

FACULTY NEWS LINK



President's Report

Jesmen Mendoza TFA President

Collegial self-governance is one of the cornerstones of universities. It informs our collective agreement processes and charges the collegium with making decisions about the academic affairs of the institution. This past year at Toronto Metropolitan University, we've observed how collegial self-governance has been threatened in a number of ways. We have observed how our voices and ideas have been ignored at bargaining. We have been disappointed in how our grievances have been summarily dismissed.

We have argued how we ought to have more of our input meaningfully incorporated into policies that have been up for review. The Senior Administration's failure to listen and respond to us has resulted in an academic workplace culture that not only ignores the collegium, it has engendered disengagement in the faculty, librarians and professional counsellors, and leaves us all with a poor sense of morale.

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President's Report Continued

Negotiations

Both the Association and the Administration are parties to a collective agreement. As negotiating partners, we may not agree to every proposal or counter-proposal made by them. However, collective bargaining requires us to listen to the Administration and understand the merits of their proposals. The same expectation applies to the Administration as well. My observations of the last three rounds of collective bargaining has seen all of the collective bargaining committees work tirelessly at preparing our proposals. The proposals that have been made by our collective bargaining committees have been well-researched and that these proposals have been offered to the Administration in the hopes that they would see the merits of what we have put forward. However, the Administration has dismissed and rejected many of our proposals without any reasons or meaningful explanation. Conversely, when the Administration has made proposals, we have seriously considered what they have offered. When our collective bargaining committees have queried further the merits of their proposals, we have been met with a reiteration of their proposals. As such, we are left having to rely on an Arbitrator to help us overcome an impasse, which in my opinion, seems to have been created by the Administration.

The most recent round of interest arbitration exemplified this where Arbitrator Kaplan remarked in his recent award on how the parties have been caught in a dynamic of where we reject each other's proposals and ideas, and have essentially lost the essence of collective bargaining. And while I would say that it was the Administration who has first created, engendered and continues to maintain this dynamic between the parties, I do recognize the feedback that Arbitrator Kaplan has described, and how, despite our efforts as I've described in the previous paragraph, we have been caught up in it.

Arbitrator Kaplan's observations may be difficult to read, but the message is clear and that we all, particularly the Administration, need to shift this dynamic where it not only regains the spirit of what collective bargaining is all about, but have a healthy collegial debate on the ideas that are presented for bargaining. More on this topic can be found in the Chair, Negotiating's report in this Bulletin.

Grievances

Our Chair, Grievances has focused on the numerous violations of the Collective Agreement made by the Administration, and the many attempts made by our Chair, Grievances and our Labour Relations Staff to informally settle these violations. More of this can be found in her report. What I would like to highlight, which very much parallels the experience at negotiations, is how we spend much time thinking through the merits of whether a case ought to be grieved by the Association or not. Our Chair, Grievances, the Grievance Committee and the Labour Relations staff actively debate in a healthy fashion of whether a matter, brought forward by a member, is grievable. They consider the context of the member's concern, the language of the Collective Agreement, and legal advice before filing a grievance. In other words, much time is taken to consider the merits of a case before presenting a grievance to the Administration. Additionally, if it's been decided by the Grievance Committee to file and present a grievance to the Administration, there is much time taken by our Chair, Grievances, who then acts as the TFA's Grievance Officer, and the assigned Labour Relations Officer to help prepare, organize, gather information and craft arguments. This preparation can take weeks before the actual grievance is eventually presented to the Administration.

While much time is taken to file a grievance and carefully articulate our arguments at a grievance presentation, the hope is that the Administration will listen to our and our member's concerns, and respond in a meaningful manner. However, the unfortunate pattern that continually emerges is the Administration summarily dismissing and denying our grievances.

President's Report Continued

The Administration behaves more like corporate managers as opposed to academic university leaders who have come from the ranks of and appointed by the faculty. Their unfortunately predictable response leaves the Association, the Executive and the Grievance Committee but to rely on a grievance arbitration process that has been fraught with delays because of the unavailability of arbitrators knowledgeable about our sector, compounded by scheduling difficulties and availability of all those needed to attend such important legal proceedings. Despite the grievance arbitration process becoming cumbersome, what has been most irritating is when the outcomes of these grievance arbitration very much echo the remedies requested by our Grievance Officer in the original grievance presentation. If the Administration had only listened and truly considered our arguments at the beginning would we have saved time, efforts and the Association's resources.

Senate

On October 1, 2024, the Provost had released a draft copy of the Academic Plan and announced to Senate that she was accepting final feedback of the draft for October 17, 2024. As the Executive recognized that this was important to analyze the plan and provide feedback, the Executive worked quickly to assemble its thoughts, and include the comments that we've heard from members about this Plan. We shared this feedback with you on October 30, 2024. We were disappointed to find at the November 5, 2024 meeting of Senate that there was no reflection of what we had provided in terms of our feedback submission to the Provost. When asked about the process of how the Provost went about considering our feedback, she simply noted that she read the submission and felt that the majority of our feedback was already addressed in the current version.

She made no mention of providing a copy of our submission to the Committee that assisted her in drafting the Plan. When I pressed further on the vagueness of the Plan, the Provost and the President explained that such details were budgetary concerns and would be left at the Faculty level to operationalize. I explained that not providing specifics created needless worries amongst our membership. This ought to lead us to wonder whether any concrete vision exists going forward, and if such a vision does exist, why aren't we a part of it or why hasn't our vision for the University been included?

Change Needed

Negotiations, Grievances and our participation at Senate are just some of the forums where we experience a threat to our collegial self-governance and our ability to engage in productive labour relations. This dynamic that we have with the Administration must change. To change this dynamic, we need to encourage the Administration to rebuild their bargaining relationship with us; we need to return to relying on labour relations to help settle our grievances instead of defaulting to a litigation approach to problem solving with the Administration; We need to shift how we operate at Senate. At the next retreat of the Executive, we will be meditating on how we can implement these changes.

Final Thoughts

When I am on campus and run into members, a constant question asked is if the TFA will be hosting our annual Season and Holiday Party. I am thrilled to say yes and am grateful that the Services Committee (Wayne Forsythe, Gerda Cammaer, Evan Cleave, Martin Greig and Bryan Koivisto) will be resuming our annual tradition that I know most members look forward to in the year. To our newer members who have joined TMU and the TFA in the last four years, I want to extend a special welcome to you and hope that you can all make it to this wonderful tradition. I hope to see you all there where we can wish each other well for the holidays and the new year ahead!

President's Report Continued

Finally, the work of the Association and the Executive is ongoing and its strength is reliant on the service that members provide to our organization. I want to encourage all of you to provide some contribution to the Association—it will make a difference. If you are interested, don't hesitate to contact me. I would welcome a conversation with you.

TFA

General Members Meeting

Dec 3rd, 2024
12pm – 2pm

In-Person: TRS Commons

Zoom
Registration:



TFA

Season/ Holiday Party

Sounds of the Seasons:
A musical selection of foods

Dec 3rd, 2024
5pm – 10pm
Oakham House

Grievance Report

This has been a very busy time for the grievance committee and for grievance processes overall. As grievance chair, I depend strongly on the grievance committee to provide a deep, holistic assessment of grievance related issues and cases. The current committee consists of me (Corinne Hart) as grievance chair, Tammy Landau, Diane Pirner, and our newest member, Shai Yeshayahu as committee members, and Jesmen Mendoza, the TFA President as an ex-officio member. Andre Foucault, the Association's Executive Director of Labour Relations, and Shiraz Vally, and Mina Rajabi Paak, our Labour Relations Officers, also serve on this committee, and as always, continue to provide their excellent support to our members through all aspects of grievance and grievance-related issues and procedures.

Grievances and Awards

This fall has been extremely busy for grievance processes. Over the Spring and Fall 2024 semesters, we settled two grievances. We also filed and presented six new grievances, one at the decanal level and the rest at the level of the VPFA. By the time you read this, it is likely that we will have both filed and presented at least one more grievance and referred another to arbitration. At the time of writing, in early November, we have 22 active grievance processes. Of these, 13 are in various stages of arbitration.

In mid-November we won an arbitration award that has important implications, not only for TMU, but for the sector more broadly. Underlying the arbitration were two grievances related to the University's practice of hiring the same investigator to perform a threshold, or prima facie assessment (assessment of whether, if, an allegation was found to have occurred it would constitute a policy violation), and then to investigate.



**Corinne Hart
Chair of Grievance
Committee**

We argued that notwithstanding the professional ethics of investigators, who are licensed lawyers bound by professional standards, this practice creates, even if not actual bias, the perception of bias, and thus violates principles of procedural fairness and natural justice that are foundational to complaint and investigation processes.

While Arbitrator Hart (no relation) did not find that hiring the same investigator for both pre-investigation processes and the actual investigation into the merits of a case is a violation, he did find that the **University did not meet its obligations under the Collective Agreement because they retained the investigators as solicitors, and thus were not therefore impartial.** Specifically, the arbitrator found that: *"the language used in the retainer agreements between the University and the Investigators in this grievance arbitration created a solicitor-client relationship between these parties, or at the very least served to create a reasonable perception that they did so."* He also found that *"these responsibilities of a solicitor to their client are antithetical to the fulfilment of the impartial, unbiased, independent and objective role required in an investigation under the Ontario Human Rights Code or the Occupational Health and Safety Act, as well as under the University Policies at issue in this matter"*.

Grievance Report Continued

In the case of one of the grievances, Arbitrator Hart found that the University violated Article 3.1 of the Collective Agreement by failing to exercise its management rights in a fair and reasonable manner by having an investigation into Code-based discrimination conducted by a lawyer with whom it was or would reasonably be perceived to have been in a solicitor-client relationship; in the other, the University was found to not only have breached Article 3.1 of the Collective Agreement, it also violated s. 32.0.7(1)(a) of the Occupational Health and Safety Act by “failing to conduct an investigation appropriate in the circumstances, by having an investigation into workplace harassment and potential violations of its Workplace Civility and Respect Policy conducted by a lawyer with whom it was or would reasonably be perceived to have been in a solicitor-client relationship”.

Given that there is a sizeable cottage industry of lawyers who provide services as external investigators, this award, which directly addresses issues of impartiality, affects both the scope of and framework through which external investigators are retained by the University to conduct investigations. The award is extremely timely, as the TFA continues to be concerned about issues of procedural fairness and natural justice in HRS and HR workplace complaint and investigation processes. While this award addresses the hiring of investigators, how it will play out remains to be seen, and we will monitor this closely.

We also remain highly concerned about the timeliness of investigations; it is not unusual for an investigation to take many months, if not upwards of a year, from the time a complaint is made until the investigation report is submitted to the decision maker.

We have seen investigators begin the process and then disappear for months, take extensive time arranging and completing interviews, and delay submitting their final report, leaving our members in limbo, unable to obtain closure and move forward effectively. Given that investigations are inherently disruptive, and conflict-laden processes that exacerbate and perpetuate divisiveness, the more quickly they are completed, the more likely the potential for restoration. The longer they drag on, the higher the potential for ongoing negative emotional, professional, and interpersonal consequences.

Until now we have addressed undue delays by filing individual grievances. However, as delays have become the norm rather than exception in HR and HRS complaint processes, we have now engaged a different strategy and in early November, filed a policy grievance focused on these undue delays. This policy grievance will allow us to focus more directly on the institutional roots of HR and HRS investigation-related delays. We expect to present this grievance in early December and will keep the TFA membership apprised of its progress.

Still in the context of complaints and investigations, over the past year we filed three grievances in response to the University's refusal to properly investigate racially and/or sexually violent communications sent anonymously to TFA faculty members. In the most recent situation, the University claimed that jurisdictional and evidentiary factors limited their ability to fully investigate, and then refused to provide the TFA with a full accounting of what steps they had taken to come to this conclusion. Two of these grievances are already in arbitration, and the third has recently been referred. A refusal to investigate keeps our members fearful, does little to alleviate the potential for further risk and thus affects their ability to function effectively and safely in their place of work. We continue to push the Administration to move beyond what we consider a limited understanding of risk, threat and harm, and uphold their stated commitment to respect the dignity and integrity of TFA faculty members.

Grievance Report Continued

I want to alert the membership to what we see as an emerging pattern of the VPFA or a Dean, (generally the decision-makers in complaint processes) assigning an alternate decision-maker whose administrative scope of responsibility and focus is outside the issue to be decided; for example, the VP Academic or VP Students making decisions about issues affecting TFA members. The disconnect between the decision-maker's area of responsibility and the issue to be decided limits the potential for meaningful remedy and thus affects our members' rights to natural justice. It also highlights a broader lack of policy coherence across and between policies such as the DHPP, SVP, Respectful Workplace Policy (previously the Civility Policy) that silos how issues are framed, investigated and resolved. We have consistently advocated, in grievance related processes and in our feedback to the Administration during policy reviews, that tighter policy coherence would allow for a more holistic response to policy breaches.

In this report I want to highlight the TFA's grievance on revisions to the TMU Sexual Violence Policy (SVP). This grievance occurred in the context of the Ontario Government's implementation of Bill 26, The Strengthening Post-Secondary Institutions and Students Act, and focused on the requirement for universities to include a definition of and guidelines for sexual misconduct in their Sexual Violence policies. Notwithstanding our contention that Bill itself is unconstitutional, the grievance focused specifically on the University's definition of sexual misconduct, which refers to consensual romantic and sexual relationships. We argued that despite the TFA's clear and reasoned feedback to the Administration, the revisions to the policy related to sexual misconduct are both arbitrary and unreasonable. We further argued that the definition of sexual misconduct in the SVP is overly broad and unreasonable, and creates uncertainty around what is, and may be included.

This, and the policy's potential to conflate sexual violence and sexual misconduct, puts members found to have breached the policy at considerable risk, especially since a finding of sexual misconduct results in termination, without the ability to appeal or grieve.

As remedy, we asked that provisions in the SVP be revised in close consultation with the TFA; for a reconsideration of any finding of sexual misconduct against any TFA member under the current policy; and the right to grieve the discipline of any TFA member found to have engaged in sexual misconduct under the current policy. At the time of writing, we have not yet received a decision to this grievance and will make decisions around further actions once this occurs.

Before ending my report I want to add a word about process. If you have a concern, or feel that something may be grievance related, please first reach out to one of our Labour Relations Officers (Andre, Shiraz or Mina). They are best placed to advise before something moves to grievance, and indeed, can often resolve a problem before it gets to that point. They all consult closely with me, as grievance chair and grievance officer as issues arise, and will bring me in as necessary, but they should be the first line of contact, when something is, or even feels to be wrong. It is also important to contact one of the Labour Relations Officers if you are asked to attend a meeting with any member of the Administration, including a Dean. They will ensure that your rights under the Collective Agreement are protected, and that procedural fairness occurs. Please see the TFA website for their contact information.

I want to wish everyone a good end-of-term and a happy, healthy and peaceful holiday season and new year. As always, if you have questions, or concerns please do not hesitate to reach out. We are here to support your rights under the Collective Agreement.

Secretary's Report

It has been a very busy six months as Secretary!

In addition to my regular duties such as taking minutes for the Executive, Reps' Council, and Chairs/Directors meetings, I have served on the HR committee where we have initiated the creation and review of an Anti-Discrimination and Anti-Harassment Policy for the TFA Executive and Staff. And, as many of you know through information provided from your colleagues serving on Reps' Council, I have been tasked to review and update all of the TFA policies. These are the policies in addition to our bylaws that govern and guide our activities as TFA Executive members. The policies have not been updated for many years. I have appreciated Dave Bush's help and support with this project. The TFA Executive has created a draft set of revised policies for the Reps' Council to review, provide feedback on, and eventually endorse in advance of presenting the policies at the December General Meeting for membership approval by vote. Thank you to everyone who has commented to strengthen the policy document in order for it to reflect most closely our current needs. I appreciate that these revised policies will hold us in good stead for many more years to come.

Over the summer months, I worked on two different projects. The first was related to selecting an organization that could facilitate anti-oppression training for the Executive. I worked closely with our President to interview several individuals and we selected Anima Leadership to provide us with support towards creating an inclusive and respectful TFA Executive workplace. I am pleased that this work has started at the September retreat and will resume in 2025.

The second summer project was to identify a new document management system given the TFA Office's growing and complex electronic filing system.



Jacqui Gingras
Secretary

I joined our President and Stacy Stanley, Office Manager to interview three organizations that provide such services. Our priorities in making the selection were the importance of consolidating documents, managing and protecting organization data, and ensuring data security.

I am also a member of a new ad hoc subcommittee concerned with faculty retention at TMU. If you know of someone who has resigned in the last three years, please be in touch with me (jgingras@torontomu.ca) or one of the other two members of this committee Anne-Marie Singh (singh@torontomu.ca) and Jennifer Komorowski (jkomorowski@torontomu.ca). We are in consultation with the VP, Faculty Affairs and the VP, Equity and Community Inclusion on this topic and wish to work collaboratively and transparently across different administrative units to gather data and bring our concerns forward. We anticipate having a report to share with the Executive by the end of the calendar year on why so many faculty members, including a high proportion of racialized faculty are leaving TMU.

Additionally, I have been fortunate to work with Stacy and Dave on this newsletter. It is gratifying to know that so many TFA members find it a trusted source of information.

Secretary's Report Continued

And, finally, I am starting a year-long sabbatical in January 2025. During this time, I will be stepping away from my role as Secretary and not putting my name forward to run again. It has been an honour to serve the TFA membership and my colleagues on the Executive in this capacity. I have learned so much.

New Faculty Members – We extend a warm welcome to our new colleagues

- **Ismahan Yusuf** – Arts – Geography and Environmental Studies
- **Karen Soldatic** – FCS – Disability Studies
- **Abbas Ghasemi** – FEAS – Mechanical, Industrial & Mechatronics Engineering
- **Claude Gravel** – FOS – Computer Science
- **Shadma Shahid** – TRSM – Marketing
- **Lisa Middleton** – FCS – Midwifery
- **Abigail Salole** – Arts – Criminology
- **Marie Christelle Mabeu** – Arts – Economics
- **Allison Petrozziello** – Arts – Politics & Public Administration
- **Sophie Nunnelley** – Law – Lincoln Alexander School of Law
- **Ted Hiebert** – The Creative School – Image Arts
- **Wing Ki (Vicky) Ho** – The Creative School – Professional Communication
- **Harjot Mehmi** – TRSM – Accounting
- **Pedro Seguel Varas** – TRSM – ITM
- **Angela Doku** – Arts – Economics
- **Alena Celsie** – FOS – Chemistry and Biology
- **Mahdi Abouei** – TRSM – ITM
- **Ralph Gill** – TRSM – Law and Business
- **Robin Chhabra** – FEAS – Mechanical, Industrial & Mechatronics Engineering
- **Glaucia Melo Dos Santos** – FOS – Computer Science
- **Navid Nasr Esfahani** – FOS – Computer Science
- **Samuel Gyamerah** – FOS – Mathematics

Professional Affairs Report

The Professional Affairs Committee takes a leadership role in promoting creative and collegial exchange amongst members and between members and other professionals; supports the professional development of members through seminars; and adjudicates faculty award submissions.

New Faculty Orientation

The PA committee hosted a new faculty orientation on-line Thursday, October 24th, from 12:10–1:00. A number of new faculty attended the session. The TFA Executives and Staff welcomed them by giving an overview of the Association, answered questions, and noted how new members might get involved with the TFA now or in the future, e.g. via committees, through the Representatives Council, and the Executive. The new member's guide, available on the members-only site on the TFA webpage, was shared.

Lunch and Learns

Two TFA lunch and learn sessions are planned, with more to come. Please contact the TFA office to register and receive Zoom links.

- **Retirement**

Facilitated by Executive member Ian Sakinofsky Wednesday, November 27th from noon–1:00pm.

- **TMU Human Rights Office**

Facilitated by Shiraz Valley, Labour Relations Officer, Wednesday, February 26th from noon–1:00pm.

Awards

We were pleased to present four awards at the May General Meeting.

The TMU Person of the Year was awarded to Professor Joshua Sealy-Harrington, formerly of the Lincoln Alexander School of Law. One of the many letters in his nomination package exclaimed: "We can think of no better professor to win this award, and no year more appropriate for that award to be given to a professor who, in the face of systematic attacks on his integrity, character, and safety, has



Rachel Berman
Chair of
Professional Affairs

remained steadfast in support of student well-being, racial justice, and academic freedom."

The Career Achievement Award was awarded to Professor and Chair of the Department of Sociology, Cheryl Teelucksingh for her long-standing, foundational, and ground-breaking work in environmental justice and racism, among her many other career accomplishments.

The Distinguished Service Award. Two distinguished service awards were given out this year. The first was awarded posthumously to Agnes Paje, who joined the association in 2003. Since 2011, she served as the TFA Office Manager with dedication and warmth. Agnes sadly passed away in the summer of 2023.

The second was awarded to Professor Jason Lisi, who served the Association in several ways before moving to Lakehead University, including as a member of the Reps Council, the Vice-President Internal, and as Grievance Officer.

Professional Affairs Panel

We still hope to hold an online event tentatively entitled "The Role of the Faculty Union in Social Justice Movements". Suggestions for potential speakers are welcome. **Professional Affairs Committee:** *Rachel Berman, Dawn Onishenko, Terri Peters, and Petra Roberts.*

Equity Issues Report

Bill-166: Racist Anti-Racism?

Back in May, the Ontario legislature passed a bill that looks good on paper, but sparked condemnation across the university sector because of the unprecedented powers it gives to government ministers to control university policies. Bill 166, the “Strengthening Accountability and Student Supports Act” aims to target racism and the crisis of student mental health on campuses. However, in practice, the bill has serious potential to attack academic freedom and university independence, and its development without consultation with experts in either of these fields – as well as its lack of funding – signals a poorly conceived policy.

The Ontario Confederation of University Faculty Associations (OCUFA) made a lengthy submission sharing concerns, including that “student mental health” is not defined, certainly not within a broad lens of well-being, housing, and food security, which has been advocated by counsellors.

Bill 166 also amends the Act to authorize the Minister of Colleges and Universities to issue directives around anti-racist policies and threatens action if universities fail to comply. This applies not only to the university community but to “guest speakers” on campus, and these complaints may be anonymous. On January 31, 2026, TMU will have to submit a public report on all reported incidents of racism at the university. But how will this be defined? And what if our definition varies from the Minister’s? This is the same Minister who violated academic freedom and named faculty and students in the Ontario legislature who expressed concern about Israel’s war on Gaza, and the same Ford Government that adopted the controversial International Holocaust Remembrance Association (IHRA) definition of antisemitism.

How will this affect us at TMU? Bill 166 introduces measures that allow the province to



Shiri Pasternak
Chair of Equity
Issues

issue binding directives against any activity it deems as “racist,” while providing no definition or expertise on what racism or “hate” speech might constitute. The TFA passed a motion rejecting the IHRA definition of antisemitism on January 26, 2021 because it lists criticism of Israel as examples of antisemitism. The External Review, Strengthening the Pillars, solicited by TMU in the wake of an open letter by Lincoln Alexander Law School students, also implicitly rejected IHRA by placing the emphasis on antisemitism as a form of racism, rather than criticism of a state. IHRA itself is a legally non-binding definition and would not likely survive a Charter challenge on the grounds of freedom of speech / academic freedom. But whether the Minister will try to impose this definition on universities through this legislation is up in the air.

Let Gaza Live: A Panel Discussion and Call to Action

On October 31, a coalition of faculty and student groups worked together to put on a teach-in and fundraising event on campus. Funds raised supported university students in Gaza through Taawon’s ISNAD fund. The event was collectively hosted by the TMU chapters of Faculty for Palestine, Jewish Faculty Network, Students for Justice in Palestine, and sponsored by the Hearing Palestine Institute and the TFA Equity Committee. It was a full house in the Sears Atrium.

Equity Issues Report Continued

The audience listened with rapt attention as four panelists presented on the situation in Gaza today and the urgent need for critical intervention. The otherwise beautiful teach-in was disrupted by the presence of an attendee who wore tactical gear and had the insignia of the militia group Magen Herut, a self-proclaimed “safety patrol” tied to extremist elements and linked to far-right groups. Magen Herut has a documented history of physical assault, verbal harassment and online doxing. As the attendee with the Magen Heru insignia filmed the presenters and audience, faculty and students were gravely concerned. Subsequent to this event, a group of 20 TFA members sent a letter to President Lachemi demanding that—to ensure the safety of students, faculty and the larger TMU community—TMU should immediately ban Magen Herut on campus.

Dr. Ahmed Abu Shaban set the tone for the event. He is an Associate Professor and Dean at Al-Azhar University in Gaza, and a visiting professor from July 2024 to June 2025 at York University. His recent research project focuses on enhancing locally produced fresh food supply chains in Gaza, aiming to address challenges exacerbated by the ongoing conflict in the territory. He recounted what it meant to live through scholasticide, where every university in Gaza has been destroyed by Israeli munitions, and thousands of students and scholars have been killed. Yet, surviving academics walk 5 kilometers through rubble to find hotspots to upload lectures or download tests, or call Ahmed from hospital beds apologizing for late submissions. The loss he described was staggering, but so was Palestinian resilience.

Dr. Amgad Sharif spoke next. He is an Adjunct Assistant Professor of Surgery at the University of Western Ontario and co-organized the first medical mission to Khan Yunis/ Gaza in December 2023, leading the WHO team for the

first medical mission to northern Gaza in April 2024. His presentation was graphic and difficult, but his unflinching focus on the impacts of the violence in Gaza showed a medical system on the brink of collapse through targeted attacks and restricted supplies, highlighting the humanitarian crisis as a result of the war. He was followed by Jillian Rogin, who is an Associate Professor at the University of Windsor, Faculty of Law, a criminal defence lawyer, and an active member of Independent Jewish Voices, Jewish Voice for Peace, Faculty 4 Palestine, and the Jewish Faculty Network. She described an Orwellian suite of legislation that aims to criminalize speech about Palestine in Canada, including the Online Harms Act that proposes a life sentence for hate speech offences.

Finally, Diana Buttu is a Canadian-Palestinian lawyer and analyst who served as a legal advisor to the Palestinian negotiating team from 2000 to 2005 and has held positions as a visiting fellow at Harvard and Stanford. She started her presentation by reflecting on her parents and grandparents and the cycle of history repeating itself, from the ethnic cleansing of Palestine in 1948 to the clearing of Gaza today. She described the failures of international law to enforce any intervention to stop what the International Court of Justice deemed a “plausible genocide.” In the question period, she urged the academic community to take seriously the approach of economic and cultural sanctions against Israel to end the normalization of Palestinian occupation.

Horizon of Austerity

The Faculty of Arts is signaling warnings of austerity on the horizon, justifying Dean Pam Sugiman’s [removal](#) as “budgetary” and squeezing departments. By all accounts, the university’s financial position appears to be healthy. So we are watching very closely and ready to defend the legacy of equity initiatives Dean Sugiman established.

I want to thank the Equity committee for their work and support: Rai Reece, Fahad Ahmad, Alison Skyrme, and Alireza Khatami and I want to extend my deep gratitude to the staff and executive of the TFA for showing me the ropes in these first few months.

Health & Safety Officer Report

Dear Colleagues,

I'm reaching out to provide an update on important health and safety initiatives that the TFA has been actively pursuing to ensure a safe and healthy workplace for everyone. I'd like to highlight two key items:

1) Call for Volunteers for New JHSCs

As part of a university-wide initiative to enhance health and safety processes, TMU has restructured the Joint Health and Safety Committee (JHSC) into three distinct committees, each focusing on specific types of spaces across campus. The TFA, like other unions at TMU, has been asked to appoint representatives to serve on these new committees. The breakdown of responsibilities is as follows:

- Committee 1: Classrooms and office-like spaces
- Committee 2: Labs and research areas
- Committee 3: Operational spaces such as kitchens and workshops

Representatives on each committee will play an essential role in performing safety inspections, identifying potential hazards, reviewing policies, and supporting compliance with safety regulations. These roles are pivotal in maintaining a secure environment for all faculty, staff, and students.

Each committee member must complete certification training in key areas of safety management, provided by the university, to ensure they are well-prepared for their duties. After certification, they will become Certified JHSC Members. If multiple TFA members express interest, we will hold an election in accordance with TFA bylaws.

This restructuring reflects the TFA's ongoing commitment to enhancing campus safety and fostering a supportive environment for our community.



Alex Ferworn
Health & Safety
Officer

For more details or to express interest in serving on one of the committees, please reach out to me directly.

2) Election as Worker Chair of the JHSC

I wish to share that I was recently elected by my fellow worker members as the new Worker Chair of the JHSC. In this role, I am responsible for advocating on behalf of all employees to ensure our health and safety needs are prioritized. Working alongside the Management Chair, Prof. Darrick Heyde, I'll help to coordinate and lead JHSC meetings, address safety concerns raised by workers, and oversee room inspections aimed at identifying and mitigating potential hazards.

This position involves close collaboration with management to uphold safety standards, address issues promptly, and promote a proactive culture around health and safety. Part of my role is also to support educational initiatives that empower all staff to adopt and implement best safety practices.

Thank you for your continued commitment to workplace safety!

Indigenous Faculty Representative Report

The Indigenous Faculty Council is still engaged in ongoing negotiations with the administration over MOU 26. Some progress has been made but negotiations are ongoing and we hope to have an initial renegotiated agreement in place during the 2024-25 academic year.

At the beginning of October, I attended the CAUT Aboriginal Academic Staff Conference “Beyond Words: Translating Indigenization of the Academy into Practice” in Regina, Saskatchewan. One of the first things said at this conference was “without an Indigenous Studies program you’re just spinning your wheels” by Niigaan James Sinclair (University of Manitoba). He also spoke to the idea of permanence in the university. What will the impact be if the Indigenous Studies program or Indigenous faculty members suddenly leave? If you cannot open the university without problems/challenges then Indigenous education has become permanent in the institution.

David Newhouse (Trent University) also presented findings from the report “Extending the Rafters: a Report on Progress” which examined how space is being made for Indigenous people in universities. TMU was not directly mentioned in either the good or the bad, but the areas he reported show that our institution is not keeping up with other universities across Canada. Issues that were mentioned are: the tendency to include Indigenous peoples in EDI efforts; problems with Indigenous faculty getting tenure; student services (only 5/97 institutions have tuition waivers for Indigenous students); and the disconnect between faculty and students (no spaces for connection).

Another major issue at the conference and which is ongoing at all universities is the issue of identity claims.



Jennifer Komorowski
Indigenous Faculty Representative

We heard from a panel on the issue, including retired Métis lawyer Jean Teillet who discussed the dangers of frauds. The issues raised during this panel and subsequent discussions emphasized the need for our institution to develop a policy.

TFA's 2024/2025 Representatives' Council

Accounting

1. Dongning Yu

Aerospace Engineering

1. Seyed Hashemi

Architectural Science

1. Vacant
2. Vacant

Chemical Engineering

1. Chil-Hung Cheng

Chemistry & Biology

1. Joseph McPhee
2. Vacant
3. Vacant

Child and Youth Care

1. Petra Roberts

Civil Engineering

1. Vacant
2. Khaled Sennah

Computer Science

1. Claude Gravel
2. Sophie Quigley

Counselling

1. Miriam Reese
2. Creative Industries
3. Vacant

Criminology

1. Fahad Ahmad
2. Salmaan Khan

Disability Studies

1. Vacant

ECS

1. Janelle Brady

Economics

1. Cathy Ning
2. Vacant

Electrical Engineering

1. Lev Kirischian
2. Vadim Geurkov
3. Vacant

English

1. Sarah Bull
2. Jennifer Burwell

Entrepreneurship & Strategy

1. Alison Kemper

Fashion

1. Danielle Martin

Finance

1. Carene Boucher

Geography

1. Brian Ceh
2. Claus Rinner
3. Eric Vaz

Global Management Studies

1. Hossein Zolfagharinia
2. Arthur Li

Graphic Communications

1. Krzysztof Krystosiak (Kris)

Health Services

1. Vacant

History

1. David MacKenzie
2. Jenny Carson

Hospitality & Tourism

1. Chris Gibbs

HR & Organizational Behaviour

1. Peter Fisher

Image Arts

1. Lia Langworthy
2. Owen Lyons

Information Technology Management

1. Burcu Bulgurcu
2. Youcef Derbal

Interior Design

1. Vacant

Journalism

1. Marsha Barber

Languages, Literatures & Cultures

1. Brandon Martin

Law & Business

1. Michael Baumtrog

Law School

1. Alexandra Mogyoros

Library

1. Lisa Levesque
2. Nora Mulvaney

Marketing

1. Mehak Bharti

Mathematics

1. Kathleen Wilkie
2. Katrin Rohlf

Mechanical Engineering

1. Aliaa Alnaggar
2. Robin Chhabra
3. Abbas Ghasemi

Midwifery

1. Vacant

Nursing

1. Diane Pirner
2. Joyal Miranda
3. Josephine Wong

Nutrition

1. Kafi Ealey

Occupation & Public Health

1. Aida Haghghi

Performance

1. Pavlo Bosy

Philosophy

1. Michael Milona

Physics

1. Carina Rebello

Politics

1. Miriam Anderson
2. Allison Petrozziello

Professional Communication

1. Opeyemi Akanbi

Psychology

1. Jason Deska
2. Tisha Ornstein
3. Vacant

Real Estate

1. David Scofield

Retail

1. Vacant

RTA

1. Charles Zamaria
2. Tatyana Terzopoulos

Social Work

1. Funke Oba
2. Susan Preston

Sociology

1. Amina Jamal
2. Paul Moore

Urban & Regional Planning

1. Nemory Lewis

Negotiating Committee Report

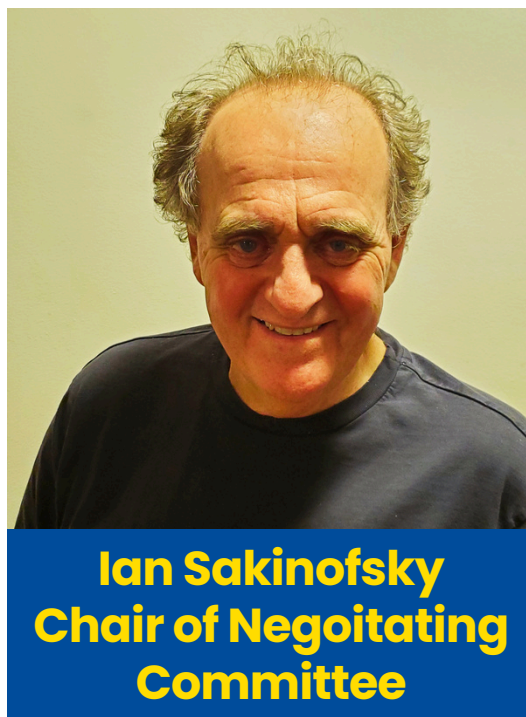
On July 16, 2024 Arbitrator Kaplan issued his award in the dispute between the TFA and the TMU Administration in the matter of the re-negotiation of the (2023-2026) Collection Agreement between the two parties. Arbitrator Kaplan awarded 3.5%, 3.0% and 3.0% across the board (ATB) salary increases for each of the three years of the new Collective Agreement, retroactive to July 1, 2023. He also awarded the Association's proposals on surrogacy/fertility services, an increase to the monthly limits on amounts that can be paid to members while on Long Term Disability, simplifying the claim process for prosthodontic procedures within the optional post-retiree extended health care plan, increases to CDI, increases to the overload stipend, and a task force to address the challenges posed by student accommodations.

He rejected the Employer's proposals for the creation of a teaching stream and their proposal to no longer be required to negotiate pension contributions. Unfortunately, he denied the TFA's proposals for sector-norm job security and academic freedom for professional counsellors, only granting them an annual increase of 2 professional development days.

He also rejected a host of proposals submitted by the TFA. Many of these rejected proposals were designed to address situations which have been building up for many years, and have been unsuccessfully proposed in previous bargaining rounds.

TMU's Culture of 'No'

Arbitrator Kaplan provided comments in his Award (particularly on pp. 31-32) that should be of great interest to anyone who observes the use of arbitration in Collective Bargaining. But in particular Arbitrator Kaplan's comments should be of extreme interest to TFA members, because his comments describe the state and



Ian Sakinofsky
Chair of Negotiating
Committee

nature of Collective Bargaining at TMU. Arbitrator Kaplan stated that:

"in my respectful opinion – and I have been involved as a mediator and arbitrator with these parties for decades – it appears as if saying no has become the default in a mature collective bargaining relationship like this one, the parties should be able to find some middle ground where they can achieve digestible progress on their priorities"

The TFA wholeheartedly concurs with the above statement, and we welcome his putting a name to it.

Arbitrator Kaplan has indeed been involved with this University since 2002. In 2003 he issued a watershed decision, after two years of negotiations, that then brought our Collective Agreement into alignment with other Ontario universities. Thereafter a new equilibrium was established. In 2005, 2008, and 2011 the parties successfully reached negotiated agreements without the assistance of a third party. Following that, the emergence of the current senior players in our Administration at that point, coincided with the deterioration in the relationship between the Administration and the Faculty Association, and the deterioration in the attention paid to faculty concerns, which has been evident from 2015 onwards.

Negotiating Committee Report Continued

In 2015/16 Arbitrator Kaplan facilitated a settlement between the parties during the course of mediation/arbitration. In 2018/19 he issued an arbitration award to resolve that round of negotiation. In 2020/21 he issued an arbitration award to resolve that round of negotiation. Now, in 2023/24 he has again issued an arbitration award to resolve this round of negotiation.

The established culture of 'no' was ever present during this last round of negotiations. Not only were many of the TFA proposals simply rejected or disregarded, with no explanation forthcoming, but the TFA negotiation team can point to several occasions where the TFA provided compromise suggestions only for the Administration's bargaining team to reject them right away, or take them back to the senior administration, after which they would come back and say "no" – even after what might have appeared to the TFA as the parties having found some common ground at the bargaining table.

The Administration bargaining team made no secret of the fact that they were told what to do by the senior administration, whom they referred to as "Macro". There were numerous occasions where the Administration bargaining team informed the TFA that they were not yet able to provide awaited responses because they had not yet received instructions from Macro.

Who is Macro? The University's website describes Macro as follows:

"The Macro Planning Committee, also known as the budget committee, meets weekly on a year-round basis to review the university's financial status and to review and approve all operating and capital funding requests. It is comprised of four senior executive members, including the provost; vice-president, administration and operations; chief strategy officer and chief financial officer."

These are the four people, maybe not in equal measure, and with the close involvement of the university president, that our members should hold responsible for the mindless state of faculty-relations at this University, and for the culture of 'no' that Arbitrator Kaplan is referring to above.

Consequent Limitations of the Arbitration Award

It is within this context, and following his observations on the prevailing culture of 'no' at TMU, that Arbitrator Kaplan further stated:

"In my view, and for these parties in particular, awarding major changes under their voluntary interest arbitration regime should be a last resort, turned to only after every reasonable effort to reach a collective agreement has been thoroughly and fully exhausted. For these reasons, this award has paid attention to bread-and-butter issues to use the vernacular."

And in so saying Arbitrator Kaplan did not award on a range of non-monetary items that are very important to the TFA.

The TFA has increasingly and consistently been frustrated by the Administration's unwillingness, and apparent organisational inability, to engage at the bargaining table.

By the same token, the Administration has actually stated during a previous round, in a notice to the TFA membership, that arbitration is their preferred route to resolving opposing issues at the bargaining table. This award by Arbitrator Kaplan, reinforced by his characterisation of the state of collective bargaining at TMU and his suggestion that arbitration may not in fact be the most appropriate route for this organisation, may give pause for all parties to question the way our Administration goes about its business.

Frustrated Proposals

Not including the increases to base salary, which were also resolved in arbitration, the TFA brought 49 issues to the bargaining table. Agreement was reached on nine of these proposals prior to Arbitration, and 40

Negotiating Committee Report Continued

of the TFA proposals were rejected by the Administration. In many cases they were rejected outright. Subsequently a further nine were awarded by the Arbitrator, leaving 31 still outstanding.

What the Administration said no to, and was not awarded by the Arbitrator:

1. Childcare benefit plan;
2. Housing loan guarantee;
3. Increase to the PERF;
4. Moving allowance for LTFs;
5. Addressing campus health and safety by stipulating specifically, in Article 7 that campus health and safety is an obligation of the Board;
6. An MOU on health and safety specifically addressing ventilation;
7. Provision of Article 11 Academic Freedom for Counsellors;
8. Provision of Financial Exigency, Layoff and Redundancy to Counsellors;
9. Health and Wellness Allowance for Counsellors;
10. Sabbatical for Counsellors;
11. Protection from outsourcing Counsellors work;
12. Repairing Law Faculty hiring process;
13. Repairing law Faculty faculty evaluation and tenure review process;
14. Increasing faculty complement;
15. Conversion of serial LTF positions to tenure stream positions;
16. Flat rate for 50% of our ATB increases to favour lower earning faculty members;
17. Toronto cost of living salary premium;
18. Salary review committee for incoming salaries each year;
19. Vision care proposal to fund laser surgery and lense replacements;
20. Improvement to the Pension benefits;
21. Improving the Discipline article to provide for more timely and just investigation process;
22. Increased TAGA support;
23. Accord depts right to determine teaching mode in conjunction with faculty course instructor;
24. Reduce teaching workload for LTFs;
25. Creation of a mechanism for proposing class size standards;
26. Increased period for grading exams;
27. Facilitative Retirement policy;
28. Expanding Phased-In Retirement Program to those who are currently ineligible due to already having commenced receipt of pension;
29. Modifying the term of Chairs/Directors;
30. Providing the option for faculty members to elect their chair/directors;
31. Creating a new Article providing for Associate Chairs, Program Directors etc.

What the Administration said no to but was awarded by the Arbitrator:

1. Surrogate and Fertility benefit;
2. Adjustment to post-retiree dental benefit;
3. Continuation of post-retirement health care spending account;
4. Task Force on Student Accommodations and considerations;
5. Requirement to negotiate certain conditions relating to the new Brampton SoM;
6. Increase ceiling on LTD amount;
7. Increase to Counsellor PD days;
8. Increase in the overload stipend;
9. Removal of MOU 14 providing for the appointment of untenured chairs –it had expired.

What the Administration agreed to prior to Arbitration:

1. Library language;
2. Midwifery language;
3. Cross appointment language (pre-existing Memorandum of Settlement that has now been uploaded to the Collective Agreement);
4. Interdepartmental Transfers (pre-existing Memorandum of Settlement that has now been uploaded to the Collective Agreement);
5. Academic Chair appointment language (pre-existing Memorandum of Settlement that has now been uploaded to the Collective Agreement);

Negotiating Committee Report Continued

6. Updating of FCS Course Operations Survey (pre-existing Memorandum of Settlement that has now been uploaded to the Collective Agreement);
7. Removal of annual limit on gender affirmation procedure, but retaining lifetime limit;
8. A requirement for Chairs/Directors to consult with their department colleagues;
9. Revision and Continuation of MOU 26 Hiring and Evaluation of Indigenous Faculty Members and Librarians (and Counsellors).

What TFA said no to:

1. Removal of pension contributions as a negotiable item;
2. Creation of a teaching stream;
3. Destruction of process for proposing revisions to Departmental Teaching Standards
4. Modification of spousal hire provision;
5. Recognising administrative service as a basis for promotion to full professor.

What TFA agreed to prior to Arbitration:

1. Allowing for the use of Deans' designates;
2. Continuing the Joint Committee on Promotion for Associate Members and allowing Associate Member to continue accessing the promotion process for life of this CA.

The Merits of the TFA Bargaining Positions and the Compilation of a Series of 'Negotiating Briefs'

We would like our members to be familiar with the arguments that we put forth, and the disregard that these arguments were shown. We would like our members to be aware of the persuasive nature of the TFA's proposals, and the situations that they were designed to address. Proposals that were rebuffed by the Administration, and which the Arbitrator declined to consider.

Therefore, at intervals of several days over the

next few weeks the TFA office will be sending a series of emails to the TFA membership, as part of a "Negotiating Briefs" series". Each of these emails will include respective extracts from the TFA arbitration brief where we laid out the arguments in support of our particular proposal.

It is expected that after reading these extracts members may have a fuller perspective of what prompted the TFA proposals, and of the Administration's simple disregard for the valid concerns and needs of TFA members and of the TMU community as a whole.

Why are we sending this information to our members? We are doing this because TFA membership has to think clearly about the way ahead for future negotiations, and in fact, the way ahead for the university as a whole. The current senior administration has shown that they cannot be depended upon. In the next fifteen months leading up to the next round of negotiations, all of the membership needs to become aware of the important questions that were raised during bargaining, and to continue to make our administration aware of them, so that the next round of negotiations does not suffer the same fate as this one.

The Role of the Negotiating Committee

Through the Winter and the early Spring of 2024 leading up to the arbitration hearing, the members of the Negotiating Committee, with the assistance of our legal counsel, continued to prepare our bargaining positions and our bargaining materials. They are: Immaculate Antony (Counselling), Niushan Gao (Mathematics), Donna Koller (Early Childhood Studies), Jane Sprott (Criminology). The Committee also continued to receive considerable additional assistance and input from Miriam Reese (Counselling) in preparing our position with respect to Professional Counsellors.

We were also constantly supported by Andre Foucault (Executive Director) and Mina Rajabi Paak (Labour Relations Officer). Jesmen Mendoza, the President of the Faculty Association is an ex officio member of the Committee.

Negotiating Committee Report Continued

The Committee's work began in Fall 2022, almost 22 months before the final issuance of the arbitrator's award on July 16 2024. The Committee worked extremely well together, in a very constructive fashion, despite the fact that there were moments dealing with the Administration which were very dispiriting.

This is particularly true for the members of the Committee who were preparing our arguments on behalf of the TFA Counsellors. There were several instances during the course of this round of negotiation where our Counsellor members could only but describe the positions taken by the Administration, toward them, as being insulting and demeaning. Together with our legal counsel, the Counsellors on the Committee and several other TFA members of the Counselling Centre spent many hours assembling an arbitration brief that illustrates the scholarly role that TFA Counsellors play at TMU. Extracts of this brief will be shared with the membership in the coming days as part of our "Negotiating Briefs" series".

The TFA's arbitration brief presents a solid argument for granting the TFA counsellors the same academic freedom and job security granted to all other Counsellors who are members of certified faculty associations across Canada, and of course granted to all other TFA members.

It was to the dismay of the Negotiating Committee and our legal counsel, who were considerably invested in pursuing this matter, as well as to the dismay of all of our 20 Counsellor members, that the Arbitrator chose not to accord the TFA submission the consideration that we believe it warranted. He made direct reference to a written submission by the Director of Student Health and Wellbeing i.e. the Director of the Counselling Centre, that contradicted and thereby undermined the TFA Counsellors' submissions in which they described their roles and activities as TFA Counsellors.

Nonetheless the work of this group advocating for the Counsellors, and the momentum created by this group, should continue to be harnessed, until Counsellors at TMU are treated the same way Counsellors in other faculty associations are treated.

The Next Negotiating Round

The Collective Agreement awarded by Arbitrator Kaplan expires on June 30, 2026. As part of the annual TFA elections, there will be a call for nominations, commencing on December 3, 2024 – January 14, 2025, for the position of Negotiating Chair and for the positions on the Negotiating Committee. The election will take place from January 28 to February 11, 2025.

The incoming Negotiating Committee is expected to begin consulting with the membership in Fall 2025, in anticipation of commencing negotiations in April 2026.

TFA Executive 2024/5

Jesmen Mendoza • President
 Peter Danziger • VP Internal
 Rahul Sapra • VP External
 Dave Mason • Treasurer
 Alex Ferworn • Health & Safety Officer
 Jacqui Gingras • Secretary
 Corinne Hart • Grievance
 Corinne Hart • Grievance
 Ian Sakinofsky • Negotiating
 Shiri Pasternak • Equity Issues
 Rachel Berman • Professional Affairs
 Jennifer Komorowski • Indigenous
 Faculty Representative
 Cecile Farnum • Member at Large
 Anne-Marie Singh • Member at Large

In Memoriam



Dr. Thomas Tenkate
Occupational and Public Health

Dr. Thomas Tenkate, beloved husband of Kathryn, and father of Abigail and Hudson. Dr. Tenkate passed away on July 27, 2024. Thomas had over 30 years of experience in the occupational and public health field starting in Australia. He worked for government and with industry for 10 years before moving to academia, where he became the Graduate Program Director at the Queensland University of Technology. In 2011, Thomas moved the family to Canada to take up his position as Director of the School of Occupational and Public Health.



Weina Wang
Library

TMU Libraries has lost one of its most cherished colleagues. Weina Wang, TFA Librarian passed away this year after a long illness. Weina joined TMU Libraries in 2008 as a Borrower Services Systems Librarian. She continued to support the TMU community in a number of capacities, including librarian and managerial roles in Borrower Services, as well as liaising with academic departments in TRSM and the Faculty of Arts. Although she had been away from the Library for a number of years, her presence was sorely missed. Her expertise, positive energy and collegial nature made her a pleasure to work with, in any capacity. Family was everything to Weina, and she always prioritized them above all. We remember her not only for her professional accomplishments, but for the warmth and care she showed to those around her. Weina will always be a member of our TMU librarian community, and we'll continue to feel her loss for some time.



Chris Alexopoulos
Computer Science

Born in Kastoria, Greece, in 1936. Died suddenly on September 27, 2024, at home in Mississauga. Chris lost both parents at age of eight and was grateful to be raised by his paternal grandmother, Katerina and his father's siblings, Xanthippe and George. He came to Canada in 1957, to further his education and was proud to receive a PhD in engineering from the University of Toronto. He taught math, physics, and computer science for 35 years at Ryerson (TMU). He loved spending time at the cottage he built, hosting guests, classical music, online trading, repairing things, travel (especially to Greece to visit family and friends), and corduroy pants. He disliked spicy foods, fiction, formalities, and paying for parking. Chris is survived by his wife of 62 years, Carol, and daughters Karen (Steve) and Jennifer.



June Wu
Mechanical and Industrial Engineering

June Wu was an associate professor in the Department of Mechanical and Industrial Engineering at Ryerson University (TMU). Wu joined the faculty in 1994. In addition to earning her PEng, Wu received her MEng from the East China Institute of Textile Science and Technology and her PhD in Management Sciences from Waterloo University. June Wu passed on October 30, 2024.