

JOINT COMMITTEE ON THE
ADMINISTRATION OF THE AGREEMENT
(JCOAA)

MINUTES OF MEETING HELD

May 15, 2017

390 York Lanes

10:00 a.m. – 12:00 p.m.

Association: Robert Tordoff (Co-Chair), Alidad Amirfazli, Sheila Embleton, Sonja Killoran-McKibbin, Richard Wellen, David Cabianca, Nick Mulé

Employer: Barry Miller (Co-Chair), Alice Pitt, Ananya Mukherjee-Reed, Noura Shaw

Chair: Robert Tordoff

Regrets: Shawn Brixey

Minutes

The committee approved the minutes of the December 2016 meeting. The minutes from the January – April meetings will be discussed at the upcoming Co-Chairs' meeting.

Music Budget

A date has been confirmed for a separate meeting to take place. YUFA requested the presence of R. Mitchell at said meeting. The Employer confirmed that R. Mitchell would be present and indicated that it would have data to share at this meeting.

FES AA Plan

The parties agreed that the JCOAA Co-Chairs would send a joint letter to FES. B. Miller will send to R. Tordoff a draft letter for review.

Update on Sexual Violence Policy and Procedures

The Association indicated that it continues to anticipate receipt of timelines from the

Employer regarding the training that is going to be offered to faculty members. The Employer stated that the thinking is that training for senior leaders will be developed at some point in the summer and that training for faculty members will commence in the fall. The Association indicated that this was good news, but that its desire is to receive timelines that are more concrete. The Association also requested information regarding the number of complaints received by the SVRO to date.

Article 18.15 Implementation

The Association indicated that the letter from the DRP to Glendon Psychology seemed to have been framed as a recommendation. As such, the department has responded and the DRP will need to address that response.

Faculty Relations will connect with the Deans to request the data per Unit regarding 18.15 releases and will share this information with the Association. The Employer indicated that the 50/50 split is meant to be a guide and it does not necessarily mean that the number of releases need to be the same in each year. The Association specifically enquired about the Faculty of Health and expressed concern that the Dean had yet to give approval for course releases.

Infrastructure Renewal Project

The Association inquired about letters sent to pre-tenure faculty in Lassonde and FES involved in the Project advising of the possibility of a stop-out in the tenure and promotion process. The Employer indicated that it will forward copies of letters to the Association.

Course Outcomes and Syllabus Reporting Requirements

The Employer indicated that the Associate Dean would send out a communication clarifying that the template that she sent out last year was meant to be part of a pilot project. She will also send a template that provides significant flexibility and does not require information that has not been required in the past.

The Association indicated that an email was sent but that it did not sufficiently clarify the circumstance of the template previously distributed. The Employer indicated that a second communication would be sent to ensure further clarity. The Employer confirmed that the template was meant as an aid and not required.

Anomalies Exercise

The Association requested information about how often anomalies adjustments were made for applicants whose salaries were “closer” to the regression line than -0.5 standard deviation (the Employer had confirmed that no adjustments were made for

faculty above the regression line). The Employer indicated that over the last 3 years the adjustments made in this circumstance were as follows:

1. May 1, 2014 – ten (10) cases;
2. May 1, 2015 – ten (10) cases; and
3. May 1, 2016 – two (2) cases.

The Association asked whether any of these adjustments were made in the context of marketability. The Employer indicated that most of the adjustments were made due to very high participation and service rates to the community. The Association indicated that all faculty members should be made aware of the fact that this is an option, as many are not and asked the Employer to identify the criteria used when making such determinations.

The Employer reminded the Association that the memorandum initiating the annual exercise points out that contributions would be taken into account and that this information has been included in the memorandum for well over a decade. The Association argued that although the language may not have been newly added, it was being newly utilized.

The Association caucused and, following, expressed the position that a discussion regarding discretion in the anomalies exercise is needed. The Association indicated that the discretion exercised in the anomalies exercise raises concerns about fairness and equity. It indicated that at other Universities a joint committee is responsible for recommending adjustments and that it would like to explore this approach.

The Employer responded that it will review the data as well which will serve as background for a fuller JCOAA discussion.

CLA Renewals

The Association indicated that it has no objections to the renewal of a CLA in Kinesiology that will extend the term to 4 years. The Association also mentioned that the data on CLAs under Article 12.10 of the collective agreement is due.

The Association indicated that while it appreciated the Dean of Health's perspective in regard to the Nursing positions in Community Health and Paediatrics, it remains concerned about the position in Adult Acute Care. The Employer indicated the Dean recognizes the need in the area of Adult Acute Care but that not all areas of need can be prioritized at the same time. The Employer also noted that the School faces challenges in recruiting candidates for tenure stream positions.

The Association indicated that it would like a copy of the Nursing complement plan. It also expressed the importance of prioritizing areas of need in order to replace long

standing CLA positions with tenure stream positions and inquired whether efforts might also be made to recruit in the alternate stream as well as the professorial stream.

The Association stated that rationales for CLA renewals must be clear and specific as per the collective agreement. The Employer indicated that it is the expectation that both parties will follow collective agreement but that the parties may disagree on the interpretation of certain clauses from time to time.

Document Preservation Notice

Two grievances are currently being held in abeyance and the parties discussed having a separate meeting to address this issue.

The Employer will follow up with M. Armstrong and P. Lynch to see if there might be value in an update on the litigation involving Access Copyright. The Employer noted that it sent out the document preservation notice and follow-up reminders to meet its obligation under the litigation and that from its perspective nothing in the document preservation notice is intended to impinge on the collective agreement in regard to custody and control of documents.

College Masterships

The Dean has indicated that the usual length of time for this term is five (5) years. When the Dean proposed a three (3) year term for the new Masters that are the subject of the current searches, concerns could have been raised by the committees if there were any.

The Employer agreed with the Association that the particulars giving rise to the three (3) year term would not necessarily result in a change of practice by which all Masters positions will be for three (3) year terms. The Association indicated that it does not agree to set precedents and expressed its view that the normal term is five years. The Dean identified that she could also discuss the process with current and recent former Masters.

Bus Stop Locations and Transportation on Opening of Subway Stations

The parties noted that the York University subway stops can now be seen on the TTC map with an opening date of December 2017. The Employer indicated that it might be a good idea to invite CSBO to an upcoming meeting in the fall when plans regarding transportation on campus relating to the opening of the York subway stops are further along. There are currently no formal updates to share.

The Association stated that one of its concerns is the impact on students coming from north of Steeles Avenue. While there may be improvements for those coming from within the city, transportation might become less accessible for those coming from north of the city. There are also accessibility issues and concerns around safety at night.

The Employer indicated that there has been a lot of attention to potential impacts on faculty, staff and students. For the purposes of the JCOAA, it is important to bring updates forward specifically with reference to what is relevant at this table and the collective agreement.

Pension Calculation Issues

The Association would like to see an independent third-party audit of the fund, including a specific analysis of the data relating to the pension calculation issues as soon as possible. The Employer noted that there has been further communication with Aon and that there is going to be a comprehensive review of the data. The Employer shared with Aon the Association's concerns over the limited data set. The Employer will share with Aon the data of potentially affected faculty who include those who were on sabbaticals and reduced loads during the time period in question. The Employer will report back on the data review. The Association identified that, given the significant number of errors, Aon would need to make its own calculations of contributions rather than simply accepting and reporting on data provided by the Pension and Benefits office.

It is the Employer's hope that the broader data analysis can be a basis for the Association's actuary and the Plan actuary to discuss the calculation issues. FSCO has been in contact with the University and it is interested in the University's plan to address the issues. The Association requested that the Employer provide YUFA with information on its deadlines for reporting to FSCO and provide copies of any information shared with FSCO. The Employer will follow up on this request and report back.

Extended Healthcare Drug Card

The Employer confirmed the start date of July 1, 2017 for the extended healthcare drug card via email.

Home Internet

The Employer shared the outcome of the Association's survey with the Interim VPFA and will report back to the Association as soon as a decision is made.

SSHRC Carry-over

The Association indicated that it remains its view that any faculty members who lost unused funds representing 50% or more of the original award as a result of late or no notice of the new policy should be made whole. The Association filed a grievance for one member in this regard and the Employer will respond accordingly.

More generally, the Association enquired whether the Administration was pursuing the matter directly with SSHRC on behalf of the University. The Employer identified that it was unclear where the communication breakdown took place but the Parties agreed

that no communication had been distributed to members to advise them of the change.

Employment Equity Data Reporting

The Association indicated that it continues to have an interest in a review of faculty salaries in regard to the possibility of a gender gap. The Employer will have a discussion with the Provost's Office and will see whether the regressions used in the anomalies exercise could assist. The Employer will provide an update at the next Co-Chairs' meeting.

The Association also made reference to a request that has come forward from JCAA regarding an analysis on how race might play a role. The Association agreed that for purposes of clarity, it would provide the Employer with a written description of the specific concern(s).

Post-doctoral Fellow Policy Recently Approved by Senate

The Association indicated a desire to be consulted on such matters. The Employer acknowledged its obligation to engage the Association where planning may affect the Collective Agreement. The Employer stated that this item could be added to the June agenda. The Association is welcome to review the policy and raise any concerns it has at the next JCOAA meeting, which could be shared with APPRC. The Employer indicated that it recognizes that both parties should keep a watch on Senate matters pertaining to the collective agreement to ensure that issues are not missed.

Glendon CLAs

The Association stated that it would like the Principal to issue letters to the CLAs confirming that they are not obliged to teach for twelve (12) months. The Employer confirmed that the Principal reached out to the Director of the FSL Centre and there is an understanding that there is no twelve (12) month teaching requirement in contravention of the collective agreement. Within the FSL Centre, the summer is viewed as a time to work on curriculum for the upcoming academic year. As such, there should be no reason to believe that colleagues in FSL would be expected to teach over the summer. The Association noted that twelve (12) months' teaching was posted in the ad. The Employer stated that rather than a note from the Principal, the FSL Director could communicate to colleagues that there is no summer teaching requirement at odds with the collective agreement.