

BARGAINING BULLETIN

Recent Settlements in Ontario

Rob Breton, NUFA President

At Brock University, Faculty gained a compensation increase of 1.75%, 1.5%, and 1.5% for the next three years, in addition to progress through the rank increases of \$3,154 for each of three years. Chairs' and program directors' stipends will also show an increase, as will professional development expense reimbursement. Remember, Brock has had recurring deficits that have averaged about 6.5 million over the past five years. They have pension shortfalls and deferred maintenance problems that we simply do not have at Nipissing.

St. Jerome's University managed a 5-year deal with 3% for each of the first two years followed by a formula for the next three years based on the greater of the Consumer Price Index (CPI) or gains at the University of Waterloo. They also agreed to eliminate merit awards.

At U Ottawa, the Association gained a compensation increase of 2% per year and an additional catch-up adjustment of 1.5% in the last two years of the agreement adding up to 11.45% over four years. They also secured huge gains in faculty complement (60 new tenure-track positions) with a guarantee of no new teaching-intensive positions. The drop in student enrolment directly from high-schools is greater at U Ottawa than at Nipissing.

The new agreement at Carleton includes a 2.1% salary increase for the 2014–15 year, a 1.7% salary increase for 2015–16, a 1.6% salary increase for 2016–17, lump sum increases to summer school stipends and professional expense reimbursements, and increases to sabbatical pay for both full-year and half-year leaves.

Although outside of our sector, it is notable that College Faculty at Ontario's 24 colleges recently agreed to a 3-year deal with a 1.2% salary increase in the first year, 1.5% in the second year, and 1.8% in the third.

Settlements in our sector are rising. Zeroes are certainly not on the table at other institutions. They should not be acceptable here.



Zero Percent, and Owen Shime

Larry Patriquin

In recent years, there has been much pressure on public sector workers to take small wage increases and, in some instances, even wage freezes. It may be the case that a few of us in NUFA-FASBU might be willing to receive zeroes across the board for a couple of years, in order to help our cash-starved bosses at Queen's Park. But should we acquiesce in what would undoubtedly be a lowering of our standard of living? Should we resign ourselves to accepting zero percent? In figuring out the answer to these questions, we might want to call on Owen Shime for some assistance.

For those not familiar with the name, Shime is one of Canada's most respected and most-cited arbitrators. A veteran of his profession, he earned his law degree from the University of Toronto in 1960. Now in his late 70s, Shime continues to be in great demand, which is not surprising, given his deep knowledge of labour law and (from what I can discern in glancing through some of his recent judgments) his wisdom and compassion.

In the "industry" that is Canada's publicly-funded universities, Shime's most famous decision (or "infamous" decision, if you happen to be a senior administrator) was made in 1990. In settling a dispute between McMaster University and its Faculty Association, Shime was blunt and to-the-point when he asserted, in ruling in favour of the relatively low-paid members of the Association: "In very simple terms, I see no reason to pay people performing the same functions at McMaster University less than those at other Universities." He left room open for "slight differences" between Ontario's post-secondary institutions, but added that these differences "do not derogate from the basic premise that persons of the same rank doing the same work at different Universities should, by and large, receive the same or an equivalent salary and by salary I mean all benefits."

In his ruling, Shime noted the administration at McMaster had maintained "that its budget decisions are made in a political context where the Universities are accorded far lower priority by Government than in the past." Despite this, he frowned upon the University's "(in)ability to pay" argument in settling what was a *public* sector salary dispute. While he did not mention it explicitly, Shime seemed to be saying that, unlike a private company, the government, through its taxing powers, had an almost unlimited ability to raise the revenue it needed to pay its workers a fair remuneration. This is why he concluded that if McMaster's salaries were lower



than elsewhere (which they were), “I would have no hesitation in increasing the amount to achieve the same standard for McMaster regardless of the University’s fiscal position” (emphasis added). Importantly, he proposed that arbitrators, in arriving at settlements, must *not* consider the level of funding universities receive from governments. If required to do so, they would become redundant, having no role to play. They would be forced to simply accept time and again politicians’ pleas of poverty, in effect becoming “handmaidens of the Government.”

Yet Shime didn’t stop there. He observed that university teachers “are well trained and well educated professionals, who perform a valuable service to the community.” In comparing us

to other professionals – he mentioned doctors, lawyers, dentists, and engineers – he concluded: “There is little doubt that they [faculty] are *not* paid well considering the service they perform” (emphasis added). This held true a quarter-century ago, and it is still true today.

Despite all this, some might still support the idea that FASBU should “take one for the team.” The argument is simple: the government is broke, and we would be wrong to ask for much of anything in this tight fiscal environment. But the Ontario

government's genuine financial mess – a \$12 billion dollar deficit – is the product of greedy private bankers who gleefully ran the global economy into the ground in 2008 and, perhaps more importantly, a government that has refused to raise taxes to pay for the services needed by the province's citizens. Hear this, my friends: If the McGuinty Liberals in 2010 had raised taxes to the level they were in 1995, when the Harris Conservatives began hacking their way through the system, this economically very viable level of taxation would have in 2010 alone brought the government an additional \$15 billion in revenue. In short, Premier Kathleen Wynne, with just a snap of her fingers, could turn the "fiscal crisis" into nothing more than a bad dream.

Yes, dear colleagues, the government, and by implication the university sector, could easily afford to pay acceptable salary increases. However, the powers-that-be have *chosen* to give tax cuts to their rich friends. We would, in our own way, be the "handmaidens" of this "lower taxes" agenda if we were to accept a wage freeze. Indeed, it's not as if the government would use any extra cash we handed it to help the poor and the downtrodden. It's not as if the hungry and the homeless of Ontario, thanks to our magnanimity, would suddenly have food and shelter. No, what in fact would happen is that the part lopped off our wage packet would go to pay for tax breaks that have mostly benefited a small elite. In effect, our wage freeze would constitute, in many ways, a transfer of wealth upwards, into the jingling pockets of the 1%.

In the current round of collective bargaining negotiations, we should make clear that we will not accept an attack on our standard of living so Conrad Black and his ilk can rush over to RichMart™ and splurge on a few marble gnomes for their landscape gardens. In defending ourselves, we will also have to answer questions from average or below-average earners, a group of women and men who, like us, also contribute some of their hard-earned dollars into the tax fund. In doing so, we might feel slightly self-conscious carrying placards that read – oh, I don't know – "workers of the world, unite!" If that's the case however, and if the need arises, we should have no hesitation in inscribing on our banners another perspicacious insight from Mr. Shime: "public sector employees should not be required to subsidize the community by accepting substandard wages and working conditions." Once more, Owen Shime has provided us with a thoughtful observation that gets to the heart of the matter, even if it is, regrettably, not so easy to chant.