



Ontario Confederation of University Faculty Associations
Union des associations des professeurs des universités de l'Ontario

Nancy Mudrinic
Assistant Deputy Minister
Postsecondary Education Division
Ministry of Training, Colleges and Universities

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Via Email

Dear Ms. Mudrinic,

I am following up on the invitation for further submissions stemming from the most recent consultation on faculty pensions held on June 24th. As was evident at the consultation, our members are out of patience with this process. There seemed to be some surprise and consternation in the room about the approach our members adopted in the meeting. Let me provide some context.

These consultations began back in February ostensibly under the rubric of faculty renewal. It quickly became apparent, however, that the real goal of the consultation was to reduce the compensation of faculty working fulltime post 65 and collecting pension. As has been detailed for you on numerous occasions, the number of OCUFA members between 65-71 who work full-time and collect a pension is negligible. In addition, it should be noted that many of our contract faculty members working post 65 are forced to do so because of inadequate pensions and financial exigency. As you know, faculty members who work past the age of 71 are obligated to collect their pension by federal legislation. In the end, it would seem the true intent of this discussion is a *defacto* attack on the elimination of mandatory retirement.

In addition to the notional interest in faculty renewal, the consultations were framed around the concept of sustainability. The underlying premise being that faculty members exercising their legal right to work past 65 somehow presented a clear and present danger to the sustainability of the system. All of these assumptions, of course, were presented as facts freed from the constraint of any rigorous costing or careful examination of the cost and revenue drivers of the system as a whole. Indeed, the bulk of the consultation in February consisted of Ministry officials providing answers that were a variant of: we don't know, it would be great if you could give us some data, and this was all HEQCO's idea. The sustainability mantra picked up from HEQCO is a false narrative framed almost entirely as a distraction from the very real funding problems facing the postsecondary education system in Ontario. Indeed, it would not be an exaggeration to suggest that the HEQCO paper on sustainability should have been subtitled "Let's attack senior faculty members because as a government agency, we are not allowed to say anything meaningful about government funding."

Given this context, our frustration and cynicism should not have been a surprise especially since the Budget Bill contained a remarkable addendum that gave the Minister of Training, Colleges and Universities the arbitrary right to override collective agreements, discriminate on the basis of age and, theoretically, reduce faculty members' compensation to zero. One would think such a draconian measure would emanate from a crisis and be backed by careful, meticulously costed models and a rigorous public policy rationale. Alas we were quickly disabused of that notion at the June 24th consultation, which was essentially a repeat of the February meeting that centered on two core talking points for the Ministry; i) we don't have any data to back this radical scheme we are contemplating but please feel free to send us any data you have, and ii) please provide us with any creative ideas you have to assist us in reducing your members' compensation and discriminating against them on the basis of age.

In order to have a meaningful dialogue about faculty renewal, I would reiterate the questions we posed at the June 24th meeting:

1. Has the Ministry done any careful analysis of the actual dollar amount the various proposed schemes would save? If so, would the Ministry share its data and the methodology it used? To what extent are the projected savings dependent on 'encouraging' post-65 faculty out of the system? It is worth noting that every model we have used to gauge potential savings demonstrates that HEQCO'S \$90 million is an exaggerated figure with limited-to-no documentation to substantiate it. Yet, the Ministry continues to cite as if it were fact.
2. Does the Ministry know exactly how many faculty members between the ages of 65 and 71 continue to work full-time and simultaneously collect a pension? This number has been elusive but our research suggests the number of faculty doing so is likely negligible given the vast majority of our members (at the five institutions where collective agreements allow for working full-time while collecting a pension) do not exercise this option for a variety of reasons. This information is hard to pin down because pension and payroll systems are not synced and, at this time, we know of no reliable way to be sure of the number. That said, we assume the Ministry has this precise data since they have identified this issue as one of the most, if not *the* most, important policy issues facing Ontario's universities.
3. How does Ontario compare to other provinces when it comes to faculty cohort 65-71 and post 71? Why is it that this so called sustainability crisis is only a crisis in Ontario?
4. Given the scarcity of reliable data, will the government fund an independent organization, which HEQCO is not, that adequately represents stakeholders that will commission independent and complete research on the state of the postsecondary sector in Ontario?
5. How does the Ministry plan to deal with collective agreements that are already in place? Is the plan for the Minister to simply override them? Can the government confirm that it has concluded, based on rigorous study and assessment, that no

other viable non-discriminatory solutions that respect collective bargaining are an option? And, if so, can the ministry share its assessment of alternative methods with us?

6. How will those with defined contribution plans be treated? And those with hybrid plans? Will there be a distinction between defined contribution plans that are privately held and those that are derived from employment at an Ontario university? In the case of the former, if they are not in play, why is the Minister given wide powers to access personal financial information?
7. Has the government conducted a careful legal analysis of how a potential policy on this issue will impact its rights and responsibilities with regards to existing collective agreements, the right to free and fair collective bargaining, and rights protected under the *Charter*?

We view these questions as vital to any sincere policy discussion about faculty renewal. It should come as no surprise that OCUFA members see little utility in this consultation process. We are mindful that Ministry officials are under direction to deliver this agenda by a government that is singularly lacking in integrity, purpose, and curiosity about the real problems plaguing our system of postsecondary education. However, we must protect faculty members' rights and simply cannot accept any scheme that, by definition, discriminates against our members based on their age, arbitrarily reduces compensation, and abrogates duly negotiated collective agreements.

Yours sincerely,



Rahul Sapra
OCUFA President