

## **Professor David Naylor's Remarks on Labour Relations Governing Council meeting – October 27, 2011**

The University and the United Steelworkers of America Local 1998 reached an agreement a short while ago, strongly ratified by the USWA membership. It is a three year agreement that saw compromises on both sides.

The salary increases will put additional financial pressure on the institution – not least because the agreement pertains to across-the-board increases and ongoing seniority or grid step processes will continue.

On the other side, the agreement contains a pension contribution increase that should help us with solvency relief negotiations with the Government of Ontario – and that is very much in the interests of everyone in the University.

I should also note that we have reached a very similar agreement with CUPE 3261, representing facilities and services, which was ratified at Business Board this past Monday evening.

We are now negotiating with the University of Toronto Faculty Association. UTFA has advised that they would like to abandon our long-standing Memorandum of Agreement that has been the framework for relations between faculty and the University over more than three decades. They would now like to negotiate ALL terms and conditions of employment with an expectation that any impasse would be resolved through third party arbitration.

I and many others in administration at all levels agree that arbitration has been an appropriate way to resolve differences of opinion regarding compensation and benefits.

We were prepared last year to include workload as part of that arrangement – as workload is inextricably tied to compensation.

However, we do not agree that arbitration is an appropriate means to resolve differences of opinion regarding tenure and promotion, academic planning and the myriad of other issues that our academic colleagues are engaged in on a day to day basis.

Through the years when there have been items of academic policy that needed potential revision, the administration and UTFA have struck working parties or task forces, reached consensus, and brought those matters to governance for approval.

The current arrangement basically has a mutual veto built into it. We have to agree with each other. Frankly, that has been and remains healthy.

Putting such matters in the hands of a third party strikes me and others as deeply problematic. I might add that it also removes these matters from the academic frontlines insofar as department-level decision-making, which is strongly participatory in a great many instances, can be compromised in the quest for cookie-cutter across-the-board policies framed by an arbitrator.

We also think it important to respect the decision making authority of the Academic Board for obvious reasons – not least the elected representation of many colleagues who are not necessarily active with UTFA. I would note finally that the Governing Council represents all estates of the University, including students, who have a stake in academic matters. The Provost and her team have been communicating publicly on these matters, and many colleagues have made their views known to UTFA. I think it is safe to say that UTFA's broad solution has not been widely popular, although some of the specific concerns have resonated – as indeed, they do with me.

I would add that in the event that we are persuaded of the need to modify the existing Memorandum we would, of course, seek the approval of the Academic Board and the GC in advance of entering into such discussions with UTFA – as we did with respect to Workload.... But I personally believe the prudent course of action will be deal with UTFA's concerns, through a series of ongoing working parties as has been successful in the past. That won't necessarily be easy. And it will take more resources and efforts on all sides. But I think the alternative is unworkable.

I will keep governors abreast of these developments.

Meanwhile, all those matters aside, we have the usual issue of salaries and benefits, including the ever thorny pension problem. It promises to be interesting.