



NEWSLETTER/BULLETIN

Winter/hiver 2011

Issue No. 9

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To Member Organizations:
Please send this newsletter to
your members. Permission to
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THE PRESIDENT'S MESSAGE

REFLECTIONS ON CURAC ACTIVITIES 2010

John Meyer (Windsor)

In spite of the turbulent weather over much of the nation this winter, I do hope that everyone has enjoyed the holiday season with loved ones, perhaps travelled to warmer climates, or just concentrated on the pleasures and challenges of daily living. I provide this summary for 2010 realizing that all my objectives have not yet been realized and my communication to you has been limited.

January, 2011: Tasks initiated at the AGM in May 2010 and still in progress

- Survey development by two volunteer members for a "benefits" statistical update of the 2008 survey; (*please turn to page 2*)

ANNOUNCING . . .

**THE 2011 CURAC/ARUCC NATIONAL CONFERENCE & AGM
WILL BE HELD MAY 11-13, 2011**

**AT THE
UNIVERSITY OF REGINA, REGINA, SK
BANQUET KEYNOTE SPEAKER SENATOR PAMELA WALLIN
MORE DETAILS ON PAGE 3
NOW IS THE TIME TO PLAN YOUR TRIP TO
SUNNY REGINA!!**

**FULL PROGRAM WITH REGISTRATION, HOTEL, BANQUET DETAILS
WILL BE SENT VIA CANADA POST (AS USUAL) TO EACH MEMBER
ASSOCIATION IN MARCH**

**PLEASE ANNOUNCE THIS CONFERENCE TO YOUR
INDIVIDUAL MEMBERS**

Mesdames, messieurs,

L'édition française n'a pas été oublié - elle sera affichée sur le site CURAC/ARUCC dès que possible. Merci de votre patience.

Joan Cunnington
Directrice du bulletin CURAC/ARUCC

- Implementation of initiatives to strengthen AUCC, CAUT, and CARP associations and collaboration;
- Advocacy Policy development to protect member associations from erosion of pension and health benefits (see report by Howard Fink on page 3)

January – May, 2010: Objectives achieved

- Nomination Committee presented a slate of Board members for AGM in May; June Panteluk (Alberta) elected to Board as Treasurer, Edgar Williams (Memorial) to Board; Jack Boan (Regina) to Board as Conference host; Sandra Pyke (York) thanked for her year of service on the Board and for the incredible leadership in hosting the 2010 AGM/Conference;
- York University retirees organized the annual Conference/AGM (May 2010) with the largest participation and financial sponsorship so far;
- Membership increased as University of Calgary Retirees Association joins CURAC;
- University of Regina Retirees' Association confirmed as sponsors of the 2011 Annual AGM and Conference;
- AGM approval of Bylaw amendments and policy on retirees' employment approved by Board;
- Federal pension reform responded to by Paul Huber with revisions and assisted by Howard Fink;
- John invited and attended CARP reception on Parliament Hill on May 19.

June – November, 2010: Tasks achieved

- Survey benefits update delegated and initiated by two member volunteers;
- Pension reform, submission proposals, and advocacy in progress by Paul Huber and Howard Fink;
- Representation and presentation by John Meyer at Association of Retirement Organizations in Higher Education (AROHE), Wesleyan University, Middletown, Conn., Oct. 14-17, featuring speakers on best practices, healthy living, improving status of emeriti;
- An initial visit (May 19) to the Association of Colleges and Universities of Canada (AUCC) by John Meyer and George Brandie to promote an association with AUCC. Interest expressed in areas of Aboriginal Higher Education and Adjudicating Scholarships and Awards;
- Visit (May 19) by John Meyer and George Brandie to the headquarters of CAUT to

strengthen the existing relationship. Access to reviewing contracts and retirees clauses;

- Confirmation of 2012 AGM/Conference hosted by retirees association of Victoria University, Victoria B.C. in association with Simon Fraser and UBC retiree associations.

November-January 2010-2011: Achievements and work in progress

- Dec. 12. Teleconference for Board and Coordinators: 3 hours reviewing and reports; final draft approval on a travel policy for Board, Committee, and delegate members; University of Regina May Conference; pension and benefits threats at member associations;
- Approval of Industry Canada for amendments approved at the May AGM;
- Further inquiries from AUCC and CAUT;
- Edgar Williams (Memorial), Board member and local chapter head of CARP becomes key contact person for CURAC with CARP;
- Local Arrangements Committee at Regina prepares program and convention for May 11-13, 2011, at Regina, SK. Please see the next article for details;
- Subcommittee initiated by Howard Fink to analyze status of member institutions in the protection of retirees' pensions and benefits;
- Initiation by John Stager of policy development on CURAC budgeting and finances;
- Announcement of a Nominations Committee led by Tarun Ghose for presentation of a slate of officers at the 2011 AGM/Conference in Regina;
- Announcement of the dissolution of one of our member associations, The Colleges and Institutes Retirees' Association of B.C. (CIRA-BC), after a ten-year litigious existence and the negative settlement by the Supreme Court of B.C. over the inequitable allocation of surplus funds to pre-2001 retirees;
- The pledge of the Laval University retirees' association (ARUL) to join CURAC and submit dues and application form;
- The formal election John Meyer to the Board of AROHE (Association of Retirement Organizations in Higher Education) to the portfolio of strategic planning and governance - bylaws.

PLEASE LET ME KNOW HOW WE MIGHT BE OF ASSISTANCE TO YOUR ASSOCIATION AND DO REPLY TO FORTHCOMING INQUIRIES AND SURVEYS. I LOOK FORWARD TO YOUR PARTICIPATION IN THE REGINA AGM/CONFERENCE, MAY 11-13, 2011.

PROGRESS REPORT FROM REGINA 2011 NATIONAL CONFERENCE AND AGM COMMITTEE

By Jim Tomkins (Regina)

The organizing committee is busily finalizing the program for the 2011 CURAC Annual National Conference and Annual General Meeting which will be held on the campus of the University of Regina. The conference will open on the evening of Wednesday, May 11, with a reception sponsored by the University of Regina.

The conference theme is *Keepin' Up* and two full days of presentations and discussions are being developed with this theme in mind. Participants will learn about "The Aging Brain" from Dr. Max Cynader of UBC, and the development of the U of R's Lifelong Learning Centre from Dr. Don King, who played a key role in the establishment of the Centre. Panel discussions will be held on the future of health care in Canada and on threats to democracy and its institutions. *The CURAC conference banquet will be combined with the annual Distinguished Canadian Award banquet, hosted by the Lifelong Learning Centre. This year's award recipient, Senator Pamela Wallin, a well-known journalist and diplomat, will be the keynote speaker.* In addition, there will be formal and informal opportunities for participants to share experiences, renew acquaintances and meet new friends.

A block of rooms has been reserved for conference participants at the Delta Regina hotel; the Delta is located in downtown Regina about 10-15 minutes from campus by car or public transit. In addition, a number of rooms have been reserved for participants in University of Regina residences. Both the Delta Regina and the University's main campus are a 10-minute taxi ride from the Regina International Airport. Further information about accommodations, the conference program and registration materials are expected to be available in February and will be posted on the CURAC website.

Mark your calendars for May 11-13 in Regina! The organizing committee looks forward to welcoming participants to our city and campus!

RECENT BENEFITS REDUCTION ISSUES AT MEMBER ASSOCIATIONS

By Howard Fink (Concordia)

Within the last several years, I have noticed that a modest but significant number of our CURAC member associations have encountered attempts (ongoing or already successful) by the administrations of their institutions to reduce their retirees' pensions or other benefits. The particular benefits involved and the extent of the reductions are somewhat different at each institution, but these instances suggest a troubling trend. I reported this information and my conclusion to the CURAC Board which agreed that there is evidence of a significant current threat to retiree benefits, and that more CURAC member associations may be affected in the near future. The Board has therefore instructed its Pension and Benefits Committees to investigate this issue and propose responses to the Board for discussion. The Board intends to share this information and our conclusions with our member associations. A subcommittee is being formed, and we are already having preliminary discussions.

These attempts to reduce benefits costs may result from financial exigencies growing out of the recent recession, provoking the conclusion that other uses of operating funds may have a higher priority. Perhaps more crucially, administrations and their consultants worry about the future. They fear that their employees' retiree benefits will become increasingly expensive because the retirement of their boomer generation employees will significantly increase the ratio of retirees to premium-paying actives, and also because these retirees will inevitably live longer. Together, these projections threaten each institution's future benefits costs -unless these benefits can be reduced. These reactions to future financial "crisis" have been publicly argued for some time now by our institutional administrations and their consultants, despite the upturn in the economy and significant increases in student registrations.

Some consultants have clearly advised administrators that reductions should be limited to the benefits only of future retirees, or even to the retiree benefits of only future employees. However, while some administrations have pursued reductions in the

benefits costs of both actives and retirees, what is particularly disturbing is that a significant number of administrations have been targeting *only current retirees* in their efforts to achieve present and future financial relief. *Retirees are the only group in their institutions which have none of the defences against reductions to their benefits available to active employees.* RETIREES CANNOT NEGOTIATE CONTRACTS OR USE THE LEVERAGE OF WITHDRAWAL OF WORK, NOR DO THEY OFTEN HAVE FORMAL REPRESENTATION ON ADMINISTRATIVE BODIES SUCH AS THE BOARD OR SENATE, WHERE THEY MIGHT ACTIVELY DEFEND THEIR RIGHTS.

On the other hand, retirees' benefits are legally guaranteed from the moment they retire according to the clear and precise Supreme Court of Canada judgment in the 1993 Dayco case. (Dayco (Canada) v. CAW Canada, [1993] S.C.J. No. 53; 1993 Can LII 144 (S.C.C.), May 6, 1993) The judgment adds that the reason for this guarantee of retiree benefits is that each retiree has previously "earned these benefits" by a reduction in remuneration while working, and because their benefits have been confirmed by contract before their retirement. THE DAYCO JUDGMENT SAYS PRECISELY THAT RETIREE BENEFITS CANNOT BE REDUCED—NOT BY THE ADMINISTRATION, NOT BY THE RETIREES' FORMER UNIONS, NOT EVEN BY THEIR RETIREE ASSOCIATION. Only the express agreement of each retiree permits any reductions in their benefits. Nevertheless, some subsequent judgments in similar cases have gone against retirees because the text of the contract terms in which the benefit in question has been defined is sometimes considered by the court to be not clear enough to confirm the guarantee. Alternatively (as in the Vivendi/Seagram case, 2010), the individual employees' pension situations were deemed too dissimilar to establish a class action.

We have identified eleven recent attempts to reduce or cancel established retiree pensions or benefits, at eight institutions of current CURAC member associations in five separate Canadian provinces. NOTE THAT EIGHT OF THE ELEVEN CASES CONCERN REDUCTIONS IN PENSION BENEFITS, PERHAPS BECAUSE THESE WOULD NORMALLY PROVIDE ADMINISTRATIONS WITH MORE FINANCIAL SAVINGS THAN REDUCTIONS IN OTHER BENEFITS. In four of these cases, administrations have been successful in their attempts. The four remaining pension threats are ongoing - as yet

undecided. The other three cases concern non-pension benefits, of which one has been concluded in favour of the institution, while the last two are still being fought. Below are the details by institution, as I understand them at this point. For reasons of confidentiality the institutions involved are not named.

Institution A¹: Long-standing full indexation to CPI of current retirees' pensions was suspended by the administration for six years from 2009, while at the same time current actives received a significant salary increase. Administration's argument: the indexation was "ad hoc" so not guaranteed. Suspension succeeded.

Institution A²: Administration has just called an "emergency meeting" on the University's pension plan. There is good evidence that the purpose of this meeting is to reduce the University's pension costs. Ongoing.

Institution B: The cancellation in 2009 by a provincial government of a 5% rise in the institution's very lean survivors' pension, which had been passed by the administration. Government cancellation succeeded.

Institution C: The refusal of the institution's administration in 2009 either to refund any portion of secret previous annual deductions of bad-performance costs from the defined contribution portion of employees' pensions, or to stop this unilateral practice, despite agreeing to provide the withheld information in future.

Institution D¹: The institutional administration's attempt to replace the "unsustainable" defined benefit pension with a form of defined contribution plan. Ongoing.

Institution D²: When post-65 retirees found a long administration practice of overcharging retirees for health insurance premiums, this was admitted by the administration and they reduced future premiums by 60%, but refused to refund the excess past premiums.

Institution D³: Administration unilaterally increased health insurance premiums considerably for under-65 retirees, contrary to the collective agreement. Being grieved by the faulty union.

Institution E: The attempted unilateral cancellation by the University of their long-standing contracted drug premium subsidy to compensate retirees for abandoning their

private group drug insurance and thereby incurring the annually increasing extra costs of a provincial drug insurance plan - which saved the university a considerable amount. Administration's argument: the subsidy was "ad hoc" so not guaranteed. Plus the unilateral reduction - from 180 to 90 days - of retirees' travel health insurance, which threatens to burden travelling retirees with several thousands of dollars of added private insurance costs annually. Ongoing.

Institution F: The attempt by the administration to compensate for a self-defined "crisis" in its pension fund solvency payments by wresting concessions from employees on its pension plan, while at the same time intending to take a pensions contribution holiday (normally only permitted if the pension fund is in surplus). Ongoing.

Institution G: Arbitrators' decisions in previous years to establish retirees' pension indexation at 100% of CPI contradicted by latest decision to reduce indexation to 75%, without reference to these ongoing precedents.

Institution H: There is the likelihood of a recommendation by the pension plan's funding review committee to discontinue in 2014 the "ad hoc" pension indexation increases for pre-1992 years of service. This would specifically penalize older retirees with smaller pensions. Ongoing.

The subcommittee will investigate whether any other of our member associations has experienced a similar threat to their retiree pensions or benefits. This information will be essential to our further work:

Will you please help by reporting any such case at your own institution—to me.** We will study all the cases which we discover, and try to identify useful patterns. We will also continue our search for legal information. With the Board's agreement, we will advise our associations of these threats to our guaranteed pensions and benefits, and try to offer support to those members who are experiencing these threats.

**Howard Fink <howard@ seabark.ca> or (514) 487-9339

Howard is a CURAC Board member and also a member of the Board's Pension Committee.

VOLUNTEERING IN CANADIAN COLLEGES AND UNIVERSITIES

by Joy Cohnstaedt (York)

A Canadian study of "what volunteers are looking for in volunteering (and) how organizations are engaging volunteers" was recently released by "Volunteer Canada" (www.volunteer.ca). Among the suggestions was the need to find a balance between:

- Designing specific, set roles and being open to volunteers determining the scope of what they can offer;
- Being well organized but not too bureaucratic;
- Matching skills to needs but not assuming everyone wants to use the skills related to their profession, trade or education.

Through volunteering, retirees may discover new talents and benefit from personal satisfaction and new friendships while the institution has the benefit of additional service by qualified retirees without added cost.

More often than not, colleges and universities do not take into account that by engaging retired faculty, librarians, and staff they can promote quality volunteer opportunities which appeal to retirees and are of benefit to the institution as well. For those so inclined there is one very basic principle - volunteer management must be integrated into human resource practices. Implicit in this is the need to address the liability of the volunteer as well as the post-secondary institution.

Whether publicly funded or not, non-profit or not, the post-secondary sector would do well to promote volunteerism, and volunteers would do well to protect their own interests. The arrangements that are needed may include but not be limited to:

1. Identification of the volunteer opportunities and resources;
2. Identification of the class or category of volunteer opportunities and the location;
3. Identification of the terms for volunteer eligibility, application and acceptance procedures, and supervision practices;

4. Establish a policy on reasonable reimbursement of expenses;

5. Establish a policy on the protection of volunteers from both physical and non-physical losses including but not limited to liability protection when the volunteer is acting within the scope and authorization of the volunteer's responsibility;

6. Confirm the liability of the college/university with regard to damage caused to any person by the volunteer acting within the scope and authorization of their responsibility and protect the authorized volunteer against a claim of recovery by the college/university.

Post-secondary volunteerism may be an important area for further study by CURAC. The particular situation of each institution and province needs to be reviewed. This legalistic approach may not be necessary if the appropriate procedures and policies are in place or if the provincial government protects the volunteer community working in colleges and universities. Because our circumstances may differ, a case-by-case study is necessary.

The Professional Support Committee is interested in receiving reports from members on how volunteer activities have been of mutual benefit to retirees and their colleges and universities. *Anecdotal stories or studies may be sent to the Professional Support Committee via the CURAC website - www.curac.ca. On the home page, click on the "Volunteer Opportunities" bar, select "Share Your Experience," then follow the instructions on the page to send in your story.*



2011 NOMINATING COMMITTEE ESTABLISHED

By Tarun Ghose (Dalhousie)

Pursuant to CURAC By-Law 11.13, CURAC's Nomination Committee for 2011 needs nominations in order to prepare a list of nominees to replace retiring Directors.

The Board's Executive Officers and Directors whose terms will expire in May, 2011 are:

- John Meyer (President, automatically becomes Past President when replacement is elected);
- John Stager (Vice President)
- George Brandie (Secretary)
- David Lubell (Director)
- Francis Weil (Director)
- Jack Boan (Director)

We encourage an early response; however, nominations can be submitted until nomination officially closes at the AGM. Nominations should include the affiliation and written consent of the nominee and the name and affiliation of the proposer and the seconder.

Please note the following pertinent by-law paragraphs:

11.6 Directors, except the Chair of the Organizing Committee for the next AGM, shall be elected for terms of two years by the Voting Delegates at an AGM. Notwithstanding the foregoing, the person who has most recently retired as President shall serve as Past President and shall be a member of the Board and the Executive Committee.

11.5 At the end of a completed term of office, a retiring Director is always eligible for re-election. This does not apply to the retiring President (see above).

The Nominating Committee Chair, Dr. Tarun Ghose, can be reached at dr.tghose@ns.sympatico.ca

MESSAGE FROM GEORGE
BRANDIE (QUEEN'S), SECRETARY

Happy New Year to all CURAC Delegates!

We have received official notification from Industry Canada that the by-law amendments approved by Delegates at the 2010 Annual General Meeting at York University have received Ministerial approval as of November 10, 2010, and are now in effect.

The revised by-laws/statuts are posted on our website.

(See http://www.curac.ca/?page_id=46).

NEWS FROM MEMBER ASSOCIATIONS

ONTARIO COLLEGES RETI REES CREATE ATTENDANCE RECORD!

By Joan Cunnington (OCRA)

By far the largest number of Ontario community college retirees ever came to Mohawk College in Hamilton for the OCRA General Meeting on October 28, 2010. Well over 100 retirees representing colleges in Kingston, Peterborough, Belleville, Oshawa, the Greater Toronto Area, Hamilton, Niagara, London, Sarnia and Windsor filled the meeting room to capacity. Staff from the colleges' extended health insurance plan, the Ontario Colleges Administrative Staff Association, and the CAAT Pension Plan were also present. Maureen Adamson, Vice President of Corporate Services at Mohawk College, extended a warm welcome to retirees.

Two excellent speakers provided updates in two important areas. Dr. Tony Tilly, president of Fleming College (Peterborough) and chair of the Committee of Presidents, reviewed the provincial government's recent structural reorganization of the way the colleges are governed and administered. He also brought the retirees up to date on the current

challenges and opportunities in the Ontario college system.

Derek Dobson, CEO of the CAAT Pension Plan, explained the current financial situation of the pension plan, and discussed the activities of the Plan's Funding Review Committee. One likely result of this committee's recommendations will be the discontinuance in 2014 of "ad hoc" indexation increases to pensions based on service prior to 1992. It has become clear that there are three classes of pensioners under the CAAT Plan:

- Pensioners with pre-1992 service who receive "ad hoc" indexation;
- Pensioners with service from 1993-2007 who have indexation guaranteed for life on those years of service;
- Pensioners with post-2007 service who may receive indexed increases if the Plan can afford to pay them.

Mr. Dobson patiently answered many questions but indicated that indexation for pre-1992 service will continue after 2014 only if the Pension Plan has the funding available. OCRA will continue to communicate with Mr. Dobson regarding the retention of indexation for pre-1992 service.

The meeting included the election of new directors Rod Rork of Humber College and Ruth Tracy of St. Lawrence College.

OCRA would like to express sincere thanks to Mohawk College for hosting the General Meeting, providing lunch, room facilities and parking. The support of the Retirees Association of Mohawk College is much appreciated and this group is to be congratulated on the large number of its members who came to this meeting.



UNIVERSITY PARTNERS WITH SENIORS LIVING COMMUNITY FOR CONTINUED EDUCATION

By Thelma Cook (UBC)

Tapestry* at Wesbrook Village UBC is a retirement community which has created a direct link between residents and education by teaming up with a post-secondary institution.

With the help of the UBC Association of Professors Emeriti, Tapestry has formed a unique affiliation with the university that encourages residents to become active members in the UBC community. For example, residents will have the opportunity to audit any course on the campus, at any time. They can attend courses and participate in student presentations. Additionally, they can enjoy seminars and lectures provided by graduate students, faculty and members of The Chan Centre, Museum of Anthropology, School of Music, Faculty of the Arts, School of Nursing, Faculty of Land and Food Services, MBA House, Faculty of Forestry, Brain Research Centre, and the Association of Professors Emeriti. As well, UBC Faculty of Arts instructors will participate in the new community's "Seniors Making Art" program and the School of Music will frequently perform concerts onsite in the Tapestry lounge.

In addition to the 180 suites for living, 134 of which are rental and 46 are lease/purchase, Tapestry at Wesbrook Village UBC has a fully equipped classroom in the building that is linked to the university's network.

Residents can also choose to join the University Neighbourhoods Association (UNA), to attend all UBC athletic events and have unlimited use of selected university recreational facilities. This membership includes all UNA community events, activities, programs and classes held at the Old Barn Community Centre and the future Wesbrook Village Community Centre.

The UBC affiliation also encompasses volunteer opportunities and residents can serve as mentors at various faculties such as the MBA House, School of Music and School of Nursing. Furthermore, they can assist in its Seniors Making Art program or volunteer at many sites on the campus like the Chan Centre, the Belkin

Art Gallery, the Museum of Anthropology and the Nitobe Gardens for example.

* Tapestry is a retirement community builder first introduced in 2003 to Vancouver when "The O'Keefe" opened its doors. For more information on Tapestry at Wesbrook Village UBC, please call 604.221.0997, or send an email to: Information@DiscoverTapestry.com, or go to the website at www.discovertapestry.com



PLEASE NOTE: Full details of the 2011 CURAC/ARUCC National Conference and Annual General Meeting will be posted on CURAC website (www.curac.ca) as soon as they become available.