



UTFA Newsletter

University of Toronto Faculty Association No. 1 (2010–11) April 12, 2011

Annual General Meeting 2011

Wednesday, April 20, 2011 3:30 to 5:00 p.m.

Faculty Club
Main Dining Room
41 Willcocks Street

AGENDA

1. **Minutes of the Previous Meeting***
2. **Reports of the Officers***
3. **Reports of the Chairs of Committees***
* **The reports included here will not be read at the meeting.**
However, the President, Vice-Presidents, Treasurer, and Committee Chairs will answer any questions. The 2009–10 audited financial statements are attached.
4. **Introduction of Rawle Gavin Agard, Al Miller Graduate Award Recipient, and Alexandra Peng, Undergraduate Tuition Award Recipient**
5. **Changes to UTFA Constitution and By-laws – Motions**
6. **ORDER OF THE DAY – 4:30 p.m.**
Guest Speaker: Martin Teplitsky, Q.C.
Topic: The Future of Public Sector Collective Bargaining in Ontario:
The Role of the Academy
7. **Special Topics:**
 - a. Workload Implementation
 - b. Pension Plan Update
 - c. Other Matters
8. **Other Business**

*Members are invited to stay after the meeting
for a reception in the Faculty Club Lounge.*

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* We are pleased this year to supplement the business of the Association with two feature articles addressing issues of fundamental importance to our members. Please note that the views and opinions expressed in these articles are those of the authors and do not necessarily reflect UTFA policy or positions. The articles are intended to foster discussion and deliberation and we welcome commentary and feedback, on the articles or on any other item in this publication, at newsletter@utfa.org . – Katharine Rankin, Editor

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UTFA Annual General Meeting 2010 – Minutes

Thursday, April 15, 2010, 3:30 to 5:00 p.m.

Medical Sciences Building – JJR Macleod Auditorium – 1 King’s College Circle

W. Nelson called the meeting to order at 3:50 p.m. as a quorum had been reached.

1. Minutes of the Previous Meeting

H. Rosenthal, seconded by D. Patrick, moved that:

the minutes of the April 14, 2009 AGM be approved as distributed.

Carried.

2. Reports of the Officers

W. Nelson said that written reports were included in the *Newsletter* and asked the members if they had any questions of the Officers.

Report of the President

There were no questions.

Report of the Vice-President, Salary, Benefits and Pensions

There were no questions.

Report of the Acting Vice-President, Grievances and Chair, Appointments Committee

There were no questions.

Report of the Vice-President, University and External Affairs

There were no questions.

Report of the Treasurer

There were no questions.

3. Reports of the Chairs of Committees

W. Nelson said that written reports were included in

the *Newsletter* and would not be read at the meeting. He asked the members if they had any questions of the Chairs of Committees.

Report of the Chair of the Equity Committee

There were no questions.

Report of the Chair of the Librarians Committee

There were no questions.

Report of the Chair of the Teaching Stream Committee

There were no questions.

Report of the Chair of the Membership Committee

There were no questions.

4. Guest Speaker: Dr. Ursula Franklin Topic: The University as a Habitat – Trying to Impart Information and Understanding

W. Nelson introduced Professor Franklin, who has been with U of T since 1967, when she joined the Department of Metallurgy and Materials Science. She has published more than 70 scholarly papers and books, in her field of metallurgy and in other areas. She is a Companion of the Order of Canada, a Fellow of the Royal Society of Canada, and a member of the National Research Council and has received honorary degrees from numerous universities. She was the first woman University Professor at U of T.

But what is most memorable about Professor Franklin is her integration of a variety of apparently dissimilar things into a coherent whole. She has been interested in the political and social effects of technology and sees technology not merely as a collection of disparate techniques for managing

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things, but as a system and indeed a mindset. She distinguishes between holistic technology, which is the technique of craftsmen who control their materials from beginning to end, and the much more prevalent prescriptive technology, which involves the whole organization of our society.

Underlying the whole of Professor Franklin's work is a questioning of the acceptance of things simply because they are familiar. This is part of the culture of compliance that she has written about. W. Nelson, in his many years at U of T, cannot think of anyone else who has, to the same degree and in the same manner, offered an alternative view of the world we live in. And all of the aspects of Professor Franklin's work – feminist, pacifist, scientific, critical analysis – bring together this alternative view.

* * *

Ursula Franklin thanked W. Nelson for his introduction and the members for asking her to speak. She said that she was honoured and pleased to be at the UTFA AGM and thankful for the work that the members do.

She said that she has known G. Luste for many years as a colleague and friend, and that there were many times in their respective lives when they could have said, why on earth am I doing this? – there are so many nice things that one can do. She said that those who chair committees could probably immediately think of all the things they could do instead. She is grateful that people are doing these things in our community, not because they have nothing else to do, but because they see the need and see that for those of us who are members of the university there is a sense of belonging.

The reason why she chose her title, of the university as a habitat, was to share the thought that yes, this is actually where we live, where we want to be, where we are comfortable, where there are others who are very much a part of our feeling of habitat; it is not a way station, it is not a place for 9 to 5. The university as a university, whether it's a geographic place or a building, is

beyond this a habitat, in which we are comfortable and in which we want to be. The habitat is not restricted to those who are in the university, nor is everybody, by the fact that they are here, in fact native to the habitat. There is something about a habitat that binds us and others: she thinks it is that striving to understand what it is that makes for us the habitat that we would like to be in.

Hilda Neatby, generations ago, when she was asked to comment on the state of Ontario's high schools, called her report *So Little for the Mind*. And our habitat, at its best, and even at its worst, deals with mind, and it is good and marvellous when indeed it gives something to our minds collectively. The engagement of the mind that is a feature of this habitat is a search for understanding; the search leads to teaching, to experiment, to reading in the library, and that is what we try to infuse into the habitat, so that the young can learn.

What does it mean when we try to convey knowledge? There is an old word that U. Franklin is trying to bring back and use, in her frequent dealings with high school students, and that is the word "discernment." At the university, where the information and the knowledge are, and the things that people say other people think, all this has to be sifted through a process of discernment that should be an integral part of the environment, of this habitat that we like. That habitat of mind interaction creates a world where we would like to live as we do research and teach.

Much of the activity of associations and unions is meant to shape the habitat so that it is nourishing, respectful, and fruitful for all who live there. In a world that thinks of outcome and production, she thinks of habitat because outcome and production, efficiency and measures of performance, are inadequate to characterize what a habitat, and a good habitat, is all about. And it may be worthwhile to go back to how the university prides itself these days on results, science, and great things that were created, and to step back and see, in this world, what we have learned collectively about the natural world.

There are three points that every bit of good knowledge about our natural world tells us. First, if you look at nature, nature works. From the largest to the smallest, from the atom to the black hole, from the smallest electron, in a molecule, in a protein to a signal in the brain, it works. Something happens functionally in its context. But it also works frugally. Nature and all the things that it processes are incredibly effective in a frugal sense. And then, to our sometimes joy and sometimes even surprise, we see that it is also beautiful. Whether you look through a microscope, or look at any of the things in our natural environment, you can study how beautiful they are.

When we search for what characterizes our action in the habitat, when we see what it is that we want to impart, then it is another matrix, in a way, that we would like to have in the minds of our colleagues, our administrators, and our students as they and we work in the here and now; there is an emerging pattern of understanding about the world in which we live. And that world is characterized by the fact that things work, that they are frugal, and that they are beautiful. Nature works, nature is frugal, and nature is beautiful. As we look into our habitat that we love and try to shape it, of all the processes that we design, whether they are processes in which people interact, nature interacts with people, or we make things and change things, in the end what lasts are the things that work because they are frugal and they are beautiful.

She said that she could not think of anything better to say to those attending than that the university has that layer of fellowship, and of real and true belonging to a habitat that strives to create something that works, that is frugal, and that is beautiful. She hopes that amid all the frustrations there is still, for all of us, and mostly for younger colleagues, enough time, enough conversation, and enough joy in those small moments where one knows, yes, I have moved my students, my mind, my work, and can then go further in that direction to say not only does it enrich our habitat but it does so by being useful, because it works; being frugal; and being beautiful, because that tells us that it is right.

U. Franklin said that she brings her respect, her thankfulness, and her good wishes to those attending.

* * *

The members showed their appreciation of U. Franklin's talk through applause.

W. Nelson thanked U. Franklin for her talk on behalf of all those attending the AGM.

5. Special Topics

i. Pension Governance Update

G. Luste said that UTFA's aim in changing pension governance was threefold:

1. To move the governance to arm's length from the university. Currently there is a conflict of interest as the same people who oversee the budget also oversee the pension plan; therefore, UTFA wants pension governance to be in the hands of a separate entity.
2. To separate the faculty pension plan from the others with which it is now combined. We did not feel that we should be speaking for non-UTFA members and the faculty pension plan is big enough that it could stand on its own. There would then be no conflict of interest with any other members of the pension plan.
3. To clarify that going forward UTFA would be willing to share responsibility for the pension plan, but would not be willing to assume past liability.

These views were not realized in the award from arbitrator Martin Teplitsky. He did propose a serious pension governance change at U of T. The new Pension Committee would be a committee of Governing Council and replace the Business Board as the pension plan Administrator. He left it to both sides to work out the details but remained seized on it if they could not do that. Both sides have tried to work out the details since last August and cannot

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come to an agreement on the terms of reference. He believes that Mr. Teplitsky will be contacted within the next few months for assistance to sort out the details.

G. Luste said that pensions have a strange characteristic: most people either aren't interested when they're young, don't have time for it when they are in middle age, and when they are old they hope and pray that there is enough in the pension plan so that they don't have to worry about it. The U of T pension plan has serious solvency problems and there will surely be consequences in the future. Unfortunately these problems may well be transferred to the next generation. Prior to 1987 our plan used to be well funded but today, because of all of the missing contributions, it is not. There are universal problems with defined benefit pension plans across North America. G. Luste said that he has made it his mission to try and have something good come out of the years of effort on pensions at U of T.

A. Rubinoff asked if G. Luste had replied to Cheryl Misak's email on the SRA (Supplemental Retirement Arrangement). G. Luste said that a reply is being drafted. He was taken aback by her email because she misunderstood much of what was in the UTFA Newsletter.

G. Luste was asked why UTFA believed that U of T is responsible for the deficit. The member said that he benefited from the pension holidays and feels some responsibility for the deficit.

G. Luste said that while the Administration took some 18 years of pension holidays since 1987, UTFA members negotiated a total of 4 to 5 years. The real serious loss is the time value of the missing contributions. The Administration did not contribute its service cost in the years when the market conditions were very favourable. We lost a lot of compounded value. G. Luste said that he did an analysis of when we put money into the market, how much it would be worth and the ratio between the administration and us is about 10 to 1. And our

"1" was negotiated, meaning that other concessions were made to get it.

A member noted that when these holidays took place the University was in difficult straits. G. Luste said people will have different interpretations. The pension governance was the key problem and there was an information asymmetry. Most people did not understand the details of how a pension plan works, the market issues, or the actuarial assumptions, etc. If we had shared governance we would have known more and perhaps behaved differently. He believes that information asymmetry was a good part of the problem. Going forward, we are trying to change that via shared governance in order for members to be better informed.

G. Luste said that he was worried about what is going to happen in the future. At his last presentation to Business Board he likened our pension plan to a legal Ponzi scheme. However, no laws were broken and so it is legal.

G. Luste was asked if the negotiations regarding changes in the MoA depend on the sorting out of the pension mess. G. Luste said that the pension governance issue is decoupled and would not affect any negotiations on the MoA or the SBP negotiations.

ii. Changes to the Memorandum of Agreement

S. Prudham, Vice-President, Salary, Benefits and Pensions said that in our negotiations this round, we made a priority out of dealing with some issues not explicitly covered by the bargaining article of our Memorandum of Agreement. These issues included workload and dispute resolution. We took what we called a "problem-based" approach to negotiations. This means we tabled proposals and sought agreement on issues independent of whether or not we had the formal "right" to negotiate these as per the terms of Article 6. Our approach was simple. If a majority of our members identified something as a priority to them, we pursued it and insisted that, as the legitimate representative of faculty and librarians

at this institution, UTFA is entitled to negotiate such matters on their behalf.

He noted that we have enjoyed some genuine success though we are not yet done with this round, and as Cynthia Messenger would be discussing in more detail, we won important reforms in dispute resolution, both in the tenure appeals arena and in grievance procedures.

But the biggest change in the mediation deal approved by UTFA Council on March 16, 2010, insofar as it restructures the relationship between UTFA and the Administration, pertains to the workload issue. This was a centrepiece of our bargaining and political organizing over the last several years. Workload is now to be bargained in exactly the same manner as and alongside the compensation issues identified under Article 6 of our MoA. The change takes effect immediately. We are now seeking an arbitration award that includes a new workload article for our MoA. Mr. Teplitsky, who will be acting as the arbitrator, will draw from the proposals on workload put forward by UTFA and by the Administration during mediation along with materials provided in the arbitration briefs.

Negotiating a new workload article and retaining the right to revisit this article in the future represents a very important change that will enable our members to participate directly in redressing the problems associated with excessive workloads at this institution. These are problems that have undermined our ability to maintain adequate balance between our work and our lives away from the university. We have also seen escalating and unregulated workloads threaten equity and the pursuit of an appropriate balance among teaching, service, and professional and scholarly activities for faculty and librarians alike. And we all know and experience that escalating workload *quantity* has become a threat to the *quality* of teaching and research at U of T. In this context, the changes we won enable our members to take a greater measure of control in managing and redressing these challenges through negotiating workload now and into the future. Our specific approach to dealing

with workload as articulated in our workload proposal aims to empower our members to directly develop and execute provisions tailored to the diverse scholarly and professional communities that make up the University of Toronto.

S. Prudham then said that rather than dwell on the substantive issues we have heretofore emphasized in our problem-based approach to bargaining, he wanted to step back and reflect on what lessons we can and should learn from this experience as we move on.

We need to recognize first that this was something we *made* happen. This deal did not originate in our particular skills as negotiators. No disrespect to any of those directly involved because their contributions were central. We are all deeply grateful to our bargaining team, to our staff, and to the Salary, Benefits and Pensions Committee for their hard work. We certainly did craft important changes, and we were patient and committed in doing so. But in the grand scheme of things, this agreement is not about Scott Prudham or George Luste or Cynthia Messenger or Terezia Zoric or Peter Sawchuk or Judith Teichman or Jeff Newman or Peter Russell or Jeffrey Sack or Steven Barrett or Cathy Lace, or Reni Chang or Heather Diggle.

Likewise, this deal did not arise from administrative benevolence. He certainly respects all those who work in Administration; these people work hard for U of T and it can be thankless at times. But anyone who thinks that this deal was extracted from the Administration with anything less than the full pressure that our political organizing can bring to bear, combined with intense negotiations in mediation, is simply misinformed. The Administration clearly did not want to concede that workload be added to Article 6 and held out to the end. The Administration conceded because of a fear of the alternative.

The simple truth is that we achieved a breakthrough because our members demanded it, and because we organized and worked actively with our membership to achieve it. We mobilized. We agitated. We

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communicated. We did outreach. We wrote bulletins. We declared our intentions and our concerns early and often. We began to plan roughly *three years* ago for this round and toward the idea that we would put issues on the table in bargaining even if they were not identified in Article 6, and that workload would be foremost among those issues. We insisted on face-to-face negotiations, and we did so publicly. We refused to simply accept things as they were; we knew the MoA was an obstacle, but we looked at it as a challenge to be overcome rather than to be accepted as a final answer. We talked openly of forcing the Administration to make a choice: concede workload, or antagonize our members. The Administration chose, this time, to engage with us on workload and as a consequence, we have a major change to our MoA and to the scope of our bargaining relationship. And soon we will have a new workload article.

So as we look back, we need to appreciate also that taking our cue from members and their priorities rather than assuming what those priorities are is critical. This keeps UTFA accountable and it makes us truly representative. S. Prudham suspects that few would quarrel with this principle, and yet assuring we are accurately reflecting the priorities of our members requires active organizing and outreach. It is not easy. It is time consuming and runs against aspects of our academic characters. As academics we too often fall into the habit of simply speaking with our own voices as individuals. But it is that much harder to try to convey the collective voices and priorities of others, and that is the job of UTFA's leadership. We must never lose sight of that. UTFA's leaders are not UTFA; we merely serve UTFA's members.

Finally, S. Prudham stated that he believes we must take and build from this experience in thinking of how to shape the evolution of UTFA and its place at this institution. UTFA is on the move! We can no longer accept the antiquated, bifurcated structure of the MoA which hives off compensation issues from all non-monetary matters and prescribes a robust and fair negotiating process only for the former. Money is important. We all care how we

are compensated for our work. At the same time, to look at our Memorandum of Agreement and the scope of Article 6, one would think that money is all that matters to our members. How absurd! The vast majority of us have been drawn to this vocation, to this life, because we are passionate about teaching and research. We are professionals and intellectuals and this is our calling. As such, we care deeply about the conditions under which the research and teaching we do is conducted. And it is simply and obviously the case that the university cannot complete core teaching and research missions without us. In these respects, *we are the university and it works because we work here*. It follows that we should be empowered to shape the conditions under which we do what we do. But UTFA's framework agreement, our way of doing things, falls far short of this standard.

In the current round, we insisted that workload and the various threats to quality and integrity in research and teaching that escalating workload entails demand that workload should be accorded a place of priority along with pensions, salaries and benefits in our negotiations, now and in the future. We did this because we knew it would never be adequate to hope for administrative benevolence and to rely on a thin collegiality which simply veils that one side holds all the power. Yet this is the way workload was addressed according to the frozen policies system enshrined in our MoA prior to the current round of negotiations. And it remains the framework for conducting policy negotiations. Our members knew this and insisted repeatedly when asked that workload be negotiated along with compensation under the Article 6 process. They were wise. All the rhetorical niceties in the world can never obscure the simple fact that the frozen policies structure of the MoA gives us no recourse to enforce demands that fall outside the scope of Article 6. Reasonable demands articulated by skilled negotiators will never be enough as long as the Administration retains unilateral power to simply refuse those demands and negotiators without consequence. On matters not covered by Article 6, that is how things work. We must work to erode that power and that framework. The old way of doing

things flies in the face of and serves to offend the very notions of collegiality and shared governance. We need robust, fair processes that guarantee procedural and substantive justice to our members in the ways in which UTFA represents them. We remain far from this goal.

S. Prudham expressed the hope that we have learned also from this round that it is time that UTFA's way of doing business reflect the full range of priorities and concerns that our members experience. We put workload into Article 6. Everything else, *all terms and conditions of employment*, must now follow. We must continue on this path and eliminate the dualistic and antiquated structure of our MoA entirely. It belongs in the past. We must embrace the future.

In academia, all terms and conditions includes a wide range of considerations, but foremost among them are appointments policies, including the procedures for promotion and tenure, and the mechanisms that govern where and how we work. When programs, departments, schools, and centres are opened or closed, when faculty and librarians face serious upheaval in the conditions under which they work, when our colleagues are denied tenure and promotion, what recourse do they have and what can UTFA do to protect them? In buildings laced with asbestos and amid persistent concerns about workplace safety, what can UTFA do? Certainly the answer is that we can do and we must do more.

We should feel empowered and emboldened from our experiences in the current round to articulate priorities in negotiations whether or not they are strictly prescribed by the MoA as negotiable items. If workload, why not also working conditions more generally? We must roll all terms and conditions into the scope of our bargaining process and pursue full scope collective bargaining for faculty and librarians. No other form of representation will be adequate.

The obvious question, then, is how to pursue this form of representation and full scope collective bargaining? In the current round, the Administration,

working with Mr. Teplitsky, chose reform over revolution. That is, the Administration embraced the concept of workload being negotiable with mediation and arbitration because it feared that to refuse us would drive our members to certify as a bargaining agent, a union recognized under the Ontario Labour Relations Act. That would have made workload negotiable by fiat. The choice was simple. Give it to us or we will take it. And make no mistake, that was the choice and everyone involved knew it. Not all members were or are prepared to throw their weight behind certification to be sure. But had we been rebuffed entirely in our attempts to deal with workload and dispute resolution, it would have pushed many, many members toward the second option. S. Prudham would have been standing at this meeting today asking everyone present to sign union cards and to get everyone they know to sign union cards had the Administration refused us in the end. It was obvious in mediation and the mediator spoke openly of it. Of this there can simply be no illusion. The Administration embraced reform because it feared the alternative. There is a lesson in that.

But we must bear in mind that, clearing aside political passions and often bloated ideological characterizations for and against union certification, the simple truth is that *certification is not an end unto itself. It is a means to an end.* Certification is a prescribed, regulated process whereby we or any other certified union gains the right, protected by law, to negotiate in good faith with our employer over "all terms and conditions of employment." That phrase appears in the statute. Moreover, certification for faculty associations in Canada is the norm; it is hardly an extreme step to take. Most faculty associations in Canada are certified and the reason is that it works. As a consequence, while we experience unparalleled professional expectations, the form of representation we are afforded via UTFA falls far short of what our colleagues enjoy at other Canadian universities. This is because UTFA's capacity to represent its members is constrained, narrow, and often dysfunctional. At one time our MoA was the state of the art, but we have fallen woefully behind. We must catch up.

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So as we reflect on the current round of negotiations and the important changes we have secured, we should realize that while the path of reform can help us resolve shortcomings of the MoA, the other path remains available to us. And we should ask ourselves not whether we want to be certified, or whether we want to be a trade union per se, but whether we deserve the same rights our colleagues at other institutions enjoy and whether or not we too should insist, in the spirit of genuine collegiality and shared governance, that faculty and librarians take their rightful place in negotiating directly, in a fair and rigorous process, their own terms and conditions of employment. If the answer is yes, then the next question is what is the most efficient way to get there? Reform can work. We have seen that. But it is slow, piecemeal, and very costly. And can it really lead to securing all the rights and privileges that certification entails or do we run the risk of falling short? Negotiating all terms and conditions provides full scope bargaining and it allows the parties a single conduit for articulating and negotiating change. It is efficient and it is mature. It is quite simply what we need. Whether in a strike/lockout framework or, as in our case, with mediation and arbitration, full scope negotiations would enable us to negotiate comprehensively, meaningfully, and effectively over the full range of priorities articulated by our members. Securing the capacity to negotiate comprehensively and without limit over our terms and conditions of employment, as do most faculty associations in this country, is what we should strive to do.

Does that mean we need to keep threatening to certify? One can only do that so many times. S. Prudham said that in his view, we are stretching the bounds of credibility to keep threatening. Perhaps we were doing so even before this round of negotiations began. We have cried wolf more than enough. So what we need to do should be re-phrased. We must simply agitate for the rights our members deserve and we need to refuse to accept less. We must insist on getting there by whatever means available to us. We need to continue to change and grow and renew ourselves so that we can be an outlet for the aspirations of our members

not only in terms of compensation and managing workload, but in defining and defending a view of what this institution is and should be. We need to understand that now is hardly the time to be satisfied. We cannot allow the Administration to think that the process of reform and change is over. We should be emboldened and empowered. If workload, why not working conditions too? Why not all terms and conditions? What legitimate reason can there be to settle for anything less than full scope bargaining rights over all terms and conditions of employment? We simply must get there. Let the Administration decide how it happens in the manner in which they deal with us. But our job is to keep moving *now*.

S. Prudham said that he hopes our mediated settlement serves as evidence that we can get there if we persist, if we refuse to settle for less, and if we dare to insist on meaningful change.

iii. Professors of Practice Rank Update

GRP and UTAC

C. Messenger, Acting Vice-President, Grievances and Chair, Appointments Committee, said that she would like to report on the recently negotiated changes to the functioning of the Grievance Review Panel and the University's Tenure Appeal Committee. As UTFA Newsletters over the past few years have made clear, UTFA has been fighting for these kinds of changes for a long time.

The legally trained external appointee in the chair's seat at the GRP is a very important improvement, mainly because this person will have knowledge of the body of evidence that is particular to labour cases in the post-secondary setting. Both UTFA lawyers and Administration lawyers who argue cases before the panel are familiar with what is called the arbitral evidence, that is, cases used as precedents in arbitration hearings, but in the past our panel has not been familiar with this evidence. William Kaplan, an experienced university arbitrator, has been appointed as our first chair of the GRP under the new structure. He will lead the

academics and librarians who will serve with him. Two of the three panelists, then, will continue to come from the University community; only the chair will be external.

Negotiations have also resulted in an improved UTAC. That committee of colleagues will now be subject to the Statutory Powers Procedure Act and will therefore have the right and ability to call for the production of documents, and it will be able to consider claims of discrimination. UTFA has been very reluctant to take cases to UTAC in the past because, without the production of evidence question clearly settled, we felt that we could not get a fair hearing.

In the future, as she indicated in her AGM newsletter article, UTFA must fight for a merging of the two bodies, headed by a single, external chair. And our hearings must begin to look more like the arbitrations that occur in other universities.

Professor of Practice

C. Messenger reported that in face-to-face negotiations, the Administration asked that UTFA investigate the possibility of developing a new rank that would replace the current teaching stream and include professionals from the community. She is co-chairing a joint committee with the Administration that is investigating this rank.

Some of U of T's professional schools (Pharmacy and Nursing, for example) have found that the delivery of teaching has changed significantly in recent years. In Nursing, for example, the Nurse Practitioner Program required a new kind of practice-based appointment. The conventional, research-based appointment will not serve this new program well.

The Administration would like to appoint instructors such as those contemplated in Nursing in the professor of practice rank. (The title of PoP is a placeholder title only and it is certainly up for discussion and negotiation.)

The teaching stream has long been lobbying for substantial policy changes, the most important of which is improved security. In response to our lobbying, the Administration has proposed that the teaching stream be folded into this new rank, with an appropriate title and review for promotion policies. There would be two permanent streams, the current tenure stream and the new stream, which would include the teaching stream and then professionals who come in to teach from the professional community.

We are consulting all of the university's deans and also faculty from all three streams on all three campuses. Negotiations will proceed cautiously, as they must whenever we engage in this kind of serious policy change. We have not made such a policy change since 1999 when the current teaching stream was negotiated.

C. Messenger's AGM Newsletter article contains a partial list of the policy changes we must one day deal with, related to the tenure process, for example. UTFA will update its Council and its members through newsletter articles on the progress of all and any policy change. We hope to reach the stage where we are negotiating policies that affect our members and firmly resist the Administration when it attempts to impose change.

C. Messenger was asked: What is the rationale for putting these two groups into one stream? She said that some divisions need a new kind of appointment in order to deliver the practice or clinical instruction their students need. The Teaching Stream has been seeking policy improvements for at least six years. We have discovered that some faculty in the teaching stream would be better served by a policy in which the emphasis would be on practice. The new stream being contemplated would both improve working conditions for the current teaching stream and create the appropriate conditions for new kinds of teaching and learning.

C. Messenger was asked: Who suggested the title in the first place? C. Messenger said that the Administration suggested it. It is a well-known

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title in the U.S., where it is generally used for an adjunct rank and tends not to attach to a permanent appointment, but that is not how it is to be used here. The new stream would include permanent appointments but also some CLTA or part-time appointments. The part-time appointments policy, long in need of revision, should allow for continuing status on a part-time basis, a goal that UTFA has acknowledged as an important one. The deans that have been consulted have very different notions of how the proposed new stream might play out in each division. UTFA has not received the message that the Provost has convinced the deans of one way of looking at this stream.

C. Messenger was asked: Is research eligibility also a part of these negotiations? C. Messenger said that UTFA feels that research and scholarship are central to sound appointments policies and that any new stream must have a means of assessing excellence in a manner appropriate to the area of focus, whether that is teaching or professional practice. The working group will discuss the place of research and scholarship in the new stream. Nothing is yet a fait accompli.

6. Other Business

B. Horne said that about 20 years ago the Faculty Association reached a point in its history where

it decided it wanted a second lawyer in the office to handle the work of the Association. She was involved in the hiring. Seventy candidates applied for the job and UTFA was extremely fortunate to hire Allison Hudgins, who worked diligently for UTFA for ten years and was well respected. Allison passed away last week and B. Horne attended her visitation. We should remember her because she worked so hard on the many issues that we are discussing today. W. Nelson said that he was on the Executive when Allison was around. She was always clear, principled, and hard working.

W. Nelson thanked Ursula Franklin again for her talk.

There were no other matters.

J. Munro, seconded by J. Rosenthal, moved that:

the meeting adjourn.

Carried.

The meeting adjourned at 4:50 p.m.

Chris Penn
Administrative Assistant

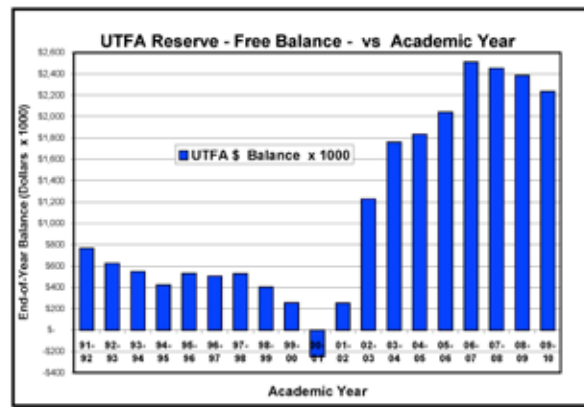
REPORTS OF OFFICERS AND CHAIRS OF COMMITTEES

Report of the President

UTFA finances: An update from the last AGM

I begin with an overview of our current finances and membership. As of June 30, 2010, the Faculty Association had a healthy *positive* net worth of almost \$2,235,000. While the surplus is welcome and important, I must repeat my message that

having a large reserve is *not* the purpose of the Association. It does, however, provide UTFA the means by which it can serve its members more effectively, as we will illustrate. The reserve gives us the ability to handle emergencies and unanticipated expenses and allows UTFA to initiate new projects in mid-year.

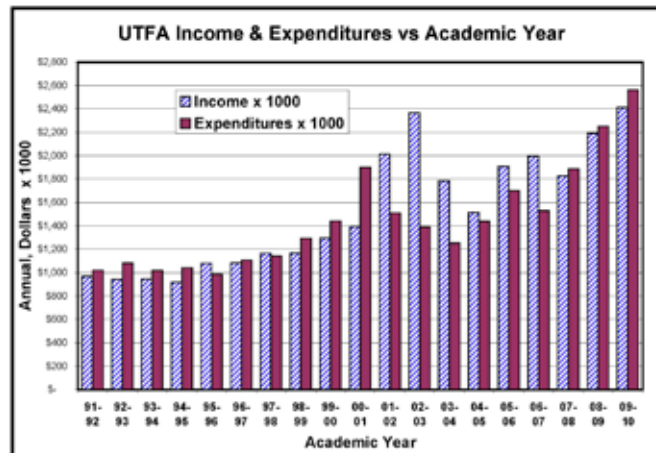


As the second chart indicates, our total expenses, from year to year, are not always smooth. I have discussed the somewhat bumpy nature of our past income-expenditure profile in previous AGM reports and I shall not do so again. The members should keep in mind that about \$627,000 of your dues are passed on to CAUT and OCUFA, our national and provincial associations, to help cover their operating costs.

The chart shows that over the past two years our annual expenses have increased by about \$600,000. This warrants an explanation. Much, but not all, of this increase is due to extra legal and consulting costs leading up to the recent two year (2009–10 and 2010–11) arbitration award from Martin Teplitsky in regard to salaries, benefits, and pension improvements, as well as the new workload policy. The negotiations were protracted in part because

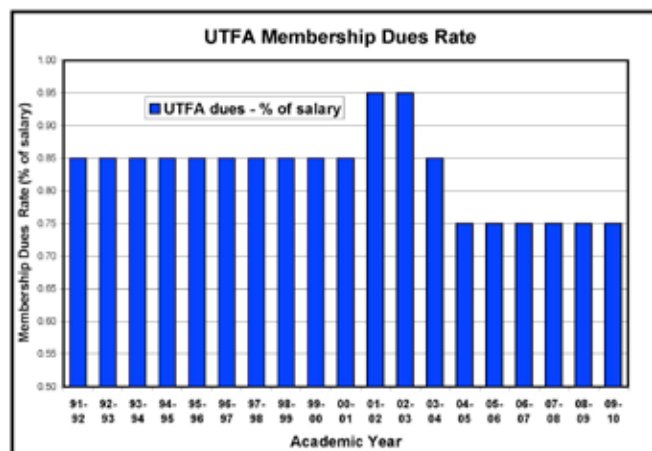
of the provincial government's efforts to have a two-year wage freeze. Thankfully, at the end of the day our arbitrator chose not to act as a 'minion' for the province in making his award. In terms of the benefits we gained for our members, this extra expense is money well spent. To illustrate, given that U of T faculty received a total ATB increase of about 5% over the two years, the payback, on UTFA's legal expenses, on a salary mass of about \$350 million is an income gain of \$17.5 million per year for all faculty (including non-UTFA members) and continuing each year into the future. This example illustrates why the Association must never allow the lack of adequate financial reserves to compromise its ability to represent, and negotiate for, its membership. This includes salary and benefit negotiations and Association and individual grievances with the Administration as well as policy changes.

Report of the President



The dues mil rate remains at 7.5 (0.75% of salary). The chart below shows our dues profile since 1991–92. It does not show the total of four months of “dues holiday” that members received in the recent past.

If our reserves should increase by any significant amount in the future, UTFA Council will again be asked to consider further dues holidays – in lieu of decreasing and then again increasing our mil rate.



UTFA Membership

There are currently about 2,897 employed faculty and librarians at the University of Toronto who could be dues-paying members of UTFA. Approximately 2,561, or 88%, are paying dues. Another 336 are not and of these 11 are redirecting their compulsory dues to a charity. The other 325 pay no dues to anyone because they were grandfathered when the dues were made compulsory in the 1998 settlement. The number

of grandfathered non-members is slowly decreasing each year as retirees are replaced by new hires who must contribute to an ongoing cost that benefits everyone. UTFA also has about 522 retired faculty and librarians or surviving spouses who pay an annual membership fee of \$50. This reflects our continuing commitment to our colleagues after they cease to be on the university payroll. Our membership database for retirees is now much improved from where it was a year ago.

Communication with our Membership

Periodic emails and our website represent our primary communication mechanism with members today. The email messages cover the spectrum from social events to bargaining reports to newsletters and information reports. You may have noticed that we try to start all our email subject lines with “UTFA” so that should you wish to search or gather them all, a simple email sort will do it. We are sensitive to the volume of emails all of us receive these days and do not wish to be viewed as unwelcome spam. We therefore try to keep our emails brief and rarely have attachments. Instead of lengthy emails we tend to send links to the postings of the announcements or newsletters on the UTFA website (usually as pdf files). We continue in our efforts to make the UTFA website (www.utfa.org) more robust and informative.

Pension Issues

Today the pension solvency deficit dwarfs all other financial problems at our institution. President Naylor believes it is a \$1 billion solvency problem whereas I am inclined to believe the real pension shortfall is closer to \$2 billion. Our current pension assets total about \$2 billion. In either case, whether it is a \$1 billion or a \$2 billion shortfall, there will be serious repercussions on our academic mission for years to come. If the reader is interested in the details, much of the pension saga, involving the Business Board, UTAM, and the Hewitt actuarial reports, can be read on the UTFA web page on pension issues at <http://www.utfa.org/content/pension-issues>. Today we do have a new Pension Committee of Governing Council and it had its first meeting on March 9, 2011. It has a total of 21 voting members, including five representatives appointed by UTFA – but bear in mind that UTFA members represent about two-thirds of the total pension liability. In addition, the new five-member UTAM Board now also has one UTFA representative. But in both cases it seems like business-as-usual to me, with little institutional appetite to really

acknowledge the underlying problems let alone address them. Another more immediate concern is that the provincial government is inclined to grant a longer amortization period for paying down the solvency shortfall (which UTFA supports) but on the condition that our pension contribution rates increase (which UTFA opposes). There is no evidence that our assigned contribution rates have anything to do with the deficit issue and the sustainability of our plan for future pension benefits. UTFA submitted its views on this to the Ministry of Finance on March 28 and this submission can be found on the UTFA web page on pension issues. Another recent concern expressed by some retirees involves the SRA (Supplemental Retirement Arrangement) funds. The administration plans to use the \$100 million or so in the SRA account to help pay down the solvency deficit in the registered pension plan (which the law requires they do) and fund future SRA payments to retirees from the operating budget. I am aware of the concerns by some SRA recipients, that transferring SRA funds into funds to support the University’s pension obligations might jeopardize the continuation of SRA payments. In response to such concerns, I wish to declare my strong support for the University of Toronto’s commitment and promise to continue the SRA in full force, if and when the transfer of SRA funds is made. In giving this assurance as the elected President of UTFA, I am sure I speak for the great majority of UTFA members. Finally, because the \$150,000 SRA salary cap will shortly be exceeded by the cap in the registered plan, the current SRA is about to become extinct for future retirees (not for past retirees!). There is a joint UTFA-Administration working group that will be looking at this SRA issue in the days ahead.

Special Retirement Program (SRP)

The purpose of the Special Retirement Program is faculty renewal and not faculty reduction. The initial suggestion for this program was made by the Administration, followed by negotiations (without lawyers) between UTFA and the Administration. And the final document (dated February 8, 2011) represents the successful outcome. Any tenured

Report of the President

faculty member, Senior Lecturer, or Librarian 3 or 4 age 60 with ten years of pensionable service qualifies. It is an entitlement and not discretionary. The applicants must give notice no later than September 30, 2011, and eligible faculty who had already given prior notice to retire also qualify. The SRP financial incentive for this voluntary retirement is 12 to 16 months of salary, depending upon the amount of earned study leave. There is a link to the final document, which gives full details of eligibility and other terms, on UTFA's home page at www.utfa.org.

Workload Policy

This important initiative to help preserve quality in our teaching and research has been discussed in prior meetings. The new workload policy document and a question and answer report on it are both posted on the UTFA web page on workload issues at <http://www.utfa.org/content/workload-issues>. Professor Scott Prudham deserves full credit for his tireless effort on this issue.

Association Grievances

UTFA is not in the academic policy business per se. It is, however, in the business of seeing that existing policies are respected by the Administration, that faculty and librarians are treated fairly, and that new policies adhere to core academic values. This past year UTFA has advanced three Association grievances. In the words of Article 7, in our Memorandum of Agreement, "*An Association grievance is any complaint by the Association that any of the undertakings or provisions in this Agreement that directly relate to the Association as such has been breached.*" The Faculty of Arts and Science Academic Plan of July 14, 2010, resulted in an Association grievance and the underlying issues it raised still need to be fully resolved. Secondly, the proposed hasty closing of the Faculty of Forestry failed to follow fair due process and has resulted in a draft Association grievance. The purpose of a draft at this stage is to give the Faculty of Forestry more time to assess and plan its future – and to encourage the Administration to seek a constructive resolution.

The third Association grievance involved failure to follow proper procedures in the appointment of a senior librarian. In addition there may be cause and the need to initiate in the near future an Association grievance regarding inequity in salaries and/or workload across the three campuses.

Corporatization of Higher Education

Some years ago I read former Harvard University President Derek Bok's *Universities in the Marketplace: The Commercialization of Higher Education*. His thesis is that the commercial influence in the university was not new, it has always been there, but that the scope and dominance of it today was unprecedented and alarming. There are many facets to this issue, such as treating students as clients, or undertaking governance in a top-down manner, or accommodating financial benefactors with too much final say in academic programs. The list goes on. At minimum we need to discuss these issues. In this spirit I very much appreciate the articles in this report by Ken Kawashima and by John Valleau and Paul Hamel.

Membership Outreach

UTFA's purpose is to serve and represent the faculty and librarians of our university. To do this well it needs to reflect their values and concerns. To this end we initiated a Membership Committee a few years ago. Its task is both to encourage wider participation by our membership in UTFA affairs and also to proactively reach out via focus groups and surveys – and thereby help all of us on the UTFA Executive become better informed on the views and wishes of our members. This is fundamental if UTFA is to be effective and maintain the strong support of its members. I would like to thank all those who filled out the recent SB&P survey and expressed their thoughts via the "comments" boxes. There were about 2,400 individual comments in all. I have read all of them once and intend to do it again. While many made brief comments, there were others who took the time to write a half page or more to articulate their views and thoughts on the various issues. This important

feedback is very much appreciated and needs to be acknowledged. I would also like to thank those who have participated in UTFA focus groups, town halls, and socials over the past year. We learn a lot from these discussions, both about our own performance in representing our members and about our members' visions for the future of the University of Toronto.

UTFA Council

A few Council constituencies are vacant, and a number of terms will be coming due on July 1. We must have a strong Council that can fulfill UTFA's mandate, "*to promote the welfare of the current and retired faculty, librarians and research associates ... and generally to advance the interests of teachers, researchers and librarians in Canadian universities.*" I urge you, please consider becoming a Council member, or please join one of our standing committees. Please contact membership@utfa.org with inquiries or nominations.

UTFA Presidency and UTFA Governance

I was first elected as President of UTFA by the membership in the spring of 2002, some nine years ago. Prior to that election I was elected by UTFA Council to serve as Vice-President, Salary, Benefits and Pensions for 2001–02. Both were contested elections. Frankly and honestly I never intended to serve this long and my patient spouse can confirm that as far back as 1999 we were contemplating and planning my early retirement. It is a bit of a surprise that so much time has elapsed. In order to give UTFA members ample time to consider their choices, I believe it is now time to say that I will not be standing for re-election when my current term ends on June 30, 2012. For the coming year my intention is to be as helpful as possible in preparing UTFA for the transition that will take place next summer. I must also be candid and say that I have concerns about the motions at this AGM from the Constitutional Review Committee about

the limits being proposed for future release time for the president and members of the Executive and the limits on years in office. If approved I think they can only weaken UTFA's effectiveness. I do not believe that experience and full-time commitment are negatives. In my own case, after thirty years of teaching and research in the physics department and nearing retirement, I was willing to devote 100% of my time as UTFA president. To do this required that I receive 100% release time from my responsibilities in physics. To make this possible, in 2002–03 UTFA negotiated that the total release time for UTFA's officers be increased from 2.0 to 2.5 FTE – thus ensuring that release time for other UTFA officers not be reduced. And then in the 2003–05 settlement UTFA had the value of each FTE increased substantially from a fixed \$60,000 per FTE to \$107,000 plus overhead and future ATBs. Today the total value of one FTE of release time has a dollar value of \$163,600 (including overhead) and the total release time dollars are spread over ten UTFA officers. Prior to 2002, the records indicate that only the three senior UTFA officers received any release time. My point here is that there are far more release funds available today and that they are distributed over more UTFA officers than was the case in the past. It may well be that your future UTFA presidents, in particular if they are younger and in mid-career, will wish to remain active in their departments and thus will not want to take the 100% release time. That would be their call – but I do not see how UTFA's interests are now served by excluding the 100% release time possibility.

I thank and acknowledge the support of my many colleagues on Executive, on Council, and at RALUT. I am also grateful to the UTFA office staff for their hard work. Thank you to all for contributing to our success this past year.

George Luste
President
luste@utfa.org

Report of the Vice-President, Salary, Benefits and Pensions (and Workload!)

This year's Annual General Meeting coincides roughly with the commencement of another round of UTFA negotiations with the Administration. Thus, I will briefly comment on our general approach to the upcoming round and some of the challenges and opportunities we face in the months ahead.

The Team

First, at its March meeting, Council approved the following negotiating team for the new round of negotiations:

- Michael Donnelly, Council Member representing retirees, Department of Political Science, Professor Emeritus of Political Science, Dr. David Chu Professor Emeritus of Asia Pacific Studies
- Sherri Helwig, Program Supervisor, Arts Management Specialist and Humanities Co-op Programs, Senior Lecturer, Department of Humanities (Visual and Performing Arts and Humanities)
- George Luste, President UTFA, Professor, Department of Physics
- Scott Prudham, VP UTFA and Chief Negotiator, Associate Professor, Department of Geography, Program in Planning and Centre for Environment
- Helen Rodd, UTFA Council Representative for Ecology and Evolutionary Biology, Professor EEB
- Victoria Skelton, UTFA Council Member representing Librarians, Librarian, Industrial Relations and Human Resources Library (Newman)
- Judith Teichman, Equity Chair UTFA Executive, Professor, UTSC Division of Social Science (Political Science)
- Luc Tremblay, Member-at-Large UTFA Executive, Associate Professor, Faculty of Physical Education and Health

I thank all members of the team for agreeing to serve in this important capacity. All UTFA members are invited to contact any of us with concerns or suggestions regarding our negotiations.

Money Matters

Compensation issues will once again be in the foreground in this new round. We reported to members in some detail on some issues and priorities to consider following the last arbitration award on compensation matters. Many of those observations remain germane in thinking about the next round.¹

Moreover, about 800 UTFA members provided answers to queries on our recent bargaining survey. This information will be invaluable to our team throughout negotiations.

Among the survey questions we asked was whether UTFA should change its approach to bargaining for ATB adjustments in view of the deteriorating economic climate of recent years and the province's public sector wage restraint initiatives. You told us, in the main, no. Specifically, when asked to consider the political and economic context for our negotiations, a strong majority chose "*UTFA should represent the interests of its members by continuing to bargain freely as it has over the years, and guided largely by norms in higher education*" as the statement which most applied to them. There was essentially no appetite among respondents for embracing a zero ATB increase. This suggests that any faculty or librarians who are motivated to forgo salary increases will have to do so individually. We know we have colleagues who believe for admirable reasons that a zero ATB is appropriate. But it is simply not UTFA's role to negotiate a zero increase on behalf of all its members, particularly given the compounding effect such a measure would have over the course of a career, and how this would disproportionately work against those more junior in their appointments.

We also asked a series of questions about pensions. We are in the midst of a difficult period when it comes to our pension plan and, as our president George Luste has long been reporting, much

¹ See Bargaining Bulletin #8 released November 9, 2010, and available in the "[Bargaining Updates](#)" section of the UTFA web site.

of the problem results from ill-advised pension contribution holidays combined with extremely risky and imprudent investment decisions. It is clear from our queries that members have very limited appetite for increasing pension contributions, but are particularly averse to any hint of an increase to pay for past mistakes which are simply not their fault. “Religious opposition” is not too strong a descriptor for the responses from UTFA members on this point.

MOA Issues

The pending negotiations are guided by the bargaining article of our special plan. It is the only rigorous, fair process we have for negotiating with the Administration. Institutionally, it is really all we have when it comes to collegiality and shared governance. And it is very limited. While the vast majority of faculty and librarians in Canada are covered by collective agreements which ensure the comprehensive negotiation of all terms and conditions of employment, we remain formally limited to negotiating over a specific range of issues named in the article, including salaries, benefits, and pensions, and – as of the last protracted round of negotiations – workload.

In the last round, we insisted on genuine, good faith negotiations with the Administration. This means real, substantive face-to-face talks which precede the commencement of the mediation process (should it be required). It also means a “problem-based” approach to bargaining issues whose scope is shaped not by the bargaining article but by the priorities of our members.

In the recent survey, we asked members whether we should continue with this approach, and received very strong support for it. Specifically, there is strong support for seeking to make other specific issues negotiable with mediation/arbitration, including improved tenure and promotion language

and better policies to institutionalize shared governance and collegiality in academic planning. At the same time, support is strong for pursuit of a more comprehensive and fair bargaining process, in line with Canadian norms, by seeking to have our mediation/arbitration process cover all terms and conditions of faculty and librarian employment. Certification as a means to achieve this remains a topic of some dispute. Members who responded to this question were essentially divided, and about one fifth of respondents explicitly indicated that they remain unsure. But members in the main do support UTFA proposing to negotiate all terms and conditions with the Administration.

Accordingly, we will continue to try to address the shortcomings of our special plan by using the bargaining process to raise issues that are priorities to our members. Look for more detailed discussion and updates in the future regarding questions and challenges we face, as well as progress we are making.

On behalf of the bargaining team and the UTFA Executive, thank you to all members for your tremendous faith, trust, patience, and support. I also want to thank both our incoming and outgoing bargaining teams, as well as the members of the Salary, Benefits and Pensions Committee – Mounir AbouHaidar, Tom Alloway, Michael Donnelly, Helen Grad, Lino Grima, Mary Alice Guttman, Bonnie Horne, Shashi Kant, George Milbrandt, Phani Radhakrishnan, Helen Rosenthal, Harriet Sonne de Torrens, Elvino Sousa, Luc Tremblay, and Terezia Zoric – for their work on behalf of the Association. Working together, we are committed to making UTFA an advocate and a conduit for the goals and aspirations of our members.

Scott Prudham
Vice-President, Salary, Benefits and Pensions
prudham@utfa.org

Report of the Vice-President, Grievances

FAS Association Grievance and Governance

Our faculty and librarians, led by our students, struggled all summer to defend collegiality and academic freedom during the FAS academic planning crisis. A petition of six thousand names is difficult to ignore and impossible to spin. What an impressive campaign. The Administration flatly refused to consider UTFA's FAS Association grievance remedies. One of these remedies proposed that the process for determining academic planning (not planning itself) be negotiated with UTFA, on the principled grounds that academic planning deeply affects the working conditions of faculty. In many Canadian universities, protocols related to program change are negotiated with faculty associations. Not here.

The Administration has declined to admit that the planning process seriously compromised the integrity of shared governance. The crisis in governance at U of T that erupted in July of 2010 over the FAS Plan had been stirring for some time. A budget model that produces subsidies for various units, using tuition funds from burgeoning undergraduate enrolments in FAS, UTSC, and UTM, created the conditions that spawned the crisis. The Administration stated in several documents that the need to exercise fiscal restraint informed decisions to reorganize some FAS units that showed apparently low enrolments. Administration arguments that rested on money, however, turned out to be difficult to defend.

The manner in which a public university such as U of T is funded will continue to challenge the principles of intellectual inquiry upon which the University is founded.

The Ontario government's quality assurance protocols, coupled with its inadequate levels of funding, have complicated planning. Only a University Administration willing to work collaboratively with its faculty and their representatives will fulfill its duty to offer a liberal education.

During the fall, while the need for shared governance was more urgent than ever, the Administration was ushering through unsettling changes in Governing Council rules that will see both tighter control over who "qualifies" to serve on Governing Council and a smaller Executive, with ultimate decision-making power over program closure. The most consultative planning processes that could be devised will mean nothing if they may be overturned by a small Executive at the top. UTFA has formed an ad hoc committee to examine these changes in the structure of Governing Council.

Other controversial U of T planning exercises also suggest that issues related to governance must be addressed. A highly contested external reviewers' report at UTSC, impromptu library reorganizations, and an unsatisfactory planning process at the Faculty of Forestry signal a systemic problem.

Online Teaching Evaluation Forms

The evaluation of teaching will move to an online format, starting in 2011–12 in some divisions. The survey questions will in many respects be improved, reflecting recent research in the field of teaching and learning. In addition, faculty will be able to add questions to those on the online forms, drawing on a bank of tested questions. UTFA has, however, expressed concerns about the possibility of low response rates in the first few years after adoption. We are therefore proposing a Letter of Understanding meant to address this issue; student survey data are especially important for pre-tenure faculty and those in the teaching stream. We recognize, of course, that teaching surveys are significant for all of those at U of T who teach. In any case, many of us at UTFA share the view that the scores derived from the survey forms have often played too large a role in the evaluation of teaching and learning.

New Stream Negotiations (formerly Professor of Practice)

During the last round of salaries/benefits negotiations, the Administration asked that a

working group be established to explore a new stream, which was given a placeholder title that has since been abandoned: Professor of Practice. This new stream (title TBA) would include the current teaching stream as well as professionals, such as international tribunal lawyers, architects, and clinical pharmacists, who would bring to their teaching a practice expertise. Establishing a new stream would provide an opportunity to strengthen the many weaknesses in the current teaching stream appointments policy. With all due respect to those who helped Tutors and Senior Tutors gain the continuing ranks of Lecturer and Senior Lecturer in 1999, that policy change, because it was ill-conceived in some respects, marginalized the teaching stream. Post 1999, for example, UTFA fought for four years for the teaching stream's right to receive credit for scholarship. The current working group on the new stream (co-chaired by Cynthia Messenger and Edith Hillan) suspended its discussions during SBP negotiations but has recently resumed talks. Members will be kept informed of progress through reports to UTFA Council.

Grievance Statistics

Individual grievances are once again high in number. Currently, UTFA is handling approximately 90 files. The tenure denial rate is low. In 2009–10, 84 candidates went up for tenure, and 2 were denied, with 1 file pending. President Naylor did not overturn any positive recommendations last year.

None of the nineteen teaching stream faculty who went up for promotion to senior lecturer was denied.

Tenure Workshop

Once again this year the Grievance portfolio will sponsor a tenure workshop. It will take place on Friday, May 6, 2011, from 1:30 to 3:00 p.m., at University College, 15 King's College Circle, Room UC 140. This workshop will also cover the three-year review. All are welcome. Please register by email to faculty@utfa.org.

Thanks

In closing, I would like to say how much I appreciated both UTFA's General Counsel, Heather Diggle, and Counsel Alison Warrian for their extremely hard work this year. I am also very grateful for the devoted work of Counsel Carol Wolkove. I would like to thank, too, the lawyers of Sack Goldblatt Mitchell, without whom we could not offer the high level of service our members enjoy. A heartfelt thanks to Marta Horban and Chris Penn for providing support to the portfolio in recent months. Finally I would like to thank the UTFA Grievance Committee: Mounir AbouHaidar, D. Peter Dungan, Helen Grad, Shashi Kant, and Shelly Ungar.

Cynthia Messenger
Vice-President, Grievances

Report of the Vice-President, University and External Affairs

“It was a dark and stormy night; the rain fell in torrents – except at occasional intervals, when it was checked by a violent gust of wind which swept up the streets (for it is in London that our scene lies), rattling along the housetops, and fiercely agitating the scanty flame of the lamps that struggled against the darkness.”

You may be wondering why my report starts with the opening sentence of *Paul Clifford*, the 1830 novel by Edward Bulwer-Lytton. But change the setting to Toronto, lose the lamps, and bring the time forward to November 16, 2010 – and we have the setting for UTFA’s C. B. Macpherson Memorial Lecture.

C. B. Macpherson Memorial Lecture

Over a hundred people braved winds gusting in excess of 40 km. and more than 30 mm. of rain to hear Professor Ron Deibert give a fascinating and entertaining presentation entitled “The Battle for Cyberspace Democracy.” His talk dealt with the evolution of cyberspace from a kind of free and open public sphere to something today that is under threat from a variety of quarters and at the centre of a geopolitical battle. The question and answer session underlined the engagement and interest that Professor Deibert’s address evoked.

Planning for the next Macpherson lecture is already under way.

CAUT and OCUFA

I attend several meetings as your representative to CAUT and OCUFA. These include the fall CAUT Council and the pending spring Council where the Equity and Women’s Committees will be disbanded and a new Diversity Council established. The Diversity Council will harmonize the work of the two committees and represent a wider range of stakeholders. I attended several OCUFA Board of Directors meetings, including the special one called in early September to discuss the Ontario Government’s fiscal initiative,

which included a request to temporarily suspend interest arbitration.

Not surprisingly both CAUT and OCUFA, given the overlap in their memberships, were actively involved last summer and into the early fall in responding to the Ontario Government’s call for compensation restraint. UTFA members will know that the arbitrated settlement of our bargaining reflected an explicit rejection of the government’s call. Other associations were not so fortunate.

OCUFA has been engaged in the ongoing pension solvency relief issues and this is reflected in the many meetings of the various OCUFA committees and in OCUFA’s dealings with government ministers and the civil service (especially the Ministry of Training, Colleges and Universities and the Ministry of Finance).

I have been involved in the work of OCUFA’s ad hoc communications committee, which has been examining the confederation’s various means of communications and the effectiveness of its website. This work is especially relevant to faculty associations and the public alike as we get ever closer to the provincial election of October 6.

Awards

This year the UTFA Undergraduate Tuition Award went to Alexandra Peng and the Al Miller Memorial Award went to Rawle Gavin Agard. I am sure that all of us congratulate them and it is my pleasure to present both of them at this AGM. I am not aware of many other faculty associations across the country that sponsor these kinds of awards.

With respect to awards and recognition coming from and to our colleagues, I would remind you that both CAUT and OCUFA sponsor several awards. These include the Academic Librarians’ Distinguished Service Award, the Donald C. Savage Award, the Milner Memorial Award, and the Sarah Shorten Award from CAUT, and the Teaching and Academic Librarianship Awards, the Lorimer Award, and the Status of Women Award of Distinction from

Report of the Vice-President, University and External Affairs

OCUFA. Please consider nominating a deserving candidate.

The UEA Committee

The University and External Affairs Committee is invaluable and much of what I have reported above is in no small part due to their efforts. This is especially true with respect to the Macpherson lecture and the UTFA awards. Members of the Committee have been actively involved with UTEAU, in the work protesting the FAS Academic Plan, and in the efforts (including the General Assembly) to reform academic planning and governance here at the University. I want to thank Lino Grima, Helen Grad, Mary Alice Guttman, Victor Ostapchuk, and Luc Tremblay for their advice, contributions, and support.

The UTFA Office Staff

Whether you are a high wire artist or an UTFA Executive member, a safety net is something always

to be appreciated. Marta Horban and Chris Penn have been part of my safety net and I want to thank them for all they have done to support me and the UEA Committee.

UTFA Executive/UTFA Council

I have enjoyed the last two years and much of that has come from my interactions with all of you. I look forward to watching your endeavours in the year to come from the sidelines and wish you well.

Last but not least I want to wish my successor (obviously at the time of writing my unknown successor) all the best and assure him or her that I will be at their back (pushing).

All of which is respectfully submitted,

Kent Weaver
Vice-President, University and External Affairs

Report of the Treasurer

The Association continues to be in good financial health. With the increase in dues generated by the recent salary settlement we continue to satisfy budget expectations by balancing expenses with income.

We now have an accumulated reserve fund of approximately \$2,400,000. As prescribed by the UTFA investment policy the reserve fund is divided into thirds: cash, liquid bonds, and liquid equities. The diversification of the funds has minimized the effects of market fluctuations. The Financial Advisory Committee meets in October and April to review the investments in the Association's reserve fund. This year the members of the committee were George Luste, Michael Meth, Louis Florence, and Laurence Booth. I thank them for taking the time to meet and for the engaging discussions.

The treasurer relies on the UTFA bookkeeper and financial officer to provide information and to look after the day-to-day financial operations of the Association. I wish to thank Lyze Dowden and Marta Horban for their help and support in the past year.

Attached to this newsletter are the Association's Audited Financial Statements for the fiscal year ending June 30, 2010. I wish to thank Donna Mehta of Cowperthwaite Mehta for the timely completion of this year's audit.

Dennis Patrick
Treasurer

Report of the Chair of the Appointments Committee

In the fall, the Appointments Committee met jointly with the Grievance Committee to examine how Association grievances impact appointments policy. UTFA staff lawyers, Alison Warrian and Heather Diggle, gave a presentation to the Appointments Committee on Association grievances and their role in identifying weaknesses in policy. In recent years UTFA launched Association grievances related to the following: the Arts and Science Activity Report form used for the teaching stream; the President's denials of tenure in four cases in which the tenure committees had recommended tenure; the right of denied tenure candidates to complete appeals even if they have had to resign; process in the Arts and Science Academic Plan; and the procedure for renewal of administrative appointments for Librarians.

The committee also developed a **Workshop on Digital Scholarship in the Academic Promotion Process** in cooperation with the Librarians Committee. Chair of the Librarians Committee Harriet Sonne de Torrens has been instrumental in the planning process. This workshop will showcase the scope and complexity of digital scholarship across our academic community and investigate the current process for including digital scholarship in tenure and promotion reviews. Is it inclusive enough? How clear are the guidelines for evaluation of intellectual processes? How can one make sure that the breadth of effort behind the creation of digital content is recognized and understood? Does

our appointment language address the technological challenges resulting from advances in digital scholarship?

The UTFA Workshop is scheduled on Monday, May 2, 2011, 12:00 to 4:00 p.m., at the Faculty Club. The Guest Speaker is Dr. Peter Simpson, CAUT, and the subsequent panel will include Prof. Frances Garrett (Dept. for the Study of Religion), Dr. Leslie Chan (Dept. of Social Sciences), Ms. Rea Devakos (UT Libraries), and Prof. Grace Bradley (Dentistry). A poster session for UTFA members to showcase scholarship of U of T faculty and librarians is included. Members should register by email by Monday, April 25, to faculty@utfa.org.

We have also met to discuss the proposal for a new stream – called, until recently, Professor of Practice – and the Provostial guidelines on the student evaluation of teaching in courses.

I would like to thank Peter Dungan, Bill Ju, George Luste, Jody MacDonald, Cynthia Messenger, John Munro, Jeff Newman, Judith Poë, Margaret Procter, Dennis Patrick, Harriet Sonne de Torrens, Dena Taylor, and Judith Teichman for their very much appreciated contributions to the Appointments Committee.

Helen Grad
Chair, Appointments Committee

Report of the Chair of the Equity Committee

UTFA released a major Equity Report examining faculty and librarian salaries, along with an extensive statistical appendix, in June of 2010. The report was authored by myself and staff member Reni Chang, and is available from the Faculty Association web site.

Our study revealed that equity issues at the University of Toronto are extraordinarily complex. Gender continues to be a salient issue although not evenly so across the university. The report also revealed discrepancies in salaries across the three campuses with significantly lower faculty salaries on the east/west campuses than on St. George. While the report touched on salary inequalities among librarians and teaching stream faculty, it did not treat librarian and teaching stream equity issues in detail. UTFA issued a news release announcing the report.

UTFA's president and I received many positive responses to the report and very few negative ones. Several UTFA members suggested that the Equity Committee continue to pursue equity issues through additional studies. One of the difficulties we confronted in putting together the Equity Report was the lack of sufficiently detailed salary information. Hence, UTFA has made information requests to the Administration in order to examine in depth the sources of the salary inequalities uncovered in the report.

The Equity Committee has met twice since my 2010 report. At its meeting in June, the committee recommended that the chair investigate possible reasons behind the salary disparities identified and that the UTFA Executive consider the possibility of grievances addressing some of the salary discrepancies identified in the report. The committee also strongly recommended further in-depth equity reports covering librarians and teaching stream faculty. For example, I believe it is useful to begin collecting data on salary as it relates to other diversity issues such as race and ethnicity. At its second meeting, in October, the Equity Committee considered some of the problems in

producing those additional reports. The committee recommended that the Chair meet with the Librarian and Teaching Stream Committees in order to consider what additional data pertaining to equity issues was required and to explore the possibility of acquiring this additional information through separate surveys. Between the end of October and early December, I and staff member Reni Chang met with the Librarian and Teaching Stream Committees to identify pertinent issues and to work out surveys appropriate to each of these streams. These librarian and teaching stream surveys, after approval from their respective committees, were included in the recently administered bargaining survey. We have just received the results from these surveys and are beginning to examine the data.

Since the salary discrepancies between the three campuses were the most consistent among the differentials identified in the Equity Report, the Chair recommended, and the Executive approved, an Association grievance on this issue. UTFA council accepted this recommendation in principle. We are currently awaiting additional salary information from the Administration pertaining to this issue.

As Equity Chair, I have also been concerned about inequality in workload. It is UTFA's hope that the newly acquired workload policy will go some considerable way to addressing this problem. The inclusion of a tri-campus workload committee in the new workload policy will hopefully become one of the most important measures in ensuring workload equity across campuses.

I would like to thank staff member Reni Chang, who continues to work on equity issues with me, and all of the members of the Equity Committee – Chi-Guhn Lee, Hazel McBride, Noel McFerran, and Terezia Zoric – for their advice and support during the past year.

Judith Teichman
Chair, Equity Committee

Report of the Chair of the Librarians Committee

The UTFA Librarians Committee program for 2010–11 has included the organization of three tri-campus forums for librarians; the formation of two working groups on workload and appointments policies; participation in two meetings with the Joint Librarians and Administration Committee; collaboration with the UTFA Appointments Committee on a workshop on digital scholarship (May 2, 2011); and a concerted outreach program that has resulted in new professionals becoming involved in UTFA and the Librarians Committee. The new UT Librarians' Blog (<http://utlibrarians.wordpress.com/>) provides members with up-to-date news about UTFA and the accomplishments of our academic librarians.

The profession of academic librarianship has the most to offer when there is an assurance of academic and intellectual freedom, shared governance, and an ability to actively participate in the future of our libraries and professions. The UTFA Librarians Committee takes these issues very seriously. The voice and expertise of those who build and support our libraries ultimately serve those who are forging new paths in research and teaching.

The University of Toronto prides itself on pursuing excellence at all levels. Therefore, we should have the right to have parity with colleagues at comparable institutions in Canada and the U.S. Many of the issues facing academic librarianship in our community are being addressed by other Canadian universities with certified faculty associations. They have the power and the authority to argue successfully for their members. It has long been acknowledged (e.g., by CAUT, AAUP, ACRL, and ALA) that universities benefit from one collective agreement that equally represents all faculty, teaching stream, librarians, and archivists. Librarians are seeking fundamental changes:

- First and foremost, the *right* to negotiate all terms and conditions of employment. If members of CUPE and USW have this right, why not the U of T faculty, librarians and archivists?
 - Right now, we can only negotiate within the

narrow terms of article 6 on compensation and workload.

- We need one framework governing all terms and conditions of employment, with up-to-date language and provisions for librarians, faculty, and the teaching stream. Our Memorandum of Agreement is currently more than 30 years out of date.
- We need equal rights for all U of T librarians across our three campuses, departments, colleges, and institutional libraries. Currently, unfair inequalities prevail.
- Academic librarians need academic and intellectual freedom, a role in shared governance, and a forum to express their concerns openly, without fear of penalties. Academic librarians work at the forefront of controversial issues:
 - Struggles over equity, copyright ownership, intellectual property pertaining to authors, publishers, e-resources and e-publishing, censorship, the influence of corporatization, development of digital resources and collections versus sustainability, growth and budget restrictions
 - The trend in academic libraries to move away from specialists and the mastery of scholarly subject expertise, as administrators seek to address changing needs with limited resources
 - The replacement of academic librarians with technicians, administrators, and others who lack the professional or academic expertise to contribute in meaningful ways to important decisions that will have long-term ramifications concerning our libraries and collections
- Greater job security:
 - Our dated librarians' policy has a financial stringency clause (46) which can terminate our permanent status. We deserve a new policy that equates permanent status with faculty tenure as is the case at Queen's, York, Windsor, Guelph, and other universities in Canada.
 - OCUFA, CAUT, ALA, ACRL, and AAUP have all supported tenure or the equivalent

Report of the Chair of the Librarians Committee

terminology (permanence, permanent status, continuing appointment) for academic librarians for more than forty years.

Carole Moore retires as Chief Librarian in June 2011 after more than 25 years at the University of Toronto. Larry Alford from Temple University will be assuming the role of Chief Librarian by August 1, 2011.

A special thank you to the librarians on the UTFA Librarians Committee: Michelle Baratta, Sarah

Fedko, Kathryn FitzGerald, Sheril Hook, Noel McFerran, Suzanne Meyers Sawa, Jeff Newman, Fabiano Rocha, Andrea Shier, Victoria Skelton, Christina Tooulias-Santolin, and Kent Weaver.

Thanks also go to the Executive, the UTFA office staff, and those in our community who have worked so hard to support our numerous initiatives, share their expertise, and be willing to step forward to assist.

Harriet Sonne de Torrens
Chair, Librarians Committee

Report of the Chair of the Membership Committee

The Membership committee held a series of intensive meetings over spring and summer of 2010 to take stock of two years of stepped-up outreach. Through surveys, focus groups, socials, and lunches with newly hired faculty, we have pursued a process of renewal and transformation: renewal of the Association itself by redoubling efforts to be in direct dialogue with members, by recruiting new members to Council and Executive, and by emphasizing responsiveness to members' concerns and interests; and transformation of UTFA's relationship to Simcoe Hall so that those concerns and interests get the priority they deserve.

Our stock-taking exercise generated two conclusions. First, fundamental change is needed in UTFA's relationship with the Administration. As we talked to members, it was clear their concerns were not limited to salaries, pensions, and benefits – the issues over which UTFA has rights to bargain with the Administration. Rather, a wide range of non-monetary issues, workload first among them, rose to the fore. The input we received – on the challenges of work-life balance as well as the growth of administrative work at the expense of teaching quality and scholarly and professional activities – empowered UTFA to fight for and win the addition of workload to those items negotiable with mediation and arbitration under Article 6 of the MoA.

Yet our success only served to highlight the ongoing limits of the MoA to ensure fair representation for UTFA members. What about procedures governing tenure and promotion? How do we ensure shared governance in academic planning?

The second conclusion of our stock taking was that it was necessary to go back to our members on the larger question of securing a comprehensive framework for bargaining and representation. Certification is the path chosen by the large majority of faculty associations in Canada. But to date faculty and librarians at U of T have not taken that path. We wanted to hear some of the reasons why, and to confer together with our members about alternatives. The Membership Committee obtained approval from Council for another round of consultations with our membership. These consultations are well under way, in the form of department-level focus groups and wider scale socials.

Meanwhile, over summer 2010, the Faculty of Arts and Sciences Academic Plan was released, the Faculty of Forestry was put on the chopping block, and a controversial endowment was secured to underwrite the new Munk School of Global Affairs. Each of these major reorganizations was initiated through characteristically centralized governance processes. The donation from the Peter Munk Charitable Foundation took the issue of expanding

Report of the Chair of the Membership Committee

corporate influence in particular to a new level of seriousness.

Faculty and librarians, students, and staff responded with a coordinated response. A series of cross-unit and cross-constituency meetings converged around a common sense of indignation and outrage over these affronts to the principles of collegiality and shared governance. UTFA's Membership Committee took part in many of these meetings—relaying information about the existing framework for academic planning and faculty/librarian representation at U of T, and liaising with the office of the Vice-President, Grievances. The Membership Committee also played a key role in organizing an UTFA Forum on Governance and Academic Planning in September 2010, featuring a panel drawn from U of T faculty and librarians, CAUT, and the law firm Sack Goldblatt Mitchell. Finally, the Membership Committee has been a strong advocate within UTFA for the newly formed General Assembly, a grassroots body of stakeholders in university life, convened this winter to deliberate governance issues.

All the while, the work of outreach continues. Our encounters during the fallout of the FAS Academic Plan brought us first into humanities and social science departments on the St. George campus. But we have subsequently held focus groups in physical sciences, in professional schools, and on all three campuses. Our main task is to listen to members, about their views of UTFA, about their aspirations for their faculty association, and about their vision of the university. We are particularly keen to hear

how UTFA can better serve to express these visions, visions that reflect the values of our members as intellectuals, as teachers, as professionals. We are finding wide awareness of the limits of the MoA and the need to rework faculty/librarian representation. And we are learning a great deal from members' views about the possibilities and challenges of securing such representation.

My first thanks in this work go to members themselves who have shared their time, welcomed us, and deliberated collegially. Thanks also go to the Membership Committee, the Executive Committee, and members of Council who have helped to set up focus groups. This year the following wonderful colleagues sit on the Membership Committee and have helped shaped its direction: Mounir AbouHaidar, Joshua Barker, Helen Grad, Lino Grima, Paul Hamel, Carol Percy, Scott Prudham, Phani Radhakrishnan, Peter Sawchuk, Victoria Skelton, Je Sook Song, Harriet Sonne de Torrens, John Valleau, Kent Weaver, and Terezia Zoric. David Mackenzie, Anna-Rae Fishman, Scott Prudham, George Luste and Cynthia Messenger all mentored me in the ways of UTFA and I extend my heartfelt thanks for this labour.

If you and your colleagues would like to participate in a dialogue about the future of UTFA and the University of Toronto, please contact the membership Committee at membership@utfa.org.

Katharine Rankin
Chair, Membership Committee

Report of the Chair of the Teaching Stream Committee

This academic year the Teaching Stream Committee focused on strengthening security and status in the teaching stream, assessing workload and evaluation concerns, and planning a promotions workshop for our teaching stream faculty. We are an active and engaged committee. UTFA's 2010 report "Response to OCUFA's Questions on Teaching Intensive Appointments" is available on UTFA's Teaching Stream web page at <http://utfa.org/content/teaching-stream-committee-2010-2011>. UTFA members are encouraged to review this important document.

Strengthening Security and Status in the Teaching Stream

Strengthening security and status of our teaching stream is a key advocacy role for our committee. The current U of T appointments policy identifies that Lecturers appointed for less than 76% of a yearly or multi-year contract are covered under the part-time policies and are not eligible for promotion. Lecturers hired for 76% and above in yearly or multi-year contracts are covered by the full-time policies and must be reviewed for promotion in their fifth year.

Our committee reviewed an "Information Request" document on Promotions to Senior Lecturer compiled by the Office of the Vice-President and Provost. This document highlights promotion to Senior Lecturer statistics from 2003–04 to 2009–10. During this time 97% of the UTFA Lecturers reviewed (105) were promoted to Senior Lecturer. This statistic is reassuring but may not be comprehensive. We are not able to compare the number of full-time Lecturers hired during these years to the number who went forward for promotion. Therefore, we are unable to ascertain if all full-time Lecturers hired during this time period went forward for review for Senior Lecturer. The recent UTFA equity survey suggests that in 2009 there were just over two hundred UTFA Lecturers and slightly fewer Senior Lecturers. A current UTFA goal is to obtain timely information on the hiring of new Lecturers and compare results to future promotions statistics.

In the late 1990s the teaching stream titles changed to "Lecturer" and "Senior Lecturer" with ongoing appointments for Senior Lecturers. These changes enhanced both security and status for the teaching stream. Subsequently, the university granted the title of Lecturer, along with three levels of promotion, to unionized, non-permanent and often part-time sessionals. This nomenclature continues to cause confusion with students and faculty. As stated in our 2010 AGM newsletter, we need titles that "*grant faculty with teaching-intensive appointments the same level of esteem as is properly granted to our colleagues in the tenure stream.*" Security and title change are currently being examined by a joint working group exploring a new stream at the University of Toronto. This joint working group is composed of representatives of the Office of the Vice-Provost along with UTFA representatives George Luste, Cynthia Messenger, and Scott Prudham.

The Teaching Stream Committee collaborated with the Appointments Committee to identify key reforms needed in the titles and appointments of full-time teaching stream faculty. Our committee argues that these reforms are long overdue as are reforms in the part-time teaching stream policies.

Assessing Workload and Course/Faculty Evaluation Concerns

The Teaching Stream supported Judith Teichman, chair of UTFA's Equity Committee, as she designed and distributed an online survey for members of UTFA's Teaching Stream. Responses are under review.

Cynthia Messenger, a committee member, is serving as an UTFA representative on U of T's Course Evaluation Working Group. All Teaching Stream members are encouraged to review the Course Evaluation Working Group Report. This report is posted on the CTSI web site at <http://www.teaching.utoronto.ca/teaching/essentialinformation/evaluation-framework.htm>. The Teaching Stream Committee discussed the proposed changes and will

Report of the Chair of the Teaching Stream Committee

forward concerns about timing of the evaluations, negative impact upon faculty teaching scores and overall course scores, low response rates, and the removal of the key question asking students to rate the course on a scale of 1 to 10.

Promotions to Senior Lecturer Workshop

UTFA is presenting a workshop to assist faculty members in the teaching stream in preparing for promotion consideration. It will be held at the Health Sciences Building (HS), 155 College Street, Room 106, on Thursday, April 28, 2011, from 9:30 a.m. to 1:30 p.m. All members of UTFA's teaching stream are welcome to attend. Members wishing late registration should email penn@utfa.org before April 21, 2011.

Appreciation

Finally, many thanks to the members of UTFA's Teaching Stream Committee: Don Boyes, Jim Clarke, Tyler Evans-Tokaryk, Sherri Helwig, Bill Ju, George Luste, Brock Macdonald, Hazel McBride, Cynthia Messenger, Susanne Meyers Sawa, Geeta Paray-Clarke, Dennis Patrick, Judith Poë, Margaret Procter, Scott Prudham, Rosa Sarabia, and Terezia Zoric. Special thanks to Chris Penn and Marta Horban and the UTFA staff for their thoughtful support.

Jody (Geraldine) Macdonald
Chair, Teaching Stream Committee

Promotion to Senior Lecturer Workshop

Health Sciences Building, 155 College Street
Room: HS 106

Thursday, April 28, 2011

9:00 a.m. to 1:30 p.m.

The University of Toronto Faculty Association is pleased to present a workshop to assist faculty members in the Teaching Stream in preparing for promotion consideration.

The workshop is open to all Teaching Stream members of the Faculty Association.

Participants will receive information packages.

Members requesting late registration should email Chris Penn at faculty@utfa.org with their name, department, and/or faculty.



Wheelchair Accessible

Tenure Workshop

University College, 15 King's College Circle
Room: UC 140

Friday, May 6, 2011

1:30 to 3:00 p.m.

The University of Toronto Faculty Association is presenting a workshop on the three-year review and the tenure review.

This workshop is open to all members of the Faculty Association.

Members should register by email: faculty@utfa.org

The workshop will focus on the following:

- The three-year review
- The tenure process

A Workshop on Digital Scholarship in the Academic Promotion Process

Faculty Club, 41 Willcocks Street, Main Floor Lounge

Monday, May 2, 2011

12:00 to 4:00 p.m.

12:00 to 1:00 p.m. Registration and Lunch

Digital scholarship is happening across the humanities, the social sciences, and the scientific, technical, and medical fields. This workshop will showcase the scope and complexity of digital scholarship in our academic community and investigate the current issues for including digital scholarship in the tenure and promotion process.

Guest Speaker: Dr. Peter Simpson, CAUT

Panelists: Prof. Grace Bradley (Dentistry) • Dr. Leslie Chan (Dept. of Social Sciences)
Ms. Rea Devakos (UT Libraries) • Prof. Frances Garrett (Dept. for the Study of Religion)

This workshop is open to all members of the Faculty Association.

Members should register by email by Monday, April 25 to faculty@utfa.org
Please indicate if you will be attending lunch and have any dietary restrictions.



>> CALL FOR SUBMISSIONS <<

Poster Session

for

Digital Scholarship in the Academic Promotion Process

May 2, 2011 at the U of T Faculty Club

Showcase your digital project!

We are pleased to announce that tables will be set up for UTFA members to show the community some of the projects faculty and librarians are working on at the University of Toronto.

Please email faculty@utfa.org with your intent to participate with the following information:

- Name
- Contact information (email & phone number)
- Affiliated faculty unit or library
- Name of digital project
- 250-word statement about the project
- Requirements needed to show the project

FEATURE ARTICLES

The Campus Controversies of 2010 to 2011 and Their Implications

Ken Kawashima, Associate Professor, East Asian Studies

The 2010-11 academic year was marked by some alarming developments. In the summer of 2010, several academic units were notified by the Dean's office that their departments and programs were slated for "dis-establishment." The Faculty of Arts and Sciences Academic Plan provoked an immediate counter-punch from faculty, librarians, students, and staff. A self-organized, grassroots opposition grew and furnished a powerful analysis and critique. We learned that the Administration had no viable academic plan for the proposed School of Languages and Literatures and that supposed financial exigencies were based on confusing, contradictory and unevenly distributed information about the university's finances. UTFA filed an unprecedented grievance that is still unresolved. The reversal, late in the fall term, of many of the Plan's immediate proposals signalled the power of a broad and inspired coalition animated by renewed commitment to *real* collegiality and shared governance.

Did the mass demonstrations of protest and distrust change the way the Administration is carrying out academic planning? Have we come closer to realizing shared governance? Or, have the protests emboldened the Administration to move toward even more unilateral, top-down modes of governing at U of T?

It is clear that the protests sparked a defensive reaction. The Administration has consistently disavowed the procedural failures and intellectual bankruptcy of the Plan, and has perversely sought to take credit for the new forms of cross-departmental alliances that formed in opposition to it. Moreover, it's now come to light that even while we were fighting the Plan, the Administration was already busy producing an ideological storm. On the one hand, it emphasized over and over how the unicameral system of governance was sound and working fine. Yet, on the other hand, Administrators were actively discussing a significant transformation of the existing governing system, one that would arrogate more power to the Executive Committee of Governing Council. Read the *Report of the Task Force on Governance* (June 22, 2010),

from the Office of the Governing Council. Read how Recommendation 21 seeks to give "*greater delegation of approval matters to the Executive Committee, acting on behalf of the Governing Council,*" and to specifically arrogate "*final approval authority*" to the Executive Committee for "*proposals for the establishment or termination of academic units, consistent with the University's strategic and academic plans.*"¹ This is a mockery of shared governance.

Much discussion has taken place recently about the rising profile of corporate interests and investments on campus (e.g., Peter Munk, Barrick Gold, and the Munk School). This recent controversy is symptomatic of a worldwide trend in which "university governance" and "corporate governance" become increasingly intertwined.

Witness the 50,000 students who hit the streets in London, U.K., to protest the recent decision to cut 80% of public funding to British universities – a decision that has allowed universities to increase tuitions to the point where working class families will steadily be excluded from institutions of higher education. The state of California provides another example of a system increasingly subordinating higher education to the quest for higher profits (e.g., at Berkeley, they're even proposing three-year bachelor degrees with the first-year courses done entirely online). In Japan, still experiencing a chronic recession from the 1990s, public university education has been devastated by the neo-liberal policy of the "Incorporation of the National Universities," passed into law in 2004. The slash and burn policies of Gov. Walker in Wisconsin also show how far cuts to public universities will go – leading in turn to massive social unrest. U of T's governing structures are already primed for precisely these kinds of changes. And that will surely lead to further intense and extensive antagonism.

What can we do in the face of these threats to public education and shared governance? First, let us perceive the situation with clarity. Despite

¹ *Report of the Task Force on Governance*, Office of the Governing Council, June 22, 2010, pp. 8 and 39.

our legal status as a public university, U of T is already at least a working simulacrum of a corporate university; therefore, we must not be surprised that administrators will seek to govern the university as a corporation, with its telltale audit culture, its abstract “indicators,” its accountant-inspired “standards of excellence,” and especially with its power to eliminate jobs and squeeze wages in unilateral ways. Second, we have to criticize the Administration for the ideological disguises that disavow the current melding of corporate and university governance. How can we vest any hope in the current Provostial Advisory Group on Academic Planning to effect principles of shared governance, in the face of new powers being granted to the Executive Committee of Governing Council?

Lastly – we need to organize and act as a unified body of faculty and librarians, to demand real shared governance and the right to negotiate all

terms and conditions of our employment. For this to happen, faculty and librarians need to come together to become empowered in new and creative forms. We need to create lines of solidarity with more vulnerably situated workers on campus – especially the workers in CUPE 3902 (our TAs, contract instructors, adjuncts) and USW 1998 (our colleagues who hold down the fort in the Office and who help keep our teaching and research going). We need to learn from their extensive experience in challenging university policies that result in unfair treatment of workers. We need to redefine ourselves, our university, and standards of “excellence” so as to protect our commitments to equity, access, justice, and a tradition of shared governance at U of T. Certification as a union is one of the most important and viable options available to us. It must be considered as such when we articulate our need for more empowerment.

University Governance and Acceptance of the Munk Donation

John Valteau, Professor Emeritus, Chemistry, and
Paul Hamel, Professor, Laboratory Medicine and Pathobiology

The University of Toronto may be facing a crisis with respect to its governance. Recent trends, unless remedied, point toward deterioration of U of T as a place of serious scholarship. These matters are starkly illustrated by emerging facts about the University’s handling of the offer of a donation by the Munk Foundation to promote further expansion of the School of Global Affairs.

The arrangements under which the bequest was to be accepted are spelled out in a Memorandum of Agreement¹ between the Foundation and the University’s Governing Council. Its protocols raise serious questions from an academic standpoint. For example, the Agreement announces the *possibility* of an additional gift of 15M\$, with the decision to be taken at the *sole discretion* of the Donor, and only after some years. In the meantime there will evidently be a strong incentive for the School *not*

to pursue critical inquiry into subjects thought to be unwelcome to the Donor. Academic freedom is thus seriously compromised. This pressure will be magnified by the Agreement’s *requirement* that the School’s Director must annually discuss the School’s academic activities with the (non-academic) Board of the Foundation. Space limitations prevent our including here further analysis of this and other unacceptable features, but a thorough review² is readily available. It is impossible to believe that any representative group of serious scholars examining the Agreement could find its protocols acceptable.

The Agreement also embodies the basic decision to *accept* the bequest and the lavish further expansion of the School. This commitment entails substantial further investment in the School, not just by the Foundation, but by the University itself: the University guarantees new funding for the

1 <http://theblueandwhite.ca/evidence/2009/11/23/00/00/01/memorandum-of-agreement-between-munk-and-the-university-of-toronto.html>

2 <http://theblueandwhite.ca/article/2011/02/09/00/00/10/the-perils-of-philanthropy/>

University Governance and Acceptance of the Munk Donation

School equivalent to a bequest of 39M\$, assigns to the School the tuition fees of the new MGA programme (estimated 1.2M\$/year), provides sumptuous accommodation at 315 Bloor and eventually also “at least” 15,000 ft² elsewhere (added to the present quarters on Devonshire Place). It also accepts 50M\$ of government grants specifically for the School, which instead might well have been available for other purposes. For the rest of our seriously underfunded University, these undertakings represent a net *loss* of the support available if the bequest were instead to be *rejected*. The *trade-offs* between acceptance and rejection of the bequest therefore certainly demanded evaluation by a widely-based group of the University faculty.

The procedures by which the Agreement seems to have been adopted are very disquieting. From the days of the earliest universities it was recognized that their unique character and value depend on the principle that decisions affecting the academic environment must be taken by those who best understand the academic enterprise – i.e., the scholars themselves. The Munk controversy suggests that this principle is no longer respected at our University, for no academic oversight took place. The deal, previously secret, was announced in April 2010 as already finalized – presumably negotiated and adopted entirely by some administrators. The body at U of T officially charged with the ancient responsibility of ensuring

the scholarly direction of academic priorities is the Academic Board. However, that Board *at no point* saw the Agreement prior to its being signed. It was thus prevented from carrying out its responsibility to recommend acceptance or rejection of the deal to the Governing Council. (Is the Board truly willing to accept this without reaction?)

The Agreement is itself a legal contract between the Munk Foundation and the Governing Council. It was signed (November 23, 2009) by the President and by Vice-President Palmer, supposedly on behalf of the Council – but in fact, though hard to believe, that Council also *never saw* the Agreement before it was signed. Was the Council’s authority somehow delegated to the Administration? We see no evidence that this was so (or is actually possible). The alternative seems even more disturbing. (Like the Academic Board, the Governing Council appears to have been systematically prevented from exercising its responsibilities. Can it accept this in silence?)

Aside from the legal question, we contend that the imposed lack of academic oversight of academically significant decisions is anyway unacceptable. Such lack of collegiality lies well outside the tolerable range of behaviour within an academic institution. As members of the Faculty Association and as upholders of the mission of our University, we are obliged to come together and develop an appropriate response.