Published on *University of Toronto Faculty Association* (https://www.utfa.org)

Report of the Vice-President, Grievances, 2025-2026

April 20, 2026

The role of VP-G is varied and includes overseeing the Legal and Advice support offered to members on their individual workplace concerns, developing materials for member self-advocacy, and identifying and acting on trends in the issues faced by members that need systemic solutions. This year has been busy, with members experiencing more and more complex workplace issues and several meaningful equity-focused Association Grievances progressing to critical stages (for details on these Association grievances, see the Report of the President).

Responding to Members' Workplace Concerns

When UTFA members have questions about their working conditions or are experiencing a violation of their rights, they can reach out confidentially to UTFA's Legal and Advice team for assistance (advice@utfa.org). Our team of advisors has in-depth knowledge of the vast array of policies, guidelines, codes, frameworks, and practices at the University of Toronto and can assist faculty and librarians with an equally vast array of employment-related matters. When members reach out for assistance, they can expect to be informed of their relevant rights, the options available to address their concerns, and expert guidance on next steps. Assistance can range from things like answering a question about an email a member received from their Dean about a change to their workload to more formal approaches to protecting their right to a workplace free from discrimination.

The most common issues that members ask about are related to their appointment; academic reviews and promotion; sick leave; workload; investigations (harassment, discrimination, research misconduct, etc.); and merit pay / PTR (progress through the ranks) processes and awards. This year, our team saw a marked increase in questions and concerns related to tenure and continuing status reviews (and potential denials); medical accommodations; benefits audits; alternative work arrangements; and errors in payroll. If you or a colleague are experiencing any workplace concerns or difficulties or require advice, please contact advice@utfa.org.

Trends in Member Advice

Over the past few years, there has been an increase in the volume and complexity of the workplace issues for which UTFA members are seeking advice. To meet this challenge, UTFA has been significantly improving all of our internal information systems and processes (including the development of guidelines and best practices for grievance processes, meetings, settlement offers, etc.). As a result of time and technology investments the Legal and Advice team is now much more effectively and efficiently able to analyze the trends we are seeing. While accounting for different systems in the past, we conducted a high-level anonymized review of member matters. We learned that both the number and the complexity of matters that UTFA assists our members with have increased greatly over the past decade: on average, the number of matters the UTFA Legal & Advice team manages overall has doubled, and there were more than eight times the number of complex, time and attention-intensive matters (such as workplace and research misconduct investigations) in 2025 as compared to previous years' averages.

Sometimes, the issues brought forward by the membership are so serious, systemic, or discriminatory that UTFA takes the issue to the senior Administration in Joint Committee meetings, and in some cases, files an Association grievance. Some Association Grievances are ongoing, complex, and are taking a great length of time to resolve, such as those related to pay (in)equity, salary discrimination, and improper uses of Student Evaluations of Teaching (for more details see the Report of the President). Others have led to favourable outcomes for UTFA members through shorter periods of mediation and/or arbitration or are progressing at a faster pace. For example,

● **Advocating for members who experience inadequate support for disability and accommodations at the University:** UTFA observed a significant increase in members who are dissatisfied with their experiences and support with disability services and accommodations at the University. To address these concerns, in March 2025, UTFA circulated a survey to its members to gain insight into our members' experiences. Please see here and the Chair, Equity Committee's report for details. Also, an Association Grievance related to discrimination and failures to accommodate disabled members was filed. UTFA grieved the Administration's systemic failures to provide reasonable and timely accommodations for disabled faculty members and librarians. These failures to accommodate have significantly affected our members' health (some members had no recourse but to take sick leave due to the inability to carry out their duties without accommodations) and affected workloads (as these members attempt to self-accommodate), all due to the absence of necessary support to which they are medically and legally entitled. The Administration's actions and processes fail to treat our members with dignity and respect and, UTFA alleges, constitute breaches of the *Ontario Human Rights Code* and the Memorandum of Agreement.

● **UTFA filed an Association grievance to obtain increased protection of your medical privacy:** the University Administration's use of a Medical Report Form (by their Health & Well-being office) improperly encouraged the disclosure of private medical information beyond what the Administration had the right to request. UTFA asserted that the use of this form was discriminatory and infringed on our members' human rights. Over many months (and with the leverage afforded by the grievance), UTFA was able to negotiate significant changes to the form which have been implemented this year. These changes have resulted in increased protection of members' privacy and a reduction in the number and severity of barriers they have to face to access sick leave and their right to workplace accommodations.

● **Corrected salaries for members who were underpaid during their research and study leaves (RSLs):** Over 60 UTFA members have been short-changed on RSL pay. UTFA achieved a mediated

agreement that will result in retroactive pay for these members and protections for members moving forward. This achievement is especially important as it returns funds unfairly withheld from some of our most precarious part-time members and those who were on temporarily reduced appointments for human rights-related reasons. The affected members will be hearing from UTFA representatives soon.

● **Teaching Stream faculty eligibility for academic leadership roles:** Teaching Stream faculty members want to be assessed on the basis of their merit, not excluded on the basis of their Teaching Stream status. U of T Administration has historically excluded Teaching Stream faculty from academic leadership roles such as Chairs of departments and Directors of centres and institutes. UTFA secured a mediated settlement agreement that should put an end to the Administration's practice of barring Teaching Stream faculty from being considered for administrative positions. The settlement confirmed that Teaching Stream faculty are eligible for appointments to positions covered by the Policy on Appointment of Academic Administrators (PAAA), which includes Chairs, Directors, Assistant Principals, Vice-Principals, Principals, Assistant Deans, Associate Deans, Vice-Deans, and Deans.

● **Research Misconduct Investigations:** Over the last year, UTFA has noticed a significant increase in the number of members who are undergoing preliminary inquiries or investigations involving research misconduct issues. We are currently representing eight members who are undergoing such a process. It is clear to UTFA that there are serious procedural flaws and no oversight from the appropriate administrative officials in carrying out the preliminary inquiry/investigation, resulting in our members being denied their rights to procedurally fair processes and suffering significant harm as a result of these deficiencies. The harms include lack of adequate notice of allegations and lack of opportunity to secure representation from UTFA; serious delays in investigation and inquiry processes; highly restrictive and severe interim measures; and inconsistent application of relevant policies. UTFA is alarmed that the Administration's approach to addressing allegations of research misconduct consistently results in members being denied fair process and suffering from punitive restrictions without any finding of wrongdoing. UTFA will continue to exercise our rights to ensure that the Administration takes accountability and action in addressing these serious concerns.

● **Workplace Investigation Protocol discussions:** Members brought to us concerns about their investigations processes, including egregious delays and failures to conduct impartial investigations, address vexatious complaints, provide necessary information, and protect members' confidentiality. After UTFA grieved serious problems in the conduct of workplace investigations at the University of Toronto – UTFA and the Administration entered into a confidential facilitated process. Please see the Report of the President for details.

Much of this work is ongoing, a list of active Association Grievances is available here with updates on the current status of each.

Resources for Self-Advocacy: "Know Your Rights"

Although the Legal and Advice team is available to answer questions and provide support to members, a number of resources and educational communications for self-advocacy are also now available. When themes are evident in the concerns members have regarding their workplaces, we want to create a context where members have the tools needed to navigate the issues and know when it's time to contact UTFA. The Grievance Committee is overseeing the development of outreach and educational materials for UTFA members, and a "Know Your Rights" site was launched this year. Additional materials of this kind, and others, including FAQs (frequently asked questions) and job security-related information are in

development. The goal is to have this site continue to grow based on members' priorities, and as a result, for faculty and librarians to have a much better understanding of their rights before (or even instead of) needing to reach out for support from the Legal & Advice team.

Acknowledgements

As my time in this position and as a member of the leadership of the Association draws to a close, I wanted to take a moment to reflect on the work and the people.

The work in the Legal & Advice portfolio is often challenging, as progress on big and important issues can be frustratingly incremental. At the same time, the building of necessary foundations for this progress and the development of positive momentum is meaningful work, and I am enormously grateful to have the opportunity to play a role in those efforts and to work closely with some incredible people: Many thanks to our gifted in-house Legal & Advice team Sarah Millman, Sophie McGibbon, and Tal Isaacson (and Geoff Dunlop whose secondment was completed this year), and our extraordinary external counsel at RavenLaw LLP (coordinated by Julia Williams) and Goldblatt Partners LLP (coordinated by Emma Phillips). This work was skillfully guided this year by Executive Director Nellie De Lorenzi and, more recently, Director, Legal & Advice Services Emily McBain-Ashfield, and supported by Claire Reyes, Gautam Jadhav, and Marisa Mikroulis. Particular thanks to Terezia Zorić and Jun Nogami who played outsized and positive roles in the mediation/facilitation/arbitration outcomes of this work (on top of everything else they do as President and Vice-President, Salary, Benefits, Pensions, and Workload respectively), to Jess Martin for making the machinery of this complex organization hum (and more human), and to the Grievance Committee members who ensure that all of this work remains meaningfully connected to the collective needs of the membership. The University of Toronto is a much better place to work because of all of these good people and their unflagging and unflinching efforts on your behalf.

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Source URL (modified on Apr 23 2026):https://www.utfa.org/content/report-vice-president-grievances-2025-2026