



Active Voice (Reactivated)

A paper and online publication of the York University Faculty Association

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YUFA Begins the 2009 Bargaining Process

On 22 February, a small but vocal group of faculty members from many departments and disciplines met with members of the Contract Review Committee to provide valuable input about workload, thereby helping the Committee to understand how we can translate those concerns into contract language. This was the first of three planned meetings where YUFA members can tell the Committee what concerns them most as we head into the next round of collective bargaining.

Two more meetings are scheduled:

- Salary & Benefits: Monday 17 March 10:30 am – 12:30 pm, Stedman Lecture Hall A
- Equity: Friday 18 April 1:00 pm – 3:00 pm, Tel 0006

In addition, stewards will be holding Area Meetings, and the Contract Review Committee urges any members with concerns to write to us at yufa@yorku.ca.

Members of the Contract Review Committee include Scott Forsyth, Arthur Hilliker, Mary Kandiuk, Didi Khayatt, Louise Ripley, Livy Visano.



Support for YUBSA – Statement from YUFA Executive 25 January 2008

We, the Executive of the York University Faculty Association (YUFA), join the countless many who are outraged by the recent racist events on campus and join the York University Black Students' Alliance (YUBSA) in condemning such acts of racism. As articulated by our Equity Officers, we also call for a widespread safety audit, calling for a proactive policy and practice of community standards, facilitated by the York Administration, but informed by the input of various community stakeholders, such as student organizations and campus unions. We note that the Administration is in the process of tendering for an external safety audit. (See *Thinking About Equity and YUFA* by Equity Officer Joy Mannette, page 4.)

Still Chasing Pay Equity: Grievances by York University Faculty Women



After a prolonged hiatus, YUFA's Employment Standards Act (ESA) grievance will be argued at arbitration over the next months. The ESA Grievance, which goes back to 1999 (see the history below), seeks reparations for pay inequities on behalf of 31 women faculty. In the current arbitration, Arbitrator Louise Davie will be asked to rule on whether the Employer has violated the Collective Agreements 1999-2001 and 2001-2003.

Although it is YUFA's position that violations of the Collective Agreement go back further than 1999, an earlier ruling by Arbitrator Davie limited this grievance to 1999-forward. Thus, YUFA has filed additional grievances dealing with the Collective Agreements prior to 1999 and these will be dealt with separately. Active Voice (Reactivated) will be following the arbitrations and keeping YUFA members informed.

— Joan Allen and Monica Mulvihill

(Originally published in *The Canadian Journal of Women's Studies* 2004 (23:3,4))

The York University Pay Equity Grievance, a fight for pay equity for women faculty at York, has been long and fraught with many challenges, and is still ongoing. Although York University was required to post a pay equity plan on January 1, 1990, the parties did not commence negotiations until the Spring of 1992. In 1995, YUFA requested the intervention of the Pay Equity Commission. The collective agreement that ended the YUFA strike in 1997 included a pay equity settlement of \$650,000 to provide partial compensation for gender-based pay discrimination to women faculty who were employed and members of the bargaining unit on 1 July 1996. The payment was retroactive to July 1, 1995. The exercise at York was not under the Pay Equity act, but was the result of a collective bargaining effort addressing gender that benefited only the most severely underpaid female faculty.

The YUFA-Employer Committee on Pay Equity negotiated for some time to determine which variables to use as a basis of comparison. YUFA was concerned that the Employer's initial position, that years since first full-time university teaching appointment should be the primary basis for comparison, was gender-biased. Because women's career paths differ from men's, with women often entering academe later, YUFA proposed that age should be the primary variable. A third variable, the year that women began their first completed graduate degree, was proposed as the most gender-neutral. Using regression analysis, for each female faculty member, three different measures of distance below the male salary line were calculated. The two highest "differences" of the three were averaged together, thereby yielding a pay equity discrepancy for each eligible female faculty member. Discrepancies below \$2,500.00 were not compensated. Due to the limited pot of money available, 34 per cent of the discrepancies above that amount were compensated.

In December of 1998, the York University Faculty Association filed a systemic gender-based pay discrimination grievance. In the 1999-2001 Collective Agreement, YUFA and the employer negotiated an additional \$450,000 to address pay equity. This additional funding was distributed using the same methodology as the earlier pay equity exercise. As a condition, the Employer required that YUFA agree to drop the pay discrimination grievance. It did not, however, preclude individual women from filing grievances under the Employment Standards Act (ESA). In the late Fall of 1999, several women thus filed grievances under the Equal Pay for Equal Work section of the Employment Standards Act. This section prohibits an Employer from paying a woman less than a man for substantially the same work in the same establishment, the performance of which requires substantially the same skill, effort, and responsibility, and which is performed under similar working conditions except where such payment is made pursuant to: a seniority system; a merit system; a

(continued on page 3)

(Pay Equity Continued from page 2)

system that measures earning by quantity or quality of production; or a differential based on any factor other than sex. Therefore, it was necessary for women faculty members to identify male comparators as much like themselves as possible. This in itself is a complex process for the reasons discussed earlier. YUFA proceeded to arbitration with 12 grievances. YUFA has also filed historical grievances for the original 12 women and a subsequent additional 17.

These grievances cite every collective agreement since the date each woman was appointed at York. These grievances, under the Employment Standards Act, over gender inequities in salaries and pension payouts, are ongoing.

Flying down to Fredericton St. Thomas University Strike – Kym Bird, YUFA Recording Secretary



It was -27° on the picket lines at St. Thomas University in New Brunswick last week, but the faculty say "it's colder inside." We were brought back and forth out of the deep freeze, plied with coffee and cookies and whatever else sticks to your "innerds," but the weather was punishing and the faculty feeling somewhat battered. There is no doubt that the Faculty Association of the University of St. Thomas is strong and united in the face of a formidable administration which, having locked it out the day after Christmas, has little sympathy for its entirely reasonable and, from my point of view, moderate demands: "St. Thomas is losing its faculties!" It is some consolation, therefore, that the CAUT Defense Fund, which at a rate of \$77.00 per day 7 days-a-week, pays more than any union in the country and, for many contract faculty at St. Thomas, more than they earn when at work!

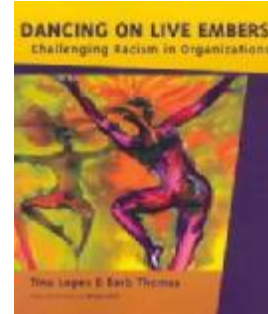
I was participating in the "Flying Picket." For those of you who do not know, the Canadian Association of University Teachers Defense Fund organizes and funds these pickets once a week on Fridays during the course of strikes so that members from associated Canadian universities can bolster the spirits of their comrades on the picket line. The importance of York's participation in the Flying Pickets cannot be underestimated. We know only too well that it has been, and could one day again be, us on those lines. Our participation also goes a long way to developing our national reputation as sympathetic team players in a strong, solid union. Thanks in large part to our stalwart union representative and YUFA Communications Officer Louise Ripley, York has frequently taken part in the Flying Picket – Louise has been to St. Thomas three times thus far – and is spoken of on the line as setting an example for others to follow. We are a large university and noted for being gutsy, hard-nosed, and aggressive in our stand on union rights in collective bargaining. Our 1997 strike is legendary and the wounds we carry because of it give us real credibility in the eyes of others. The Flying Pickets are vital to strengthening this distinction and maintaining our place at the vanguard of union activity.



Editor's Note: In the early morning hours after the Defense Fund's fifth visit to St. Thomas, the Union and the Employer agreed to send remaining unresolved issues to binding arbitration and to settle the strike. The Faculty Association of the University of St. Thomas faculty held out for 38 days for their right to collective bargaining. Well done, FAUST!

Thinking About Equity and YUFA – Joy Mannette, YUFA Equity Officer

In the last issue, I had suggested that YUFA should adopt CAUT's equity policy and insert equity language in its next Collective Agreement, with one important addition – ageism. In the often adversarial relationship between an employer and a union, we tend to characterize any problem as "theirs" and to say that it is the employer who must change. Taking equity seriously, however, requires YUFA to look at YUFA, not only the inequitable policies and practices of the Employer. Since many unionists may see themselves as "on the side of the angels", taking a hard look at YUFA's inequitable organizational policies and practices is daunting but necessary. This requires equity literacy in YUFA, willingness to be informed by minoritized groups within YUFA, recognition that YUFA consensus is usually the imposition of the powerful, and an organizational commitment to equitable change. This is a tall order in which no one will be on the side of the angels.



From the Preface to *Dancing on Live Embers: Challenging Racism in Organizations* (by Tina Lopes and Barb Thomas, published 2006, Toronto: Between the Lines): [This book] "investigates how racism, White power and privilege work in the ordinary, daily moments of organizational life. It holds up familiar workplace interactions for scrutiny and analysis, and looks for openings to advance racial equity and justice. ... Our choice [is] to look at the *internal workings of organizations* ..., rather than what they do in the world ... [O]rganizations are *workplaces where White and racialized*¹ people are likely to have the most contact with each other. ... The ways in which workplaces are structured and the 'normal' ways they operate, either challenge or reinforce White privilege and racialized hierarchies in the larger society. ... [O]rganizations are *neglected sites of struggle for social movement activists* whose focus is 'out there' but whose own workplaces often reflect the very inequities they fight in the world. This book is for people, who, for a variety of reasons, are trying to create more equitable organizations. Perhaps you are front-line staff who are frustrated by the gap between the practices of your organization and the needs of people you serve. ... Maybe you are union stewards dealing with racism in the workplace and union. Or, you may be the designated organizational conscience – 'the diversity co-ordinator' or 'the equity director' – the person responsible for making the organization do what it knows it should, and who is often punished for doing your job well. This book is also for the many creative in-it-for-the-long-term activists who have found the strength and stamina to keep working towards racial equity with heart, mind, and spirit." (Lopes and Thomas, 2006:3-4).

¹ While we recognize that all of us are "racialized", in this book we apply the term to people of colour and recognize Aboriginal people as distinct. We use the term "White" for dominant racialized people.

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We would like a YUFA member to serve on the Board who is not currently involved in another major YUFA activity. If interested, email lripley@yorku.ca with a statement of interest.

The next issue will be published in April. Please send submissions to lripley@yorku.ca by 21 March (under 750 words please).

Unless expressly stated to the contrary, views expressed in this publication are those of the writers and do not necessarily reflect the views or policies of YUFA.