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Grievance Portfolio

The UTFA legal team has been busier this academic year than ever. Between July 1, 2021, and end of March 2022, the UTFA lawyers responded to 517 member inquiries. This is a 65% increase from the same period last year (314 inquiries between July 2020 and March 2021). More than half of this year's inquiries were concentrated in six areas, frequently in relation to COVID: accommodations, often involving requests to teach online; health and safety; PERA, often combined with the newly negotiated CERF; PTR; teaching; and workload.

In the past two years, there has been a significant increase in the number of members seeking advice related to investigations launched by the Administration. These investigations have been initiated under several University policies, including the Workplace Harassment policy, the Graduate Supervision Guidelines, the Framework to Address Allegations of Research Misconduct, and the Sexual Violence policy. The UTFA legal staff have been keenly observing new and concerning trends in how the Administration undertakes these investigations, noting several concerns related to procedural fairness, timeliness of complaints, and selection of investigators. UTFA President Terezia Zorić and I are working with legal staff to raise our concerns and make recommendations to the senior Administration

Sexual Violence Policy LOU Negotiations

This year I joined the UTFA team, led by Terezia Zorić, negotiating the Sexual Violence Letter of Understanding (LOU) with the Administration. The other team members are Roy Gillis, Azita Hojatollah Taleghani, and Kyla Everall. Most issues that remain unresolved relate to procedural fairness protections during investigations. The parties met with experienced facilitator Michelle Flaherty on numerous occasions. We are currently awaiting a response from the Administration on our last round of proposals.

Implementation of Part-time Policy

The new part-time policy ([Policy and Procedures On Employment Conditions of Part-Time Faculty](#))

negotiated by UTFA came into effect January 1, 2021. As part of the transition process for long-serving part-time faculty members, those with eight or more years of continuous service in the same unit who were renewed after the effective date were deemed to have a Continuing Appointment. Those with between five and eight years of service were reviewed in the fall for Continuing Appointments. While UTFA does not yet have statistics on the Continuing Appointment reviews, feedback from members indicates that these assessments were overwhelmingly positive.

Under the new policy, part-time faculty members in both streams are now eligible for promotion to Associate Professor/Associate Professor, Teaching Stream and Professor/Professor, Teaching Stream. The criteria and procedures for promotion are the same as for full-time faculty in the same stream, but with a reduced expectation as to the quantity of work, based on the part-time nature of the appointment. Although the promotion process officially begins in October, faculty members are encouraged to begin preparing their dossiers well in advance.

Thanks

The legal work of UTFA is supported by an excellent in-house legal team. With admiration and gratitude thanks go to Reni Chang, Samantha Olexson, Crystal Doyle, and Khaleda Rashid. Special thanks to Heather Diggle and General Counsel, Helen Nowak, for their outstanding contribution.

I wish to thank the UTFA Executive for their support and advice and in particular our Treasurer, Maureen Stapleton, our Executive Director Kathy Johnson, the office administration of Chris Penn and Marta Horban, and most importantly Terezia Zorić for her tireless support and mentoring.

Brian McDonagh
Vice-President, Grievances

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