

FOR INFORMATION

PUBLIC

OPEN SESSION

TO: Business Board

SPONSOR: Kelly Hannah-Moffat, Vice-President, People Strategy, Equity & Culture
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PRESENTER: Kelly Hannah-Moffat, Vice-President, People Strategy, Equity & Culture
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DATE: April 18, 2024 for April 25, 2024

AGENDA ITEM: 9 (e)

ITEM IDENTIFICATION:

July 1, 2023 to June 30, 2026 Collective Agreement between the University of Toronto and CUPE 3261 Casuals.

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.

GOVERNANCE PATH:

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

PREVIOUS ACTION TAKEN:

N/A

HIGHLIGHTS:

The University of Toronto and CUPE Local 3261 - Casual, which represents approximately 260 casual employees working primarily in Caretaking, Hospitality Services and other general labour positions across all three campuses, have completed negotiations for a renewal collective agreement for the period July 1, 2023 to June 30, 2026. The Memorandum of Agreement was signed on March 4, 2024 and ratified on March 17, 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This agreement occurred within the context of Bill 124 being deemed unconstitutional and subsequently repealed in February 2024.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exclusion from our collective agreements of any retroactive wage increases (“reopeners”) in the event that Bill 124 was repealed, meant that the University spent significantly less on labour costs relative to inflation for the 6 years that include the Bill 124 moderation period as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

- Agreed the Employer will endeavour to schedule employees as equitably as practicable while taking into consideration the employee’s availability, as provided by the employee
- Agreed the Employer will post schedules one week in advance taking into consideration the employee's availability, as provided by the employee; the schedule is subject to change based on operational requirements and employee availability
- Clarified that where specific training is required by the Employer it shall be provided and scheduled such that the employee attends during regular working hours with no loss of pay, or where required to attend outside of regular working hours is compensated at the applicable rate
- Agreed to provide Applied Suicide Intervention Skills Training (ASIST) for employees in the Building Patrol classification
- Agreed that a casual employee who has passed their probationary period and is subsequently appointed to a position in the Full-Time and Part-Time Bargaining Unit with the same core duties and responsibilities will be entitled to apply all hours worked in the Casual Bargaining Unit towards their probationary period in their new position in the Full-Time and Part-Time Bargaining Unit
- The University will make best efforts to rectify any underpayments \$50 or greater within 7 working days of the underpayment being brought to the University’s attention

Monetary Revisions

- Across-the-Board (ATB) wage increases of 5.7% in year 1 (July 1, 2023), 2.0% in year 2 (July 1, 2024), and 1.8% in year 3 (July 1, 2025)
- Increased the Minimum Wage Rate to \$18.00 per hour in year 1 (July 1, 2023), \$19.00 per hour in year 2 (July 1, 2024), and \$20.00 per hour in year 3 (July 1, 2025) after the annual ATB wage increases are applied
- Two additional paid sick shifts, for a total of four paid sick shifts in each year of the Collective Agreement

- Agreed that where an employee in the Casual bargaining unit is required to perform all elements of a job in the Full-Time & Part-Time bargaining unit, the Casual employee shall be paid at the hourly wage rate in accordance with the Full-Time & Part-Time Schedule I: Wages and Hours of Work – CUPE 3261: Temp
- Increased the amount of the safety shoe allowance from up to \$175 to up to \$200 annually
- New uniform allowance of up to \$75.00 annually for employees in the hospitality worker classification
- Agreed to provide and pay for attendance at “Applied Suicide Intervention Skills Training (ASIST)” for employees in the Building Patrol classification

FINANCIAL IMPLICATIONS:

Estimated Costing – CUPE 3261 Casual Collective Agreement July 1, 2023 to June 30, 2026

Bargaining Unit Base Payroll = \$2.16M	Year 1	Year 2	Year 3	Total Over 3 Years	Total Over 3 Years
				(Salary Base Increase)	(Benefits)
Wage increases	\$108K 5.0%	\$47K 2.0%	\$44K 1.8%	\$199K 8.8%	
Minimum wage increase	\$10K 0.5%	\$14K 0.6%	\$14K 0.6%	\$38K 1.7%	
Two additional paid sick shifts	\$17K 0.8%				\$17K 0.8%
Hospitality Worker Uniform Reimbursement		\$8K 0.3%			\$8K 0.3%
Safety Shoe reimbursement		\$2.5K 0.1%			\$2.5K 0.1%
Total	\$135K 6.3%	\$71.5K 3.0%	\$58K 2.4%	\$237K 10.5%	\$27.5K 1.2%