

Joint Administration Dispute Resolution Committee

*CIEA Offices
Suite 301, 555 West 8th Avenue
Vancouver, BC*

*June 14, 2001
9:30 am*

MINUTES

In attendance: Bonnie Pearson, Debby Offermann, George Davison,
Valerie Cochran, John Waters, Derek Francis, Edwin Deas,
Barry Bompas

Regrets: Stu Seifert, David Piasta, Rob Huxtable, Dale Dorn

Recorder: Gae Sellstedt

1. Call to Order

The meeting was called to order at 9:40 am.

2. Approval of the Agenda

The following was added to the Agenda:

- Letter of Understanding re IIG
- Harassment Investigators – Possibility of Adding Names to List – add under 5(b)
- Update on Pension Issues
- Issues around STIIP and Use of Sick Banks
- Issue around Disability Plans
- New language of labour adjustment clause

The Agenda was approved as amended.

3. Approval of the Minutes of the February 8, 2001 Teleconference

The Minutes of the February 8, 2001 teleconference were approved as circulated.

4. Business Arising out of the Previous Minutes

File #03-99-04-07 – Okanagan University College – Union Leave

In the February 8, 2001 Minutes, it was noted that John Pugsley was to provide a copy of the signed Letter of Agreement to JADRC. The letter has not yet been provided. The Unions will follow-up.

5. New Business

(a) Overload Pay Calculation

JADRC agreed that the local parties may agree to a calculation of overload pay, without prejudice. Should there be disagreement at a future date, it may be brought back to JADRC.

(b) Common Agreement's List of Harassment Investigators (i.e. by rotation or by local parties' selection)

JADRC confirmed that if the local parties cannot agree on the name of a Harassment Investigator, the Registrar would then contact each Investigator, beginning at the top of the list, to see if he/she could handle the case within the specified time frame (i.e. two weeks). The first available Investigator would then be appointed to the case.

After discussion, JADRC agreed to add additional names to the list of Harassment Investigators. The Unions and the Employers will exchange names of Harassment Investigators they would like to add to the list in advance of the next meeting scheduled for July 19, 2001.

(c) Revision of "birth father" (Article 8.2.2) and "biological father" (Article 8.4.1)

The terms "birth father" and "biological father" may be discriminatory regarding same-sex partners; therefore, JADRC will try to develop an Interpretation Bulletin to clarify the language in Articles 8.2.2 and 8.4.1 to ensure that same-sex partners will be dealt with in a non-discriminatory way.

John Waters will draft the Interpretation Bulletin for review by JADRC.

(d) Parental Leave Supplemental Benefit

The Supplemental Employment Benefit for Maternity and Parental Leave is not effective until April 1, 2002. JADRC agreed to issue an Interpretation Bulletin to provide institutions with advice on the transitional implementation of the Supplemental Employment Benefit. The issue of EI will not be dealt with in the bulletin and it will be left to each individual to seek their own guidance regarding taxation matters.

Bonnie Pearson will draft the Interpretation Bulletin for review by JADRC.

(e) Access to Disability Benefits Plan

After discussion, JADRC agreed that if the date on which an institution and its union opt in to the Disability Benefits Plan is such as to delay implementation until after April 1, 2002 then the institution and its union will receive a one-time lump sum amount equivalent to the institution's Disability Benefits

funding for the portion of Year 2 by which implementation is delayed, with this amount to be available for bargaining between the local parties (reference Article 9.3.6).

(f) Joint Workload Study

JADRC agreed that the workload study should be tabled until all local parties have completed bargaining.

(g) List of Arbitrators – D. Munroe Sabbatical

JADRC agreed that there is no need at the present to replace D. Munroe on the list of Arbitrators.

(h) Letter of Understanding – Institute of Indigenous Government

JADRC agreed to add a Letter of Understanding to the 2001 Faculty Common Agreement:

“Effective April 1, 2001, April 1, 2002, and April 1, 2003, the Staff Salary Scale at the Institute of Indigenous Government for September 1, 1998 to March 31, 2001, shall be increased by 2%, subject to any agreement between the local parties pursuant to Article 12.2.2.”

(i) Pension Plan Issues

The Board of Trustees of the College Pension Plan approved the proposal submitted by the Pension Plan Partners. This now raises the following issues:

- How will retired plan members be adjusted for this change and by what amount?
- How are people affected who reach mandatory retirement before January 1, 2002?

The Unions have suggested some options (e.g. unpaid leave) that may be available to those affected by mandatory retirement and asked the employers if they have received any comments from the institutions.

The Employers advised that they had sent out an internal bulletin to the institutions providing information on retirement dates, receipt of pension benefits, and unpaid leave prior to retirement. The Employers indicated that since this bulletin went out, the institutions have not raised any concerns or questions about this matter.

(j) STIIP and Use of Sick Banks

The issue is whether an employee who is entitled to use sick leave top-up of 30% of salary (i.e. to raise the 70% STIIP payment to 100% of salary for the days of top-up) pursuant to the March 30/01 joint memorandum on Local Negotiation uses (1) one day of sick leave or (2) 30% of one day of sick leave for each day of STIIP thus topped up.

Both parties will go back to their respective bargaining teams and to confirm their recollection. The matter will be brought forward to the next meeting.

(k) Labour Adjustment Language

Article 6.5 of the 2001 Faculty Common Agreement states: "By September 30th of each year, each Employer shall report in writing to its local bargaining unit(s) on the specific use of the institution's labour adjustment funds in the preceding April 1 to March 31 period".

The Unions advised that they have not yet received from the Ministry the reports on the 98-99 and 99-00 labour adjustment funds that the institutions were to have given the Ministry and that the Unions had requested. The Unions asked the Employers to ensure that institutions met the new requirement and to assist the Unions in obtaining the information for the preceding two years. V. Cochran will send out a notice to the Employers reminding them of the new Article 6.5 reporting obligation. She will also ask the Ministry to provide Unions with the corresponding information for 1998-99 and 1999-2000.

Other Issues:

- Selkirk College – early retirement dispute – Gae is to assign an arbitrator to the matter.
- New Process for JADRC – Valerie Cochran will draft a policy document regarding the new process.

Next Meeting Dates

The next meeting is scheduled for Thursday, July 19, 2001 at the CIEA office, 9:30 am to noon.

There being no further business, the meeting adjourned at 11:15 am.