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April 18, 2023

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 Given that the restrictions imposed by Bill 124 are no longer in effect, UTFA requested that Eli Gedalof not issue an award within the 1% restrictions that Bill 124 had imposed, and the University Administration agreed to have Mr.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.

Jun Nogami
Vice-President, Salary, Benefits, Pensions, and Workload

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