

Joint Administration Dispute Resolution Committee

**Teleconference
Wednesday, May 29, 2002**

9:30 am

MINUTES

In attendance: David Piasta, John Waters, Frank Cosco, Stu Seifert, Edwin Deas,
Debby Svedic, George Davison, Derek Francis, Barry Bompas

Regrets: Bob Priebe, Valerie Cochran

Recorder: Gae Sellstedt

1. Call to Order

The meeting was called to order at 9:40 am

2. Approval of the Agenda

Two items were added to the Agenda:

4(c) – Disability Benefits Plan – Opting In/Out
5(d) – Interpretation – Disability Benefits Plan

The Agenda was approved as amended.

3. Approval of the Minutes of the March 21, 2002 Meeting

The Minutes of the March 21, 2002 were approved by consensus.

4. Business Arising out of the Previous Minutes

a) **Northern Lights College – BCGEU – Union Leave**

The matter was referred to arbitration after a small sub-committee of JADRC failed to reach resolution. However, prior to the Registrar appointing an Arbitrator, the Union and the Employer resolved the matter locally. It is JADRC's understanding that the settlement is acceptable to both parties.

b) JCBA – Tendering of Contracts – Who is responsible for making carrier selection?

This issue was tabled at the March 21, 2002 JADRC meeting in order to enable the Unions and the Employers to review their respective bargaining notes and to consult with members of the 1998 bargaining teams.

The Employers reported that, in reviewing the Employers' bargaining notes and in consulting with members of their bargaining team, it is clear that the Employers were not prepared to accept joint administration of benefits, including joint selection of carrier, but that they were prepared to have a joint tendering process. It is the Employers' position that the selection of carrier would be by the employers. John Waters offered to review the employers' detailed records with the Unions' representatives, Debby Offermann and David Piasta.

The Unions advised that they had not yet had an opportunity to review their bargaining notes and requested that John Waters provide them with the dates of the 1998 common table bargaining on which he has a record of bargaining table actions concerning the administration of benefits plans.

The issue is tabled to the next JADRC meeting.

c) Disability Benefits Plan – Opting in/out of the Plan

This issue was tabled at the March 21, 2002 JADRC meeting in order for the Employers to find out if Maritime Life prohibits an employee group from joining the Disability Benefits Plan mid-year – other than the proposed April 1 of any given year.

The Employers reported that Maritime Life advised that, although there is an expense and an inconvenience to both the employers and themselves, there is an option that could be considered. The option is that an employee group opting into the Disability Benefits Plan mid-year would have the same benefits as everyone else in the plan but would not become part of the plan until the following April 1st. As well, the employee group would be costed separately for the remainder of the year of opting in. That cost may be higher or lower than the premium set for the other employee groups enrolled in the Disability Benefits Plan. As if the April 1st following the date of the group joining the plan, the newly joining employee group would not only be covered by the provisions in the Disability Benefits Plan but would also be in the Plan itself and would be covered by the same premium (i.e. for the new premium year) as applies to all other groups in the plan. The Employers will discuss the proposal outlined above and will advise the unions accordingly, prior to the next JADRC meeting. The issue is tabled.

5 New Business

a) Labour Adjustment Fund

The Unions are proposing that the Employers write a joint letter with them requesting the government to continue funding the Labour Adjustment Fund. The Employers advised that they have received a clear indication from the government that Labour

Adjustment Fund will not be funded and that there is no chance that government will revisit their decision. Therefore, the Employers declined the Unions' request.

b) Disability Benefits Plan “Savings” – Article 9.3.6

The Unions' claim that certain local unions (i.e. those that opted not to join the new Faculty Disability Benefits Plan) should have access to the “savings” as outlined in Article 9.3.6. The Employers advised them (1) that the mandate envelope that was the basis of the Employers' bargaining of the new plan turned out to be less than what has been required to fund the plan, (2) that the envelope, inadequate as it was in itself, was in any event not funded at all by the Ministry, and (3) that there are consequently no “savings” or “available funds” for opting-out unions to bargain with their Employers.

Action: David Piasta to e-mail John Waters the list of locals that have not opted to join the Plan.

The issue is tabled to the next meeting.

c) Harassment Investigators – Catherine Sullivan

Debby Offermann advised that she had a conversation with Catherine Sullivan who advised her that she has been turning down harassment investigations referred to her because she is now employed by the BCGEU. Catherine Sullivan suggested that JADRC take her name off the list of Harassment Investigators.

Action: Gae is to revise the list of Harassment Investigators and re-send the list to the institutions and to CIEA and BCGEU. The PSEA web site is also to be revised.

d) Interpretation – Disability Benefits Plan

JADRC discussed the process of dealing with matters of interpretation concerning the Disability Benefits Plan over the summer months. JADRC agreed that the preliminary forum for dealing with questions will be the JCBA or the Union and Employer JCBA spokespersons in consultation with Mercer Human Resource Consulting to see if the issue can be resolved. Failing this, the Union and Employer JADRC spokespersons will attempt to resolve the issue. If both of these attempts fail, the issue may proceed directly to third party arbitration, without waiting for JADRC itself to meet.

Action: David Piasta to advise JCBA of JADRC's decision. John Waters will advise the Employer Co-Chair of JCBA, Denis Kielly.

6. Other

Next Meeting

The next meeting will take place in the CIEA Boardroom at 9:30 am on Thursday, September 19, 2002. Subsequent meetings will take place at the same time and location the third Thursday of each month:

Thursday, October 17, 2002

Thursday, November 21, 2002