



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 (b)

ITEM IDENTIFICATION:

January 1, 2024 – December 31, 2026 Collective Agreement between the University of Toronto and CUPE 3902 Unit 1.

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 and CUPE 3902, Unit 1 recently completed negotiations for a 3-year renewal collective agreement for the term January 1, 2024 to December 31, 2026. This bargaining unit, one of the largest at the University, is comprised of approximately 6,500 Teaching Assistants, Course Instructors, Invigilators and others who are all students of the University. The Memorandum of Agreement was signed on March 4, 2024 and ratified by the Union on March 12, 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This agreement occurred within the context of Bill 124 being deemed unconstitutional and subsequently repealed in February 2024.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exclusion from our collective agreements of any retroactive wage increases (“reopeners”) in the event that Bill 124 was repealed, meant that the University spent significantly less on labour costs relative to inflation for the 6 years that include the Bill 124 moderation period as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

- Improved job security commitment to provide SGS II, PhD and DMA students subsequent appointments of at least 35 hours, and added a new half-subsequent appointment for SGS I Masters and undergraduate student employees
- New provision for posting a notice for a roster of Assistant Invigilators if/when required
- Agreed that on an annual basis the Employer will encourage Departments to establish and publish standardized times per assignment and turnaround times
- Significantly improved various provisions of the Collective Agreement in respect of harassment, discrimination, reprisal, and employment equity
- Agreed to establish a Working Group with the Union to examine workload issues and concerns and make recommendations to the Vice-President, PSEC by December 1, 2024
- Imposed a moratorium on the use of departmental TA evaluation forms until the University can conduct a review of the Union’s concerns regarding equity issues arising from comments made on such forms
- Improved the process for approval and departmental reimbursement for Union Leaves
- Reduced the number of hours required to be worked to be eligible for paid sick leave
- Agreed that the Health Plan Blackout Period would not extend beyond October 31st in any given year and further to establish a Working Group with the Union to consider improvements to the coordination and administration of the Base Plans and the Unit 1 Health Plan and make recommendations to the Vice-Provost, Students and/or the Vice-President, PSEC respectively

Monetary Revisions

- Agreed to form a Joint Task Force on Public Transit with the Union to secure a new discount for bargaining unit employees of at least 45% of the cost of a TTC post-secondary monthly pass. Not only is this an opportunity for savings, but is also relationship-building with one of our largest

union bargaining partners, while working together towards a common goal that may benefit the entire University community

- Across-the-Board (ATB) increases of 9.0% in year 1 (January 1, 2024), 2.0% in year 2 (January 1, 2025), and 1.8% in year 3 (January 1, 2026)
- New premium of \$1.00 per hour worked on Saturdays and/or Sundays for Assistant Invigilators, Chief Presiding Officers, and Invigilators – Services to Persons with a Disability
- Retroactive to January 1, 2024, a one-time special adjustment to the Course Instructor full course rate after the 9% ATB is applied, from \$17,750.67 to \$18,188.26 (an increase of \$437.59 for a full “Y” course, \$218.80 for a half “H” course)
- Effective May 1, 2024, each new appointment of a Course Instructor for a new course not previously taught by that Course Instructor will receive an additional stipend
- Amendments to the CUPE 3902 Unit 1 Health Plan including removal of the annual plan cap, reduced eligibility threshold to access benefits, improvements to the mental health, vision care, and physiotherapy benefits, and increases to the Health Care Spending Account
- Improved the Pregnancy and Parental/Adoption Leave benefit to provide for a consistent and equitable 4 months of paid leave
- Agreed to provide and administer a Child Care Benefit Plan for bargaining unit employees for child care expenses incurred starting on January 1, 2026
- Agreed to provide an additional 2 hours of work-related paid training for Teaching Assistants and Course Instructors per academic year
- Increased the Employee Financial Assistance Fund (EFAF) to \$3,400,000 in year 1, \$3,536,000 in year 2, and \$3,677,440 in year 3 to facilitate Equity, Diversity, and Inclusion initiatives
- Reduced the amount of bargaining unit work that may be included in the calculation of base funding amounts to no more than \$7,500 in year 1, \$7,200 in year 2, and \$6,900 in year 3, and agreed that effective September 2024, bargaining unit work may not comprise more than 50% of any graduate funding package, excluding tuition and student fees
- Minor increases to amounts paid to the Union toward the rental of office space and costs associated with the administration of the Collective Agreement

FINANCIAL IMPLICATIONS:

Estimated Costing – CUPE 3902 Unit 1 Collective Agreement January 1, 2024 to December 31, 2026

Bargaining Unit Base Payroll = \$80.86M	Year 1	Year 2	Year 3	Total Over 3 Years (Salary Base Increase)	Total Over 3 Years (Benefits)
Total Comp. = \$89.02M					
Wage increases	\$7,277K 8.17%	\$1,781K 1.83%	\$1,641K 1.65%	\$10,700K 11.65%	
Increase to SL1 rate	\$115K 0.13%	\$345K 0.35%		\$460K 0.48%	
Additional pay for new courses for course instructors	\$100K 0.11%			\$100K 0.11%	
EFAF additional funding	\$103K 0.12%	\$136K 0.14%	\$141K 0.14%		\$380K 0.40%
Office space rental	\$60K 0.07%				\$60K 0.07%
Joint Task Force on Public Transit		\$1,000K 1.03%	\$1,000K 1.00%		\$2,000K 2.03%
Childcare Benefit			\$500K 0.50%		\$500K 0.50%
Health Care Benefits	\$540K 0.61%				\$540K 0.61%
LOI: Calculation	\$604K 0.68%	\$710K 0.73%	\$710K 0.71%		\$2,024K 2.12%
Total	\$8,799K 9.89%	\$3,972K 4.08%	\$3,992K 4.00%	\$11,260K 12.24%	\$5,504K 5.73%