



Bargaining Bulletin Vol. 8, No. 10

We hope you're settling into the Fall Term. This Bargaining report is longer than those previously distributed. It contains important updates so please read carefully through the information provided.

Updates on Negotiations: A brief summary of our progress to date

UWOFA gave official notice to bargain in the spring, as our Collective Agreement was about to expire. Bargaining only really began in July, due to delays in getting confirmation of meeting dates from the Employer. Because of the limited progress in negotiations due to these delays, we decided to call for Conciliation just before taking the previously scheduled one-month break. Since we resumed talks in late August, some progress has been made, but not as much as we would like. The Conciliator was present for two meetings as an observer. Bargaining Information Meetings were held (both in person and via Zoom) on Monday, September 12th. Jeff Tennant, Chief Negotiator, and Johanna Weststar, Deputy Chief Negotiator, spoke to the membership about bargaining at the table. Key messages are that:

- The Employer has amassed substantial surpluses, not just through the pandemic, but over the last 4 years, since we were last at the table. This is part of a documented pattern of accumulation and resource hoarding, going back at least 10 years. See [Every Budget is a Choice 3.0](#). **We know Western can afford to do better.**
- Western appears to be interpreting Bill 124 more conservatively than our Negotiating Committee. Even though the Bill is a mighty savings windfall for Western just on compensation alone, the Employer currently appears determined to keep their stuffed coffers closed on **areas where we could still make gains, such as PER and resources to support adequate staffing.**

There were two bargaining meetings last week, at which the Employer continued to reject a number of our proposals. Given the constraints under which we are bargaining and the exhaustion and low morale that our Members continue to experience after the last two-and-a-half years of pivoting, “no” does not feel productive or respectful. It is hard to see how that response translates into concrete action given President Shepard’s words of thanks for how faculty have stepped up during the pandemic.

To date, the Employer has said “no” outright to 20 of our 55 proposals (see **Appendix A** for a list of our proposals and the Employer response as of September 16th), while considering an additional 3 to be constrained by Bill 124. Twenty more proposals still await a response. The Employer does not seem to be negotiating in a way which takes into consideration the substantial impacts of the last two-and-a-half years on faculty workload and wellbeing, despite the administration’s expressions of gratitude for our service in their public relations communications.

If the current rate of inflation holds, faculty could be looking at a 25% pay cut over three years. Bill 124, meanwhile, saves the Employer \$1-1.7M per year. We would like to see those dollars reinvested in the core mission of the university, but it’s now clear that the Employer is not going to do the right thing without some additional pressure.

What happens next? Strike Vote

We are now calling for a strike vote to help strengthen our bargaining position. The polls will open Monday, September 26th at 1:30pm and close on Friday, September 30th at noon (see **Appendix B** for poll locations and times). Information meetings will be held from 11:30am-1:30pm on the 26th (via Zoom) and on the 27th (in person, University College 3225). See **Appendix B** for a list of FAQs.

Upcoming Bargaining Meetings

We will continue to meet with the Employer during and after the strike vote, with the goal of achieving a fair and equitable Collective Agreement without the need for strike action. Upcoming bargaining meetings are currently scheduled as follows:

- September 21
- September 23
- September 28
- September 29
- October 4
- October 5
- October 6

What can you do?

- Give the Negotiating Committee a strong mandate to get the best offer possible, by **voting “YES!”** Register by the deadline (Thursday, September 22nd) if you plan to vote online, or plan your in-person vote by picking your polling station and time from the available options. Talk to your UWOFA colleagues about voting YES! as well.
- If you are currently teaching, **talk to your students about bargaining**. Faculty working conditions are student learning conditions, so they have a vested interest in many of our bargaining goals. Encourage students to follow UWOFA on social media and direct them to the student page of our website which is regularly updated.
- Tell Western where you think the budget surplus should go (see [Every Budget is a Choice 3.0](#)):
 - Get loud on social media and make sure to tag us! Twitter: @westernu @westernuProvost @uwofa1; Facebook: @UWOFA, @Western University; Instagram: @uwofaco, @westernuniversity
 - Send a letter or an email to the President and Provost (cc uwofa):
 - uwofa@uwo.ca
 - alan.shepard@uwo.ca
 - provostvpa@uwo.ca
- Get in touch with UWOFA’s [Communications Officer](#) to **make a short video** expressing a message of support or highlighting how a particular bargaining goal impacts you personally. This video will then be posted to social media.
- **Sign the Bargaining Support Statement** – reach out to your [faculty representative](#) or to UWOFA’s Past President Nigmendra Narain for more information.
- **Get involved** in building support for UWOFA bargaining goals, please contact UWOFA’s Mobilization Chair, [David Heap](#).

Appendix A: Core UWOFA Proposals Organized by Mandate

UWOFA Proposal	Employer Response
SUPPORT, RECOGNIZE & REWARD FACULTY EFFORT	
1. To improve salaries for Full-Time Members.	No response
2. To achieve efficiencies in Annual Performance Evaluation (APE) (e.g. less frequent assessments).	Yes
3. To ensure that APE serves its stated purpose (i.e. include formative support and mentoring).	Yes
4. To remove prescribed assessment distributions that limit the number of 'exceptional' and 'very good' ratings that can be assigned.	No
5. To provide a salary increase on promotion	No response
6. To increase sabbatical pay to 100% for all sabbaticals	No response
7. To provide equitable compensation for Members in Music Performance Studies.	No response
8. To obtain significant increases in flex credits that can be applied to either Professional Expense Reimbursement (PER), Health Care Spending Account (HCSA) or Wellness Spending Account (WSA).	Employer considers constrained by Bill 124
9. To increase the amount and accessibility of Professional Expense Reimbursement (PER) allocations for Part-Time Members.	No response
10. To provide fair and equitable compensation for Part-Time Members (e.g. through a seniority premium and compensation for training and work performed outside of the contract).	No response
11. To redress salary anomalies, including those due to inequities, for Full-Time Members through a career trajectory fund.	Employer considers constrained by Bill 124
12. To increase the course cancellation stipend paid to Part-Time Members.	Employer considers constrained by Bill 124
13. To allow Members retiring from Limited-Term appointments at the rank of Lecturer or Assistant Professor to be granted Emeritus status.	No
14. To improve access to Education Leave	No
15. To clarify terms of eligibility for Sabbatical for Members on Limited-Term appointments.	No response
16. To ensure the provision of T2200 forms to allow Members to claim expenses for working from home on their tax returns.	Yes
SUPPORT FACULTY HEALTH & WELLBEING	
17. To upgrade the Extended Health and Dental Plan by the maximum amount allowable under Bill 124 in each year of the Agreement (including access to benefits for Part-Time Members)	No response
ACHIEVE FAIR & EQUITABLE WORKLOADS	
18. To introduce terms ensuring the full replacement of Members who are seconded to roles outside of their home unit (e.g., for special assignments or Assistant/Associate Dean roles)	No
19. To ensure that retirements and resignations do not increase the workload of remaining Members.	No
20. To introduce terms governing how teaching work in the form of field trips, field courses, experiential learning courses and study abroad, etc., is counted in a Member's Workload and adequately resource such courses.	No
21. To ensure consistency across Units in the elements of Academic Responsibilities specified in the Workload Document and the resources to support them (e.g., admin, marker and TA support, student supervision, maximum course enrolments).	No

22. To ensure that the Workload of Members on Limited-Term appointments does not exceed Normal Workload.	No
23. To clarify the workload expectations of Members holding a Joint Appointment.	No
24. To update equipment, resources, supports and protections provided to Members in the Working Conditions Article.	Partial agreement
25. To renew the mandate of the Workload Study Group to complete its work.	No response
PROTECT & ENHANCE COLLEGIAL GOVERNANCE & DUE PROCESS	
26. To strengthen Member autonomy in determining the mode and delivery of course instruction and assessment.	No
27. To strengthen the requirements for the Employer to consult with the Faculty Association.	No
28. To clarify the process of investigation and escalation of student complaints.	Partial agreement
29. To allow all Members of a Unit to vote on all the positions on the Appointments Committee (currently Part-Time Members are not allowed to vote for some positions).	No
30. To set a clear process and timeline for investigations potentially leading to discipline and require that Investigative Reports are supplied to the Member.	No response
31. To ensure that documentation related to previous considerations for Promotion, Tenure, or Continuing Status does not remain in a Member's Official File.	No response
32. To set clear timelines for the Provost's communication of Promotion decisions to Members.	No response
33. To clarify the timeline on Sabbatical application decisions	No response
34. To support and clarify the democratic processes for Collective Agreement mandated committees.	No
35. To clarify the independent medical review process.	No response
36. To allow faculty Members who become members of Western's Board of Governors to remain Members of the Faculty Association.	No
37. To provide the Association with Members' email addresses	Yes
38. To provide the Association with a list of Members on Standing Appointment and Preferred Status	Yes
ENHANCE JOB SECURITY OF CONTRACT FACULTY	
39. To increase access to Standing Appointment and improve the rights to course instruction under a Standing Appointment.	No
40. To allow time in a Standing Appointment and in Limited Duties appointments to count toward Limited-Term No End Date (LTNED) status.	No
41. To clarify/establish timelines for appointment to Limited Duties and Limited-Term positions.	No
42. To reduce the time it takes to be eligible for an LTNED appointment.	Yes, from 12 to 10
43. To allow for a Member to appeal the denial of an LTNED appointment.	Partial agreement
44. To increase the number of conversions for long-serving Part-Time Members to Limited-Term appointments and improve the job security associated with those conversions.	No response
45. To improve components of the Teaching Scholar Track and ensure that any expansion of this track supports job security for Part-Time Members and Members on Limited-Term Appointments.	No
ACHIEVE E.D.I.D. & JUST REPRESENTATION	
46. To allow Members on Standing Appointments, Limited Duties appointments, and Limited-Term appointments to be eligible for Principal Investigator status for ethics protocols and external grants.	No
47. To ensure that all short-listed candidates are informed that they may consult with the Association before signing the Letter of Appointment.	No

48. To require the Employer to provide improved support for Members with eldercare responsibilities.	No response
49. To improve access to Pregnancy and Parental/Adoption Leave.	No response
50. To extend the period during which a Part-Time Member has access to library resources.	Yes – to 24 months
51. To maintain and expand on terms negotiated regarding the effects of the COVID-19 pandemic on faculty working conditions (including compensation for extra work)	Partial agreement on non-monetary terms
52. To improve support for faculty members who have disabilities.	No response
53. To establish a Joint Working Group to explore alternative pension plan options.	No response
54. To recognize the service burden borne by Black, Indigenous, and other racialized faculty, and by faculty members from other equity-deserving groups, who are engaged in EDID-related work at the university and/or in the community.	No response
55. To introduce a process for the evaluation of teaching performance for the purposes of APE, Appointments, and Promotion, Tenure, and Continuing Status based on a teaching dossier and peer assessment.	Yes – Joint Working Group to resume work

ADMIN opened the following Articles:

Article	Status and UWOF A Viewpoint
Academic Fraud and Misconduct	Update policy referenced in the article to the current version of MAPP 7.0 UWOF A has agreed to this proposal
Academic Responsibilities of Members	Incorporate into the article the wording in Appendix E pertaining to supervising students for their academic work and leave in Appendix E only terms about faculty responsibilities in employment relationships with students. UWOF A has agreed to this proposal
Alternative Workload	Dean to have the right to unilaterally impose an AWL on a Member. UWOF A has rejected this proposal
Annual Performance Evaluation	Do APE less frequently, optional for Part-Time Members, etc. UWOF A and Admin have both made proposals in this regard. Agreement emerging on some elements, and negotiations ongoing.
Appointments	Clarify terms for cross-appointment and affiliate appointment. UWOF A has agreed to this proposal
Chairs of Departments and Directors of Schools	Add terms for electing an alternate to Chair/Director Search Committee. UWOF A has agreed to this proposal
Compensation and Benefits	No proposal from Admin but they have presented their estimate of funds available under Bill 124 constraints. UWOF A is studying Admin’s estimate
Conflict of Interest and Conflict of Commitment	Increased administrative oversight of external employment relationships between faculty and students. UWOF A rejected initial proposal; Admin presented new proposal.
Employment Equity	Adding sexual orientation and gender identity as protected grounds. UWOF A has agreed to this proposal
Grievance and Arbitration	Allowing the same OFR Consultant to handle the file at different steps of grievance process UWOF A is considering this proposal
Official File	Move to an electronic file. UWOF A has agreed to this proposal in principle, but some specifics remain to be worked out.

Promotion, Tenure and Continuing Status	Introduce terms for the standard of Limited-Term Members going up for promotion, increase the number of external referee letters and a few less important elements. UWOFA has tabled a counterproposal addressing problematic elements of Admin proposal.
Sabbatical Leave	Tie the granting of sabbatical to APE and raise the bar from 'satisfactory' to 'good'. UWOFA has rejected this proposal

Appendix B: Strike Vote FAQ

When is the strike vote?

The polls will open at 1:30pm on Monday, September 26th and in-person voting will continue at varied locations on campus until Friday, September 30th at noon (see list of locations and times below).

Can I vote online?

Yes, but you must [register in advance](#), and then your name will be removed from the in-person voting roster. The deadline to register for online voting is **Thursday, September 22nd**.

What is a strike vote?

A strike vote is a way for you, the membership, to indicate your support for the work of the negotiating team and our collective stance on the issues.

What does a “yes” vote mean?

Voting “yes” expresses your support for the negotiating team and gives them leverage at the table during and after conciliation because it provides the Association with the ability to call a strike. Past experience at Western and other universities in Canada shows that Employers are unwilling to negotiate a fair deal until faculty show their intent through a strong strike vote.

What does a “no” vote mean?

Voting “no” indicates your desire that the negotiating team accept what is already on offer from the administration, which at this point is not much (see **Appendix A**).

Are we on strike after a “yes” strike vote?

No. A strong “yes” vote **does not mean** we automatically go on strike. Any decision to go out on strike can only be made by the UWOFA Board of Directors on the recommendation of the negotiating team **and will come only after all other options have been exhausted**. The Board may also consider other kinds of labour action (rotating strikes, one-day strikes, work to rule) if/when there appears to be no other way to reach an agreement.

Is there a second vote to go on strike?

No. A positive strike vote delegates authority to the Board to decide based on the recommendation of the negotiating team.

What issues remain unresolved?

There are crucial issues remaining to be resolved in all six key areas of our Bargaining Proposals: 1) recognizing and rewarding faculty effort; 2) supporting faculty health & wellbeing; 3) fair and equitable workload; 4) collegial governance; 5) job security for contract faculty; 6) EDID. For more detail, please see **Appendix A**.

UWOFA and the Employer have been working in a period of conciliation since August. What happens if conciliation fails?

If the conciliation process fails to produce a mutually agreeable settlement, both sides can continue to bargain without the presence of a conciliator, or either side can ask that the conciliator file a “no board” report. A “no board” report states that they are at an impasse. A strike or lockout is legally possible 17 days after the report is filed, but it is important to remember that neither is required. The two sides can keep trying to reach a deal after a “no board” report has been filed and even once they are in a legal strike/lockout position.

What about ... my rent, my mortgage, my childcare, my students, my... everything?

In the event of a positive strike vote, we will be surveying all UWOFA Members about what you can do and need to do in the event of a strike. Before the UWOFA Board sets a strike deadline, we will provide updated FAQs for Members, as well as for our students and other community members.

Is UWOFA financially prepared?

Yes. UWOFA has approximately \$4.5M in reserve to pay our members in the event of a strike. In addition, the Canadian Association of University Teachers’ (CAUT) Defence Fund contributes \$88 tax free per calendar day for each member after the first three days of a strike. UWOFA’s Board can decide to top up this amount. Strike pay will be set at \$175/day (\$875/week, tax free). All members are eligible for strike pay, upon completion of weekly picket duties.

UWOFA In-Person Strike Vote Polls

DATE	LOCATION	TIME
Monday, Sept. 26th	Labatt Health Sciences Building (HSB), Lobby	1:30-7pm
Tuesday, Sept. 27th	University College (UC), Room 3225 (following info session) and Hallway	1:30-7pm
Wednesday, Sept. 28th	Social Science Centre (SSC), 2nd Floor Lobby	9am-7pm
Thursday, Sept. 29th	Middlesex College Lobby	9am-7pm
Friday, Sept. 30th	Elborn College, room 2120 (UWOFA Office)	9am-12noon