



**University of Toronto Education Workers**  
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*Executive Committee*

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*Staff Representatives:*  
Mikael Antony Swayze

Jesse Payne (On leave)

Shiraz Vally

Professor Cheryl Misak  
Vice-President and Provost  
University of Toronto  
Simcoe Hall, Room 225  
27 King's College Circle  
Toronto, ON  
provost@utoronto.ca

September 29, 2011

Dear Provost Misak,

We are writing in response to your recent memos on the subject of UTFA negotiations.

As fellow education workers, CUPE 3902 fully supports UTFA in their efforts to make all terms and conditions of faculty and librarian employment negotiable in a fair, rigorous, and comprehensive process subject to independent third party mediation and arbitration. As educators who do a large percentage of the teaching on this campus, we feel strongly that having faculty and librarians shape the conditions of teaching and research on this campus via collective bargaining is in the best interests of a democratic university.

We understand that UTFA has approached the Administration in good faith and made a collegial request for dialogue about the terms of negotiation. Your initial response to this request clearly signalled your refusal to consider this proposal. Your September 16<sup>th</sup> letter refers to soliciting communications from individual Faculty and Librarians, and your September 19<sup>th</sup> letter suggests that UTFA's demands regarding tenure policy be off-loaded to working groups. These responses fall far short of anything that could be described as a fair and rigorous process as they lack any accountability on the part of the University Administration.

In your September 16<sup>th</sup> letter you claim that reverting to external arbitration for matters of tenure and promotion would be "a betrayal of our core values." This, you argue, is because arbitration is an adversarial, rather than a collegial, process. From our perspective, it is not external arbitration that is adversarial; rather, it is the Administration's recent breaches of trust and non-transparent decision-making. There was nothing collegial about the process that produced the 2010 FAS Academic Plan, nor the closure of the Faculty of Forestry, nor the elimination of the Doctoral Completion Grant. Similarly, from our perspective, there is nothing collegial about your refusal to respectfully negotiate UTFA's terms of negotiation.



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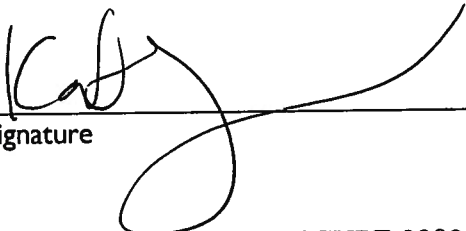
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Collective bargaining is a process that requires parties to recognize one another's legitimacy, bargain in good faith, share information, agree to some form of dispute resolution, and honour a commitment to negotiate terms and conditions of employment. This is not an adversarial process. Rather, collective bargaining is a democratic and transparent process, and extending our Faculty and Librarians' bargaining rights to encompass the full terms and conditions of their work is a crucial step in making the University of Toronto a democratic institution not only for faculty, but also for students and other campus workers. We commend UTFA's effort to achieve real changes in governance at the University through bargaining.

UTFA's proposals to expand the scope of bargaining to encompass all terms and conditions cannot be separated from their substantive bargaining proposals, as these too work toward a more democratic and accountable institution. We fully support UTFA's proposal regarding tenure policies and, in particular, their proposal regarding governance in academic planning. Again, especially in the wake of the 2010 FAS Academic Plan, the Administration has given us clear justification for seeking more accountable processes. We believe strongly that UTFA's proposed measures would make the academic planning process more accountable to the U of T community.

Ultimately, fair outcomes require a fair bargaining process. To this end, CUPE 3902 supports UTFA in their effort to bargain the full terms and conditions of work. UTFA approached the Administration to dialogue openly about negotiating the Memorandum of Agreement. As the association representing many of those who make University of Toronto "one of the world's great public institutions of higher learning," we think the Administration owes UTFA a fair hearing and serious consideration of the issues. We encourage you to reconsider your position and begin to work toward establishing a new relationship with faculty and librarians for the greater good of the University of Toronto community.

Sincerely,

  
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Signature

September 29, 2011  
Date

Katie Mazer *on behalf of* CUPE 3902 Executive Committee  
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