

UTFA Council Agenda

December 11, 2017 – 3:00 – 5:00 p.m.

Upper Dining Room
Faculty Club

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1. Approval of the Agenda
 2. Minutes of Previous Meetings
 - a. November 14, 2017
 3. Business Arising
 - a. From the Minutes of Council
 - b. From the Summary of the Minutes of the Executive Committee
 - i. November 10, 2017 *
 4. Report of the President (35 minutes)
 - a. PTR Proposal *
 - b. UPP3 JSPP Update
 - c. Approval of UTFA Committees *
 - d. Other matters
 5. Report of the Vice-President, Salary, Benefits, Pensions and Workload * (35 min)
 - a. Salary Anomaly Policy Proposal * (T. Zoric and K. MacDonald)
 - b. LTD Proposals *
 - c. Gender Affirmation Leave Proposal *
 - d. Other matters
 6. Order of the Day: 4:20 p.m. – M. O'Connor) (10 min)
University of St. Michael's College Update *
 7. Order of the Day: 4:30 p.m. – Hugh Mackenzie * (30 minutes)
JSPP-UPP3 Tier two issues
 8. Report of the Vice-President, University and External Affairs Committee * (Written Report) (5 min)
 9. Report of the Chair of the Appointments Committee * (Written Report)

10. Other Business

- a. Next meeting of Council
Wednesday, January 17, 2018
3:00 – 5:00 p.m.

11. Adjournment

* materials attached



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Council Summary

UTFA Executive Minutes

Friday, November 10, 2017 – 12:30 – 3:00 p.m.

UTFA Boardroom

Chair – T. Zoric

Present: K. Banning, A. Braun (phone), C. Evans, L. Florence, R. Gillis, L. Kohn,
K. MacDonald, C. Messenger, M. Tavakoli-Targhi, K. Scheaffer, H. Sonne de
Torrens, T. Zoric (Chair)

Regrets: A. Taleghani, K. Weaver

Also Present: H. Diggle (Counsel), M. Horban (Business Officer), H. Mackenzie (Consultant)
C. Penn (Administrative Assistant and Notes)

T. Zoric called the meeting to order at 12:45 p.m.

1. Approval of the agenda: Approved as distributed.

L. Kohn, seconded by K. MacDonald, moved that:

the agenda be approved as distributed.

Carried.

2. Minutes of previous meeting:

K. MacDonald, seconded by, M. Tavakoli-Targhi, moved that:

the October 27, 2017 Executive minutes and Council summary be approved as amended.

Carried.

the October 27, 2017 Executive minutes and Council summary be approved as amended.

3. Business arising (not elsewhere on the agenda)

a. Action List *

The action list was deferred to the end of the meeting.

4. Report of the President (30 mins)

a. UPP3 JSPP Update

C. Messenger said that mediation has been scheduled for January 3 with two mediators. She has invited the pension bargaining team to attend. They will be discussing the milestone document and other outstanding issues, as well as communications. The communications subcommittee will meet in late November or early December to discuss a communications strategy. UofT has requested that UTFA not reach out to members beyond Council until the Business Board meets on November 27. The first of the the three campus meetings will take place on the St. George campus on December 7.

C. Messenger said that she expected a ratification (consent) vote to take place in early 2019, and that if that vote is positive then the new plan will be up and running six months later. After that, all the other universities in Ontario will be invited to join.

b. PTR Proposal * (C. Messenger)

C. Messenger, seconded by K. Banning, moved that the meeting go in camera

Carried.

C. Messenger, seconded by K. MacDonald, moved to return to the regular meeting.

Carried.

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

the Executive Committee recommend that Council approve the PTR Proposals as amended.

Carried.

C. Messenger thanked everybody who participated and helped work on this document.

c. Academic Profession in the Knowledge Society Study *

C. Messenger said that UTFA received a request from Glen Jones, Dean of OISE, to send out his survey to UTFA members. He initially asked UofT to send it out for him and they refused.

The members discussed the request. Most agreed that it is not in UTFA's mandate to do this; however, it was agreed that we would see if there was another way to assist Professor Jones in his research.

d. Council Agenda *

The members reviewed the Council agenda and several changes were made.

e. Other matters

There were no other matters.

5. SRA (Supplemental Retirement Arrangement) Proposal * (30 min)
(Hugh Mackenzie)

C. Messenger called the members' attention to the SRA proposal and the explanatory document.

C. Messenger, seconded by H. Sonne de Torrens, moved that the meeting go in camera.

Carried.

H. Sonne de Torrens, seconded by K. Scheaffer, moved to return to the regular meeting.

Carried.

C. Messenger, seconded by R. Gillis, moved that:

the Executive Committee recommend that Council approve the the SRA (Supplemental Retirement Arrangement) Proposal

Carried.

C. Messenger noted that these negotiations are separate from the SBPW negotiations.

T. Zoric thanked H. Mackenzie.

6. Librarian Proposals (30 min) (K. Scheaffer and K. MacDonald)

a. Research Days for Librarians proposal *

K. MacDonald, seconded by L. Kohn, moved that the meeting go in camera.

Carried.

b. Proposal to incorporate Librarians into Article 4 of the MoA, Research and Study Leave *

The meeting continued in camera.

M. Tavakoli-Targhi, seconded by L. Florence, moved to return to the regular meeting.

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

the Executive Committee recommend that Council approve the proposal for Research Days for Librarians proposal and to incorporate Librarians into Article 4 of the MoA, Research and Study Leave

Carried.

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

a. C.B. Macpherson Speaker

L. Kohn reported on the invitation to Bill McKibben, a leading environmentalist and founder of 350.org, to deliver the C.B. Macpherson Lecture, in April. She said that the cost of his speaking would be considerable and she would be seeking co-sponsors.

L. Kohn, seconded by K. MacDonald, moved that:

Executive accept in principle that the University and External Affairs Committee invite Bill McKibben to be the guest speaker for the C.B. Macpherson Lecture, and look for co-sponsors.

Carried.

b. Student Award Recipient(s)

L. Kohn reported that the University and External Affairs Committee had selected recipients for the Undergraduate Tuition Award and the Al Miller Memorial.

L. Kohn, seconded by R. Gillis, moved that:

the Executive Committee endorse the decision of the University and External Affairs Committee to award the Al Miller Memorial Award to two students in the amount of \$5,000 per student and the Undergraduate Tuition Award to two students.

Carried.

c. UTEAU

L. Kohn reported that UTEAU met this past week and the turnout was excellent. Those attending discussed pensions, and gave an overview of the challenges being faced by other organizations at UofT.

L. Kohn said that UTFA will be hosting the next meeting, in January.

d. Day of Action

L. Kohn reported that she participated in the Day of Action for fair wages with OCUFA at Sidney Smith Hall and with CUPE 3902 at UTM.

e. Other matters

There were no other matters.

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

a. Events

M. Tavakoli-Targhi reported that there was a discussion about what to call the December 11 reception. It was decided to call it the UTFA Winter Reception.

M. Tavakoli-Targhi reported that UTFA will have two events before the end of the year. The first will be a panel discussion on cross-appointed faculty and librarians. He hopes that the event will generate enough information for a questionnaire to be sent out. The second event, on December 4, is on the academy and the rise of the ultra-right. Two speakers are confirmed, and M. Tavakoli-Targhi will speak.

b. Website Designers

M. Tavakoli-Targhi reported that a company has been chosen to redesign the website and he invited members to provide ideas of what they would like to see on the new website.

c. Other matters

There were no other matters.

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

a. Archivists USW decision * (Ken and Kathleen)

K. MacDonald, seconded by H. Sonne de Torrens, moved that the meeting go in camera.

Carried.

b. PTR (Progress-through-the-Ranks) Proposal *

The meeting continued in camera.

L. Kohn, seconded by L. Florence, moved to return to the regular meeting.

Carried.

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

the Executive Committee recommend that Council approve the PTR (Progress-through-the-Ranks) Proposal.

Carried.

c. Other matters

K. MacDonald said that he has had a meeting with G. Kawaguchi about the LTD working group and said that a meeting needs to be arranged with the Administration.

K. MacDonald said that there will be a meeting of the Salary Anomaly working group in late November or December and that H. Diggle will sit in on it. H. Diggle said that we need to make a proposal in negotiations. This proposal would go to Executive on December 7 and Council on December 11.

K. MacDonald said that a meeting needs to be arranged with the Administration on joint benefits.

10. Report of the Vice-President, Grievances (5 min)

T. Zoric reported that she attended a UTEAU meeting with L. Kohn. A discussion about the asbestos issue took place, and Steelworkers and CUPE expressed their support for UTFA in our position on asbestos, and rejecting the UofT asbestos review panel, and other groups at the meeting offered their tentative support. T. Zoric will be meeting with W. Kaplan at the end of the month on a group grievance. The grievance portfolio is in the process of preparing a brief and meeting with the grievors.

11. Other Business

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

the meeting go in camera.

Carried.

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

to return to the regular meeting.

Carried.

C. Messenger said that she had been contacted by the media to make a statement about a website that was currently under construction. The following statement was sent to the media and would be posted on Facebook and the UTFA website.

The University of Toronto Faculty Association is alarmed to learn that a web site may be under construction that is designed to place under surveillance certain kinds of academic content. Instructors of the potentially targeted courses believe that their autonomy as educators may be under threat. The proposed website has created a climate of fear and intimidation. The UTFA Executive has taken the unprecedented step of asking that the entire Executive meet with the Provost's office to express our deep concern about this threat to our members and to the academic mission of the University. Here is the first paragraph from U of T's academic mission statement:

"The University of Toronto is dedicated to fostering an academic community in which the learning and scholarship of every member may flourish, with vigilant protection for individual human rights, and a resolute commitment to the principles of equal opportunity, equity and justice."

a. Next scheduled Executive Committee meeting

Friday, November 24, 2017

10:30 p.m. – 12:30 p.m.

C. Messenger said that Allison Burgess, Sexual and Gender Diversity Officer, would be coming to the November 24 meeting.

C. Evans reported that the event titled Part-time Appointments at the UofT: Challenges and Strengths is now being held on April 30 and May 1.

M. Horban reported that any release time requests received have been submitted to Simcoe Hall and will be taken care of by next week.

K. Scheaffer, seconded by H. Sonne de Torrens, moved that:
the meeting go in camera.

Carried.

K. Scheaffer, seconded by C. Evans, moved:
to return to the regular meeting.

Carried.

- b. Next scheduled Council Meeting
Tuesday, November 14, 2017
3:00 – 5:00 p.m.
Room 374, Rotman School of Management
- c. Adjournment

H. Sonne de Torrens, seconded by L. Florence, moved that the meeting adjourn.

Carried.

The meeting adjourned at 3:10 p.m.

Chris Penn
Administrative Assistant

DRAFT

November 17, 2017

For distribution to UTFA members for feedback

Proposed Revisions to the Academic Administrative Manual (AAPM) Instructions on the Processes Related to PTR

This *draft* proposal is for UTFA Salaries/Benefits/Workload bargaining commencing December 2017 (Without prejudice)

Please provide feedback at: PTR@utfa.org

Preamble

- a) Progress-through-the-ranks (PTR) is a critical component of the remuneration of UTFA members, and is regularly negotiated by UTFA and the University Administration. Negotiations related to salary are covered under Article 6 of the Memorandum of Agreement and are subject to arbitration. U of T has, however, no existing negotiated policy on the distribution of individual PTR increases. Rather, instructions for how to implement merit-based increases to annual salary are set out in an annual PDAD&C issued by the Office of the Provost. Those instructions have made their way into the Academic Administrative Procedures Manual (AAPM). It is time to formalize these crucial instructions by bringing them into negotiations between the U of T Administration and UTFA.
- b) As a first step to negotiating improvements to the distribution of individual PTR awards with the University of Toronto Administration, UTFA proposes revisions, set out below, to the 2017 version of the AAPM. These revisions are designed to address problems that faculty and librarians have raised with UTFA, some of which are reflected in a range of PTR grievances that have been brought forward over recent years.
- c) The proposals outlined address all three streams (both fulltime and part-time): the tenure stream, the teaching stream, and the librarians.

- d) That UTFA does not comment in this document on all of the language in the AAPM covering PTR should not be interpreted to mean that UTFA accepts that language. UTFA views the proposed changes as a first step in developing a more coherent, consistent and transparent PTR process across the University. They are intended to initiate a longer-term process of reform, involving further proposals in future rounds of bargaining, such as proposals related to the distribution of PTR. The fact that UTFA makes these initial PTR proposals related to the AAPM should not be interpreted to suggest that UTFA accepts other aspects of the PTR process.
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1. PTR in small groups:

The University Administration offers two purposes for the 5% merit pool (commonly known as the Dean's Award or the Chief Librarian's Merit Award): a) "to reward those colleagues who have demonstrated that they are leaders in their field or who have made an outstanding contribution" and b) "as a means for heads of small units (fewer than six individuals in a pool of academic staff members) to reward exceptional merit." Such "small groups" may be found in each of the three streams.

Comment: UTFA will not address in this document the 5% merit pool and its use to reward those who, in the view of the Administration, are outstanding. UTFA maintains its position that the Dean's or the Chief Librarian's merit awards should not come out of the overall PTR monies negotiated by UTFA, and that the process for the distribution of merit awards must be more transparent and equitable.

Faculty and librarians have reported unfairness and inefficacy in the distribution of the 5% merit pay in small pools. Small groups currently find that they may not count on a small group award in any given year. The phrase "exceptional merit" is not defined or contextualized in the AAPM in terms of the small group. If the members of a small group were exceptional, then they should receive extra merit pay (Dean's or Chief Librarian's Award), regardless of the size of the pool. *A separate fund needs to be established for small groups.*

Proposal 1 a): Any funds designated *small group* will be distributed for the reason that the group is small. A separate fund will be established for this purpose. This

practice will not preclude *also* awarding members of the small group for outstanding performance from the normal Dean or Chief Librarian merit Award funds. In some instances, therefore, members in small pools may receive a PTR award deriving from three (3) funds: PTR, small group and a merit award.

Proposal 1 b): Small groups need to be redefined. The “fewer than six individuals” prescription is arbitrary. Statistical analysis must be undertaken to define small groups more accurately in relation to and to assess the extent of their disadvantage in terms of the merit pay system. Small groups may be found in each of the three streams: the tenure stream, the teaching stream, and the librarians.

Proposal 1 c): Once the small group is redefined, members of small groups shall receive small-group funds (in addition to any other PTR award or merit award as appropriate) each and every year.

Proposal 1 d): A Joint Working Committee, consisting of members of all three streams, shall be constituted to address PTR issues affecting small groups in all three streams. The Joint Working Committee will make recommendations to the parties prior to July 1, 2019 or such later date as is mutually agreed.

2. Part-Time and Contract Faculty and Librarians:

According to the AAPM, academic staff on both part-time and contractually-limited term appointments are eligible for PTR. The decentralized budget model should provide for “a pro-rated amount [of funding] for all part-time academic staff who are to be considered for PTR on the same basis as their full-time colleagues.” Likewise, “increases for part-time staff should be determined on the basis of their annualized salaries and appropriately pro-rated.” UTFA has found that these instructions are not followed. **Part-time and full-time appointed contract faculty and librarians are often systematically disadvantaged in the assignment of PTR. Some of those renewed on contract report that they are treated as though they are new employees who are not eligible for PTR.**

Comment on Proposal 2 a) and 2 b): The text in the AAPM must be revised to make clear that part-time and contract appointees who are renewed or reappointed on an annual basis shall not be treated as though they are new hires for the purposes of salary increments.

Proposal 2 a): In the decentralized budget model each academic division is responsible for providing the base budget funds that are to be expended fully on merit-driven base salary increases for faculty and librarians. This includes a pro-rated amount for all part-time faculty and librarians who are to be considered for PTR on the same basis as their fulltime colleagues.

Proposal 2 b): Consistent with Provostial directive, new faculty and librarian appointments effective after January 31st are considered new hires. Therefore, appointees in these positions are not entitled to ATB or PTR increases on July 1st of that same year. Part-time and contract faculty and librarians whose appointments are being renewed or reappointed are entitled to ATB or PTR increases and shall be reviewed for PTR at the same time as their full-time colleagues.

Proposal 2 c): Increases for part-time faculty and librarians will be determined on the basis of their annualized salaries and will be appropriately pro-rated. PTR committees will be reminded to assess candidate's achievement relative to their percentage appointment. It is inappropriate for PTR committees to compare level of achievement of part-time members against full-time members' level of achievement without taking into account the part-time member's percentage appointment.

Comment on Proposal 2 d): UTFA has been advised by some part-time appointees that they are evaluated for PTR purposes on the basis of their research/scholarly activities/creative professional activity (CPA) (as well as teaching and/or administrative responsibilities and service), despite the fact that under the terms of their appointment letters they are not responsible for carrying out research/scholarship/creative professional activity. The Workload Policy and Procedures for Faculty and Librarians ('WLPP') states that all faculty and librarian appointments must include some component of the three main areas of responsibility. One exception would be part-time members on an appointment of less than 50%, who are exempted from service duties under the "Policy and Procedures on Employment Conditions of Part-Time Academic Staff". (Note that UTFA's forthcoming part-time proposal will propose changing this threshold to 40%.) Notwithstanding this exemption, these part-time appointments must include a component of research/scholarship/creative professional activity. UTFA proposes language to address these circumstances.

Proposal 2 d): Barring circumstances of human rights accommodation or cases in which policy excludes service duties for some appointments, *all* faculty and

librarian appointments must include some component of each of the three main areas of responsibility (research/scholarship/creative professional activity; teaching/professional practice; and service). Without prejudice to this position, if the appointment of a part-time faculty member or librarian does not include research/scholarship/creative professional activity, or includes reduced research/scholarship/creative professional activity, the member should be evaluated accordingly for the purposes of PTR.

3. The Evaluation Process and Criteria Used in the Assessment:

The AAPM states the following: "The evaluation process for PTR awards needs to be clearly understood by all faculty and librarians." UTFA has found that some unit heads do not know about this directive, do not understand it, or choose to ignore it.

Proposal 3 a): Each unit shall, through collegial deliberation, arrive at an agreement on an internal policy and procedures for assessing PTR, in a manner consistent with the principles set out in the AAPM. PTR assessment policy and procedures shall be provided in writing at the beginning of each academic year and reiterated in writing at the time of the evaluation.

4. Procedure for Evaluation:

Proposal 4 a): A PTR Advisory Committee must be formed in each unit and shall reflect the array of appointments in the unit. Membership should not remain static year on year but should rotate among members of the unit at least once every two years and shall reflect the array of appointments in the unit. On a regular basis, and at least one month before the members of the committee shall be selected annually, the unit head shall invite eligible faculty in stages, going first to those who have not recently served. Membership on this committee and its mandate shall be announced by March 31. Members of this committee shall not have access to the salary information of those being assessed, nor shall committee members decide the amounts of each PTR award. Members of the committee shall receive the activity report, cv, and performance assessment (in the case of librarians) of all unit members being assessed. The unit or division head shall decide on the dollar figure for each PTR award.

Comment: Further discussion at the bargaining table will be required to better understand how a dollar figure is attached to the grade assigned to each librarian. A further proposal may be warranted to address this question.

Proposal 4 b): In writing, the unit head shall communicate to each member of the unit the relative weight of the three components of the appointment that will be evaluated (as appropriate according to stream and/or the appointment letter), the format to be used for the Activity Report, and any unique aspects of the evaluation process for the unit. This shall be distributed to the members of the unit at the beginning of the academic year (i.e. July 1st).

Comment on Proposal 4 c): UTFA has assisted numerous cross-appointed members who have encountered difficulties in understanding how their PTR score was reached, and how their percentage appointments in each unit were considered during their PTR evaluation. Language is required to increase transparency and provide clarity to academic administrators and cross-appointed academic staff about how their PTR is evaluated and scored.

Proposal 4 c): In cases where faculty and librarians evaluated are cross-appointed, or where faculty hold a graduate appointment outside of their primary unit, consultation with other unit or division heads and/or graduate chairs is a critical element of the information-gathering process for PTR assessments and shall be undertaken. Such consultation shall occur in writing and prior to the PTR committee meeting. Members shall provide their Annual Activity Reports and updated curriculum vitae to each applicable unit head. Each unit head and/or graduate chair shall provide an assessment in writing, including details about any applicable point system used, to the primary unit head. In writing these assessments, the percentage appointment in each unit shall be taken into account. It is inappropriate for PTR committees to compare level of achievement for cross-appointed members against full-time members' level of achievement without taking into account the respective percentage appointment of the cross-appointed member in each unit.

5. The Balance of Teaching/Professional Practice; Research/Scholarship/Creative Professional Activity; and Service

Proposal 5 a): As mandated by WLPP, there are three components to every academic appointment, with the exception of faculty members appointed at less than 50%, who are not required to perform service. The PTR scheme allows each

unit reasonable flexibility in determining the balance among the three principal components of a faculty member's or librarian's activities - teaching/professional practice; research/scholarship/creative professional activity; and service. This reasonable flexibility is important for recognizing the unique missions of units and the differences in agreed-upon activities of individuals. A distribution of effort shall not be constructed that undermines the individual's wish to undertake adequately each area of the academic appointment.

Proposal 5 b): Normally, for tenure-stream faculty, the portion of the total PTR allocated to teaching and research/creative professional activity is approximately equal, but, in a limited number of cases, an argument may be made that an atypical weighting of all three areas of activity for the individual concerned is appropriate. In such cases, the member shall discuss with their unit head what the appropriate distribution of effort shall be, and this shall be reflected in the member's Annual Activity report. The PTR committee shall be instructed to conduct its assessment accordingly.

Proposal 5 c): A separate weighting of teaching; scholarship/creative professional activity; and service should be made for teaching-stream faculty. As mandated by the Policy and Procedures on Academic Appointments (PPAA) and the WLPP, teaching stream faculty members engage in pedagogical and/or discipline-based scholarship relevant to the field in which they teach. They shall be evaluated on that activity.

Proposal 5 d): Weighting for librarians should account for the wide variety of activities undertaken in that stream (professional practice including teaching, if applicable, research and scholarly contributions, and service).

6. Point Systems and the Evaluation

Proposal 6 a): Some units have employed a ten-point scheme as a model, based, for the tenure stream, on four points for teaching, four points for research/scholarship/creative professional activity and two for service—or 40/40/20.

This distribution of effort will be varied for teaching stream faculty. Often teaching stream faculty will be assigned a 60/20/20 distribution of effort, where no more than 60 is for teaching, no less than 20 is for research/scholarship/creative professional activity, and 20 is for service.

The distribution of effort for librarians will be no more than 80% for professional practice (including teaching, if applicable) and no less than 20% for a combination of service and research and scholarly contributions (as per the WLPP).

Comment on proposal 6 b): While there are advantages to the use of a point system as the primary basis for evaluation, not all groups use point systems in that way. Where a point system is used as the primary basis for evaluation, it is important to note that the purpose of the evaluation is to establish the relative levels of performance of the members of the group and not a set of scores that are translated arithmetically into PTR awards.

Proposal 6 b): Where a point system is not used, the primary basis of evaluation must be documented by the Dean or Chair/Director, and communicated to the recipient of the PTR award. In all instances, for comparative purposes and for the sake of consistency, results must be translated into points and the points must be communicated to the recipient and more generally reported to the unit.

Comment on Proposal 6 c): UTFA has been advised that in some cases, the allocation of points to librarians in their PTR evaluations has been artificially suppressed in order to ensure that there is “room to grow”.

Proposal 6 c): Instructions shall be issued to all PTR committees to the effect that points shall be allocated according to members’ performance relative to their level or rank, and shall not be artificially suppressed.

7. Communications regarding ATB, PTR and Revised Salary

Proposal 7 a): A letter must be sent to each individual, explaining the judgment underlying the award of PTR. The letter must include the scores (including points allocated) for each of the components of the appointment. The letter shall provide appropriate detail of the individual's performance and, for probationary faculty or librarians, the assessment should also be related to the individual's career development.

Proposal 7 b): In addition to the specifics of the individual PTR award, the annual salary increase letter shall include the appropriate histogram(s), and should, when possible, include information on the dollar amount of the ATB (across-theboard salary increase) award (which is applied to the June 30th salary before the award of

PTR). In some years, as a result of lengthy salaries/benefits negotiations, two letters must be issued, one in which the PTR amount is communicated and one in which the ATB award is communicated.

Proposal 7 c): Unit heads are responsible for preparing histograms showing the distribution of total PTR and for forwarding the histograms to the Provost's Office by July 20th of each year. The histograms will be reviewed by the Provost and UTFA representatives. Each member, except those in pools of three or fewer individuals, must receive a divisional or departmental histogram displaying the PTR awards. Members in pools of three or fewer members in multidepartment units must receive a unit-wide or, in the case of librarians, a UTLS histogram and a breakdown by division.

8. Faculty and Librarians on Research and Study Leave

Proposal 8 a): Weighting of the three areas of the academic appointment for faculty and librarians on research and study leave should reflect not only the research/scholarship/creative professional activity but also any teaching (including graduate supervision) and/or service undertaken while on leave.

Proposal 8 b): Faculty and librarians returning from a research and study leave must attach a copy of the completed leave application form to their completed activity report. Faculty and librarians who are on research and study leave during the academic year shall be assessed with reference to the standards applicable to the leave activity and only on those criteria which are appropriate in light of the work planned for their leave. The PTR evaluation should take into account the degree to which the objectives of the approved leave plan have been realized, or, where the objectives have changed during the course of research/scholarship/creative professional activity, the degree to which the revised objectives have been achieved.

Proposal 8 c): Faculty and librarians on research and study leave should be awarded a PTR amount appropriate to their accomplishments and should not simply be awarded the average for the unit. The PTR amount is not to be adjusted downwards for full-time faculty and librarians, despite the fact that they may have been receiving less than full salary while on leave. For an individual who holds a part-time appointment, the amount should be pro-rated to the percentage of FTE that the person normally receives when not on leave.

Proposal 8 d): For librarians who opt not to write an activity report while on research and study leave, their PTR from the previous year shall be carried forward.

9. Faculty and Librarians on Maternity/Parental/Adoption Leave

Proposal 9 a): With respect to PTR, the principle of no professional disadvantage shall prevail for those on maternity/parental/adoption leave. Calculations for PTR should be based on the faculty and librarian's work prior to and after the leave, with allowances for a longer-term review to ensure no anomalies occurred. The faculty and librarian's performance prior to the leave may be a good indication of the PTR for the leave period, although in cases where the faculty or librarian was ill or unable to function at full capacity prior to the leave, it may be necessary to extrapolate over a longer period of time.

10. Faculty and Librarians on Unpaid Leave

Proposal 10 a): Those on unpaid leave do not normally receive a PTR increase, unless they undertake duties in any one of the three areas of the academic appointment.

11. Faculty and Librarians on Sick Leave or LTD

Comment: Based on 2014-2017 SBPW settlement

Proposal 11 a) As is true for maternity/parental leave, the principle of no professional disadvantage shall prevail for those on sick leave and/or LTD. For the first 12 months that faculty and librarians are in receipt of LTD benefits and/or while they are on sick leave, calculations for PTR shall be based on the faculty or librarian's work prior to and after the leave, with allowances for a longer-term review to ensure no anomalies occurred. The faculty and librarian's performance prior to the leave may be a good indication of the PTR for the leave period, although in cases where the member was ill or unable to function at full capacity prior to the leave, it may be necessary to extrapolate over a longer period of time. For faculty and librarians on LTD for more than 12 months, on returning to work after being on LTD, faculty and librarians will be considered eligible for

PTR on a pro-rata basis during the relevant PTR period during which they return to active employment.

12. Faculty and Librarians on Compassionate Care Leave, Family Caregiver Leave, Family Medical Leave, Critically Ill Childcare Leave (hereinafter 'Compassionate Care Leave')

Proposal 12 a) As is true for maternity/parental leave, the principle of no professional disadvantage shall prevail for those on Compassionate Care Leave. For the period that faculty and librarians are on such leaves, for up to 12 months, calculations for PTR shall be based on the faculty and librarian's work prior to and after the leave, with allowances for a longer-term review to ensure no anomalies occurred. The faculty or librarian's performance prior to the leave may be a good indication of the PTR for the leave period, although in cases where the member was ill or unable to function at full capacity prior to the leave, it may be necessary to extrapolate over a longer period of time. For faculty and librarians on Compassionate Care Leave for more than 12 months, on returning to work after being on the leave, faculty and librarians will be considered eligible for PTR on a prorata basis during the relevant PTR period during which they return to active employment.

13. Individuals Facing Challenges

Proposal 13 a): The PTR review will help to identify those individuals facing challenges in their career development. The head of a unit shall meet with all individuals who have been identified as having difficulties relative to their colleagues in the unit, or who have received an unusually low assessment in any of the three areas of the academic appointment, and shall identify for the faculty or librarian the challenges that have been identified, consult with the faculty or librarian to understand the reason for their challenge(s), and provide constructive steps that can be taken in a reasonable timeframe to remedy those deficiencies.

Proposal 13 b): In discussions with the head of the unit, the faculty member or librarian shall be encouraged to identify any needed change in assigned duties or any needed support, such as additional teaching assistant hours. Faculty and librarians should also be encouraged to identify any need for accommodation, if relevant. Advice/assistance may include referral to a course or workshop on teaching/professional practice, or to the services of a teaching consultant; help in

formulating research grants or planning a research/scholarship/creative professional activity endeavour or project; or referral to other appropriate supports. A letter detailing the unit head's concerns and suggested ways to remedy the difficulties shall follow the meeting.

Proposal 13 c): The Dean/Chief Librarian or, in single department Faculties, the Provost's Office, must be informed of cases in which individuals have, over a lengthy period of time, consistently failed to meet expectations that have been clearly identified. The Dean, Chief Librarian or Provost's office can offer advice to the unit head.

Proposal 13 d): PTR shall not be used as a disciplinary tool. PTR is to be used to recognize achievement and merit, and must not be used in a punitive manner.

Proposal 13 e): PTR shall not be used to reward excessive workloads. As stated in 11 d) above, PTR is to be used to award achievement.

14. Appeal Process

Proposal 14 a): Faculty and librarians may appeal PTR decisions as outlined in Article 7 of the Memorandum of Agreement.

15. Faculty and Librarians who Retire or Cease Employment during the Academic Year

Proposal 15 a): No merit award is calculated for individuals who are not currently employed by the University. Individuals who retire on or before June 30th do not receive an ATB or PTR award for the following July 1st.

16. Assessment of Teaching

Comment on Proposal 16 a): The AAPM states that "the assessment of excellence in teaching should never be based on a single indicator, such as student course evaluations." UTFA has been advised that in some cases, student questionnaires on courses and teaching ('SQCT's') form the primary or even sole basis upon which teaching has been assessed for the purposes of PTR. UTFA has proposed language to ensure that an array of teaching related duties will be

assessed, as per the faculty or librarian's annual activity report, in determining a PTR score for teaching.

Proposal 16 a): The assessment of teaching should never be based on any single indicator, such as SQCTs. Decisions should be based on a careful analysis of all the material filed annually as part of the candidate's Annual Activity Report (which might include, for example, evidence of teaching-related duties, creative professional activity related to teaching, innovations in teaching, curriculum development or educational leadership), of which student course evaluations form only a single source of data. A process that considers a broader array of evidence is more fair to each candidate, and is more likely to produce an accurate assessment of achievement in teaching.

Grievance Committee	Terezia Zoric	Light, Matthew	Centre for Criminology and Sociolegal Studies
Retired Members Committee	Weaver, Kent	Grima, Lino	Retired Member
University and External Affairs		Light, Matthew	Centre for Criminology and Sociolegal Studies

**Bargaining Bulletin, UTFA-USMC
December 1, 2017**

TO ALL MEMBERS OF THE UTFA-USMC UNIT:

This bulletin is to update you on the background and current state of negotiations with the employer, to make clear the positions we are taking at the table, and to inform you that, in light of the little progress we've made to date, we will be holding a strike vote before December 15, when we next meet with the employer.

Primarily as a result of the employer's unavailability, the parties have only met four times since we gave notice to bargain in April 2017. The day after our first day of bargaining on August 8, the employer informed us that they were applying to the Ministry for Labour for conciliation. The news certainly came as a surprise since we hadn't yet discussed the proposals in the packages presented. After we met briefly with the conciliator on September 18, we proposed four dates in October. The employer only agreed to one – October 19. When we met in conciliation on October 19, we proposed nine dates in November and December. Once again, the employer only agreed to one – December 15, two months later!

Therefore, when we meet on December 15 it will only be the fifth time in the eight months since we gave notice in April. To put this in perspective, in the last round of bargaining we had already met twelve times in the same time period. In the round before that – i.e., our first time at the table – we bargained an entire collective agreement in about nine months. Additionally, there are fewer articles open in this round than in any previous round. We've not met face-to-face since August. Instead, our negotiations are conducted through the conciliator. We're told that the employer wants negotiations concluded quickly. This is difficult to accept given what has transpired to date.

The following key items are still unresolved:

- We are seeking language and training to address concerns around diversity in hiring and search procedures for academic staff at St. Michael's. To be clear, the language we are looking for is no different than the language used at the UofT in its advertisements for academic staff and is fully in-line with the USMC Collegium's own "Statement on Inclusiveness" (July 22, 2002);
- We reject the employer's proposal that would allow the President – either on his own or through a committee determined by him – to terminate positions in the teaching stream without going through proper collegial processes in the collective agreement that the two parties have already negotiated;
- We are concerned about the employer's proposal to create a new, precarious, contractually limited term appointment category (CLTA) in the undergraduate division. No rationale for this proposal has been provided

despite our direct and repeated requests. Our position is that there is no need for it. Moreover, an increase in insecure labour undermines our academic programs; and,

- We expect a fair and equitable monetary settlement that reflects our members' workload and responsibility. We presented the employer with our monetary package on August 9. To date, the employer has not provided any monetary package to our bargaining team.

If the employer is truly interested in reaching a settlement, they will come to conciliation on December 15 ready to negotiate with an offer on all outstanding issues.

Your bargaining team will continue to bargain with the mandate you have given us. However, given the delays and the seriousness of a number of the employer's proposals, it is time to bring negotiations to a timely and acceptable resolution. Therefore, we will be holding a strike vote next week (details to follow) and asking for your support as we enter into our next conciliation meeting.

It is now time for you to send a message to the employer!

Before closing, I would like to update you on the PTR issue. As you know, the employer is refusing to give us our 2017-2018 PTR, even though the language in the collective agreement is clear that we should have already received it. Our only recourse has been to file a grievance, which the employer has denied. Therefore, we are moving it to the next stage, which is arbitration. Arbitrators are expensive, costing thousands of dollars per day in addition to the legal costs that each of the parties bear. It's unbelievable that the employer would want to waste money on something they will eventually have to pay anyway. In any case, we will continue to push forward with resolve and keep you updated as things develop.

If you have any questions please do not hesitate to contact me.

Sincerely,
Michael O'Connor
Chief Negotiator

And on behalf of the team:

Michael Attridge, USMC Faculty
David Hagelaar, USMC Librarian
Kent Weaver, UTFA Executive
Reni Chang, UTFA Staff

Suggested Positions on Tier 2 issues – DRAFT – 15 November 2017

Topic	Proposal
Actuarial assumptions	<p>Assumptions to be agreed by one year before the projected inception date (mid-2018);</p> <p>Same assumptions to be used for five years;</p> <p>Initial valuation for the purpose of determining initial unfunded liabilities on transfer to be as of the last day prior to the inception date, or as projected, 30 June 2019</p>
Eligibility	<p>All employees eligible for participation in one of the predecessor plans are eligible for participation in the JSPP.</p> <p>Member participation is open to any employee of a participating institution.</p> <p>Participation by all full-time employees will be mandatory; participation by part-time employees who meet the requirements for part-time employee membership set out in the PBA will be voluntary.</p> <p>Employers will be required to provide data to the JSPP with respect to all potentially eligible employees.</p> <p>For clarity, employees of the University of Toronto who have elected to remain outside the plan until age 35 will be required to join the plan on inception.</p>
Earnings	<p>Earnings for plan purposes will consist of salary / standard work week wages and will include supplements such as academic stipends, responsibility allowances etc.</p> <p>Earnings will not include ad hoc, lump sum or episodic payments, regardless of basis. For example, bonuses, lump sum merit payments, overload stipends, shift premiums on-call pay and overtime pay will not be included in the definition of earnings for JSPP pension purposes.</p>
Research and study leave	<p>Time on research and study leave will be included in the calculation of credited service at the normal 100% rate; earnings will be credited at the 100% rate; contributions will be based on the 100% and shared 50/50 between the employer and the employee.</p>
Long-Term Disability	<p>A physically or mentally disabled plan member shall continue to be considered to be an active plan member and accrue service regardless of receipt of LTD benefits provided that a doctor certifies that the member is physically or mentally impaired to the extent that the member is prevented from performing the duties of the employment the member was engaged in prior to the impairment.</p> <p>Service accrues from the date of disability to the end of the period of disability or the normal retirement date, whichever comes first.</p> <p>Earnings are deemed to increase at rate of across-the-board increases applicable to the disabled member at the same time as earnings are normally adjusted. For clarity, this includes step or merit increases for which a disabled employee is eligible.</p> <p>Employer is responsible for both employee and employer contributions</p>

Topic	Proposal
Statutory leaves	<p>Employee accrues service</p> <p>Earnings are deemed to increase at rate of across-the-board increases applicable to the member at the same time as earnings are normally adjusted. For clarity, this includes step or merit increases for which an employee on leave is eligible.</p> <p>Employer is responsible for both employee and employer contributions</p>
Other leaves	Members may choose to continue to accrue service during periods of employer-approved leaves. Contributions are shared 50/50.
Normal retirement date	1 st of the month following or coincident with the date the member reaches age 65.
Post-pension employment	Post-pension employment permitted only to the extent that the CRA requires that a pension must commence by the end of the year in which the employee turns age 71 or after the normal retirement date as permitted in a collective agreement or employment contract. Prior to that, a member must be retired from employment in any participating university to receive a pension.
Termination benefits	Prior to age 55, commuted value; after age 55, deferred pension at 65 or immediate reduced pension.
Timing of indexation	<p>Indexing adjustments would be made effective the first day of the plan year based on most current available 12 months over 12 months data; conditionality, if invoked, would be based on funding policy.</p> <p>To meet CRA requirements, there would have to be a limitation on indexing to the effect that where a member's pension is at the CRA maximum, no indexing adjustment would be made during the calendar year of retirement and to the effect that the indexing adjustment in any calendar year is capped at the change in the CPI over the previous year pro-rated to the proportion of the year since the commencement of the pension.</p>
Indexing in pre-existing plans	<p>The University of Toronto plan and the Queen's plan both contain provisions with respect to indexing that should be addressed locally prior to the date of inception.</p> <p>At the University of Toronto, the first indexing adjustment is payable on the first day after the retirement date of 30 June. This is inconsistent with the above proposed provisions for the JSPP. The parties to the U of T plan may wish to harmonize the timing of indexing adjustments in the current U of T plan with the proposed timing of adjustments in the JSPP.</p> <p>At Queen's, indexing adjustments are conditional on plan performance. I.e. the basis for future indexing adjustments with respect to pre-inception service cannot be known as of the inception date. The parties to the Queen's plan will need to consider how to determine and finance indexing adjustments with respect to pre-inception service.</p>
Survivor benefits – pre-retirement	Commutated value or an immediate or deferred pension option

Topic	Proposal
Survivor benefits – post-retirement	<p>Age differential 10 years or less, no adjustment more than 10 years, actuarial equivalent to 10 years</p> <p>Options offered</p> <p>JSPPP to offer all standard options offered by predecessor plans</p>
Participating employers	All employers of members participating in a predecessor plan are deemed to be participating employers for the purposes of the JSPPP.
Employer withdrawal	<p>Participation locked in for a 10-year period Withdrawal permitted on three years notice subject to the requirement for a collective agreement provision or equivalent to that effect.</p> <p>Default transitional provision on withdrawal would be that service to the date of withdrawal is covered by the JSPPP and that all outstanding amortization and special payments are due in full on withdrawal; alternative arrangements would require specific approval of JSPPP Sponsor Board.</p>
Hybrid Plans	<p>The understanding is that the JSPPP will not administer the DC component of existing hybrid plans.</p> <p>Customized solutions will have to be developed locally to enable hybrid plans to transition to the JSPPP.</p>
Changes to existing plans and/or collective agreements to facilitate transition and administration	
	Changes with a material impact where the maintenance of current differences would be impractical – e.g. the definition of the normal retirement date
	Changes with a limited material impact where the elimination of a difference between JSPPP provisions and pre-existing provisions would simplify the administration of the plan – e.g. effective dates of indexing adjustments; elimination of first-day indexing in the University of Toronto plan.
	Changes with a material impact where the elimination of a difference would improve the perceived fairness of the plan and/or address potential areas of confusion – would involve local economic trade-offs – e.g. amending collective agreements so that all employees who meet the JSPPP eligibility requirements would be eligible to participate in the JSPPP.
	Data integrity certification and indemnification
	Last chance buy-back window
	Harmonize membership rights to JSPPP eligibility rights

Report to UTFA Executive and Council, Vice President University and External Affairs, L.M. Kohn, 5 December, 2017.

Dear Colleagues:

As of December 15 I will be resigning from UTFA Executive after a stressful year. I intend to serve on the Negotiating Team and may continue on Council.

To recap my history with UTFA, I joined Council in 2011, worked with Judith Teichman on the Tri-Campus Salary Working Group in 2012, joined the Executive in 2012 as Member-At-Large, served on the SJAC subcommittee on Tenure and Promotion in 2013-14, and have been in my present position since 2014.

I consider our biggest challenges to be truly engaging our members in all disciplines, as well as student leaders, across all three campuses. Our concerns on diversity and equity are not yet adequately reflected in the membership on Executive and Council, reflecting the task still ahead in recruitment and retention of visible minority and aboriginal faculty at the University. Make time in agendas and invite students for an order of the day with Exec or Council; I have worked with student unions whose remarkable leaders would like a bit of our time to tell us what they are doing, what they need and how we can help.

I will be preparing for retirement in June 2018 and looking for opportunities to pursue my interests in science, the arts, and social justice. I assure you that I will not be sending links to articles for you to read - I certainly promise never to send links to the National Post. **Please encourage the best in our university, in our organization and in each other. Always be kind.**

A summary of my UTFA activities since September and our Retreat follows:

As a duty of my UTFA position, I have served on the Leadership Team of the University of St. Michael's College, meeting with the team yearly. I have really enjoyed this association. On October 6, Cynthia Messenger and I (as well as, of course, Michael Attridge) shared Wine, and Cheese Conversation with the Dominican Friars of St. Michael's - note that **Silvia Vong** is Unit Chair at St. Michael's; she is Head of Public Services, John M. Kelly Library, and at UTFA is member of Librarian's Committee and Grievance Committee, Univ and External Affairs, and Salary & Benefits. **NOTE there is a strike vote at St. Mike's on Dec. 8 - UTFA Exec's Kent Weaver is on the negotiating team.**

Oct 19 Sexual Violence and Harassment mtg, UTFA. Although this is not officially a delegated responsibility, I have contributed as our interest in these issues has segued from serious discussions to action led by Terezia Zoric.

Oct 24 Fair Employment Week Outreach

As Cynthia Messenger's designate, I represented UTFA Exec on phone meetings chaired by Andrea Calver, OCUFA.

On Oct 16 I represented UTFA at the \$15 & Fairness U of T planning meeting on Oct 16 at 3pm in the Sid Smith lobby.

On October 24th, I manned a table at UTM Meeting Place with Jamie Ashby, CUPE 3902 (Unit 3) and two other CUPE 3092 members.

Oct 26 Joint Committee mtg (there was a pre-meeting as well, Oct 19)

Oct 21-22 OCUFA Board of Directors Meeting. I represented UTFA.

Nov 7 University of Toronto Employee Associations and Unions Lunch, ISW 1998 at 25 Cecil Street - we meet twice a year. Great opportunity to catch up on bargaining across U of T units. I was joined this time by Terezia Zoric and Samantha Olexson, (Terezia reporting on asbestos issues). The next lunch will be at UTFA, early next year. I am distributing the Doodle.

Since Nov 7, CUPE 3902 unit 3 (sessionals) have been at the table - they reached a tentative agreement on November 28. **NOTE Unit 1 holds Strike Mandate Meeting on December 5. Unit 1 represents contract academic employees: TA's, Student & Postdoctoral Course Instructors, CPOs, Invigilators.**

<http://www.cupe3902.org/2017/11/unit-1-strike-mandate-meeting-december-5/>

Nov. 8: Meeting of University and External Affairs Committee. We select winners of Al Miller Award for Graduate Students and Tuition Bursary Award for undergrads.

Nov 13 at UTM SLP@UTM "International Student Support and the Changing Landscape of UTM" This was run by the Gillespie Academic Skills Centre among other offices at UTM and St. George. Bottom line: international students achieve higher CGPAs when their language skills are well honed; metrics show language skills can be improved by programs in place such as ACE and utmONE.

Nov 13 at UTM: Tri-Campus Sexual Violence Prevention and Support Centre (lead, Paula Lam). Ceremony and Ribbon cutting - well attended with great turnout from UTMSU. Very powerful keynote from survivor, UTM alumna, Samra Zafar, "School changed my life," she said, recounting the pivotal meeting with a support counsellor on campus. "It gave me the power, the awareness and the courage to leave an abusive situation. It was because of the love, support and friendship I received on this campus that I was able to succeed." <http://www.utm.utoronto.ca/main-news/sexual-violence-prevention-and-support-centre-opens-utm>

Nov 23-26 CAUT meeting, attended in Ottawa with Cynthia Messenger and Sylvia Vong. Ontario Caucus Lunch included important discussion on academic freedom (Colleges Strike, free speech on campus etc.).

Nov 27 Fair Workplaces, Better Jobs Act, 2017 Ontario Bill 148 receives Royal Assent. What you need to know: <https://hicksmorley.com/tag/bill-148-fair-workplaces-better-jobs-act-2017/> Bottom line, equal pay provisions may help our contractual and part time members, but loopholes will have to be overcome.

Ontario Colleges strike (Cynthia Messenger lead on this). Key issues included reliance on short-term, low wage contracts (just-in-time hiring), academic freedom in the face of corporatized management dictating large class sizes and from that, pedagogical tools and content and how courses are run. I attended OPSEU rally at Queen's Park and talked informally with striking workers ultimately voted back to work. <http://www.cbc.ca/listen/shows/metro-morning/segment/14605060>

December 11, 2017

Claude Evans, Chair, Appointments Committee

The University of Toronto Faculty Association is sponsoring an event, “[Part-time Appointments at the University of Toronto: Challenges and Strengths](#),” which will take place on Monday, April 30 and Tuesday, May 1, 2018 on the St George campus.

All faculty members and librarians are welcome to attend

The **Monday, April 30**, events will include a panel of three speakers: Louise Bidsell Bauer (CAUT Research Officer); Sarika Bose (English, Chair of CAUT Contract Academic Staff Committee); and Frances Cachon (Chair of OCUFA Contract Faculty and Faculty Complement Committee). The panel will take place in the main dining room of the University of Toronto Faculty Club. A reception will follow in the main lounge.

On **Tuesday, May 1, from 10 am to 5 pm, a conference** will be held to provide part-time faculty and librarians from the three campuses of the University of Toronto an opportunity to share with and learn from their colleagues in a genial, collegial atmosphere (Location TBA).

Lunch will be served.

The members of the organizing committee for the May 1 event are Claude Evans, Caroline Lebrech, and Andrew Petersen. We invite proposals for presentations from part-time members of UTFA. We are looking for brief (15-20 minute) talks or poster presentations on discipline-based scholarship, creative professional activity, pedagogical research, or pedagogical practice.

Team proposals are welcome, within or across units.

Proposals are to be sent as a Word or pdf attachment to strengths@utfa.com (200 words maximum) by **Friday, February 16, 2018**.