

INTRODUCTION

The following primary bargaining positions are being transmitted from the YUFA Stewards Council to the YUFA membership for ratification.

The recommendations have two dominant themes: protections against increases to the workload of bargaining unit members and improvements to compensation and benefits. Also addressed are changes to Affirmative Action, Retirement Entitlements, Retiree Benefits, Internal Support for Research and Merit and Marketability.

Although members may have concerns about the exact expression of some of the recommendations, please note that these are primary bargaining positions only. The exact contract language will be developed by the Negotiating Team in consultation with the YUFA Executive. Thus we urge members to focus on the principles that have been articulated in the positions, rather than on the exact specifications of the recommendations.

The two priorities identified by the Bargaining Priorities Subcommittee – workload and compensation – are each addressed in a number of ways. In the area of workload, for example, the Bargaining Priorities Subcommittee has developed proposals that address maintaining the overall current student-faculty/librarian ratio through a complement formula, specifications of the components of service as part of normal workload, a course cancellation policy, increased credit for graduate supervision, a requirement that all leaves be replaced, and a definition of a normal work. These positions are designed to provide maximum flexibility to the Negotiating Team in achieving protections against the explosion of work experienced by our members. This work is likely to increase under enrolment growth unless restrained in some or all of these ways.

Positions concerning compensation are likewise wide-ranging and include many items. We have recommended a Task Force to explore the possibility of moving to an alternative salary system. In the interim, we have proposed increases to salary floors, to base salary plus a cost of living adjustment, to promotion increments, PER, and overload rates. We have also recommended improvements to such benefits as parking, medical/dental care, and the York Guaranteed Housing Plan, as well as to the benefits package for Associate Members of YUFA, i.e., retirees.

Finally, in addition to provisions for such equity concerns as Affirmative Action and persons with disabilities, we are recommending that Marketability and Merit be removed from the Collective Agreement. The Bargaining Priorities Subcommittee takes the view, long that of the Association, that we should resist forms of pay that are given inequitably and at the Employer's discretion. We are committed to the view that all YUFA members are meritorious, though they may fulfill their professional responsibilities in different ways.

Joe Sheridan, Chair of Bargaining Priorities Subcommittee; Joanne Chumakov, Ruthanna Dyer, Susan Dimock, Jay Rahn, Members; Brett Cemer, YUFA staff

WORKLOAD

NEW: Complement

Our goal is to move from our current status in terms of student-faculty ratio, which is the worst in Ontario, to a position of mid-rank or better. These demands, then, are only preliminary.

Only 1% of faculty/librarians feel their workload has decreased in the past 5 years. More than 2/3 feel it has increased.

Overall complement (Special Report, Table 1: Enrollment Change, 2002-2003 and 2003-2004 and Preliminary Forecast for Subsequent Years, Senate Agenda, November 28, 2002):

Workload is cited second most often -- without prompting -- as a main reason why colleagues have left York.

2002-2003	Undergraduate FFTE students	30,679
2002-03	faculty complement	1142
2002-03	faculty ratio	26.86
2002-03	librarian complement	38
2002-03	librarian ratio	829.2

Professors' teaching and librarians' professional performance are most often cited as an area in which workload has increased.

Complement requirements:

- 100% replacement of faculty and librarians who permanently leave the bargaining unit, due to retirement under Article 14 or for any other reason over the life of this Agreement. Net new positions will, at a minimum, be at the following rates.
- projected growth in FFTEs for 2003-04
3586
- **new hires for 2003-04 to maintain faculty complement, not including replacements: 134**
- **new hires for 2003-04 to maintain librarian complement, not including replacements: 5**
- projected growth in FFTEs for 2004-05:
2923
- **new hires for 2004-05 to maintain faculty complement, not including replacements 109**
- **new hires for 2004-05 to maintain librarian complement, not including replacements: 5**
- projected growth in FFTEs for 2005-06: 37
- **new hires for 2005-06 to maintain faculty complement, not including replacements 1**
- **new hires for 2002-03 to maintain librarian complement, not including replacements: 0**

Among double-cohort concerns, class size is most often cited by faculty and librarians.

50% of faculty agree that their class sizes are too large for optimal learning by students.

By 1 January, if the Employer fails to meet the above criteria the Employer shall be required to pay \$57,000 per unfilled position. The Employer agrees to divide the total amount of money equally among all members of the bargaining unit. Payment shall be received in the February pay.

NEW: New Article 20.19 Leaves Covered in Articles 19, 20 and Release Time

Recommendation:

- All Employees on leaves, secondments, and sabbaticants of one month or more shall be replaced.
- The academic unit and or the librarian department/area shall receive replacement funds for an Employee who receives release time under any article in the collective agreement. The replacement funds shall be used solely for the purpose of replacing teaching/professional and service responsibilities of the Employee receiving release time.

NEW: Normal Work

Recommendation:

- The scheduled teaching responsibilities of a faculty member shall not be scheduled over more than nine (9) hours in any one day. A faculty member shall not be required to teach for at least 13 hours following his/her last scheduled teaching responsibilities on one day and the beginning of his/her scheduled teaching responsibilities the following day. A faculty member shall not be required to teach more than five (5) days in any week.
- In recognition of faculty members need for periods of unscheduled time to devote to fulfilling her/his professional responsibilities, a faculty member shall not be required to teach for more than eight (8) consecutive months.
- From time to time a faculty member or librarian may require special arrangements in scheduling teaching and librarian responsibilities, for example, for reasons of spiritual or religious observance, child care or elder care and for accommodation. In such

More than half of York's full-time faculty cite teaching times and hours as a double-cohort concern.

More than half of York's full-time faculty specify weekend classes and exams as a double-cohort concern.

70% of faculty/librarians strongly support introducing a clause that specifies regular days and hours of work.

cases, a faculty member or librarian may apply to the Dean/Principal/University Librarian or designate. Such requests shall not be unreasonably denied.

- Scheduling and location with respect to the performance of duties other than scheduled contact/scheduled service with students and library responsibilities will be at the discretion of the faculty member and/or librarian.
- Include Minutes of Settlement re: Weekend Examinations.

Graduate Supervision (Appendix O)

Recommendation:

- Add Supervision of MRP to MA and PhD students in Appendix O.1.
- Eligibility for credit currently is membership in a unit with a normal teaching load of 3.0 FCEs. Expand eligibility to units with normal teaching load of 2.5 or greater.

Almost half of York's full-time faculty cite equitable teaching loads as a double-cohort concern.

Workload of Faculty Members (18.08.1)

In the context of the teaching load of the unit as a whole, units shall, using normal collegial and consultative processes, specify which of the factors listed above are used to calculate full course or full course equivalents, and “normal teaching load”, and how the factors are applied. ***Add new sentence:*** Graduate teaching and supervision shall be distributed equitably among members in each Graduate Program.

NEW: Service (18.08[.3])

Recommendation:

The “normal service load” component of normal workload is recognized as including contributions to the governance of the University and collegial academic and administrative activities. Service to the University, in addition to teaching and research, is an equally important part of one's professional obligations and responsibilities. The Employer shall attempt to achieve an equitable distribution of service activities among faculty members.

The majority of York's full-time faculty feel that few members in their unit want to do committee work or fill Chair and programme director positions because other aspects of workload are so heavy.

An equitable distribution of service activity shall be as assessed by the academic unit in question, by procedures agreed to by the academic unit in question. Assessments of normal service load shall include the factors named below.

More than 1/3 of full-time faculty and librarians specify service as an area of increased work during the past 5 years -- second only to teaching.

- (a) Participation on Senate and the Subcommittees of Senate;**
- (b) Participation on Faculty, School or Departmental Councils and their Subcommittees;**
- (c) Participation in the Association and its Subcommittees;**
- (d) Participation in joint YUFA/Administration committees and activities;**
- (e) Participation in the governance of and activities of the Research Centers**
- (f) Participation in such units as the Center for the Support of Teaching, and Advising Centers;**
- (g) Participation in deliberative and governance bodies of the Colleges;**
- (h) Holding of academic administrative positions, not mentioned above, as set out in Appendix P;**
- (i) Participation in unit or faculty level academic and administrative committees, including but not limited to Executive, Academic Planning, Curriculum, Hiring, Affirmative Action, Program Review Committees, and Tenure and Promotions committees;**
- (j) University Advisory Committees;**
- (k) Service to organizations outside of the University which are of an administrative nature, and not part of an employee's research program, such as serving on review committees for student awards and scholarships.**
- (l) Fundraising should not be required service of employees, but shall be counted in service.**

Normal service shall include both service of a routine administrative nature, as well as service which contributes to the academic goals and governance of an employee's unit and/or Faculty, the Association and the University as a whole. Assessments of normal service will distinguish between membership on and leadership of the various activities and committees when defining normal service load. The time horizon used in assessments of normal service may exceed one academic year; for example, a unit

may choose to define normal service as an average of service activity over a two or three-year period.

It must be recognized that employees are provided course release or other reductions in normal workload for some service activities. When an employee has received a reduction in the other components of normal workload in order to take up a service activity, the calculation of service should take this into account. According to the current practices in an employee's unit or Faculty, the relief from other elements of normal workload must be balanced against the time required by the service contribution for which release was granted. Stipends do not affect the calculation of service load.

The normal service load of employees on sabbatical is nil.

Local units and Faculties may reduce the normal service load expected of its probationary librarians or pre-tenured faculty members.

The distribution of service load within units or Faculties will be reported annually to all members of the unit or Faculty, and copied to the Association. The procedure by which this reporting is to take place will be negotiated.

Joint Appointments, Restructuring and Voluntary Transfer (Article 18.07)

Recommendation:

- Joint appointees have prerogative to name home unit at time of appointment and every six years after tenure.
- One half course for service in a unit where the Employer undertakes restructuring/redeployment.
- Article 18.07, new last sentences: When an Employee transfers or is transferred the Employer shall replace the Employee's normal teaching load and/or professional duties and responsibilities. Such transfers shall not result in an increase in workload for those Employees remaining in the unit from which the Employee is transferred.

NEW: Course Cancellation

Recommendation:

- No Employee shall be penalized for a course that is cancelled due to low enrollment.

NEW: Technological Change

Recommendation:

- 1.5 FCEs per special courses delivered and/or taught
- Employer to supply high speed broadband access for faculty assigned to teach special course
- Employer to supply off-campus access to SIS for faculty members upon written request

Almost 1/3 of full-time faculty feel academic computing support at York is inadequate.

Joint Committees (Article 7.09)

Recommendation:

- JSIT to be replaced by Sub-committee on Student Electronic Contact.

E-mail from students is still the most frequently cited source of increased workload: 60% in 2002 -- up from 50% in 2000.

Internal Support for Teaching and Research (Article 19)

Recommendation:

- Faculty/Library Research Grant Funding (Article 19.29.a) increase 2001-2003 plus 25%.
- Junior Faculty/Librarian Fund (Article 19.29.b) increase to \$85,000 due to 25% increase in complement.
- Conference Travel Funds (Article 19.29.c) increase from \$57,475.00 to \$100,000.00.
- Leave Fellowship Fund (Article 19.30) increase to \$160,000.
- \$20,000 Fund paid in support of preparation of research grant proposals for research on human participants. Monies to be divided equally among applicants.
- Teaching-Learning Development Fund (Article 19.31) increase to \$30,000.
- Release-Time Teaching Fellowships (Article 19.32) increase to \$60,000.

More than 1/3 of York faculty claim clerical staff are overburdened to the point that faculty do not have adequate support.

COMPENSATION

Marketability (Article 25.11.c) and Merit (Appendix M)

Recommendation:

- Remove Employer's discretion to award additional adjustments based on marketability.
- Remove Appendix M – Merit

70% of faculty and librarians feel merit and marketability funds should be put back into the general salary pool.

67% do not believe merit procedures are transparent.

NEW: Long Term Salary and Benefits Task Force

- Grid system would front load salaries at York to ensure faster rise to median salary.
- Strategic to meeting the demands of the housing market, repayment of student loans.
- Removal of salary inequities

Recommendation:

- **Joint Task Force on Long Term Salary and Benefits, with wide representation of membership, to explore alternative salary and benefits structures at York, including but not limited to a salary grid, with 18 month reporting window.**

60% believe York should move toward a salary grid.

Base Salary Adjustment (Article 25.03) and Cost of Living Allowance

- Current income package squarely in mid-ranks of Ontario universities.
- Housing and rental costs highest in Canada.
- COLA must exist with raise in salary.
- COLA: Salaries do not match high cost of living in Toronto.
- COLA offers enhanced value for employer as incentive for retention and recruitment.
- In the absence of an effective housing loan this is a route to home ownership.
- Recent collective agreement settlements are between three and eight per cent while cost of living in Toronto, especially housing, is outstripping raises in take-home dollars.

75% want an automatic salary adjustment based on Toronto's cost of living.

Recommendation:

- **Base Salary Adjustment Fund of 5% of total bargaining unit salaries; distribution to be modeled on previous Salary Adjustment Fund exercises.**
- **In addition, annual Cost Of Living Adjustment (COLA) formula based on Toronto Consumer Price Index.**

Faculty and librarians say the top 3 factors in determining salaries should be rank, year of appointment, and years of professional experience. Each of these is favoured by more than 2/3 of faculty and librarians.

Floors (Article 25.01)

Recommendation:

- **Floors: raise all floors by \$3,500.00.**

Promotion Increments (Article 25.07)

- Enhance value of promotion, addressing value Employer places on service and collegial assessment and need to enhance balance among ranks.

Rank is most frequently cited as a valid basis for determining salary (by 77% of faculty and librarians).

Recommendation:

- **Increase promotion increments to base salary from 1 to 3 PTRs.**

Professional Expense Reimbursement (Article 25.08)

- No increase since 1991, including the mid-1990s inflation.
- YUFA in the middle of professional expense reimbursement.

For more than 2/3 of faculty and librarians, an increase in PER is an important bargaining priority.

Recommendation:

- **Increase to minimum \$1,500.00.**

Overload Rates (Article 25.09)

Recommendation:

- **Increase Course Director to \$11,937**
- **Increase Tutorial Leader to \$3000**
- **Increase College Courses to \$3,900**

NEW: Nursing and Alternate Stream:

- Nursing at Atkinson College: salary disparities threaten program integrity and faculty recruitment capacity. Nursing at Atkinson has the worst remuneration of all York units.
- Alternate stream wage disparities remain 11% below professorial-stream peers.
- Double cohort places pressure on those whose workloads are most open to exploitation in meeting the challenge of the double cohort.

Recommendation:

- **Nursing Salary Adjustment Fund to 100% of Professorial Stream.**
- **Alternate stream Salary Adjustment Fund to 90% of professorial stream.**

Administrative Stipends (Appendix P)

Recommendation:

- **Professional liaisons in professional programs added to Appendix P.**
- **Other improvements as deemed appropriate.**

BENEFITS

NEW: Parking & Transportation

- Integrated solution to existing super-saturation of parking lots and public transportation: will worsen under double cohort.
- Teaching staff has a right to designated parking in proximity to workplace.
- Aggressive competition for parking spaces in outer lots, security issues in lots.
- Parking-space value should be able to be exchanged for high-speed Internet access, TTC fares, bicycle purchase or gym memberships.

More than 75% of faculty and librarians consider negotiating a parking and commuting benefit to be important.

Recommendation:

- **Employees have a right to designated parking space(s) in proximity to workplace(s) at the unreserved rate.**
- **Establish Green Fund of \$50.00 monthly.**

NEW: Flexible Savings Accounts

- YUFA's chiropractic, osteopathic, podiatrist coverages are of little use because of OHIP norms.
- Many members have expressed interest in alternative medicine.

Recommendation:

- **Replace above coverage with \$1,000.00 Flexible Savings Account. Flexible Savings Accounts are comprised of a choice of Health Care, RRSP and Taxable Cash. To be administered by the Joint Subcommittee on Benefits (Article 7.06)**
- **YUFA is prepared to bargain a limit on physiotherapy of \$10,000.00 per covered person per year.**

York Guaranteed Housing Loan Plan (Article 26.11)

- Current guaranteed housing loan plan is outdated: detached housing costs in Toronto average \$347,000.00
- Existing plan guarantees \$130,000.00. Loan size needs renegotiation.

- For those who qualify, a tax deduction of \$3000.00 annually would be a 6 year accrual of \$18,000.00 or 5% of house cost (\$347,000.00). This creates a non-taxed down payment repayable over 20 years.

Recommendation:

- **Remove proximity to York as a requirement for housing loan.**
- **Update guaranteed housing loan; set eligibility ceiling at Average Bargaining Unit Salary.**
- **Establish employer-assisted group RRSP plan of up to \$3000.00 annually beyond pension deductions. Employer contribution 75%.**

Long Term Disability (Article 26.10)

Recommendation:

- **Introduce LTD benefit premium holiday six months before retirement.**

EQUITY

Affirmative Action (cf. Article 12.21-12.26)

Recommendation:

NEW: Affirmative Action Officer

- **Employer shall hire and fund full-time University Affirmative Action Officer with experience and expertise in employment equity; selection committee shall be joint, and report to JCOAA**
- **AA Officer would work, with Joint Committee on Affirmative Action and YUFA on following tasks:**
 - a) **annual post-audit of short listed candidates, successful candidates from target groups in all university hiring.**
 - b) **Lesbian/gay/bisexual/transgendered (LGBT) AA programme: include LGBT in training.**
 - c) **help units with their AA plans, provide training to all new AA representatives before they assume their responsibilities.**
 - d) **evaluate job posting language.**
 - e) **education and accountability in establishing disability figures among those who self-identify.**

More than 50% of faculty and librarians believe York's AA programme is not working well for visible minorities, persons with disabilities (more than 80%), and aboriginal people (almost 90%).

Chairs of Hiring Committees

- **The position of AA monitors to be eliminated and instead the Chairs of Hiring Committees, with support of unit AA representative and AA Officer, ensure AA policies and procedures are followed.**
- **Chair of each hiring committees will submit report to AA Officer and JCAA outlining fulfillment of AA obligations – report includes accounting of all the self identified candidates, the short listed candidates, the recommended candidate.**

Hiring Protocols

- **Deans / Principals recommendations about successful candidates occur after JCAA approves hiring process. Require sitting of JCAA to complete hiring process.**
- **If a unit has not complied with affirmative action standards, JCAA and AA Officer shall recommend to Chairs / Deans / President that an offer of appointment not be made until it does so.**

- Include HRDC guidelines included in the collective agreement. Article 12.21 modified in light of this change, deleting fourth paragraph.

Letter of Self-Identification

- Model letter and self-identification form be included as appendix in the CA and mailed out by local units to all applicants who apply for a job to be proactive in seeking self-identification.

Accommodations for Persons with Disabilities (Article 18.41)

Recommendation:

- partial and/or full return to work protocol with full discussion of accommodation issues by the Joint Benefits Subcommittee to meet within 30 days of signing a new agreement. Agreement between the Parties to be ratified by their respective principals within one year of initial meeting. Items for discussion include the following:
- accommodation language making it clear for Employees who need to negotiate accommodations what their rights are and what the process is.
- the participants of this meeting will be responsible for drawing up an accommodation plan and may wish to consult individuals with appropriate expertise in doing so.
- stipulating that a functional needs report from a Employee's physician or mental health professional is what is required when seeking an accommodation – and that this will be kept strictly confidential by all parties.
- the accommodation plan should describe any necessary adjustments to physical work space and/or modification of any aspect of an Employee's workload or accepted work practices. Such accommodation also includes, but is not limited to, modification of any merit monies assessment (if YUFA agrees to merit monies) and of the time requirements for tenure/continuing appointment and promotion decisions.
- it should be clearly stated that financial outlay needed to implement accommodation plans will not be the responsibility of the Employee's unit or

faculty. The Employer will be responsible for providing accommodation funding up to the point of undue hardship.

- Employee requiring an accommodation would meet with his /her Dean / University Librarian to outline his/her request, and shall be entitled to bring a YUFA representative to this meeting.

Parental Leaves (Article 19.08)

Recommendation:

- change parental leave language so that Employees can receive 95% or maximum under tax legislation of their salary for the full 17+35 weeks of leave to which they are eligible.
- the employer continue to pay full salary for the first 17 weeks and then top up EI for the remaining 35 weeks.
- include a statement that Employees may request pregnancy at a time other than immediately preceding and /or following the birth and/or parental leaves at a time other than at the latest 35 weeks after the child is born or comes into the custody, . . . The request shall not be unreasonably denied by the Employer.

Almost 2/3 of faculty and librarians would support a proposal to 'top up' EI to 90% or more of regular earnings.

Reduced Load (Article 18.25)

Recommendation:

- Add new reduced load language: Application for reduced load will not be unreasonably denied where the applicant has provided a reason such as but not limited to child care, elder care or disability.

NEW: Job Sharing

Recommendation:

- job sharing, i.e. two employees within a unit who want to share a job or two candidates who want to apply together for a posted position. Contract to be mutually developed between both faculty/librarians.
- Review and define Tenure and Promotion implications.

Almost 2/3 of York faculty and librarians support introducing a job sharing provision in the Collective Agreement.

RETIREMENT AND RETIREE BENEFITS

Post Retirement Teaching (Article 14)

Recommendation:

- Address needs of retired Employees who have low projected pensions as per Article 14.01.b.
- Increase teaching entitlements from eight (8) to ten (10) full courses. (Article 14.02.d.i)
- Increase Employer's annual contribution to fund for retiree benefits from \$450,000 to \$540,00 to ensure that funds are sufficient to meet obligations given increased number of retirees anticipated during the life-time of this agreement. (Article 14.08.b)

More than 3/4 of York faculty and librarians support the option of delaying retirement until age 69 for those whose pensions would be below \$50,000.

Continuing Members (Article 14.08)

Recommendation:

- Special Renewable Contract employees who are members of the bargaining unit at the time of retirement shall be covered by Article 14.08, which includes faculty library privileges, free athletic memberships and limited extended health care and dental coverage amongst other things.

Retiree Benefits (Appendix F)

Recommendation:

- Lifetime (drug) cap from \$25,000.00 to \$50,000.00.
- Index coverage at \$2000.00 per covered person with a 9% increase in second year and each subsequent year.
- Harmonize calendar year with plan year.
- Furnish members of retiree plan with photo membership cards.

Graduate Supervision (Appendix O)

Recommendation:

- Address issue of supervision credit for retired faculty who continue to supervise graduate student work

MISCELLANEOUS

Grievances (Article 9)

Recommendation:

- Update list of arbitrators.

Outside Professional Activities (Article 18.04)

Recommendation:

- “outside activities of a substantial or continuing nature” change “or” to “and”.
- Any question about which activities should be reported by Employees should be referred to their Dean/Principal and the Association.

CV's (Article 22.07)

Recommendation:

- CVs: digital copies of CVs cannot be required by the Employer. CVs requested under Article 22.07 will be maintained as confidential.