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

UTFA Council Ratifies COVID LOU (Agreement Reached with Administration)

August 11, 2021

Dear UTFA Colleagues,

On Monday, UTFA Council unanimously ratified a special COVID Letter of Understanding (the "COVID LOU") the UTFA bargaining team had negotiated with the Administration.

As we explained in our last bargaining update, UTFA had been seeking to reach agreement on the most pressing COVID issues with the U of T Administration since the spring of 2020 and we had been negotiating the LOU since January 2021. *Issues that are not COVID-specific, and that are part of regular salary, benefits, and workload negotiations—including annual across-the-board salary increases, benefit enhancements, and Workload Policy (WLPP) improvements—remain unresolved (See Appendix B of the LOU)*. Our last Memorandum of Settlement expired on June 30, 2020, and is subject to ongoing negotiations.

The COVID LOU does not contain all we had hoped to achieve for our members, especially in relation to relief from excessive workloads. Nonetheless, the UTFA bargaining team concluded that without a binding dispute resolution process and within the context of a looming fall term in which our members were facing great stress and uncertainty, the LOU represented the best agreement available to faculty and librarians at U of T.

In short, the COVID LOU contains provisions to assist members now and in the coming months in key areas, including each of the following *highlights. Be sure to read the COVID LOU itself for additional relevant details*.

1.0 Academic review processes

- While certain COVID restrictions are in place, tenure committees are to be conducted virtually.
- Additional options are available for delays in the timeline to tenure, continuing, or permanent

status that are due to COVID-related personal circumstances beyond the member's control.

2.0 PTR

- Members are not *required* to disclose personal information (e.g. medical or family circumstances) as part of the PTR process.
- For the 2020-21 academic year *only* (or for the years 2020 and 2021 for academic units that do PTR on the basis of calendar years), each member's PTR payment for 2020-21 will be calculated using the **higher** of the following **scores**:

  (a) the average of their PTR scores for the 2017-18, 2018-19, and 2019-20 assessment periods; OR
  (b) their PTR score resulting from their unit's 'normal' 2020-21 PTR process.

- Members who did not receive 3 years of scores will have as many of the 3 scores as are available averaged for the purpose of (a) above. If they have no scores in any of the past 3 years they are assigned the average score in their PTR pool for 2020-21.
- Members' salary letters must clearly indicate their PTR scores for 2020-21 and the average score of the 3 years prior.
- All salary letters will also indicate *which scores* were used for the purpose of calculating a member's PTR payment for the 2020-21 assessment period.
- PTR will be based on the 2019-2020 increments and breakpoints; paid beginning with the October pay run retroactive to July 1, 2021; and will be augmented once across-the-board (ATB) salary increases for 2020-2021 are negotiated.

3.0 Workload

- For 2021-22, the increased workloads of faculty and librarians involved in teaching certain courses and instructional sessions and the increases in service workload due to COVID must be taken into account by unit heads.
- Workloads are to be allocated within a unit through a transparent process based on decisions made in accordance with criteria that are known to UTFA members within that unit, as outlined in the Workload Policies and Procedures (WLPP).
- As a minimum standard, and if they have not already received at least a half course of workload relief, "Any faculty member who was assigned and taught:

(a) six or more *unique* half course equivalents, in each case requiring the development of a new online or dual delivery/hy-flex, ['dual delivery/hy-flex' here refers to the activity of presenting course material *concurrently* in two different modes], or,
(b) an *aggregate* enrolment of 1000 or more students in the 2020-21 academic year,

shall receive or shall have received, a one half-course release, or credit to be taken within the next three academic years." [Emphasis added. Note that overload teaching does not count in either (a) or (b) above.]

4.0 Teaching

- The University affirms its commitment in the U of T Health and Safety Policy to, "where reasonable, ... strive to exceed the legislated requirements by adopting the best practices available to protect

the University community".

- Protections are in place with regard to hybrid or "dual delivery" teaching:
  - the University *will not require* any faculty member or librarian to deliver any one section of a course both remotely and in-person ("dual delivery", i.e., presenting course material *concurrently* in two different modes); and,
  - any additional work associated with teaching multiple sections of a course in different modes of delivery *will count* in the assignment of workload.
- Members' academic freedom in carrying out their teaching activities will be fully respected and no actions will be required that are inconsistent with the academic freedom provisions of Article 5 of the Memorandum of Agreement.

5.0 Course Evaluations

- Any member teaching a course that normally includes in-person classes that could not continue in person due to COVID may determine whether or not the student course evaluations for that course will be considered in any academic review process, including PTR, and *no adverse consequences will flow from a decision not to consider those course evaluations*.
- This applies to on-going interim/probationary, permanent status, probationary, tenure, continuing status and promotion reviews prior to the candidate's completion and submission of their teaching dossier for evaluation.
- Members retain the right to raise the impact of COVID-19 on course evaluations in the context of any appeal or grievance of an interim/probationary, permanent status, probationary, tenure, continuing status, or promotion review.

6.0 "Guideline for Requests for COVID-19-Related Flexibility and/or Accommodation"

- Members may request flexibility and/or formal accommodation and receive supports related to COVID-19 for a variety of reasons including:
  - *"medical circumstances,* including in relation to individuals who are at heightened risk from COVID-19 with whom members cohabitate or for whom members are the primary caregiver;
  - *childcare responsibilities* (including when there exist disruptions to daycares, schools, and camps, or where a child is attending school via online learning); and,
  - *elder-care responsibilities*."
- The University Administration will post and widely communicate the Accommodation Guidelines which outline a variety of provisions to UTFA members. See Article 6 of the COVID LOU to read the detailed Guidelines (located on pp.11-13 of the pdf).

7.0 COVID-19 Expense Reimbursement Fund (the "CERF")

- A one-time only, time-limited, special fund to supplement PERA for the purchase of goods (including, but not limited to, office furniture, microphones, cameras, ring lights, and computers) associated with the shift to remote teaching and professional practice.
- $750, not prorated for part-time members, is available for expenses incurred between March 2020 and December 2021.
- Items already claimed on PERA or grant money will not be eligible for reimbursement via the CERF. As with PERA, goods reimbursed under the CERF are technically the property of the University.
- Claims for reimbursement may be submitted up to March 31, 2022.

8.0 Health Care Spending Accounts (HCSA)

- Members are reminded of the option of using HCSA funds to pay health care premium expenses.

9.0 Vaccinations

- UTFA and U of T Administration both encourage all eligible members to get a COVID-19 vaccine. All are to be permitted to take paid time away from work to obtain their vaccination, whether scheduled or at a mobile clinic. [Please note: The agreed-upon language in this LOU does not reflect UTFA's full Health and Safety position. We will be writing to the membership about vaccinations & health and safety shortly under separate cover.]

This LOU was negotiated by UTFA's Salary, Benefits, Pensions, and Workload bargaining team: Roy Gillis, Mary Alice Guttman, Jun Nogami (co-lead negotiator), Marcin Pęski, David Roberts, Arjumand Siddiqi, Harriet Sonne de Torrens, and Terezia Zorić (co-lead negotiator).

We would be happy to hear your thoughts on this LOU! Email us at faculty@utfa.org.

Sincerely,

Terezia Zorić
UTFA President

Jun Nogami
UTFA Vice-President, Salaries, Benefits, Pensions, and Workload

---

Source URL (modified on Mar 16 2022):https://www.utfa.org/content/utfa-council-ratifies-covid-lou-agreement-reached-administration