



University of Toronto

OFFICE OF THE VICE-PRESIDENT AND PROVOST

Appendix "B" to Report
Number 136 of the Academic
Board (June 2, 2005)

TO: Academic Board

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DATE: June 2nd, 2005

AGENDA ITEM: 9

ITEM IDENTIFICATION:

Approval of New Academic Ranks: Sessional Lecturer I and Sessional Lecturer II

JURISDICTIONAL INFORMATION:

Academic appointments policy falls within the areas of responsibility for the Academic Board. Section 5.2.1 (a) of the Agenda Committee's terms of reference assigns policies on the nature of academic employment to the Academic Board. This includes policies on the appointment, promotion, tenure, suspension and removal of teaching staff, as well as policies on the conduct of academic work.

PREVIOUS ACTION TAKEN:

HIGHLIGHTS:

CUPE 3902 Unit 3 represents instructors who teach for the University of Toronto on contracts of less than **ONE** year, subject to certain exceptions specified in the collective agreement. There are currently some 600 employees in the bargaining unit; one fifth teach on sessional contracts of less than 12 months duration; the majority teach one or two half courses per year and are employed in professional capacities elsewhere; a further one sixth are hourly paid instructors for example, in music or in writing centres. The collective agreement reached on March 24th between the University and CUPE 3902, Unit 3, has been ratified by the Union, and was approved at Business Board on April 4, 2005. It, rather than the Policies and Procedures on Academic Appointments, governs the terms and conditions of employment of members of the bargaining unit. The proposed designation as members of the teaching staff is not intended to create terms and conditions of employment beyond those contained in the collective agreement.

Members of the CUPE 3902 unit 3 bargaining unit are very important to the University's ability to provide a high quality education to its students, and most of its members are engaged in teaching.

Under the *University of Toronto Act, 1971*, “Teaching staff” are defined in section 1(1)(m) as follows:

“teaching staff” means the employees of the University, University College and the constituent colleges and the arts and science faculties of the federated universities who hold the academic rank of professor, associate professor, assistant professor, full-time lecturer or part-time lecturer, unless such part-time lecturer is registered as a student, or who hold any other rank created by the Governing Council and designated by it as an academic rank for the purposes of this clause.

The only other employee category identified in the Act is in 1(1) (aa) which specifies:

“administrative staff” means employees of the University, University College, the constituent colleges and the federated universities who are not members of the teaching staff thereof.

The definition of “teaching staff” under the *Act* is based on people who hold named academic ranks; it is not expressly based on whether or not people teach. The other employee category “administrative staff” is a “basket” definition: every employee who is not a member of the teaching staff is a member of the administrative staff. As the *Act* is worded, most of the members of the CUPE 3902 unit 3 bargaining unit are not considered to be members of the “teaching staff” under the Act since they are not appointed to one of the listed academic ranks. However, the Act gives Governing Council the ability to create additional ranks within teaching staff.

Under the terms of the Collective Agreement, the University recognizes the Canadian Union of Public Employees, Local 3902, Unit 3 as the sole and exclusive bargaining agent for all persons engaged in teaching, demonstrating, tutoring or marking/grading, save and except those specified under Article 2. The University recognizes the need for the creation of new ranks under the *University of Toronto Act, 1971* to keep those appointed in CUPE 3902, Unit 3 separate and distinct from those appointed under the *Policy and Procedures on Academic Appointments*. The collective agreement describes two categories, Sessional Lecturer I and Sessional Lecturer II, that are proposed below as new academic ranks.

FINANCIAL AND/OR PLANNING IMPLICATIONS:

There are no new/additional financial resources required to establish the ranks.

RECOMMENDATION:

Be it recommended to Governing Council:

THAT the ranks of Sessional Lecturer I and Sessional Lecturer II, be designated as an academic rank for the purposes of clause 1(1)(m) of the *University of Toronto Act, 1971*, effective July 1, 2005.