



FOR INFORMATION

PUBLIC

OPEN SESSION

TO: Business Board

SPONSOR: Kelly Hannah-Moffat, Vice-President, People Strategy, Equity & Culture
CONTACT INFO: 416-978-4865; vp.psec@utoronto.ca

PRESENTER: Kelly Hannah-Moffat, Vice-President, People Strategy, Equity & Culture
CONTACT INFO: 416-978-4865; vp.psec@utoronto.ca

DATE: April 18, 2024 for April 25, 2024

AGENDA ITEM: 9 (c)

ITEM IDENTIFICATION:

January 1, 2023 – December 31, 2025 Collective Agreement between the University of Toronto and CUPE 3902 Unit 5.

JURISDICTIONAL INFORMATION:

In accordance with Section 5.10(c) of the Business Board Terms of Reference, approval of changes to the Collective Agreement within existing policies and salary determination procedures are delegated to the President and are provided for information only

GOVERNANCE PATH:

1. Business Board [For Information] (April 25, 2024)

PREVIOUS ACTION TAKEN:

N/A

HIGHLIGHTS:

The University of Toronto and CUPE 3902 Unit 5, which represents approximately 800 postdoctoral fellows employed across all three campuses, have completed negotiations for a renewal collective agreement for the period January 1, 2023 to December 31, 2025. The Memorandum of Agreement was signed on March 4, 2024 and ratified by the Union on March 15, 2024.

This collective agreement is part of a bargaining cycle based on a pattern of Across-the-Board (ATB) wage increases that began with the USW Staff-Appointed agreement reached last September, immediately following UTFA's arbitration award. This ATB pattern now applies to more than 18,000 University employees represented by USW and CUPE in eight different bargaining units.

This agreement occurred within the context of Bill 124 being deemed unconstitutional and subsequently repealed in February 2024. Bill 124 restricted compensation increases to 1% annually during a 3-year moderation period, which coincided with extraordinarily high inflation that averaged well over 3% per year during and after the COVID-19 pandemic. High inflation, combined with restricted compensation under Bill 124, and the exclusion from our collective agreements of any retroactive wage increases (“reopeners”) in the event that Bill 124 was repealed, meant that the University spent significantly less on labour costs relative to inflation for the 6 years that include the Bill 124 moderation period as compared to previous years, since at least 2005. At the same time, we shifted from our historical trend of negotiating ATB wage increases that match or exceed inflation, thereby limiting the impact of pandemic-related inflationary spikes on our labour costs. Our ATB increases are on average approximately 0.65% per year below the CPI over the past 6 years, or approximately 3.8% in total below the CPI for the past 6-year period.

The University resisted significant union pressure to provide retroactive wage increases to cover the 3-year Bill 124 moderation period. The absence of “reopener” provisions in our collective agreements means we have minimal responsibility for the financial damages of the now repealed Bill 124. CUPE and other unions are currently pursuing damages in court from the Ontario government.

We also successfully rejected efforts by all CUPE bargaining units to engage in unified collective bargaining at a single central table and align collective agreement terms and expiration dates to enable unified bargaining and potentially higher risk of labour disruptions in the future.

Key Non-monetary Revisions

- Strengthened language on sexual violence and sexual harassment, and domestic violence
- Modified Grievance Procedure to remove restrictions on filing a grievance(s) in respect of hiring and contract extension decisions
- Updated Health & Safety language to align with other comparable employee groups
- Added new provision to make teaching employment inclusive of overtime premium where total hours of work exceed the regular hours of work as a result of the teaching employment
- Agreed that employees will receive confirmation of the termination of their contract within 2 months’ of the contract end date
- Agreed to provide an orientation session for all bargaining unit employees in each of the Fall, Winter, and Summer terms
- Significantly improved the Professional Development provisions

Monetary Revisions

- Effective date of ratification, increase the minimum annual full-time salary inclusive of vacation pay to \$50,000
- Employees whose wage rate has not increased for any reason other than a material change in duties shall be eligible to receive an up to 9.0% wage increase in year 1 (January 1, 2023), an up to 2.0% wage increase in year 2 (January 1, 2024), and an up to 1.8% increase in year 3 (January 1, 2025). For clarity, one-time-only payments, if any, are considered increases and will be included in the calculation of an employee’s annualized salary.

- Deleted the “Development and Special Circumstances Fund”; with prior approval of their supervisor, an employee may now receive reimbursement for up to \$500 for professional development expenses in each year of their contract
- Starting March 2025, added comprehensive health and dental benefits comparable to other employee groups
- Two additional months of paid leave, for a total of four months paid leave for surgery, hospitalization, and serious physical and mental illness

FINANCIAL IMPLICATIONS:

**Estimated Costing – CUPE 3902 Unit 5 Collective Agreement
January 1, 2023 to December 31, 2025**

Bargaining Unit Base Payroll = \$48.15M	Year 1	Year 2	Year 3	Total Over 3 Years	Total Over 3 Years
				(Salary Base Increase)	(Benefits)
Total Comp. = \$48.67M					
Wage increases	\$2,599K 5.34%	\$1,026K 1.96%	\$953K 1.79%	\$4,578K 9.08%	
Minimum salary to \$50K		\$560K 1.07%		\$560K 1.07%	
Health & Dental Benefits			\$2,490K 4.67%		\$2,490K 4.67%
Professional Development Expenses		\$418K 0.80%			\$418K 0.80%
Total	\$2,599K 5.34%	\$2,004K 3.82%	\$3,443K 6.46%	\$5,138K 10.15%	\$2,908K 5.47%