The Search for Faculty Power

The History of the University of Toronto Faculty Association 1942–1992

William H. Nelson

Updated with a 2006 preface

The Search for Faculty Power

The Search for Faculty Power

The University of Toronto Faculty Association
1942-1992

William H. Nelson

The University of Toronto Faculty Association
Canadian Scholars' Press
TORONTO, CANADA

Contents

2006 Preface

It seems useful, in reprinting my book on the history of the Faculty Association, to add a brief summary of some of the main events and trends in the association over the fifteen years since I wrote the book.

It requires no insight to see that most of the defining events of faculty relations with the university have been driven, directly or indirectly, by concerns about security—security of tenure, of salary and benefits, of professional status and academic freedom. The early 1990s saw what seemed at the time a grave threat to all these aspects of faculty security. Along with an abatement of inflation, there was in Ontario especially an increasingly grim contraction of public spending on higher education relative to other public spending. The attempt to enforce a "social contract" by Bob Rae's NDP government was a direct attack on collective bargaining, and included threats to jobs, salaries, and pensions in the universities. At the University of Toronto the administration cut jobs sharply among some non-academic staff. Despite various threatening gestures, there were no actual cuts among tenured faculty, though there were in the teaching stream.

One particularly savage attempt at job-cutting occurred in the Faculty of Medicine in November 1991: disregarding established procedures for terminating jobs and, instead, following the advice of a private consultant, a personnel officer in the Faculty of Medicine persuaded the Dean

results of her research led her to conclude the drug in question was ineffective and possibly harmful, she published her conclusions and found herself under attack from the drug company and the hospital administration. Olivieri was fired as head of her research program and sued by Apotex, the drug company. She, along with several of her co-workers, appealed to UTFA for support.

The position of clinical staff in the hospitals who also hold university titles has never been entirely clear. UTFA does not negotiate their salary and benefits or represent their interests generally. They are rarely members of UTFA, though some have been over the years. But they do hold university titles—Olivieri was a full professor—and they have a common interest with regular university faculty in the freedom to do unhindered research and publish its results. The Faculty Association agreed to represent Olivieri, not anticipating that her appeal would go on for five years, from 1997 to 2002, and threaten to bankrupt the association.

The Olivieri case was complex and studded with extraneous issues. Faculty support for UTFA's representation of Olivieri was not unanimous, and weakened somewhat as the years drew on. It was argued that she and her co-grievors should seek the support of other clinicians in the hospitals rather than UTFA's (there was, and is, no effective negotiating body representing medical clinicians). Doubts were raised about Olivieri's research, and she was subjected to various forms of harassment, ranging from denial of hospital facilities to attacks on her and her colleagues in anonymous letters. The relationship between the university and the teaching hospitals was not straightforward. There were entangling complications, such as the university's expectation of a major donation from Apotex. A mediated settlement of the case reached early in 1999 fell apart after further hospital harassment of Olivieri and her supporters. With remorselessly rising legal expenses and dwindling funds, UTFA sought support from CAUT and received it unstintingly, including a $200,000 grant to apply to lawyers' bills.

As time went on, the Faculty Association came under pressure from some of its members to drop its support of Olivieri, or, perhaps, accept a cosmetic settlement that would amount to the same thing. But even as UTFA was feeling the strain of this case, so were the hospital and university administrations. The Olivieri appeal was drawing national and,

revenue and expenditures had both risen to about a million dollars, and reserves had climbed to not much less than that. Then, however, the association began having money troubles. Reserves fell by half in three years. Office expenses, mainly staff salaries, had risen sharply, as had legal and other expenses associated with salary and benefit negotiations.

Suzie Scott, UTFA's Executive Director, had routinely made recommendations on staff salaries and other expenses to the UTFA Executive, and these had usually been approved without change. But in 1994 the new Treasurer, Andrew Oliver, challenged Scott's recommendations, and in 1995, Oliver, now Salary and Benefits Chair, continued his criticisms. Scott vigorously defended her proposals. Most of the executive supported Oliver, but a couple of members and the new president, Peter Boulton, supported Scott. While the president and executive attempted to find a solution, without making the dispute public, the council, angry at not being consulted, lost confidence in both Boulton and his executive. Boulton had been acclaimed for a second term, but decided to resign at the end of his first year. A summer election was held with two former presidents as candidates: Fred Wilson, perceived as supporting Suzie Scott, and Bill Graham, seen as the candidate of the majority of the executive. Graham won and went on to serve as president for five years, until 2000. Suzie Scott eventually returned to private law practice.

By raising dues and cutting expenses, the association managed to stabilize its finances for three or four years until the costs of the Olivieri case drained away the last of its reserves. By 2001, with no reserves, UTFA was nominally a quarter of a million dollars in debt, though already anticipating the substantial improvement that came in the following year with the university's half-million-dollar payment as part of the Olivieri settlement. And the years after that, 2003 to the present, have seen a dramatic rise in income so that reserves now are about two million dollars, and dues have been reduced from a high of 0.9% of annual salary to 0.75%. This change is the result of a dues checkoff recommended by a panel chaired by Alan Gold in 1997; the panel was set up as a part of a salary and benefits settlement mediated by Gold, and it was largely his skill and effort that persuaded the university to accept the Rand formula and agree to withhold UTFA dues from new faculty members. This award recognizes that the cost of achieving common benefits must be shared by all who

the university made no contribution to the pension fund, allowing some nine-hundred million dollars to be diverted to general purposes. While legal, this was imprudent; the money should have been put in a trust fund to be available when, as happened after 2000, the surplus rapidly disappeared, to be replaced by a massive actuarial deficit.

One effect of the stock boom of the late '90s was that, for a few years, defined contribution pension plans, nearly universal in the United States, seemed far superior to defined benefit plans such as the University of Toronto's. While Toronto faculty could look forward to retiring with 60 or 70 per cent of salary, many faculty in defined contribution plans were retiring with pensions equal to or greater than their salaries. A number of people active in UTFA argued vigorously for a defined contribution plan to be available at Toronto. With the fall in stock investment values after 2000, however, defined contribution plans lost much of their lustre. Many retired faculty with such plans saw their pensions fall by half or even more, and now the advocates of defined contribution seem to be mainly employers.

When the actuarial surplus was at its highest, some seven-hundred million dollars, a number of retired faculty members, believing that neither UTFA nor the university had acted sufficiently in their interest, got together to form RALUT (Retired Academics and Librarians at the University of Toronto). This was early in 2001, and the first president and principal spokesman of the group was Peter Russell, a distinguished recently retired member of the Political Science Department. RALUT's main focus was on pensions, and some of its members were persuaded that retired faculty had a legal claim to a major part of the pension surplus. The legal basis for this claim was never strong, and the surplus itself was merely a forecast, about to be drastically changed.

It was unfortunate that some of the organizers of RALUT chose to regard the Faculty Association as an antagonist, even threatening to sue UTFA for failure to represent their interests. And it was unrealistic to expect the university administration to negotiate directly with retired faculty. The administration's attitude was encapsulated in the remark of one senior Simcoe Hall functionary: "these people don't work here anymore." RALUT did succeed in focusing both the university administration and UTFA's attention on the problems of retired members, however,

dum. And, of course, if a determined administration violates terms of the memorandum, UTFA may not take its case to the Ontario Labour Relations Board.

The Faculty Association has internal weaknesses: for many years its most active and, indeed, most useful members have come disproportionately from marginal groups, such as non-tenured members and former grievors. Less and less over the decades have established senior faculty taken an active part in UTFA affairs. Even the Annual General Meeting has been unable to entice more than a handful of members to attend. In six years of the past sixteen, including this year of 2006, the AGM has not had a quorum. Partly because of its narrow base of active members, the association's officers have tended to serve longer and longer terms. Bill Graham was president for seven years. A number of executive members have served a decade or more. This longevity of office, while threatening atrophy, does provide some strength of experience. And to expect a return to the days of Brough Macpherson and Bora Laskin is to ignore the fragmented, hurried, uncollegial university world of today.

The Faculty Association has two outstanding strengths: one arises from a major weakness in the governance of the university. Without a university senate or other truly representative body, the faculty relies, in times of trouble, on the Faculty Association as a defender of academic freedom, of decent employment practices, of university values generally. Its other strength lies in the quality of the people who have served and are serving the association, not all, incidentally within the university. For thirty years Jeffrey Sack has, always cogently and often brilliantly, negotiated for UTFA and, along with his colleague, Michael Mitchell, argued for faculty interests all the way from university tribunals to the Supreme Court of Canada.

To list those who have served their colleagues well on the executive, the council, committees, or in the UTFA office, would require more space than is available here. One must, however, remember two loyal servants of the association: Al Miller, a colleague from engineering, sometimes opinionated, often original, always honest, who died suddenly at the beginning of a meeting of the Executive Committee in April 1998. And Frank Madden, Director of Administration in the UTFA office, who died in March 2003, after fifteen years with the association. Even-

Preface

In the fall of 1990 I spoke to a Faculty Association group, mainly of Council members, on the history of the Association. Afterwards, several people urged me to put something in writing on this subject. I decided to do so, originally intending only to expand a little the points I had made in my talk. In order to do this, I felt I should look at some of the records on file in the Faculty Association office. As I delved into these materials, I began to realize how complex the Association's history was, how fragmentary its records were, how fragile its links with its past were becoming. Eventually I decided to attempt a much more substantial and general account than I had in mind at first. What follows is the result.

This kind of history is still new, and I found little to guide me in the way of other such accounts. It is a kind of institutional history that undoubtedly will develop rapidly in years ahead. It shares some of the characteristics of both university and trade union histories, but is quite different from either. For my written sources, I relied primarily on the records kept by the Faculty Association, and on materials available in the University of Toronto Archives. The UTFA (University of Toronto Faculty Association) records are mainly Minutes of the Executive Committee and some standing committees, Council Minutes, Minutes of Annual and other General Meetings, files of the

of the central roles they played as UTFA Presidents, in the 1970s and 1980s. Art Kruger's views were helpful, especially as he was active both in UTFA and in the University administration. Stan Schiff provided a special perspective as a long-time member of the UTFA Council.

The views of a few people other than those active in the Faculty Association were useful. Both Art Kruger and Milton Israel gave me some sense of the University administration's point-of-view in the negotiations leading to the Memorandum of Agreement. Ernest Sirluck's recollections of various crises in relations between the University administration and the Faculty Association were important. Bob Rae was able to answer some questions I had about the work of the Commission on University Government in 1969. Michiel Horn at York University generously shared with me some of the conclusions he had come to in his forthcoming study of university government in Canada; these were especially useful in clarifying faculty attitudes towards a dominant faculty role in university government in the 1960s, as well as in providing a basis for comparing Toronto attitudes on a number of matters with those elsewhere in the country.

Except as qualified from time to time, the terms "faculty" and "faculty member" in this work refer to people who do not hold administrative positions in the University other than that of department chair. Excluded, that is, are those who are excluded from faculty association membership in certified faculty unions. Most academic administrators, of course, at Toronto and elsewhere, value their professorial status and often resent not being seen as representatives of faculty opinion. Yet the reasons for denying their legitimacy as such representatives are compelling: they do not hold their administrative positions as faculty spokesmen, but as servants of the University, and if they bring faculty attitudes to their work, these must be subordinated, in case of conflict, to their primary institutional loyalty. If the faculty status of academic administrators ensured a faculty-run uni-

The Faculty Association commissioned this work, but the opinions in it are mine alone. I must also accept responsibility for its errors—errors of judgment which may be serious, but I hope not numerous; and errors of fact which may be numerous, but I hope not serious.

W.H. Nelson
University of Toronto

Chapter One

Early Days

Until 1954 the faculty association at the University of Toronto called itself "The Committee to Represent the Teaching Staff." A few old-timers faintly recall 1938 as the year it came into being, although its earliest surviving records seem to be for 1942. Certainly, while preceding by a few years similar faculty organizations at most Canadian universities, the Toronto organization is late by the standards of American universities or even by comparison with that at the University of British Columbia, which was formed in 1920 and was vigorous in pressing salary demands for a few years before subsiding in the 1930s into mere sociability.

The teaching staff at Toronto was not well-situated to organize in pursuit of common interests. Though large by the standards of the time, it was disparately distributed among the four old colleges, the Faculty of Arts and Science, and well over a dozen professional schools. Along with its horizontal division, the staff was sharply divided vertically by the academic hierarchy of the day. Indeed the Committee to Represent the Teaching Staff reflects these divisions: while its early organization and activities were notably casual in most respects, its representative character was precisely defined (though changed somewhat from time to time); in 1948, for example, the Committee had fourteen members representing ten constituencies—four from Arts and Science, one from each of the colleges, two from Medicine, four from the remaining professional faculties. As well, the hierarchical character of the staff was reflected in the seniority of

It was the severity of postwar inflation that pushed the CRTS into cautious concern with salaries. The Annual Meeting in 1949 discussed the problem of inadequate salaries, especially for younger members of staff, and the Committee raised this question in a letter to Sidney Smith, the President of the University, in March of 1950. Specifically the Committee requested a raise in the salary scale for lecturers and assistant professors. In September Smith reported that the Finance Committee of the Board of Governors had asked him to make a definite proposal for a raise in the salary scale. In the months that followed there was some general discussion in Toronto of the plight of underpaid professors. The press sympathetically reported a resolution of students at University College offering to forego some of their own benefits so that their professors could be given pay increases. The *Globe and Mail* quoted President Smith's endorsement of the spirit of this offer and his assurance that the Board of Governors had been studying ways and means of raising salaries, though, he added, "we are not sure where the money is coming from."

In earlier years salaries had not been a major issue for several reasons: one was the habit of deference to authority, combined with an assumption of the general goodwill of those in authority. Another may have been a kind of professional academic reluctance to show excessive concern for money. Most important probably was the relative adequacy of academic salaries until the late 1940s. At Toronto, as at many other universities, academic salaries had been fairly stable between the wars. This meant, of course, that in the severely deflationary years of the 1930s the purchasing power of professors' salaries actually rose. A full professor in Toronto in the late 1930s could buy a substantial middle-class house in Rosedale with a year's salary; a similar house now would require perhaps eight years' salary. Or, if local changes in the cost of housing represent too extreme an example, a full professor could, in 1939, buy a new car in a middle price range

Board of Governors and his colleagues," he wrote Wilson, "were greatly impressed by the fairness and yet the pointedness of the remarks of yourself and your colleagues." A few weeks later Smith announced a new salary scale, raising floors 40% for lecturers, down to 12% for full professors. It was a substantial increase, averaging over 20%, though it did not, of course, make up the 35% loss in purchasing power in the postwar years.

Faculty satisfaction at this salary increase did not last long. As a result of the Korean War, the rate of inflation rose in 1951 so that by the time of the Annual Meeting in November the cost of living was up 50% over 1946, a rise less than half of which was covered by the new salary rates. While the Meeting endorsed a resolution thanking the President and the Board for their attempt ("generous" was deleted from a first draft) to compensate staff for the effects of inflation, it called for a revision of salary scales until they were "at least equivalent in purchasing power to those of 1946."

In the spring of 1952 the Committee sent the President a series of tables and graphs showing the deterioration of faculty salaries in relation to the cost-of-living as well as in comparison with the income of other people in the work force. Thus, while university salaries fell further and further behind the rise in cost-of-living, most other wage earners, professional and non-professional, had increased their earnings more than the rise in prices. This graphic illustration of professorial decline represented the first of what was to be a series of similar statistical lamentations over the next forty years, unbroken until now. Like most such complaints that were to follow, it produced less than hoped-for results. One senses indeed a slight cooling in Sidney Smith's attitude to the CRTS; he did not repeat the experimental meeting with members of the Board of Governors. He did, it is true, address the Annual Meeting of staff in November, 1952, beginning what was to be for most of the next two decades an annual presidential appearance. And in February, 1953 he announced a new salary scale which,

government employees and teachers. Even the favourable comparisons with American academic salaries are open to doubt, as a rather angry letter from Professor Adrian Brook to the ATS Chairman in March, 1960 makes clear.

With the possible exception of the initial campaign in 1950-51, the early efforts of the faculty association to influence salaries do not seem to have had much effect. The Board of Governors took other considerations more seriously—money available from the Provincial government and from endowments, income from tuition, special costs, and salary settlements elsewhere. As faculty salary submissions became an annual litany, it became that much easier, having ignored them one year, to do so again the next. Perhaps the most significant effect of regular faculty concern with salaries was gradually to sharpen and harden a sense of grievance as well as impotence, especially among younger members of staff.

Faculty organization at Toronto changed considerably during the 1950s and the major impetus for change came from outside, from the formation in 1951 of the Canadian Association of University Teachers (CAUT). The proposal for a national faculty association had come originally from the local association in Alberta in 1948. At the meetings of the Learned Societies in Kingston in 1950, at the instigation of a group from Alberta supported by some colleagues from Queen's, an organizing committee was set up and proposals for a constitution for a national body discussed. The organizers expected such an association to be based on individual membership like the American Association of University Professors (the AAUP, which already had some Canadian members). Toronto was represented at the Kingston discussions by Jim Conacher, who obtained the tentative support of the CRTS for such a national body. In June, 1951 at McGill the CAUT was formally launched, though its constitution was not finally adopted until the following year.

questionnaire results really settled the argument, and in the spring of 1954 a constitution was drafted for the Association of the Teaching Staff, and adopted by the CRTS which dissolved itself, though most of its members simply became members of the Executive of the new body.

The first Annual Meeting of the ATS was on the first of December, 1954. Its highlight was an address by Sidney Smith who, as President of the University, gave his blessing to the new faculty association, noting that an association had a more permanent sound than a mere committee. He recalled his pleasant dealings with the CRTS: "In all my talks with the members of your executive, I have never once sensed the attitude of a bargaining agency"; rather, he continued (out of sight of land), we were "all in the same boat, rowing together, taking soundings, and charting our course." Smith avoided discussion of salaries, but did promise to consult the ATS about pension policy, and suggested that sixty-five was too low a retirement age. Later the meeting adopted a motion by Brough Macpherson that the ATS apply for group membership in the CAUT.

Although the association at Toronto has undergone some fairly substantial changes, the ATS of 1954 is recognizably the same body as the present University of Toronto Faculty Association (UTFA). The name was changed in 1972, and there have been a number of constitutional changes since, notably in 1976. But from 1954 Toronto has had a faculty association with a defined, dues-paying membership, and a constitution vesting power in an elected council as directed by an Annual Meeting or other general meetings. The name, though not the shape or functions of what is now the UTFA Council, is confusing before the mid-1960s; it was originally called the "Executive Committee" in the 1954 constitution of the ATS, and this committee was the successor of the old committee—the CRTS.

It was not until 1963 that the "Executive Committee" became the Council. However called, the Council has always been a body of

largest annual expense other than for mailing was $15 for the annual Remembrance Day wreath. In 1959, incidentally, perhaps faintly foretelling a change in attitudes, the Chairman confessed the ATS had been unrepresented at the Memorial Services at Hart House, the Registrar having neglected to inform the association of this event.

Partly in consequence of having virtually no money, the Association of the 1950s and 1960s relied entirely on those unpaid volunteers who made up the Executive—the Chairman, the Vice-Chairman, the Secretary, and the Treasurer. To these should be added the chairmen and members of the standing committees: through the 1950s and early 1960s there were three of these—Salary, Pension, and Policy committees. Meetings varied in frequency; committees often met monthly; the Council had six or eight meetings a year; from 1959 on, following a proposal by Jim Conacher, there was a Spring as well as an annual Fall general meeting of the ATS. The Association had no office of its own; its headquarters in a given year were in the Secretary's University office. As early as 1963, Bora Laskin, who was then Chairman, asked the University to provide office space for the ATS, but received no reply.

By the mid-1960s the increasing business of the Association was beginning to put a particular burden, not yet on the Chairman, but on the Secretary, who kept minutes and handled correspondence and mailings. In 1965 there was some discussion of released time for the Secretary. Then in 1967 the Association hired its first regular employee; this was Mrs. Geraldine Sandquist who was to be the Association's sole employee, always part-time, for the next nine years. In the spring of 1959 the Association had bought a filing case—putting off to that fall the more momentous purchase of a typewriter. For some years this modest equipment moved from one secretary's office to the next. When Gerry Sandquist started work, George Duff who was then Chairman was able to find her a little office in the Mathematics Department which served as the Association headquarters until 1969

or were to be, University administrators like F.E.W. Wetmore in Chemistry. The dominance in the Association of natural scientists extended to the Executive as well. In 1957-58, for example, all four representatives from Arts and Science were from Science departments. Some of the departments these men came from, incidentally, have in more recent times often been noticeably hostile to faculty militance. Zoology, for example, for some years had the lowest proportion of UTFA members of any Arts and Science department, and Chemistry has been a predictable centre of opposition to many UTFA actions; yet in the 1950s these were among the most active centres of faculty association activity in the University.

There were, to be sure, among the old Chairmen of the Association some truly eminent scholars—Tuzo Wilson (although he was also very much part of the University scientists' establishment), Bora Laskin in Law, and Brough Macpherson in political science. But it seems likely their roles in the faculty association were determined more by their University standing than by their scholarly standing. There seem to have been several reasons for the prominence of established senior men in the old faculty association. First, it was a hierarchical University, in which junior or unknown members of the teaching staff could not carry much weight. The faculty association as an organization had no power at all—no collective agreement, no regular procedures for discussion, no negotiations. Its only hope of affecting University policy was through the personal influence, mediation perhaps, of senior professors. Finally, senior professors themselves appear often to have had some sense of obligation towards their weaker and younger colleagues, this of course, another aspect of the vanished paternalism of the day.

The old faculty association was also, as one would expect, very much a man's world. It is not that women had no role, but that their role was circumscribed by the same conventions that limited their role in the University. For a good many years, the years when the Associa-

through the 1950s and 1960s to do this was simply unthinkable, unprofessional. There is, to be sure, a slow but perceptible decline in deference in these years. When, in the spring of 1955, President Sidney Smith invited the ATS Executive to dinner, one member demurred, saying "it should be an individual payment dinner." This tiny flicker of independence was clearly regarded by the rest of the Executive as eccentric, but, within a decade the ATS was beginning to distance itself from the President's offers of hospitality.

Similarly the tone of Association overtures to and responses from the University administration began to change in the early 1960s. By 1961 the complacence of Toronto faculty about their salaries had faded again; salaries were "no longer adequate" especially when an Annual Meeting that year was told that while Toronto salaries averaged $8900, the average at Harvard was $13,800. When Howard Rapson, a genial chemical engineer and invariable friend of the University administration, moved that the Association express appreciation for recent salary increases, his motion was defeated. The Spring Meeting in 1963 did pass a motion of appreciation to the President and Board of Governors for the improved salary scale (a 7% increase for 1963-64), but only after accepting by nearly two-to-one an amendment expressing "its disappointment with the slightness of the increase."

It is easy now to be impatient with what appears to be the caution, the timidity, the obsequiousness of faculty attitudes a generation ago. Partly, of course, this is simply a matter of changed conventions of language and behaviour. We now observe a set of conventions of language in regard to women, to race, to culture, to youth and age and established authority which are as precise and often as meaningless as the different conventions of a generation past. Those conventions tended to show respect for authority, for seniority, for ceremony, for corporate tradition and order. Our conventions now pay lip-service, at least, to freedom, individualism, and, above all, to social equality.

Chapter Two

University Government—Faculty Power

University government became the overriding preoccupation of the Toronto faculty association during the 1960s. The prospect of faculty participation in running the University had not been seriously considered before 1960, and ceased to be a practical concern after 1971. But for a time during the 1960s a major faculty role in University government seemed to offer a way of transcending the traditional limits on faculty influence at Toronto while, at the same time, avoiding the prospect of a mere employee-employer relationship between faculty and the University.

Many Toronto faculty members knew, of course, that professors in English and Australian universities as well as in some of the great American universities took part in governing their institutions. But this was not a Canadian tradition and at Toronto, especially, habitual conservatism as well as the complexity of the relationship among the colleges, the Faculty of Arts and Science, and the professional faculties, had discouraged reform. The long-established practice by which faculty members dominated academic decision-making while the President and the Board of Governors handled University finances had seemed to work, at least until the late 1950s. What changed in the 1960s was, first and most important, the massive expansion of the University. The size of the faculty and the student body was to double in a few years with a much larger proportionate increase in the num-

of the University. Whatever his weaknesses on the national political scene, Smith had been a successful University politician. He not only knew who everyone was, he knew what everyone wanted. He was ebullient, disarmingly folksy, reassuring, encouraging, liberal and expansive in manner. He was also platitudinous, superficial and often devious. His apparent agreement with faculty concerns, either individual or collective, was nicely balanced by a convenient memory. Bissell recalls a friend's comment that Smith was "not nearly so amiable as he appears to be." Nevertheless, he was popular, and a few months after his departure to Ottawa, the faculty association brought him back for a daylong tribute.

Bissell was, in manner and temperament, as different from Sidney Smith as could easily be imagined. While Smith was bluff and outgoing, Bissell was shy and somewhat introspective, never much at ease with people he did not know well and like. He enjoyed private merriment and was witty with intimates, but never mastered the political art of appearing to enjoy himself when he did not. Most older faculty members at Toronto now recall Bissell with high regard. For one thing, in the markedly unprofessorial procession of Toronto presidents over the past sixty years—an Anglican cleric, a lawyer-politician, two medical research-administrators, an electrical engineer and, finally, another lawyer—Bissell stands out as an Arts and College man, a humanist. It is true, of course, that as President, Bissell was more at ease with the professional faculties and their affairs than with the Faculty of Arts and Science. But it is probably more a sign of than a reproach to his humanism that he found the minutiae of Arts and Science Faculty Council business—curricular prescription and the academic standing of students—boring.

It is the conventional wisdom of most of those at Toronto who remember the Bissell years that he was a successful, some would say a luminously successful, President during his first nine years in office until he went to Harvard for a year in 1967-68 as the first Mackenzie

ing life Bissell was an administrator rather than scholar or teacher. Inevitably he was most sympathetic to two kinds of professor—the pure scholar, and the academic administrator. For members of the faculty association who took an adversarial attitude towards the University administration he had little sympathy. Fortunately for him, the faculty association during most of his presidency shared his view of a general identity of interest between faculty and administration. Indeed, the faculty association's interest in a faculty role in University government reflected this cooperative attitude, as did Bissell's support for such a role.

A few in the faculty association had been vaguely interested in a role in university government for years. At a meeting of the ATS Executive in 1955, Ken Fisher, then Chairman, asked rhetorically "whether it would be at all feasible in the future to think of one of the Executive being on the Board of Governors." Fisher went on to point out "that the President really appreciates the work of the Association." The wistful linking of an ambition to share modestly in the rule of the University with a claim to Presidential approval is revealing. For the most part, however, the ATS in the late 1950s was not much interested either in University government or in issues of academic freedom. It was the CAUT's response to the Crowe case at United College which joined these two subjects and gradually brought both to the grudging attention of the Toronto Association.

As mentioned earlier, the ATS had been organized in 1954 partly, at least, in an attempt to control and limit CAUT activities at Toronto. The original suspicion of Toronto faculty towards the CAUT continued. From 1955 on CAUT activists had been committed to establishing a national office and probably having a permanent secretary. The Toronto association opposed this. In 1957, for example, W.G. Raymore, a past Chairman, wrote the new ATS Chairman, C.R. Myers, asking of CAUT, "What will a full-time secretary have to do to keep him busy? Why does CAUT need a National office? What is

concluded that the Board of Regents had dismissed Crowe without reasons and without a hearing. The Board's action constituted "an unjust and unwarranted invasion of the security of academic tenure." Crowe's only crime, the Fowke-Laskin Committee concluded, was that he "was not sufficiently complaisant, not servile enough in thought and attitude to his administrative superiors."

The Crowe case and, especially, the Fowke-Laskin Committee's report quickly became a matter of national interest. The press, and probably the public as well, was divided on the issues the case raised. On the one hand, conservatives were uneasy at the lack of deference to authority that Crowe and those colleagues who supported him had shown. But, on the other hand, the strident anti-intellectualism and complacent arrogance of the businessmen who dominated the Board of Regents at United College did raise questions even among some conservatives about the suitability of businessmen as university overseers. And Principal Lockhart's vacillations and devious self-importance did little to reassure the public about the effectiveness of internal university management. Within the academic community in Canada sentiment among younger faculty, especially Arts faculty, was overwhelmingly in support of Crowe and the CAUT. Among university administrators and senior faculty, especially in the professional faculties, some had reservations about Crowe, but hardly any supported the United College Board or Principal.

At Toronto there was considerable faculty support for Crowe and his like-minded colleagues, led by the History Department. But the faculty association was nervously cautious. When the CAUT appointed the Fowke-Laskin Committee, the ATS Chairman, still C.R. Myers, wrote to Clarence Barber at Manitoba, the President of CAUT, complaining that CAUT's action might damage its appearance of impartiality and discretion. Early in 1959 the CAUT circulated a questionnaire on academic freedom to local faculty associations throughout the country. Dick Saunders, who was Chair-

executive was in error in appointing a person who was so closely linked with the controversy at United College."

At the Spring General Meeting in 1959 there was considerable objection to a strong CAUT supporter, Jim Eayrs, even reporting to the Meeting on matters connected with the Crowe case. Later in the year the ATS Executive voted down a proposal from CAUT to solicit voluntary contributions from members to help reimburse people who had paid their own expenses in support of CAUT's investigation into the Crowe case. At a November meeting, after setting the date of the Annual Meeting "at the convenience of the President to attend," the Executive rejected a CAUT proposal for the adoption of a detailed statement of principles concerning academic freedom and tenure like that which the AAUP had had in place for many years. At Toronto, the Executive concluded, "no explicit definition of 'academic freedom and tenure' was appropriate." Finally, in January 1960 the Executive shelved a motion to invite Stewart Reid to the Spring Meeting.

The controversy over the Crowe case died down in 1960 and, rather suddenly and quietly, the Toronto Association began to move towards the CAUT position. A "University Government" sub-committee of the Policy Committee was set up and later made into a standing committee of the Association. Within a year or so a new group began to dominate the ATS. In this group were people like Brough Macpherson and Jim Conacher who had supported the CAUT for years, along with people who had not hitherto been prominent in association activities, such as Jim Eayrs, Larry Lynch, and Bora Laskin. Except for Laskin, these new ATS activists were from Arts departments—Macpherson and Eayrs from Political Economy, Conacher from History, Lynch from Philosophy. And, in the early 1960s, the senior professors from the natural sciences who had dominated the faculty association since the War began to fade from the scene.

advice of any committee. He objected also to any limitation on the length of administrative terms of office.

The faculty association's commitment to the reforms first advocated in Lynch's 1960 Report had been strengthened, however, by an ATS poll of the whole faculty released early in 1963. This showed 90% of the faculty supported the proposal for faculty representation on the Board of Governors, and 80% supported a formal faculty role in choosing presidents, deans, and chairmen. With no prospect, for the moment, of representation on the Board, the ATS concentrated on the other question. In a meeting with Bissell in September, 1964, Jim Conacher pressed him for action, and in November Bissell yielded. He set up an advisory committee, chaired by R.E. Haist, a physiologist in the Medical Faculty, to consider new procedures in making academic appointments and in defining tenure, as well as procedures for appointing chairmen, deans, and directors.

Of the twelve members of the Haist Committee, only Conacher had been active in the faculty association's work on university government reform, but the Committee accepted his guidance, and the Haist Rules that finally emerged in 1967 from the Committee's work substantially embodied faculty association proposals. Tenure was now to be recommended by faculty-dominated committees. "Heads" became "Chairmen," and were to be selected for (renewable) five-year terms by committees, a majority of whose members would be faculty members not themselves in administration. And deans were to be selected by a similar process. The Haist Rules, though modified since—student members, for example, were added to the selection committees for deans in 1971—still determine the basic process of making academic appointments at Toronto. Indeed, the Haist Rules represented the faculty association's one major success in the 1960s in gaining a serious role for faculty in the internal management of the University.

whether there might not be a Canadian solution to the problems of running Canadian universities, a system of "pragmatic and tempered absolutism" that would reflect the "Canadian emphasis on directness and decisiveness." By the time the Duff-Berdahl Report was released, Bissell had decided that what Toronto, at least, needed was not a reformed Board of Governors and a reformed Senate, but a new representative, unitary body combining the financial powers of the Board with the academic responsibilities of the Senate.

The idea of a unicameral university governing body was considerably discussed in a number of Canadian universities in the late 1960s and, indeed, tentatively adopted in reforms proposed at the University of Waterloo. Waterloo eventually abandoned the project for unitary government, and only at Toronto was it eventually implemented. To be fair to Bissell and to those who supported his proposal for unitary government in the university, his concept was more sophisticated and complex than the naked unicameralism that developed out of it. It seems likely that Bissell's views were reinforced by his experience with an advisory body which he created in 1965, partly in response to faculty association pressure for a greater faculty role in university government. This was the President's Council, wholly advisory to the President and with no statutory power, whose members were drawn from the Board of Governors, the University administration and the faculty.

Despite its informal character, the President's Council carried great weight. It freely discussed matters which cut across the traditional division between the Board of Governors' supervision of finances and the Senate's control of academic policy—largely matters arising from the rate of University expansion, such as the ramifications, academic and financial, of new faculty appointments, and the ever closer relations with government. Bissell invited the faculty association to supervise elections for the five (later raised to seven) faculty representatives on the President's Council, and several ATS activists,

1966 the President's Council approved in principle faculty representation on the Board.

By this time even the Tory Toronto *Telegram* was able to approve the presence of faculty observers on the Board of Governors, noting patronizingly that there were many faculty members, especially senior administrators, "who could perform just as capably on their university's board of governors, as some of the governors from business themselves." It seemed as if a major role for faculty members in the governance of the University was imminent.

At this point, however, the rise of a radical and ambitious movement for student power complicated the question of university government reform. Within two years, from 1966 to 1968, the radical student movement at Toronto became a formidable force. Bissell had had a few skirmishes with student leaders before going off to Harvard for the 1967-68 academic year, but had felt he could contain and divert student protest without bringing students into the management of the University. While at Harvard he changed his mind, to a considerable degree because of the terrifying student riots at Columbia University in the spring of 1968.

To a university president the most frightening thing about the affair at Columbia was the final aimlessness and helplessness of the administration after its initial insensitivity had alienated most of the student body and many members of the academic staff. Bissell was determined to prevent the Columbia syndrome from developing at Toronto. He thought he could drive a wedge between student "radicals" and those he called "revolutionaries" by involving the former in the reform of the University's governance and by inviting student leaders to take a major role in the structures that reform was to create.

While Bissell was at Harvard, the President's Council had endorsed the establishment of a commission to recommend changes in the government of the University, and as soon as he returned, in June, 1968, Bissell persuaded the Board of Governors to approve such a

Bissell dropped the idea of trying to work closely with the ATS on university government, though he was concerned about the young, recently arrived Americans on the teaching staff and their closeness in outlook to the student radicals. On the whole, however, he thought he could rely on faculty support. The ATS Executive had approved his formula for representation on a University Government Commission, and its approval by a Special General Meeting of the faculty association called for October 3, 1968 seemed only a formality.

Chapter Three

University Government—Faculty Failure

The faculty association at Toronto has never, before or since, over so long a time, been as active, as busy, as engaged, as it was during the year-and-a-half from October, 1968 to the end of March, 1970. There were, during this time, eleven general meetings of the ATS. They were variously attended, but most were full of excitement and a sense of important matters hanging in the balance. The sheer number of meetings had no precedent and has had no sequel. There were as many in this year-and-a-half as in nearly the whole preceding, or the whole subsequent, decade. Most of the questions raised at most of these meetings went unresolved; many now seem irrelevant. But the first and last of these eleven meetings were noteworthy. The decisions taken at them were, in respect to the long-term interest of the Toronto faculty, disastrous. Their effects can still be felt.

Bissell had not intended to go to the meeting at which his formula for representation on a University Government Commission was to be presented for approval. He had taken its approval for granted, but "some vague forebodings" made him change his mind. He found the meeting, in the over-varnished, airless sterility of Cody Hall, hostile from the beginning. He described to the meeting his formula for representation: four faculty members, one of them an academic administrator; four students; two members of the Board of Governors;

numbered only about 150, out of a faculty of 1,500, but there is little evidence that a larger meeting would have voted differently. As Bissell himself had noted, the composition, as well as the mood, of the faculty and of the faculty association was quite different in 1968 from that of a few years earlier. The cooperative faculty leaders interested in University government who had taken over direction of the faculty association in 1960 were now themselves becoming senior members of the staff, a little out of touch, some of them, with the outlook of many of the younger faculty members hired during the 1960s.

People like Larry Lynch, Brough Macpherson and Jim Conacher had come to the University before or shortly after the War, but half the faculty of 1968 had come, many of them straight out of American graduate schools, in the preceding half-dozen years. The University they had come to was, compared with the University before 1960, large, impersonal, chaotically expanding, often inefficiently administered. Salaries at Toronto in the 1960s had not kept up with those at many other North American universities, let alone those in other professions. Political divisions in society-at-large in the late 1960s were far sharper than they had been earlier, and, in contrast to most Toronto faculty in earlier times, many of the younger staff held political opinions firmly on the left. Some of them, at least, made little distinction between the University administration and the Board of Governors, seeing both as antagonists; and, for a moment, the notion of solidarity with student radicals was appealing.

The Board of Governors did not accept the legitimacy of the proposed Commission on University Government, regarding it only as a staff-student committee. Some Governors wished the Board to establish its own commission, but finally the Board simply stood somewhat sullenly aside and even agreed to appoint two members to serve as "observers" on the Commission. Staff and student members, four each, were duly elected to serve on the Commission, the faculty members by broad constituencies which ensured that two of the four

had wrecked computer installations, destroyed records and damaged other University property. In April, the administration building at Harvard was occupied by protesters, some of whom were injured by the police attack that cleared the building. And at Cornell black activists seized the students' union and were eventually shown on the continent's television screens filing out in improvised uniforms, some carrying rifles.

Among the many decayed institutions at Toronto was the University disciplinary body, the Caput, composed of senior administrators and long disused. Bissell had established a committee chaired by Ralph Campbell, an agricultural economist, later to be President of the University of Manitoba, to recommend new disciplinary procedures; the Campbell Report when it was released early in the fall was vague, confused, and placatory on the subject of disruptions and demonstrations, and alarmed rather than reassured faculty members and others concerned about peace and order on campus.

As the language of the radical student leaders became more aggressive and rigid in its conventions, the momentary feelings of solidarity which many merely liberal faculty members had entertained towards student activists took flight. The few faculty members who joined in the shrill, or sour, or heavy Marxist sloganeering of the student left contributed to the growing hostility of most of their colleagues to student demands. Later it became clear that what was happening was only a mild and local reflection of a massive reaction against student revolutionists all over the western world. Indeed, the far left was about to be driven from the field in the wider society as well.

The Report of the Commission on University Government was released early in October, 1969. It was the result of nearly eight months of, sometimes, intense work. It was written almost entirely by Bob Rae and Larry Lynch, who had also dominated the Commission's deliberations. Bissell, still stung by the student-faculty rejection of his formula for representation, took little part in discussion, though he

ulty members, or, in the case of a few, believed still in the promise of staff-student cooperation.

It was the CUG Report that led to my first involvement in the faculty association. I had not even been a member of the ATS, having had no interest in a faculty role in governing the University, the issue that seemed to dominate the Association's activities during the 1960s. But I did take an active part, first in the History Department's resistance to the CUG recommendations for staff-student parity in departmental affairs, and then in the fight over the Report that took place in the Council of the Faculty of Arts and Science. Some colleagues in the Political Economy Department, particularly Steve Dupré and Art Kruger, had brought several of us together to plan a response in the Faculty Council to the CUG recommendations. John Rist, from the Classics Department, and I agreed to present a number of motions to the Council rejecting staff-student parity.

Rist was a somewhat combative Englishman notably lacking in deference towards the University administration. It may be that he from a British background and I from an American, found it easier than some of our Canadian colleagues whose whole careers had been at Toronto to oppose forthrightly the temporizing measures of the University administration towards student demands. In any event, Rist and I worked closely together through a series of meetings of the Arts and Science Council where staff-student equality in academic decision-making was debated. Eventually the Council passed our motions rejecting a student voice in matters of faculty appointment, promotion, tenure, and dismissal, and also rejecting staff-student parity on the governing bodies of faculties, departments, and colleges. Some of the meetings where these matters were discussed were lively, even exciting. For a time in the winter of 1969-70 the Arts and Science Council was the central focus for debate on the University's future, its meetings eagerly awaited, attended by hundreds of faculty and students, full of noise and occasionally passion. Once the ques-

Rist was elected Chairman of the ATS for the coming year. He persuaded me to chair the ATS University Government Committee and help shape an ATS response to the CUG Report. Our committee held a dozen meetings during the winter of 1969-70. We considered the evolving forms of university government at a number of Canadian and American universities. We received some written submissions, and met with a number of interested Toronto faculty members. Unlike the CUG Commission, we seriously considered recommending a reformed bicameral government for the University. It was clear that the most effective governing structures at other North American universities combined a lay, or mainly lay, board with a strong faculty-dominated senate with financial as well as academic responsibilities. John Crispo spoke to us persuasively in advocating a reformed Board of Governors and Senate linked by a joint committee that would deal with both academic and financial proposals.

While we were at work, Bissell was pressing ahead with a plan to achieve University consensus on a unicameral governing structure. He set up a CUG Programming Committee smoothly chaired by Marty Friedland of the Law Faculty which organized plans for a kind of constitutional convention—a University-Wide Committee to meet at the end of the academic year and try to reach agreement on a scheme for the governance of the University that could be taken to the provincial government as an expression of the University's common will. Our committee and the ATS Council were apprehensive about the proposal for a University-Wide Committee, fearing it would be dominated by administrators and students. We wanted the faculty association not to take part in the University-Wide Committee, but to make a separate submission to the provincial government, but we were overruled at an ill-attended general meeting of the ATS on a motion by Howard Rapson.

What might be taken as the University administration's view of the most acceptable formula for us to propose for representation on a

at one point, we discovered that a majority of us on the committee really favoured a reformed bicameral governing structure for the University. To have proposed this, however, would not only have brought us into direct conflict with the administration, but would have sharply divided the faculty association. While support for a faculty-student alliance had faded fast among the faculty, there was still strong support for a unicameral governing structure. Nothing had changed the faculty's view of the irrelevance of the Board of Governors and the University Senate. In many ways, it would have been easier, of course, to have reformed both bodies than to have attempted to create a completely new governing structure. But it was clear to us that if we opted for a reformed bicameral government we would split the faculty association and might very well be defeated as well. So we tried to make the best of unicameralism.

We proposed a governing council made up of twenty faculty members, twenty laymen, eight administrators and seven students. The faculty association accepted our general arguments, but eventually raised the proposed numbers of students and administrators to ten each. We took this formula to the meetings of the University-Wide Committee, held on the first three days of June, 1970. After a good deal of numerical legerdemain, this body agreed on a unicameral governing structure something like that which we had proposed, but with the student component raised to two-thirds that of the faculty. The faculty association endorsed the University-Wide Committee's recommendations and, for a moment, there was an optimistic assumption that the University had successfully come to agreement on a workable plan for reform.

It was a year before the provincial government got around to legislating a new Governing Act for the University. For part of that time, Bill Davis, first as Minister of University Affairs and then as Premier, was considering whether or not to endorse the unicameral principle. He conscientiously canvassed opinions. In November,

vation that what Ontario needed from its universities was "more scholars for the dollar."

In the end, faced with opposition to staff-student parity from the Toronto newspapers and, more crucially, with a last-minute intervention from Claude Bissell, Premier Davis and thus the legislature, stayed with the formula of the University-Wide Committee in respect to staff-student numbers. The new Governing Act replaced the old Board of Governors and Senate with a Governing Council of fifty members: twenty-four laymen (of whom eight were to be elected alumni); twelve elected faculty members; eight elected student members; and six administrators including the President and Chancellor.

Writing a year or two after the governing Act of 1971 was passed, and still in a spirit of some optimism, Bissell complimented the faculty association for having produced "the most compelling statement ... and ... the best specific proposal" for the reform of university government at Toronto. He was referring to our committee's recommendations which I wrote, and which still seem to me to have a certain plausibility. Our basic argument was that the indivisibility of the University's social, academic, and financial needs implied unified direction by a body widely representative of both the University and general public. We went on to justify a major lay component in such a body, but also to argue for an internal majority of members from the University. Bissell concluded that while Davis's decision sharply to increase the lay representation deprived the new Governing Council of an internal majority, the eight alumni members would have close university associations and could be regarded as nearly internal.

Bissell's optimism was not to be justified by subsequent developments. Almost immediately the new Governing Council showed signs of fatal weakness. It continued for years to fret over the relative importance of the various "estates" represented on it. It made a crucial early decision that none of its committees would have a majority from any one "estate." This meant that the Academic Affairs Committee

in other respects, had foreseen a faculty component of at least a third of the total membership, and also a majority of members from within the university community. As defined by the Act of 1971, however, faculty membership was less than one-quarter of the whole, and there was a lay majority. Bissell's wistful assumption that the alumni members would be virtually "internal" in their outlook was unjustified. More serious was a basic misconception about student members that almost all of us had shared. Once the impulse of student radicalism had faded, the student members of the Governing Council behaved like the lay members. They retained a few ritualized slogans in support of student interests, but in most respects they were ignorant of academic matters, conservative in fiscal matters, and deferential to the University administration. In dealing with most University issues, they were simply part of the lay majority.

The Governing Council, in short, was not a unitary body combining a capacity for making intelligent academic decisions with expertise in dealing with financial questions. It was, rather, a weakened, diluted, cumbersome Board of Governors. But if the Board of Governors had survived, however mutilated, in the new body, the old Senate had disappeared entirely, and Toronto was left the only major university in the English-speaking world in which the faculty had no dominant voice in making purely academic decisions.

Given the weakness of the governing body defined by the Act of 1971, it is no surprise that the real power in the management of the University's resources rapidly passed into the hands of the University administration. The casually assembled advisory committees that Bissell had used in the 1960s were institutionalized in the 1970s as part of the University administration and without the kind of regular faculty consultation that had been part of Bissell's procedures. The faculty association, which in the middle 1960s had seen itself as central to the governance of the University, and which had, for a decade, sought and expected a major role in the reformation of the University,

ture of the new University, it would merely have ensured that a little group of anointed faculty governors became a part of management. This would have weakened, rather than strengthened, independent faculty influence in University affairs. It may well have been a blessing that the drive for faculty power in the 1960s came to nothing.

Chapter Four

Collective Bargaining— The First Attempt

While university government was the focus of the faculty association's activities during the 1960s, the association did carry on its salary and benefits work. The question of pensions was a special, though often frustrating, concern of the ATS in these years. The Pension Committee was one of four standing committees of the association, along with the Salary, Policy, and University Government Committees. Faculty pensions at Toronto, as at most universities, had a somewhat tortuous history. Before 1929 the only pensions available were the Carnegie Allowances, funded originally by Andrew Carnegie to provide relief from penury to retired professors at North American universities. These were non-contributory pensions which, in earlier years, had paid eligible recipients an annual stipend of $1000.

In 1929 the Carnegie Foundation stopped making new grants and set a maximum of $1500 as an annual payment for remaining recipients. The TIAA, or TI&AA as it was originally called (Teachers' Insurance and Annuity Association) was promptly expanded in the United States to take the place of the Carnegie grants, and Toronto had a TIAA plan from 1929 to 1945. Because of wartime exchange restrictions combined with a trace of patriotism, the TIAA connection was severed in 1945, and a similar plan undertaken through the Canada Life Assurance Company.

The Finance Committee of the Board of Governors considered submissions from the ATS Pension Committee and studied the McGill plan, as well as final average earning plans then being implemented in the provincial and federal civil service, and for Ontario teachers. There is no clear evidence, however, that the Board paid much more attention to the faculty association's pension complaints than it did to salary complaints. In 1961 the Board did supplement the 1955 plan with a complex formula that related it to a final average earnings plan, and brought the Toronto plan about half-way to the McGill plan. By 1963 the Board was committed to a final average earnings plan, but it did not come fully into place until 1966. This was the genesis of the present Toronto pension plan and initially paid 1 1/2% of the average salary over the last five years times years of service, or 40-50% of final salary to members whose whole career had been at Toronto.

One consequence of the complicated succession and overlapping of pension plans was that it was difficult, for a number of years, to calculate definitely what a retiring professor's pension should be. The University office that administered pensions was inefficient, confused, and often insensitive. There were a number of complaints like that of a retiring professor of chemistry who, in 1966, told the ATS that he had not even received a reply to his repeated requests for an estimate of what pension he would receive. Women, as mentioned earlier, fared even worse than men, receiving in the early 1960s pensions averaging about 30% of final salaries, while retiring men were receiving about 40% of salaries that were themselves 50% above those of women.

If the success of the ATS pension committees in influencing the Board of Governors was problematic, they did offer a basic education on pensions to ATS members, as well as give useful support to individual members in their pension dealings with the University. A number of people in the ATS acted as volunteer pension counsellors. Don

ATS Chairman, proposed to Bissell a meeting of the ATS Executive with members of the Board of Governors to discuss salary. Bissell's reply was bluntly discouraging: the Board of Governors, he said, did not want to meet with faculty association representatives, did not want to "negotiate" with faculty. Bissell went on to question the legitimacy of the ATS in speaking for the faculty, since only 60% were ATS members. Besides, he told Laskin, heads, deans, and directors could also serve as a "legitimate source of information" for the Board. "I know," Bissell concluded, "that you are as keenly aware as I am of the dangers of creating an employer-employee atmosphere."

Later in the fall of 1962 Bissell wrote Laskin that the University could not accede to faculty association demands for a rise in salary floors, that he wanted to raise salary *averages* rather than floors, to reward merit rather than make across-the-board increases. Merit awards, rather than across-the-board increases, Bissell concluded, "allows flexibility and judgment." This was to be a persistent theme in the University administration's statements on salaries for years to come. Bissell did, shortly after this, attempt to reassure the faculty association about long-term salary prospects. The Board of Governors, he reported, intended (l) that faculty salaries would rise "for a number of years"; (2) that Toronto salaries should be the highest in Canada and competitive with those at most of the senior American universities; and (3) that there would, from time-to-time, be a raise in salary scales, though "merit" would remain the primary criterion for increases.

The rapid, if abortive, advance in faculty involvement in university government in the mid-1960s did appear, for a time, to open up a new avenue of faculty association influence in salary determinations. In the fall of 1965 Howard Rapson, then chairing the Salary committee, reported that there were three ATS representatives serving, for the first time, on a committee on salaries of University administrators and members of the Board of Governors. There was considerable antici-

seven years older than his counterpart at York. The average salary for assistant professors at Toronto was below that at seven other Canadian universities and the average age of such people at Toronto was above that of all but one of these seven. The average age of lecturers at Toronto was higher than at any of the other universities studied and the average salary lower than at fifteen others.

Looked at superficially, Toronto salary increases in the 1960s do not seem to have been so bad. There were, for example, average increases of 9% in 1966-67 and 10% in 1967-68. Taking the decade as a whole, salary increases averaged about 7% a year, this at a time when the annual rate of inflation until near the end of the decade averaged not much above 2% a year. This apparent gain over the rate of inflation seems to have been in sharp contrast to the substantial fall in real wages in the decade after the War, or in the 1970s to follow.

But the 7% annual increase in these years was a raw average. It concealed what, for a large new faculty in its most productive years, would later be separately identified as a progress-through-the-ranks (PTR) component, that is, a component representing the normal career progress of faculty members as they rose in rank. This component, if separately identified in the 1960s, would have probably been closer to 4% than 3% annually. If it is added to the 2% inflation rate, the real increase in average salaries was probably only one or two per cent a year. And this itself reflected large merit increases paid to relatively few faculty members, rather than across-the-board increases, since salary floors were raised only once during the decade, by a flat $1000 for all ranks.

By the late 1960s the cost of living in Toronto was rising much more rapidly than in Canada as a whole, although it was rising nationally as well. In 1968-69 the CPI was up to an annual rate of 4.5% and the Toronto salary settlement was 5.4%. The cost of housing, in particular, had become a major problem for young Toronto faculty members. The average house price in Toronto in the mid-1950s had

simply that "something had gone very seriously wrong both with academic salaries in general and with salaries at the university in particular."

An ATS General Meeting approved Sumner's demand for formal negotiation of salary and benefits including binding arbitration if necessary. This demand was subsequently endorsed in a mail ballot to members by a vote of 471 to 32. Under increasing pressure, Bissell and the University Budget Committee (on which there now sat three elected faculty members) agreed to meet with the ATS Salary Committee.

Discussions with the Budget Committee were civil to begin with, and the Budget Committee did agree to provide the faculty association with some information which had previously been withheld, such as salary averages by rank and division and preliminary budgetary estimates. But in a meeting on February 18, 1970, the Budget Committee flatly refused to "negotiate" with the ATS or discuss any form of impasse resolution. After this meeting Sumner told the ATS membership that the Budget Committee was apparently thinking of a six per cent salary increase for 1970-71. Bissell bitterly protested this inference, called it "astounding," and accused Sumner of presenting an "inaccurate and misleading picture" of the meeting. At another meeting with the Budget Committee a week later Sumner and his colleagues made their case for a 16% salary increase, were listened to in silence, and not invited for further discussion. The Budget Committee recommended a 9% average increase, and this was eventually announced to Deans and Directors, not to the faculty association.

Believing he had a mandate from the overwhelming support he had received in his poll of the faculty, Sumner asked the ATS Council to approve a motion asking faculty members to resign from the Budget Committee, and a second motion censuring the Budget Committee for refusing to meet with the ATS Salary Committee. There was some opposition to this in the Council from conservatives in the

expense of other University needs—support staff, new academic appointments, books and laboratory equipment, and maintenance.

Second, he noted the faculty association's support for a form of government in the University "in which the dominant role will be played by the academic staff." If this ambition succeeded, as then still seemed likely, faculty collective bargaining would mean that academic staff would be negotiating salary increases with other academic staff, an indefensible prospect. Finally, as to arbitration, Rapson argued that it would be irresponsible to turn over to outside arbitrators the major decisions regarding the academic life of the University, since faculty salaries represented nearly half the total budget. Most of Rapson's arguments were to be echoed tirelessly by the University administration for many years to come. Some are still to be heard.

The Annual Meeting on March 30, 1970 was the eleventh general meeting of the faculty association in a year-and-a-half. For two entire academic years there had been a general meeting every few weeks. Predictably, members were getting tired of meetings, and attendance had been dwindling. At the Meeting of March 2nd, Rapson, like-minded colleagues, and supporters of the University administration had discovered how easy it was, at an ill-attended meeting, to defeat proposals approved by the ATS Executive and Council. This was when our attempt to prevent the ATS from taking part in the University-Wide Committee was thwarted by a motion of Rapson's. The Annual Meeting, of course, with Sumner's negotiating proposals before it, was likely to be much better-attended. But Rapson, supported by his fellow faculty members on the Budget Committee, Bob Greene and Tim Rooney, decided to challenge Sumner's collective bargaining proposals directly.

It became apparent as members assembled for the evening meeting on March 30th that this was not the usual ATS crowd. There was a group of regular attenders; there were also a number of irregular attenders, mainly from Arts departments, there to support Sumner;

chair such a committee in the fall of 1970, so an improvised committee was struck.

We who were on this committee sensibly avoided any discussion of collective bargaining when we met with the Budget Committee and, instead, made the best argument we could for a clear separation of across-the-board from merit increases, and for the need to remove decisions on merit increases from the unaccountable hands of deans and directors. We were listened to, but no action was taken on our proposals and the Budget Committee refused further meetings. Our proposals were, however, the genesis of a distinction between components of salary increases that the association was to pursue vigorously and that Michael Finlayson was to develop into the progress-through-the ranks formula a couple of years later.

For twenty years the faculty association's main concerns had been to influence salary settlements and gain a place of real influence in the government of the University. By 1971 it was clear that both these efforts had failed. The disillusionment of many Toronto faculty members was palpable. Association membership declined ten per cent in 1971, and attendance at (now infrequent) general meetings fell. Yet, as an organization, the faculty association carried on busily as if nothing had happened. Indeed, the present University of Toronto Faculty Association (UTFA) came into being on the first of July, 1971 after the constitution had been changed in order to change the name, change the title of the old "Chairman" to "President," and change slightly the composition of the Council. A new formula provided representation on the Council to the then new colleges—New, Erindale, and Scarborough—but left the smaller professional schools heavily over-represented. The professional faculties were given three-fifths of the seats on the new Council, though their membership was less than half the Association total.

The change in the name of the organization from "Association of the Teaching Staff" to "Faculty Association" had been proposed to a

role in promoting some of the equity issues of the 1980s, such as pay equity for women, stringent procedures in cases of sexual harassment, and improved security for non-tenured faculty.

Another echo of earlier hopes is evident in the active interest the faculty association showed for a year or two in the election of faculty members to the new Governing Council. Especially during Jim Conacher's presidency of UTFA in 1971-72 the faculty association endorsed candidates in most constituencies. The effort to elect candidates sympathetic to the faculty association's views was generally successful, and there was, for a time, some regular consultation between the UTFA executive and faculty members of the Governing Council. As the Governing Council established its procedures, however, it became clear that most of its faculty members did not relish being seen as representatives of the faculty association, and as faculty disillusionment with the Governing Council grew, the UTFA attempt to influence membership on the Council was abandoned.

Jim Conacher continued for a time, though with growing pessimism, to try to influence the new Governing Council. In August, 1972 he and Mike Uzumeri, the incoming President of UTFA, met with Malim Harding, the Chairman of the Governing Council and a former member of the Board of Governors. Harding was, on the whole, less unsympathetic to faculty interests than his successors in the chair of the Governing Council, but he told Conacher and Uzumeri bluntly that University of Toronto professors were not popular, either at Queen's Park or with the public. They had, he said, "made a botch of their presentation to the Legislature" on the composition of the Governing Council, and they had "got the public's back up." So, after twenty years of sustained and frequently intelligent effort, the faculty association found itself without power or popularity at a moment when bleak times lay ahead for Canadian universities generally, and Toronto especially.

Chapter Five

A New Start

For many Toronto faculty members, especially in Arts departments, the University in the early 1970s was a dispirited and dispiriting place. The chaotic expansion of the 1960s, the shattering of the old curriculum, the incivilities of student radicals, the collapse of the old governing structure, the patent hostility of politicians and much of the public towards the universities, Toronto in particular—all of these pressed in upon faculty self-esteem.

The excitement of the late 1960s was gone. Limitless expansion had been replaced by what seemed limitless contraction. From having seemed briefly to be the centre of the provincial government's approving plans for a universally educated society, the universities, Toronto in particular, had become a favourite whipping-boy for all that had gone wrong with the hopes of the previous decade. Hardly a month went by without some attack on the University, its faculty in particular, from the local press. Tenure was regularly denounced as a sinecure for layabouts. The great concrete bulk of the Robarts Library, seen only a couple of years before as a cathedral of the new society, was now vilified by the right as a horrendous waste of taxpayers' money, and by the left as a monstrous symbol of elitist arrogance and a blight on the neighbourhood as well.

There were to be grimly practical consequences of the University's new status as a kind of pariah. Earlier plans for further expansion, especially of graduate teaching, were abruptly cancelled, and a freeze was put on all new capital projects. The provincial government em-

longer. For a year Jack Sword, not himself an academic, was Acting President as he had also been in 1967-68 when Bissell was at Harvard. In 1972 a new President was appointed. This was John Evans, a medical researcher who had made a name for himself administratively as an innovative Dean of Medicine at McMaster.

Evans was to do little to reassure his alienated faculty. Though himself a Toronto alumnus, Evans neither had nor pretended to have the kind of devotion to the University that Bissell had had. He was a brisk and ambitious man whose style was managerial rather than collegial, and who gave the impression of viewing his presidency of the University as a step in his career rather than as its culmination. He was never at ease with the faculty and never popular with the faculty as a whole. Coming to the University at the end of the days of student radicalism, he made the mistake of many university presidents in the early 1970s—he took the question of relations with student organizations and the response to student demands more seriously than he need have done, and took faculty interests less seriously than he should have done.

To be fair to Evans, he had strengths which many faculty members failed to appreciate. He was an impressive and sometimes effective advocate of the University in the wider community. Internally he reformed and tightened the central administration, clearing up much of the inefficient confusion of overlapping and often incompetent decision-making which Bissell's casual and ad hoc administration had left behind. For the first time, the administration began to show professional skill in managing the University's limited and shrinking resources.

The weakness of the Governing Council allowed, if it did not compel, Evans to concentrate power ever more in Simcoe Hall. Indeed it was in the Evans years that "Simcoe Hall" became a University term for the central administration—radically simplifying and replacing a whole group of terms that in former times had been used to

of-living totalled only about 7.5% over this time, the salary erosion was insignificant, especially by comparison to that of the late 1970s. If the settlements were not as bad as they might have been, however, the procedures in "negotiating" them were atrocious. The faculty learned of the salary settlement for 1972-73, the second lowest at any Ontario university, from the pages of the Toronto *Star*. This represented a procedural discourtesy of which even Colonel Phillips and the old Board of Governors had never been guilty. Nevertheless, and rather oddly, the faculty association did make a real and substantial advance in its salary negotiations in 1972. This was the introduction of the progress-through-the-ranks (PTR) principle in calculating salary settlements.

During both Conacher's and Uzumeri's presidencies, the UTFA Salary and Benefits Chairman was Michael Finlayson. Finlayson was a young Australian who had done his Ph.D. in History at Toronto. He was neither militant nor of the left in the mould of Wayne Sumner, but he was a good-humouredly combative and persistent advocate of faculty interests. He had adapted the PTR formula from a scheme at Waterloo University and he argued tirelessly for its adoption at Toronto.

This formula separated salary increases into two parts—an economic increase, and a component representing merit and career progress. A separation of the components of salary increases had, of course, been proposed earlier, but the essence of Finlayson's PTR formula lay in the definition of the non-economic component. This had hitherto been seen merely as a merit increase, wholly discretionary in the hands of deans and directors. Finlayson argued that, for a faculty group, it represented simply the group's progress through the ranks from initial appointments at a low salary to senior professors' appointments at a salary averaging more than two-and-a-half times beginning salary.

Inflation over the past two decades has also affected the PTR in at least two unforeseen ways. As originally conceived, the PTR component of an individual's average increase in pay was expected to be roughly half the total and the economic increase half. But inflation has, in fact, meant that the economic increase has in most years been more, sometimes much more, than half the total increase for an individual. So the PTR component, and the merit increase included in it, has been of less weight than expected. Thus the principle that Bissell argued for in the 1960s, that most of a professor's salary increase should be discretionary, has been reversed, and most of it has been across-the-board.

Also, the argument Finlayson and others in the faculty association made that, over time, the PTR component would be a non-cost item in the University budget, as relatively well-paid senior professors retired and were replaced by people appointed at less than half their salaries, has not proved to be true. The relatively few appointments at the lower end of the salary scale have had to be made at a higher level than foreseen, and, as well, the great mass of faculty members appointed in the 1960s has not yet retired, and these members continue to receive PTR increases. So while the nominal cost of the PTR component has averaged a little over three per cent a year, only about a third has been retrieved by faculty rotation, and the actual cost to the university has been around two per cent a year, now down to about 1.5%. In years to come the University may well gain back much of this with the retirements of faculty members appointed in the 1960s. And, in any event, if inflation has adversely affected the University budget in respect to the PTR component, it has benefitted the University at faculty expense in other respects, notably in the cost of funding pensions.

A final effect of regarding the PTR component as no part of the salary increase is somewhat intangible, but of considerable psychological importance. It has made the average salary increase for a given

body he had an obligation to inform or consult. To be sure, his consultation was usually perfunctory and, at least in the first years of his presidency, less serious than his consultation with student organizations. But at least he did inform and, in minor matters, consult UTFA, and gradually the faculty association and the faculty became largely indistinguishable to most people inside the university community.

I had been Uzumeri's vice-president and agreed to accept nomination for the UTFA presidency for 1973-74, and was duly acclaimed. Until 1981 when there was a contested election, the faculty association president was always acclaimed. There was in those days a complicated, somewhat oligarchical, procedure for choosing members of an incoming president's executive committee. Nominations were in the hands of the immediate past-president of the Association, in the case of my Executive, Jim Conacher, Uzumeri's predecessor. It seemed to me that the president should have something to say about his Executive, so I pressed Conacher to nominate an executive committee of my choosing. He agreed, a little reluctantly in the case of my choice for vice-president, Pat Rosenbaum from the English Department, known as a strong advocate of faculty collective bargaining. Rosenbaum's nomination produced a revolt of conservative members of the UTFA Council, led by Uzumeri. They produced a second nomination, that of Keith Yates from Chemistry, and Yates was elected over Rosenbaum by one vote. Rosenbaum was understandably indignant at the Council's action, as was I. As it turned out, however, Yates, who had known nothing of the contest in the Council, proved to be a loyal and effective member of my Executive. There was some Lancashire scepticism in his attitude towards formal collective bargaining, but he and I got on well and were in agreement on most issues. His presence on the Executive was usefully reassuring to some conservative colleagues.

sity service in administration and on committees, and community service) was of any significance.

We asked what, if the University was faced with a grave financial crisis, members found preferable: (l) closing marginal parts of the University; (2) dismissal of redundant staff throughout the University; or (3) across-the-board salary reductions. Respondents divided fairly equally among these three unpalatable choices, though more (40%) favoured salary reductions than favoured the others. Asked their views on the possible dismissal of staff for fiscal reasons, members divided quite equally between those (48%) who thought dismissals should take place on academic grounds alone from among tenured and untenured staff, and those (52%) who thought dismissals should take place first from among untenured staff. In what was perhaps less surprising in 1974 than it would be now, 50% of respondents thought the presence of a graduate student on a tenure committee either desirable or acceptable; two-thirds of respondents, however, found the presence of an undergraduate on such a committee unacceptable.

As it turned out, the gloomiest forebodings of the early 1970s did not come to pass. There were no wholesale dismissals; tenure remained intact. The decline of University funding, however, went on through the decade and beyond—a slow, tearing pressure on the fabric of the University. And much of the contraction was paid for by the faculty, which through the uncompensated effects of inflation, did suffer an across-the-board cut in real salary of more than twenty per cent.

The bleak times of the early 1970s had a good deal to do with the emergence of another issue, though it sprang from other sources as well. This was the question of Canadianization in the universities. In a broad sense this concern was part of the nationalist reaction against American domination of Canada, but it was given particular force by the contraction of the universities and consequent unavailability of new university appointments for Canadians. Beginning with the pub-

and denounced Banfield as a racist, which he was not, and threatened to "run him off the campus" if he came to Toronto.

At UTFA we urged the University administration to defend Banfield's right to speak and to take proper disciplinary action against any who might attempt to disrupt his lectures. The administration refused to take our warnings seriously and offered a cloudy justification for doing nothing on the grounds that they did not want to polarize the University "community" by taking disciplinary action against any group. The University officer directly responsible for this policy was my erstwhile colleague in the History Department, Jill Conway, Vice-President for Internal Affairs, who was shortly to leave the University to become President of Smith College. Her only recommendation in regard to Banfield's visit was that he be invited to postpone it. With no University protection, Banfield was prevented from finishing his first lecture, threatened with physical attack at the end of his second, and prevented from speaking at all at his third appearance. At his second lecture he had to be given physical protection by faculty volunteers.

There was real faculty outrage at the administration's indifference to the fundamental right of free academic speech in the University. Immediately after Banfield's final attempt to speak, an angry group of faculty members, of whom I was one, confronted John Evans in his office and demanded action from him. The UTFA Council met the next day and passed unanimously a set of demands, notably that Evans issue "an explicit statement of the right of free discussion in orderly assembly of any academic question on this campus." We also demanded that Evans lay out in detail the steps the administration would take to ensure such free discussion, including the use of the University's disciplinary authority and, if necessary, the civil authority as well. We finally demanded that the President "respond satisfactorily" to our demands in one week's time.

real one, Chant wrote, "but to build it into a general attack on President Evans ... is unwarranted and uncalled for."

The third letter of protest was from Frank Iacobucci, who judiciously combined approval for our actions with criticism of our language and methods. It was not many months before Evans appointed Chant Provost of the University, and, in due course, Iacobucci also served in that office before leaving the University for a judicial career that led eventually to a seat on the Supreme Court of Canada.

A means of communication with the faculty that proved useful to us in the Banfield affair was the UTFA *Newsletter*. Newsletters of various forms had been used on occasion by the faculty association, but from September, 1973 we began to send one out more or less regularly at monthly or bi-monthly intervals, reporting to members on salary and benefits, and other issues, as well as reporting quickly on extraordinary events like the Banfield business. I adopted a format that Wayne Sumner and I had both used a couple of times in the spring of 1970. In 1979, when he was President, Michael Finlayson was to change the format, but the *Newsletter* has continued to be the Association's chief regular means of reaching its members.

As might have been expected in the rigorous financial climate of the early 1970s, more and more grievances were coming to the faculty association from members—grievances principally over salary, dismissals, and denial of tenure. Grievances had, of course, always been part of Association activities. In earlier days they had been infrequent, and were dealt with discreetly by informal consultation between senior faculty and administrative officers of the University. For some years members of the Law Faculty had assisted the Association in advising grievors, originally on an occasional, casual, and informal basis, and, later, more regularly.

By the 1970s we were having to ask a member of the Law Faculty each year to act as a grievance counsellor. These colleagues were, on the whole, remarkably obliging and dutiful in taking on this difficult

the second denial of tenure decision. The UTFA Executive, in May, 1973, refused further help to Seary who then turned to CAUT. Their Academic Freedom and Tenure Committee was hesitant at first, but, after receiving a letter from Northrop Frye, who had sat on the appeal committee, stating that, if that committee had had the power to do so, he would have voted to recommend tenure for Seary, finally accepted Seary's argument that he had not been granted a proper appeal.

CAUT reproached the University administration and, implicitly, UTFA as well. In 1974 we reversed ourselves and, following CAUT guidelines, took up Seary's case again. We joined CAUT in asking for a Presidential Review Committee to consider his appeal on procedural grounds; Evans eventually agreed and finally, in the fall of 1975, a new tenure committee, established on the recommendation of the Review Committee, unanimously recommended reinstatment and tenure for Seary.

Seary's appeal, along with several others only slightly less contentious and protracted, made it clear, first, that we had been too casual and agreeable in dealing with the administration on grievances, second, that tenure and promotion committees required fuller documentation than they had been using, and finally, that we needed more regular and formal procedures for appeals against denial of tenure and dismissal. Fortunately, on this matter, there was a degree of common interest between UTFA and the adminstration. Simcoe Hall was sensitive to the threat of CAUT condemnation and, as well, wanted less abrasive and time-consuming means of disposing of grievances. In 1974, largely on the initiative of Don Forster, the Provost, the administration agreed to the establishment of a Tenure Appeals Committee. This Committee, following CAUT guidelines and precedents established by earlier grievance cases, worked well and was eventually institutionalized in the Memorandum of Agreement in 1977.

Chapter Six

The Memorandum of Agreement

From 1973 to 1976, while I was President of the faculty association, our salary and benefits discussions with the administration made a little headway, creeping along, however, at a glacial pace. In 1973 the UTFA Salary Committee was chaired by Wendy Potter, a young, untenured member of the Psychology Department. The question of salary equity for women was finally beginning to be taken seriously in the University, and Wendy Potter worked especially hard on this issue. The faculty association had been slow to take it up.

In the fall of 1971 at a general meeting Michael Finlayson, then chairing Salary and Benefits, had been asked about comparative salaries for men and women and had replied that "no study had been done to compare them." In the spring of 1972 Finlayson was asked again about this and had said that in the following year "a woman would be on the Committee ... and would be concerned with this." Since two women had served on the Salary Committee as early as 1954, this did not in itself represent a radical step forward. But this time the issue did not go away, and, within two years, the University had set up an Anomalies Committee which, in 1976, for example, considered salary inequities for thirty-three women and recommended adjustments for most of them. Adequate provision for maternity leave also became a serious issue in 1976.

Wendy Potter also worked to provide evidence of the steady deterioration of salaries generally and, within the constraints of our mis-

income in recent years and half to keep up with the anticipated rise in the CPI. Bryden was a political scientist and a long-time socialist and NDP activist. He was thoroughly used to challenging established power and losing. He combined a calm rationality in argument with a good-humoured scorn for opponents' arguments weak in logic but impregnably defended by established authority.

Although our demand for a 25% increase was not out-of-line with recent salary settlements for teachers and in the private sector, it was denounced by the Toronto press and by student organizations at the University as a further example of faculty arrogance and greed. In our joint-committee discussions we did eventually lower our proposal to 18%, the administration offering 9%.

By this time we were beginning to have something like negotiations at a bargaining table, though without any means of resolving an impasse. In the spring of 1974 John Evans had offered his own services as a final arbiter. The following year the administration reluctantly agreed to mediation, insisting, however, that the mediator be from inside the University and that he have no power to make his own recommendation. Our mutually agreeable "mediator" that year was Art Kruger who, predictably, was unable to bring us and the administration together. The administration finally imposed a settlement with a 12% increase.

The following year, 1976, with Bryden again our Salary Chairman, and with inflation abating slightly, we pressed Evans to agree to an outside mediator. He turned this proposal over to Frank Iacobucci, now Vice-Provost, and Iacobucci agreed to an outside mediator but not to our demand that he might make (non-binding) recommendations of his own. Rather, Iacobucci proposed, the mediator, failing agreement, would simply report the final position of each side to the other. We finally agreed to this and agreed to Owen Shime as mediator. Shime was an experienced professional mediator and arbitrator, and was successful in bringing us and the administration fairly close,

ing about a third of Ontario faculty, were in certified bargaining units. At Toronto, however, these gusty winds of change barely stirred the air, at least initially. Especially in Science departments and in well-established professional faculties, and among senior faculty generally, there was still an almost visceral aversion to the use of "trade union tactics" by professors.

At UTFA two things were clear to us: first, that if we could not persuade a majority of our members that certification was, at least, worth considering, we would have little credibility in pressing the administration even for a voluntary agreement to bargain collectively. But, second, if we got too far ahead of the membership in advocating a collective agreement, we could easily be repudiated. We decided to move ahead, but with some caution. As a preliminary step, it seemed useful to try to determine how the process of faculty "unionization" was working elsewhere at universities that were in some ways comparable to Toronto. So, in September, 1974, Keith Yates, still the Vice-President, and I went out to Winnipeg and Vancouver to see what we could learn from faculty association activities at the Universities of Manitoba and British Columbia. I also went to Saskatoon, where the faculty at the University of Saskatchewan was in the process of certifying, but it was Manitoba and UBC that were most instructive.

At Manitoba we found an agreement reached by a certified faculty union in place and working reasonably well. The people there on the faculty association executive seemed efficient, well-organized, and appeared to command faculty confidence. The drive for certification had, however, been resisted in some of the professional faculties and some of these had eventually been left out of the certified bargaining unit. At UBC a rather narrow majority of the faculty had voted to certify, and we found a good deal of division of opinion and even bitterness. The association executive was hard-working and enthusiastic, but some of its members appeared to be professionally insecure and to lack the support of many of their colleagues. The prospects of

at a general meeting. The UTFA Council and, later, a general meeting endorsed these recommendations, and this, along with the Collective Bargaining Committee's credibility in the departments and faculties most affected, may have gone some way to head off the kind of opposition to a collective bargaining agreement that had developed at other universities in Science and professional faculties.

Following the Collective Bargaining Committee's recommendations, we sought legal advice on what was necessary to put UTFA in a position to seek certification as a faculty bargaining agent, should we wish to do this. We engaged the services of Jeffrey Sack, a young labour lawyer who, with his colleagues at Sack, Charney, Goldblatt, and Mitchell (now Sack, Goldblatt, and Mitchell), has advised the faculty association on various matters ever since. Sack thought the original purpose of the association, and the purposes defined in the constitution, qualified us as a potential bargaining agent for the faculty, but he thought we needed to clear ourselves of some degree of administrative taint. He advised us to deny membership to academic administrators above the level of chairs, and to define our constituency much more precisely than we had done. In particular, he did not like the "opt-out" means of defining our membership.

We accepted Sack's advice and terminated the "opt-out" scheme which we had negotiated with the administration a decade earlier and which had appeared to be useful in holding our membership. This required us, in the fall of 1975, to embark on an intense membership drive in order to recapture as signed-up members those who had hitherto been members automatically with their appointments. We were a little apprehensive about this, but, in the event, signed up as card-carrying members of UTFA almost exactly the same number, about 1550, as we had had under the opt-out formula. Though the totals were the same, there was a measurable shift within them: we gained about 200 new members, overwhelmingly from Arts departments, and lost about 200 old members, mainly from Engineering

PTR formula has been fully applied to librarians' salary settlements, and they have developed a policy of scholarly leaves analogous to sabbatical leave for faculty. UTFA, as a whole, has gained a substantial and loyal body of additional members representing about seven per cent of total membership.

There was not much overt faculty opposition to the admission of librarians at the time, but, over the years, conservative colleagues have occasionally reproached me for "bringing them in" to UTFA. A few librarians think their particular identity and some of their issues have been obscured or lost in the larger unit. But, on the whole, it appears to have been a mutually agreeable union.

In 1975 and 1976 we did several other things as part of the process of putting our house in order in anticipation of possible certification. UTFA's income was wholly inadequate, virtually all of it going to CAUT and OCUFA. Our dues had risen, but were still assessed as a flat yearly amount, now based on rank. We were able to persuade the Council and the 1975 Spring Meeting to approve a new formula for collecting dues based, as OCUFA's and CAUT's were, on a mill rate. We set this at 0.4% of salary, and it represented a doubling of dues for the average member, rather more than that for the higher paid members of staff. The mill rate assured that income would rise automatically with salary increases, but, even so, it has had to be raised from time to time to its present level of 0.65%.

With an augmented income, even though it was soon to be eroded by raises in the CAUT and OCUFA mill rates, we were able to consider appointing a full-time person in the UTFA office with executive duties and a special responsibility for collective bargaining. There was no disagreement as to our need for a paid employee who could take some of the burden of work off the Salary and Benefits, and Grievance chairs, as well as the President; but we were not quite sure what sort of person we needed. There was some support for appointing an executive director, presumably an academic, with du-

did his homework. He was always well-prepared and informed and, though sometimes wrong, and frequently a thorn in the side of the president of the day, he often strengthened and clarified our debates and resolutions, and restrained irresponsible executive action.

Schiff's criticism of Mueller's proposals was compelling. He argued that a body as large as the proposed "Assembly" would be very cumbersome, incapable of real debate, its nominal members not likely to be interested in or knowledgeable about Association affairs. He argued that the existing Council would have been more effective if it had been better used and more genuinely consulted by the President. (I had, it is true, frequently by-passed the Council as we got into preparations for serious collective bargaining, fearing the conservatism of some of the members from the professional faculties.) He went on to make the classic arguments in favour of virtual representation and to doubt whether we needed precise constituencies in Arts and Science. His own proposal was simply a modest increase in the number of Arts and Science Council members to be elected at-large.

In the end, we compromised; we abandoned the proposed "Assembly" and "Board," but did recommend a near-doubling of the Council from thirty to about fifty-five members, most of the increase assigned to Arts and Science, whose members were now to represent defined constituencies, usually departments. These proposals were approved at a general meeting in the spring of 1976. In the years that have followed, though there does not appear to have been a radical change in the character of the Council, it has become more militant than the old Council in confronting the University administration, and it has been possible, at moments of crisis, for its members to inform and consult their constituents much more effectively than in the past.

In a variety of ways, we tried in 1975 and 1976 to bring the issues of collective bargaining to the attention of the membership. The *Newsletter* was especially useful for this, of course, but we also used press interviews, held study sessions, and discussed problems of certi-

proceed towards certification unless a strong voluntary agreement could be reached. He accepted nomination for the UTFA presidency and was duly acclaimed.

The other two "newcomers" were Jean Smith and Harvey Dyck, neither of whom had been especially active in the faculty association. Smith was a political scientist, a native Mississippian, soft-spoken and confidential in manner, but hard-edged underneath. He had just finished playing a central role on a University committee, nominally chaired by Don Chant, that had negotiated the first collective agreement with the GAA, the teaching assistants' union, and he thought it a good time to try for a faculty contract. He thought a voluntary agreement could be reached, but was willing to go to certification if necessary. He agreed to chair the Salary and Benefits Committee. Harvey Dyck was a Mennonite of Manitoba origins, a colleague of mine in the History Department. I had been impressed with his political judgment and his grasp of University issues, and he, too, had decided it was a propitious time to press for a bargaining agreement. He agreed to come on to the Executive as Secretary.

Smith wasted no time setting up his "Salary and Benefits" Committee, really a collective bargaining committee of twenty members. He chose its members carefully, with a view to representing a wide spectrum of faculty interests and opinions, wisely excluding only those of us who had been most recently active in UTFA affairs. He was able, for example, to persuade Adrian Brook, Chairman of the Chemistry Department and a perennial critic of the faculty association, to serve; Brook had served with him on the GAA negotiating committee and he and Smith had a good relationship. As UTFA stalwarts and former presidents, Jim Conacher, Fred Winter, and Mike Uzumeri were invited to be members. In addition to Uzumeri, Hal Smith and Ken Smith represented Engineering. Peter Fitting, a leader in the Faculty Reform Caucus, and David Gauthier represented more radical Arts members. Finally, Smith persuaded a strong

fits. These, along with its other provisions, made the Draft Agreement as strong as, or stronger than, most of the agreements reached by certified unions on which it was modelled.

Armed with the results of his referendum, Smith then tackled the administration and the Governing Council. In early November Jim Daniels reported the referendum results to Mrs. Marnie Paikin, Chair of the Governing Council, and formally requested, on behalf of UTFA, that the Governing Council strike a negotiating committee. On November 18, the Governing Council authorized a committee to negotiate with UTFA; it was chaired by Don Chant, the Provost; its other members were Frank Iacobucci, Art Kruger, Milton Israel, and Ralph Barford, a lay member of the Council. It was another month, however, before the Governing Council furnished this committee with guidelines for its discussions. Smith chaired his negotiating team, the other members of which were Ken Smith, Charles Hanly, Carole Weiss, and Mary Eberts.

Negotiations began on the 21st of December and were continued through twenty-one meetings until March 8, 1977. Smith was deliberately harsh and uncompromising at the beginning, in order to preclude any attempts by the other side at collegial co-option. The administrative members found this tactic somewhat offensive, but understood the message. As meetings progressed, the atmosphere became relaxed and even, sometimes, congenial.

The committee went through the Draft Agreement clause-by-clause, Chant's side making no specific proposals, but raising various objections, seeking clarification, discussing alternatives. It seemed to Smith that they were gradually making headway. But on March 7, the administration suddenly produced an alternative draft, in which most matters of real substance, especially grievance procedures, were put aside to be considered later by Presidential advisory committees. On the crucial matter of salary and benefit negotiations, the administration's draft agreement provided for non-binding mediation, and left

straightforward businessman who, as the only lay member of Chant's team, had occasionally evidenced a little amusement or bemusement at the passions of the academic world. He agreed to Smith's suggestion. Smith and Chant reopened discussions informally and, over a couple of weekends, sketched out a new draft agreement.

Though modified in minor ways in its final form, the agreement Chant and Smith worked out together was essentially the Memorandum of Agreement, the voluntary collective bargaining agreement that, as altered in later years, still forms the contractual basis of relations between the University administration and Toronto faculty and librarians. In form and in the sequence of matters addressed, it follows the alternative draft which Chant had produced in March much more closely than it does Smith's original draft. In substance it reflects a series of compromises.

Chant gave in on a number of issues: a precise grievance procedure is laid out, much as in Smith's draft, though with final appeal to the Grievance Review Panel rather than to a board of arbitrators. A list of faculty rights is defined, including academic freedom, freedom from discrimination, the right of access to personnel files, equitable workloads and working conditions. Salary during research leaves was raised from 50% to 75% of regular salary, and requests for research leave after six years without leave "shall not be unreasonably denied." The UTFA demand for seventeen weeks' paid maternity leave was agreed to. Finally, although this was an administration proposal aimed at avoiding the incorporation in the Agreement of a number of contentious issues, it was agreed that a number of existing policies should remain intact unless they were changed by mutual agreement. These included the Haist Rules on academic appointments, tenure, and promotion, part-time appointment policy, procedures in appointing academic administrators, existing policy on supplemental income, policies regarding retirement age and short-term, long-term, and compassionate leaves. These came to be known as the "frozen policies"

Why did the University negotiators agree to the Memorandum? Part of the answer lay in the skill with which Jean Smith had carried on the negotiations, and especially his success in keeping undivided faculty opinion behind him. This required, above all, keeping conservative faculty opinion from straying towards the position of the University administration. In this, Smith was at his best—reasonable, reassuring, accessible, responsive, subtly flattering, and not above delivering an occasional cool reminder that the advocates of outright certification would certainly take over were he to fail.

Jim Daniels gave Smith his full support, even though he was a little sceptical about the utility of a voluntary agreement. His support was crucial in keeping the UTFA Executive and Council solidly behind Smith, and it required him generously to take a back seat to Smith during most of the year he was President. Ralph Barford's common sense was useful, not only in getting negotiations resumed after they had been broken off, but also in breaking the deadlock that developed at the very end of negotiations over the question of paid maternity leave. Chant himself managed to keep his rationality and good humour as he was severely pressed between Smith on the one hand, and John Evans on the other. Evans was an unwilling ally, for, while he disliked the Agreement and resisted it nearly to the end, he never used with any skill or suppleness the powers of his office to divide the faculty. Had the administration, for example, produced something like its draft agreement of March 7th six months earlier, and mobilized conservative faculty opinion behind it, the outcome might have been very different.

There was a final potent force at work in bringing the Memorandum of Agreement into being, one that those of us who had not thought a voluntary agreement possible had overlooked. That was a deep and persistent desire among senior academic administrators to retain their own credentials as faculty members, not to be crudely defined as "management." This could be seen among the members of

Chapter Seven

Binding Arbitration

Toronto faculty seem initially to have regarded the Memorandum of Agreement with some satisfaction. The UTFA Council endorsed the Agreement without an opposing vote, though Lee Patterson, a member of the Executive and a militant advocate of certification, abstained. When the Agreement was submitted to the whole faculty in a referendum, 95% of respondents approved it. Membership in the Association increased sharply, by about 16%, in the first year after the Memorandum was signed. Most of the increase came from Arts and Science and the Colleges, but about a hundred new members joined from the professional faculties, many of them from Engineering departments where support for UTFA had been weak. Though active membership declined a little in 1979, and has fluctuated within a narrow range in subsequent years, it has remained remarkably stable for the past fifteen years at just under 70% of total eligible members.

Jean Smith succeeded Jim Daniels as President of UTFA in July, 1977 and was to serve for two years. During his first year, he resolved a nagging issue of relations with CAUT which had arisen in 1976, only to be faced with a sudden crisis in relations with the provincial faculty association, OCUFA. The underlying problem in Toronto's relations with both these organizations lay in the self-sufficiency and insularity of the Toronto Association, exacerbated in the mid-1970s by the growing and costly commitment of both CAUT and OCUFA to certification by various locals elsewhere.

Macpherson to chair a committee to study the benefits to UTFA of both CAUT and OCUFA. The Macpherson Report, in the spring of 1977, concluded that, in regard to CAUT's three main areas of operation, UTFA benefitted as much as any other local association from CAUT lobbying activities in Ottawa; Toronto also received significant services from their Committee on Academic Freedom and Tenure, though these services were less significant than for most Canadian universities, but Toronto benefitted much less than most local associations from CAUT services in collective bargaining.

In respect to OCUFA, Macpherson thought their salary and benefits and taxation information was useful to UTFA, as were their efforts to increase provincial funding for the universities. But their other activities, in the area of public relations, and in support of collective bargaining, were not useful to Toronto. The Macpherson Report reminded Toronto faculty of a moral obligation to support faculty organizations less strong than their own but seemed to imply that, on balance, CAUT was of more value to Toronto than OCUFA; the Report recommended that UTFA resume full payments to CAUT.

In the fall of 1977 CAUT agreed not to make any further special levies, and to give Toronto the benefit of the lowest of its slightly differential assessment rates, and UTFA agreed to pay withheld dues, and resume regular payments. But almost at the moment these difficulties with CAUT seemed to be resolved, a new problem arose with OCUFA. In the decade of its existence, OCUFA had never aroused the strong feelings, either of support or of occasional mistrust, that had characterized relations with CAUT. Most Toronto faculty members were simply indifferent to OCUFA; the UTFA Executive and Council had regarded OCUFA with an originally somewhat patronizing goodwill; Charles Hanly, a Toronto Philosophy professor, had been its first Chairman, and its headquarters were in an old house on the edge of the Toronto campus. But by the middle-1970s the resolute domination of OCUFA by representatives from the smaller Ontario

grandiosity of the proposed appointment, but at the casual over-riding by the Executive of the opposition of OCUFA's two largest supporters, Toronto and Western Ontario. Dyck refused to consider the OCUFA chairmanship and recommended to the UTFA Executive that Toronto cease paying dues and assume an "inactive status" in OCUFA. The Executive agreed, as did the UTFA Council after a last and rather unfriendly meeting with delegates from OCUFA. For a few months UTFA continued to pay a token $1000 per month to OCUFA and to use some OCUFA services. In the spring of 1979 even these payments were discontinued, and the breach was complete.

There was no outcry among Toronto members at the break with OCUFA and, in following years, it seemed to many that the divorce was final. The division in outlook and interests between UTFA and the representatives from smaller universities who continued to dominate OCUFA remained sharp.

But one disadvantage of Toronto's withdrawal from OCUFA did become apparent: to have two voices speaking at Queen's Park on behalf of Ontario faculty, one from Toronto and another from all the rest, seriously weakened whatever impact faculty associations might have on Provincial policy. Essentially for this reason UTFA, after five years on its own, re-opened negotiations with OCUFA. In February, 1983 the UTFA Council voted unanimously to apply to rejoin OCUFA subject to minor concessions that would benefit Toronto on weighted voting and a lowered mill rate. OCUFA agreed to these concessions, and Toronto resumed its membership. It was Harvey Dyck, now the UTFA President, who brought about the reconciliation. Dyck had, in fact, decided that he had been wrong in 1978 to press for withdrawal from OCUFA.

Jean Smith and his Executive and negotiating team approached salary and benefit negotiations in 1977-78 with a degree of expectancy. For the first time, in the Memorandum of Agreement, UTFA and the University administration followed defined procedures in

lowness of Soberman's salary recommendation, his Report was seriously criticized in the Governing Council and, for a time, it seemed possible the Governing Council would reject it because of its support for UTFA demands on issues other than salary. Finally, the spring of 1978 saw, in some respects, the nadir in the popularity of Ontario universities in the 1970s, and many Toronto faculty were in an apprehensive and uneasy mood about their future prospects.

In April, 1978 an editorial in the Toronto *Globe & Mail* attacked tenure for university faculty as "ineffective and inefficient." "It is an anachronistic measure," said the *Globe*, "which risks inhibiting the universities from reorganizing to meet new responsibilities." This point-of-view was echoed among a number of lay members of the Governing Council who proposed the dismissal of some tenured staff on grounds of financial exigency. Similarly, the University administration was threatening the dismissal of some professional librarians as part of a massive cut in funding for the Robarts Library. What seemed a serious threat to tenure was effectively blocked, as Jean Smith pointed out to the Annual Spring Meeting of the Association, by the "frozen policies" clause in the Memorandum of Agreement.

In his report to the Spring Meeting and in a *Newsletter* that followed, Smith was cautiously optimistic about relations with the administration under the Memorandum of Agreement. He pointed to the effective grievance procedures that were now in place, to improved policies for sabbatical leave in some faculties, to improved salaries for librarians, to the "review of the entire rank structure ... for tutors and senior tutors" undertaken by the Joint Committee, and to the "positive change in the tone of campus dialogue" made possible by the Memorandum. At the same time, he admitted that the threat to dismiss librarians for reasons of financial exigency, along with the Governing Council's threat not to approve the Soberman Report, were worrisome. There was, he said, no guarantee under the Memorandum of Agreement against unfair bargaining practices—no re-

with the administration. This is the only time since salary discussions with the administration began in 1950 that the Association has agreed to a settlement neither imposed, nor mediated, nor arbitrated. It provided for an across-the-board salary increase of 8.0%, not as much an improvement over the previous two years as it seemed, since the rate of inflation was rising again towards one per cent per month. Both UTFA and the administration were anxious, however, to avoid the protracted and rancorous negotiations of the preceding year, and the UTFA negotiators, Soberman's awards fresh in their minds, decided they might do no better in arbitration than by agreeing to the administration's offer. In addition, Michael Finlayson thought he sensed a new collegiality in the administration's attitude towards UTFA.

By the following spring, however, the spring of 1981, the rise in the Consumer Price Index had attained an unprecedented velocity of more than thirteen per cent a year. The eight per cent agreed settlement of 1980 looked worse by the day. And what Michael Finlayson and Jim Conacher had agreed at the Spring Meeting in 1980 was the administration's new attitude of "brotherly love" was no longer perceptible. Once again the Association took salary and benefits negotiations to mediation; the new mediator/arbitrator was Professor Innis Christie of the Dalhousie Law Faculty.

Failing in mediation, Christie made a salary award of 9.1%, a figure essentially representing the University's administration's final position. Like Soberman, Christie complained at the confusion inherent in his dual role as mediator and arbitrator. Given the terms of the Memorandum of Agreement, he recommended more attention be paid to mediation since, if mediation failed, the mediator/arbitrator was not really free to act as an arbitrator at all. Under the existing system, Christie said, the arbitrator had to keep in mind that an award higher than the University administration's final offer would simply be rejected by the Governing Council.

rating the mediator from the arbitrator, or seeking a fact-finder who would report without arbitral responsibility; to seeking binding arbitration; or, finally, seeking certification of a faculty union. Informal polls suggested a surprising willingness of Toronto faculty to engage in some kind of strike action. Advocates of such action pointed to the limited strike at York University that year where a certified faculty union had won a salary settlement substantially better than Toronto's. Suddenly the climate of faculty opinion at Toronto, heated by price inflation, had changed.

The UTFA Executive and Council had expected Adel Sedra, a member of the Executive from Electrical Engineering, to succeed Finlayson as UTFA President. Finlayson had asked Sedra to take the job, and Sedra had the support of most of the Executive. Presidential succession in the Association had always been by acclamation. But Harvey Dyck had decided that the time had come to press the administration on binding arbitration and thought that he himself was the best person for the job. Dyck was duly nominated to run against Sedra, and the Association had its first contested presidential election.

There was, in fact, little difference between Sedra and Dyck in principle, outlook, or plans for the Association. Some of their supporters saw Dyck as a more militant advocate of faculty power than Sedra, and saw Sedra, from an Engineering Department, as closer to the traditional caution of the professional faculties. Some members, especially from professional faculties, thought there had been a sufficient number of Association presidents from the History Department for a while (three, holding the office for six of the preceding ten years). But there was really no issue in the contest except perhaps, faintly, a perception of Sedra as an "inside" and Dyck as an "outside" candidate in respect to the current Executive and Council. It was a close election; Dyck won by a majority of eighteen votes out of nearly a thousand cast. Sedra agreed to remain on the Executive and was to be an effective and faithful supporter of Dyck and his policies.

An electrical engineer, Ham was personally popular, had served as Dean of Engineering and then as Dean of the Graduate School. In earlier times he had been active in the Faculty Association, and he was seen as a faculty person. As President, he was, however, to disappoint most Toronto faculty members. While conscientious, thoughtful, and straightforward, he seemed to many to be overwhelmed by the job. Rather than provide vigorous leadership in attempting, at least, to obtain acceptable funding for the University, he grimly accepted underfunding, immersed himself in detail, worked to achieve small economies, and tenaciously resisted increased expenditure. Before confronting him, Dyck made as careful an assessment as he could of Ham's outlook, and concluded he could never persuade him in argument to accept binding arbitration in salary settlements. Rather, he concluded, he would have to lay siege to Ham, deprive him of allies, and press him to the point where giving ground was his only option.

Beginning in the summer of 1981, Dyck methodically prepared his campaign. He could count, for the time being at least, on faculty support. Indignation over the Christie award had been fortified by the disparity between the 9% Toronto settlement and settlements elsewhere in Canada—12.1% at York, 12.5% at Calgary, 16.75% in the Quebec universities, and 18% in an arbitrator's award at the University of British Columbia.

To make the campaign for binding arbitration in a voluntary agreement effective, a willingness to consider certification of a faculty union was essential, and by October Dyck had a well-worked-out plan for certification in place. There was to be a skeleton coordinating committee of ten supervising a campaign to sign up union members, each member of the committee to be responsible for five or six Council constituencies. Jeffrey Sack had been asked to sketch out the probable limits of a bargaining unit, and the slight changes in the Constitution necessary to permit certification were ready to present

Yates also wrote a letter of protest, though it was more judiciously phrased than the others from his department. From Dyck's point-of-view the alienation of some conservative faculty members was unfortunate, but was an acceptable price to pay for university-wide support. University-wide, that is, with the exception of most members of the Governing Council and most senior academic administrators including the President.

In October the Governing Council agreed to consider revision of Article VI of the Memorandum. The UTFA Council approved a negotiating committee led by Harvey Dyck, its other members initially Jim Daniels, Diane Henderson from Library Science, Adel Sedra, and Kenneth Swinton from the Law Faculty. The administration agreed to December 8th as a deadline for negotiations, but was slow to begin serious talk. After preliminary discussion in which UTFA presented its demand for binding arbitration, the administration cancelled two meetings and presented no counter-proposal. Then, however, in late November in an action reminiscent of the negotiations five years earlier over the Memorandum, the Governing Council rejected UTFA's proposal as "misguided and irresponsible," and proposed its own formula for salary and benefit negotiations. This was simply that the Governing Council itself arbitrate a dispute between UTFA and the administration after mediation had failed. Dyck's negotiating team responded to this proposal with "dismay and disbelief" and rejected it out-of-hand.

The December 8th deadline was now only ten days away, and the pressure both on the administration and on the Faculty Association began to build up. Dyck had pressed ahead with plans for certification in the event negotiations to revise the Memorandum failed. Plans were made for a series of small meetings to be followed by a large meeting to revise the Constitution. The Executive Assistant, Victoria Grabb, who had been hired the year before by Michael Finlayson, took an active part in these preparations. She proposed that "front-

Dyck reminded him that they had done so in 1977, and that it was no time to compromise or give an impression of weakness. Finally, on December 3rd, the administration gave ground. Ham authorized two vice-presidents, David Nowlan and Alex Pathy, to meet with Dyck and Adel Sedra to attempt to reach agreement on amending Article VI.

Real negotiations began on Sunday, December 6th, and were to continue for nine days, a week past the agreed deadline. At first, discussion seemed promising, and Ham appeared willing to accept binding arbitration in some form. But shortly serious differences appeared. Nowlan and Pathy argued for a time limit on any agreement, for a statement on the need for "fiscal responsibility" which would implicitly limit an arbitrator's freedom of action, and were adamant in opposing arbitration with "final offer selection," where the arbitrator would be obliged to choose between the final salary positions of the two sides. The UTFA negotiators eventually yielded on "final offer selection" (though this formula had worked successfully at other universities) and agreed to simple arbitration; and UTFA also agreed to a two-year trial with renewal only if mutually agreeable.

The most difficult question concerned a "fiscal responsibility" clause. Jeffrey Sack argued strenuously against agreeing to such a clause, however worded. He pointed out that "ability to pay" had been agreed not to be relevant in public sector arbitration, and that to agree to any limiting clause would simply legitimise a system that would guarantee ungenerous arbitral awards. Sack was supported in this view by Don Savage and Ron Levesque from CAUT, who were now taking an active role in advising UTFA.

Negotiations were broken off at 4:00 AM on Wednesday the 9th of December, but resumed two days later. Dyck was now under growing pressure to write off the negotiations and proceed to a certification drive. Jim Daniels and Adel Sedra worried that going beyond the original December 8th deadline would be seen by the administration

signed an agreement, and on Wednesday, the 16th, Dyck brought the agreement before the Council.

There was some grumbling by a few Council members. Though Jeffrey Sack thought the agreement much improved, Derek Manchester opposed it and argued for certification, and Jack Wayne was dubious about its utility. But the Council approved the agreement by a vote of thirty-nine to two, with one abstention. Harvey Dyck, in a somewhat expansive mood, distributed thanks generously. He thanked the Council, the Executive, the negotiating committee, Adel Sedra, Cecil Yip, CAUT, Bill Nelson and Jean Smith, the Graduate Students' Union, the Staff Association, and Vicky Grabb. He and other Council members expressed much appreciation for Michael Finlayson's initial efforts in behalf of binding arbitration, and agreed to send him a telegram in Australia, where he was on leave, wishing him a Merry Christmas. Forgotten in this little celebration was the ominous two-year limitation written into the agreement.

There remained considerable opposition to the agreement inside the Governing Council. Despite Ham's endorsement, many members were prepared to vote against it. Eventually this opposition focussed on the question of whether the Governing Council had the power to give up its financial responsibilities under the Governing Act to an outside arbitrator. Jeffrey Sack, on behalf of UTFA, obtained two separate opinions unequivocally stating that the Governing Council, as a "natural person," had such a right; but the University lawyers thought perhaps not. In due course the Faculty Association and the Governing Council agreed to present this matter to the Supreme Court of Ontario as a "stated case." Finally, almost two years later, the Court ruled unsurprisingly that the Governing Council could indeed agree to outside arbitration of salary disputes.

In the meantime, the Governing Council having endorsed the agreement subject to any revision in future, the administration and the Faculty Association took up salary and benefit negotiations under

Some of Harvey Dyck's critics were later to argue that, with an increase in provincial funding of more than 12%, the University administration would have agreed to a salary settlement of, perhaps, 14% without binding arbitration. This is problematical and, in any event, misses the greater point—the importance of the Burkett Report in establishing the right of university faculty to restorative salary settlements. In the decade since it appeared, the Burkett Report has measurably strengthened the bargaining power of university faculty associations throughout Canada. It had an immediate echoing effect on other Ontario settlements in 1982 and, indeed, on salary settlements for non-academic staff at Toronto and elsewhere. Burkett, incidentally, devised a means of introducing the awarded salary increase over nine months in a series of three increments, in order to reduce the immediate burden on the University salary budget to about 12%. Because of the high rate of inflation at the time, Burkett's 18% award included only 6% or so in restorative salary, leaving about 18% for future "catch-up" awards by, presumably, future arbitrators.

After Harvey Dyck had presented the terms of the Burkett Report to a Faculty Association Council meeting, he was given a rousing round of applause. There was no question in anyone's mind of Dyck's central and dominant role in forcing "fair, independent, and binding arbitration" on an unwilling administration and a hostile Governing Council. Whether someone else might have achieved the same result that year is an unanswerable question. What is certain is the skill and sureness with which Dyck had handled negotiations. There were those, it is true, who found him overbearing at times, and, though he was meticulous in seeking advice, some felt he had usually made up his mind before consulting anyone. Had his efforts failed, Dyck would have taken much of the blame. But they did not fail, and throughout this difficult time, he kept his confidence in himself and in the certainty of the other side yielding if pushed hard enough. At heart, Dyck was apprehensive of certification, but he nevertheless

Chapter Eight

Revision And Retreat

There was to be a confused and disappointing sequel to what had seemed to be the establishment in 1982 of binding arbitration in salary and benefits disputes. In agreeing to a two-year trial period, Harvey Dyck, as well as most others active in the Association at the time, had assumed that, once in place, binding arbitration could not be repudiated by the Governing Council without precipitating the certification of a faculty union. The validity of this assumption was undermined by a series of events.

In September, 1982 the Provincial government, alarmed by a series of high salary settlements, among which the Burkett Award was itself significant, put through a *Wage Restraint Act*, limiting salary increases for employees in the public service, including those in universities, to five per cent for the following year. The Act did not affect the Burkett settlement, but it precluded salary negotiations the following year. For 1983-84 the imposed salary settlement at Toronto was just under five per cent.

The rate of inflation fell sharply in the latter part of 1983 and 1984 to an average annual rate of about 4.5% at which it was to remain for the rest of the decade. Wage restraint legislation was not extended, and salary and benefit negotiations were again in prospect in the fall of 1983. These were delayed, however, initially by both sides waiting for the Ontario Supreme Court's decision on the "stated case." When the Supreme Court finally ruled that it was indeed legal for the University to enter into an agreement providing for binding arbitration

and asked his endorsement for a new approach. Yip had succeeded Harvey Dyck as President in the summer of 1983. A distinguished medical researcher from Banting and Best, he had served the Faculty Association well for some years. He had chaired the UTFA Grievance Committee and served on the Academic Freedom and Tenure Committee of CAUT. As Vice-President and a useful member of Harvey Dyck's Executive, he was a natural choice to succeed Dyck.

As a former Grievance chair, Yip was used to negotiating with the University administration. Grievance negotiations were sometimes adversarial but, being within the terms of an agreed and defined structure, seldom confrontational. Yip himself disliked confrontation and had a genuinely collegial attitude towards faculty and administration alike. When asked by Strangway to endorse a fresh approach to collective bargaining negotiations, Yip agreed. He was later to argue with perfect sincerity that he was merely endorsing the principle of collegial negotiation, not modifying the Faculty Association's position on any issue. Strangway and the Governing Council, however, used Yip's endorsement to argue that the form of salary negotiation was once again an open question, that the "slate had been wiped clean."

The state of faculty association negotiations with the administration was put in further doubt by a dispute over whether there remained, or did not remain, a second year of Dyck's agreement permitting binding arbitration. The Association argued that, as wage restraint legislation had prevented any negotiations for 1983-84 benefits, there was still a year remaining of Dyck's two-year agreement, and negotiations for 1984-85 should be carried on with the possibility of an arbitrated settlement. The administration and Governing Council argued that the two-year term of Dyck's agreement had expired, and cited Yip's endorsement of new negotiations as implicit support for this view. Yip argued that he had neither abandoned the second year of Dyck's agreement nor the Association's commitment to binding

the faculty might refuse to strike; if there were a strike, it might be lost; in bargaining after certification, "tenure might be on the line." Finally, however, the meeting passed both resolutions: to continue to seek binding arbitration in a voluntary agreement; and to seek certification if binding arbitration could not be obtained.

Thus it was a revived and obdurate administration and a more-than-usually hostile Governing Council that the new UTFA President and Executive faced in the summer of 1984. Harvey Dyck, it turned out, had wounded but not slain the dragon of Simcoe Hall paternalism. The new UTFA President was Peter Dyson, the only member from the English Department ever to hold this office. It was perhaps both Dyson's and the Association's misfortune that he did not come to the UTFA presidency a little later. His real interest lay in the equity issues that later in the 1980s were to dominate Association activities. He had been a sensitive, dedicated, and efficient chairman of the Grievance Committee, and was used, like Cecil Yip, to dealing with the administration adversarially but within agreed rules. Like Yip, Dyson disliked confrontation, but he and his Executive undertook to make the best they could of the situation they found themselves in.

For the Faculty Association, the prospects in the summer and fall of 1984 were considerably less promising than they had been three years before. Then, Harvey Dyck's campaign for binding arbitration had been fuelled by faculty frustration and outrage at the end of a decade of rapidly falling real income, and at a time of 13% annual inflation. But the Burkett Award itself had taken the edge off the faculty's salary discontent, and the rate of inflation had fallen to under 5%. Guided by Frank Iacobucci, the administration was managing its case with far more skill than in Harvey Dyck's or Jean Smith's time. And the threat of faculty certification, used so effectively in 1976 by Smith and in 1981 by Dyck, had lost credibility. The administration did not think a complacent and aging faculty would certify, and cared

relentless ferocity of his attacks on the Executive added to the sense of indirection and floundering that many loyal supporters of the Association now felt. Dyck castigated the Executive for blunders and poor judgment; he denounced the "conditional offer"; he complained at the lack of effective communication from the Executive to the membership; the Executive's arguments, he said, were "childlike in their simplicity." Dyck had been at his best in 1981 when he was in charge and dealing from a position of strength. Now, frustrated by the weakened position of the Association and his own inability to do much about it, he turned his considerable powers of attack, used so effectively against the administration in 1981, against Dyson and his Executive.

One impediment to serious negotiation with the administration had, however, been removed. Strangway had not been chosen for a full-term presidency. Rather, that appointment had gone to George Connell, a biochemist who had been at Toronto for many years and had served in John Evans's administration before taking the presidency of the University of Western Ontario.

In early November, Iacobucci agreed to resume negotiations with Donnelly, and, within a few days, the two sides agreed to a new revision of Article VI. This provided sensibly for mediation and arbitration to be separate, removing the old duality of the mediator/arbitrator's role. Less happily it proposed an odd compromise on the question of binding arbitration, a compromise suggested by Iacobucci and the University lawyers: in a given year, the Governing Council might reject an arbitrator's award; if it did so, however, there would be conventional binding arbitration the following year.

Dyson and Donnelly brought the new proposal to the UTFA Council on November 15th. Dyck, again attending as a guest, thought the proposal seriously flawed: it should not have been agreed to; certification would have been better; there would now be no way seriously to influence the funding policies of the Provincial govern-

increased university funding by complaining that the settlement was too high.

Curiously, neither at the time of the Munroe Award nor earlier when the 1984 revision of Article VI was being considered, did critics of the alternate-year scheme of arbitration seem to grasp what may be its most serious weakness: this is not what might or might not happen after the Governing Council rejected an arbitral award. Rather it is the unlikelihood of an arbitrator making an award the Governing Council would be tempted to reject. Although they have more latitude because the Governing Council must worry about arbitration the following year, arbitrators under the present system are in somewhat the position of Soberman and Christie under the original Memorandum. Wishing their awards to be accepted, they are unlikely to press too hard the side holding the power of rejection.

During the contentious debate within the Association in the fall of 1984, the Executive became concerned at criticism of Vicky Grabb and the vulnerability of her position as Executive Assistant of the Association. Peter Dyson agreed to a "staff employment contract" providing for possible arbitration of any dismissal of the Executive Assistant or the Administrative Assistant, Sue Ann Elite; it also provided "permanent status" to both officers; and provided for one year's salary, plus one month's salary for each year of service, to the Executive Assistant in case of dismissal, and for six month's salary, plus two weeks' salary for each year of service, to the Administrative Assistant in case of dismissal. Dyson signed contracts embodying these terms, and put the matter before the Council.

The problem Dyson addressed here is, of course, inherent in the staff relations of any organization, public or private, where a transient and amateur controlling body deals with the organization's permanent employees. Diana Moeser, the Faculty Association's first Executive Assistant, a strong-willed and able person, had been summarily dismissed by Jean Smith in 1977, essentially because Smith felt there

1971, but now the Grievance and Salary and Benefits chairs had one-quarter released time. To a limited degree, the running of the Faculty Association was not only becoming professional for the permanent staff, but semi-professional for members of the Executive.

Among rank-and-file members of the Association who took an interest in its activities, and especially among people who had been active in the Association in the past, there was a bias towards the amateurism of earlier times. One objection to certification of a faculty union had always been the prospect of a union bureaucracy replacing the informal senior faculty management of the old Association. The prominent role Vicky Grabb had come to play in shaping Association policy, and the apparent willingness of Dyson and his Executive to endorse this role and give it permanence provoked a reaction.

Early in 1985 Harvey Dyck discussed his concerns about the direction of the Association with Jean Smith who, in general, shared these concerns. Smith spoke to me about this, and I to Michael Finlayson. The four of us, claiming, I suppose, some legitimacy as recent former presidents of the Association, met a few times, and finally had a meeting with Peter Dyson and some members of his Executive. Dyck was, as usual, forthright in his criticisms, the rest of us supporting him in varying degree. Eventually the rest of what I called "The Gang of Four" persuaded Michael Finlayson to run for the UTFA presidency for 1985-86. Finlayson set one condition, that his nomination form be signed by a majority of Council members. This condition was met; Dyson decided not to contest Finlayson's election, and Finlayson was acclaimed President. He then persuaded Harvey Dyck to accept nomination as Salary and Benefits chair, and this provoked a revolt among some Council members. Jack Wayne, who had had considerable experience in UTFA affairs and had served on Cecil Yip's Executive, was also nominated, and the Council had to decide between him and Dyck.

rate of inflation at less than two per cent), the faculty has, in fact, achieved a salary "catch-up" in recent years of close to four per cent.

As long as UTFA was confronting the University administration on the issue of collective bargaining and, especially, as long as the Toronto association was seriously considering certification of a faculty bargaining unit as in 1981 and again in 1984, relations with CAUT were fairly close. As the emphasis on collective bargaining waned, and the prospect of certification grew more remote, discontent with CAUT increased. From the early 1970s on, CAUT had been heavily engaged in supporting certified associations, and its staff and expenses had increased sharply. Some local associations which had not certified found CAUT's dues more and more burdensome, and its services increasingly unhelpful.

By 1986, of total income from dues of $500,000, UTFA was paying CAUT $170,000, or 34% (compared with $105,000, or 21%, to OCUFA). When Michael Finlayson asked CAUT to contribute $30,000 to the cost of Munroe's arbitration, CAUT offered only $15,000, even though the Munroe Award had considerably influenced other University settlements. In September, 1986, Finlayson arranged a meeting in Winnipeg of delegates from a number of faculty associations to consider what reforms in CAUT's structure might be proposed, and how the burden of CAUT dues might be reduced. The Alberta and Saskatchewan associations had already withdrawn from CAUT, and several other large associations shared Finlayson's concern, but most delegates to the Winnipeg meeting supported CAUT, and no agreement was reached.

When, in the winter of 1986-87, it appeared that CAUT was unwilling to take any serious steps to respond to criticism from UTFA and from other like-minded associations, Finlayson persuaded the Executive and Council to give notice to CAUT of Toronto's withdrawal at the end of the academic year. Associations at Carleton and the University of Western Ontario took similar action.

and effective, pointing to CAUT's self-reformation as healthy and as unlikely to have been achieved without severe pressure.

Relations between UTFA and CAUT were to remain cool for a time, but Fred Wilson who succeeded Finlayson as President, gradually achieved a renewed working relationship. In the meantime, UTFA's relations with OCUFA have been placid, especially as OCUFA's lobbying activities with the Provincial government seemed in the 1980s to become more sophisticated and productive. By 1992 Toronto's CAUT and OCUFA dues combined, expressed as a mill rate, were almost exactly what they had been fifteen years before, though the OCUFA proportion had risen a little and the CAUT proportion fallen. And in 1991-92, for the first time, the presidents of both CAUT and OCUFA were from Toronto, Fred Wilson at CAUT and Bill Graham at OCUFA.

Chapter Nine

Different Times

Assessing the role of the faculty association at Toronto during the past decade is, in one way, like trying to give an intelligible account of its activities in the 1940s. Both decades are in shadow, though for very different reasons. For the 1940s there is little surviving evidence and few memories. For the most recent decade, there is an abundance of material evidence, written and oral, but events are too close to judge with any sureness, and many matters are unfinished and uncertain in outcome.

It is evident, however, that early in the 1980s the emphasis and direction of Faculty Association activities began to change. Even while collective bargaining was still at the centre of UTFA activities, as it was until 1985, new people with new concerns were becoming active in the direction of the Association. If the 1950s were dominated by salary and benefits matters, rather narrowly considered, and the 1960s by the question of university government, and the 1970s by the drive for effective collective bargaining, the most recent decade has seen an increasing focus on equity issues. The Association has paid more and more attention, with uneven results, to the interests of the most vulnerable and marginal members of the faculty community—grievors, women, pensioners and aging faculty, non-tenured faculty, especially tutors.

Vicky Grabb left the Faculty Association in May, 1985, and in June, her successor, Suzie Scott began work. Suzie Scott was an American with a law degree from Toronto and six years' experience as

Two issues have been at the centre of this Committee's work. One has been difficult and laborious to resolve, but not essentially controversial. This has been the matter of women's equity in salary and other conditions of employment. Here the Faculty Association has generally had the support of the University administration. Since the passage of the *Pay Equity Act* in 1987, the University has been obliged by law to identify and correct salary inequities inherent in occupations dominated by females. This has meant finding male-dominated groups of employees that can be compared with female-dominated groups doing work of similar skill, and correcting inequities specific to groups. Additionally the University, in order to be able to bid on a range of federally funded research projects, has been obliged to seek out and correct *individual* inequities.

For several years a Female Faculty Salary Review has been in process, extending throughout the University, department by department and faculty by faculty. Recommendations from chairs and deans have gone to a committee chaired by David Cook, on which UTFA has been represented by Rhonda Love and Suzie Scott. This Review has been nearly completed; hundreds of individual cases have been considered and many increases in salary have been made, ranging from small amounts to as much, in one case, as $24,000 annual salary. These adjustments have been substantial in total, adding about a million dollars to the faculty salary budget.

The other main issue raised by the Status of Women Committee has been the controversial matter of preferential hiring of women for faculty positions. This issue is analagous in some respects to the question of Canadianization in the 1970s and, as that issue did, has divided the faculty along lines often different from lines of division on other issues.

On the urging of the Status of Women Committee, supported by the Executive, the UTFA Council endorsed a formula in support of preferential hiring in 1987. In its final form it provided that when

ance Chair, first reported to the membership on mandatory retirement in 1985, he was carefully neutral in his comments. As President of UTFA, Michael Finlayson, however, strongly endorsed the CAUT position and persuaded the Council to pass a resolution opposing mandatory retirement and urging a flexible retirement policy on the administration.

Of course, for seventeen years, from 1955 to 1972, the Toronto retirement age had been 68, abruptly lowered to 65 in 1972 without consultation with UTFA. A few years later the "frozen policies" clause in the Memorandum would have made such a unilateral change impossible. As it is, Toronto remains one of the very few major universities in North America with mandatory retirement at 65 and, consequently, lacks inducement to provide the flexible retirement plans which now characterize most universities.

Pensions are an old, almost an original, faculty association interest at Toronto, antedating even concern over salaries. As mentioned earlier in this account, the present pension plan dates from 1966, though it has been considerably modified. As was the case with earlier plans, however, the benefits of the present plan have been eroded by inflation. Until the 1980s pension payments were increased haphazardly by percentages ranging from close to the rate of inflation to as much as 6% below it. In the days of high inflation in the early 1980s, a rule-of-thumb policy was adopted, that the rate of increase should equal the rate of inflation minus 4%. This formula made it likely that pension income would lose half its purchasing power over a decade.

In 1987 Michael Finlayson negotiated an agreement by which the Association gave up any claims to an accumulated pension surplus (or liability to a deficit) in exchange for an annual increase representing 60% of the increase in the Consumer Price Index, or that rate of increase minus 4%, whichever was greater. This agreement did reduce the rate of erosion in the value of pensions, but it was based on

restoration of the purchasing power of their pensions is very strong. To what degree this may also constitute a legal claim remains to be tested.

A final major equity issue in recent years concerns proposed changes in academic categories, and appointments policies and procedures. In 1985 the University administration proposed some changes in University appointments policy that, falling under the "frozen policies" clause in the Memorandum of Agreement, required UTFA's agreement. Faculty association representatives entered into protracted discussion with the administration culminating in the spring of 1987 with what UTFA thought was a negotiated agreement with the administration. In the fall of 1987, however, the Provost, Joan Foley, disavowed this agreement, arguing that there had been no "negotiations," but only preliminary discussion, and that she would have to seek further advice within the administration.

The UTFA Executive was outraged at what seemed to be the administration's repudiation of its agreement, and Fred Wilson, the new UTFA President, persuaded the Council to vote censure of the Provost and of George Connell, the President of the University. At a General Meeting, a majority of UTFA members supported Wilson, though a sizable minority argued that the unprecedented use of a vote of censure against the administration was too harsh a response, and trivialized what should be a weapon of last resort for the Association. Whether properly used or not, the vote of censure does not appear to have had much impact on University policy and, in any event, was withdrawn after a few days. What happened here probably was, that as had happened so often in the past, what UTFA regarded as "negotiations" were regarded by the administration as "discussions," even though the agreement of the Faculty Association was required before any change of policy could be implemented.

For more than a year, there was an impasse on the question of changes in appointments policy. During this time, however, substan-

and publication was expected and faculty whose University duties encompassed teaching only. Tutors, or people who were to become tutors, had, after some years' satisfactory service, permanent appointments on the same basis as tenured faculty members. As the requirements for tenure became more formal in the early 1970s, the tutor category became a kind of catch-all for teaching members of the faculty who were not in a tenure stream, their number amounting eventually to about 9% of total faculty members. Various half-hearted attempts were made over the years to give some regularity to these appointments. Tutors on annual appointments, for example, were distinguished from Senior Tutors of some years' service who served on five-year renewable contracts.

The Faculty Association's intervention in behalf of tutors goes back to the 1970s. Jean Smith, in his first Report on the workings of the Memorandum of Agreement, mentioned, as one of its benefits, the "review of the entire rank structure ... for tutors and senior tutors" undertaken by the Joint Committee. In his first arbitral Report in 1978, Soberman recommended that the progress-through-the-ranks formula be applied to salary settlements for tutors, and the following year after the Provost, Don Chant, had refused to do this, Soberman again awarded tutors a PTR component, but at a lower rate than that for tenured staff. Even that recommendation has never been fully implemented.

In the early 1980s the UTFA Appointments Committee made a number of recommendations concerning tutors which the administration was to ignore. In the spring of 1987 Martin Teplitsky, as part of his mediated settlement, directed the administration and the Faculty Association to set up a Tutors' Committee, with three members from each side, to consider tutors' salary structure and deal with anomalies, including a PTR component still much inferior to that of tenured staff. Once again the administration resisted taking action. When the Yip Committee started work, the Faculty Association

suggests that some basic faculty interests at Toronto still must be defended, if at all, by the Faculty Association.

So long as the Memorandum of Agreement remains in place, changes in appointments policies will finally require UTFA agreement. Agreement *can* occasionally be reached with the administration. The Faculty Association, for example, gave general endorsement to the recent recommendations of the Perron Report on policies and procedures in making administrative appointments. In 1991, after years of urging from UTFA, the administration did away with the salary ceilings for associate professors; these had long provided a steady source of grievances. And there has been the substantial redress of inequities in women's appointments and salaries, induced, of course, by legal mandate and governmental and social pressure.

On other equity issues, however, the Faculty Association has made little headway. No arguments have persuaded the administration to re-consider its retirement policy, to index pensions fully, or to address the grievances of tutors. Some equity issues are, of course, intertwined: most tutors are women, for example; and women, who frequently have interrupted careers, suffer even more than men from arbitrary retirement policies and inadequate pensions.

In considering the issues dealt with in very recent years by the Faculty Association, a proper historical reckoning is not possible. This account, therefore, has slipped into a necessarily inconclusive summary of current events, and trembles on the edge of mere prediction. Prediction is, of course, no part of a historian's business, with, perhaps, the single qualification that it is almost always safe to assume that whatever is, will not long stay unchanged. In the spring of 1992 the University is grimly contemplating contraction, not expansion. There is no increase in Provincial funding for the year to come. The University administration's salary offer to the Faculty Association for 1993-94 is zero, less than zero if proposals for a review of the PTR formula are taken seriously. The rate of inflation is the lowest for a

any of the legal protection of an agreement reached by a certified union.

There are now about 2,600 faculty members and librarians at the University of Toronto, 28% of whom are women. Their average age is about fifty, compared with an average of forty in the late 1970s. Their average salary in 1992-93 will be about $85,000, which, largely as a function of age, represents a rough restoration of the pre-war relationship of University salaries to those in other professions. Just over two-thirds (67.5%) of these people are members of the Faculty Association (which also has some 300 retired members). This proportion has remained stable for a generation, except for falling in the early 1970s and rising in 1977.

A number of constituencies have more than 80% of their potential membership—Library Science and Librarians, the Faculty of Education, St. Michael's, Victoria, New and Innis Colleges, the Humanities division at Scarborough College, the Sociology Department, and several language departments. A number of constituencies, however, have fewer than half their potential members—Economics, Computer Science and Statistics, Management Studies, Mechanical Engineering, and several departments in the Faculty of Medicine and other Health Sciences. Within Arts and Science there have been some changes in patterns of membership in recent years. Membership has increased, for example, in Botany and Zoology where it had been low, and fallen in History, English, and Philosophy where it had been high.

The physical resources of the Faculty Association have grown significantly in comparison with those of earlier times. After seventeen years in cramped and shabby offices in the Tip Top Building, the Association moved, in 1987, into blandly corporate quarters only a few blocks north on Spadina Avenue, but well away from the squalor, colour and bustle of its old neighbourhood. There is a permanent staff of four, including, now, two lawyers. Replacing the single typewriter and dented filing cabinet of the 1960s is a considerable little array of

things. A number have been drawn into University administration: Art Kruger and Frank Iacobucci in the 1970s; more recently, Carole Moore, who became Chief Librarian of the University, Paul Thompson, who became Principal of Scarborough College, and, most notably, Michael Finlayson who, in 1991, became the University's Vice-President, Human Resources, charged with, among other duties, negotiating salary and benefits with the Faculty Association.*

A few active members have resigned from the Association, finding themselves out of sympathy with one or another of its policies: Keith Yates, David Huntley, Nanda Choudhry, and Jean Smith come to mind, though Smith has recently re-joined. Others have followed Stan Schiff's example, retaining UTFA membership but distancing themselves from its activities.

If, however, the Faculty Association has, in general, kept the support of the faculty, now for half a century, it is presumably because it serves a function, or functions, members see as useful. In one way, obviously, it is like any trade union, seeking to gain and maintain benefits for its members. The faculty, however, has never regarded such benefits as merely economic. They have always included the perceived essentials for professional well-being, and these, given the nature of a university, are somewhat open-ended. Academic freedom must be a central concern of organized faculty members at any vital university. And, in order to mean anything, academic freedom must be broadly enough defined to encompass, not merely the individual needs of professors, but the climate in which they work. Thus the Faculty Association at Toronto has properly taken an interest in such matters as the governance of the University, treatment of University

* After this was written, Adel Sedra, early in 1993, accepted appointment as Vice-President and Provost of the University.

Appendix

Faculty Association Chairmen and Presidents, 1947-1992

Chairmen of the CRTS (Committee to Represent the Teaching Staff) until 1954, and of the ATS (Association of the Teaching Staff) from 1954 to 1971 were elected at the Fall Meeting and served for a year beginning in late November or early December. Since the establishment of UTFA (University of Toronto Faculty Association) in 1971, presidents have begun their terms on July 1. Service of CRTS and ATS chairmen was sometimes casual, and on three occasions, in the absence of the elected chairman, others chaired the Spring Meeting and led the association for some time following it. These acting chairmen were F.E.W. Wetmore (Chemistry) in 1954, B. Laskin (Law) in 1961, and J.B. Conacher (History) in 1965. All UTFA presidents have been acclaimed except for H.L. Dyck, who defeated A.S. Sedra (Electrical Engineering) in 1981, and F.F. Wilson, who defeated H.E. Rogers (Linguistics) in 1987.

Chairmen, Committee to Represent the Teaching Staff:

1947-48	V.W. Bladen (Political Economy)
1948-49	G.B. Langford (Geology)
1949-50	G.deB. Robinson (Mathematics)
1950-52	J.T. Wilson (Geophysics)
1952-54	W.G. Raymore (Architecture)

Index

Sidney Smith, President of the University of Toronto, addressed a Faculty Association meeting in December 1954:

"In all my talks with members of your executive, I have never once sensed the attitude of a bargaining agency."

In the spring of 1968, Claude Bissell, President of the University of Toronto, asked his executive secretary, Frances Ireland, whether or not he should seek the Faculty Association's support for the reform of the governance of the university. She advised him not to do so.

"The Faculty Association," she wrote him, "is awfully democratic and slow-moving."

In March 1977, Donald Chant, Provost of the University of Toronto, informed the Faculty Association that the university administration would not discuss grievances, working conditions, workloads, leave policy, or salary and benefits negotiations with UTFA.

"The Governing Council," Chant wrote, "could not negotiate away its responsibility to govern the university."

In June 1982, Kevin Burkett arbitrated the salary and benefits dispute between UTFA and the university.

Burkett wrote that the faculty "should not be required to subsidize the community through substandard salaries." Balancing the claims of the administration against those of the faculty association, he concluded that "the equities weigh heavily in favour of the faculty."

CSPI

ISBN 1-55130-023-0
Printed in Canada