

Reports presented at the AUNBT information sessions on December 4 & 5,
2008 in Fredericton and Saint John

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AUNBT President's Report December 2008 Information Meetings

I had the honour of being elected president of the Association at the annual meeting of 25 April 2008. Along with the new executive I took office on 15 May.

A BELATED THANK-YOU

As I was absent from the Association's annual meeting in April, my first thought now is to acknowledge the work of past president **Saba Mattar** and the 2007-08 executive. Their tenure was marked by two special challenges: unionizing part-time teachers and librarians, and resisting implementation of the Miner-L'Écuyer report on post-secondary education. Both issues came to a crisis in the fall term. By February the Labour & Employment had certified AUNBT as bargaining agent for contract academics and the Premier had announced that the Saint John campus would continue within UNB.

While work on these vital campaigns was carried out league with many others, last year's executive devoted great energy to them. Apart from secretarial staff, ours is a volunteer organization. Rather than employing an executive director, AUNBT stands or falls through the voluntary engagement of members.

PRINCIPAL DEVELOPMENTS OF RECENT MONTHS

AUNBT's most important concerns in recent months have continued to be the province's ongoing PSE crisis and securing an initial collective agreement on behalf of part-time teachers and librarians. Before turning to those developments I note the following points of special interest:

- AUNBT's executive is in a year of transition and renewal. Eight members are new: **Wendy Bourque, Robert Whitney, Elizabeth McGahan, Karen Furlong, Emery Hyslop-Margison, Lisa Sharp, Arthur James, Merle Steeves**
- AUNBT's website has received a facelift and will now be more serviceable to members (special thanks to **Jack Vanderlinde** for maintaining the old one and to **James MacKenzie, Merle Steeves** and **Brenda Arbeau** for the new one). Visit <http://www.aunbt.ca>
- After a long hiatus we have resumed distribution of Fall and Winter newsletters, entitled *Interesting Times*

CONTRACT ACADEMICS After AUNBT was certified in February as bargaining agent for part-time teachers and librarians our concern became preparation to negotiate with the administration for a collective agreement for the new bargaining unit. Negotiations began on 15 May and are ongoing. Initial collective agreements take time - AUNBT's first agreement for the full-timers took

18 months – so this protraction of negotiations is not unusual. I leave a more detailed report on the state of negotiations to a member of the bargaining team. I do note, however, that on 31 October AUNBT sponsored the first *Fair Employment Day* at UNB. To draw attention to the continued exploitation of part-time academic staff, members handed out bags of peanuts to students in the Student Union and the Condon Student Centre. Particular thanks to **Elizabeth McGahan** and **Wendy Bourque** for launching Fair Employment Day.

POST-SECONDARY EDUCATION CRISIS The province's strategy for defusing public outrage touched off by the Miner-L'Écuyer report was to send the document to a panel of university presidents and community college principals for secret study. The results of this process were unveiled on 26 June in the form of an **Action Plan to Transform Post-Secondary Education in New Brunswick**. The most alarming feature of this new document was its multiple attacks on university autonomy. Having prepared the Plan entirely in secret, the province now announced that "debate" on higher education policy was over. The time for "action" had arrived.

At once AUNBT issued a circular to the membership explaining the several ways in which the province proposed to make universities subservient to the government policy enthusiasms of the day. These views received wide but hostile notice in the Irving press. See the various documents collected on the AUNBT website: <http://www.unb.ca/AUNBT/psecrisis.html> Beginning at Saint John and stimulated by FNBFA, all of the academic senates in New Brunswick have passed unanimous resolutions vindicating university autonomy. On 12 September AUNBT hosted a return visit of Jim Turk, executive director of CAUT, whose remarks put New Brunswick's attack on university autonomy into larger perspective.

Since 26 June, the province's only discernible "actions" on its ominous **Action Plan** have been to remove the minister and deputy minister associated with it but AUNBT remains vigilant. Members will recall the lengths to which we went to nail-down the assurance that Nora Kelly's work at UNB would have nothing to do with PSE. They may also be aware that on 28 October we (together with FNBFA) presented a brief to the Legislature's Law Amendments Committee opposing the province's proposal to undermine university autonomy further by subjecting us to the access to information regime.

LOOKING FORWARD

AUNBT's evident challenges for the next year are many.

- Conclude negotiations for the part-time collective agreement
- Prepare for and undertake negotiations for a full-time collective agreement in a time of financial adversity

- Intervene in developments on the PSE front
- Monitor the state of the Academic Pension Plan
- Continue integration the PT and FT membership
- Continue renewal of the AUNBT executive, internal workings and office operations

I will speak further of these challenges in my oral report.

David Bell
November 2008

AUNBT Vice-President's Report on the 65th CAUT Council - Ottawa, November 28-30, 2008

This year's Fall meeting agenda for Canadian Association of University Teachers (CAUT) was extraordinary in that all 80 agenda items were covered in exactly the time allotted; that is, it was all over and done with in just 15 hours. Of course earlier in the week the CAUT Executive had met, and during Council both caucus and lunch meetings were held, but the process of working through the business of an organization representing over 65,000 teachers, librarians, researchers and other academic professionals and general staff was finished on time. Quite amazing, really. In order to cover the significant items of Council, I've put the past weekend's program & notable accomplishments in item-by-item form below:

1. In his opening remarks, Jim Turk, Executive Director of CAUT, highlighted concerns over the growing commercialization of university research and the support this direction has received from the Harper Government. He noted that CAUT continues to work on equity & pay issues and that those of us at the collective bargaining table will hear from employers about the funding crisis and limits on compensation for academic staff. Turk also outlined CAUT work on a benefits trust, copyright and 'fair dealing', the monitoring of international agreements, health and safety and mental health issues in the academy, and 2 motions of censure before Council.
2. The CAUT Distinguished Academic Award was given to sociologist Guy Rocher of the l'Université de Montréal, and the Donald C. Savage award was presented to Vic Catano of Saint Mary's University, this in recognition of his work in the promotion of collective bargaining in Canadian universities and colleges in Canada.
3. Jim Turk reviewed the recent election results and the implications of the Conservative Party's "Advantage Canada" economic plan for colleges and universities. The government's agenda emphasizes infrastructure and private/public partnerships, with a very entrepreneurial view of research and development in Canadian universities. However, the government's fiscal plan, despite its focus on expenditure cuts and lack of a stimulus package for the economy, does not propose a reduction in federal transfer payments for post-secondary education (PSE).
4. David Robinson, CAUT Associate Executive Director for Research and Advocacy, presented the results of a post-election CAUT Decima/Harris Poll on post-secondary education. Robinson noted that while the Conservatives held onto the 7 point lead from the election they oddly enough received no post election bounce in popularity. A few points of interest from the poll: a majority of Canadians support post-secondary education even to the extent of government running a deficit, and over 60% of Canadians believe the federal government should attach conditions to transfer payments to the provinces for post-secondary education. Further, that university or college education was a right for all Canadians. Decima/Harris also revealed that a majority of Canadians feel tuition costs continue to be too high and that fees should be frozen or lowered or even eliminated (the latter polled over 60%). In the debate over tuition costs, the poll showed that most Canadians trusted students and faculty views over government statements and that Canada's public universities were of "high quality". Few Canadians knew that Canada has private universities.

5. For the collective bargaining review, Peter Simpson, CAUT Assistant Executive Director for Negotiations and Organizing, reported that recent negotiations have resulted in “strong salary scale settlements, with yearly increases ranging between 3.0% and 4.35%”. He added that salary grids were being improved and that several new agreements provided increases to floors, ceilings, and career progress increments. Further, improvements in other areas included increased funds for child care, tuition scholarships and research. Simpson’s report also covered the settlements at Windsor and Brandon and both faculty associations added their sincere appreciation for the monetary support from the CAUT Defence Fund and the moral support provided by the Flying Pickets. On the horizon for possible strikes, NSCAD University and Concordia.

6. On Friday afternoon, Alex Neve, General Secretary of Amnesty International, presented “Sixty Year of Protecting Human Rights and Defending Labour Rights: the challenges and opportunities ahead”. His lecture was in honour of the 60th anniversary of the founding of the Organization of American States (OAS) in May 1948 and that body’s initial vision of human rights for the Americas. The OAS founding was followed in May 1948 by the International Labour Organization’s (ILO) ‘freedom to associate’ and ‘right to organize’ declarations and the United Nation’s “Universal Declaration of Human Rights”. Neve’s view of Canada’s role on human rights at the UN and in other organizations is that we often chose a role deliberately cloaked in ambiguity or that we otherwise showed a ‘failure to lead’. And this in a world of “sixty long ugly years” of human rights abuses. Small wonder that Neve’s survey of human rights after WWII left Council members wondering how Canadians might lay claim to a legacy of peacekeeping or being guardians of human rights. However, despite our spotty voting record and ongoing ‘denial’ performance on indigenous rights, not to mention recent events involving Maher Arar and other torture victims or our acquiescence in the Guantanamo Bay imprisonment of Omar Khadr (this could be the beginning of a list), Neve managed to rescue much of our reputation. He did so with a list of Canadian contributions to international committees, commissions, tribunals, courts, peacekeeping forces, as well as monitoring and legal bodies. There have been for Canada and the World, he said, “many moments of triumph” and it was clear that he was genuinely proud of Canada’s record on human rights. The text, or at least the detailed speaking notes, of his presentation have been promised for the CAUT website at www.caut.ca.

7. To end the afternoon on Friday, Sara Shorten awards were presented to Patricia Demers from the University of Alberta, and Audrey Kobayashi of Queen’s University. To quote the CAUT these awards are “...to recognize outstanding achievements in the promotion of the advancement of women in Canadian universities and colleges.” The Sarah Shorten Award was established in 1990 in honour of Sarah Shorten, who served as CAUT Vice-President in 1982/83 and then for two terms as President of CAUT from 1983/84 to 1984/85.

8. Saturday’s Council began with Linda Rumelski, Special Assistant in the Office of the Executive Director, and a review of the new lobbying legislation in effect as of June, 2008. This legislation affects paid lobbyists because the person the lobbyist now approaches must identify themselves as a DHOP - a Designated Public Office Holder. Exactly who might qualify as a DHOP is detailed on www.ocl-cal.gc.ca the website Office of the Commissioner of Lobbying of Canada.

9. CAUT's David Robinson and Jim Turk followed the lobbying legislation overview with a survey of issues and concerns on the international stage:

- a) the General Agreement on Trades in Services (GATS) is like a 1960's monster movie; in the movie, the monster never really goes away because the next week or next month, there's another monster waiting.
- b) or look at intellectual property rights and anti-counterfeiting legislation where the developing world is trying to fight off drug companies and the United States over access to potentially life saving generic drugs.
- c) or to bi-lateral agreements, where our (Harper) government signed a free-trade agreement at the Asia-Pacific Economic Conference (APEC) with Columbia - the country with the highest murder rate in the World for trade unionists and possibly for university teachers - and this to bolster the Bush Administration's heretofore frustrated efforts to sign the same deal.
- d) "possession of terrorist material" charges against researchers in Britain have put a chill on certain kinds of research in western countries. The mere possession of research material deemed 'terrorist', even if downloaded from US, British or other government website, could lead to very unhappy legal procedures. Because of an incident in Britain, and its ripple effect, researchers are beginning to self-censure and move away from studies on terrorism.
- e) a new Dept. of Homeland Security "secure flight" regulation will target anyone flying over the United States on a commercial airline, even if the aircraft does not land in the US. For example, the names of anyone flying from Fredericton or Saint John to just about anywhere west would be flagged by the air carrier and sent to the US for clearance. If the name shows up on a US 'no fly list', the F'ton or SJ passenger would not be allowed to get on the plane (see also below, item 'd'). If there is any cause for hope, it is that the system which will monitor this will cost approximately 2 billion dollars, and that is money that's hard to find these days.

10. As for looming issues at home;

- a) Robinson and Turk pointed to the Trade Investment Labour Mobility Agreement (TILMA), a British Columbia/Alberta agreement which the federal government would like to see for the rest of Canada: if you google for information, TILMA turns out to be mostly not good for labour.
- b) on to funding for PSE and the CAUT observation that with the financial crisis universities will be crying 'no money'. This is not to be believed because the reality is that funding does not dry up that quickly and federal transfers are already in place and will be maintained. Unfortunately, pension plans are not included here.
- c) for civil liberties and human rights there is the prospect of Radio Frequency Identification (RFID) chips in Canadian drivers' licenses. The chips are intended to satisfy US security requirements and are promoted as cheaper than passports. The problem is that with relatively simple technology anyone can scan the embedded chip from as far away as 10 metres, a sure invitation to identity theft. That is, unless the chip can be activated only at border crossings; no word yet on that technology.

d) a 'no fly list' for Canadians and by Canadians. Canada does have its own 'no fly list' but Canadian airlines use the US list. Draw your own conclusions.

11. A benefit trust for CAUT member associations was outlined by Neil Tudiver, CAUT Assistant Executive Director for Negotiations and Organizing. The Trust was set up to offer a program of medical, drug and dental coverage in cases where member associations had few or no benefits under employer programs.

12. Copyright legislation and the un-lamented end to the "repressive" Bill C-61, as well as the concept of "fair dealing" were covered by Paul Jones, CAUT Policy and Education Officer. Paul's ongoing work and the basis for his presentation are outlined in issue no. 3 of the **CAUT Intellectual Property Advisory** of November, 2008. Paul is a lawyer by training and he is the CAUT professional officer for the CAUT Librarians' Committee. For practical purposes, 'fair dealing' is "...the right, within limits, to reproduce a substantial amount of copyrighted work without permission from, or payment to the copyright owner. Its purpose is to facilitate creativity and free expression by ensuring reasonable access to existing knowledge while at the same time protecting the interest of copyright owners". The 'limits' are based on past practice and come with the warning that "fair dealing is not fair stealing".

13. In Jim Turk's 'Report of the Executive Director' the focus was clearly back on academic freedom and 3 very significant issues for CAUT; first, the return of the Olivieri case in the form of a lawsuit by Apotex Inc. against Dr. Olivieri, then a motion before Council to censure First Nations University of Canada (FNUniv), and then the first step in censure against Acadia University. It is enough to say that each case here is important for academic freedom and that there is much more detail available under 'Latest News' at <caut.ca>.

14. The last session on Saturday was given by Dr. David Mensink, President of the Dalhousie Faculty Association and a psychologist with the Student Counselling Services at Dalhousie. His talk consisted of a set of case studies followed by instructions for Council members to work in break-out sessions. The single topic under discussion was academic staff mental health in Canadian universities. Unfortunately, because we were already past the 5:30 p.m. cutoff time for Council business, the work from the break-out sessions was not brought back to the floor.

15. The last of Council's business on Sunday morning dealt with committee reports, additional award and trust reports, financial statements, the Defense Fund report and a vote to extend the contract of the Executive Director to 2012. Council also passed several policy statements as well as two model clauses on contract academic staff: the Model Clause on Cancellation Fees for Contract Academic Staff and the Model Clause on Compensation for Contract Academic Staff.

Respectfully submitted, John Neilson
Vice-President, AUNBT

Contract Academic Bargaining Update

Dear Members of the Contract Academic bargaining unit,

I am writing to update you on the negotiations towards your first collective agreement.

First things first: welcome to the approximately 90 new members in our 400+ strong part-time bargaining unit. Welcome to AUNBT, the Association of University of New Brunswick Teachers. You may have heard that the AUNBT was certified as your bargaining agent by the New Brunswick Labour and Employment Board in February of this year. Even so, voting membership in the AUNBT is not automatic, and so I want to second our president, David Bell, in inviting you to join with part-time and full-time colleagues on both campuses to address the challenges we face in university education collectively. The membership form for part-timers can be found here: <http://www.unb.ca/AUNBT/AUNBTPTMembershipForm.pdf> Membership is free. At the same time, you can check out our website generally, with its useful links and information. The home page is www.aunbt.ca

Bargaining Update

When I last wrote to you, your bargaining team (Wendy Bourque, Stephen Dutcher, John Neilson and Jula Hughes) had begun bargaining and had made good progress over the summer. Our task was assisted greatly by your responses to the two surveys (on working conditions and on non-teaching service) that many of you completed and sent in. In the fall term, it was more challenging to find dates that worked for both bargaining teams, and occasionally we had to take breaks to allow the UNB Administration team to work through our proposals. I remain cautiously optimistic about the progress of negotiations, although more time at the table will clearly be needed to move things forward. I can assure you that the AUNBT bargaining team will be available for negotiations. We have done and will do everything we can to move towards an agreement. At the same time I want to echo the president's report in saying that first collective agreements are big tasks and I ask your patience as we work towards a conclusion.

We have worked through most issues concerning *working conditions*. Proposals regarding the *appointment process and job security* are on the table

and negotiations are progressing on these issues. We have yet to deal with *benefits*. If you want to let me know about your priorities in this regard, feel free to email me personally at jhughes@unb.ca or aunbt@unb.ca. Mailings sent to either address will be treated in the strictest confidence. The final bargaining issue will be *compensation*.

One of the gains at the bargaining table has been on the vexed question of continued email access. While negotiated contract gains usually come into effect only when a collective agreement is ratified, the administration has altered its email policy already so that your account will not expire until about a year after the course in question. *However, if this proves not to be your own experience then let us know.* You may also have noted that the administration has announced a special parking pass rate for part-time employees. The plan announced, while perhaps useful to some people, is *not* what we sought; we note it simply as an administrative response to the new reality of having to take part-timers seriously.

Fair Employment Week (Wendy Bourque, your VP Part-time on the AUNBT Executive, reporting...)

A very successful 'haunting' was held by contract academics on both Saint John and Fredericton campuses. On October 31st, in observance of Fair Employment Week, a number of AUNBT members spent several hours speaking with students and faculty about part-time issues. The aim of the group was to raise awareness on campus about issues contract faculty face in connection with their employment at UNB. Those who passed by our displays were handed small ghosts with a packet of peanuts and a small card attached. The ghost was meant to represent the rather invisible presence of contract academics on campus, the peanuts were a nod to our small remuneration for what we do and the small cards each held a one-line message informing the recipient of one aspect of our work here at UNB that often goes unnoticed. We were pleasantly surprised, at both campuses, by the response we received from those we spoke with. Most students who stopped to speak with us were quite unaware of the issues that confront those faculty who work for UNB part-time. Many inquired as to what they might do to help us receive the recognition we deserve for our contributions to the university. All in all this small effort at consciousness-raising was well received among the several hundred people we spoke to.

Thank you and Upcoming Events

Thank you to Wendy, Karen Furlong, Carol Ferguson, Elizabeth McGahan, Arthur James, Stephen Dutcher and Jane Logan for organizing this important event that has raised the visibility of Contract Academics on both campuses.

I look forward to meeting as many of you as are able to join us on the 4th (Saint John) or 5th (Fredericton) December for our AUNBT information meetings, where I will be able to discuss bargaining progress and challenges in more detail and respond directly to your questions. For more information on these meetings, check the website at www.aunbt.ca

In solidarity and with best wishes for the season,

Jula Hughes

AUNBT Status of Women Committee Report

Members of the Committee are: Miriam Jones (UNBSJ English), Carol Ferguson (UNBF History), Cheryl Fury (UNBSJ History), Francesca Holyoke (UNBF Science and Forestry Library), Jennie Hornosty (UNBF Sociology), Charlene Mayes (UNBF Biology), Karen Pearson (UNBF Law), Lisa Sharp (UNBF Biology), Natalie Webber (UNBF Computer Science), Elizabeth McGahan (UNBSJ History), Katy Haralampides (Chair, UNBF Civil Engineering), and David Bell (AUNBT President). Thanks to all for their abundant effort and time, and to Brenda Arbeau for her support.

Highlights from the Summer/Fall semesters include:

- keeping UNBSJ Daycare a priority by raising the issue with the two candidates for VP Academic SJ, and asking for commitments for a campus daycare as part of any new building proposals or proposed renovations of old buildings;
- updating the Status of Women Committee website with information on women's issues, information for new (and potential) members negotiating contracts (including the CAUT links with this type of information), etc.;
- actively participating in efforts to create a positive environment on campus;
- attending the national conference of the Canadian Association for the Prevention of Discrimination and Harassment in Higher Education;
- attending the CAUT Women's Conference (a detailed report on the CAUT Women's Conference is available on the AUNBT website);
- planning outreach activities, specifically a) welcoming/informing new part-time members, and b) highlighting Article 51 in the Collective Agreement (employment equity);
- monitoring pay and employment equity issues;
- raising the point that the Presidential Search Committee should seek candidates with experience and understanding of equity issues
- sponsoring two families (Saint John and Fredericton) at local women's shelters for the holidays.

Thanks again to the members of the SWC, and to the AUNBT Executive for their continued support on status of women issues.

Submitted by: Katy Haralampides, 24 November 2008

Grievance Report

December 2008

Rick McGaw, Grievance Chair

The Grievance Committee recommended that a case proceed to arbitration, as reported in December. The arbitration was scheduled to be heard in August, but was settled prior to the hearing.

In April I reported on a grievance on mandatory retirement and a case currently before the Supreme Court regarding New Brunswick legislation on mandatory retirement. The individual who grieved received a two-year post-retirement contract. The Supreme Court decision was not favourable, but an arbitration at UdeM on mandatory retirement was successful, and it has been abolished there. However, their agreement is not strictly comparable to ours. We remain in discussions with the University about mandatory retirement.

Assistance has been provided to Members in a number of other matters that have not yet become grievances, such as negative tenure and probation recommendations, plagiarism allegations, and sick leave. Many Members were also assisted with problems that do not rise to the level of a grievance.

I would like to thank those members of the grievance committee who assisted by taking on cases when asked.

AUNBT Fall General Meetings, December 4 and 5, 2008

Report on the Pension Plan for Academic Employees of UNB

As everyone knows, the international financial crisis has adversely affected pension plans worldwide, including the UNB Plan. The situation is being closely monitored by those responsible for operation of our Plan: the sponsors, the trustees, the actuaries and the investment managers.

Before giving a summary of current information, an outline of the nature of the Plan and its administration may be useful, especially for new members.

The UNB Pension Plan

We have a defined-benefit plan. The sponsors are UNB (the employer) and the active members (the academic employees) represented by AUNBT as their collective bargaining agent. The Plan is jointly funded and administered by the sponsors on a 50-50 basis. The Plan has been in operation since January 1, 1993. Prior to that date, UNB academic employees were members of the provincial Public Service Superannuation Plan, which provides pension benefits for service up to December 31, 1992.

The Plan's Board of Trustees has direct responsibility for administration of the Plan as set out in the Trust Agreement between the sponsors (which establishes the Plan) and the Plan Text (which sets out the provisions of the Plan, including the benefits to retired members). Each of UNB and AUNBT appoints one half of the membership of the Board of Trustees. Each of the sponsors also has a pension committee and these committees meet from time to time to consider broad issues concerning the Plan, such as funding requirements or changes to the Plan Text. The pension committees also meet from time to time with the actuaries and the Trustees.

The AUNBT appointees to the Board of Trustees are Norm Betts (co-chair), Bob Maher, Evelyn Richards, David Bell and Gopalan Srinivasan. The co-chair appointed by UNB is Larry Guitard and UNB has four other appointees. The Board of Trustees appoints the Plan actuaries, the fund managers and the investment oversight advisors, and retains its own legal counsel.

The members of the AUNBT pension committee are Barbara Trenholm, Rick McGaw, Gopalan Srinivasan, Jack Vanderlinde, Ted McDonald and Jon Thompson (chair). The chair of the corresponding UNB committee is Dan Murray.

Pension Information Posted on the Internet

The UNB pension website (www.unb.ca/pension/) provides extensive information, including the Plan Text, a Guide to the Plan, the current actuarial valuation (which is based on data as at December 31, 2006), and a table of annual investment return rates. It

also includes the 2007 annual report of the Board of Trustees which summarizes various aspects of the operation of the Plan, including investments and returns.

Last month the Ontario government published the Report of its Expert Commission on Pensions. Titled “A Fine Balance: Safe Pensions; Affordable Plans: Fair Rules”, the full text is posted on the internet (www.pensionreview.on.ca). Although an Ontario report, it contains useful general information about pension plans in an evolving economy. It makes significant recommendations for legislative and regulatory changes that might later be adopted in other jurisdictions if enacted in Ontario. For instance, Recommendation 6-17 proposes that, “the level of monthly benefit eligible for protection by the [Ontario] Pension Benefits Guarantee Fund be increased to a maximum of \$2,500” (the current maximum is \$1,000).

Joint pension plans, with responsibility for funding and administration shared on a 50-50 basis, are relatively rare. In Canada, the closest parallel is in Alberta where the academic employees of all of the universities are in a joint, 50-50 plan. The origins of the Alberta plan are similar to ours – university faculty were in the Alberta Public Service Plan, but were ‘strongly encouraged’ by the Province to set up their own plan at around the same time, and for the same reason as in our case. Academic employees of the University of Toronto are in the more common employer-controlled plan, but their faculty association, UTFA, is now promoting a change to a joint plan, as at UNB and Alberta, because in UTFA’s view the employer has not managed the pension plan well, to the extent that there is now an unfunded wind-up liability of approximately \$500M. Details are available on the UTFA website (www.utfa.org).

Annual Review of the Plan

Because the Plan had become significantly underfunded, during 2006-07 the sponsors conducted an extensive review of the Plan with the assistance of an actuary, with a view to improving its financial position. This resulted in an Improvement Program that was approved by votes of the AUNBT membership and the UNB Board of Governors and implemented effective July 1, 2007.

The Improvement Program reduced the benefit for a period of 6 years commencing July 1, 2007 – specifically, the annual accrual rate was reduced from 2% to 1.7%. In addition, a contribution-rate stabilization fund was established. These measures were designed to enhance the prospects of the Plan’s moving into a fully-funded position several years hence, and to help stabilize contribution rates against oscillations in stock and bond markets. The measures were and are beneficial to the health of the plan. However, it was not, and is not feasible to fully protect a pension plan from the adverse effects of a large-scale, long-lasting international financial or economic downturn.

The Improvement Program requires the sponsors to conduct an annual review of the operation of the Plan. The first annual review was conducted in the period April to September 2008 by the AUNBT and UNB pension committees, with the assistance of the Plan actuaries and active participation of the trustees.

Financial Summary

(Dollar figures are actuarial values rounded to the nearest million)

The current valuation (based on data of December 31, 2006 and on the Plan Text as modified by the Improvement Program) showed that the Plan had, for that date, assets of \$141M and a liability of \$183M, resulting in a deficit (unfunded liability) of \$42M. The wind-up liability (in the event of Plan termination) was \$75M.

A year later, on December 31, 2007, the corresponding figures were: assets \$163M (including \$3M rate stabilization account), liability \$197M and deficit \$34M.

The changes in figures from year-end 2006 to year-end 2007 reflect contributions by members and matching contributions by UNB, and investments returns. For the year 2007, the Plan's return rate on investments was 2.1%. This was substantially less than the annual projection figure of 6.75% used in the actuarial valuation. However, international financial markets had already in 2007 shown some declines, and 2.1% was also the median return rate reported for that year for a sample of 300 Canadian pension plans in a published survey conducted by a consulting firm.

With the very sharp declines in the values of investments worldwide in autumn 2008, the Plan's actuaries (from the firm of Towers Perrin) have provided monthly updates of financial information. The last two columns in the Towers Perrin table distributed with Norm Betts' report give the Plan's financial status at the end of September, and a projection to November 20. The first line of the table gives the current market value of assets (as distinct from the actuarial values, which includes 3-year smoothing effects).

Regarding its total market value, in percentage terms, the Plan lost 13.5% during the first ten months of 2008 (6.2% of this was incurred in the month of October). By way of comparison, UNB's endowment fund lost 16.2% during the first ten months of 2008.

Jon Thompson
Chair, AUNBT Pension Committee

Joint Accessibility and Accommodation Committee

Report from the AUNBT Co-chair

Fall 2008

Article 57 of the AUNBT Collective Agreement establishes a Joint Accessibility and Accommodation Committee, which is intended to serve as a vehicle for discussions between the AUNBT and management concerning the development, implementation, and monitoring of accessibility initiatives.

The Committee is composed of the following six individuals:

Aloke Chatterjee, UNBF, Faculty of Law, AUNBT, Co-chair
Shirley Cleave, UNBF, Assoc VP Academic (Learning Environment), Co-chair
Lee Chalmers, UNBSJ, Sociology, AUNBT
James MacKenzie, UNBF, Harriet Irving Library
Kevin Bonner, UNBSJ, Director of Student Services
Anne Forrestall, UNBF, Exec Director of Student Affairs and Services

This university-wide Committee strives to work closely with campus-specific accessibility committees and offices. The Committee is committed to information gathering, understanding, advocacy, awareness, and cooperation with similar campus-specific bodies. It will make recommendations and representation to the two Presidents (UNB and AUNBT), the Senates, and other audiences as is appropriate.

The Committee has already met once this academic year. Its discussions have focussed on accessible website design, recent capital projects and the need to build accessibility into the design from the outset of projects, possible awareness building events, educational initiatives/workshops, and the university's parking policy (especially accessible spots and assigned spots for employees with disabilities).

Joint Committee on Assessment of Teaching Competence

In July 2007 this committee presented to AUNBT and the administration a unanimous report recommending that submission of a teaching dossier be an obligatory feature of every probationary review, promotion and tenure process. Both parties accepted this proposal in principle. Now the committee is engaged in drafting language to incorporate this recommendation into the full-time collective agreement and in developing information useful for those who must now prepare such dossiers or who must consider them as part of the assessment process. We hope to be finished this work by the spring, when negotiation is to begin for the next full-time collective agreement.

AUNBT's current appointees to this committee are Charlene Mayes (co-chair), Greg Fleet, Lloyd Waugh and David Bell.

JOINT AUNBT-UNB EMPLOYMENT EQUITY COMMITTEE REPORT
December 2008

Committee Members: AUNBT – Miriam Jones (UNBSJ – English); Karen Pearlston (UNBF – Law); Jennie Hornosty – Co-Chair (UNBF – Sociology)
UNB – Joanna Everitt (UNBSJ – Acting Dean, Arts); Stephanie Slauenwhite (UNBF – Assistant Dean, Arts); Jane Fritz – Co-Chair (UNBF –Acting Director, CEL). In January, Jane is taking a sabbatical and is being replaced by Vice-President Academic Tony Secco.

Committee Business:

The Committee has discussed at some length the importance of getting equity issues back on the University's agenda. One important step is to ensure that persons responsible for hiring and assessment are aware of the equity provisions in the Collective Agreement. The Committee will be recommending that there be a hiring workshop in which these issues are addressed..

An on-going concern has been the difficulty in getting meaningful statistical data on the status of the four designated groups as required under Article 51 A.04 of the Collective Agreement. One significant problem is that the necessary data are not easily obtained; for example, 51A.04 requires data with respect to tenure, probationary appointment etc. for peoples with disabilities, visible minorities, and aboriginal people as well as for women and men. However, these categories are based on self-identification data which are not part of the assessment processes.

The Committee Co-Chairs (Jane Fritz and Jennie Hornosty) met four times over the summer and in the Fall to discuss the challenges in gathering data and various forms and documents that need modification. The whole Committee met on November 10 and a December meeting is being scheduled.

Please feel free to contact any of the Committee members if you have equity related question or concerns.

Respectfully submitted,
Jennie Hornosty (hornosty@unb.ca)

Report of the AUNBT and UNB Joint Committee on Economic Adjustment

Introduction

The current and previous collective agreements have included Articles (Article 36B.07) which set out the economic adjustments (scale increases) to salaries over the life of the agreements.

Article 36B.07 was changed in the 2005-2009 Collective Agreement. In the 2001-2005 Agreement the economic adjustments were a combination of lump-sum amounts and percentages based on a combination of inflation and the average salary at the comparison group of 13 Canadian universities “selected as being similar in size and scope of programs to UNB”. The comparison group was and remains:

Memorial, Dalhousie (including Dal Tech), Carleton, McMaster, Ottawa, Queen's, Windsor, York, Manitoba, Saskatchewan, Regina, Calgary and Victoria.

The stated objective in the 2001-2005 Agreement was “to have the UNB average salary falling into a band of 2% about the group average salary.” The Agreement provided for annual adjustments calculated as the three-year average CPI, plus or minus any adjustment needed to bring the average UNB salary within a band from -2% to +2% of the projected group average salary, plus specified lump sum adjustments. In each of the four years covered by that agreement, the calculated competitive adjustment was CPI plus an adjustment to bring the UNB average salary to 98% of the group average, plus the specified lump sum adjustments. Because these were applied in January and July with respect to an average of the year before, salaries never actually reached the band. In the 2005-2009 Agreement, the economic adjustments were changed to fixed percentages without a specific connection to inflation or the group average. It was recognized within 36B.07 that “these increases are meant to in part account for cost of living effects and the need to be competitive with the comparison group.” The Parties also agreed to a continuation of the comparison group and the desire to maintain a competitive position on the national market. Consequently, this Committee was created in the Collective Agreement “to review the ongoing status of UNB salaries with the comparison group referred to in 36B.07.”

Articles 36B.07 of the 2001-2005 and 2005-2009 collective agreements are attached as Appendices “A” and “B” to this report.

Findings

The Committee took as its mandate to report information to the Parties without conclusions or recommendations; consequently this report is a brief overview of the data that the Committee reviewed. It is expected that this data will inform the next round of collective bargaining and that one important role of this Committee is to produce an agreed-upon data set for salary negotiations in the next round of collective bargaining. The Parties will draw their own conclusions about the information and how they approach salary negotiations.

One of the problems confronting the Committee was the timeliness of data from Statistics Canada. Salary data for 2005-06 were not available until recently, and Saskatchewan only became available in February 2008. Consequently, while this report is a year late, it now has complete data for 2005-06.

Salary Information – Average Salaries, All Ranks

Information on Average Salaries, All Ranks is presented in the following tables and graphs:

Table 1 and Graph 1: Average Salaries, All Ranks, 2005-06

Table 2 and Graph 2: Average Salaries, All Ranks, 2004-05

Table 3 and Graph 3: Average Salaries, All Ranks, 2003-04

The salary information in these tables is taken from annual reports prepared by Statistics Canada's Division of Culture, Tourism, and the Centre for Education Statistics, entitled: "Salaries and Salary Scales of Full-Time Teaching Staff at Canadian Universities". This is the report that has traditionally been used by the University to calculate formula based competitive adjustments under the previous collective agreements.

A summary of results follows:

2005-06 2004-05 2003-04

Comparison Group Average \$95,831 \$92,077 \$89,002

UNB Average \$91,162 \$88,177 \$85,213

UNB Percentage Behind Group 5.12% 4.42% 4.45%

Salary Information – Average Salary by Rank

The Committee reviewed salary data by rank for the comparison group for 2003-04, 2004-05, and 2005-06. Information on Average Salaries by Rank is presented in the following tables:

Table 4 and Graph 4: Average Salaries by Rank, 2005-06

Table 5 and Graph 5: Average Salaries by Rank, 2004-05

Table 6 and Graph 6: Average Salaries by Rank, 2003-04

A summary of results follows:

2005-06 2004-05 2003-04

Professor

Comparison Group Average \$117,099 \$112,047 \$107,647

UNB Average \$107,328 \$105,687 \$101,345

UNB Percentage Behind Group 9.1% 6.0% 6.2%

Associate Professor

Comparison Group Average \$95,089 \$91,034 \$87,526

UNB Average \$82,661 \$82,455 \$79,604

UNB Percentage Behind Group 15.0% 10.4% 10.0%

Assistant Professor

Comparison Group Average \$74,818 \$72,013 \$69,074

UNB Average \$69,757 \$67,606 \$64,780

UNB Percentage Behind Group 7.3% 6.5% 6.6%

For Assistant Professors, 11 of 13 comparison universities had higher salaries than UNB and the average Assistant at UNB was 6.6% behind the average in 2003-04, 6.5% behind in 2004-05, and 7.3% behind in 2005-06. For Associate Professors, 12 of 13 universities had higher salaries and the average salary at UNB was 10.0% behind the average in 2003-04, 10.4% behind in 2004-05, and 15.0% behind in 2005-06. For Professors, 11 of 13 universities had higher salaries and the average salary at UNB was 6.2% behind in 2003-04, 6.0% behind in 2004-05, and 9.1% behind in 2005-06.

The individual rank percentages do not strictly compare to the “all ranks combined” percentage for two reasons. First, all ranks includes ranks below Assistant Professor, and second, all ranks is a weighted average and there are different distributions between the ranks at the various universities.

Other Salary Information

The Committee reviewed other forms of comparative data, and in particular age-rank comparisons for 2004-05. Some members of the Committee believed that it was not appropriate to include this type of data in our initial report because age-rank comparison data had not been utilized traditionally by the parties in bargaining and it was important as a matter of principle that the parties rather than the Committee identify and agree upon the framework of data comparisons to be made by the Committee. The Committee decided to exclude age-rank data comparisons from this report, but would be willing to include this type of data comparison and other forms of comparative information in future reports if instructed to do so by the parties.

The Committee also resolved the source of differences in data provided by Statistics Canada to the University and to the Canadian Association of University Teachers (CAUT). The data provided to CAUT are more detailed because they include age/rank information. However, there were differences that couldn't be explained. For example, the UNB data for Calgary had 388 Professors with an average salary of \$118,983, while CAUT data had 402 Professors with an average salary of \$120,587. CAUT queried Statistics Canada and were told that both are correct and the differences arise from who is included/excluded (the 14 faculty member difference) and from random rounding of the data. Correspondence related to this is in appendix C.

**Pension Board Report
AUNBT – December 2008
Submitted by Norm Betts – Co-Chair**

It goes without saying that global market conditions have had an adverse affect on our pension plan. The effect of these conditions and how they translate into future contribution requirements will become clearer when we complete our next required actuarial evaluation which will be effective as at December 31, 2009 and completed in the months shortly thereafter. By then, global markets should have stabilized somewhat and we will have a clearer picture of where we are.

Attached is the most recent “unofficial” projection of the funding status, as prepared by our actuaries for information only. It projects required contribution rates, assuming markets have not recovered substantially by that time. It should be interpreted with caution, because many factors will affect the eventual numbers that are contained in the official valuation which we will receive in early 2010. It is provided to give members a realistic view of the current situation and what future funding levels could look like.

In the meantime, as outlined in a recent memo to all plan members:

- The assets of the Pension Plan are currently invested in a diversified manner with approximately 45% in fixed income securities, 27.5% in Canadian equities and 27.5% in foreign equities. The assets are managed by four independent investment managers, to provide further diversification in investment approaches.
- As an active member contributing to the Plan, your contributions are not expected to increase in the short term. The next time that the Plan is required to file an actuarial valuation with the Province and consider the financial condition and funding requirements of the Plan is no later than December 31, 2009.
- There are mechanisms in place to help stabilize contributions over time. One of these mechanisms is the Program to Improve Financial Position and Outlook of the Plan that was negotiated by the Plan sponsors (UNB and AUNBT) in 2007 and implemented following votes by the AUNBT membership and the UNB Board of Governors. However, you should be aware that there are limits to the degree of risks through which these mechanisms can effectively maintain contributions at the present level.
- Jointly, the Board of Trustees and the Plan Sponsors, with the help of their actuarial and investment advisors are monitoring the situation closely and regularly in order to assess the financial implications for the Plan on an ongoing basis. You will be kept informed of any major developments.

**FINANCIAL POSITION OF THE PENSION PLAN FOR ACADEMIC EMPLOYEES
OF THE UNIVERSITY OF NEW BRUNSWICK**

	<i>Amounts in '000</i>			
	12/31/2006	12/31/2007	9/30/2008	20/11/2008 *
Market value of assets	147,000	157,000	147,000	133,000
Actuarial value of assets	141,000	160,000	165,000	160,000
Rate Stabilization Account (RSA)	-	3,000	4,000	4,000
Total Assets	141,000	163,000	169,000	164,000
Actuarial Liability	<u>183,000</u>	<u>197,000</u>	<u>209,000</u>	<u>212,000</u>
Deficit with RSA	42,000	34,000	40,000	48,000
Deficite without RSA	42,000	37,000	44,000	52,000
Contributions - Each Party				
Current Service	6.02%	5.77%	5.77%	5.77%
Past Service	3.36%	3.25%	3.70%	4.15%
Transfer Deficiency	0.17%	0.17%	0.17%	0.17%
Rate Stabilization Account contributions	0.50%	0.50%	0.50%	0.50%
Used of Rate Stabilization account	<u>0.00%</u>	<u>0.00%</u>	<u>-0.09%</u> **	<u>-0.54%</u> ***
	10.05%	9.69%	10.05%	10.05%

* Using actual 10.31.2008 market values projected to 11.20.2008 using index returns

** \$114,000 annual

*** \$685,000 annual

