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## SBPW 2020 Arbitration Award UTFA and U of T

July 26, 2020

IN THE MATTER OF AN INTEREST ARBITRATION BETWEEN: The University of Toronto and The University of Toronto Faculty Association

**Before:** William Kaplan, Sole Arbitrator

### Appearances

**For the University:** John Brooks, Hicks Morley, Barristers & Solicitors

**For UTFA:** Emma Phillips, Goldblatt Partners Barristers & Solicitors

The matters in dispute proceeded by written submissions.

This is an interest arbitration to settle certain outstanding issues in dispute between the University of Toronto (hereafter “the University”) and the University of Toronto Faculty Association (hereafter “the Association”). The Association represents full- time tenured and tenure-track faculty members, full- and part-time teaching stream faculty members, non-teaching stream faculty, CLTA’s and librarians. Under Article 6 of the Memorandum of Agreement between the University and the Association (hereafter “The MOA”), the parties negotiate salary, benefits and workload. The MOA provides for interest arbitration absent agreement. This has been the process for more than four decades.

On April 25, 2018, the parties were able to resolve most issues in dispute between them for the two-year period beginning on July 1, 2018 and ending on June 30, 2020. Left unresolved, even after further mediation, were outstanding Association proposals for changes to (i) The University of Toronto Workload Policy and Procedures for Faculty and Librarians (hereafter “The WLPP”), (ii) The Academic Administrators Procedures Manual (hereafter “The AAPM”) and (iii) The University’s Policy Regarding Salary Adjustments and Determination of Starting Salary for New Faculty (Salary Anomaly”). The Salary Anomaly issues have been placed in abeyance pending agreement, or the conclusion of the litigation of the Association’s salary discrimination grievance scheduled to proceed in due course before the Grievance Review Panel (although either party may refer these issues back to interest arbitration before that if they so desire). Should that occur, the University has reserved its rights to argue that Salary Anomaly issues are not

arbitrable under Article 6 of the MOA. Arbitrability issues also arise insofar as The AAPM is concerned. There is no dispute about arbitrability of The WLPP under The MOA.

[Read the full interest arbitration award text here \(PDF\)](#)

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