

UTFA Council Agenda

June 28, 2017 – 1:00 – 3:00 p.m.

Room 374, Rotman School of Management

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1. Approval of the Agenda
 2. Minutes of Previous Meetings
 - a. May 18, 2017 *
 3. Business Arising
 - a. From the Minutes of Council
 - b. From the Summary of the Minutes of the Executive Committee
 - i. May 12, 2017 *
 - ii. May 25, 2017 *
 - iii. June 8, 2017 *
 4. Announcements (5 min)
 5. Report of the Chair of the Appointments Committee (5 min)
 - a. Consultations with Part-time faculty
 - b. Other matters
 6. Order of the Day: Gender Salary Gap Grievance 1:15 p.m. (25 min)
(E. Phillips [Goldblatt Partners], C. Messenger and D. Campanella)
 - a. Executive Motion for support in principle that UTFA move forward with an Association Grievance on the Gender Salary Gap*
 7. Order of the Day: SBPW Memorandum of Settlement 1:40 p.m. (K. MacDonald) (10 min)
 - a. SBPW Memorandum of Settlement
 - b. Update on bargaining
 - c. Other matters
 8. Report of the Treasurer (5 min)
 - a. Year-to-Date and Interim Budget *

- b. Other matters
9. Report of the President (20 mins)
- a. Executive Director Job Description
 - b. Summer Authority *
 - c. Update on Pensions (H. Mackenzie and C. Messenger)
 - d. UofT Pension Committee Appointees
 - e. Additional office space (M. Horban)
 - f. AGM
 - g. Executive retreat
 - h. Return of H. Nowak on July 17, 2017
 - i. Outgoing Executive and Council members
 - j. U of T Archivists
 - k. Other matters
10. Order of the Day: Update on Provincial Pension News 2:15 p.m. (15 min)
(C. Hunter [Eckler Ltd.])
11. Report of the Chair of the Membership Committee (5 min)
12. Report of the Vice-President, University and External Affairs (10 min)
- a. Changing Workplaces *
 - b. Other matters
13. Report of the Chair of the Retired Members Committee (5 min)
- a. CURAC Conference
 - b. Other matters
14. Report of the Vice-President, Grievances (15 min)
- a. Asbestos Update
 - b. Other items
15. Report of the Chair of the Librarians Committee (5 min)
16. Reports from the Members-at-Large
17. Reports from the Floor of Council
18. Other Business
- a. Next meeting of Council
TBA
19. Adjournment

* materials attached



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UTFA Council Minutes

May 18, 2017 – 3:00 – 5:00 p.m.

Room 1065, Rotman School of Management

Present:

Executive: M. Attridge, C. Evans, R. Gillis, J. Jenkins, L. Kohn, K. MacDonald, C. Messenger, A. Motsch, K. Scheaffer, T. Zoric

Present: E. Barbeau, J. Berkovitz, K. Bickmore, A. Braun, D. Cooper, E. Damiano, E. Fillion, L. Florence, P. Gauvreau, C. Guberman, P. Hamel, J. Hanssen, A. Hojatollah Taleghani, J. Macdonald, B. McDonagh, J. Nogami, M. Peski, J. Poë, R. Sarabia, L. Shade, W. Smieliauskas, L. Stewart Rose, N. Wiseman

Regrets: L. Austin, K. Banning, D. Bar-Natan, L. Chen, R. Helms-Park, K. Rankin, H. Rodd, L. Rudin, V. Skelton, H. Sonne de Torrens, L. Vaage, K. Weaver, A. White

Absent: M. A. Guttman, D. Heap, J. Lanca, B. MacDonald, S. Prudham, D. Seitler, S. Smith

Also Present: D. Campanella (Research Analyst)
H. Diggle (General Counsel)
M. Horban (Business Officer)
A. Lo (Communications, Outreach Campaign Support Officer)
J. Newman (Speaker)
S. Olexson (Counsel)
C. Penn (Administrative Assistant and Note Taker)
A. Wright (Administrative Assistant and Note Taker)

J. Newman called the meeting to order at 3:10 p.m.

1. Approval of the Agenda

It was duly moved and seconded that:

the agenda be approved as distributed.

Carried.

2. Minutes of Previous Meetings

a. March 21, 2017 *

As there were no changes to the March 21, 2017 Council minutes, they were approved as distributed.

b. April 6, 2017 *

As there were no changes to the April 6, 2017 Council minutes, they were approved as distributed.

3. Business Arising

a. From the Minutes of Council

There was no business arising from the minutes of Council.

b. From the Summary of the Minutes of the Executive Committee

i. March 31, 2017 *

ii. April 27, 2017 *

There was no business arising from the minutes of the Executive Committee.

4. Announcements (5 mins.)

There were no announcements.

5. Report of the Chair of the Nominating Committee * (15 min)

J. Jenkins called attention to the report of the Nominating Committee (Appendix A), noting that the first part is the Committee's recommended slate of candidates for the Executive Committee.

J. Jenkins reported that the Committee met over several weeks with candidates as well as with current Executive members. Candidates were considered for four vacancies: Chair, Appointments Committee; Chair, Membership Committee; Treasurer; and Member-at-Large. Linda Kohn, Vice-President, University & External Affairs, had intended to step down, but now will complete her term.

J. Jenkins reported that no further nominations were received between May 1 and May 10. She presented the candidates for the Executive Committee:

- Chair, Appointments Committee: Claude Evans (2 year term)
- Chair, Membership Committee: Mohamad Tavakoli-Targhi (1 year term)
- Treasurer: Louis Florence (2 year term)
- Members-at-Large: Aurel Braun and Azita Taleghani (2 year terms) Note: the appointment of two members-at-large will bring the number to a total of three.

J. Jenkins, seconded by G. Macdonald, moved that:

the proposed candidates for the position of Chair, Appointments Committee; Chair, Membership Committee; Treasurer; and two Member-at-Large positions be acclaimed.

Carried.

J. Jenkins said she is excited about the slate and happy with the result of discussions.

G. Macdonald asked the new Executive members to introduce themselves and say a few words. A. Braun, L. Florence, and C. Evans introduced themselves. M. Tavakoli-Targhi could not be present, but J. Jenkins said that he is interested in updating our website and social media, and in having more events like the Homa Hoodfar and Open Access events. She noted that he is her husband and that is why the committee had co-chairs.

J. Jenkins said that discussions with Executive members led the Nominating Committee to make a number of recommendations, including reorganizing Executive Committee meetings and possibly Council meetings to allow more discussions. She noted that some of the recommendations will require changes in the UTFA Constitution and Bylaws, and so the Nominating Committee is recommending striking a Constitutional Review Committee. She also noted that the recommendations are markers for longer term discussions, and hiring an Executive Director will help with implementation.

The members discussed the recommendations.

J. Jenkins expressed the Nominating Committee's acknowledgement and appreciation of the work that all the Executive Committee members do for the Association.

J. Jenkins acknowledged the work of her co-chair Jun Nogami and the other members of the Nominating Committee: Danny Heap, Brock MacDonald, and Vicki Skelton.

6. Report of the President (15 mins.)

a. UofT Pension Committee Appointees

<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Pension+Committee/pctor.pdf>

C. Messenger noted that the UofT Pension Committee may be dissolved if a JSPP pension plan comes in. However, three UTFA representatives' terms are up and they don't want to be renewed, and three UTFA representatives need to be appointed to for the next three years. A. Motsch's term continues until 2018, and the retiree position will have to be approved at the June Council meeting, as we have not heard back from Arthur Rubinoff to see if he would like to continue.

C. Messenger, seconded by K. Scheaffer, moved that:

T. Zoric, C. Messenger, and K. MacDonald represent UTFA on the UofT Pension Committee for a three year term.

Carried.

b. UTAM Board Appointees

C. Messenger said that E. Damiano will be stepping down as the UTFA representative on the UTAM Board. UTFA needs to provide another name, and Alan White from Rotman has agreed to take on this position.

E. Damiano explained that this is the board of directors for UTAM, a corporation owned by UofT. The board manages the company. It is responsible for making senior hiring decisions and for approving the budget for the corporation. It also oversees the auditors and audited financial statements. He believes that A. White is a good candidate for this position as he specializes in finance at Rotman.

C. Messenger, seconded by E. Damiano, moved that:

Alan White, from the Rotman School of Management, be UTFA's representative on the UTAM Board.

Carried.

c. Other matters

There were no other matters.

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

a. Executive Motion for changes to Al Miller Memorial Award *

L. Kohn said that she was presenting a motion concerning the Al Miller Memorial Award. The current terms of reference state that either a \$2,000 award is given to one person or \$1,000 is given to each of two people. She believes that this sum is an anachronism compared to the undergraduate award of \$6,500.

The Executive Committee recommends to Council that:

UTFA top up the income generated by the endowment amount so that in the event of one awardee, UTFA would top up to a total of \$5,000, and in the event of two awardees, UTFA would top up to a total of \$10,000; this would bring the Al Miller Award to \$5,000 for each awardee.

Carried.

L. Kohn said that this year's award recipient, Caroline Cormier, contacted her to share how much the award meant to her. She thanked UTFA for our kind words of encouragement and for the award. L. Kohn said that we should be very proud that we can help students like Caroline.

b. Other matters

L. Kohn reported that she and M. Attridge attended the OCUFA Board of Directors meeting on May 13. She said that it is notable that the provincial government announced its budget and funding for universities, which will be flat lined at a .2% loss because of inflation. There were some positive changes to OSAP and to the Kickstart program. She noted that everybody is waiting for the Changing Workplace Review report, which is looking at changes to the Labour Relations and Employment Standards Acts. OCUFA is looking for equal pay for equal work for part-time and contract faculty. They would like to have the minimum salary raised to at least \$15 per hour. L. Kohn said that she expected changes to the rules on certification to be part of the report.

L. Kohn said that OCUFA is looking to develop a database on higher education along the same lines as Statistics Canada. Also, UofT is drafting its Strategic Mandate II. Other universities have had consultations but UofT is drafting it on its own. A Strategic Mandate Agreement is required of every university in Ontario, to outline major things like how we differentiate ourselves from other institutions, what our strengths are, etc. D. Naylor wrote the last one and UTFA was not consulted.

8. Report of the Vice-President, Salary, Benefits, Pensions and Workload (10 min)

K. MacDonald reported that preparations for negotiations continue. The Negotiating Team participated in a workshop on mock negotiations put on by CAUT and it was very helpful.

K. MacDonald, seconded by M. Attridge, moved that:

the meeting go in camera to discuss SBPW negotiations.

Carried.

K. MacDonald, seconded by, A. Motsch, moved that:

the meeting go ex camera.

Carried.

9. Order of the Day: 4:00 p.m. (20 min)
Pension Update (C. Messenger and H. Mackenzie)

C. Messenger, seconded by, L. Kohn, moved that:

the meeting go in camera.

Carried.

J. Jenkins, seconded by T. Zoric, moved that:

the meeting go ex camera.

Carried.

C. Messenger thanked H. Mackenzie, S. Barrett, J. Macdonald, Marcin Peski, M.A. Guttman, H. Sonne de Torrens, T. Zoric, and K. MacDonald for their wonderful work.

10. Report of the Chair of the Membership Committee (10 min)

J. Jenkins reported that pension town hall meetings planned for this week were premature and will be rescheduled. She thanked K. Scheaffer and L. Shade for helping to plan meetings in their units.

J. Macdonald said that an education session was held in Nursing and people appreciated the information provided. D. Cooper asked that the language be simplified for education. J. Jenkins said that the Eckler handouts are on the UTFa website.

11. Report of the Vice-President, Grievances (15 min)

a. Asbestos

i. Update

T. Zoric provided an update on asbestos at UofT. Several faculty at MSB have signed a group grievance as well as individual grievances and UTFa has asked for a task force. She said that she will be asking Council to support a motion in principle for an Association grievance.

T. Zoric said that the asbestos issue has demonstrated problems at UofT in a lack of transparency, in governance, and in health and safety standards. The Administration admits that there was a spill in the MSB and has admitted that this could have been handled better. UTFa asserts that UofT has violated health and safety and asbestos policies and is asking it to adhere to its own policies. We are calling on the Administration to retain an environmental consultant mutually agreed upon with UTFa. We are also asking that all work stop until all appropriate safety measures are put in place.

T. Zoric noted that since this all began she has heard from people in other buildings about the way that asbestos management is being handled.

T. Zoric said that an Association grievance will ask for a university-wide task force to review the asbestos management policy not just at MSB but for the whole of UofT.

ii. Association Grievance

T. Zoric, seconded by, R. Gillis, moved that:

UTFA Council support in principle an Association Grievance that would seek to establish a task force to review the University administration's handling of asbestos across the three campuses and to propose appropriate remedies to address problems found.

T. Zoric said that this motion is in principle and it is not addressing specific language. After UTFA files an Association grievance, it would then go to a meeting of the Joint Committee within 12 working days to try and resolve it there. If nothing is resolved, then it proceeds through the grievance process right up to the Grievance Review Panel. An Association grievance emphasizes the gravity of this issue.

T. Zoric said that the Administration has been silent about our request for a task force and has asked for a meeting with her and C. Messenger.

The members discussed the motion.

T. Zoric thanked S. Olexson, Counsel at UTFA, who has been UTFA's point person for asbestos and has met with lawyers at Goldblatt Partners.

Carried.

b. SQCT update

T. Zoric explained that SQCTs are Student Questionnaires on Courses and Teaching, which are also called SETs. She reported that she is on an SQCT working group at OCUFA; she is working on human rights and the other two people are working on methodology and research ethics.

T. Zoric discussed some of the committee's findings from the student questionnaires. It has concluded that instead of being used in a member's personnel decisions, these questionnaires should only be used by the member to improve teaching practice. Students are not experts on teaching and learning, only on their own experience. If their evaluations are not signed, they should not be allowed to have any bearing on tenure, promotion, pay increases, etc.

c. Other items

There were no other items.

12. Report of the Chair of the Appointments Committee (10 min)

a. Part-time Policy

M. Attridge reported that UTFA is looking to renew the part-time appointments policy, last updated in 1994. A survey was sent to part-time members to identify their priorities. Those members are now being asked whether they want to meet in focus groups to discuss what they want to see in a revised policy.

M. Attridge reported that we are waiting for the report of the Changing Workplaces Review, to which OCUFA and UTFA made a presentation. He said that employers cannot reasonably expect to treat full-time people differently than part-time people.

M. Attridge reported that there will be a Tenure Workshop on May 23, with about twice as many people attending as last year.

b. Other matters

There were no other matters.

13. Report of the Treasurer (5 min)

a. Year-to-Date *

E. Damiano presented the year-to-date report, noting that total expenses are in line with what was expected, but some lines are above what was forecast. Investment income is quite high.

E. Damiano reviewed the year-to-date document. He noted that the Legal Grievances forecast will be exceeded by significantly, as some staff are working part-time or are on maternity leave and more work is being sent to Goldblatt Partners. The asbestos issue has also led to greater use of Goldblatt services.

E. Damiano noted that the consulting line for SBPW will exceed the budget line, because of consultants being used in the pension negotiations. C. Messenger said that she contacted the Administration and it has offered to pay part of the consultant costs. It has also been suggested that, after the end of negotiations, we take some of our bills to the government.

E. Damiano said that UTFa's investment allocation is fixed income 50% and equities 50% (1/3 Canadian, 1/3 US, 1/3 international). He outlined the various investments and their value as of May 17.

14. Report of the Chair of the Librarians Committee (5 min)

a. Open Access Event

J. Jenkins reported at K. Scheaffer's request on the May 16 Demystifying Open Access event.

J. Jenkins said that K. Scheaffer organized the event and it was a success. Attendees came from a wide range of disciplines, as did the presenters. The range of expertise and the discussion were excellent. Attendees appreciated getting advice on how Open Access works, how to get funding, etc.

b. Other matters

There were no other matters.

15. Reports from the Members-at-Large

There were no reports for the Members-at-Large.

16. Reports from the Floor of Council

There were no reports from the floor of Council.

17. Other Business

- a. Next meeting of Council
Thursday, June 15, 2017
3:00 to 5:00 p.m.

18. Adjournment

It was duly moved and seconded that:

the meeting adjourn.

Carried.

The meeting adjourned at 5:05 p.m.

Chris Penn

Administrative Assistant

Appendix A

2017 Nominating Committee Report

Executive Candidates Recommendation

The Nominating Committee has met over the past weeks with candidates for the Executive Committee as well as with current members of the Executive. There were four vacancies for which candidates were considered: Chair of the Appointments Committee, Chair of the Membership Committee, Treasurer, and Member at Large. Note: Linda Kohn, the current Vice-President for University and External Affairs, announced earlier that she was stepping down, but subsequently decided to continue to the regular end of her term in 2018.

After substantial discussion, the Committee submits the following slate of candidates to Council:

Chair, Appointments Committee: Claude Evans (2 year term)

Chair, Membership Committee: Mohamad Tavakoli-Targhi (1 year term)

Treasurer: Louis Florence (2 year term)

Members at Large: Aurel Braun and Azita Taleghani (2 year terms) Note: the appointment of two members-at-large will bring the number to a total of three.

The Nominating Committee submitted the above slate to Council on April 28th and opened the period for nominations from Council. In this period, running from April 28th to May 10th, no subsequent nominations were made.

The Nominating Committee presents the above slate of candidates to Council for a vote.

Recommendations on Process

In addition to recommending this slate of candidates, several issues were considered by the Committee. The current organization of the work of the Executive was discussed at length, given the importance this topic was given by those who spoke with us. Executive Committee meetings have become quite long. Members of the Executive engage in extensive reporting at the meetings, presenting information that may be more efficiently disseminated in other forms. Executive Committee members spoke of feeling alternatively overburdened and/or under-acknowledged. There was a desire for more of a ‘team-feeling,’ more mutuality, more solidarity. Above all, there was a wish for more discussion and deliberation at both Executive and at Council.

Along these lines, we have several suggestions. To provide more space for substantive discussion at the

Executive Committee meetings, we recommend that each member of Executive give a report only once a month (every other meeting). These reports should be on substantial material, preferably on matters that have been worked on already at the separate committee levels (membership, teaching stream, appointments and the like)—and they should be issue based and/or thematic. Routine reporting could be done in a more intensive “Action List” discussion: this is often where updates are made, and the routine updates/reports could be made at this time.

In addition, some Executive meetings could be thematic in order to focus on issues that cross the boundaries of the different committees. Thematic meetings could also support the work of sub-groups on specific issues, bringing more members into the work of UTFA and broadening the scope of discussion. We hesitate to suggest that thematic meetings be held in addition to the regular executive meetings. We have heard that extra meetings have been held on the pension issue, and we do not want to further increase the workload on Executive members.

To facilitate this working together, larger changes might need to be made. We see that each of the portfolios in the Executive Committee would benefit from both greater definition, greater accountability and greater autonomy for their chairholders/VPs. Potentially a new system for reporting, oversight and transparency could be worked out to apply to the work of the Executive as a whole, rather than evolving in an ad hoc manner. The rethinking of the work of the Executive Committee would necessarily involve constitutional and bylaw changes, as these documents provide its structure (of which more below).

It is our hope that more group discussion and deliberation in the Executive Committee meetings will have positive effects: it could generate more team spirit—never a bad thing to have--more trust and more solidarity. It serves the expressed goal of working across the different committees and doing so thematically—overcoming the ‘silo effect’ that can isolate issues.

We are concerned about several things: the work of the UTFA Executive is heavy and getting weightier all the time. Work needs to be distributed more evenly across the Executive, and members need to feel empowered to do this work. We worry about overburdening of certain members, and we worry about burnout.

Upcoming Opportunities for Change:

That UTFA will be hiring an Executive Director in the coming academic year comes as welcome news. This will be an opportunity to think hard about the organization of the Executive and the work that it does. Several portfolios may need to be rethought, or reconfigured, with the addition of an Executive Director. In tandem with such a re-organization of UTFA’s work, constitutional and bylaw changes would have to be made . We feel strongly that UTFA should be an organization for academics run by academics. Hiring an Executive Director need not change that, but it will need to be carefully done. Next year’s Executive has a big task ahead of it in that regard.

Several other issues that were raised in the discussions:

*the possibility that more members of the Executive Committee, and perhaps all of them, be elected by the UTFA membership in a similar manner to the President. This would increase the accountability of

positions, provide a stronger link to the membership and the work of Council and would change the role and scope of the Nominating Committee.

*the possibility of eliminating one of the Member-at-Large positions, since the chair of the Retirees' Committee is now part of the Executive.

*the need for a new communications strategy for UTFA including greater use of social media (a point that the candidate for Membership Chair plans to address directly)

*with regard to the Nominating Committee itself, we wish to emphasize that moving forward the Committee welcomes all members—from Council and the UTFA membership in general—who put their names forward. The endorsement of a sitting Executive Committee member is not required. Moreover, we recommend that candidates clearly put themselves forward for specific positions and with a plan for the work of that position.

The first two of these issues will require changes in either the UTFA constitution or the bylaws. Thus the Nominating Committee's final recommendation is to strike a constitutional committee. Any restructuring of the work of the Executive Committee must be cognizant of the UTFA Constitution and its bylaws, which provide its foundation.

Finally, we would like to acknowledge the work that all Executive Committee members do for the association. It is greatly appreciated.

Respectfully submitted,
Jun Nogami and Jennifer Jenkins, Co-Chairs
Danny Heap
Brock MacDonald
Vicki Skelton



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Council Summary

UTFA Executive Minutes

Friday, May 12, 2017 – 1:00 p.m. – 3:00 p.m.

UTFA Boardroom

Chair – C. Messenger

Present: M. Attridge, K. Banning, R. Gillis, K. MacDonald, C. Messenger (Chair), K. Weaver, T. Zoric

Regrets: E. Damiano, C. Evans, J. Jenkins, L. Kohn, A. Motsch, K. Scheaffer, H. Sonne de Torrens

Also Present: M. Horban (Business Officer), Chris Penn (Administrative Assistant and notes)

C. Messenger called the meeting to order at 1:15 pm

1. Approval of the agenda: The agenda was approved as distributed.
2. Minutes of previous meetings: The Executive minutes and Council summary of the April 27, 2017 meeting were approved as amended.
3. Business arising (not elsewhere on the agenda)
 - a. Action List *

Several items were removed from the action list.

C. Messenger spoke about the need for an UTFA education campaign on pensions.

M. Attridge said that he is developing literature for people interested in promotion in both streams.

K. MacDonald said that L. Austin is willing to serve on the Anomaly Adjustment Working Group. Perhaps the Equity Committee could take on this work. K. MacDonald will discuss this with R. Gillis.

4. Report of the President (50 mins)
 - a. UTFA seat on UTAM Board

C. Messenger reported that E. Damiano's term on the UTAM Board is ending and he has informed her that he will not be returning to Executive and Council. She has approached Alan White, a Council representative from Rotman, to see if he is interested in this position.

C. Messenger noted that the terms of several of our nominees to the UofT Pension Committee are ending. J. Jenkins, P. Downes and E. Damiano have all sat on this committee and will not be returning. Any new nominees need to be appointed at the June Council meeting. She intends to put her own name forward. The fourth person on this committee is Arthur Rubinoff, who is the retired representative.

b. Executive Director – Hiring process

C. Messenger noted that the bylaw change pertaining to the Executive Director (ED) position was approved at the April AGM. She said that decisions need to be made about what should be in a job description, and that the job description will go to Council at the June meeting. She hoped that the hiring process could proceed over the summer.

c. Pension Update

C. Messenger, seconded by K. Weaver, moved that:

the meeting go in camera to discuss pension negotiations.

Carried.

K. MacDonald, seconded by M. Attridge, moved that:

the meeting go ex camera.

Carried.

d. Part-time Policy Negotiations (M. Attridge)

M. Attridge reported that a survey was sent to part-time employees to get an idea of their thoughts and their priorities. A meeting was held and a number of ideas were generated.

M. Attridge said that he has consulted with OCUFA about part-time language at other Ontario universities. There does not seem to be anything we can use as is. He will be working with OCUFA on ideas on how to proceed with negotiations.

M. Attridge said that he participated in the Changing Workplace Review workshop that OCUFA sponsored. The provincial government is expected to present its final report and recommendations after May 15. These may entail changes to the Employment Standards and Labour Relations Acts that may impact part-time faculty.

M. Attridge said that the part-time members were asked whether they want to take part in a focus group. The Part-time Appointments Negotiating Committee will meet on May 24 and will discuss setting up focus groups then.

e. Asbestos task force (T. Zoric)

T. Zoric reported that we have not heard back from the Administration about our request for an asbestos task force.

K. MacDonald, seconded by K. Weaver, moved that:

the meeting go in camera to discuss asbestos issues.

Carried.

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

the meeting go ex camera.

Carried.

f. SQCTs (T. Zoric)

T. Zoric explained that SQCTs are Student Questionnaires on Courses and Teaching, which are also called SETs. She reported that she is on an SQCT working group at OCUFA; she is working on human rights and the other two people are working on methodology and research ethics.

T. Zoric discussed some of what the committee has found in reviewing student questionnaires. It has come to the conclusion that instead of being used in a member's personnel decisions, these questionnaires should only be used by the member to improve teaching practice. Students are not experts on teaching and learning, and if their evaluations are not signed, they should not be allowed to have any bearing on tenure, promotion, pay increases, etc.

T. Zoric said that students are not experts on the value of teaching. The weaker the students, the less able they are to judge teaching. They are experts only on their own experience.

The members discussed how other universities use student evaluations.

g. Council Agenda

C. Messenger asked the members to provide C. Penn with items for the Council agenda. It was agreed that the association grievance on asbestos would be on the May agenda and the gender salary gap grievance on the June agenda.

h. Arrange a special meeting of Council re pensions

C. Messenger said that a decision on having a special meeting of Council on pensions will be looked at after the weekend negotiations.

i. Executive Retreat *

The members discussed dates for an Executive retreat and all agreed that September 15 was the preferred date. C. Penn was asked to poll the 2017–2018 Executive members on their availability on that date. She was also asked to contact the Old Mill to reserve space.

j. Other matters

C. Messenger said that M. Tavakoli-Targhi, the incoming Membership chair, hopes to help facilitate the redesign of the website. We have a list of designers but are a long way off from any redesign. This has nothing to do with the content.

5. Report of the Chair of the Equity Committee (10 mins)

a. Equity Committee Initiatives

R. Gillis said that a call has gone out for the Equity Committee to meet within the next few weeks.

R. Gillis said that he has initiated two information requests. One relates to budgets at each individual unit and to central fund contributions. It would be an updated version of the document that G. Luste produced and would be mostly for internal use. We need to know where money is shifting at UofT. C. Messenger suggested that R. Gillis meet with D. Campanella as he may have some of that information.

R. Gillis said that the second information request deals with special retirement information as it relates to the 2009 agreement on retirement. The university said that it would replace the people who opted for the special retirement packages. C. Messenger said that this was raised at Joint Committee. The Administration said that they hired a lot of people, but not necessarily in the unit where a person retired.

C. Messenger noted that we are trying to arrange another Joint Committee meeting and that when the date is confirmed she will invite R. Gillis to attend.

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

K. Weaver reported that the financial workshop was cancelled as the registration numbers were modest.

K. Weaver reported that at the next meeting of the Retired Members Committee there will be a session on pensions and members of Senior College will be invited to attend.

7. Report of the Vice-President, Salary, Benefits Pensions and Workload (10 min)

a. Senior College Funding (K. MacDonald)

K. MacDonald, seconded by K. Weaver, moved that:

the meeting go in camera.

Carried.

K. MacDonald, seconded by K. Weaver, moved that:

the meeting go ex camera.

Carried.

It was agreed that UTFA will bridge the funds needed to pay for the Administrative Assistant until the end of negotiations. K. MacDonald will inform Senior College of UTFA's decision.

b. Update on Negotiations

K. Macdonald, seconded by M. Attridge, moved that:

the meeting go in camera.

Carried.

M. Attridge, seconded by K. Banning, moved that:

the meeting go ex camera.

Carried.

c. Other matters

There were no other matters.

8. Report of the Treasurer (5 min)

a. Year-to-Date *

M. Horban said that E. Damiano sent his regrets but wanted to inform members that our net income is decreasing because of the asbestos and pensions issues and that he will present a draft budget in June.

The members had some questions regarding the year-to-date. M. Horban said that she would review the relevant lines with E. Damiano.

9. Other Business

K. Banning said that a meeting of the Teaching Stream Committee is being planned.

a. Next scheduled Executive Committee meeting
Thursday, May 25, 2017 – 1:00–3:00 p.m.

b. Next scheduled Council Meeting
Thursday, May 18, 2017 – 3:00–5:00 p.m.

Room 1065, Rotman School of Management

c. Adjournment

It was duly moved and seconded that the meeting adjourn.

Carried.

The meeting adjourned at 3:15 p.m.

Chris Penn
Administrative Assistant



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Council Summary

UTFA Executive Minutes

Thursday, May 25, 2017 – 1:00 p.m. – 3:00 p.m.

UTFA Boardroom

Chair – C. Messenger

Present: K. Banning, E. Damiano, C. Evans, R. Gillis, J. Jenkins, L. Kohn, K. MacDonald
C. Messenger (Chair), A. Motsch, K. Scheaffer, H. Sonne de Torrens, T. Zoric

Regrets: M. Attridge, K. Weaver

Also Present: M. Horban (Business Officer), R. Schmelzer (Grievance Assistant and notes)

C. Messenger called the meeting to order at 1:15 p.m.

1. Approval of the agenda: The agenda was approved as distributed.
2. Minutes of previous meetings: The May 12, 2017 Executive minutes were approved as amended.
3. Business arising (not elsewhere on the agenda)
 - a. Action List *

No items were removed from the action list.

4. Report of the President (60 mins)
 - a. Executive Director – Hiring process *

C. Messenger drew attention to the bylaws in the meeting package that refer to the appointment of the Executive Director, noting that Article 17.1 is key with reference to the job description. She said that the job description will be circulated at Council but will not be voted on. She also noted that C. Penn is gathering sample job descriptions through her COFAS connections.

C. Messenger invited the members to forward any connections that may be of help, in the hope that the Executive Director can be hired this summer and can attend the retreat. She added that UTFA wants to hire someone with faculty association experience and agreed that an Executive Director is badly needed.

- b. Pension Mediation

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

the meeting go in camera to discuss pension negotiations.

Carried.

C. Messenger, seconded by C. Evans, moved that:

the meeting go ex camera.

Carried

c. Update on Marshall Report *

E. Damiano reported on the new funding framework for defined benefit pension plans in Ontario.

The government announced that it intends to change the regulatory framework around solvency funding. In 2016 it announced the appointment of D. Marshall, former president and CEO of the WSIB, to lead the solvency funding review and potentially change the existing framework.

The regulation changes the way pension plans must fund their solvency deficit.

For UofT, the last valuation, based on the hypothesis made by the actuary, estimated the going concern deficit at \$573 million. The solvency deficit, however, is higher, close to \$1.7 billion.

After the financial crisis, interest rates were down and that made the solvency deficit balloon. E. Damiano explained that the pension plan functions like a debt. In the case of defined benefit plans, the promise of how much money retirees will get is UofT's debt to them. The question is how much money you should put away today in order to assure the promised fixed amount. If interest rates are high, you can put away very little, but if they are low, you need to put away a larger sum. In UofT's case, low interest rates created a gap of over \$1 billion between the solvency deficit and going concern deficit.

The government has exempted UofT for solvency since 2010 through three rounds of solvency relief regulations.

E. Damiano then outlined the new proposed funding framework based on the work done by the Marshall committee.

E. Damiano reiterated that this new regulation is about providing relief to pension plans due to long-term low interest rates and creating a set of rules that makes all DB plans viable even in a regime of persistent low interest rates. Based on this, plans like UofT's are no longer forced to choose between a multi-employer plan or paying hundreds of millions in additional solvency special payments: a decision can be made on merit.

d. Part-time Policy Negotiations

C. Messenger reported that the bargaining team, E. Damiano, K. MacDonald, K. Banning, and B. McDonagh met with E. Phillips. D. Campanella provided research regarding faculty appointments that are part-time and are represented by CUPE. C. Evans as the incoming chair is interested in working on that. T. Zoric asked if the part-time librarians will be covered in the policy for librarians. C. Messenger assured her that UTFA will bring part-time to that policy.

e. Pension Committee Nominees

C. Messenger reported that L. Florence will stay on the Pension Committee. The seats will be occupied by July 1.

f. Additional office space (M. Horban)

M. Horban reported that Médecins sans Frontières is vacating Suite 408, the south east corner of the fourth floor. Based on UTFA's space needs, this suite would be a good permanent addition. UTFA now has no consultation rooms for the lawyers, no proper kitchen or lounge room, and not enough room for document storage, especially given that UTFA's caseload is growing exponentially. The space will be available starting October 1.

C. Messenger reminded the Executive members that H. Nowak will return in July, and explained that the new space is needed as at present there is no office for an Executive Director. Also, two staff members have no access to windows and this new space will remedy that.

M. Horban said that Suite 419 will be the last to be renovated.

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

UTFA go ahead with the decision to rent and renovate the new space in Suite 408.

Carried.

g. Other matters

There were no other matters.

5. Report of the Chair of Nominating Committee (5 mins)

a. Wrap up of Nominating Committee Report

J. Jenkins wanted to explicitly draw attention to recommendations regarding the agenda and Executive meetings related to structural changes. She recommended that this report be a focus of the retreat. She also suggested that the process of changes to the constitution and bylaws be started now.

C. Messenger said that a committee struck now will not know what direction to go in. She added that this process depends on how the pension project is going as the decisions made regarding pensions will drive matters in a certain direction. If UTFA strikes the committee in September, it will go to work in October.

J. Jenkins suggested that the committee could discuss broader topics, such as the Executive Director hire, rethinking the size of the Executive Committee, or whether the positions should be elected. The present Appointments Committee is actually a tenure stream committee but is not called that.

C. Messenger proposed bringing all these recommendations to the retreat for discussion.

6. Report of the Chair of the Vice-President Grievances (5 min)

T. Zoric said that there are three major matters:

First, UTFA is moving forward in the asbestos grievance, trying to move from a crisis response mode to systemic problem solving. She reported that the UTFA team was invited by S. Nelson and K. Hannah-Moffat to have a meeting regarding the asbestos crisis.

Second is student questionnaires. T. Zoric noted that she is the OCUFA-appointed human rights expert. She reported that the studies are more robust now regarding gender and age, and those on race are more complex. Once the first stage of work is done, the OCUFA brief will be sent to Council.

Third is the volume of matters or files. T. Zoric said that the number of files has reached a historic high. In addition to the asbestos files, UTFA has been dealing with time-consuming tenure appeals, and time-consuming matters sent to Goldblatt Partners. She reported that we had a successful tenure appeal, which is a significant achievement.

The members discussed possible outcomes of a tenure appeal.

T. Zoric mentioned the Forestry file. She said that Forestry has been designated for consolidation and restructuring. There is a policy in relation to this restructuring that the Administration wants to follow. E. Phillips is working with this file and the process will be a difficult one. T. Zoric said that UTFA will do what it takes to have a substantive outcome.

The members discussed the size of Forestry, the high quality of its faculty, its financial profile, and the possible motivations for the Administration's intentions.

At the end of her report, T. Zoric announced that S. Olexson's probation period will end in the coming days and UTFA is very happy that she will become a full member of staff.

7. Report of the Chair of the Equity Committee (10 min)

R. Gillis reported that there was a good turnout at the last Equity Committee meeting. Topics that were discussed included traditional land and the learning experience associated with indigenous education.

R. Gillis suggested that it would be a good idea for D. Wang, who is an indigenous librarian from OISE, to come to Council and speak about the Statement of Acknowledgement of Traditional Land.

R. Gillis reported that together with T. Zoric he called on Council members to meet with a committee on education outreach regarding sexual violence and the new initiative on the gender wage gap, with respect to which he is working with D. Campanella to update previous tables.

Further, there was a conversation about banners with special texts, approved by Council, that can be visible in a crowd. C. Messenger said that she will ask A. Lo for some pricing on banners.

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

a. Changing Workplaces (L. Kohn)

<https://www.ontario.ca/page/changing-workplaces-review-summary-report#section-5>

L. Kohn announced that the Changing Workplaces Review final report and summary have been released. She said that main recommendation was the creation of a "Workplace Rights Act," which would be an important step in creating a culture of compliance.

Currently, employee rights in the workplace are established by three pieces of legislation: the Employment Standards Act, the Labour Relations Act, and the Occupational Health and Safety Act. These should be consolidated into a single Act and should be more expressly focused on workplace rights.

L. Kohn then outlined the implications for UofT, including equal pay for part-time, casual, and seasonal employees, and CLTAs being treated as full time. C. Messenger noted that there is a difference between part-time per course and per appointment, but this change is significant.

The members discussed the processes that are available for filing complaints.

b. OCUFA Directors Report *

L. Kohn called the members' attention to the OCUFA Directors' report.

9. Report of the Vice-President, Salary, Benefits and Workload (10 min)

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

the meeting go in camera.

Carried.

C. Messenger, seconded by K. Macdonald, moved that:
the meeting go ex camera.

Carried.

10. Other Business

K. Scheaffer thanked E. Phillips and K. MacDonald for all their work for the Librarians. She also expressed special thanks to H. Sonne de Torrens, who has done such a wonderful job in the past.

- a. Next scheduled Executive Committee meeting
Thursday, June 8, 2017 – 1:00–3:00 p.m.
- b. Next scheduled Council Meeting
Thursday, June 15, 2017 – 3:00–5:00 p.m.
Room 374, Rotman School of Management
- c. Adjournment

It was duly moved and seconded that the meeting adjourn.

Carried.

The meeting adjourned at 3:15 p.m.

Rucsandra Schmelzer
Grievance Assistant

Council Summary

UTFA Executive Minutes

Thursday, June 8, 2017 – 1:00 p.m. – 3:00 p.m.

UTFA Boardroom

Chair – C. Messenger

-
- Present:** E. Damiano, C. Evans, R. Gillis, J. Jenkins (Phone), L. Kohn, K. MacDonald, C. Messenger (Chair), A. Motsch (Skype), H. Sonne de Torrens, K. Scheaffer, K. Weaver, T. Zoric
- Regrets:** M. Attridge, K. Banning
- Also Present:** D. Campanella (Research Analyst), M. Horban (Business Officer), H. Mackenzie, C. Penn (Administrative Assistant and Notes), A. Taleghani

C. Messenger called the meeting to order at 1:10 p.m.

1. Approval of the agenda: The agenda be approved as distributed.
2. Minutes of previous meetings: the May 12, 2017 Council summary was approved as distributed and the May 25, 2017 Executive minutes and Council summary were approved as distributed.
3. Business arising (not elsewhere on the agenda)
 - a. Action List *

The action list was deferred to the next meeting.

4. Report of the Vice-President, University and External Affairs (10 min)
 - a. Changing Workplaces (L. Kohn) (see Appendix A)
<https://www.ontario.ca/page/changing-workplaces-review-summary-report#section-5>

L. Kohn called the members' attention to her report on the Changing Workplaces Review, particularly the submission that UTFA made to the leads on this review:

We call upon the province to make the amendments necessary to ensure that individuals who teach on contract or teach part-time are compensated fairly in relation to more secure and/or full-time colleagues, that contract and part-time faculty do not face less favourable treatment compared to their full-time colleagues, and that systemic efforts be directed toward better recognizing and rewarding teaching in our provincial higher education system.

The report on the review does not specifically address universities and the post-secondary sector, but speaks to affording decent compensation to all workers in Ontario. It discusses workload, and gives a

person the right after one year of employment in a contract position to request better hours and better information about scheduling.

The members discussed the recommendations of the Changing Workplaces Review.

The summary can be found at: https://files.ontario.ca/changing_workplace_review_english_summary.pdf

The full report can be found at: <https://www.ontario.ca/document/changing-workplaces-review-final-report>

L. Kohn said that it seems to be telling part-time, precarious employees to certify. The government seems to be seriously considering the \$15 per hour recommendation. L. Kohn will report on this at Council.

5. Report of the Vice-President, Salary, Benefits, Pensions and Workload (10 min)

K. MacDonald, seconded by K. Weaver, moved that:

the meeting go in camera to discuss SBPW negotiations.

Carried.

K. MacDonald, seconded by R. Gillis, moved that:

the meeting go ex camera.

Carried.

6. Report of the Treasurer (10 min)

E. Damiano reported that the interim budget will be on the Council agenda and that he would circulate it ahead of time for comments.

7. Report of the President (50 mins)

a. GRP and TAC – Proposed Names *

C. Messenger said that the Administration provided the following names for approval for the Grievance Review Panel (GRP) and Tenure Appeals Committee (TAC).

GRP: Stephen Waddams, Professor Faculty of Law

TAC: Leslie Thomson, Professor Emeritus UTM English

Ann Mullen, Associate Professor UTSC Sociology

Steven Bernstein, Professor UTM Political Science

Evonne Levy, Professor UTM Visual Arts

(is away for 2017–18 but has agreed to serve on her return so we propose appointing her now for 2018–2020)

Tom Hurka, Professor FAS Philosophy

(is away this year but has agreed to serve in 2018–2020 and we would confirm that now)

C. Messenger said that the Administration makes these appointments. The GRP deals with grievances and denial of promotion to Senior Professor, Teaching Stream. TAC deals only with tenure appeals. She noted that UTFA has won the last three tenure appeals. A candidate does not get tenure when winning their appeal, but gets a second committee, whose decision is not appealable and is final.

C. Messenger asked the members to let her know of any names they would like to put forward for these two committees.

b. Association Grievance regarding the Gender Salary Gap *

D. Campanella reported that every year UTFA receives salary data from UofT, including the faculty member's or librarian's rank, how long they have been employed, what division they are in, etc. He has been reviewing the information, looking particularly at the average female vs male salary. The difference is \$23,000. We know that a full professor makes more and that 74% are males. The highest salaries are in management and many people there are male. The faculty on the St. George campus make more than those at UTM and UTSC and most are males. He did a regression analysis and looked at what impact gender has. A preliminary look at the tenure stream for 2015 shows that males made \$3,000 more.

H. Mackenzie said that UTFA is hiring Richard Shillington, a professional statistician who has dealt with a number of pay equity cases nationally, and outlined the work that he would be doing for UTFA. Richard Shillington worked with UTFA briefly the last time this issue came up.

K. Scheaffer noted that librarians are a gendered profession and are interested in pay equity. They are 75% women and 25% men, but in the Librarian IV rank they are 50% men and 50% women.

C. Messenger said that Richard Shillington's in-depth analysis will be presented to the Administration. E. Damiano said that he wants to support this process and would like to see the regression that has been run to get this robust result.

The members discussed whether they had enough information to agree to an Association Grievance.

C. Messenger said that she would only be asking for support in principle for an Association Grievance. We need this in in order for R. Shillington to move forward with the analysis.

C. Messenger, seconded by, K. MacDonald, moved that:

the Executive Committee accepts in principle that UTFA move forward with an Association Grievance on the Gender Salary Gap.

Carried.

E. Damiano abstained.

c. Executive Director – Hiring process

C. Messenger, seconded by K. Scheaffer, moved that the meeting be extended by 20 minutes.

Carried.

C. Messenger said that we are receiving job descriptions from other faculty associations. She is putting together a sample posting that Council can comment on.

d. Pension Mediation

C. Messenger, seconded by H. Sonne de Torrens, moved that:

the meeting go in camera to provide an update on mediation on pensions.

Carried.

K. Weaver, seconded by H. Sonne de Torrens, moved that:

the meeting go ex camera.

Carried.

e. Additional office space (M. Horban)

M. Horban reported that the new space has been secured and UofT has offered to pay 50% of the rent.

f. UofT Archivists

C. Messenger said that there may be some interest on the part of about a dozen UofT archivists to join UTFA. She said that a meeting with Steelworkers 1998 should be the first step.

g. Executive Committee meeting – July

C. Messenger said that she hoped the new Executive could meet early in July.

h. Council agenda – June 15 – 3:00 – 5:00 p.m.

C. Messenger asked the members to provide C. Penn with any items they want on the agenda asap.

i. Annual General Meeting – Innis College – April 5, 2018

C. Messenger reported that the 2018 AGM has been scheduled for April 5. K. Scheaffer asked that we send out a save-the-date notice a few times during the year.

j. Executive Retreat – September 15, 2017

C. Messenger reported that the Executive Retreat will take place on Friday, September 15, beginning at 9:30 a.m. This meeting will be for all Executive and staff. A group dinner is planned for after the retreat at the hotel.

k. Other matters

C. Messenger reported that she met with M. Gertler and updated him on policy negotiations and asbestos. She informed him how serious this issue is and he agreed that it was. They also talked about pension negotiations.

The members discussed where we are on the Joint Pension (JSPP) negotiations and when a new pension plan can be expected to be in place.

A. Motsch suggested that UTFA prepare an email to go to Council about the 2018 AGM date that they can forward to their members and chairs so that no other events are not scheduled on that date.

8. Report of the Vice-President, Grievances (10 min)

a. Asbestos Association Grievance; Administration's Proposal for a Review Committee *

T. Zoric reported that she and C. Messenger were invited to a meeting with Kelly Hannah-Moffat and Sioban Nelson. They were given a one-and-a-half-page proposal on how they might conduct an asbestos review.

T. Zoric, seconded by R. Gillis, moved that:

the meeting go in camera to discuss asbestos issues.

Carried.

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

the meeting go ex camera.

Carried.

b. Other matters

There were no other matters.

9. Report of the Chair of the Librarians Committee (10 min)

K. Scheaffer reported that she has been working with K. MacDonald and E. Phillips from Goldblatt Partners on the changes to the Policies for Librarians. They have been reviewing the survey and

consultation feedback received from all campuses and drafting some proposals, which they hope to have done by the end of June. H. Sonne de Torrens has supported them with a lot of information.

K. Scheaffer also reported on her research on mindfulness and the impact it has on university and college students. She received funding to establish a mindfulness resource area in her library and subsequently received a Chief Librarian's Innovation Grant to extend and replicate it at central UTL. She discussed the possibility of UTFA having or sponsoring several events. It would be good if UTFA did something to bring people together to discuss how they have worked mindfulness into their pedagogy.

K. Scheaffer said that she would be willing to plan an event and would forward information to the members.

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

K. Weaver reported that he attended the CURAC conference and will provide a more detailed report to Council. He said that Dr. Jeff Turnbull, Chief of Staff at the Ottawa General Hospital, gave a wonderful presentation on Health Equity.

11. Other Business

- a. Next scheduled Executive Committee meeting
June 21, 2017 – 1:00 to 3:00 p.m.
- b. Next scheduled Council Meeting
Thursday, June 15, 2017 – 3:00 – 5:00 p.m.
Room 374, Rotman School of Management
- c. Adjournment

It was duly moved and seconded that the meeting adjourn.

Carried.

The meeting adjourned at 3:45 p.m.

Chris Penn
Administrative Assistant

Appendix A

Summary Comments on the Final Report of Changing Workplaces Review, released Tuesday, May 23, 2017 and Government Response, May 30, 2017, Linda Kohn, VP Univ. and External Affairs.

https://files.ontario.ca/books/mol_changing_workplace_report_eng_2_0.pdf
<https://ocufa.on.ca/blog-posts/final-report-changing-workplaces-review-released/>

What is the Changing Workplace Review?

The Ontario Minister of Labour initiated the Changing Workplaces Review, in February 2015. The leads were C. Michael Mitchell (formerly a Senior Partner at Sack Goldblatt Mitchell LLP) and The Honorable John C. Murray (a full-time mediator and arbitrator since 2015); previously a legal practitioner advising private and public sector corporations and private sector institutions including the University of Toronto).

The Review focuses on the *Labour Relations Act, 1995* (LRA) and the *Employment Standards Act, 2000* (ESA). This is the first independent review in Canada to consider specific legislative changes to both employment standards and labour relations in a single process. A major focus of the review was to consider existing labour law in the light of the rise of precarious work and the need for better conditions for workers.

There were 200 public and 300 written submissions. The UTFA submission (Sept. 18, 2015) is included in this package.

Three Recommendations of the REVIEW:

Recommendation 1: We recommend that the *Employment Standards Act*, *Labour Relations Act* and *Occupational Health and Safety Act* be consolidated under a single Workplace Rights Act ^[8] and that the three parts of this new Act be entitled: Rights to Basic Terms and Conditions of Employment, Rights to Collective Bargaining, and Rights to a Safe and Healthy Workplace.

Recommendation 2: We recommend that government initiate a program of education for employees and employers both with respect to the Workplace Rights Act and the rights and obligations of employees and employers under each part.

Recommendation 3: We recommend that all MOL inspectors and officials should be authorized and required to report any violation of labour legislation that comes to their attention.

Statement recommending that due to backlog, not all complaints should be investigated by the Ministry of Labour. Proposes alternative paths (and further study) toward seeking resolution of complaints.

Pertinent to recent discussion around the table at UTFA: "We have highlighted the importance of personal emergency leave (PEL) and bereavement leave and recommend the extension of the entitlement to all employees - not only to those employed in workplaces with 50 or more employees. We recommend that bereavement leave should be removed from the ESA's PEL provisions and be made an independent entitlement for up to three unpaid days for the family members covered by the current PEL provisions. We conclude, given the nature of bereavement leave, its availability should not be tied to or capped by the use of personal emergency leaves taken by an employee."

Assessment by the Ontario Confederation of University Faculty Associations (OCUFA) of the final report of the Changing Workplaces Review:

OCUFA take home message responding to May 30 response announcement from Ontario Government: “Government includes positive measures to ensure equal pay for part-time and casual workers, more reasonable scheduling, and better rules for joining unions in some sectors. It also includes a welcome plan to increase the minimum wage to \$15 per hour by January 2019.”

OCUFA submitted five recommendations:

- 1. All workers, including part-time and contract workers, should receive equal pay for work of equal value and equal access to benefits.** OCUFA: *Report supports the principle but presents exemptions: when there is a difference in treatment between employees on the basis of: (a) a seniority system; (b) a merit system; (c) a system that measures earnings by quantity or quality of production; or (d) another factor justifying the difference on objective grounds. For the University sector, these look like loopholes in negotiating for part-time and contract workers. Subsequent provincial announcement (May 30 2017) on measures to be taken: Part-time, seasonal, and temporary workers be paid equally to full-time workers when performing same job for same employer; equal treatment does not extend to benefits.*
- 2. The use of discontinuous contracts should be eliminated.** OCUFA: *the report recognizes need for reform, but only recommends further study. Subsequent provincial announcement (May 30 2017) on measures to be taken: Government announcement includes provisions that would protect employees from last-minute scheduling changes and being “on call” without pay. Unlikely to impact continuity of employment for university contract faculty. OCUFA response notes that use of discontinuous contracts is not addressed directly in the provincial response.*
- 3. Employers should be required to provide employees with at least two weeks’ notice of work.** OCUFA: *The report recognizes need for reform, but only recommends further study. See “2” above.*
- 4. The Ontario Labour Relations Board should be empowered to consolidate bargaining units.** OCUFA: *Doesn’t suggest need for union or bargaining unit consent; rejects suggestions that mergers be only between units in same union. -- more, see report. Subsequent provincial announcement (May 30 2017) on measures to be taken: proposes that the OLRB be allowed to change the structure of a bargaining unit where the existing units are no longer appropriate for collective bargaining.*
- 5. The Labour Relations Act should be updated to ensure that workers can organize collectively (to join a union, return to automatic card-based certification, make 1st contract arbitration more accessible...) OCUFA: Report does recommend, but see for details...eg. on countering employer interference... Subsequent provincial announcement (May 30 2017) on measures to be taken. OCUFA perspective: The government announcement suggests returning to card-check certification in specific sectors (home care, community services, building services and temp agencies) and making first contract arbitration easier to access.**

UTFA, working with OCUFA, made this submission to leads at 09/18/15 Consultation
(italics respond to Changing Workplace final report):

UTFA RECOMMENDATION: We call upon the province to make the amendments necessary to ensure that individuals who teach on contract or teach part-time are compensated fairly in relation to more secure and/or full-time colleagues, that contract and part-time faculty do not face less favourable treatment compared to their full-time colleagues, and that systemic efforts be directed toward better recognizing and rewarding teaching in our provincial higher education system.

UTFA: Precarious employment as a threat to academic freedom and the quality of education in Ontario universities.

UTFA: Renewable contract employees may have higher assigned course load than a pro-rated load. They face challenges in delivering quality education and in fulfilling their potential in other ways as academics, eg. Trying to squeeze research and other scholarly activity off the clock; trying to remain competitive on the job market; denial of access to research grants and other supports.

Conclusion (LMK): *Report does not specifically mention the University or Post Secondary sector. Report does not see the aspects presented by UTFA; sees “decency” or “fairness” but not “equality of opportunity.” Report takes up schedule and workload -- “one size doesn’t fit all -- sectoral remedies needed. “Right to Request” such things as changes in work hours. ”*

UTFA: Intersection between precarious employment and human rights. Tenure requires 100%FTE. Equity, diversity, inclusion, accessibility.

Changing Workplaces Report *does not address workload or “treatment” in general, but see discussion on “Right to Request.*

UTFA: We also support minimum standards that require equitable access to pension and benefit programs regardless of a worker’s classification to help part-time and contract faculty obtain access to pensions and benefits.

Report: “For several reasons, such as possible unintended consequences for full-time employees and significant costs to employers, we do not recommend extending the principle (equal pay for equal work, decency, security) to the treatment of benefits and pensions. Government should initiate an urgent study. Work with Federal Government to review private pension system and consider public programs such as the Guaranteed Income Supplement (for low earning Ontarians).” **Conclusion (LMK):** *Report hedges here on pensions and benefits. Take home: certification?*

Item 6a:

Executive motion:

The Executive Committee recommends to Council for support in principle that UTFA move forward with an Association Grievance on the Gender Salary Gap.

		Actual	2015-16	Actual	2016-17	2017-18
		Jul '15 - Jun 16	Budget	Jul '16 -May'17	Budget	Interim Budget
Income						
4000 · Membership Dues						
4001 · UofT	2,905	\$2,964,814	\$2,952,822	\$2,823,802	\$3,100,000	3,224,000
4002 · St. Michael's College	19	\$18,515	\$17,224	\$16,515	\$18,500	18,000
4003 · Victoria College	30	\$23,816	\$15,186	\$26,375	\$23,800	25,000
4004 · Trinity College	5	\$5,087	\$3,244	\$1,304	\$5,100	4,000
4005 · Retiree	441	\$25,150	\$29,529	\$21,577	\$25,000	25,000
Total 4000 · Membership Dues	3,400	\$3,037,382	\$3,018,005	\$2,889,573	\$3,172,400	3,296,000
4040 · Subsidies						
4041 · Subsidy - Office Rent		\$107,288			\$119,774	140,000
4042 · Subsidy - Telephone		\$8,220			\$10,000	10,000
Total 4040 · Subsidies		\$115,508			\$129,774	150,000
4999 · Uncategorized Income				\$542		
Total Income		\$3,152,890	\$3,018,005	\$2,890,115	\$3,302,174	3,446,000
Expense						
5000 · External Fees						
5011 · Dues to CAUT		\$422,729	\$421,349	\$400,373	\$436,771	447,690
5012 · Dues to OCUFA		\$411,807	\$410,523	\$394,509	\$430,373	441,132
5020 · Dues to CAUT Defence Fund		\$1,134	\$1,500	\$1,080	\$1,134	1,200
Total 5000 · External Fees		\$835,670	\$833,372	\$795,962	\$868,278	890,023
5050 · External Legal & Consulting						
5055 · Legal Salary Ben. & Pen.		\$147,747	\$225,000	\$71,666	\$125,000	300,000
5058 · Association Grievances			\$15,000	\$10,678	\$2,500	50,000
5060 · Legal Grievances		\$310,683	\$200,000	\$349,370	\$315,000	250,000
5065 · Legal Other		\$40,298	\$15,000	\$30,361	\$20,000	40,000
5070 · Consulting Salary Ben. & Pen.		\$37,418	\$20,000	\$99,398	\$25,000	100,000
5075 · Consulting Grievances			\$1,000	\$4,746	\$500	5,000
5080 · Consulting Other		-\$6,650	\$20,000	\$12,225	\$10,000	15,000
6600 · Auditor		\$9,904	\$10,000	\$10,074	\$10,000	12,000
Total 5050 · External Legal & Consulting		\$539,400	\$506,000	\$588,518	\$508,000	772,000
6000 · Administration						
6001 · Staffing						
6005 · Salaries		\$582,361	\$700,000	\$579,284	\$660,000	800,000
6006 · Group Insurance		\$62,309	\$55,000	\$79,704	\$78,000	94,545
6007 · Pension / RRSP		\$73,205	\$85,000	\$78,937	\$86,000	104,242
6008 · Casual Labour - Office		\$26,299	\$40,000	\$34,390	\$25,000	20,000
6020 · Professional Dues and Expenses		\$4,771	\$6,500	\$5,634	\$5,000	6,500
6025 · Professional Insurance		\$7,372	\$10,000	\$7,396	\$8,000	8,000
6030 · Other Benefits		\$6,781	\$8,000	\$9,449	\$7,000	11,000
6322 · IT Services		\$49,127	\$65,000	\$34,165	\$50,000	50,000
Total 6001 · Staffing		\$812,225	\$969,500	\$828,959	\$919,000	1,094,288
6100 · Office Expenses						
6102 · General		\$4,432	\$8,000	\$4,470	\$4,500	5,000
6105 · Postage		\$4,323	\$3,000	\$3,675	\$3,500	4,000
6108 · Courier		\$995	\$1,000	\$1,054	\$1,000	1,200
6110 · Stationery		\$1,831	\$3,200	\$10,217	\$5,000	5,000
6116 · Printing and Duplicating		\$2,835	\$15,000	\$5,036	\$3,000	5,000
6120 · Office Supplies		\$4,747	\$8,000	\$5,514	\$5,000	6,000
6122 · Telephone		\$14,380	\$9,720	\$15,547	\$18,000	20,000
6150 · Miscellaneous		\$5,064	\$5,000	\$9,429	\$6,000	10,000
Total 6100 · Office Expenses		\$38,607	\$52,920	\$54,942	\$46,000	56,200
6300 · Office Equipment						
6305 · Furniture and Equipment		\$2,357	\$30,000	\$36,075	\$35,000	5,000
6310 · Computer Hardware & Software		\$8,663	\$70,000	\$14,451	\$25,000	20,000
6315 · Equipment Rental and Repair		\$9,210	\$4,100	\$6,908	\$9,500	8,000
Total 6300 · Office Equipment		\$20,230	\$104,100	\$57,434	\$69,500	33,000
6400 · Advertising and Communications						
6425 · Other		\$5,175	\$2,000	\$4,556	\$6,000	6,000
Total 6400 · Advertising and Communications		\$5,175	\$2,000	\$4,556	\$6,000	6,000
6500 · Insurance						
6505 · Contents Insurance		\$1,619	\$1,800	\$1,726	\$1,747	1,800
6510 · Directors & Officers Liability		\$2,700	\$2,750	\$2,700	\$2,835	3,000
6515 · Errors and Omissions		\$4,606	\$4,650	\$4,606	\$4,606	5,000
Total 6500 · Insurance		\$8,925	\$9,200	\$9,032	\$9,188	9,800
6700 · Library		\$3,022	\$2,500	\$3,072	\$3,025	4,000
Total 6000 · Administration		\$888,184	\$1,140,220	\$957,995	\$1,052,713	1,203,288

	Actual Jul '15 - Jun 16	2015-16 Budget	Actual Jul '16 -May'17	2016-17 Budget	2017-18 Interim Budget
7000 · Stipends					
Total 7000 · Stipends	\$105,928	\$105,500	\$79,349	\$105,000	105,000
7200 · Outreach & Communications	\$11,335	\$25,000	\$10,530	\$15,000	15,000
7300 · Member Services					
7305 · General Member Services	\$11,413	\$14,000	\$27,151	\$25,000	30,000
7310 · AGM	\$10,950	\$9,000	\$13,629	\$10,000	15,000
7315 · Workshops/Conf.-UTFA sponsored	\$8,733	\$4,000	\$28,039	\$7,500	15,000
7320 · Macpherson Lecture	\$31,730	\$25,000		\$7,500	15,000
Total 7300 · Member Services	\$62,826	\$52,000	\$68,819	\$50,000	75,000
7500 · Committee Expenses					
7510 · Council	\$7,677	\$7,000	\$12,548	\$10,000	12,000
7512 · President	\$1,644	\$1,250	\$3,815	\$3,000	5,000
7515 · Executive	\$10,113	\$8,000	\$13,304	\$10,000	15,000
7520 · Grievance	\$1,482	\$1,000	\$1,874	\$1,000	1,000
7525 · Salary and Benefits	\$567	\$1,000	\$1,187	\$1,000	1,000
7530 · University & External Affairs	\$240	\$1,000	\$155	\$1,000	1,000
7540 · Appointments	\$756	\$1,000	\$359	\$1,000	1,000
7545 · Equity	\$563	\$1,000	\$482	\$1,000	1,000
7550 · Teaching Stream	\$224	\$1,000	\$297	\$1,000	1,000
7560 · Librarians	\$1,769	\$1,000	\$1,361	\$1,000	1,000
7565 · Financial Advisory	\$347	\$1,000	\$87	\$1,000	1,000
7566 · Membership	\$581	\$1,000	\$803	\$1,000	1,000
7567 · Retired Members	\$941	\$1,000	\$1,409	\$1,000	1,000
7580 · Office	\$219	\$1,000	\$98	\$1,000	1,000
7570 · Inter-Campus Travel	\$1,030	\$1,000		\$1,000	1,000
Total 7500 · Committee Expenses	\$28,153	\$28,250	\$37,779	\$35,000	44,000
7700 · Office Rent	\$124,515	\$19,800	\$23,407	\$138,836	174,836
8000 · Special Expenses					
7600 · Negotiation Expenses-Non Legal	\$7,422	\$10,000	\$6,212	\$12,500	15,000
8010 · Donations	\$3,600	\$5,000	\$43,100	\$30,000	30,000
8015 · Special Projects					
8016 · Renovation - Suite 410		\$260,000	\$61,099	\$30,000	
8017 · Senior College Centre	\$24,287	\$45,000	\$31,857	\$32,000	34,000
8018 · Research Projects	\$170	\$11,200			
8019 · Other		\$10,000			
Total 8015 · Special Projects	\$24,457	\$326,200	\$92,956	\$62,000	34,000
8025 · Contingencies	\$12,203	\$10,000	\$4,500	\$15,000	
8030 · Conferences-attended by UTFA	\$20,475	\$15,000	\$31,626	\$25,000	10,000
8035 · Tuition Scholarships	\$12,740	\$60,000	\$13,100	\$20,000	30,000
8037 · Citizenship Award	\$2,000	\$2,000		\$2,000	25,000
8045 · Training	\$763	\$2,500	\$277	\$3,000	2,000
8050 · Outreach	-\$19				1,000
8055 · Special Initiatives	\$45	\$3,500	\$2,003		
8060 · Honoraria		\$1,000	\$500	\$1,000	1,000
Total 8000 · Special Expenses	\$83,686	\$435,200	\$194,274	\$170,500	148,000
Total Expense	\$2,679,697	\$3,145,342	\$2,756,633	\$2,943,327	3,427,146
Net Operating Income	\$473,193	-\$127,337	\$133,482	\$358,847	18,854
Investment Income			307,237		
Net Income - Operating plus Investment			\$440,718		

	30-Jun-13	30-Jun-14	30-Jun-15	30-Jun-16	31-May-17
Selected Assets					
1001 · ING	\$103,325	\$36	\$0	\$0	\$0
1007 · TD Canada Trust	\$812,209	\$1,223,675	\$1,179,062	\$1,089,761	\$547,817
1100 · Long Term Investments	\$2,584,429	\$2,908,004	\$3,046,828	\$3,029,191	\$4,136,428
Total	\$3,499,963	\$4,131,715	\$4,225,889	\$4,118,952	\$4,684,245

Item 9b: The Executive Committee recommends to Council that:

Until the next regular meeting of Council (in September), summer authority be granted to the UTFA Executive Committee to:

- (i) Conduct normal UTFA business
- (ii) Authorize usual expenditures

**Summary Comments on the Final Report of Changing Workplaces Review, released Tuesday, May 23, 2017 and Government Response, May 30, 2017,
Linda Kohn, VP Univ. and External Affairs.**

https://files.ontario.ca/books/mol_changing_workplace_report_eng_2_0.pdf
<https://ocufa.on.ca/blog-posts/final-report-changing-workplaces-review-released/>

What is the Changing Workplace Review?

The Ontario Minister of Labour initiated the Changing Workplaces Review, in February 2015. The leads were C. Michael Mitchell (formerly a Senior Partner at Sack Goldblatt Michell LLP) and The Honorable John C. Murray (a full-time mediator and arbitrator since 2015); previously a legal practitioner advising private and public sector corporations and private sector institutions including the University of Toronto).

The Review focuses on the *Labour Relations Act, 1995* (LRA) and the *Employment Standards Act, 2000* (ESA). This is the first independent review in Canada to consider specific legislative changes to both employment standards and labour relations in a single process. A major focus of the review was to consider existing labour law in the light of the rise of precarious work and the need for better conditions for workers.

There were 200 public and 300 written submissions. The UTFA submission (Sept. 18, 2015) is included in this package.

Three Recommendations of the REVIEW:

Recommendation 1: We recommend that the *Employment Standards Act*, *Labour Relations Act* and *Occupational Health and Safety Act* be consolidated under a single Workplace Rights Act^[8] and that the three parts of this new Act be entitled: Rights to Basic Terms and Conditions of Employment, Rights to Collective Bargaining, and Rights to a Safe and Healthy Workplace.

Recommendation 2: We recommend that government initiate a program of education for employees and employers both with respect to the Workplace Rights Act and the rights and obligations of employees and employers under each part.

Recommendation 3: We recommend that all MOL inspectors and officials should be authorized and required to report any violation of labour legislation that comes to their attention.

Statement recommending that due to backlog, not all complaints should be investigated by the Ministry of Labour. Proposes alternative paths (and further study) toward seeking resolution of complaints.

Pertinent to recent discussion around the table at UTFA: "We have highlighted the importance of *personal emergency leave (PEL)* and *bereavement leave* and recommend the extension of the entitlement to all employees - not only to those employed in workplaces with 50 or more employees. We recommend that bereavement leave should be removed from the ESA's PEL provisions and be made an independent entitlement for up to three unpaid days for the family members covered by the current PEL provisions. We conclude, given the nature of bereavement leave, its availability should not be tied to or capped by the use of personal emergency leaves taken by an employee."

**Assessment by the Ontario Confederation of University Faculty Associations (OCUFA)
of the final report of the Changing Workplaces Review:**

OCUFA take home message responding to May 30 response announcement from Ontario Government: "Government includes positive measures to ensure equal pay for part-time and casual workers, more reasonable scheduling, and better rules for joining unions in some sectors. It also includes a welcome plan to increase the minimum wage to \$15 per hour by January 2019."

OCUFA submitted five recommendations:

- 1. All workers, including part-time and contract workers, should receive equal pay for work of equal value and equal access to benefits.** OCUFA: *Report supports the principle but presents exemptions: when there is a difference in treatment between employees on the basis of: (a) a seniority system; (b) a merit system; (c) a system that measures earnings by quantity or quality of production; or (d) another factor justifying the difference on objective grounds. For the University sector, these look like loopholes in negotiating for part-time and contract workers. Subsequent provincial announcement (May 30 2017) on measures to be taken: Part-time, seasonal, and temporary workers be paid equally to full-time workers when performing same job for same employer; equal treatment does not extend to benefits.*
- 2. The use of discontinuous contracts should be eliminated.** OCUFA: *the report recognizes need for reform, but only recommends further study. Subsequent provincial announcement (May 30 2017) on measures to be taken: Government announcement includes provisions that would protect employees from last-minute scheduling changes and being "on call" without pay. Unlikely to impact continuity of employment for university contract faculty. OCUFA response notes that use of discontinuous contracts is not addressed directly in the provincial response.*
- 3. Employers should be required to provide employees with at least two week's notice of work.** OCUFA: *The report recognizes need for reform, but only recommends further study. See "2" above.*
- 4. The Ontario Labour Relations Board should be empowered to consolidate bargaining units.** OCUFA: *Doesn't suggest need for union or bargaining unit consent; rejects suggestions that mergers be only between units in same union. -- more, see report. Subsequent provincial announcement (May 30 2017) on measures to be taken: proposes that the OLRB be allowed to change the structure of a bargaining unit where the existing units are no longer appropriate for collective bargaining.*
- 5. The Labour Relations Act should be updated to ensure that workers can organize collectively (to join a union, return to automatic card-based certification, make 1st contract arbitration more accessible...)** OCUFA: *Report does recommend, but see for details...eg. on countering employer interference... Subsequent provincial announcement (May 30 2017) on measures to be taken. OCUFA perspective: The government announcement suggests returning to card-check certification in specific sectors (home care, community services, building services and temp agencies) and making first contract arbitration easier to access.*

**UTFA, working with OCUFA, made this submission to leads at 09/18/15
Consultation (*italics respond to Changing Workplace final report*):**

UTFA RECOMMENDATION: We call upon the province to make the amendments necessary to ensure that individuals who teach on contract or teach part-time are compensated fairly in relation to more secure and/or full-time colleagues, that contract and part-time faculty do not face less favourable treatment compared to their full-time colleagues, and that systemic efforts be directed toward better recognizing and rewarding teaching in our provincial higher education system.

UTFA: Precarious employment as a threat to academic freedom and the quality of education in Ontario universities.

UTFA: Renewable contract employees may have higher assigned course load than a pro-rated load. They face challenges in delivering quality education and in fulfilling their potential in other ways as academics, eg. Trying to squeeze research and other scholarly activity off the clock; trying to remain competitive on the job market; denial of access to research grants and other supports.

Conclusion (LMK): Report does not specifically mention the University or Post Secondary sector. Report does not see the aspects presented by UTFA; sees “decency” or “fairness” but not “equality of opportunity.” Report takes up schedule and workload -- “one size doesn’t fit all -- sectoral remedies needed. “Right to Request” such things as changes in work hours. ”

UTFA: Intersection between precarious employment and human rights. Tenure requires 100%FTE. Equity, diversity, inclusion, accessibility.

Changing Workplaces Report does not address workload or “treatment” in general, but see discussion on “Right to Request.

UTFA: We also support minimum standards that require equitable access to pension and benefit programs regardless of a worker’s classification to help part-time and contract faculty obtain access to pensions and benefits.

Report: “For several reasons, such as possible unintended consequences for full-time employees and significant costs to employers, we do not recommend extending the principle (equal pay for equal work, decency, security) to the treatment of benefits and pensions. Government should initiate an urgent study. Work with Federal Government to review private pension system and consider public programs such as the Guaranteed Income Supplement (for low earning Ontarians).” ***Conclusion (LMK): Report hedges here on pensions and benefits. Take home: certification?***