent harassment, discrimination, and workplace safety issues (i.e., bullying behaviour) from some students, especially when they teach explicitly Indigenous content in their classes. The faculty members report raising their concerns with their Chairs, the Indigenous supports on campus, and other appropriate University offices, but not receiving appropriate or adequate support. Some members are having to expend enormous time and emotional effort in the pursuit of a workplace free from harassment and discrimination. Regrettably, the Administration continues to address these complaints as one-off problems rather than as institutional problems requiring focused and sustained attention.

### **Our Indigenous colleagues need stronger institutional supports.**

The University's own reports recognise the systemic issues that our Indigenous colleagues navigate in the workplace. Of note, the University's [Truth and Reconciliation Report \(TRC\)](#) and the University's [2021 Indigenous Initiatives Annual Progress Report](#) name the issues.

The broader challenges that are identified for Indigenous members at the University in the [2021 Indigenous Initiatives Annual Progress Report](#) echo what we consistently hear from our members. These include lack of faculty, time, resources, and consistent funding to implement Indigenous initiatives; siloed networks and difficulties in communication among Indigenous scholars, students, and staff; the impact of COVID-19; the lack of physical space; Indigenous consultation brought in too late in processes; restrictive policies related to honoraria and compensation for Indigenous expertise; and the views of Indigenous systems and approaches as unequal to academic systems and approaches. If Indigenous faculty members are to experience a supportive, inclusive, and harassment-free campus, the University will have to make significantly more progress in fulfilling its promises.

Another relevant commitment the University Administration has not yet fulfilled is

[Section 13 of the University's Calls to Action](#), which requires the Provost and the Vice-President, Research and Innovation, in close collaboration with the Faculty Association, to convene a working group before 2020 to examine issues related to community-based research, and specifically research in and with

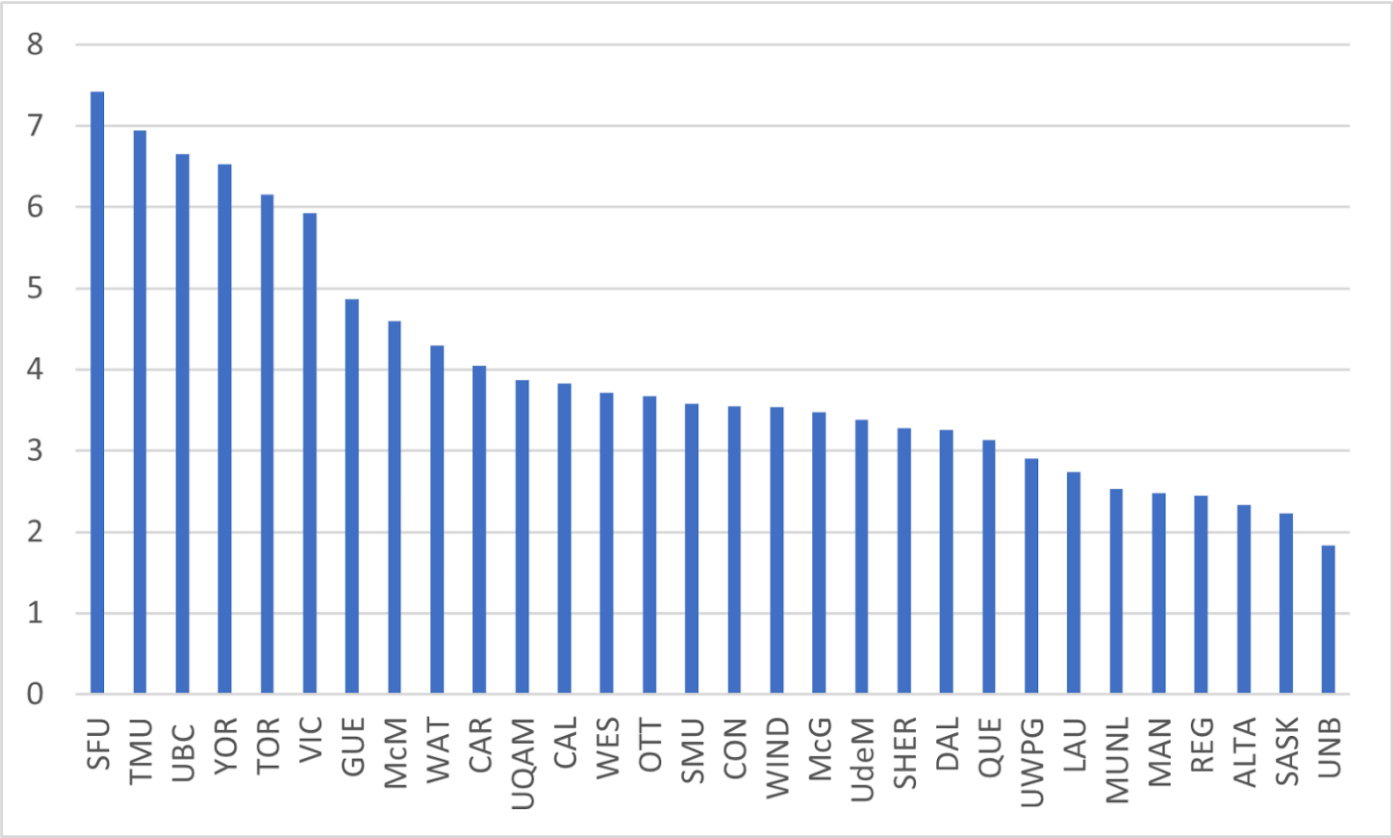
Indigenous communities. (UTFA has never been approached by the Administration regarding this collaboration.)

In the upcoming months, UTFA will take action to bring together an Indigenous Advisory Council to work collaboratively with UTFA’s Equity and Executive Committees to advise us and discuss ways we ought to be tackling systemic issues.

**We are experiencing a cost-of-living and housing affordability crisis while the University is in a very healthy financial position.**

The unprecedented increases in prices for real estate in the Greater Toronto Area (GTA) further exacerbate the cost-of-living expense for UTFA members who already face higher costs-of-living than faculty members and librarians at other major universities in Canada. [A recent study by Higher Education Strategy Associates](#) illustrates the disproportionately high cost-of-living faced by UTFA members relative to other academics across Canada. In this study, Alex Usher compared academic salaries at 30 universities with the recent housing prices in the metropolitan area in which the university was situated:

**Ratio of Average Regional Housing Prices to Median Academic Salaries, 2023 data**



The table above demonstrates that the highest ratios of housing prices to median salary are in Ontario and British Columbia. According to this data, a professor at McGill or Dalhousie can buy approximately twice as much housing as a professor at the University of Toronto. In other words, **while rising inflation and housing prices have affected all Canadians, the effects cut deeper in the GTA.** These increases will likely have a particularly negative impact on Indigenous and racialized faculty and librarians, who are less likely to be able to rely on intergenerational wealth to finance the purchase of a

home.

To further exacerbate the situation, at the very same time that the cost of housing has sky-rocketed, the Administration canceled the University's Housing Loan Program, effective September 1, 2020. Even though the [University Administration announced](#) that it is "actively pursuing alternative options" to address what it agrees is an "important issue" for UTFA members, the Administration has not yet introduced any new benefit to replace the loan program.

At the same time, the University of Toronto is in a very healthy financial position. While the University has experienced some modest budgetary impacts arising from the COVID-19 pandemic, particularly in ancillary services, the University has been running a large and consistent budgetary surplus for the past several years and has a significant carry-forward of hundreds of millions of dollars. Moreover, the University's audited Financial Report from April 2021 reported an increase in net income of 64.6% compared to the previous year while the University's most recent audited Financial Report from April 2022 reported a further net income increase of \$416 million.

**Given all this, there is no valid reason the Administration should refuse to seriously engage with UTFA's salary proposals that are designed to address the significant loss in real income faculty and librarians at U of T have suffered over the last three years.**

### **UTFA will have a new office in 2023-2024!**

UTFA is excited to announce that we will be able to better serve our members when we move to our new office space at 77 Bloor Street West, likely in the mid-fall or early winter (depending on the completion date of renovations). Notably, UTFA will be moving from a building where we have experienced serious and repeated flooding throughout the last number of years to a very well maintained building located close to campus. Our new space is near both Lines 1 and 2 of the TTC, has accessible office and work space, and meets health and safety standards. Both virtual and in-person meetings will be possible in our new office.

## **Acknowledgements**

I want to thank the members of UTFA's Executive, Council, and Committees, who participate with insight and energy in the work of our Association. I work especially closely with UTFA's Vice-Presidents – Jeff Bale, Sherri Helwig, and Jun Nogami – and I am grateful to each of them as individuals and to our whole excellent leadership team. As he leaves the Executive and heads to a well-deserved sabbatical, Jun Nogami, Vice-President, Salary, Benefits, Pensions, and Workload, deserves a particular note of thanks for his contributions to UTFA. He has demonstrated a deep commitment to our membership during his three-year vice-presidency.

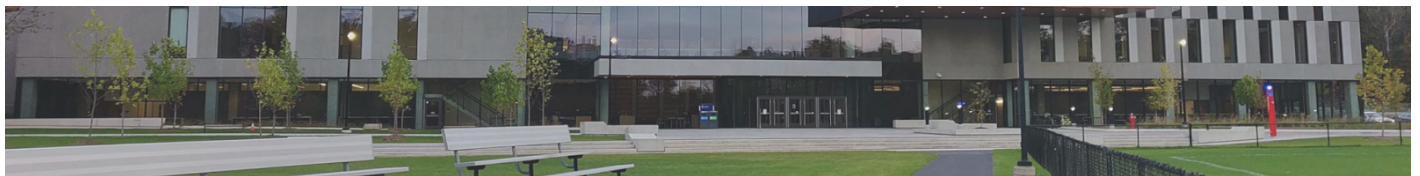
Many thanks to UTFA's dedicated office staff, who carry out the day-to-day tasks required to ensure UTFA meets the needs of its members: Chris Penn, Marta Horban, Rucsandra Schmelzer, Angela Nardozi, Claire Reyes, Laurie Jacklin and Susanne Waldorf. I also want to acknowledge UTFA Treasurer Maureen Stapleton's work to strengthen UTFA's financial policy and procedures. Her expertise is greatly appreciated! Many thanks to UTFA's legal team: Helen Nowak, Reni Chang, Tony Micallef-Jones, and Crystal Doyle. I am particularly grateful for the leadership that Nellie De Lorenzi has provided to the Association in her role as Executive Director; she has made us all so much better.

Finally, I offer my thanks to you, our members, for your ongoing support for the work we do.

**Our members are our strength.**

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## Reports From UTFA's Vice-Presidents & Treasurer



### Vice-President, Salary, Benefits, Pensions, & Workload

by Jun Nogami

#### The Third Year of the Current Agreement Goes to Arbitration

The third year of our current Term of Agreement (2020-2023) has now moved to arbitration (led by Arbitrator Eli Gedalof). Benefits improvements UTFA negotiated include an enhancement to the Dependent Scholarship Program, a slight increase in Vision Care, increases in the maximum Annual Cap for Mental Health Benefits to \$7000, and a doubling of the Paramedical Maximum to \$5000. Details of the agreement [are listed on the UTFA website](#). Additional outstanding issues continue to be subject to the arbitration process at the time of publication of this newsletter. The next arbitration meeting is scheduled for May 28, 2023.

#### Bill 124

On November 29, 2022, Justice Koehnen issued [his decision](#) on the constitutional challenge to [Bill 124](#), and declared it to be void and of no force and effect. Given that the restrictions imposed by Bill 124 are no longer in effect, UTFA requested that Eli Gedalof not issue an award within the 1% restrictions that Bill 124 had imposed, and the University Administration agreed to have Mr. Gedalof mediate an agreement with respect to the ATB (across-the-board) award for the third year. UTFA is seeking an ATB that is higher than the 1% already awarded to address the effects of inflation, and also to offset the impact of having ATB restricted to 1% for the previous two years. It is worth noting that the University Administration awarded CUPE 3902 Unit 3 (Sessional Lecturers) a three-year deal with annual raises of 4%, 4%, and 3%, on the day after Justice Koehnen's ruling. It is UTFA's perspective that our award should at a minimum be on par with what was granted to CUPE.

#### COVID Letter of Understanding Remains in Effect

There are three elements of the [COVID Letter of Understanding \(LOU\)](#) that remain in effect at the time of



publication of this newsletter. Firstly, tenure committees continue to be allowed to meet virtually. Secondly, members are allowed to exclude Student Evaluations of Teaching Surveys (SETS) for the period affected by the shift to remote teaching in dossiers put together for the purposes of promotion. Thirdly, members continue to be protected against the requirement that they conduct Dual Delivery teaching.

## **Retiree Benefits**

We are proud to be able to report that we succeeded in maintaining healthcare benefits for retirees so that they are the same as those of active members. However, UTFA continues to have concerns with the third party company's ("Alight") administration of both pension and retiree health care administration. For example, it has been noted that the online pension calculator has been difficult to use for several years. It has only recently become clear that the issue has been that the member must enter the 'Last Day of Employment' using a date of only June 30 or December 31 and the 'Date You Begin Receiving Benefits' as July 1 or January 1 (i.e. the day following the 'Last Day of Employment'); otherwise an error message is returned. We have worked with the University Administration to ask Alight to revise the instructions for the calculator so that members can access their pension estimates.

Also, our understanding is that the University Pension Plan (UPP) will be taking over pension administration within the next few years from Alight; however, it is not clear what will happen to retiree health care administration in this process. UTFA is keeping a very close eye on this.

## **Report from UTFA's Representative on the Employee Sponsor Committee (ESC) of the University Pension Plan (UPP) and as Chair of UTFA's Pension Committee (by Lisa Kramer)**

**The Role of the Employee Sponsor Committee (ESC):** As one of six members of the Employee Sponsor Committee, I occupy a seat permanently allocated to UTFA. United Steelworkers (USW) holds an analogous seat. The other four seats are held by colleagues from other faculty associations and unions and will rotate between different groups over time. The ESC works in conjunction with employer counterparts on the Employer Sponsor Committee (together comprising the UPP Joint Sponsors) to monitor the UPP's financial status with an eye towards ensuring stability of active members' contributions and retirees' benefits. The ESC also liaises with leaders of unions and associations that are not currently directly represented on the ESC to ensure they have transparent access to developments that concern them. And **we set the terms for potential new entrants to join the UPP, an important task as the plan aims to grow beyond its current membership of four universities and twelve participating sector organizations.**

**The Current Focus of the ESC:** A current focus of the ESC is on developing formal processes for allocating the four seats held by colleagues from other faculty associations and unions in a way that is equitable and transparent. In addition, the ESC recently completed a framework that will guide the appointments of future Trustees (other than those appointed by UTFA and USW), ensuring that the incumbents have the skills and attributes necessary to fully represent the interests of UPP plan members.

**Acknowledgements:** I want to express my gratitude for the exceptional work of my colleagues on the Pension Committee, namely Erica Allen-Kim, Joseph Carens, Paul Downes, James Mason, Jun Nogami, Marcin Peski, Maureen Stapleton, and Terezia Zorić. Their support has been invaluable in guiding important and often complex decisions that come with my role as a member of the ESC. Additionally, we have together supported the re-appointment of Hugh Mackenzie as the UTFA-appointed member of the

UPP Board of Trustees, and we have worked on formalizing processes to guide future appointments of both the UTFA-appointed Trustee and the UTFA-appointed Employee Sponsor Committee representative. We also have frequent and robust discussions about the UPP's evolving aims and performance with respect to responsible investing. I would be remiss if I did not acknowledge Cynthia Messenger, who served as the previous Pension Committee Chair and ESC representative before my appointment. She set a high bar for excellence that I strive to maintain. I would also like to express my appreciation for Nellie De Lorenzi, Crystal Doyle, and Chris Penn, whose unwavering support has made my job easier.

## **Modernized Policies for Librarians (PfL): Report from the Chief Negotiator (by Kathleen Scheaffer)**

**At the beginning of 2023, UTFA and the administration entered into our 6th year of negotiating the Policies for Librarians (PfL).** Throughout this process both sides of the table:

- engaged in 27 bilateral meetings
- embarked upon 4 mediations with Brian Eitherington
- agreed to the following:
  - [The Principles for Consultation – Annual Activity Report and Performance Assessment Policies/Procedures](#)
  - [The Librarian Vacation Policy](#)
  - [Librarian Research and Professional Development Days](#)

In recognition that UTFA librarian members have been long awaiting meaningfully modernized Policies for Librarians, and in an effort to propel both sides closer to mutual agreement, UTFA proposed that the parties enter into the facilitation/fact-finding phase of negotiation that is outlined in Article 6 of the [MOA](#). UTFA and the administration agreed to request William Kaplan, a prominent and deeply respected mediator and arbitrator, to serve as our facilitator and fact-finder. With his agreement, we scheduled and met for 4 facilitation sessions in 2022 and have 5 sessions on the books for the first half of 2023. To ensure all UTFA members are aware of our pursuits and achievements at the bargaining table, the UTFA PfL negotiation team has presented updates to the UTFA Council; developed, posted, and circulated [informational slides](#); and encouraged U of T community members to show their support for modernized Policies for Librarians by including the following linked line in their email signatures: [I support modernized U of T Policies for Librarians](#). The UTFA PfL negotiation team also held 2 in-person sessions on the UTM, UTSC, and UTSG campuses, as well as 2 online sessions for UTFA librarians who were new to U of T, those who were interested in a refresher and a negotiation update, and/or those who had questions/comments regarding the bargaining process. These sessions served as the venue where we reviewed the context and history of the PfL negotiations and connected with our colleagues to affirm that we are reflecting the community's priorities at the bargaining table. Our endeavours at the table are strengthened and reinforced by the valuable support of U of T faculty, staff, students and alumni, as well as our academic librarian, archivist, and faculty colleagues across Canada. We are grateful for the U of T students' interest in the sustained labour that UTFA has been putting into achieving modernized Policies for Librarians, as demonstrated by The Varsity reaching out to UTFA for PfL information and comments. Please take a moment to read the wonderfully informative piece that was written by Selia Sanchez, ["Explainer: Why U of T and the UTFA are still negotiating a 1978 policy."](#) I remain in awe of the dedicated members of the UTFA PfL negotiation team, Michael Attridge, Dan D'Agostino, Whitney Kemble, Ken McDonald, and Harriet Sonne de Torrens, and our sage counsel Emma Phillips and Danielle Sandhu, and to the UTFA Executive, Council, and staff team for their resolute investment and solidarity.

## Acknowledgements From VP Jun Nogami, Stepping Down End of June, 2023

I will be stepping down from my position at the end of June, as I will be taking a sabbatical. I would like to end by thanking UTFA administrative and legal staff, especially our counsel, Reni Chang, and legal assistant Crystal Doyle for their support in bargaining; our Executive Director Nellie De Lorenzi for her advice and wisdom; and Emma Phillips at Goldblatt Partners for her hard work. Thanks also to the dedicated members of the [SBPW Committee](#) and bargaining team who have persisted through an arduous round: Roy Gillis, Mary Alice Guttman, David Roberts, Arjumand Siddiqi, Sherri Helwig, and Harriet Sonne de Torrens. Most of all, I would like to thank UTFA President Terezia Zorić for all that I have learned from her over the past three years, and for her willingness to co-lead SBPW negotiations in addition to the many other things that she does in her role.

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## Vice-President, Grievances

by **Sherri Helwig (Interim Vice-President, Grievances)**

### Advice Inquiries from Members

UTFA's political officers and legal staff regularly provide members with advice about a variety of issues. The five most prevalent subjects of advice inquiries this year – making up nearly half of the hundreds of requests – were: appointments, benefits, workload, compensation, and accommodations. Other common concerns include promotion procedures and appeals, PTR (annual merit evaluation) procedures, salary adjustments, research leaves, workplace accommodations, sick leaves, and maternity leaves. Sometimes the assistance we provide is in the form of a formal grievance; however, in most instances, we provide advice and guidance about resolving work-related issues and conflict informally.

### Current and Potential Association Grievances

The UTFA Executive and the Grievance Committee are proud to share [this chart](#) of current Association grievances and information about their status (as of the last UTFA Council meeting).

**I have chosen to highlight just two examples here, to provide a few additional details. The first was filed long ago, and the second is a potential future Association grievance:**

#### 1. Student Evaluations of Teaching/Student Course Evaluations (SET/SCEs)

More than two years ago, UTFA filed an Association grievance related to SETs/SCEs (Student Evaluations of Teaching/Student Course Evaluations). **We assert that SETs/SCEs are arbitrary and unreliable as a measure of teaching effectiveness, and are discriminatory on the basis of protected grounds under the Human Rights Code. Our members may wish to use them to better understand students' experiences, but should not be compelled to use them. More importantly, SETs/SCEs should not be depended upon to inform decisions related to tenure, promotion, continuing status, permanent status, continuing appointment, or annual PTR**

## **evaluations.**

This important grievance has been stalled, however, as the Administration is refusing to schedule arbitration dates. (More information about this refusal is available below, under the heading “Grievance Review Panel (GRP).”)

## **2. Workload Policies**

UTFA’s senior leadership has shared with the Administration that several key aspects of the central [Workload Policy \(WLPP\)](#) have not been followed. For example: section 2.16 states that “Unit Workload Policies shall be reviewed at least every three years by the unit”; section 2.14 speaks to a 15-day turnaround for decanal approval of these policies and any revisions; and section 2.16 (again) says that “The Vice-Provost, Faculty & Academic Life will transmit all updated policies to the Association by March 15.” Unfortunately, there are many out-of-date workload policies: some departmental committees have revised their policies but have been waiting for a year or more for a decanal response that should have come in 15 days; in some other cases, UTFA has not received a policy at all, or has policies dated 2012 or 2015. We are working toward an interim solution, but something more robust will need to be developed.

**We have also heard from UTFA members that they do not have access to their own unit workload policies, or that they are required to ask their Chair or Director for a copy.** This is unreasonable, as some faculty and librarians are reluctant to signal to their department heads that they have a concern. UTFA is working on a solution for this as well (to be announced in the coming weeks), but in the meantime, if you need a copy of your own unit’s workload policy, please don’t hesitate to contact our staff at [advice@utfa.org](mailto:advice@utfa.org).

## **Due Process and Procedural Fairness**

The Association is deeply committed to due process and procedural fairness so that our members are treated equitably and reasonably in all employment-related matters. Ad hoc, arbitrary processes have many serious, negative consequences for our members. To this end, the Association has raised concerns with the Administration regarding the manner in which the Administration undertakes investigations under various University policies. **The Association is advocating for procedural fairness safeguards that set out reasonable timelines for investigations, ensure transparent decision-making processes, and clearly define the parameters of the investigation from beginning to end.**

## **Grievance Review Panel (GRP)**

Individual and Association grievances that reach the final stage ([Step 4](#)) are heard by the Grievance Review Panel (GRP). However, the GRP has not met in the past few years, and the backlog of cases continues to grow. The Panel has not met because the Panel is not yet fully populated – even though many names have been proposed and letters have been exchanged between UTFA and the Office of the Vice-Provost, Faculty & Academic Life (VPFAL) for several years – and because the Administration is insisting that the Panel be fully populated before they will begin to even schedule future dates for hearings. It is UTFA’s position, though, that this is entirely unreasonable and is creating significant and undue delay: there is no need for the GRP to be fully populated because only two panelists and the Chair are required to review a grievance, and the parties have already agreed to seven panelists and a Chair.

**UTFA has been asking for the exercise of common sense - to begin working with the panelists we already have, as we have more than enough already - and an expedited timeline for scheduling of outstanding matters. The Administration is unwilling to even discuss the possibility, leaving the hearings unscheduled and the grievances unresolved.**

Notably, the University of Toronto is the only higher education institution in Ontario that requires a three-person panel to hear grievances. Other universities use a sole arbitrator (or a rotating list of sole arbitrators). UTFA has also asked the Administration if they would consider one of these alternatives, to no avail.

### **University Tenure Appeals Committee (UTAC)**

We are facing a comparable situation with the University Tenure Appeals Committee (UTAC). UTFA and the Administration have already agreed to eleven names for UTAC, which is more than double the number (five, including the Chair) that are actually needed to review an appeal, and also more than the total of eight stated in our [Memorandum](#) and the [Policy and Procedures on Academic Appointments \(PPAA\)](#). (Both parties consented to increase the total from eight to sixteen Committee members several years ago to facilitate scheduling, but, once again, the Administration is refusing to even begin scheduling dates until all sixteen members have agreed to serve.)

Our members should not have to continue to wait unreasonable lengths of time when we have more committee members than we need ready and willing to serve. This is perhaps especially true when the matter is as momentous as a tenure denial appeal.

It is clear that the current systems are not working, are not reasonable, and are not sustainable. There is a critical need for significant changes to our dispute resolution mechanisms. Change is already long overdue.

### **Acknowledgements**

The work of the Grievance portfolio and [Grievance Committee](#) has been supported by our in-house legal team: our in-house lawyers Reni Chang and Tony Micallef-Jones and Legal Assistant Crystal Doyle, led by General Counsel Helen Nowak; External counsel at Goldblatt Partners LLC, coordinated by Partner Emma Phillips; UTFA's administrative staff, led by Executive Director Nellie De Lorenzi; Brian McDonagh, who served in this position until January; Grievance Committee members Giovanni Grasselli, Erica Kim, Jody MacDonald, Jun Nogami, and Anton Zilman; and supportive Executive and Council members, led by President Terezia Zorić.

I am particularly grateful to Terezia, Nellie, and Helen, with whom I work most closely and without whom the essential work of the Grievance portfolio would simply be impossible. Their combined support and guidance continue to be invaluable to me and to every UTFA member who reaches out to [advice@utfa.org](mailto:advice@utfa.org) for information and support.

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# Vice-President, University & External Affairs

by Jeff Bale

## Faculty associations and campus-based unions on the move

As I prepare this report, contract faculty and teaching assistants at Carleton University represented by CUPE 4600 have just reached tentative agreements after a two-week strike. The fact that both groups of academic workers were on strike at the same time indicates the seriousness of the issues, which included living wages, workload, benefits, academic freedom, and intellectual property.

If these issues sound familiar to you, it's because **multiple faculty associations and graduate-student unions have taken job action at campuses across Canada since 2021**: Acadia, Cape Breton, Concordia University Edmonton, Laval, Lethbridge, MacMaster, Manitoba, Memorial, and UOIT. At UPEI, [the UPEIFA framed their recent strike](#) with a slogan of solidarity and shared interests: "our working conditions are students' learning conditions." Note this slogan first emerged in [strikes by school teachers](#) in Wisconsin and then Chicago over a decade ago.

The above list does not include faculty associations and campus unions that successfully leveraged strike votes to secure a better collective agreement without going on strike. Nor does it include strike action taken in the United States. [The most prominent example](#) is at Rutgers University in New Jersey. Unions representing post-doctoral researchers, graduate teaching assistants, and faculty and librarians recently struck in unison, with the understanding that coordinated efforts can achieve the greatest gains for all academic workers. **Their actions paid off. Over the 4-year contract: full-time faculty stand to receive a 14% pay raise; the minimum pay for post-docs will increase by 28%; sessional lecturers will see a 44% increase in the per-credit salary rate; and TAs will see \$40,000/year in salary**, in addition to gains in health-care coverage and tuition and fee waivers.

## Putting these actions in context

In part, the trend toward greater academic labour activism in Canada is tied to the pandemic. A number of faculty associations negotiated [short-term agreements](#) just as the pandemic hit; these are now nearing the end of their term, and academics are trying to make up for lost ground. But the larger context for these labour actions is (1) ever-declining provincial funding for higher education, and (2) sector-wide efforts to restructure academic work, with ever-growing proportions of academic workers on one kind of fixed-term contract or the other. Importantly, [Indigenous, racialized, and women academic workers](#) hold these precarious appointments at disproportionate rates.

Compounding these declines in Ontario is Bill 124, which capped annual salary increases for broader public sector employees to 1%. Although this bill was ultimately declared unconstitutional, the Ford government recently passed [a budget that fails to increase funding](#) for the higher-education sector. Moreover, on March 2, 2023, the Ford government announced [a blue-ribbon panel](#) to study financial stability and student experience in the higher-ed sector. Yet, this task force excludes any student or faculty representation. **The Ford government's aggressive stance continues despite, or perhaps because of, the defeats it has experienced in the courts**, namely, their efforts to force striking education workers back to work last fall, and the overturning of Bill 124.

In this context, university administrations often argue that their hands are tied, thus academic staff



simply have to accept more concessions. These claims are rarely supported by the facts. At Carleton, [a recent audit](#) demonstrated that it has averaged an 11% budget surplus over the last five years, and has over \$450 million in “expendable reserves.” [As a CUPE 4600 representative noted](#), this financial situation would allow the university to meet all of the union’s wage-increase requests and still have enough money to pay 167% of its debts. Administrators at Memorial University conceded a similar point prior to the successful strike by MUNFA contract faculty in early 2023. Under oath, senior administrators stated they have enough money to create 100 new tenure-track positions, but in negotiations had refused to. Finally, [the UPEI Faculty Association documented](#) that the university’s operating budget has increased by 36% (due almost entirely to tuition hikes and enrollment increases over 25%), while the complement of full-time faculty has declined by 1%.

Across Canada – indeed in the US and the UK as well – academic workers have begun organizing to challenge this situation. **The power of collective action is undeniable.** Besides the historic gains at Rutgers listed above, academic staff at Laval recently ended their 4-week strike with a collective agreement that includes a 15% raise over three years and 80 new faculty positions. Unsurprisingly, 93% of Syndicat des professeurs et professeures de l’université Laval members voted in favour of the agreement.

### **What this means for UTFA**

UTFA is not a certified union, and we don’t have the right to strike. This does not mean that we can’t learn from these extraordinary examples of collective action and draw lessons from them to support our own goals.

Just as important, it is vital that UTFA demonstrates its support for job actions like these through solidarity in word and deed. This is not only a matter of principle; **when other faculty associations and campus unions win stronger collective agreements, UTFA is then in a stronger position to negotiate better working conditions for its members.** Last fall, UTFA proudly endorsed [the Good Jobs at UofT](#) campaign led by caretakers represented by CUPE 3261. These campus workers, most of whom are racialized women, built a strong campaign that included pledges for contributions to their strike fund from UTFA and many other faculty associations across the country. This broad support helped pressure the Administration to offer a better deal. Similarly, sessional lecturers and TAs at UofT represented by CUPE 3902 leveraged a strike vote and [a strong campaign of solidarity](#) to reach an agreement with the University that includes wage increases of 11% over three years for sessional lecturers. UTFA supported this campaign by inviting Amy Conwell, then President of CUPE 3902, to present at Council, and by supporting their letter-writing action. Finally, UTFA Council voted on January 17, 2023, to update its donation policies relative to strike-fund donations. In 2008, Council passed a resolution stipulating that UTFA would donate to the strike fund of any faculty association affiliated with the Canadian Association of University Teachers; the exact amounts are set each fall by the Executive. This year, Council updated its policy to include sibling unions at UofT. These are small but important examples of the kind of solidarity that benefits all academic and campus workers.

### **Acknowledgements**

Thank you to the members of the [University and External Affairs committee](#) for their input regarding multiple important issues this year. I want to also thank UTFA staff for their support of the Association.

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# Treasurer

by **Maureen Stapleton**, CFA

This past year as Treasurer, I have had the privilege of working with UTFA's signing officers and staff to ensure the Association's ongoing financial health and stability. These efforts provide a strong foundation for UTFA to continue supporting and advocating for our members in the near and distant future.

Each year we conduct a thorough review of UTFA's financial procedures and introduce improvements to ensure we are making the best use of resources. This year we have continued to explore ways to reduce external costs where feasible while maintaining our commitment to provide high-quality services for our members.

UTFA remains committed to investing conservatively, targeting 35% of the investment fund in high-quality equities and the remainder in fixed income securities, consistent with the Association's Investment Policy. The equity portion of the fund is split between low-fee domestic, US, and international exchange-traded funds (ETFs). The fixed income investments include a mix of money market funds and bond ETFs. **Overall, the holdings are well-diversified while also prioritizing sustainability.** The measured approach has helped the Association maintain stability during a very challenging period in financial markets. The investment fund continues to hold \$1.5 million in contingency funds for potential future exigencies of fundamental importance to members, which cannot be accessed without the approval of the Executive Committee and Council.

## Acknowledgements

None of UTFA's financial goals can be achieved without the hard work and dedication of our staff. I gratefully acknowledge the leadership of Executive Director Nellie De Lorenzi and contributions by Business Officer Marta Horban and Bookkeeper Rucsandra Schmelzer. Thanks also to our President, Terezia Zorić, for her strong support. Additionally, I thank the members of the [Financial Advisory Committee](#), Louis Florence, Tanya Kirsch, Lisa Kramer, and Leslie Stewart Rose, for their thoughtful counsel.

The Association's audited financial statements for the fiscal year ended June 30, 2022, can be found [here](#). I thank Donna Mehta, CPA, of Mehta Professional Corporation for her advice and the timely completion of this year's audit. Audited financial statements for the current fiscal year ending June 30, 2023, will be posted in the early fall.

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## Reports From UTFA's Standing Committees





# Chair of the Appointments Committee

This Committee provides advice on all matters related to the University's appointment policies and related matters. This includes policies, procedures, and guidelines for hiring, promotion, tenure, and dismissal.

by **Leslie Stewart Rose**

## **(Mis)Alignment of Divisional Guidelines With Negotiated Policy**

This year, UTFA has been actively engaged in an Association grievance to protect our members from the Administration's unilateral amendment of Divisional Guidelines on the Assessment of Teaching Effectiveness that significantly alter the criteria that needs to be met during probationary and promotion reviews. On January 1, 2021, UTFA negotiated changes to several key documents (namely, the Policy and Procedures on Academic Appointments ("PPAA"), the Policy and Procedures Governing & Promotions in the Teaching Stream ("PPGPTS"), and the Policy and Procedures Governing Promotions ("PPGP"). It is UTFA's understanding that academic units were instructed to amend their Divisional Guidelines in accordance with these policies. As we reviewed the revised guidelines that received provostial approval, **UTFA recognized that a number of guidelines do not align with negotiated University workload policies.**

Many of the revisions constitute a departure from negotiated policy and significantly raise the bar for tenure/continuing status and promotion. Some improperly increase the standards of performance assessment for faculty members by adding new and more demanding criteria to demonstrate 'competence' or 'excellence' in teaching. Others significantly reconfigure "what counts as teaching" (e.g., the teaching embedded in leadership or service roles). UTFA is working to bring the Divisional Guidelines in line with the applicable policies and is committed to retaining a broad scope for our members to demonstrate the quality of their teaching. We encourage members to become familiar with the aforementioned University policies and to compare them to their division's Teaching Effectiveness Guidelines.

## **Use of Student Evaluations in Promotion and PTR Processes**

As is noted in the [report of the Interim Vice-President, Grievances](#), UTFA is engaged in an Association grievance regarding the use of Student Evaluations of Teaching/Student Course Evaluations (SETs/SCEs) in high-stakes situations, such as promotion and Progression Through Ranks (PTR). The Appointment Committee's SETs/SCEs Working Group has been meeting to develop educational materials to help members make better sense of SETs/SCEs data. Any inclusion of SETs/SCEs in the Divisional Guideline Grievance (mentioned above) will be reconsidered when the outcome of the SETs/SCEs grievance is determined.

## **Part-Time Appointments Policy**

The Appointments Committee has been discussing the applications of the revisions to the policy on Part-Time Appointments that came into effect on January 1, 2021. UTFA's ad hoc Part-Time Policy Working Group facilitated a fruitful discussion during the winter semester, and shared the main points at Executive and Council meetings. The Working Group will be hosting an information session for part-time

UTFA members, with a dual focus on understanding the nature and impact of policy change and hearing from members with precarious part-time positions about their ongoing experiences. **Hold the date for a Part-time Policy Information Session: June 6 from 12 noon to 1:30.** Details to follow.

### **A New “Travel Tax”**

In February 2023, the University of Toronto implemented the central “travel tax” known as the Air Travel Emissions Mitigation Initiative (ATEMI). It was announced that “[a]ll university-funded air travel charged to an operating/principal investigator Funds Center (i.e. charged to operating, PERA or research accounts without Fund #s) will be subject to a carbon offset fee based on the distance traveled and flight class of service.” Learn more [here](#). **UTFA supports initiatives to reduce the University's carbon footprint, but is concerned about the Administration taxing accounts that, for some faculty and librarians, are the only funds available to support their scholarly work.** Further, PERA is a benefit negotiated between UTFA and the Administration. The Administration should not be unilaterally reducing the value of a negotiated benefit.

### **Barriers to Research**

In addition, as Chair of this committee, I have continued work as a member of the Barriers to Research Working Group; this group is finalizing the development of a tool to better understand the barriers to our scholarly work. I have also facilitated discussions about SETs/SCEs used in our promotions processes and how best to support the members to use them (or not).

### **Upcoming Information Sessions on Promotion**

Each spring, UTFA political officers and staff host sessions designed to help members learn more about the procedures for promotion within the Teaching and Tenure Streams. **The Chairs of the Appointments and Teaching Stream Committees will facilitate Information Sessions on May 2, 2023 (Teaching Stream) and May 9, 2023 (Tenure Stream).** Register [here](#) for the Teaching Stream workshop. Register [here](#) for the Tenure workshop.

### **Acknowledgements**

My thanks to the members of the [Appointments Committee](#) and its working groups for their critical and creative input on each of these files, to UTFA staff who have supported my work on this important portfolio, and to the collaborative and insightful contributions of the UTFA Executive and Council members.

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## **Chair of the Equity Committee**

This Committee provides advice on all matters pertaining to equity, diversity, and inclusion and assists UTFA in developing approaches to pay equity, employment and compensation equity, harassment, personal safety, and accommodation.

by **Arjumand Siddiqi**

## Equity Data

**A big win for the Association is that we negotiated an agreement with the Administration regarding the equity data the University Administration receives via its employment equity surveys.** UTFA won the right to disclose to our members information, analysis or commentary about the equity data. Equally important, with access to this data the Association has information to identify systemic forms of discrimination and to seek redress for our affected members.

UTFA is also in the process of obtaining salary data collected by the Administration about what they term “equity-seeking groups” and which the Association sees as “subjugated groups” in order to analyze the data and develop a legal strategy for addressing salary discrimination for all UTFA members from equity-seeking groups for whom data exist at U of T. This includes studying the salary data for librarians and Teaching Stream, part-time, and CLTA faculty members to ensure they are not left behind.

## Pay Equity and Salary Discrimination

The Association has been strenuously pressing the University Administration to comply with its obligations to our members under the Pay Equity Act for many years. The Association has advanced two pay equity grievances (one for faculty and one for librarians) where we are seeking several orders to ensure that the Administration maintains pay equity and meaningfully participates in a joint process with our Association. **The Administration, as an Employer, is legally obliged to establish and maintain pay equity under Ontario's Pay Equity Act.** “Pay equity” requires an assessment of all jobs and an unbiased comparison of the work done in female-dominated job classes with the work done in male-dominated job classes, in order to determine equitable compensation. Employers cannot pay one employee group at a lower rate than another employee group on the basis of sex when they perform substantially the same kind of work and if their work requires substantially the same skill, effort, and responsibility, performed under similar working conditions.

## Special Report of the Librarian Systemic Bias Working Group (By Whitney Kemble)

The Librarian Systemic Bias Working Group is working alongside the University Administration to study biases in librarian compensation. The working group is co-chaired by UTFA Member-at-Large Whitney Kemble and UTFA President Terezia Zorić, and includes librarian members Harriet Sonne de Torrens, Kyla Overall, and Desmond Wong, as well as consultant Hugh Mackenzie and researcher Sanchia deSouza to support data analysis. UTFA and the University Administration have met together 3 times so far, examining PTR data for gender bias. In 2022, the work of the group faced interruptions and frustrations due to a number of factors, including our delayed access to equity data. Moving forward we hope to access and analyze the equity data as it pertains to promotion rate and process, rank and stream at hire, as well as conduct librarian member outreach through a survey and/or focus groups.

## Acknowledgements

I began as Chair of the Equity Committee this Fall, and am grateful to the Executive for its support and for bringing me up to speed on UTFA projects. I especially want to express my thanks to former Equity Committee Chair, Kass Banning, for her warm welcome and encouragement. I also want to thank the members of the [Equity Committee](#) for their dedication and important contributions this year, and UTFA staff for their assistance as I familiarized myself with the organization. I look forward to continuing our shared work in 2023-2024.

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## Chair of the Librarians Committee

This Committee provides advice on all matters related to the concerns of academic librarians and the profession at U of T.

by **Harriet Sonne de Torrens**

### Involvement in Working Groups, Negotiating Teams & Committees

In the past year librarians have represented colleagues with faculty in the following working groups and negotiating teams: pay-equity grievance (Kyla Everall, Whitney Kemble), *Policies for Librarians* (modernizing 1978 policy, chief negotiator, Kathleen Scheaffer, Whitney Kemble, Dan D'Agostino), *Academic Continuity Policy*, Systemic Bias Working Group (co-led by Whitney Kemble, Kyla Everall), Barriers to Research (MRA) Working Group (Kathryn Barrett, Whitney Kemble), and the *Salary, Benefits and Workload* negotiating team. In addition to the [UTFA Librarians Committee](#) librarians participated in the following [UTFA committees](#): Appointments Committee (Whitney Kemble), Equity Committee (Kyla Everall), External Affairs Committee (Rea Devakos, James Mason), Membership Committee (Kathleen Scheaffer), 2023 Nominating Committee (James Mason), Pension Committee (James Mason), Retired Members Committee (Kent Weaver, Elinor Fillion, Suzanne Meyers Sawa), Salary, Benefits, Workload and Pension Committee and Teaching Committee. Three members of the UTFA Librarians' Committee sit on the Provostial Advisory Committee on the University of Toronto Library System: Meaghan Valant (UTM), Kathryn Barrett (UTSC) and Alexia Loumankis (St George).

### Principal Investigator Status for Librarians

As a result of the working group's collaborative efforts with University Administration, Librarian ranks I-IV are eligible to serve as Principal Investigators and have access to MRA upon appointment to the UTL system via the ESS platform. MRA submissions from librarians are automatically escalated to the Office of the Chief Librarian, Dean's Office (St. George), or Principal's Office (UTM and UTSC) for approval. UTFA is currently examining the levels of approval. This is historically a first for U of T librarians. **Librarians can now apply for grants to support their open access publications and research contributions to scholarship**, which they were unable to freely do before, unlike librarians at other Canadian universities.

### Diving Deeper into Work Experiences of Our Campus Librarians

This past year the Chair of the Librarians Committee has been involved in issues raised by librarian members concerning hiring practices, transfer of librarians' responsibilities to non-union and non-librarian positions, and academic freedom in the UTL system. Bi-term UTFA meetings with the UTFA Librarians Committee are organized where updates and concerns from across the campus are discussed and shared. Weekly office hours are offered to colleagues with H. Sonne de Torrens, Chair of the UTFA Librarians Committee to discuss sensitive issues. The Chair represents U of T librarians on the CAUT Librarians' and Archivists' Committee and at the annual CAUT Librarians' and Archivists' conference. UTFA librarians have three areas of responsibilities, professional practice, service, and scholarship. **It is vital, therefore, that U of T librarians be recognized in all policies that impact our terms and conditions of work as full academic partners with UTFA faculty.** We are always seeking more

membership involvement – contact us if you are interested in participating in UTFA!

## Acknowledgements

I would like to thank all UTFA members who have served on this year's [Librarians Committee](#), members of the UTFA Executive, UTFA Council, staff, lawyers, and colleagues in the various negotiating committees who have consistently supported the rights of academic librarianship at the University of Toronto. A special thanks to Jun Nogami and Terezia Zorić for their ongoing committed support.

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## Chair of the Membership Committee

This Committee provides advice on all matters related to promoting membership engagement with and participation in UTFA.

by **Paul Hamel**

### Commitment to Communication to Members

The Membership Committee has over the last year continued the good work led by its previous Chair, Judith Taylor. **We have continued with monthly Council meeting summaries for distribution by Council members to their constituencies.** Further, a process to modernize some of our communication platforms has also been a focus of my efforts this year. In particular, in collaboration with the fine work of Claire Reyes, redevelopment of the UTFA website has been progressing with the notion to make it more useful for our members and to better convey the important issues on which various committees at UTFA are working.

### The UTFA Academic Citizenship Award

The Membership Committee is delighted to have received several outstanding nominations for UTFA's 2022 [Academic Citizenship Award](#) (to be awarded at a special ceremony at the end of May, 2023). **The award honours initiatives undertaken by members of UTFA who have made a significant contribution to our understanding of the relationship between the University and public life**—whether by encouraging the positive engagement of academics in key social issues, or by working to extend democratic and accountable practices within the University itself, or by making an outstanding contribution to the well-being of their community.

## Acknowledgements

Thanks to members of the [Membership Committee](#). I know that we are all stretched with work in various domains within UTFA, in our academic endeavors, and in our work outside the Academy. Thanks also to Chris Penn, Claire Reyes, and Laurie Jacklin for their collaborations, advice and fine patience.

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# Chair of the Retired Members Committee

This Committee provides advice on all matters related to the concerns of retired members of the faculty and academic librarians.

by **Stephen Rupp**

## Access to Microsoft's Suite of Tools

Last year, the University Administration precipitously decided that retirees would no longer have automatic access to Microsoft 365 as they had in the past, although all retirees could keep their Utoronto email accounts. **Many retirees suddenly and unexpectedly found themselves without access to Microsoft 365, even retirees who continue to be quite active in research and teaching.**

The UTFA Retired Members Committee (RMC) and the Executive protested this change, and the University Administration agreed in August 2022 to extend access until April 2023. The Administration has said that after that date, it will cover the cost of access to Microsoft 365 only for those retirees who are “actively engaged in teaching and research.” One justification that the University Administration offers for this limitation is that “continuing to be active at U of T is a requirement under our [the University's] current agreement with Microsoft.” They further justify this restriction on the grounds of “the cost of storing and keeping secure data that no longer belongs to the University” and “the resource implications of the technical support that non-active retirees require” without specifying the costs or resource implications in any way.

The RMC and Executive will continue to press the Administration for a more expansive and open approach to providing access to Microsoft 365 for those retirees who want it and will endeavour to ensure that any process for distinguishing ‘active’ from ‘inactive’ retirees is based on open and fair procedures.

## Annual Retiree Reception

**The Retired Members Committee is holding UTFA's Annual Retiree Reception on Wednesday, May 17, 2023, from 1:00 to 3:00 p.m via Zoom. Our featured keynote speaker will be [Uahikea Maile](#), Assistant Professor, Indigenous Politics in the Department of Political Science.** Professor Maile is the founder of the Ziibiing Lab, the new Indigenous politics “[collaboratory](#)” launched in October 2022. The event also provides retirees with an opportunity to chat with other retirees and to hear important updates from the UTFA leadership, including in relation to health benefits, travel benefits, and post-retirement access to Microsoft 365. As a retiree, if you wish to register for this session, please click [here](#).

## Acknowledgements

I wish to express my deep appreciation to all the members of the [UTFA RMC](#) for their active participation in the Committee, and to the RMC and Executive for their strong advocacy for retired faculty and librarians.

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# Chair of the Teaching Stream Committee

This Committee provides advice on all matters of particular concern to faculty in the Teaching Stream, including workload, time for research and scholarship, and related equity issues.

by **Sherri Helwig**

This year, the Teaching Stream Committee continued a practice (instituted the year before) of opening up the meetings beyond the Committee membership to any Teaching Stream faculty member who was interested in learning more and discussing relevant issues. These have been rich and engaging discussions, and each time we all understand more about the differences faced by faculty in different units and differing circumstances, as well as the challenges we have in common. Here are just a few of those challenges that the committee has discussed:

## Workload

Workload continues to be a principal concern for Teaching Stream faculty. The [Workload Policy and Procedures for Faculty and Librarians \(WLPP\)](#) was first negotiated within the context of growing evidence from across the University (e.g., large-scale University of Toronto and UTFA surveys) that escalating workloads were a major source of stress, and were undermining quality in teaching and research and squeezing out time for research, scholarship, and creative professional activities for the Teaching Stream. Nearly thirteen years later, very little has changed: excessive workloads continue to pose a threat to the quality of education (and the quality of the lives of Teaching Stream faculty) at the University of Toronto.

*Teaching:*

**Teaching Stream faculty generally teach 150-200% (or more) of the number of courses that their Tenure Stream colleagues teach in the same department.** They are often expected to teach the general, large-enrollment, first- and second-year courses, sometimes to the exclusion of other courses and the ability to teach courses that are related to their areas of expertise and ongoing scholarship. Many are required to teach in all three semesters (in violation of Article 8 in the [Memorandum](#)), or feel they have no choice but to do so to spread out an otherwise-unmanageable workload. This makes the annual one-month vacation afforded to all UTFA members impossible.

*Research<sup>1</sup>/pedagogical and professional development (PPD):*

While the [Workload Policy](#) UTFA negotiated with the University Administration states explicitly in section 4.0 that “**individual units shall determine the balance amongst the three principal components of a faculty member’s activities: teaching, research, and service,**” the Administration is unwilling to agree to a “Distribution of Effort” (DOE) for the Teaching Stream that includes all three components – for example, 60% of time spent on teaching, 20% for research, and 20% service. Instead, many UofT departments and units simply lump teaching and research together (an 80/20 DOE, i.e. 80% teaching/research and 20% service) and are somehow not recognizing that faculty need time to engage in research activities separate from their teaching. In fact, the Administration wrote in an [interest arbitration brief](#) in 2022 that there is no need to have a Distribution of Effort for the Teaching Stream because, among other reasons, there is already “ample room for the pursuit of pedagogical and professional activities” in Teaching Stream workloads (paragraph 194). They then illustrated this by



explaining that, after accounting for the in-class hours related to teaching four courses in a semester, a Teaching Stream faculty member “would have 70% of their work week to perform the other facets of their workload” (paragraph 198). These positions simply do not reflect the experience of our Teaching Stream faculty members.

It is also important to note that, while **UTFA previously fought for and won language in the Workload Policy (section 7.2) that entitles Teaching Stream faculty to “reasonable time” for research**, this “reasonable time” is almost impossible to enforce without a DOE.

A published DOE is already in place for UTFA’s librarian members, and Tenure Stream faculty have either an explicit DOE or follow an implicit norm of 40/40/20 (40% teaching, 40% research, 20% service). There is no reason Teaching Stream faculty should be denied the same workload protections.

*Service:*

Service expectations of Teaching Stream faculty tend to be high. Many take on administrative roles, and are often depended upon to lead outsized curriculum review and reform efforts. In a number of units at the University, there are very few Teaching Stream faculty members: too few to serve on all the departmental committees and working groups that require or would benefit from representation from someone in the stream.

### **MRA (My Research Applications & Agreements)**

Until 2022, Teaching Stream faculty and librarians were generally not permitted to serve as Principal Investigators (PIs) for their own research. In 2022, in response to advocacy from UTFA members, the Administration granted PI access for the Teaching Stream and librarians to the “My Research Applications & Agreements” (MRA) system. While this was positive news, it was tempered by the fact that the system required at least one additional level of administrative approval beyond what is required for research applications by Tenure Stream faculty, and that those tasked with approving research applications from Teaching Stream faculty (for example) were required to consider whether the proposed research was “appropriately aligned” and “consistent with the unique role of teaching stream faculty and their workload.” UTFA communicated its concerns to the Administration – that this wording raised questions about academic freedom and our right to choose the subjects of our own scholarship – beginning in August last year, and we have discussed these issues several times throughout the following months. While they have expressed a willingness to continue to discuss these important issues, **the Administration has indicated that it is not willing to treat Teaching Stream faculty and librarians on par with our Tenure Stream colleagues when it comes to the academic freedom to carry out our own self-directed research.**

### **Pay Equity and Salary Discrimination**

There is more information about pay equity and salary discrimination in the report of the Chair of the Equity Committee. Still, it is important to state here for context that, in previous years, UTFA has won financial gains for women in the Tenure Stream and for female-identified librarians, but has yet to be successful with efforts for the Teaching Stream. This year, UTFA has advanced a pay equity grievance for both the Teaching Stream and for librarians, to ensure that the University Administration follows through on its obligations under the Pay Equity Act.

However, any gains UTFA may make on this front will not address the fact that **Teaching Stream**



**faculty generally have lower starting salaries than Tenure Stream colleagues in the same department, and that this salary gap only widens over time.** The gap widens because the across-the-board (ATB) increases are often based on a percentage of salary – normally lower for the Teaching Stream – and the pool of funds available for annual merit increases (PTR) for Teaching Stream faculty is separate and smaller.

These are issues that Teaching Stream faculty are concerned about and have brought forward to Committee meetings for discussion. As an initial step, this Committee is developing educational materials that prominently list lower salary and smaller pay increases among several essential differences between the Teaching and Tenure Streams at the University of Toronto.

## **Acknowledgements**

I am beyond grateful for the efforts of a number of people who work collaboratively to support Teaching Stream members at UTFA, including: administrative staff, led by Executive Director Nellie De Lorenzi; legal staff, led by General Counsel Helen Nowak; [Teaching Stream Committee](#) members David Dubins, Kim MacKinnon, Cathy Marks Krpan, Judith Poë, Chester Scoville, Harriet Sonne de Torrens, Leslie Stewart Rose, Azita Taleghani, and Terezia Zorić; and our thoughtful and supportive Executive and Council members. Many thanks are also due to the Teaching Stream faculty members who attend our committee meetings as guests and contribute so much to the richness of the discussion, and to those who visited during my weekly Teaching Stream office hours to ask questions or seek advice about relevant policies and various ways UTFA may be able to help.

UTFA's President Terezia Zorić and Executive Director Nellie De Lorenzi deserve a targeted note of appreciation for their generosity of time and advice, and their tireless efforts on behalf of our Teaching Stream (and all!) members.

Deep and personal gratitude is due to Barbara Murck who, before her untimely death this fall, was an active Teaching Stream Committee member. She did truly consequential work on the Committee's "Barriers to Research" survey planning, and worked closely with me in my home department on a community of practice initiative for Teaching Stream colleagues. She will be sorely and forever missed.

1 All UTFA faculty members, including Teaching Stream faculty, have three principal components to their work – teaching, research, and service (as stated in the [Memorandum of Agreement \[MOA\]](#) and section 4.0 of the [Workload Policy and Procedures for Faculty and Librarians \[WLPP\]](#)). The research component for the Teaching Stream is referred to as "Pedagogical and Professional Development" (PPD) in some policy documents. PPD encompasses all kinds of research, scholarship, and practice – including discipline-based research, pedagogical research, creative practice, and professional practice – as well as contributions to academic conferences and teaching-related activity outside of the usual classroom responsibilities. For the sake of simplicity, PPD has been abbreviated to "research" in this report, in keeping with the MOA and WLPP.

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## **Additional Information for UTFA Members**

### **[2022-2023 AGM Agenda](#)**

### **[2021-2022 Audited Financial Statements](#)**

### **[2021-2022 AGM minutes](#)**

## **List of Upcoming Workshops**

- [Teaching Stream Workshop](#) - May 2 2023
- [Tenure Stream Workshop](#) - May 9 2023
- [Retired Members Event](#) - May 17 2023

## **Members of Standing Committees**

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Chair: Leslie Stewart Rose

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Giacca, Adria

Grasselli, Giovanni

Helwig, Sherri

Kemble, Whitney

MacKinnon, Kimberley

Niknafs, Nasim

Nogami, Jun

Parsch, Fabian

Taleghani, Azita

Zilman, Anton

### **Equity Committee**

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Berkovitz, Joseph

Cowen, Deborah

Dias, Darren

Darnell, Simon

Everall, Kyla

Faiz, Maryam

Helms-Park, Rena

Helwig, Sherri

Niknafs, Nasim

Phu, Thy

Roberts, David

Stewart Rose, Leslie

Taleghani, Azita

Taylor, Judith

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Florence, Louis

Kirsch, Tanya

Kramer, Lisa

Stewart Rose, Leslie

### **Grievance Committee**

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Kim, Erica

Macdonald, Jody

Nogami, Jun

Zilman, Anton

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Barrett, Kathryn

Carter, Richard

Chowdhury, Hujma

D'Agostina, Dan

Everall, Kyla

Handren, Kara

Kemble, Whitney

Kwak, Aneta

Loumankis, Alexia

Mason, James

Meyers Sawa, Suzanne

Pedersen, Jordan

Rocha, Fabiano

Scheaffer, Kathleen

Slaght, Graeme

Spence, Michelle

Stewart Rose, Leslie

Tooulas-Santolin, Christina

Valant, Meaghan

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Cowen, Deborah

Desai, Chandni

Helwig, Sherri

Marshall, Ruth

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### **Retired Members Committee**

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Barbeau, Ed

Carens, Joseph

Fillion, Elinor

Grad, Helen

Guttman, Mary-Alice

Helwig, Sherri

Kwong, Raymond

Macdonald, Jody

Meyers Sawa, Suzanne

Miles, Angela

Nogami, Jun

Poë, Judith

Weaver, Kent

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Darnell, Simon

Gillis, Roy

Grasselli, Giovanni

Giacca, Adria

Guttman, Mary-Alice

Helwig, Sherri

Kwong, Raymond

Levine, Renan

Macdonald, Jody

Peski, Marcin

Roberts, David

Rupp, Stephen

Siddiqi, Arjumand

Sonne de Torrens, Harriet

Stapleton, Maureen

Taleghani, Azita

Weaver, Kent

### **Teaching Stream Committee**

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MacKinnon, Kim

Marks Krpan, Cathy

Poë, Judith

Scoville, Chester

Sonne de Torrens, Harriet

Stewart Rose, Leslie

Taleghani, Azita

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Devakos, Rea

Helwig, Sherri

Levine, Renan

MacKinnon, Kim

Marshall, Ruth

Mason, James

Niknafs, Nasim

Zilman, Anton

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Carens, Joseph

Downes, Paul

Mason, James

Nogami, Jun

Peski, Marcin

Stapleton, Maureen

Zorić, Terezia



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