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OCUFA expresses concerns about “consultations” on public sector compensation

May 8, 2019

Ontario Confederation of University Faculty Associations (OCUFA),

May 3, 2019

OCUFA Opening Statement for the Ontario Public Sector Consultations on Collective Bargaining

OCUFA is concerned about the motives behind the Ministry of Finance’s “consultations” on compensation for workers in the broader public sector. It has become increasingly clear that these consultations are not being conducted in good faith and are, instead, part of the Ford government’s political agenda to undermine the rights of workers and unions in Ontario.

At the government’s consultation with postsecondary education stakeholders on May 3, OCUFA President Gyllian Phillips made these concerns clear in her opening statement:

Thank you, my name is Gyllian Phillips, President of the Ontario Confederation of University Faculty Associations (OCUFA), representing 17,000 faculty at 29 member associations – most of whom are participating today.

These are turbulent times for universities in Ontario, starting with the government’s introduction of needless directives on free speech, to the cuts to OSAP for students and the 10% tuition reduction that cut over 350$ million from the system, and most recently in the budget the introduction of so called performance based funding tied to 60% of the operating budgets of our institutions.

The clear pattern of all of these measures is government intrusion into the autonomy of our institutions. And that is not merely a budgetary problem or a political annoyance, it is a direct attack on the societal purpose of universities and what makes universities effective and unique social institutions that address the most pressing social, economic, and cultural problems facing the people of Ontario. The principles of

tenure, academic freedom, and collegial governance are not job perks but rather the lifeblood of any modern university and the living, breathing guarantee that universities remain autonomous from state and private interests.

Regrettably, we see these consultations as the latest attack by the government on university autonomy and university faculty. Like much government policy thus far it is, in essence, a manipulative, cynical solution in search of a problem. In addition to our unique legislative and societal mandate, it's important to note that the Government of Ontario currently only funds 35% of our operating budgets. In addition, like many others in the public sector, our monetary settlements have barely kept up with inflation and operating funding for universities has not kept up with inflation. Salaries in our sector have come in well under private sector settlements in recent years and wage legislation would only serve to undermine mature bargaining relationships. Blaming faculty and other public sector workers for Ontario's fiscal challenges is fact free scapegoating. Both nominally and legally, the Government of Ontario is not our employer and legislated centralized bargaining would not only be counter productive, it would destabilize labour relations in our sector and undermine flexibility, collaboration, and creativity in collective bargaining in a sector that is varied and complex. The government has offered no substantial rationale for why destabilizing labour relations in a sector that more or less works well, will assist the government with its purported 'fiscal crisis.'

In addition to our pragmatic objections, we have a principled objection to the government undermining the right of university faculty to free and fair collective bargaining. In the decisive first move in overturning the prevailing labour trilogy the Supreme Court elegantly captures the stakes of these consultations:

The right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work... Collective bargaining is not simply an instrument for pursuing external ends...rather [it] is intrinsically valuable as an experience in self-government.

We are interested in participating in any conversation that makes collective bargaining more efficient and effective. However, our participation today is premised on several fundamental principles; i) sector wide bargaining is both legislatively and culturally inappropriate for our membership. Each of our member institutions is unique from a regional, pedagogic, research, and resource perspective. A one size fits all approach to bargaining is a destructive non-solution to a problem the government has not articulated, ii) our participation today in no way signals our agreement with any of the premises or rationale the government will set out today.

Like most others who have participated in this process, we assume that these discussions are a mere formality and will form the pretext for legislated constraints on bargaining. I would further note that our participation today in no way constrains our right to legally challenge the legislation once it is introduced. We see little evidence that the current Ontario government has much interest in protecting intrinsically valuable societal values like free and fair collective bargaining; however, we are prepared to be convinced otherwise as these consultations unfold.

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