**Academy for Academic Personnel Administration**

**Fall 2013**

**Round Table Report**

**1. Institution Information**

Name of Institution/System: The University of Western Ontario (“Western University”

Name and Title of Individual Responding: Alan Weedon, Vice-Provost (Academic Planning, Policy and Faculty)

**2a. Description of Faculty Bargaining Unit(s) – Size and Composition**

The faculty bargaining unit consists of:

* 1070 probationary and tenured full-time faculty; Department Chairs are in the bargaining unit, and Associate Deans and Deans are excluded.
* 200 full-time contract faculty. These are untenured individuals at the rank of lecturer (no PhD) or Assistant Professor whose workload is typically 80% teaching and 20% service. Their appointments are anywhere from 8 months to five years duration, and are renewable.
* 500 part-time faculty who are hired by the course and who can teach up to 4 two-semester courses per year, and who are in the bargaining unit because they have taught at least two one-semester courses in any two of the last three years. There are another 500 part-time faculty who are outside of the bargaining unit because they do not meet this threshold; they are unrepresented by any bargaining agent
* The bargaining unit excludes 700 full-time and 700 part-time MD-qualified clinical faculty who teach in the medical school (Ontario law does not allow MDs to be members of a union).

Bargaining Agent: The University of Western Ontario Faculty Association

Date of First Contract: 1998-2002

Number of Succeeding Contracts: three (2002-6, 2006-10, 2010-14)

**Web address of current contract:**

[**http://www.uwo.ca/pvp/facultyrelations/faculty/collective-agreement.html**](http://www.uwo.ca/pvp/facultyrelations/faculty/collective-agreement.html)

**2b. Description of Faculty Bargaining Unit(s) – Size and Composition**

Librarians and Archivists are classified as members of the academic staff at Western. Their bargaining unit consists of:

* 55 individuals in the University’s library system. They work alongside 120 other library staff who are either non-unionized Professional and Managerial staff, or are Library Assistants who are part of the non-academic staff union.

Bargaining Agent: The University of Western Ontario Faculty Association

Date of First Contract: 2006-09

Number of Succeeding Contracts: Two (2009-11, 2011-15)

**Web address of current contract:**

[**http://www.uwo.ca/pvp/facultyrelations/librarians/collective-agreement.html**](http://www.uwo.ca/pvp/facultyrelations/librarians/collective-agreement.html)

**3. Activity Report (e.g., status of current agreement or negotiations, details of last contract settlement, etc.):**

The faculty settlement reached in 2010 was one of the first to be completed in Ontario following the economic downturn of 2008/9. Most collective agreements at that time pre-dated the downturn and had annual across-the-board increases to salary of around 3% plus another 2% in the form of progress-through-the-ranks increments or increments recognizing performance. In 2009 the Ontario government urged universities to attempt to negotiate agreements with two years of 0% across-the-board increases. We were able to achieve a four year agreement with 1.5% across-the-board in each year. We also achieved improvements in language that enable the employer to discipline (i.e., terminate) faculty whose annual performance evaluation is judged to be poor and who do not successfully remediate.

The current contract ends in June 2014 and we are currently preparing for bargaining in a climate where the university’s budget is projected to increase at 4% per year for the next few years; at the time of the last settlement in 2010 it was growing at 5% per year. Early signs are that the union will want to bargain constraints on the use of teaching evaluations in performance assessment, and constraints on the expansion of course offering by distance education and alternative teachnologoes.

The Librarian and Archivist settlement reached in 2011 followed a three-week strike and also included a 1.5% across-the-board increase in each year of four years.

**4. Special or noteworthy happenings (e.g., relevant arbitration or court decisions, organizing campaigns, labor agency decisions, etc.)**

The Canadian Charter of Rights and Freedoms contains freedom of association provisions and also provisions that establish the right to bargain collectively. Recent court decisions limit the ability of the provincial governments and the federal government to impose settlements. Some Ontario universities achieve wage settlements through arbitration; arbitrators have taken the position they are not bound by the governments directive to achieve 0% across the board settlements.

The political situation in Ontario is currently highly unstable. The Liberal is the party forming the government, but it has a minority of seats in the legislature and stays in power through the support of the second party, the NDP (National Democratic Party). The NDP is a left of centre, union-friendly party. Consequently, the Liberal Party has not been as intrusive in the collective bargaining process as it might have been. The third party is the Conservative Party, which has promised to introduce right to work legislation if it comes to power.

**5. Special happenings related to fiscal issues (e.g., salary reductions, health and dental insurance costs, reductions in force, early retirement programs, program consolidation or elimination, etc.):**

The Ontario government introduced legislation in 2010 that froze the wages of broader public sector employees (i.e., hospital workers, school teachers, police, firefighters, university staff and faculty) who were not represented by a union or did not bargain collectively. In 2012 this legislation was extended for at least two more years and until the provincial annual budget deficit has been eliminated. In the fall of 2012 the Ontario government legislated an imposed settlement for unionized schoolteachers that froze their wages, imposes unpaid days, and removes some benefits. This was likely to be challenged in the courts (see item 4. above), and following a change of leadership within the government led to a re-opening of the negotiation process. The Ontario government was contemplating similar legislation for other broader sector organizations, including the universities, as well as contemplating centralized bargaining of university contracts. Recent signs are that the government is no longer planning such action. The Ontario government is also contemplating legislation on broader public sector pensions to deal with the technical insolvency of defined benefit pension plans; this could see pooling of pension funds and increased employee contributions.