

## SCHEDULE "A" TO MEMORANDUM OF SETTLEMENT

### Appendix E: Salary Rationalization

This Appendix E, as modified by the agreement of the parties, expires on the completion of the collective agreement with a term commencing May 1, 2024, unless extended by mutual agreement of both parties. If not extended by mutual agreement, Appendix E as it existed in the collective agreement commencing May 1, 2021 shall apply.

### Salary Adjustment Commission

~~There shall be established an adjustment commission consisting of two (2) members named by the Employer and two (2) members named by the Association.~~

1. The Salary Adjustment Commission (the "Commission") will be composed of four (4) members:
  - (a) two (2) appointed by the Association, for a two (2) year term, to which they can be reappointed; and
  - (b) two (2) appointed by the University, for a two (2) year term, to which they can be reappointed.

Each party shall in addition name one (1) alternate in order that the ~~e~~Commission shall have an ability to meet on short notice with a full complement of four (4) (two (2) members representing each party). Two (2) members, provided that there is one (1) representative from each of the parties, shall constitute a quorum; and, in cases where there is unequal representation from one (1) of the parties the extra representative shall not exercise a vote.

Members appointed by the Association to the Commission shall be tenured and shall be from two different Faculties. No current member of the Commission shall apply for salary review during the term of their appointment.

A representative of the Office of Institutional Research & Planning ("OIRP") will be a non-voting support person for the Commission.

2. The task of the Commission is to consider and recommend to the Provost adjustments in salary of employees deemed necessary to meet exceptional circumstances of **obvious inequity** in salary. The Commission will provide to the Provost the reasons for the recommendation and will refer to the characteristics considered, as set out below, with reference to the data relied on.

Neither the Commission nor the University shall consider applications on the basis of special merit or market differentials.

3. The University reserves the right to act unilaterally to respond to competitive offers of employment. The University agrees to copy CUASA on any salary adjustment granted in response to a competitive offer.

### General Procedures for Distribution of Anomalies Fund

4. Cases may be referred for consideration to the Commission by the individual employee, a Dean, the Association or the Commission itself may decide to consider individual cases.
5. The Commission may decide to recommend no action, or to recommend that the salary of the individual be modified over a period of time. The date of any applicable retroactivity shall be effective the date that the request for salary review is received by OIRP. ~~In arriving at a decision, the Commission shall determine to what extent market effects were responsible for the individual's recommended salary adjustment and to what extent these considerations continue to be relevant. (b) One task of the Commission shall be to consider and recommend to the President~~
6. Data including but not limited to some or all of the following characteristics as relevant will be used to determine whether there is a need for an adjustment on the basis of an obvious inequity in salary:
  - Average and median base salary for a faculty member holding the same rank and same terminal degree or equivalent as determined by the letter of employment:
    - By discipline (academic unit/department)
    - By Faculty
  - Rank
  - Year of rank
  - A review of career progression, including timely progression through the ranks
  - Year of first degree
  - Terminal degree or anything considered equivalent on hire
  - Year of PhD completion (or terminal degree completion)
  - Year of hire/appointment to the University
  - Membership of equity seeking group(s)
  - A review of any CDI denials
  - A review of CDI caps, salary ceiling history
7. Data in respect of the characteristics considered by the Commission will be prepared by the representative of the OIRP. The Commission may request of the OIRP any additional data it deems to be relevant.
8. Deans will also be asked to provide an assessment of the request for a salary adjustment. The Commission may request additional or clarifying information from a Dean through the representative of the OIRP.

9. The Commission will normally base its recommendations on a decision obtained by a majority vote. In the event of a split vote, the ~~Committee~~ Commission shall, by a means of its choice, decide upon a recommendation.
10. Decisions of the Provost will be transmitted to the applicants in writing providing transparency and reasons. In the decision, applicants will be provided with the rationale for the Commission's recommendation, copied to the Association. The reasons for the recommendation will refer to the characteristics considered, as set out above, with reference to the data relied on. If the Provost does not accept the recommendation of the Commission, reasons for the Provost's decision will also be provided.
11. Members of the Commission appointed by the Association may debrief with the Association on a confidential basis on the deliberations and outcome of Association decisions.

~~(c) If the President implements the recommendation of the Commission as to the appropriate adjustment in an employee's salary, the President's action shall be final and binding.~~

~~(d) If the President does not accept the recommendation of the Commission and awards a lesser salary increase than that recommended, the employee affected shall have the right to grieve pursuant to Article 29.~~

~~(e) If in the President's judgement an increase greater than that recommended by the Commission is warranted, they shall award an increase, chargeable to the Anomalies Fund, equal to the recommended increase and award the amount in excess of that recommended from other sources subject to the limitation specified in 1.4 below.~~

~~(f) All salary adjustments charged against the Anomalies Fund shall be effective from May 1st previous to the date of the President's decision.~~

~~(b) The President shall advise the Commission, and the individual involved, of the President's decision with respect to the Commission's recommendation within two (2) weeks of the receipt of a recommendation.~~

#### ~~1.4 Limitations on Increases above those Recommended by the Commission~~

~~When the President awards salary increases in addition to those recommended by the Commission, the aggregate amount of those portions of the increases chargeable to other sources shall not in any salary year exceed \$35,000.~~

~~Other sources in the context of this document means monies apart from those included in the Anomalies Fund.~~