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UTFA Proposal:

July 1, 2005 – June 30, 2006

Administration Proposal:

July 1, 2005 to June 30, 2007

It is clear from the language of Article 6 of the Memorandum of Agreement that the process of negotiation, mediation and, if necessary, dispute resolution in relation to salaries and benefits is an annual one. In particular:

- The opening “NOTE” states that the objective of the Article is to have “a procedure that ends by approximately April 15 of each year.”
- Paragraph 1 states that salary and benefits for faculty members and librarians“ shall be negotiated *annually* in accordance with the following procedures.” [emphasis added]
- The procedures set out in paragraphs 2 to 25 establish a timetable for negotiation, mediation and arbitration on an annual basis.
- The paragraphs governing the procedures for repudiation of a Dispute Resolution Panel report (paragraphs 25 and 26) by Governing Council are clearly based on the premise that a report of the Dispute Resolution Panel will be limited to a single academic year only.

Accordingly, the jurisdiction of the Dispute Resolution Panel is limited to making a report regarding salary and benefits for the academic year 2005-2006, as is proposed by the Association. The Administration’s proposal for a two year term is beyond the authority conferred on the Panel by Article 6.

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