

SCHEDULE "B"

JANUARY 25, 2011 UNIVERSITY OF TORONTO AND UTFA ARBITRATION BEFORE MARTIN TEPLITSKY, Q.C. – WORKLOAD ISSUES RESOLVED

Existing Article 8 of the Memorandum of Agreement be amended by adding the following:

“Amendments to Article 8 will be made in accordance with and are part of the process under Article 6 of this Memorandum of Agreement.

Workload is subject to this Article and the Workload Policy and Procedures for faculty and librarians negotiated pursuant to Article 6.”

University of Toronto Workload Policy and Procedures For Faculty and Librarians (“WLPP”)

Preamble

Workload is a combination of tasks assigned and tasks determined through collegial interaction and self-direction. Units vary in their contributions to the University mission and so it is understood that what constitutes normal workload will vary from one unit to another. At the same time, unit members will experience different demands from year to year in the balancing of domains of workload, and so an individual member’s workload may vary from year to year and from a colleague’s workload within a year. This flexibility is important for recognizing the unique missions of units and the differences in agreed upon activities of individuals within units.

1.0 Principles Governing the Establishment and Assignment of Workload

1.1 Workload for faculty and librarians will be established and assigned in a manner consistent with the principles set out in 1.2.

1.2 The University of Toronto is committed to:

- A fair, reasonable and equitable distribution of workload;

- A transparent process of workload allocation within a unit, based on decisions made in accordance with criteria that are known to members within that unit;
- Flexibility in workload allocation that reflects the missions of units and is consistent with the type of appointment members hold and the diversity of their research and scholarship and assigned teaching and service responsibilities and activities;
- Criteria for workload allocation that have been developed in accordance with collegial governance, including the opportunity for members of the unit to contribute reasonably to their development and review. In this regard, workload allocation should respect academic freedom and a reasonable degree of professional autonomy;
- Workload allocation that will comprehensively take into account the full scope of activities and expectations of a member of a unit, commensurate with the 3 principle components of a faculty and librarian member's appointment.
- Workload allocation that reflects approved participation in programs outside the unit.
- Assignment of individual workload based on the principle that comparable work will be weighed in the same manner.

2.0 Unit Workload Committees

Faculty

- 2.1 All units shall establish a Unit Workload Policy Committee to create and maintain a Unit Workload Policy, including workload norms, standards or ranges appropriate to the Unit and consistent with the terms of this WLPP. The composition of the Unit Workload Policy Committee will be established through a collegial process that provides a reasonable opportunity for all members of the unit to have input regarding which members shall serve on the Committee. Committee membership should be reasonably reflective of the membership of the Unit, including reflecting the types of appointments that faculty members in the unit hold. The Unit Head shall be the Chair of the Unit Workload Policy Committee.
- 2.2 Each faculty member will be covered by the Unit Workload Policy for the Unit in which they hold their primary appointment.

- 2.3 "Unit" for the purposes of this Policy is a single department faculty, a department within a multi-department faculty, an Institute Centre or School with Extra Departmental Unit A or B(EDU A or B) status including the ability to appoint members of the teaching staff, or a College where the primary appointment of a faculty member is held in the College. "Unit Head" is the Dean, Chair, Director or Principal of a Unit who has been appointed under the Policy on the Appointment of Academic Administrators. It is intended that every faculty member will be covered by a Unit Workload Policy. With respect to current faculty whose primary appointment is not held in an academic unit or College as defined in this WLPP, the parties will meet with a view to agreeing on the Unit for these faculty members for the purposes of this Policy. If necessary the Chair of the GRP shall resolve any disputes between the parties with respect to the Unit to which any current faculty with no academic department should be assigned for the purposes of this Policy.

Librarians

- 2.4 Librarians will be covered by a Librarian Workload Policy Committee that will create and maintain a Librarian Workload Policy, including workload norms, standards or ranges appropriate for the libraries and consistent with the terms of this WLPP. The composition of the Librarian Workload Policy Committee will be established through a collegial process that provides a reasonable opportunity for all Librarians to have input regarding which members shall serve on the Committee. Committee membership should be reasonably reflective of the membership of the libraries, including reflecting the types of appointments that Librarians hold and should include representation from the UTM, UTSC, and Central and divisional libraries. The University's Chief Librarian shall be the Chair of the Librarian Workload Policy Committee.

Faculty and Librarians

- 2.5 The Unit Workload Policy shall be accessible and communicated annually to all members in the unit.
- 2.6 Unit workload policies shall be consistent with the operating obligations of the unit and the University and the rights and obligations of members.
- 2.7 Unit Workload Policies shall be consistent with Article 8 and the WLPP. In establishing Unit Workload Policies, Unit Workload Committees may also take into consideration workload norms in the same and cognate disciplines within the University (including other campuses).
- 2.8 By February 1 the Unit Workload Policy Committee shall establish the proposed Unit Workload Policy and shall forward same to the Dean, or in the case of single department faculties or the libraries, to the Provost (or designate), and to all members of the unit. By February 15, the Dean or the Provost (or designate) shall approve or reject the proposed Unit Workload Policy established by the Unit

Workload Policy Committee. If the Dean or the Provost (or designate), acting in a manner that is not irrational, arbitrary or in bad faith, rejects the proposed Unit Workload Policy the proposed Unit Workload Policy will not come into effect, and he or she will respond in writing outlining the reasons for not approving the proposed Unit Workload Policy and request that the Unit Workload Policy Committee meet to review and revise the proposed Unit Workload Policy in light of the reasons provided by the Dean or the Provost (or designate) in writing. If the Dean or the Provost (or designate) rejects the proposed Unit Workload Policy the Unit Workload Policy Committee will establish a revised Unit Workload Policy within a reasonable time frame. The Dean or the Provost (or designate) shall, within a period of 15 calendar days from receipt of a revised Unit Workload Policy, approve or reject the proposed revised Unit Workload Policy, and paragraph 2.7 will then apply with all necessary modifications.

- 2.9 Until a Unit Workload Policy is established the previous unit practices concerning workload will continue to apply. After a Unit Workload Policy has been established that Policy will continue to apply until a new Unit Workload Policy is established.
- 2.10 Unit workload policies shall be reviewed at least every three years by the unit.
- 2.11 Each member will be provided with a written assignment of his/her workload duties on an annual basis which includes details of teaching and service. All written assignments for each Unit will be collected in the Office of the Unit Head and made readily available for review at the request of any member of the Unit or the Association.
- 2.12 Approved Unit Workload Policies or Unit Workload Policies that are rejected by the Dean or the Provost (or designate) and written responses related to the rejection will be provided to the Association at the same time as they are approved or rejected.

3.0 Establishing Individual Workloads

- 3.1 After consultation with the member, the Unit Head, or in the case of a librarian the person to whom the librarian reports, shall assign workload to individuals in accordance with the provisions of the WLPP, the Unit Workload Policy, and other factors relevant to the individual.
- 3.2 In assigning workload to pre-tenure and pre-promotion faculty, temporary reductions in teaching and service loads are to be encouraged.

4.0 Establishing the Teaching Component of Normal Workload

The assigned proportion of a faculty member's work will include teaching and preparation for teaching, and the necessary administrative tasks associated with the operation of a collegial environment. The remainder of a faculty member's working time is self-directed and may consist of research, scholarly, creative or professional work consistent with the type of appointment the faculty member holds. Subject to any requirements in Article 8 and the WLPP, individual units shall determine the balance amongst the three principle components of a faculty member's activities: teaching, research and service.

4.1 As reflected in Article 8 of the *Memorandum of Agreement*, faculty will not be required to teach in all three terms, nor shall they be pressured to volunteer to do so.

4.2 In considering the teaching component of normal workload, relevant factors include the following if applicable:

- Class size;
- The expected total number of students in all of a member's courses;
- Course coordination and program direction;
- The mix of course levels (introductory, upper year, graduate, etc.);
- The nature of the course (e.g., team-taught, inclusion of writing intensive or critical skills components, first-year seminars, foundation courses, etc.);
- Mode of delivery;
- Contact hours, including in-class and outside of formal scheduled class time;
- Advising duties or equivalent;
- Tutorial, lab, or studio direction or equivalent;
- Supervision of teaching assistants or equivalent;
- Marking/grading responsibilities or their equivalent;
- Course preparation, including but not limited to extraordinary course preparation such as new courses, "short notice", preparation of courses delivered by alternate modes, and for courses which are cancelled;
- Supervision of senior essays or their equivalent;
- Directed reading courses and independent studies courses or their equivalent;
- Graduate supervision, including but not limited to supervision of dissertations, theses or equivalent, and including membership on graduate supervision committees in capacities other than primary supervision.

5.0 Establishing the Service Component of Normal Workload

5.1 Each member shall be expected to accept an equitable share of administrative responsibilities by way of service performed through participation in the decision making councils of the University, and through sharing in the necessary administrative work of their Unit, the Libraries, Faculties, Colleges, Schools, Centres, the University or the Association.

- 5.2 Members are encouraged to participate in the work of learned societies, academic and professional associations, funding agencies and programs, editorial boards, and academic and professional journals, to serve as external readers of theses or dissertations from other universities, and to take an active role in the community.
- 5.3 In considering the service component of normal workload, relevant factors include the following if applicable :
- Participation on University governance committees, task-forces, advisory groups or other related activities including participation on committees created by the Office of the President, the Office of the Provost, and/or by Governing Council;
 - Participation on Faculty, School, College, Library or Departmental Councils and their subcommittees;
 - Participation in UTFA and its committees
 - Participation in joint UTFA/Administration committees and activities;
 - Holding of academic administrative positions;
 - Holding of librarian administrative positions
 - Participation in unit level academic and administrative committees
 - Service to organizations outside the University which is of an administrative nature, relevant to the University mission and not part of a member's research and scholarly contributions, including serving on review committees for awards, grants, and scholarships.
 - University related development activities.
 - Participation in such units as the writing centres and in activities designed to support teaching and learning.
- 5.4 Service may include service of a routine administrative nature, as well as service which contributes to the academic goals and governance of a member's unit and/or Faculty, UTFA, and the University as a whole. Consideration of service may distinguish between membership on and leadership of the various activities and committees. The time horizon used in considering service may exceed one (1) academic year.

6.0 Faculty Members Holding Budgetary Cross-appointments Or Who Hold Their Main Graduate Appointment Outside Their Primary Unit Of Appointment

- 6.1 Faculty members holding budgetary cross-appointments to more than one unit should be assigned teaching and university service duties in a manner consistent with their percentage appointment in each unit. A common meeting involving the faculty member and all heads of units to which the member is appointed should take place on an annual basis to discuss workload and to resolve any conflicts in expectations between units. A written record of the teaching, supervisory and

service expectations agreed at the meeting shall be kept by the unit heads and the faculty member.

- 6.2 Faculty members who hold their main graduate appointment outside their primary unit of appointment should also have a common meeting involving the faculty member and both the unit head and graduate chair on an annual basis. This is to discuss workload and to resolve any conflicts in expectations between units. A written record of the teaching, supervisory and service expectations agreed at the meeting shall be kept by the unit head, graduate chair and the faculty member.

7.0 Faculty Members in the Teaching Stream: Additional Provisions

- 7.1 The duties of faculty members in the Teaching Stream normally consist of teaching students who are in degree programs or access programs, and related professional and administrative activities. Lecturers and senior lecturers may have independent responsibility for designing and teaching courses or significant components of courses within their departmental and divisional curricula. While the patterns of these duties may vary from individual to individual, these duties, namely: Teaching and related Administrative Responsibilities; Scholarship, and Service, constitute the principal obligations of faculty members in the Teaching Stream.
- 7.2 Scholarship refers to any combination of discipline-based scholarship in relation to or relevant to the field in which the faculty member teaches, the scholarship of teaching and learning, and creative/professional activities. Teaching stream faculty are entitled to reasonable time for pedagogical/professional development in determining workload.
- 7.3 Consistent with Article 4, in determining the teaching component of normal workload both teaching and related administrative responsibilities will be taken into account.
- 7.4 The amount of service that a teaching stream faculty member will be expected to do will be reasonable and shall not, in general, exceed that which the majority of tenure and tenure stream faculty in the same unit are expected to do.
- 7.5 Appointment and renewal letters for members in the Teaching Stream in a Unit should be consistent with the WLPP and the Workload Policy for that Unit.
- 7.6 Unit wide reductions in the tenure stream teaching related norms, standards or ranges will not be accompanied by unit wide increases to teaching related norms, standards or ranges for teaching stream faculty.

8.0 Librarians: Additional Provisions

8.1 Librarian workload is a combination of tasks assigned and tasks determined through collegial interaction and self direction. While the pattern of a librarian's professional activity may vary from individual to individual, the following three activities constitute a librarian's principal responsibilities:

- (a) Professional practice for the Library, including teaching that has been requested or approved by a Librarian's manager. In considering the teaching component of normal workload for librarians, relevant factors include the factors set out in Article 4.2, if applicable.
- (b) Research and scholarly contributions, including academic, professional and pedagogical contributions or activities
- (c) Service, which should be broadly understood to include service to the University, Library and the profession.

8.2 Appointed librarians will have the opportunity to discuss with the appropriate unit head or senior administrator the distribution of their duties, taking into account the need for adequate time to fulfil the 3 principle responsibilities of librarians for the next academic year, at the time of the annual performance review.

8.3 When previously unforeseen circumstances warrant, a librarian may request an in-year adjustment to their agreed workload distribution pattern. Requests for an in year adjustment will be considered in a manner consistent with the Librarian Workload Policy and the WLPP.

8.4 The workload distribution of a librarian will be taken into account at the time of the annual performance review and a written record will be retained.

8.5 Librarian workloads shall include considerations of reasonable comparability amongst librarians with similar duties in other units.

9.0 Tenure or Professional Stream: Additional Provisions

9.1 The parties agree to meet to discuss additional provisions related to tenure or professorial stream faculty.

10.0 DISPUTE RESOLUTION

10.1 A member who has a complaint that the assignment of their workload is in violation of paragraph 3.1 of the WLPP or or the Unit Workload Policy must raise their complaint with the person who assigned their workload within 20 working

days of the date on which the member knew or reasonably ought to have known of their workload assignment, and cannot file an individual grievance with the GRP under Article 7 of the Memorandum of Agreement.

- 10.2 If the complaint is not resolved to the satisfaction of the member within 10 working days of the date of the member's complaint the member can within 10 working days thereafter, refer the complaint to the Dean for multi-department faculties, the provost for single department faculties, or the Chief librarian or Provost as appropriate office where the complaint will be reviewed.
- 10.3 If the complaint is not resolved to the satisfaction of the member within 10 working days of the date of the member's referral of the complaint under paragraph 2 above the member can, within 10 working days thereafter, refer the complaint to the Workload Adjudicator. The Workload Adjudicator will review the complainant's workload assignment in the context of the requirements or paragraph 3.1 of the WLPP and the Unit Workload Policy and shall consult with both the complainant and the person who assigned the workload to the member, and such other individuals with whom the adjudicator considers it relevant to consult. The Workload Adjudicator shall make a final and binding determination regarding the complaint and the appropriate remedy, if any, in the event the Workload Adjudicator concludes there was a violation of paragraph 3.1 of the WLPP or the Unit Workload Policy concerning the assignment of workload to the member.
- 10.4 The Workload Adjudicator shall be appointed for a two year term and be a current or retired faculty/librarian member or academic administrator at the University of Toronto who is mutually agreed to by the University and the Association. If the parties cannot agree the Chair of the GRP will appoint the Workload Adjudicator after consultation with the parties.
- 10.5 The time limits related to this dispute resolution process may be extended by mutual agreement of the Complainant and the Dean, the Chief Librarian, the Provost or by the Workload Adjudicator
- 10.6 The Workload Adjudicator may establish his or her own procedures concerning the conduct of complaints and may require the production of relevant documents in connection with a complaint.
- 10.7 For clarity, if a dispute arises over the interpretation or application or alleged violation of the WLPP which does not fall within the scope of this Article, it will be subject to Article 7: Grievance Procedure of the Memorandum of Agreement.

11.0 TRICAMPUS JOINT COMMITTEE

- 11.1 As previously agreed, the parties agree that there should not be significant discrepancies in workload between the same departmental/disciplinary areas across the three campuses. The parties agree to establish a joint committee, composed of an equal number of representatives appointed by each party, to

carry out an examination of workload matters for faculty and librarians at UTSC and UTM. The Joint Committee will also discuss whether there should be a provision preventing faculty from being required to teach on more than one campus of the University on the same day.