

UTFA Council Agenda

Monday, December 9, 2019 – 3:00 – 5:00 p.m.
Upper Dining Room
Faculty Club

1. Approval of the Agenda
2. Minutes of the Previous Meeting
 - a. November 13, 2019 *
3. Business Arising
 - a. From the Minutes of Council
 - b. From the Minutes of the Executive Committee
 - i. November 8, 2019
 - ii. November 21, 2019
4. Report of the President (20 min)
 - a. Recent pension conferences; C. Messenger moderator for international conference
 - b. Part-time appointments policy negotiations
 - c. Nominating Committee
 - d. Presidential election guidelines
 - e. Moving forward with incorporation: next steps
5. Report of the Vice-President, Salary, Benefits, Pensions and Workload (25 min)
 - a. Salary discrimination project update
 - (i) Outcome of Librarian facilitated discussions *
 - (ii) Focus group update
 - b. SBPW bargaining
 - (i) Motion to approve SBPW team:
T. Zoric, C. Messenger, R. Gillis, D. Roberts, H. Sonne de Torrens, M. A. Guttman *
 - (ii) Notice to bargain
 - c. UTFA internal Joint Benefits Committee (JBC) meeting

- d. Nominating a Workload Adjudicator
 - e. OCUFA presentation on UTFA's salary discrimination Association grievance
6. Report of the Vice-President, Grievances (10 min)
- a. Update on the activities of the grievance portfolio
 - b. November 29 OCUFA Grievance Committee meeting
7. Report of the Chair of the Equity Committee (5 min)
- a. Unconscious bias workshop – January 28 – Upper Dining Room, Faculty Club
8. Report of the Chair of the Membership Committee (5 min)
- a. Communicating with constituents
9. Report of the Chair of the Librarians Committee * – attachment only
10. Other Business
- a. Next meeting of Council
Wednesday, January 22, 2020
Room LL1030 (lower level) – Rotman School of Management
 - b. Annual General Meeting
Tuesday, April 14, 2020
George Ignatieff Theatre
Trinity College
11. Adjournment
- * materials attached



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UTFA Council Minutes

Wednesday, November 13, 2019 – 3:00 – 5:00 p.m.
Room 374
Rotman School of Management

Present:

- Executive:** K. Adamson, M. Allen, A. Braun, C. Evans, L. Florence, A. Giacca, R. Gillis, A. Hojatollah Taleghani, J. Macdonald, C. Messenger, D. Roberts, H. Sonne de Torrens, T. Zoric
- Present:** K. Banning, E. Barbeau, K. Bickmore, E. Comelli, E. Fillion, P. Grav, M.A. Guttman, D. Heap, J. Jenkins, A. Keith, W. Kemble, P. Khan, R. Kluger, J. Nogami, M. O'Connor, M. Peski, J. Poë, H. Rodd, K. Scheaffer, V. Skelton, M. Stapleton, K. Weaver, N. Wiseman
- Regrets:** M. Attridge, C.H. Chen, L. Chen, R. Helms-Park, J. Lanca, M. Light, K. MacDonald, B. McDonagh, S. Rupp, L. Stewart Rose
- Absent:** J. Berkovitz, A. Fenner, G. Grasselli, S. Prudham, A. White
- Also Present:** R. Gomez (outgoing Workload Adjudicator)
W. Gray (Gray, Whitley LLP)
M. Horban (Business Officer)
C. Penn (Administrative Assistant and Note Taker)
R. Riendeau (Speaker)
R. Schmelzer (Grievance Assistant and Note Taker)

R. Riendeau called the meeting to order at 3:05 p.m.

1. Approval of the Agenda

C. Evans, seconded by K. Banning, moved that:

the agenda be approved as distributed.

Carried.

2. Minutes of the Previous Meeting

a. October 17, 2019 *

R. Kluger, seconded by M. Allen, moved that:

the October 17, 2019 Council minutes be approved as amended.

Carried.

3. Business Arising

a. From the Minutes of Council

b. From the Minutes of the Executive Committee

i. October 10, 2019 *

ii. October 25, 2019 *

There was no business arising from the minutes of Council or Executive.

4. Order of the Day: 3:10 p.m. - Legal Opinion on Governance * (Wayne Gray – Gray, Whitley, LLP)
(20 min)

C. Messenger introduced W. Gray, from Gray Whitley, who is advising UTFA on constitutional matters.

W. Gray said that C. Messenger had asked him to look into the possibility of incorporation for UTFA, which currently is not an incorporated organization. This means that there is now no limitation of liability for members of Executive and Council. What Executive and Council could be liable for and who could be sued, even personally, is not certain.

W. Gray reviewed his legal opinion, included in the meeting package, and answered questions. The members discussed the benefits and drawbacks of UTFA's incorporating under the provincial rules, the federal rules, or a special act.

W. Gray discussed how the new corporation could maintain the 1998 arbitration award (Rand formula) so that dues deductions would continue to be made and the new corporation would continue to receive them. This might require a special act. He explained how a special act would work.

C. Messenger said that UTFA is looking at incorporating to protect Executive, Council, and even staff from being sued. She said that some people she has tried to recruit to participate in UTFA have refused to do so because of this issue.

R. Riendeau and C. Messenger thanked W. Gray for attending Council.

5. Report of the President (20 min)

a. Executive Director hiring update (L. Florence)

L. Florence reported that UTFA has not yet hired an Executive Director and has declared the last search a failure.

L. Florence said that the Hiring Committee interviewed two candidates, but neither was what UTFA was looking for. UTFA has since reached out to Odgers Berndtson and hopes to sign an agreement with them soon, and then have an Executive Director in place for the first quarter of next year.

The members asked questions about the failed search and about the fee arrangement with Odgers Berndtson.

C. Messenger said that she recommended Odgers Berndtson as they were used in the search for the Chair of the UPP Trustee Board. She sat on this hiring committee and was impressed with them.

b. St. Michael's College Negotiating Team (M. O'Connor)

M. O'Connor reported that he and M. Attridge, H. Sonne de Torrens, and S. Vong are on the St. Michael's College negotiating team. The team will be assisted by R. Chang, UTFA counsel.

M. O'Connor reported that the Collective Agreement expires June 30, 2020. The next step is to survey the membership and prepare their bargaining mandate.

C. Messenger asked M. O'Connor to let our colleagues at St. Michael's College know that they have UTFA's firm support.

c. Early Retirement Incentive

C. Messenger called the members' attention to the document that she sent out by email on the early retirement incentive.

The members discussed the document and noted problems with it, including no mention of part-time faculty. C. Messenger said that the Vice-Provost assured her that part-time faculty would be included. She also advised the members that the Administration is not willing to negotiate any changes to the document.

T. Zoric, seconded by A. Braun, moved that:

the meeting go in camera.

Carried

K. Bickmore, seconded by D. Roberts, moved to:

return to the regular meeting.

Carried.

C. Messenger, seconded by T. Zoric, moved that:

UTFA adopt the position on the retirement incentive submitted to Council on the understanding that a provision be made for part-time faculty.

The members discussed the issue around study leave and leave of absence. It was agreed that UTFA should ask the Administration for clarity.

The motion was amended as follows:

UTFA adopt the position on the retirement incentive submitted to Council on the understanding that clarification be made relating to part-time faculty and the that the administration clarify the language around study leaves.

Carried.

6. Report of the Chair of the Equity Committee (5 min)

a. Unconscious bias workshop

A. Taleghani reported that there are three possible dates for this workshop: January 23, 28 or 30. She will announce the date of the workshop at the December meeting.

b. Equity Committee meeting on November 1

A. Taleghani reported that the Equity Committee met and discussed several issues around sexual violence and mental health issues.

The meeting moved to item #9 – Order of the day.

7. Report of the Chair of the Retired Members Committee (5 min)

a. Retired Member Reception – Follow-up *

J. Macdonald called the members' attention to the comments from the members who attended the Retired Members reception. She thanked everybody who supported the reception.

b. Approval of new member to the Retired Members Committee – Suzanne Meyers Sawa

J. Macdonald, seconded by, R. Kluger, moved that:

S. Meyers Sawa be added to the membership of the Retired Members Committee.

Carried.

8. Report of the Vice-President, Salary, Benefits, Pensions and Workload (20 min)

a. Asbestos Group Grievance

E. Barbeau, seconded by K. Adamson, moved that:

the meeting go in camera.

Carried.

b. Salary Discrimination Project

The meeting continued in camera.

c. Pay Equity

The meeting continued in camera.

d. Benefits Issues

This item was deferred to another meeting.

D. Robertson, seconded by, K. Bickmore, moved to:

return to the regular meeting.

Carried.

e. Approval of new member to the SBPW Committee – Suzanne Meyers Sawa

T. Zoric, seconded by, K. Bickmore, moved that:

S. Meyers Sawa be added to the membership of the SBPW Committee.

Carried.

9. Order of the Day: 4:20 p.m. Workload Adjudicator Rafael Gomez * (20 min)

T. Zoric introduced R. Gomez who is an Associate Professor and Director of the Centre for Industrial Relations and Human Resources as well as a graduate of York University and University of Toronto.

T. Zoric said that R. Gomez was the inaugural Workload Adjudicator who was approved by UTFA and UofT. She asked him to come to Council to share what he understands about the Workload Policy.

C. Messenger, seconded by D. Roberts, moved that:

the meeting go in camera.

Carried.

M. Allen, seconded by M.A. Guttman, moved to:

return to the regular meeting.

Carried.

R. Riendeau and T. Zoric thanked R. Gomez for attending Council. The members showed their appreciation through applause.

P. Khan, seconded by R. Gillis, moved to:

extend the meeting to 5:20 p.m.

Carried.

10. Report of the Vice-President, University and External Affairs (10 min)

a. Updates on Bills 100 and 124 *

R. Gillis reported that Bills 100 and 124 have both been passed in the legislature. He called the members' attention to the information from OCUFA in the meeting package.

Bill 100 had implications of a possible claw-back of salaries from those receiving pensions after age 65.

Bill 124 freezes salary increases in the public sector at 1% for 3 years and total compensation at 1% for 3 years and it also applies to arbitration. It does not apply to PTR, and in the case of conversion to a JSPP, an increase in salary in compensation in exchange for an increase in pension benefits is not included in this. Pay equity is also exempt from this freeze.

b. OCUFA Advocacy Day at Queen's Park

R. Gillis said that he attended the OCUFA Advocacy Day at Queen's Park. He met several MPPs and discussed higher education issues. The Liberals and NDP are supportive of higher education.

c. Update by Student Mental Health Advisory Committee

R. Gillis said that he has conducted a dissertation thesis as a qualitative project. He has several themes from talking to people. It was not the product he was expecting.

d. UTEAU Town Hall: "Impact of Provincial Government Cuts for the University of Toronto" *

R. Gillis called the members' attention to the flyer in their packages about the UTEAU town hall on November 14. He said that UTFA has asked Rahul Sapra, OCUFA's president, to speak on the impact of performance metrics. There will also be a number of student groups and unions giving presentations.

11. Report of the Chair of the Membership Committee (5 min)

a. Membership Committee work plan

K. Adamson reported on the work plan that was discussed at the last Membership Committee. The committee

- continues to provide logistical support regarding the gender outreach campaign.
- is developing a strategy over the next few weeks to connect with Nursing and teaching stream in Rehabilitation Science. These meetings will take place before the end of December. After that, focus groups will take place in Social Work, then with black and indigenous faculty.
- is looking at underrepresented Council constituencies, specifically seven vacant high priority seats that have not been filled in a long time. It hopes to fill at least five of those seats this year.
- has met with A. Calver from OCUFA to get advice on how to connect with the membership. The strength of an organization is based on connections with its members and not just for specific campaigns. Members need to know we care about them.
- wants to start up face-to-face meetings. He said that he would like Council members to meet with a member in their constituency that they do not know over coffee for 15-30 minutes. He would like Council members to share an update with the member about UTFA activities and find out from them about their key experiences. UTFA will pay for the coffee and will provide talking points and an introductory email. He plans to send an email shortly to three Council members to connect with a constituent and will approach three Council members a month. If the Council member would prefer, he could also attend these coffee meetings.

R. Kluger suggested that people ask their chairs to invite them to faculty meetings to provide updates.

The members agreed that this was a good idea. K. Adamson said that he would follow up with each member to see if they managed to follow up with their chair to be on the agenda.

It was suggested that a digest of what happened in Council be prepared for Council members to use as talking points. K. Adamson suggested that Executive members could be asked to condense their reports into a few lines that could then be provided to Council.

K. Adamson, seconded by K. Banning, moved that:

A. Giacca be added as a member to the Membership Committee.

Carried.

12. Report of the Chair of the Librarians Committee * (Written Report) (5 min)

a. Approval of member to Librarians Committee – Katya Pereyaslavka

H. Sonne de Torrens called the members' attention to the information for the Librarian event on November 15. She said that several esteemed colleagues have agreed to come and speak. This event is to support colleagues and to inform them about what professional issues are in post-secondary institutions in Canada.

T. Zoric congratulated H. Sonne de Torrens on organizing this event.

The members showed their appreciation through applause.

C. Messenger, seconded by A. Giacca, moved that:

Katya Pereyaslavka be added as a member to the Librarians Committee.

Carried.

13. Other Business

M. A. Guttman asked for clarification about the effect the changes to OHIP for out of country expenses will have on UofT Faculty and Librarians.

T. Zoric said that the UofT website states clearly that you get paid the cost minus the cost the province is paying. If the province is not paying anything, then Greenshields will pay the whole amount. G. Kawaguchi, UTFA's benefits consultant, clarified this at the Retired Members reception. Because the provincial coverage was so minimal it will not have much of an impact. However, the bigger question is that of pre-existing conditions.

- a. Next meeting of Council
Monday, December 9, 2019
3:00 – 5:00 p.m.
Upper Dining Room, Faculty Club
- b. End of Term Reception
Monday, December 9, 2019
5:00 – 7:30 p.m.
Main Dining Room, Faculty Club
- c. Annual General Meeting
Tuesday, April 14, 2020
George Ignatieff Theatre
Trinity College

14. Adjournment

K. Bickmore, seconded by L. Florence, moved that:
the meeting adjourn.

Carried.

The meeting adjourned at 5:20 p.m.

Chris Penn
Administrative Assistant

Motions from the November 13 Council Meeting

5c: UTFA adopt the position on the retirement incentive submitted to Council on the understanding that clarification be made relating to part-time faculty and the that the administration clarify the language around study leaves.

Carried.

7b: S. Meyers Sawa be added to the membership of the Retired Members Committee.

Carried.

8e: S. Meyers Sawa be added to the membership of the SBPW Committee.

Carried.

11a: A. Giacca be added as a member to the Membership Committee.

Carried.

12a: Katya Pereyaslavka be added as a member to the Librarians Committee.

Carried.

UTFA Instrumental in Securing 3.9% Salary Increase to Remedy Gender-Based Salary Gap for Female Librarians

December 6, 2019



Effective December 1, 2019, all librarians who identify as women will receive a 3.9% increase to their base salary, retroactive to July 2, 2019

The 3.9% increase to base salary for female librarians, both permanent status stream and CLTA, comes as a result of an UTFA Association grievance filed on June 4, 2019, alleging discrimination in salary for faculty and librarians who identify as women and/or as members of other equity-seeking groups. Aside from information on gender, the University Administration has thus far been unwilling to share with the Association any salary data relating to other social identities. While we continue to push for this information, UTFA's approach has been to begin with a focus on gender-based salary discrimination. We are also pressing the Administration to improve its collection of data regarding the salaries of equity-seeking groups.

Addressing Discrimination in Librarian Compensation

In preparation for the grievance, UTFA conducted an analysis of librarian salaries. This analysis revealed:

- Significant gender bias in compensation for librarians, evident in particular in annual PTR awards.
- That male librarians are more likely to be hired at a higher rank and to be promoted to a higher rank, with correspondingly higher salaries.

Subsequently, the Administration conducted its own analysis of gender bias in compensation and found a 3.9% gender-based pay gap. The salary adjustment announced on December 6 is designed to address this discrimination.

Next Steps Regarding Librarian Compensation

UTFA and the Administration have agreed to take steps to periodically audit salaries over the next three to five years. This will allow us to ensure that a gender-based pay gap has not re-emerged at the time of those audits.

In order to identify the root causes of the gender-based pay gap, UTFA and the Administration have also agreed to strike a joint Working Group. The Working Group will begin its work in January 2020 and will make recommendations to address the impact of any systemic or structural barriers and/or unconscious or implicit bias on librarian compensation. Among the issues that this Working Group will consider will be any barriers or bias that exist in relation to:

- Librarian PTR,
- The 5% Chief Librarians Award,
- The promotion rate and process,
- Rank at hire, and
- Stream of hire (i.e., CLTA versus permanent-status stream).

Moving Forward for the Salary Discrimination Grievance

UTFA's June 4, 2019 grievance related to the Administration's decision last April to implement a 1.3% salary increase for female tenure stream faculty only. UTFA argued that approach was deeply flawed because it:

- Failed to address gender-based discrimination experienced by librarians, or teaching-stream, part-time, and CLTA faculty;
- Did not address discrimination in compensation experienced by faculty or librarians who identify as members of other equity-seeking groups; and
- Is inadequate to address the significant and pervasive gender-based discrimination experienced by women faculty in the tenure stream.

UTFA's grievance with respect to discrimination in faculty compensation continues despite significant objections that have been raised by the University Administration. On October 30, the [Chair of the Grievance Review Panel rejected the Administration's attempt to have the grievance thrown out on a preliminary](#)

[motion](#). As a result, the Administration is now engaged in providing UTFa with relevant data to enable a careful and comprehensive examination of patterns of compensation at UofT.

As part of its ongoing efforts to eradicate salary discrimination, UTFa will also continue to proceed with its grievances under the Pay Equity Act. Through those grievances, UTFa is arguing that female-dominated job classes, including Librarian and teaching stream faculty roles, are themselves underpaid due to gender bias.

Terezia J. Zoric

UTFa Vice-President Salary, Benefits, Pensions, and Workload

Motions from the Executive Committee to Council

The Executive Committee recommends to Council that:

For the next round of Salary, Benefits, Pensions and Workload negotiations, that R. Gillis, M.A. Guttman, C. Messenger, D. Roberts, H. Sonne de Torrens and T. Zoric, be on the Negotiating team.



CHARTING OUR COURSE: EMPOWERING LIBRARIANS AT THE UNIVERSITY OF TORONTO
November 15, 2019 at the Faculty Club.