

JACFA General Assembly Minutes

Wednesday May 18, 2005 at 10:00 a.m. — Penfield 204

John Abbott College

01. Adoption of the Agenda

Moved by Joel Hartt;
Seconded by Larry Weller;
Adopted as presented.

02. Adoption of the Minutes

Moved by Pierre Gauthier;
Seconded by Jim Vanstone;
Adopted as presented with 1 abstention and 1 opposed.

03. Announcements

Stephen Bryce

At our last General Assembly we had adopted a motion to pay for an approximate amount of claims totaling 6000\$. We received twice the amount of claims that we had anticipated and it comes out to 13,000\$ instead.

Faye Trecartin

Remind everyone that the JACFA BBQ is tomorrow, May 19, from 12:00 to 2:00 p.m.

Peter Solonysznyj

This announcement has to do with freedom of speech in Tunisia. Journalists and students fighting for Free Speech set up a web page and informed people of what is happening in Tunisia, - they were arrested and jailed. There is a petition at the moment that is sponsored by Amnesty International, FTQ, CSN and this petition is going to the Prime Minister of Canada to intervene and ask for these people to be released by the Tunisian government. The petition will circulate so that you can sign it if you are interested.

This semester we went on a 1-1/2 day strike with FNEEQ and after several attempts to negotiate with our employer, our employer said that classes missed would have to be made up. FNEEQ had specified that if this happened they would go to court. Our position is that the calendar was extended and as long as the competencies were met the College should not enforce the hour by hour makeup.

FNEEQ will deposit, in the name of its unions, a preventive recourse at the *Commission des relations du travail* in regards to Article 15 of the Labour Code Law of Quebec in the case where a college would want to obligate its teachers to retake the courses missed during their legal strike. The unions at Collège Ahuntsic and Collège Édouard-Montpetit will try to get an injunction.

This practice must cease and FNEEQ will go to Court so that those teachers who would have taught on that Monday are compensated for the make-up day that they had to work. We have forms that you can fill in (put in your name and address). These forms are for people who taught on Monday. Just fill in the plaintiff part, today's date and sign it.

Barbara De Lorenzi

Does this mean that people who were not teaching on Monday will not be reimbursed?

Peter Solonysznyj

That is correct. It only concerns those who were scheduled to make up classes and labs. We need to get a clear legal decision so that the employer cannot force us to work to compensate for a legal strike. The right to strike supersedes the regulation of the Academic year. We are talking about 1 day of reimbursement, not 1-1/2 days.

1.0 Financial Motions

a) Christmas Fund –\$3000.00

VOTE

***Motion: Be it resolved that JACFA donate \$3000. to the JAC Christmas Fund. —
Moved by J. Vanstone, seconded by P. Henbury.***

Jim Vanstone.

I don't have anything to say as this was explained earlier on.

Ute Beffert

Is this to help students?

Faye Trecartin

Do we accept the motion?

The motion passed unanimously.

b) Vin d'honneur – \$1000.00

VOTE

Motion: Be it resolved that JACFA make a donation of \$1000. to assist with the payment for the vin d'honneur at Convocation 2005, and that suitable credit be given to JACFA on the Convocation program as in previous years. — Moved by C. Lester, seconded by P. Green-Milberg.

Larry Weller

Kevin Tierney, a former English teacher who is very involved in the film industry will be the speaker at Convocation, and I encourage you to come.

The motion passed unanimously.

c) Union in a labour conflict – \$250.00

VOTE

Motion: Be it resolved that JACFA donate \$250. to the teacher's union at Collège Notre-Dame-de-Lourdes (FNEEQ-CSN), locked-out due to a labour conflict. – Executive Motion.

Peter Solonysznyj

FNEEQ-CSN represents teachers in universities, private schools and Cegeps. Notre-Dame-de-Lourdes is a private school, and they have been trying to negotiate for the past 1-1/2 year and the union rejected the last employer offer. Two days later the college administration closed the doors and locked the teachers out. They were locked out for over 3 weeks and a Ministry of Labour conciliator was called in. The parents too were going to ask for an injunction so that the college would reopen. Then they sat down again and the employer again said that they were not interested in negotiating and the employer announced that they were expecting the teachers to repay their lost days.

Michel Milot

The union is very worried that when they finish the school year and in June they will get locked out again for the summer.

Paul Jones

Why is the amount so low (250\$)?

Peter Solonysznyj

If the conflict continues we'll look into further support.

Paul Jones

We should support all private schools that have unions.

Michel Milot

FNEEQ has not asked officially for this, it is our initiative (JACFA) to do this.

The motion passed unanimously with 1 abstention.

2.0 Financial Statement

VOTE

Motion : Be it resolved that the 2003-2004 JACFA Financial Statement be adopted as presented. – Executive Motion.

Stephen Bryce.

You will see that the amounts are lower than last year. There was a revision of the dues that went back to the year 2000 and CSN reevaluated the amounts that we paid and it was found that we had underpaid our dues. You will notice that most of our dues are to CSN because of the extra expenditure that was required with the revision of the dues.

We added more hours for our administrative assistant and more RRSP's. Our donations were up a little bit.

The Financial Review Committee met and voted to recommend these financial statements to the General Assembly.

Jim Leeke

I have one explanation where you see Rod Smith = 5000\$. If you recall we authorized in a previous General Assembly to lend him 5000\$ as the insurance company had cut him off his benefits. We have made an out of court settlement with Canada Life and the General Assembly gave the right to forgive that loan to the Executive (it would have cost about 10000\$ of legal fees to sue. Let's not forget that in a lawsuit you do not recover the legal fees. Are there any questions on that point?

The motion passed unanimously.

3.0 Insurance Renewal

DISCUSSION/VOTE

Motion: Be it resolved that JACFA renew its Health and Life insurance policy with Industrial Alliance from June 1, 2005 to May 31, 2006 with a 7% increase in health, a 10% increase in life and dependent life premiums, and that JACFA add its Accidental Death and Dismemberment coverage to its policy with Industrial Alliance. — Executive motion.

Stephen Bryce.

Our health and life insurance policies with Industrial Alliance expire May 31, 2005. From February 1, 2004 to January 31, 2005 we paid \$416,350 in premiums and received \$295,934.64 in paid claims (including those paid by Maritime Life), resulting in a "loss ratio" of 70.91% well below the 80% target.

Industrial Alliance wants a 7% increase in health premiums for a \$60,000 reserve for claims paid after the contract ends, for increased usage of the plan (a "claims lag" of about 5%), for increased costs (inflation estimated at 17%).

We surveyed faculty about our insurance plans earlier this semester and received 103 responses (approximately 35% of plan members) and the overall message was clear. Don't change the plan too much.

Possible changes on the increase:

- vision care +3%;
- eye exams +1%;
- dental +30%.

Possible changes on the decrease:

- massage referrals -0.5%;
- 60 day trip limit -2%;
- "hold harmless -10%.

Clea Notar

Why are we not changing our insurance company?

Stephen Bryce

We have already changed three times in the past 12 years. Not many companies are left due to mergers and most decline to bid on our group -- it is seen as too small by most. Teachers have a reputation of knowing what we have coverage for and using it a lot. That's why we have not really looked at changing.

Larry Weller

What about the \$60 000 reserve?

Stephen Bryce

They will be setting this up from now on.

Larry Weller

Holding it up to 7% seems pretty good and I think that we have no choice but to stay with Industrial Alliance. They have most educational institutions. Keeping it down to 7% is very good.

Stephen Bryce

With the FNEEQ plan it goes against the data that we received in our survey as they cover much less than with Industrial Alliance.

Paul Jones

My question has to do with receiving a more detailed written statement comparing our plan to the FNEEQ one. I think that it's time that we clarify these things as we're going up 7%.

Stephen Bryce

In the survey we had the FNEEQ premiums and our breakdown. I will do a more detailed analysis. Their health coverage is not really what we want but there are benefits in their life insurance and the LTD. If claims are less than projected, then there is a *ristourne* that is given back to the members. For people on LTD who are over 60, they get half of their LTD on top of their pension. FNEEQ a \$1,500,000 LTD surplus at the moment. We will look more closely into the FNEEQ plan.

David Lubell

It's the processing of the claims that is very problematic. The paramedical is slow.

Ed Holland

There is the question of service and what do you get. I am quite pleased myself at the moment with Industrial Alliance and I am happy with them. 7% is not bad.

John Serrati

Look over vision care and eye exams over the next year. Can you be a bit more specific?

Stephen Bryce

If we could do it before next May I don't think that Industrial Alliance would have any problem with that.

Michel Milot

The FNEEQ surplus is controlled by a federation committee. Therefore members have more of a say. If the CFARR talks, it is listened to by the insurance company. By being independent we have less control and the idea of being with a larger group that controls, they are ending up with a nice situation and they are deciding together what they will do with the \$1.5 million. We would have more control over what happens if we were with FNEEQ.

I see Stephen spending a huge amount of time on insurance. What pays him is our release, instead of him using his release to do something other for JACFA. I think that it is a debate that we should have in the future.

Stephen Bryce

FNEEQ has to be seriously looked at. We have more flexibility on the little stuff, but not on the big stuff. CFARR looks at big issues, not small issues. These are things that we need to discuss.

Larry Weller

I was involved in switching from FNEEQ to Canada Life because we could get much better rates outside of the FNEEQ plan in those days. Since that time there has been a massive increase in the cost of drugs and this could make a terrific debate in Fall.

The question was called.

The motion passed with 3 abstentions and 2 opposed.

4.0 Negotiations Report

REPORT

Peter Solonysznyj

FNEEQ-CSN meeting with Minister Fournier:

There will be no big shake-ups in Cegeps. There will be a new consultation in Fall on Reid orientations. A professional order for teachers is out. There are problems with Cegeps in regions at the moment as the student registration is 15% lower every year. The bill on deconfessionalizing public schools has been proposed but will be implemented in three years. In all, the meeting was a positive one.

Negotiations are moving forward. The parties are discussing Counting experience one for one. Up to now experience has been calculated with the first 10 years one to one and the next years after that 2 years experience gives 1 year.

A Superior Court ruling recently stated that an arbitrator must apply the Labours Standards Act, and you can grieve if you have 2 years of continuous service. We would like to change this in our collective agreement to conform with the Superior Court Ruling.

FNEEQ represents 2/3 of the Cegep teachers. There is a cartel between FAC and FEC-CSQ, the cartel wanted four more strike days but they have now withdrawn that consultation. The CSQ has also not succeeded in getting that mandate from their teachers.

The FAC does not have our pay structure. Apparently now they have an agreement in principle and they will get the same thing as us, but 2 years later. CÉGEP Valleyfield was discussing if they were going to stay with FAC. They are voting on this today.

What is happening in the Fall? It is very possible that there will be more mobilization. If there is more strike action we will consult with the general assembly. We hope that negotiations will conclude by the end of 2005.

Larry Weller

Since FAC is moving to our pay scale, will they be adopting the 173 hours?

Peter Solonysznyj

Fundamentally, yes. There is a slight difference but pretty much it is the same. They are currently consulting their general assemblies. The FEC-CSQ has always said that we are the same as high school teachers. In FNEEQ we say that we are different from primary and secondary. Now FAC have just said that they were in the mixed category for pay equity and salary structure.

Renée Lallier

We have workload problems due to the number of emails from students and we are available 24/7 with students.

Peter Solonysznyj

Nowhere in the Collective Agreement does it say that we are required to be available by email in Volet 1. Email, office hours, telephone, voicemails, etc., must be limited so as not to create work overload.

Faye Trecartin

Who wants to move to adjourn the meeting?

Moved by Alain André.

5.0 Elections

VOTE

John Serrati is the election officer.

John Serrati

There will be six separate votes. The order in which we will be voting is:

1. JACFA President;
2. JACFA Executive – 6 members;
3. Academic Council - 11 members and 4 permanent substitutes;
4. Faculty Professional Development Committee - 5 representatives;
5. Financial Review Committee – 3 representatives.

For the nomination of President of JACFA, there is one nomination: Faye Trecartin.

Pierre-Normand Vaillancourt moved to close nominations, seconded by Endre Farkas.

Faye Trecartin was acclaimed President.

2. For JACFA Directors, there are 6 posts and 6 nominations were submitted:

- a. James Leeke,
- b. Peter Solonysznyj,
- c. Stephen Bryce,
- d. Michel Milot,
- e. Pierre Gauthier,
- f. Jane Hannah.

Pierre-Normand Vaillancourt moved to close nominations, seconded by Endre Farkas.
The candidates were acclaimed as JACFA Directors.

3. Academic Council: there are 11 posts and 6 nominations were submitted.

1. Stephen Bryce
2. Cheryl Jenkins
3. Bert Somers
4. Abraham Sosnowicz
5. Sandra Stephenson
6. James Vanstone.

From the floor, the following persons were nominated:

7. Pierre Gauthier nominated by Alain André, seconded by Joel Hartt;
8. Susan Young nominated by Larry Weller, seconded by Alain André;
9. Julie Podmore, nominated by Stephen Bryce, seconded by Ed Holland;
10. Terril Doman, nominated by Larry Weller, seconded by Michel Milot;
11. Grell Grant, nominated by Eric Lafferrière, seconded by Alain André.

The Assembly voted to close the nominations. The candidates were acclaimed.

Academic Council substitutes: there are 4 posts and 1 nomination was submitted.

1. Carl Witchell

From the floor, the following persons were nominated:

2. Violaine Arès, nominated by Daniel Gosselin, seconded by Rehka Iyer.
3. Ed Holland, nominated by Joel Silverman, seconded by Violaine Arès;
4. Jessica Burpee, nominated by Julie Podmore, seconded by Alain André.

Alain André moved to close nominations, seconded by Joel Hartt. The candidates were acclaimed.

4. Faculty Professional Development Committee

1. Anna Mae Barrett
2. Murray Bronet
3. Julie Podmore
4. Jan Szumski
5. James Vanstone

Alain André moved to close nominations, seconded by Joel Hartt. The candidates were acclaimed.

5. Financial Review Committee

1. William Richardson
2. Christine Jacobs
3. Larry Weller

Ed Holland moved to close nominations, seconded by Joel Hartt. The candidates were acclaimed.

End of meeting at 11:55 a.m. on May 18, 2005

/jh September 1, 2005 at 10:00 a.m.