|  |  |
| --- | --- |
| . | MemoFrom the office of the…Vice-President (Administration) |
| To: | SRA Members and Committee Chairs |
| From: | Graeme Noble, Vice-President (Administration) |
| Subject: | Amend Bylaw 4/A – Executive Remuneration & Student Employment Equity |
| Date: | March 21, 2021 |

### Introduction

Dear Members of the Assembly,

I write to you today to discuss a labour rights concern within the McMaster Students Union (MSU). One where students are valued so high as to place them as pillars of the organization, yet so low as to treat them with unethical evaluation practices that put them at a lower salary standard for near-identical work to their Permanent staff counterparts. Though this proposal appears to exclusively impact the Board of Directors, it demonstrates a new standard for all full-time (FT) student staff across the MSU.

For context, all student FT staff receive the *exact same wage*, regardless of the work they complete, and the demands associated with it. While it may seem logical to create this equal playing field, it gravely hinders any movement for student wages and stunts any labour rights pushes by these students with an impenetrable systemic barrier. The rest of this document outlines areas for change within this policy to create more ethical and equitable practices through small modifications in wording, as well as how to address communication inconsistencies between MSU and provincial labour regulations.

#### Inconsistencies with Internal Policies & Employment Legislation

This Bylaw has been riddled with inconsistencies when compared against our current Employment Policy for full-time staff. Perhaps, this is unsurprising since the document has never been made public, but the important conflicts are as follows:

1. The number of hours indicated in **Bylaw 4/A – Executive Remuneration** do not include lunch breaks, as are included in all wage classifications within **Employment Policy – Full-Time Staff**. This means that the current Bylaw has 40 hours listed while, for consistency, it should instead read 35 hours.
2. Overtime, vacation, and various other duties and privileges of Student Opportunity Positions (SOPs) are not listed in the Bylaw. This means that, by word of the Bylaw, any regulations other than benefits that are included in **Employment Policy – Full-Time Staff** that seek to clarify areas where **Employment Standards Act, 2000** (ESA) supersedes our current written policies. This allows for the victimization of Board members who may be ill-informed on the most updated versions of ESA, creating suboptimal working conditions for Board members and unnecessary liability for the corporation.

#### Unethical Devaluing of Student Employees

For decades, the student FT staff positions of the MSU have been held to different pay equitability standards than the rest of the MSU’s FT staff. In 2018, the [**ESA, 2000, S.O. 2000, c. 41**](https://www.ontario.ca/laws/statute/00e41#BK83) was updated to include clauses wherein part-time and full-time staff must be paid at the same rate if the work requires the same level of expertise and challenge. Similarly, [**ESA, 2000, c. 41, s. 42**](https://www.ontario.ca/laws/statute/00e41?_ga=2.122174091.1652988899.1614967319-907466107.1614967319#BK69) outlines how individuals of a different sex must be paid equal wages for substantially the same work. While we abide by these clauses, we fall vehemently short of accomplishing this at the border between FT student vs. Permanent staff.

SOPs, for example, all receive the same pay regardless of their responsibilities, their supervisory functions, or the demands for their skills within their respective applicant pools. This sets a clear divide between student staff and Permanent FT staff, wherein students receive highly reduced pay for the same amount of work or skill. In theory, the only difference between a student and Permanent FT staff **should** **be** the following factors, each of which well-accounted for in the MSU Full-Time Wage Review Evaluation Guide:

1. Experience, where SOPs would likely note this at its lowest value.
2. Qualifications, where SOPs would likely note this at its lowest value.
3. Wage Level, which depends on how long an employee holds a position for and thus would indefinitely be rated at its lowest value.

This, in practice, is not the case.

In a similar vein, members of the Board of Directors have never historically been reviewed through a formal wage review procedure. Thus, when equitability scans are done on wages throughout the MSU (e.g., Pesce & Associates – June, 2009), the Board isn’t afforded the same luxury. Instead, the SRA is tasked with approving any and all changes to Board wages without receiving any sort of training on how to process, review, and equitably judge the work done in their job descriptions: a system that’s entirely inappropriate by any acceptable standard for Human Resources practices.

**If you were to take the same job description for a Board member and give it to a Permanent Full-Time Staff member with no alterations—with absolutely no experience or qualifications required—and only had them work in the role for one year, only then would the duties and responsibilities of the jobs be taken into account. This simple change in classification would result in anywhere from a $21,000–38,000 annual wage increase for no other reason than the staff member was not an MSU member.**

***Both positions are entry-level.***

***Both positions have the exact same employment period.***

***Both have the exact same duties and responsibilities.***

***But*, *not being a recent student*, an older individual (who is perhaps less equipped to address student concerns, mind you) would receive up to a 200% salary increase just because they were not a McMaster student the year prior.**

**This is not equity.**

**This is not equality.**

**This is not right.**

Since the positions’ inceptions, Board wages have instead originated through environmental scans of other students’ unions and compared against others who either (1) have different student enrollment and hence operational costs, (2) have part-time Board members, or (3) do the exact same thing as us, thus perpetuating the cycle of inappropriate wage classifications and distinctly arbitrary review procedures. **If the MSU truly values the voices of students under its employment, this double standard of wage compensation must change**.

### Proposal

As noted above, there are a couple of points I wanted to tackle with this amendment. I’ve included those proposed changes below:

1. To avoid confusion down the line, and to clarify any conflicts between our own policies and any omissions from legislated employment rules, **Bylaw 4/A – Executive Remuneration** should be amended to include all sections of **Employment Policy – Full-Time Staff** that apply to the Board of Directors, as circulated. This will guarantee clarity of the roles of Board members and how they may effectively communicate with the MSU regarding labour laws, accessibility concerns, and any number of employment matters legislated by the MSU or the Ontario government.
2. All SOPs and Board members deserve to be paid for the labour they perform and the expectations written in their job descriptions. The fact that they’re students should not excuse them from meritocratic evaluations of their roles, as has been the standard for all Permanent FT staff for decades. I’ve included a clause in Bylaw 4/A – Executive Remuneration to mandate that any job evaluations for the Board of Directors shall be done through the formal full-time staff wage review process and shall continue to receive final approval by the SRA, as per the old parameters of this policy.

Please let me know if you have any questions or concerns prior to the meeting.

Sincerely,

**Graeme Noble**

Vice-President (Administration) & Chief Administrative Officer

McMaster Students Union

vpadmin@msu.mcmaster.ca