



# UTFA Newsletter

University of Toronto Faculty Association No. 1 (2009–10) October 9, 2009

## WELCOME TO THE NEW ACADEMIC YEAR!



*"The barbarians are at the gates, Frambley, and you talk of tenure!"*

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### NOT ALL PROBLEMS NEED TO BECOME GRIEVANCES

Much of our work is aimed at avoiding grievances, rather than launching them. In many cases a single intake meeting with me and one of our lawyers can provide a member with the information needed to resolve a problem.... (Read more on **page 10.**)

—Ron Smyth, Vice-President, Grievances

### WHAT KINDS OF CHANGES ARE NEEDED TO PROTECT FACULTY AND LIBRARIANS FROM SPIRALLING WORKLOADS AND THE ASSOCIATED THREATS TO QUALITY IN TEACHING AND RESEARCH?

Negotiated workload language at other Canadian universities has led to substantial improvements.

What do they have that you don't? (Read more on **page 4.**)

—Cathy Lace, Counsel, Sack Goldblatt Mitchell LLP

### EQUITY ISSUES ARE EXTRAORDINARILY COMPLEX

The problems and nature of equity challenges vary enormously between campuses, faculties, and departments and they affect male and female faculty and librarians in different ways. (Read more on **page 14.**)

—Judith Teichman, Chair, Equity Committee

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# PRESIDENT'S MESSAGE



*It is my sincere pleasure to welcome all former colleagues as well as new faculty and librarians for the 2009–10 academic year.*

*I hope all of you have a productive and rewarding year.*

## **The Year Ahead**

Your faculty association exists to promote the welfare of faculty, of librarians, and of our university as a whole. To that end UTFA officers and committee members are currently engaged in several important issues on your behalf. But before I briefly highlight some of these, let me first appeal to all UTFA members, tenured faculty in particular, to consider getting involved with UTFA – possibly as your constituency's representative on the UTFA Council. Or simply volunteer as a member of one or more of the UTFA committees. UTFA is that much stronger with an engaged, involved membership. If you are interested, please call me or send an email.

## **Salaries, Benefits and Pensions (SB&P)**

As this newsletter goes to press, negotiations between UTFA and the Administration for the 2009–10 academic year are ongoing. Scott Prudham reports on the bargaining, and some of our special initiatives, elsewhere in this newsletter. Bargaining is perhaps the single most important service that UTFA provides, as it affects all our members. The process for negotiating a new agreement is laid out in Article 6 of the Memorandum of Agreement (MoA)<sup>1</sup>. The MoA is now over thirty years old and shows signs it is no longer serving our needs as well as it once did.

One of the outcomes of the current negotiations will be the across-the-board (ATB) salary increase for 2009–10. ATB often dominates negotiations. UTFA seeks to achieve an ATB that is slightly higher than anticipated inflation to make up for falling behind in years past. Thus the slow

catch-up in ATB now. This policy, of course, favours recent arrivals – while faculty hired in the early 1970s will probably never see their cumulative ATB match the corresponding increase in inflation.

## **Pension Governance and Pension Problems**

U of T's Governing Council is both the Sponsor and the Administrator of the defined benefit pension plan that covers all members of the University of Toronto community, including faculty as well as all support staff. I have long argued that this is inappropriate and amounts to a conflict of interest. (In some European countries the law requires that private pension funds be independent entities with no legal or financial link to the sponsoring employer; that's not the case in North America.) Pensions are deferred compensation and while faculty and staff contribute significant funds to the pension plan, those same plan members have had no direct role in its governance.

This is about to change, largely as a result of relentless lobbying by your faculty association. The recent arbitration award by Martin Teplitsky establishes a new pension committee of Governing Council. UTFA will appoint four of the committee's 16 members. Further details can be found at the UTFA website, where the full award is posted.

In 2008, the market value of the assets in our pension plan decreased by 29.5%, or by about \$900 million. There is now a wind-up deficiency in our plan of about \$2 billion in round numbers. These are pressing issues that will not be resolved eas-

## PRESIDENT'S MESSAGE

ily. Sometimes our pension plan looks like a legalized Ponzi scheme, where the next generation of members will be saddled with the problems created yesterday. You can find further links discussing our pension plan and its problems on the UTFA website, at [http://utfa.org//index.php?option=com\\_content&task=view&id=108&Itemid=118](http://utfa.org//index.php?option=com_content&task=view&id=108&Itemid=118).

### New Faculty and the History of UTFA

Some years ago Emeritus Professor Bill Nelson authored a book about the history of the University of Toronto Faculty Association, from 1942 to 1992. The 2006 reprint includes an updated preface. *The Search for Faculty Power* provides information and valuable insights on how our university has evolved and functions. All new faculty and librarians are invited to pick up a free copy from the UTFA office or via a request to Chris Penn at [faculty@utfa.org](mailto:faculty@utfa.org).

Please make sure you read the reports from my colleagues on the Executive Committee, reporting on everything from the concerns of the teaching stream to the current status of grievances, the activities of our Membership Committee, our finances, and much else. I hereby commend and thank all of them for their hard work and commitment to the well-being of our members.

I welcome any and all comments. Come and visit us anytime at the UTFA office on Spadina, where you will also meet our tireless staff. We need to hear your views and get to know you better. And I encourage you to get involved!

George Luste  
UTFA President  
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<sup>1</sup>See [http://www.utfa.org/images/file/memoagr12\\_31\\_06.pdf](http://www.utfa.org/images/file/memoagr12_31_06.pdf)

## NOTE FROM THE EDITOR

This is the first of two “major” or full newsletters we plan to issue this academic year. The second will be released to coincide with our April 2010 Annual General Meeting. We also release periodic and issue-specific updates and bulletins. You can always access full newsletters (including this one) as well as the bulletins and updates on our website ([www.utfa.org](http://www.utfa.org)).

Our newsletters are a collaborative effort involving UTFA members and staff. For the last two years, they have been a focal point of our outreach campaign coordinated under the auspices of the Membership Committee. Thanks to members of the committee for input regarding this and other initiatives. Also, thanks to Anna-Rae Fishman and David Mackenzie for their advice and input on the newsletter and, well, everything else too! Thanks to Chris Penn and Mark Glowienko for help in production. Special thanks to UTFA business officer Marta Horban for her tireless efforts to make the newsletter look as good as it does, wrestle it into print, and keep me from making (even more) blunders.

Please write us at [newsletter@utfa.org](mailto:newsletter@utfa.org) with your comments on this issue or with suggestions for future issues. We are looking for volunteers and would love to hear from you if you have expertise in the areas of editing, writing, or design.

Scott Prudham

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## PRESENTATION TO UTFA MEMBERS, APRIL 2009

### **Cathy Lace**

*As Counsel with Sack Goldblatt Mitchell LLP, Cathy Lace has been closely involved with many UTFA grievances and knows well the documents that formally govern the relationship between the University of Toronto and its teaching faculty and professional librarians. On April 14, 2009, she addressed the UTFA annual general meeting. Following is a summary of her remarks.—Ed.*

**The University of Toronto is widely regarded as the most prestigious research-intensive university in Canada.**

**It prides itself on its high standards.**

**It has very demanding standards for the granting of tenure, promotion, and maximum annual PTR increments.**

**Correspondingly high expectations apply to the teaching stream faculty and to librarians.**

However, in recent surveys conducted by UTFA and the Administration, a sizeable proportion of faculty and librarians have complained about being overwhelmed by their workload. It appears that the demands of juggling service while continuing to do research and teaching of high quality have grown increasingly daunting, and in many cases protected time for research has been encroached upon to the extent that, for example, many UTFA members are increasingly unable to pursue their scholarship except in the summer months. Excessive workload demands in turn can have an effect on an individual's ability to meet the standards for quality in teaching and research required for tenure, promotion, and PTR. Workload affects faculty and librarians at every stage of their careers, although it affects them differently at different times. And that is quite apart from the issue of work/life balance.

The results of the surveys brought home to UTFA the magnitude and pervasiveness of its members' concerns about workload, and the corresponding need to consider systemic improvements. There are concerns here about adequate balance between work and life more generally for faculty and librarians. But there are also concerns that escalating workloads undermine the university's capacity to meet its high standards in teaching and research.

And that is what prompted UTFA to ask: what kinds of changes are needed to protect faculty and librarians, but also the university more generally, from the threat of spiralling workloads? The general answer is that if members and academic units have been unable to effect change at the local unit level to date, then UTFA should consider effecting systemic change by negotiating new arrangements with the Administration.

Other research-intensive universities in Ontario have negotiated a variety of workload mechanisms designed to protect faculty and students from excessive teaching loads, with the goals of (a) enabling faculty to provide a quality educational experience for students, (b) facilitating more research time, (c) ensuring that workload is distributed reasonably to individuals and equitably within a department, and (d) ensuring that these kinds of decisions are made in a fair and transparent manner in accordance with collegially established norms in the academic unit.

And indeed, other universities have made significant gains in these areas.

The bargaining team has begun to look at what other universities have done as a prelude to developing proposals that are appropriate for the U of T context. However, applying the wisdom gained from experience at other universities and using it to develop a U of T solution is perhaps more complicated than it might first appear.

In brief, while U of T has the highest standards for teaching, research, and service, UTFA members do not enjoy the highest standards of workload protection. Expectations of faculty members are Cadillac, but the workload protections are more Chevy.

We have to start with a history lesson. In the mid-1970s UTFA and the Administration were at a crossroads. UTFA was very concerned that the Administration was insufficiently responsive to the concerns of its members regarding terms and conditions of employment, including negotiating salaries and benefits and other matters such as appointments, tenure, academic freedom, workload, and existence of a grievance procedure. Accordingly, UTFA was seriously considering the option of unionization under the Ontario *Labour Relations Act*. Unionization under the OLRA would give UTFA exclusive right to bargain all terms and conditions of employment; oblige the employer to bargain on these matters; provide for an

## PRESENTATION TO UTFA MEMBERS, APRIL 2009

automatic right to dues deduction; and require a grievance process with access to independent third party arbitration for dispute resolution in the event of disagreement about interpretation and application of the collective agreement. At the last minute, the Administration proposed a Memorandum of Agreement (MoA) instead of unionization and a collective agreement. And with a few amendments since then, that MoA is what we have today.

What is the MoA? The employer recognizes UTFA as the representative of the members for the purposes of establishing minimum terms and conditions of employment. But the relationship is described as outside the OLRA. The MoA has four major features:

- For salary, benefits and pensions, Article 6 establishes a negotiating process which requires the Administration to provide UTFA with information, and requires it to bargain in good faith, annually. Article 6 also provides that, in the event that the two parties are unable to agree, there is resort to mediation and a form of dispute resolution by an independent third party.
- In addition, Article 2 of the MoA identifies a number of important policies governing the terms and conditions of employment of UTFA members, such as the Policy and Procedures on Academic Appointments (PPAA) which governs appointments and tenure. It was agreed that the policies listed in Article 2 could not be changed without the agreement of UTFA and the Administration.
- The MoA itself has substantive provisions in the areas of academic responsibilities, academic freedom, workload, discrimination, sabbatical, and rights of the Association.
- The process for resolution of disputes regarding the interpretation of the MoA and its administration is resort to an internal tribunal known as the Grievance Review Panel (GRP).

At the time it was first developed, the MoA was considered state of the art. Indeed, a number of labour relations academics at the time were of the view that a faculty association did not need to be unionized because it could achieve equivalent protection from an agreement outside the OLRA such as the MoA. Such

agreements are called “special plans” to distinguish them from collective agreements under the OLRA. Many faculty associations in Ontario had special plans or developed them after seeing UTFA’s, although few remain. Most have been replaced by collective agreements under the OLRA.

With respect to workload in particular, Article 8 of the MOA provides:

*The Governing Council agrees that no faculty member shall be expected to carry out duties and have a workload unreasonably in excess of those applicable to faculty members within the academic division or department (in multi-departmental divisions) of the University to which such faculty member belongs.*

*In the interest of research and scholarship, faculty members shall not be required to teach formal scheduled courses for more than two terms in any academic year and those terms normally shall be the Spring and Fall terms. Summer teaching in Woodsworth, Erin-dale and Scarborough Colleges shall continue to be voluntary and on an overload basis. However, nothing in this Article shall be interpreted to alter substantially the current arrangements for integrated summer teaching in those departments and divisions where this is now the practice. Nor shall this Article be construed to preclude faculty members from voluntarily agreeing to rearrange their teaching schedules so as to include summer teaching as part of their normal teaching loads where this is acceptable to them and to the colleges, divisions or departments (in multi-departmental divisions) offering summer courses.*

*The Governing Council agrees to continue to use its best efforts to ensure that there is an adequate level of support for faculty members relating to working conditions amid equitable distribution of support among members of the same academic division or department (in multi-departmental divisions).*

Workload pressures have led to substantial improvements regarding the rules governing workload at some of the unionized universities.

What do they have that you don’t?

While the rules vary from institution to institution, there is a range of provisions governing workload, including:

*(Continued on next page)*

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*(Continued from previous page)*

## **1. Provisions governing the establishment of workload norms for academic units:**

Recognition that what constitutes an appropriate workload varies from discipline to discipline – there is no one-size-fits-all solution. What is appropriate in physics may be completely different from sociology. It is not unusual for the sciences to have lower normal course load because of lab requirements. But there are also different expectations and cultures about how courses are offered and taught, and how research is conducted.

Recognition that colleagues have a right to participate in the development of the rules governing workload in the department or unit through a collegial process established by the department or unit. Typically there is a workload committee that is elected by the unit, and the first task of the committee is to develop local norms for workload or, at the very least, teaching load. That process would usually be looking at factors relevant to workload, such as: What is the normal number of full course equivalents taught in this department? Do we give the same credit for large first year courses that we give for small upper year courses? Do we give teaching release to new probationary faculty members? At what point if any do we consider graduate supervisions to be equivalent to teaching a course? How do we deal with courses delivered using technologies such as the internet? Typically the collective agreement contains a list of factors for the unit committee to take into account when developing the norms. Usually, there are also processes for decanal approval in order to ensure that a unit can meet the academic needs of the university, and for dispute resolution.

## **2. Provisions governing the assignment of workload to an individual, including:**

Requirements that workload assigned to an individual be fair and equitable, and consistent with the norms in the unit and the expertise and circumstances of the individual, taking into account relevant factors such as: Is the member probationary? Are the courses assigned to the individual outside the individual's area of expertise? Is the individual assigned all large lecture courses? Does the individual supervise an excessive number of graduate students because his/her expertise is in an area of high demand?

Other issues may be addressed, such as: timeliness and fair notice of workload assignments; sufficient time between classes; sufficient time for research and service, etc.; provisions to govern minor year-over-year fluctuations, that is, circumstances in which more than the norm or less than the norm can be assigned: for example, if the individual is doing a lot of service or research, there may be provision for course release.

Typically there is a process to grieve unfair or inequitable workload assignments.

## **3. Some faculty collective agreements have gone farther than the basic provisions outlined above. Some examples include:**

- A collective agreement which in effect enshrines a transparency principle in that the chair of the unit is required annually to circulate to the unit as a whole a statement setting out the teaching load of each member of the unit.
- Unit norms which take into account the particularities of cognate departments.
- Agreements in which certified associations have negotiated maximum teaching loads.
- An agreement in which faculty accrue entitlements to teaching release in accordance with a formula taking into account supervision of graduate students.

UTFA is well aware that teaching stream faculty and librarians have their own unique workload challenges. Again, for both teaching stream and librarians, there are examples out there of workload protections, rules governing assignments, etc. UTFA's challenge is to examine all of this information and these ideas, and determine how to fashion them for the workplaces of the U of T.

Recently UTFA has developed a series of workload principles: workload should be assigned in a manner that is fair, reasonable, equitable, and timely, guided by principles of transparency, good governance, flexibility, enforceability, and proportionality. Good governance includes the notion that there should be a unit workload committee that establishes norms and gives members the mandate to design solutions appropriate to their disciplines and local environments.

As noted above, Article 6 contains a detailed process for annual bargaining of salary, benefits and pensions

## PRESENTATION TO UTFA MEMBERS, APRIL 2009

and for resort to third party dispute resolution in the event that the parties are unable to agree. UTFA has put forward its workload proposals in the context of Article 6 bargaining this year. This is based on its view that workload and compensation are inextricably linked. It remains to be seen how the Administration will respond to including workload discussions under the umbrella of Article 6. Should the Administration take the position that workload is legally excluded from the Article 6 negotiations process, and if that objection is ultimately upheld, that would mean that there is no effective mechanism to bargain workload issues at U of T. In that event, even if the Administration were to agree to discuss workload with UTFA, there would be no access to third party binding dispute resolution in the event that the parties are unable to agree. That would put workload issues on much the same legal footing as other significant terms and conditions of employment that are governed by University policies frozen by Article 2 of the MoA, as well as the other articles of the MoA itself, in that there is no process for negotiation of amendments, nor resort to third party dispute resolution, in the event of disagreement.

Many members will have heard me speak at the recent UTFA appointments symposium at which I expressed

concerns about the tenure and promotion criteria and process at U of T. These concerns were similar to the concerns I have set out above regarding the workload situation, i.e., what was state of the art in the late 1970s now looks a bit on the archaic side, and may result in a lower standard of justice for U of T faculty in tenure and promotion disputes.

What does the future hold for UTFA and its special plan? It all depends on how the Administration chooses to handle it, including the position it chooses to take regarding the scope of Article 6 in the current round of negotiations.

Even if the Administration does agree to workload changes in this round of bargaining, there remains the ongoing question of how to ensure that effective bargaining takes place on issues of concern to UTFA in the future, when it comes to matters that the Administration may argue are not currently covered by Article 6 of the MoA.

But given the importance of the issues at stake, as indicated by the workload survey results, it could be another crossroads for UTFA. ■

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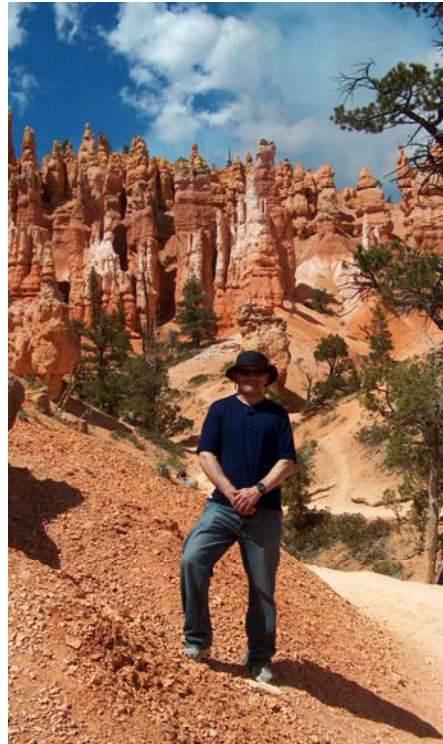
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## BARGAINING REPORT

**Scott Prudham**  
Vice-President,  
Salary, Benefits and Pensions

Welcome back. By now most of you are back in the classroom and trying to balance your busy lives during the hectic term. And many will be thinking, “I wonder what progress UTFA is making in negotiations. It has been a while....” Well, yes, it has. This brief update is intended to provide you with some answers as to how we are doing. Look for more updates in the coming weeks, and of course check our website at [www.utfa.org](http://www.utfa.org) to find back issues of bargaining bulletins we have released since the start of negotiations.



We have placed considerable emphasis on substantive, face-to-face negotiations in the current round of bargaining with the Administration. Actual face-to-face negotiations have not been a regular feature in recent rounds and there are certainly reasons for this. However, your bargaining team (supported by you in the bargaining survey and in various consultations) made it a priority this time because we see this as appropriate and constructive for the University and we wanted to discuss important issues directly with the Administration, including our concerns that quality in teaching and scholarship is being eroded by the unchecked proliferation of duties associated with rising enrolments (the “workload and work/life balance” issue).

We communicated to the administration at the outset of bargaining that we would take a “problem-based” approach to negotiations focusing on the issues rather than being bound by a restrictive view of the Salary, Benefits and Pensions article (Article 6) of our Memorandum of Agreement (MoA).

So, how have we done so far? We are somewhat constrained in what we can say by the fact that we

are still bargaining and have agreed to some confidentiality stipulations. However, we can report important progress – not only on the issues, but also on our efforts to establish a more robust, workable, and appropriate bargaining relationship. Specifically, we fashioned and tabled a workload proposal (available on our website<sup>1</sup>). We also proposed fundamental changes in dispute resolution that would move us toward third party arbitration, a standard increasingly common at other Canadian universities as the end point for all disputes including tenure appeals. We remain deeply dissatisfied with the insularity, injustice, and inefficiency of our dispute resolution mechanisms. While we have not reached agreement on

these and other issues, the administration has engaged in active negotiations with us over them and has, in addition, itself introduced issues not strictly prescribed by Article 6.

One of the issues that the Administration has introduced is that of the so-called Professor of Practice. Specifically, the Administration wishes to craft a new appointments title under this name which would, as we understand it, encompass both the teaching stream as it currently exists and scholars with a more practical, professional, or applied bent to their research and professional activities. We proposed a working group to pursue this in more depth, and have agreed to a December 31st, 2009, deadline for agreement. The terms of reference for this working group are posted on the UTFA website<sup>2</sup>. While we support changes in appointments policies that will accommodate a wide range of scholars and teachers, our immediate priorities are to make improvements in the teaching stream and more generally to pursue changes in appointments policies which enhance both diversity and equity. Look for more bargaining updates in the coming weeks and months. Members may be asking, “Why



# BARGAINING REPORT

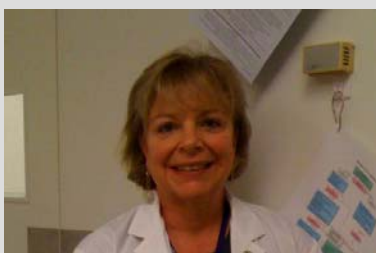
is it taking so long?” It is not that unusual for negotiations to extend well beyond the end of an agreement (in our case, June 30, 2009). It is true that since one-year agreements are prescribed as the default in our MoA, we may well conclude the negotiations on this round just in time to begin the next. So be it! It bears noting that there is not a long history of substantive face-to-face negotiations between UTFA and the Administration. As a consequence, it has taken time for us to get used to talking with one another directly. And the issues are complex. Our MoA does not build in any enforceable deadlines nor give us the capacity to create them. The only possible end points contemplated in Article 6 are negotiated agreements, mediated agreements, and arbitration awards. Thus it is very difficult for us to manufacture any particular urgency. That too is part of our unique arrangement. And that too is one of the reasons this is taking some time.

On behalf of the entire bargaining team (identified in the Salary, Benefits and Pensions section of the UTFA website), I want to welcome you back to another term and wish you all the best in your various endeavours. I also want to thank you for your support and input, both of which are vital to our success. In bargaining, as with UTFA more generally, we work because you do.

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<sup>1</sup> See <http://utfa.org/images/file/UTFA%20workload%20proposals%20web%20July%2009.pdf> .

<sup>2</sup> See [http://utfa.org//index.php?option=com\\_content&task=view&id=113&Itemid=121](http://utfa.org//index.php?option=com_content&task=view&id=113&Itemid=121) .



## Meet New Member-at-Large: Helen Grad

I have been at the Faculty of Dentistry, where I am currently appointed as an assistant professor, since 1980. I am also cross appointed to the Department of Pharmacology and Toxicology, in the Faculty of Medicine. I teach pharmacology to both undergraduate and graduate dental students. As a result I have authored or co-authored numerous articles on topics related to therapeutics as applied to dentistry in both dental and pharmaceutical journals. I am also involved in continuing education and have spoken to both dentists and dental hygienists in this capacity. I am currently involved in several research projects, such as: a study of melatonin premedication prior to anaesthesia; and a study of the efficacy of pregabalin in the treatment of orofacial neuropathic pain. I am a member of the Interfaculty Pain Curriculum Committee and participate as facilitator

in this interprofessional education effort. I have served as a president of the Pharmacology/Therapeutics/Toxicology Scientific Group of the International Association of Dental Research and represented the Canadian Association of Dental Research as a councillor-at-large.

I am enjoying my second term as the UTFA Council representative for Dentistry and I have continued and expanded my involvement in and for UTFA. I currently am a member of the University and External Affairs, Membership, and Appointments committees and sit on the Executive Committee as a member-at-large.

Helen Grad  
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## UTFA'S GRIEVANCE PORTFOLIO

### Ron Smyth

Vice-President, Grievances

The grievance portfolio encompasses a wide range of issues that affect tenure and teaching stream faculty, as well as librarians, whether full- or part-time. UTFA members can contact us for advice on problems with their employment situation, which may or may not lead to a formal grievance. Needless to say, all dealings with UTFA are held in the strictest confidence. UTFA has a team of lawyers, both internal and external, whose services are provided to members at no charge. We are currently finalizing a policy on representation, which sets out the rights and obligations of members who wish to use our services. This policy, once completed and approved by UTFA Council, will be the subject of an article in a subsequent newsletter.

Despite the name of this portfolio, much of our work is aimed at avoiding grievances, rather than launching them. In many cases a single intake meeting with me and one of our lawyers can provide a member with the information needed to resolve a problem in a meeting with their chair or supervisor. If the outcome is not satisfactory, then the member can return to UTFA for further advice and action.

Every UTFA member should read the Memorandum of Agreement (MoA) and the Policy and Procedures on Academic Appointments (PPAA) soon after their arrival at U of T, and review them from time to time. In addition, the Provost's website has links to a variety of frequently updated documents, such as the Provost's statements on the tenure review process or guidelines for PTR. However useful this background might be, rest assured that UTFA officers and counsel will still provide you with excellent advice on the interpretation and application of these policies, and will guide you through whatever action you may need to take.

UTFA members are sometimes surprised to learn that tenure denials account for only a small number of the cases we handle. Well over 90 percent of tenure applications are successful at the U of T. Presently we have about 60 active grievances, only 8 of which are tenure appeals and 4 involve tenure advice. Most of our files concern a wide range of problems, such as academic freedom, appointments (terminations and renewals), long-term disability, intellectual property, promotion,



PTR, retirement, salary, and workload. Some of our files involve group grievances, where several members with the same problem join together rather than working separately to resolve their workplace problems. UTFA itself can file "association grievances" in cases involving policy issues with wide application throughout the university.

Grievance prevention starts with the individual member's understanding of his or her terms of employment, and with the requirements for continuing employment. An important first step is to seek the advice of a mentor at the time of hiring. Many units have a formal mentoring process, so you should be meeting regularly with your mentor in order to map out your goals for success at tenure and/or promotion. But you need not limit yourself to your official mentor; many senior colleagues are willing to offer their advice and experience.

For example, new tenure-stream faculty members should meet regularly with their mentors and chairs to set out detailed goals for the three year review and for the later submission of the tenure dossier. In order to prevent problems with your review processes, you should become acquainted with the standards of your academic unit in terms of publications, teaching, and research funding. If there are any impediments to reaching these goals, such as difficulties in setting up your lab, illness, or other unusual circumstances, it is important to flag these with your chair or supervisor immediately, since they could help justify extension of the probationary period. It is of course best to raise these issues before submitting your dossier for tenure, promotion to senior lecturer, or promotion to the next librarian rank.

In the coming year I intend to communicate more extensively with UTFA members through our UTFA Council representatives about strategies for solving problems before they become grievances, success in tenure and promotion, and the proper handling of serious workplace issues.

Meanwhile, please try to ensure that your colleagues are aware of UTFA's services. A well-informed membership helps us do a better job of defending your workplace rights.

Ron Smyth  
[smyth@utfa.org](mailto:smyth@utfa.org) ■

## APPOINTMENTS POLICY ISSUES



### *Celebrating the 10<sup>th</sup> Anniversary of the Teaching Stream: Are we secure?*

**Cynthia Messenger**  
Chair, UTFA Appointments Committee

As UTFA's incoming Appointments Chair, with a new and large committee that represents most ranks and all three streams, I am prepared to pursue policy issues that affect all of our faculty and librarians. My committee held its first meeting in late September and will meet again soon. Through my three years in the grievance portfolio, one in training and two as vice-president, I have gained insight into the policy issues that affect U of T's faculty and librarians.

- The tenure review and its related processes (including tenure appeals) and the work/life imbalance appear to be among the most pressing problems for the tenure stream.
- Some academic librarians have had to launch grievances in an attempt to address administrative actions and attitudes that have both undermined the professional and academic nature of their jobs and adversely affected workload and working conditions. Through Association grievances, UTFA has advocated effectively for the teaching and tenure streams in recent years. This fall UTFA is again preparing an Association grievance, this time for our librarians.
- Outside of workload, one of the most serious issues facing the teaching stream is security, in all of its forms. Another is rank title. On the question of rank title, please see the report on salary, benefits and pensions negotiations in this newsletter, where the Administration's proposal for a Professor of Practice rank is mentioned. In the coming weeks, UTFA will engage in extensive consultations with faculty on this new proposal.

As many of you will know, 2009 marks the tenth anniversary of the formation of the current teaching stream, an important appointments policy milestone. Partly for this reason I will focus on the teaching stream in this piece. In future newsletter articles, and after the Appointments Committee has had a chance to do some work, I will report on our efforts in behalf of the other two streams.

### **Security in the Teaching Stream**

Teaching stream faculty at U of T may not realize that at other universities, including UVic, UBC, and York, teaching or alternative stream faculty have tenure. At U of T, teaching stream faculty are not tenured when they are promoted to the rank of senior lecturer. They gain continuing status instead. UTFA is concerned that the Administration could attempt to terminate senior lecturers if their area of teaching disappeared as a result of changes in academic planning.

The current university administration has reiterated its commitment to senior lecturers and has assured UTFA that none will be terminated as a result of program change. UTFA is concerned, however, that a future administration faced with another financial crisis might believe that it must terminate some senior lecturers.

As I gathered data on the achievements of U of T's teaching stream for the recent tenth anniversary celebration, I was reminded of what an impressive and high-achieving stream the University has developed. Unfortunately, we may not claim that we are the leading teaching stream in Canada until we can negotiate much stronger security provisions.

*(Continued on next page)*

# APPOINTMENTS POLICY ISSUES

(Continued from previous page)

Security takes four forms for the teaching stream, outlined only briefly below. Appointments policy change is required if the problems indicated are to be remedied.

## 1. Security of the initial appointment

Currently, many U of T lecturers, even those meant to be on a continuing track, are hired on year-at-a-time contracts. *Some, even when performance has been excellent, have been terminated before reaching year five.* Teaching stream faculty at the rank of lecturer should be hired on initial three-year appointments. A three-year review should occur, as it does in the tenure stream, and then the probationary appointment should be renewed for another two years. The review for promotion to senior lecturer would then be conducted in the fifth year, the only exception a negotiated extension of the probationary period at the lecturer's request.

## 2. Security of workload

No appointment is secure if workload is increased arbitrarily. Many teaching stream faculty have complained of excessive workloads. Some teach in all three academic terms (in violation of the Memorandum of Agreement). Teaching stream faculty report that they are often unable to take their one month of vacation.

## 3. Security of the continuing appointment

Appointments policy should not outline a protocol for termination but instead should focus on the permanence of teaching stream positions. UTFA views security of the continuing appointment as the number one priority for the teaching stream. Security for the stream will be a focal point for us in the Joint Working Group on Professor of Practice. UTFA will continue to work on security issues for this stream in its various negotiations with the Administration.

## 4. Security of the grievance or appeals process

The grievance procedure currently in place for those teaching stream faculty who are denied promotion to the continuing rank of

senior lecturer is poorly designed. (Teaching stream faculty do not appeal to the University Tenure Appeal Committee, because they are not reviewed for tenure.) The Provost confirms or rejects the (positive or negative) recommendations of teaching stream promotion committees. The President grants tenure in the tenure stream. Under the current policy, the teaching stream candidate who is denied promotion must grieve to the Provost at step 3 of the grievance procedure, even though the Provost would already have read the file and confirmed the denial. This grievance mechanism is nonsensical because it is circular and unfair to the candidate. Like our tenure appeals mechanism, it is insufficiently arm's-length, and the inadequate procedures that accompany it ensure neither transparency of process nor rigour in the production of evidence. All of our appeals and grievance procedures should be redesigned to include access to third party arbitration, a system of dispute resolution that would give our faculty recourse to the arbitral jurisprudence that has been accrued over the years in other cases in Canadian universities.

Cynthia Messenger  
[messenger@utfa.org](mailto:messenger@utfa.org)

## OCUFA Award Winners

UTFA congratulates

### Clare Hasenkampf

Associate Professor of Biology  
University of Toronto, Scarborough

### Lorne Sossin

Law Professor  
University of Toronto

who were each awarded one of OCUFA's six 2008–09 Teaching and Academic Librarianship Awards. The annual awards recognize the very best in teaching and librarianship in Ontario universities.

# UNIVERSITY AND EXTERNAL AFFAIRS REPORT

## Kent Weaver

Vice-President, University and External Affairs



I have been rereading Bill Nelson's history of UTFA, *The Search for Faculty Power: The University of Toronto Faculty Association, 1942–1992*. One passage that resonated with me addresses UTFA's relationship with both CAUT (Canadian Association of University Teachers) and OCUFA (Ontario Confederation of University Faculty Associations) and C. B. Macpherson. Some thirty years ago questions were being raised about the value of both associations and the dues being paid to those associations.

*The UTFA Executive asked Brough Macpherson to chair a committee to study the benefits to UTFA of both CAUT and OCUFA. The Macpherson Report, in the spring of 1977, concluded that, in regard to CAUT's three main areas of operation, UTFA benefitted as much as any other local association from CAUT lobbying activities in Ottawa.... In respect to OCUFA, Macpherson thought their salary and benefits and taxation information was useful to UTFA.... The Macpherson Report reminded Toronto faculty of a moral obligation to support faculty organizations less strong than their own...<sup>1</sup>*

In essence, the Vice-President, University and External Affairs is responsible for monitoring matters pertaining to the Association's relationship with CAUT, OCUFA, and other faculty associations, and for advising appropriate committees within the Association regarding any matter which may have implications for the well-being of Association members. The incumbent also represents the Association's position to government officials as well as advocacy groups and coalitions whose interests are of importance to the University.

The University and External Affairs Committee oversees matters arising from the policies and procedures of the University of Toronto, and issues concerning the relationship between members and bodies outside the University. It also evaluates and recommends the winner of the Association's annual Al Miller Award and has a major role in organizing the C. B. Macpherson lecture.

This internal/external bifurcation brings with it a number of opportunities. On the external front I will be working with CAUT ([www.caut.ca](http://www.caut.ca)) and OCUFA ([www.ocufa.on.ca](http://www.ocufa.on.ca)) throughout the year, attending various council and board meetings of both. Discussions initiated last year with CAUT about copyright

and intellectual property matters are continuing and I plan to share information about this with UTFA members in the near future.

Meetings with politicians and government officials are often facilitated and arranged through bodies such as CAUT and OCUFA. On an ongoing basis there is a great deal to be said in favour of this. Although it takes time and energy to pursue unilateral discussions, this is an option that merits discussion and one to be pursued within the University and

External Affairs Committee.

Internally, there is a great deal to consider. There is the Al Miller Award. In recent years, submissions for this type of award within the University easily generated in excess of 1,500 applications. In addition to determining this year's recipient, the committee needs to review the terms of reference for the award as the current wording is quite general and open-ended.

Planning for both the current and the next C. B. Macpherson lectures is a high priority. Past speakers have included Adrienne Clarkson and John Ralston Saul.

Finally, there is UTEAU – University of Toronto Employee Associations and Unions. UTEAU is an umbrella group that includes some one-and-a-half dozen employee groups including CAW, several CUPE locals, 2 OPSEU locals, the United Steelworkers and UTFA to name a few. UTEAU meets regularly to exchange information on issues affecting the University of Toronto community.

The foregoing indicates that there is great deal to do this year and I encourage you to get involved and join the University and External Affairs Committee.

I have called the university my working home since 1973. In the past I have been President of the Librarians Association, University of Toronto, and served on the UTFA Executive Committee, UTFA Council, and several committees, most notably of late the Librarians, and the University and External Affairs Committees. For eight years I participated in the work of the CAUT Librarians Committee and served both as its Chair and as a member of the CAUT Executive Committee for the last four of those eight years.

Please email, or call me at 416-978-2953, if you have any questions, suggestions or offers to participate. Thank you.

Kent Weaver  
[weaver@utfa.org](mailto:weaver@utfa.org)

<sup>1</sup>William H. Nelson, *The Search for Faculty Power: The History of the University of Toronto Faculty Association, 1942–1992* (Toronto: The University of Toronto Faculty Association, 1993, reprinted 2006), pp. 114–15.

## EQUITY COMMITTEE REPORT

**Judith Teichman**  
Chair, Equity Committee



The main concern of UFTA's Equity Committee was originally that of pay and employment equity as it pertains to female faculty and librarians. This is an important responsibility and one that I plan to pursue vigorously. It was in the early 1970s, as a consequence of UTFAs pressure, that the University established a "Committee on Employment Conditions for Full-time Women Faculty." In 1989, again at UFTA's urging, a pay equity review of women's salaries was carried out that resulted in a substantial number of female faculty receiving significant pay increases. A 2002 study carried out by UTFAs, however, indicates that gender inequality in salaries, although not a problem everywhere in the university, continues to be an important challenge. As incoming chair, my hope is that we can update our information on this important issue and address it where it appears to be a problem. We also need to carefully monitor recent developments in female hiring and explore the factors behind both our successes and failures in this important equity issue.

At the same time, one of my objectives will also be to increase the scope of the Equity Committee to embrace a broader range of equity concerns. It strikes me, for example, that within the context of our diverse society and University community, UTFAs Equity Committee has an important role to play in ensuring that that diversity is reflected within both its own and the University's ranks.

There are other pressing intra-university equity issues. At the urging of its membership, UTFAs has broadened its concerns beyond salaries and benefits, to include such issues as workload. In a similar way, my hope is that its Equity Committee will also embrace issues it has not traditionally dealt with. The recent release of information detailing the unequal distribution of University resources among administrative units, with the east and west campuses and the Faculty of Arts

and Science being the "losers," is an important case in point. Certainly, the impact has been greater on some departments than others; however, there is no question that equity in workload and working conditions is a pressing issue for faculty and librarians hit hardest by what has come to be perceived by many as unfair fiscal arrangements. Importantly, this issue resonates with a much broader equity concern, particularly at the University of Toronto at Scarborough. This campus serves an ethnically diverse body of students who are, for the most part, struggling economically. They deserve much better than the underfunded, overcrowded learning environment that has come to characterize UTSC in recent years.

Equity issues are extraordinarily complex. The problems and nature of equity challenges vary enormously between campuses, faculties, and departments and they affect male and female faculty and librarians in different ways reflective of local contexts. This is why the Equity Committee needs your support and input. If you are interested in participating or wish to express a particular equity concern, please contact me.

Judith Teichman  
[teichman@utfa.org](mailto:teichman@utfa.org) ■

### Promotion to Senior Lecturer Workshop

The University of Toronto Faculty Association is presenting a workshop on Tuesday, May 4, 2010, to assist faculty members in the Teaching Stream who are being considered for promotion to Senior Lecturer. The workshop is open to all Teaching Stream members of the Association.

Watch for further information!

## FROM THE TREASURER

**Dennis Patrick**  
Treasurer



### Balanced budget for 2008–09

I am pleased to report that we were very close to a balanced budget for the 2008–09 fiscal year, with income (\$2,220,000) exceeding expenses (\$2,196,000) by \$24,000.

During this period, however, there was an increase in our external legal expenses, which included billings for salary and benefits negotiations, preparation of the pension plan governance brief for Martin Teplitsky, and faculty member grievances.

The Association's expenses can be broken down into four major categories:

Dues to provincial (OCUFA) and federal (CAUT) organizations	<b>\$600,000</b>
External legal expenses (as described above)	<b>\$680,000</b>
UTFA office salaries and expenses	<b>\$690,000</b>
UTFA events and committee expenses	<b>\$250,000</b>

### Modest Recovery of Investments

UTFA's reserve fund has showed improvement over the last couple of months. The current balance as of September 14 is \$2,241,000. No new monies have been added to the fund since June 2007, when the balance was \$2,250,000. Volatile market conditions in the past two years have seen the fund balance reach a low of \$2,083,300 in November 2008.

The investment policy dictates that the fund be divided into thirds: one third money market fund, one third short term bond fund, and one third equity funds (divided equally between International, US, and Canadian equity funds). This diversified approach has reduced the exposure of the fund to the volatility of equity funds in recent times.

Dennis Patrick  
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# LIBRARIANS COMMITTEE REPORT

## Jeff Newman

Chair, Librarians Committee

Hello, and welcome back to another academic year! This will be a busy year for the Librarians Committee as we try to address both internal and external challenges to our profession.

This year's librarians committee includes Rea Devakos, Kathryn Fitzgerald, Kent Weaver, Noel McFerran, Mary-Jo Stevenson, Suzanne Meyers Sawa, Kimberly Silk, and Harriet Sonne de Torrens.

Academic librarianship is a profession under fire.

Deprofessionalization, a concern for several years, is now being joined by unprecedented threats to academic freedom as top issues for academic librarians in Canada. The administration at the University of Western Ontario has proposed removing academic freedom from their librarians' contract and McGill is being investigated by CAUT for attacks on the academic freedom of their librarians. There are already storm clouds gathering at the University of Toronto. The situation across the country has developed to the point where CAUT is holding a national conference on academic freedom and the responsibilities of librarians. UTFA will be sending representatives from the Librarians Committee to this conference.

As the Librarians Committee moves into the 2009–10 academic year we will be looking at strengthening awareness of the role of librarians in the academy and at clarifying why academic freedom is vital to these functions. A librarian's role within the academy is easily overlooked. However, the Librarians Committee will be working with the Appointments Committee and the UTFA bargaining team to ensure that the autonomy, rights, roles, and responsibilities of librarians at the U of T are protected. A clear pri-



ority of the Librarians Committee is to enable librarians to contribute to and participate in the activities of the university, the profession and the broader community. To do this we must protect not only academic freedom, but also time to engage in professional development and research activities.

The “serials crisis,” the “crisis in scholarly publishing,” and the global economic meltdown have made these challenging times for librarians. They have caused

stress for many of us, but we must also see them as a time to band together and reaffirm the value of our professional skills and knowledge, the importance of our position within the academy, and the importance of the principles of collegiality, academic freedom and our permanent (i.e., “continuing”) status.

I look forward to hearing from as many of you as possible. On behalf of the Librarians Committee I wish you all the best for the coming year. Please feel free to get in touch with me.

Jeff Newman  
[newman@utfa.org](mailto:newman@utfa.org)

## Tenure and Promotion Workshop

The University of Toronto Faculty Association is presenting a workshop on Wednesday, April 28, 2010, to assist faculty members in the Tenure Stream with questions pertaining to promotion and tenure.

Issues to be discussed include:

- Preparation for the third year review
- Examination of the tenure process
- Preparing the tenure dossier
- The tenure review process

Watch for further information!



# TEACHING STREAM COMMITTEE REPORT

## **Terezia Zoric**

Chair, Teaching Stream Committee

UTFA hosted a highly successful and well-attended celebration of the tenth anniversary of the teaching stream at the University of Toronto Faculty Club on September 24. The event was notable for many things, including recognition from UTFA members and senior administrators alike of the many accomplishments of the stream and of the enormous contributions of U of T lecturers and senior lecturers to teaching, service, and research at the University.

While the opportunity to celebrate how far we have come was welcome, we must also look forward and appreciate the many challenges that remain and that continue to impede the stream from enjoying the full respect and dignity we deserve. The need for greater security in the teaching stream is one such issue — for more on this, see the report by the chair of the Appointments Committee in this newsletter.

Another serious and persistent issue for the stream is workload, also known as “work/life balance,” and for many of us simply “overwork.” Proliferating workloads, particularly in the guise of administrative and teaching related duties, pose a serious threat to the high standards of excellence that define U of T faculty and librarians. For no one is this more evident than for those in the teaching stream. UTFA has engaged in extensive outreach on workload related issues in recent times<sup>1</sup> and has prioritized workload in the current round of Salary, Benefits and Pensions negotiations with the Administration. Our workload survey of 2008 and our focus group consultations in 2007–08 both indicate that lecturers and senior lecturers are among those most likely to have experienced teaching load increases in the last 2–5 years. Our findings also indicate that teaching load intensification is disproportionately burdening teaching stream faculty (though others are clearly affected too). Teaching stream faculty are too often pressured to teach in all three academic



sessions and this contravenes our Memorandum of Agreement. And more than half of the teaching stream faculty respondents to our survey reported being asked to take on extra duties for “no compensation” over the last 2–5 years. These are among the concerns that we are raising in bargaining and that we have attempted to address via our workload proposal (available on the UTFA website<sup>2</sup>).

These and other priorities remind us that, while we have cause to celebrate, we must also continue to advocate for improvements in our working conditions and status at the University of Toronto. UTFA’s Teaching Stream Committee is committed to doing so. Please feel encouraged to join with us.

Terezia Zoric

[zoric@utfa.org](mailto:zoric@utfa.org) ■

<sup>1</sup> Highlighted findings from UTFA’s research on workload have been shared with members through *Bargaining Report #2 for 2009-2010*, available on our website at : [http://utfa.org/images/file/Bargaining\\_Report-2\\_2009-03-11.pdf](http://utfa.org/images/file/Bargaining_Report-2_2009-03-11.pdf).

<sup>2</sup> [http://utfa.org/images/file/UTFA\\_workload\\_proposals\\_web\\_July\\_09.pdf](http://utfa.org/images/file/UTFA_workload_proposals_web_July_09.pdf) .

## **UTFA Annual General Meeting 2010**

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

Location TBA

The AGM is the time when members can hear about the issues in which UTFA has been engaged on behalf of the membership over the last year. It is also the time when members can ask questions of their executive.

During the reception that follows the AGM, we all will have a chance to get to know colleagues from other departments and campuses.

Please mark the date in your calendar!

## MEMBERSHIP COMMITTEE REPORT

**Scott Prudham**

Chair, Membership Committee

Welcome to the 2009–10 academic year!

Over the summer, the Membership Committee met a number of times to plan ways to keep the members of UTFA informed about issues that affect them. We are keen to expand our outreach efforts this year and have been focused in our discussions on the best ways to do that.

Last year we held a number of successful consultations on workload and bargaining, informing members about the issues while at the same time soliciting important feedback.

Surveys, information bulletins, newsletters and direct discussions with faculty and librarians in one-on-one and small group settings provided opportunities for consultation. All of these interactions with UTFA members proved crucial in informing directions UTFA is taking, including in our ongoing negotiations. Indeed, the amount of member input into our current bargaining is unprecedented and this bodes well for the future.

As the outreach arm of UTFA, our job is to be in touch with you. In the coming year, we intend to encourage members to continue to give us advice by initiating a new round of consultation. Through small group and one-on-one meetings, our purpose is to work with you to define the linkages between our collective goals for the University of Toronto on the one hand and the day-to-day professional activities of our members on the other.

The principles of academic freedom and integrity, dignity, fairness and equity, excellence in research and teaching, and ensuring the quality of student experiences (to name only a few) form the foundations of the work of faculty and librarians at the University of Toronto. We want to hear from you regarding how UTFA can better serve the interests of its diverse members in upholding these ideals.

Over the coming months you will be hearing more about our consultations.

You will also be hearing more about opportunities on all three campuses for our members to interact with each other in more casual settings so that we can all share in the richness of our diverse membership. Our first event of the year was the October 8 orientation and welcome at Croft Chapter House and we enjoyed seeing many of you there.

Several new members have joined the committee in recent months and I want to extend a hearty welcome and thank you to them. The list of current members is posted on the UTFA web site<sup>1</sup>. We are always looking for more people to get involved on this committee. If you are interested in learning more, feel free to contact me or any of the committee members directly.

I look forward, along with my colleagues on the committee, to having frank and honest exchanges with you about the future of UTFA and the University of Toronto in the coming weeks and months.

Thank you!

Scott Prudham  
[prudham@utfa.org](mailto:prudham@utfa.org)

<sup>1</sup>See [http://utfa.org//index.php?option=com\\_content&task=view&id=58&Itemid=99](http://utfa.org//index.php?option=com_content&task=view&id=58&Itemid=99)



*"Graduates, faculty, parents, creditors . . ."*

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