

JOINT COMMITTEE ON THE
ADMINISTRATION OF THE AGREEMENT
(JCOAA)

MINUTES OF MEETING HELD
March 1, 2013.

390 York Lanes

Association: John Amanatides, Brenda Spotton Visano (Co-Chair), Sheila Embleton, Leslie Sanders, Ida Ferrara, Heidi Bishop

Employer: Barry Miller (Co-Chair), Alice Pitt, Don Hastie, Hyacinth James

Chair: Barry Miller

Recording Secretary: B. Miller/D. Hastie

Regrets: Harvey Skinner

Minutes

The Minutes of February 1st were confirmed.

JCOAA

Update on Reimbursement for Meal Expenses

B. Miller reported that the University will be adopting a “two-track” approach with respect to reimbursement for meal expenses with the implementation of the on-line travel expense reimbursement process. Receipts will be required in the case of reimbursement from Provincial funds in accordance with the Provincial directive, while per diem claims will be allowed in the case of Tri-Council funds. B. Miller indicated that discussion was under way on how to handle meal expense reimbursement prior to the implementation of the online travel expense reimbursement process but indicated that the likely solution would be the use of separate forms, depending on whether a per diem claim could be made or whether receipts would be required. B. Miller will advise the Association of the decision.

Update on the Employee Engagement Survey

B. Miller reported that the working group overseeing the survey has received the first set of results and is considering how the results should be aggregated and reported. It appears that the results would not be ready to distribute until at least some time in April, and B. Miller confirmed that the results would be reviewed with the Faculty Association (and other employee groups) prior to a final decision on the broader distribution to employees.

Master of Stong and Calumet College

B. Miller advised the Association that he will be bringing a proposal to have a single Master for Stong and Calumet Colleges to the next JCOAA Co-chairs meeting.

York Research Chair (YRC) Program

The Association indicated that it did not have an interest in drilling down to particular clauses of the collective agreement but indicated that it saw clear intersections between aspects of the Program and the collective agreement.

The Association raised the question of what the Employer hopes to achieve in a discussion of the Program.

B. Miller responded that the JCOAA is the forum in which to take up any collective agreement issues relating to the Program and indicated that the Employer recognized that any potential collective agreement issues were separate from the Association's more general objection to the YRC Program.

The Association questioned the scope to change the program as a result of these discussions.

B. Miller indicated that input of YUFA's perspective would be taken up as a guide for particular issues and that on the basis of these concerns the proposal would be taken back for more thought. The Employer is prepared to further look at program and mutually agree to changes. Until discussions are complete the program remains a proposal.

The Association reiterated that discussions are without prejudice to its principle objection to the program and confirmed that discussions are not limited to scope of clauses in the Collective Agreement.

First mentioned was Article 17. Concern was next raised about the proposed distribution of YRCs across the University. The specific issue of accessibility and equitability was raised. The Association expressed the view that the Program was not the best way to use funds to promote research, suggesting that it imposes inequity between those who receive a YRC and those who do not. The view was also expressed that the distribution across Faculties would be disproportionate to the size of the Faculties, creating greater opportunity for members of smaller Faculties.

The Association indicated that it has a number of concerns around transparency in the selection process. Specifically mentioned was the final selection process and basis on which final recommendations are made. The Association indicated that the awarding of YRCs should be subject to the grievance process.

The Association indicated that the Program raises questions relating to Article 25 (compensation) and has implications for Article 12 (appointments). In regard to the selection/appointment process, S. Embleton raised the question of why the same approach as was taken in the appointment of CRCs in the initial phase of the CRC Program was not being proposed for the YRC Program. For example, why was the CRC hiring protocol not contemplated for the YRC Program.

The Association cited the suggestion in the YRC Program document that the Program could be used to attract external candidates and indicated that it would be helpful for the document to more clearly spell out the process by which external candidates could be considered for a YRC.

B. Spotton Visano noted the importance of Affirmative Action principles to avoid equity issues in the appointment of YRCs.

Concern was also raised with respect to Appendix P and Footnote 5 in the YRC Program document which indicates that there could be variation in the amount provided as a stipend and amount provided as research support money. The Employer clarified that the stipend amounts cited in the document represent the maximum stipend amounts and that YRC holders could elect to have some of the money otherwise awarded as a stipend provided instead as research support money.

B. Spotton Visano indicated that the Association will consult with members, and B. Miller indicated that he will provide the Association with the most recent version of the Program document for the consultation.

Alternate Stream Faculty

B. Miller indicated it was previously the Employer's view to bring a change in practice to the last JCOAA co-chairs meeting but the Employer has been giving the issue of alternate stream teaching load further thought. B. Miller presented the Employer's perspective on the teaching load of newly appointed alternate stream faculty in units which have not previously had alternate stream appointments. He indicated that the Employer has given careful consideration to what the appropriate teaching load of the alternate stream faculty should be in such units in the context of achieving a fair and equitable distribution of workload among new alternate stream faculty and their professorial stream colleagues in those units and ensuring consistency with the potentially relevant provisions of the collective agreement, including potentially relevant clauses of Article 18 and the Alternate Stream document.

B. Miller indicated that the workload of professorial tenure stream faculty in the units involved provide an important guide regarding the appropriate workload of new alternate stream faculty in the units. He observed that a standard conception of the workload distribution for professorial stream faculty is 40% research, 40% teaching, and 20% service. He noted that according to the Alternate Stream Document, the principal component of alternate stream workload is teaching with no expectation of "basic research" and that in the absence of professorial stream research expectations, teaching can be expected to comprise somewhere close to 80%, if not 80%, of the normal workload of professorial stream faculty. Based on the normal teaching load of professorial tenure stream faculty in the units involved, where the predominant normal teaching load is 2.5 FCEs, B. Miller indicated that the Employer believes that it is appropriate to establish a normal teaching load for alternate stream faculty in the units as 4 FCEs in order to meet its obligation of establishing a "fair and equitable distribution of workload" in those units under the relevant provisions of Article 18.08.1 and Article 18.10.

B. Miller noted that the Employer does not believe that Article 17, which deals with changes in existing practices, necessarily applies to the establishment of normal alternate stream teaching loads in units where none existed previously but that the Employer will, nonetheless, provide written notice pursuant to Article 17 without prejudice to its position on the applicability of the Article. In regard to possible timelines, B. Miller indicated that the intent is for units to be invited to request alternate stream appointments in the spring appointments request process and to be advised that the normal teaching load for alternate stream faculty should be 4 FCEs in units which have not previously had alternate stream appointments.

B. Spotton Visano noted that the workload division of 40-40-20 for professorial stream faculty is not in the collective agreement and that the Association does not accept the Employer's arguments with respect to the teaching load of alternate stream faculty. She indicated that the Association would file a policy grievance and in view of discussions at the bargaining table will be discussing the possibility of a bad-faith bargaining charge.