



Policy Grievance

Grievor's Name: Windsor University Faculty Association	File # GR 0523 <u>Supersedes where underlined</u>
Address: 366 Sunset Ave., Windsor, Ontario	Ext: 3365
Date Grievance is first known December 02, 2013, and following	Type of Grievance Policy

1. Nature of Dispute

Miscalculation of average University of Windsor Faculty salaries by inclusion of ineligible administrative salaries for comparison with Windsor Salary Standard(s).

2. Section(s) of Agreement Violated

Article P, and any other articles that may apply.

3. Facts of the Case

In Summary: The University has incorrectly included the salaries of at least two Administrators on administrative leave during 2011-12 academic year in the calculation of the average University of Windsor faculty salaries for the two most recent iterations of the WSS on March 31, 2013 under the 2011-2014 Collective Agreement, and it may have included others in that year and in the two previous iterations of the WSS under the the 2008-2011 Collective Agreement.

In Detail: According to Article P.1(a) in the collective agreement, the Windsor Salary Standard (WSS) for each rank at the University of Windsor is the median of the

average salaries of the Ontario Universities for the said rank using the data from “Survey of Average Salaries for University Professors Per Statistics Canada Data for Faculty without Administrative Duties...”, dated April 2012 and April 2013 as applicable. In addition, according to P.1(b), the value of the WSS on or about March 31, 2013 and on or about March 31, 2014, will be computed for each rank using the year-earlier Statistics Canada Data pertaining to periods July 1, 2011 to June 30, 2012 and July 1, 2012 to June 30, 2013, respectively.

Statistics Canada collected the data for the first WSS calculation period, but not for the second after it had cancelled its survey. The corresponding data for the second WSS calculation period have now been provided via the Ontario Council of Academic Vice-Presidents using the same definitions as in the Statistics Canada data, and thus replicating the survey process.

For example, Statistics Canada at http://www23.statcan.gc.ca/imdb/pIX.pl?Function=showStaticArchiveHTML&a=1&fl=http://www23.statcan.gc.ca/imdb-bmdi/instrument/3101_Q1_V2-eng.htm&Item_Id=108398 defined the Teaching Staff included in the survey as (among others): “All academic staff within faculties who are full-time teachers, researchers, and/or senior academic staff, i.e., Deans, Chairperson, Directors etc.”

Conversely, Statistics Canada defined the Staff excluded from the survey as (among others): “Administrators solely responsible for university administration, i.e., President, Vice-President, Registrar, Comptroller, etc.”

Notwithstanding, the University in a letter dated February 26, 2014, has justified “the normal practice to include in the WSS calculations the salaries of former academic administrators on administrative leaves as this group is not excluded in Article P.1(a).”

Consequently, the University has included the salaries of at least two so-defined Administrators on administrative leave during 2011-12 academic year in the most recent iteration of the WSS for March 31, 2013; and subsequently, the University has included the salary of at least one so-defined Administrators on administrative leave during 2012-13 academic year in the most recent iteration of the WSS for March 31, 2014. The Faculty Association does not know whether salaries of other similar administrators were included in the WSS calculation for that year, and likewise, for March 31, 2011, and March 31, 2010.

Note the salaries of two ineligible administrators have significantly skewed upwards the average salary of full professors at the University of Windsor in the most recent WSS iteration. Their exclusion may therefore have produced a positive WSS adjustment for members of that rank. Possible exclusions of administrators at lower ranks may therefore have similar results for members in those ranks.

4. Remedy Sought

- (1) The University will recalculate the average salaries of members at each rank on or about March 31, 2013, March 31, 2011, and March 31, 2010, excluding ineligible administrators at any rank; and it will recompare those average salaries with the median of the average salaries of the Ontario Universities following Article P.1(a) & (b) procedures in order to recompute each WSS.
- (2) The University will only make retroactive positive adjustments to members' salaries warranted by a computed WSS.
- (3) The University will acknowledge its past violation of the collective agreement, and its future compliance with Statistics Canada definitions in WSS iterations.

Progress

Step 1 n/a

Step 2 n/a

Step 3 Delivered/Mailed to:
Provost & Vice President Academic by the Faculty Association on *Oct. 24/14*



October-24-14

Signature of VP Grievance

Date

c.c.
Faculty Association