



UNIVERSITY OF TORONTO
faculty ASSOCIATION

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[Home](#) > [What We Do](#) > Current Association Grievances

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Grievance	Date first raised at Joint Committee	Overview of Association Grievance	Status Details - May 18, 2023 Council meeting
Asbestos (group grievance with Association grievance features)	2017	UTFA is committed to preventing the adverse health & safety impacts of asbestos exposure on campus. As part of a grievance settlement related to a series of breaches during large-scale asbestos abatement at the Faculty of Medicine, UTFA and the Administration established a Central Health and Safety Committee (CHSC) to deal with all health and safety issues. However, there are limits to the CHSC's jurisdiction that make it challenging to get the information we need to protect our members and to ensure the Administration's compliance. UTFA is also concerned that the Administration is not adhering to established best practices for asbestos removal and disposal.	UTFA asked Arbitrator Kaplan to intervene to ensure that the Administration was adhering to the terms of the MOS. UTFA has not received information from the Administration that demonstrates compliance. We completed the first mediation date on May 11. A settlement was not reached and UTFA is considering how to approach the remaining mediation date on June 13.

Divisional Guidelines on the Assessment of Teaching Effectiveness	July 8, 2019	<p>UTFA is protecting our members from the Administration's unilateral amendment of Divisional Guidelines on the Assessment of Teaching Effectiveness that inflate the criteria to be met during their academic reviews. The revisions constitute a departure from negotiated policy and significantly raise the bar for tenure/continuing status and promotion and improperly increase the standards of performance assessment for faculty members by adding new and more demanding criteria to demonstrate 'competence' or 'excellence' in teaching. UTFA is working to bring the Divisional Guidelines to be in line with the applicable policies.</p>	<p>Given the costs associated with the slow rate of progress in mediation, UTFA came to the position that it would be more time efficient and financially prudent to proceed to arbitration.</p>
Salary Discrimination	August 6, 2019	<p>UTFA is aiming to rectify significant, pervasive, systemic, and persistent salary discrimination experienced by our members based on their gender, race, Indigeneity, and membership in (sometimes intersecting) other equity-seeking groups. As a remedy, UTFA's Association grievance seeks retroactive salary for affected faculty and librarians and the creation of a permanent fund to address discrimination in salaries going forward. We also propose the creation of an UTFA-Administration joint committee to root out and prevent future discriminatory compensation practices.</p>	<p>We are working with quantitative and qualitative expert analyses. Preparing for arbitration and confirming dates.</p>

Pay Equity

August 6, 2019

As an employer, U of T is legally obliged to establish and maintain pay equity under Ontario's Pay Equity Act. ("Pay equity" requires an assessment of all jobs and an unbiased comparison of the work done in female-dominated job classes with the work done in male-dominated job classes, in order to determine equitable compensation. Employers cannot pay one employee group at a lower rate than another employee group on the basis of sex when they perform substantially the same kind of work AND if their work requires substantially the same skill, effort, and responsibility, performed under similar working conditions.) UTFA has been pressing the Administration to comply with its obligations to our members under the Pay Equity Act for many years (although our power to do so is somewhat constrained by our status as an uncertified faculty association). Via our two pay equity grievances (one for faculty and one for librarians) UTFA is seeking several orders to ensure that the Administration maintains pay equity and meaningfully participates in a joint process with our Association. UTFA needs the Administration to disclose key information related to its pay equity evaluations to ensure that the University lives up to its obligations under the Act.

The Administration made a counterproposal to settle the pay equity dispute on April 17. The offer does not sufficiently address the pay equity issues for teaching stream faculty members and librarians. We are preparing a counteroffer in the coming weeks.

COVID & Health and
Safety

November 26,
2020

This grievance addresses ongoing threats to member Health and Safety, and specifically, the Administration's responses to COVID-19, including its initial Fall 2020 re-opening plan, its failure to test building ventilation systems, its inadequate mask policy, and its opaque procedures in the event of a suspected case of COVID-19 on campus. UTFA's advocacy is guided by our commitments to key principles: respect for science; the precautionary principle; and best practices in health and safety that exceed legislated minimum standards—as is required by U of T's own [Health and Safety Policy](#).

Referred to arbitration. Dates TBD while awaiting the Administration's response to UTFA on the Grievance Review Panel (GRP).

Student Evaluations of
Teaching/ Student Course
Evaluations (SETs/SCEs)

November 26,
2020

UTFA maintains that Student Evaluations of Teaching/Student Course Evaluations (SET/SCEs) are arbitrary and unreliable as a measure of teaching effectiveness and are discriminatory on the basis of the protected grounds under the Human Rights Code. Our members should not be compelled to use them. Faculty and Librarian members should retain ownership and control of any SET/SCEs, for example if they wish to use them for formative purposes to improve their teaching and or to better understand students' experiences. To the extent that SET/SCEs are relied on in the assessment of teaching for our members—whether for the purposes of annual PTR increments, tenure, continuing status, permanent status, or promotion— they unreasonably render the assessment arbitrary and discriminatory. Specifically, the Association grieves that the continued utilization and reliance on SETs/SCEs to assess effectiveness in teaching at the University of Toronto is a violation of the [Memorandum of Agreement](#) (the MOA), the Policies and Procedures on Academic Appointment (the PPAA), the Policies and Procedures Governing Promotion (the Promotion Policy), the Policies and Procedures on Promotion in the Teaching Stream (the Teaching Stream Promotion Policy), the Provostial Guidelines for Developing Written Assessments of Effectiveness of Teaching in Promotion and Tenure Decisions and associated divisional policies, other University policies related to the assessment of teaching, and the Ontario Human Rights Code.

Referred to arbitration.
Dates TBD while awaiting
the Administration's
response to UTFA on the
Grievance Review Panel
(GRP).

Faculty of Law Hiring Controversy/International Human Rights Program	November 26, 2020	<p>This grievance is about upholding the core principles of academic freedom, collegial governance, non-discrimination, and freedom from undue donor influence in hiring processes. The Association grieves that the Administration's conduct in respect of the Law School's International Human Rights Program (IHRP) search process violates Articles 5 (Academic Freedom), 7 (Grievance Procedures), and 9 (No Discrimination) of the Memorandum of Agreement (MOA), the University's Statement of Institutional Purpose and Statement on Freedom of Speech, and any other relevant MOA provision, policy, procedure, practice, or law.</p> <p>UTFA is seeking to protect our member's rights by ensuring the Administration consults with UTFA prior to any changes to Significant Terms and Conditions of Employment for faculty and librarians. In the case of the vaccination mandate, the Administration threatened unreasonable, new disciplinary penalties without first meeting with UTFA, and repeatedly refused to respond to UTFA's questions as the vaccine mandate was implemented and revised.</p> <p>UTFA has raised concerns with the Administration about language in the My Research Applications portal (MRA) as it relates to the research approvals process for Teaching Stream faculty and Librarians. Specifically, UTFA is concerned because some of the language in the MRA appears to impinge on academic freedom and self-directed research.</p>	<p>Given the costs associated with the slow rate of progress in mediation, UTFA came to the position that it would be more time efficient and financially prudent to proceed to arbitration.</p> <p>Given the costs associated with the slow rate of progress in mediation, UTFA came to the position that it would be more time efficient and financially prudent to proceed to arbitration.</p> <p>UTFA is preparing letter to Administration setting out UTFA's concern that additional criteria are being imposed on Teaching Stream and Librarians that may impinge on their right to do self-directed research, regardless of the language in the MRA.</p>
Implementation of vaccine policy and UTFA members	January 7, 2022		
My Research Applications & Agreements (MRA)*	September 22, 2022		

Lack of procedural fairness in investigations*	N/A--not yet raised at Joint Committee	<p>Members have raised a series of concerns about the manner in which the Administration undertakes investigations under various University policies. UTFA is seeking to remedy these procedural fairness concerns including, ensuring policy mechanisms exist for members and UTFA to: 1) object to an investigator if there is a reasonable apprehension of bias, 2) enforce the Administration's obligation to disclose all material allegations and evidence to Respondents, 3) be informed in advance of the procedures to be followed during the investigation, and 4) ensure that adequate prima facie analyses are conducted prior to the commencement of an investigation. UTFA is also looking to ensure members are informed of their right to UTFA representation during an investigation (the complainant, respondent and witnesses) and that clear timeframes to conduct an investigation are included in policies.</p>	<p>UTFA has approached the Administration with its concerns and will be seeking to resolve the issues via collegial dialogue. Failing that, UTFA will proceed to mediation/arbitration.</p>
Violation of WLPP - workload unit policy missed deadline*	N/A--not yet raised at Joint Committee	<p>Academic Units are not complying with the Workload Policy and Procedures (WLPP) and are failing to engage our member in collegial processes to review their unit workload policies, at least every three years.</p>	<p>The Administration and UTFA have engaged in discussion on how to ensure Unit Workload Policies are updated in accordance with the University wide policy. We expect to obtain a full list of updated policies in June and take steps to push the Administration to follow up with units that are not complying with policy.</p>

[March and April 2023 Grievance Updates](#)

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