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Where is your July 1, 2020 PTR?

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This is an update on UTFA's efforts to challenge the Administration's withholding of your 2019-2020 PTR (Progress Through the Ranks). As we previously communicated, UTFA recently took the Administration to arbitration to challenge their decision to withhold last year's PTR increase. Unfortunately, the arbitrator ruled that although "there is substantial evidence that PTR has previously been regularly and routinely implemented prior to the conclusion of Article 6 [of our Memorandum] negotiations" the Administration is not *required* to provide faculty and librarians at U of T with PTR on July 1st on an annual basis. Rather, PTR must be negotiated in every round of bargaining.

Even though bargaining has been ongoing at other universities, our colleagues in other faculty associations across the province have already received their PTR. Why?

At the heart of Arbitrator Kaplan's finding is the distinction between a certified union's collective agreement and an association's memorandum of agreement. Notably, although they have yet to conclude their current round of bargaining, our colleagues at St. Michael's College have received their July 1, 2020 PTR increases. This occurred because like nearly every other faculty association in the province, the St. Mike's bargaining unit is certified under the *Ontario Labour Relations Act (OLRA)* and is protected by a collective agreement. The OLRA contains a "statutory freeze" which carries the terms and conditions covered by the collective agreement beyond the expiry date, such as during normal periods of collective bargaining. July 1, 2020 PTR payments were made at St. Mike's because a refusal to make these payments would violate the statutory freeze provision. UTFA, in contrast, is not covered by the OLRA and therefore lacks the protection of a statutory freeze.

To be clear, however, there is nothing preventing the U of T Administration from paying UTFA members their 2019-2020 PTR. In fact, as Arbitrator Kaplan underlined in his ruling, the Administration has had a well-established pattern of paying PTR increases even when negotiations with UTFA were still ongoing. The decision to withhold PTR from UTFA members is an active and ongoing decision the U of T Administration is choosing to make.

PTR at U of T is wholly merit-based and represents the only source of promotional increases or career

progress available to UTFA members. It represents an increase of approximately 2.5% per year for the average member. PTR is distinct from across-the-board (ATB) increases, which the Ford government has capped at 1% through Bill 124.

The Administration's extraordinary decision to withhold PTR is especially disappointing given that U of T faculty and librarians have been working harder than ever with often insufficient supports during the COVID-19 pandemic. Our analysis demonstrates that U of T is in sound financial shape and can readily afford to pay faculty and librarians their PTR for their significant contributions in 2019-2020.

What's next?

Parallel to the work we have been doing to secure PTR for 2019-20, UTFA has also been at the bargaining table, engaging the Administration on the need for fair compensation and to address workload, mental health supports, and other priorities set by our membership. We believe that the bargaining table is an important forum in which both parties can negotiate a settlement that supports quality education and addresses the important issues UTFA members have identified. Yet, bargaining takes time, and PTR should not be delayed by this process. It should be paid immediately.

We are asking UTFA members to send the U of T Administration a clear message with respect to PTR:

1. **Please sign UTFA's petition advocating that *all* faculty and librarians be paid their PTR for 2019-20 *immediately*, retroactive to July 1, 2020.**
2. **Be on the lookout for a follow-up email from your UTFA Council representative and or faculty@utfa.org. Your representative will help UTFA organize a constituency meeting with Terezia Zorić and Jun Nogami to discuss PTR, bargaining, and our next steps.**

Terezia Zorić, UTFA President
Jun Nogami, UTFA VP, Salary, Benefits, Pensions, and Workload

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