ANNUAL REPORT 2005

Joint Committee on the Administration of the Framework Agreement

Introduction

The JCAA is established under Article 74.0 of the Framework Agreement.

Prior to the renegotiation of the Framework Agreement in the summer of 2004, the JCAA had adopted the procedure of submitting an annual report covering the period from July 1 to June 30 of each academic year. The last report was made for the period ending June 30, 2004.

The new Framework Agreement, which came into force September 1, 2004, expressly provides for an annual report. This report is to cover the previous calendar year and would normally be prepared by January 31 of the next year. To regularize the process of reporting, this report will extend from July 1, 2004 until December 31, 2005. Hereafter, the Parties will prepare the annual report in January of each calendar year as required by Article 74.2.5.

Membership

During the period covered by this report, the membership of the Committee was:

Faculty Association:
  • Judith Clarke
  • Leslee Francis Pelton
  • Andrew Weaver (until April 30, 2005)
  • Bill Pfaffenberger (from May 1, 2005)

Administration:
  • Ali Dastmalchian
  • Andrew Rippin
  • Mary Anne Waldron

Meetings

During the Spring and Summer of 2004, meetings were suspended while the Parties negotiated a Salary and Benefits Settlement and re-negotiated the language of the Framework Agreement.
Meetings were held on the following dates:

- November 4, 2004
- February 18, 2005
- May 26, 2005
- October 6, 2005
- November 30, 2005

Business Conducted

A. The following issues were discussed by the JCAA and perspectives were exchanged:

1. The importance of providing information to Members and to Chairs and Directors about the Accommodation Policy was discussed. The Administration supplied contact information for personnel involved in return to work and accommodation in Human Resources. The Administration reported on discussions at a Chairs and Directors meeting and that Human Resources had made all persons listed with them as receiving accommodation aware of the Policy.

2. The definition of reasonable apprehension of bias was discussed at several meetings in an effort to clarify the term and to establish a practical approach to such claims. This resulted in the publication of a short note on the topic for information in the Faculty Association Newsletter.

3. How advice on disputed procedural points is provided to Faculty Advisory Committees was discussed. The Parties exchanged differing views on the matter.

B. The following advice was provided by the JCAA:

1. A procedure for computing salary on study leave of Faculty Members with reduced appointments was approved. The approved method was as follows:
   a. Determine the Study Leave salary payable to the Member, based on full time service over the qualifying period using the Framework Agreement formula which depends upon the length of leave and qualifying service;
   b. Determine the proportion of full-time service to which the Member’s actual service is equal by adding the percentage of FTE for each qualifying year and dividing by the number of years in the qualifying period. Note that if FTE has varied within any year, this computation will have to be performed using months or proportions of years.
   c. Multiply the salary to which the Member would have been entitled at full-time service over the entire period by the percentage obtained in b).

2. Article 54
   It was noted that there is no mention in Article 54 of Teaching Professors. This was apparently an oversight. The JCAA advised that Departments that have or may shortly have people eligible to be Teaching Professors should create a separate category for Teaching Professors in their Departmental Standard and this
should take account of the evaluation criteria in Article 13 and assessment of merit ratio in Article 73.

3. Evaluation Ratio
The JCAA discussed the issue of a tendency to use the 40:40:20 ratio in promotion and tenure cases. The JCAA noted the need to remind Departments that the standards for promotion and tenure are in the Framework Agreement; the ratio is for use only in the merit evaluation process. The Administration reported that Chairs and Directors had been reminded of this at a Chairs’ and Directors’ Forum and that as Faculty Evaluation policies were revised, special attention was being given to ensure that this error was corrected.

C. The JCAA began a review of the duties of a Chair or Director with a view to determining which of these duties might be delegable or which, although not delegable, might be the subject of advice from committees to reduce the workload for the Chair or Director. In this reporting period, the Faculty Association and the Administration began a review of the list of duties. The meeting of July, 2006 will be devoted to advancing this project.

D. One Letter of Understanding was entered into between the Faculty Association and the Administration to clarify the time after which a Senior Instructor may be reappointed without review. Article 15.2.4 was based upon the assumption that Senior Instructor terms were structured in accordance with the Framework Agreement requirements under which the first term is for three years and subsequent terms are four years in length. Neither party realized that some Senior Instructors had been appointed to terms of differing lengths. Upon the advice of the JCAA, a letter of understanding was adopted to clarify that reappointment without review for a Senior Instructor will apply to reviews occurring only after the Senior Instructor has served eleven years in that rank at the University.

Final approval by the Committee, September 11, 2006

For the Faculty Association: For the Administration:
Dr. Judith Clarke Dr. Ali Dastmalchian
Dr. Leslee Francis Pelton Dr. Andrew Rippin
Dr. William Pfaffengerber Professor Mary Anne Waldron, QC

Prepared and approved by the JCAA