

CUPE 3903 Transitional Continuing Program Proposal – March 27, 2021

This proposal is tabled without prejudice to the Union’s tabling of additional, new and/or amended proposals in the course of collective bargaining negotiations, and the Union’s interpretation of collective agreement language in any current or future grievance.

New language, with respect to the previous pass of each party

~~Language that has been removed, with respect to the previous pass of each party~~

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)	
LATEST UNION PROPOSAL	LATEST EMPLOYER PROPOSAL
<p>Presented on March 27</p> <p>1. Eligibility</p> <p>This is an ongoing program for individuals who, as of the date of their application, have at a minimum:</p> <ul style="list-style-type: none"> • 20 years of service in the bargaining unit (15 years for Equity seeking groups); • 37.5 Type 1 or equivalent assignments in the bargaining unit (30 Type 1 or equivalent assignments in the bargaining unit for equity seeking groups) • Those who previously received severance under the Letter of Understanding: Severance will have that prior payment deducted from any severance entitlement herein. • Experience gained as a full-time faculty member at York University or experience otherwise gained outside the bargaining unit at York University shall be counted as Bargaining unit experience for this program. YUFA retirees are not eligible. 	<p>Presented on March 14</p> <p>1. Eligibility</p> <p>This is a time-limited program for applicants who, as of the date of their application, have at a minimum:</p> <p>a. 20 years of service in the bargaining unit, except for applicants who self-identify as a member of one or more Equity Groups, in which case the eligibility is 15 years of service in the bargaining unit.</p> <p>b. 37.5 Type 1 or equivalent assignments in the bargaining unit over the past 15 years, except for applicants who self-identify as a member of one or more Equity Groups, in which case the eligibility is 20 Type 1 or equivalent assignments in the bargaining unit over the last 10 years.</p> <p>Further, to be eligible for the severance portion at s.4 of this Letter of Understanding, an applicant may not already be in receipt of a pension from the York University Pension Plan and/or may not have previously received or additionally receive (including per the Letter of Understanding: Severance) any other form of severance or retirement or resignation incentive or payment from York University.</p>

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)

LATEST UNION PROPOSAL

2. Terms of Transitional Continuing Appointment

A transitional continuing appointment (TCA) provides either a two-, three-, four- or five-year transition to retirement and severance of employment from the University. The TCA has an annual teaching assignment commitment which for a:

- a. Two-year TCA decreases a teaching assignment commitment in the first and second year, following which the TCA holder retires and receives severance according to s.4 (Severance) below.
- b. Three-year TCA decreases a teaching assignment commitment in the second and third year, following which the TCA holder retires and receives severance according to s.4 (Severance) below.
- c. Four-year TCA decreases a teaching assignment commitment in the third and fourth year, following which the TCA holder retires and receives severance according to s.4 (Severance) below.
- d. Five-year TCA decreases teaching assignment commitment in the fourth and fifth year, following which the TCA holder retires and receives severance according to s.4 (Severance) below.

TCA holders shall not apply for nor be appointed to any other course in the CUPE 3903 Unit 2 bargaining unit during the period of the TCA.

LATEST EMPLOYER PROPOSAL

2. Terms of Transitional Continuing Appointment

A transitional continuing appointment (TCA) provides either a two-year or three-year transition to retirement and severance of employment from the University. The TCA has an annual teaching assignment commitment which for a:

- a. Two-year TCA decreases a teaching assignment commitment in the first and second year, following which the TCA holder retires and receives severance according to s.4 (Severance) below; or
- b. Three-year TCA decreases a teaching assignment commitment in the second and third year, following which, the TCA holder retires and receives severance according to s.4 (Severance) below.

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)

LATEST UNION PROPOSAL

The initial teaching assignment commitment is based on the applicant's average number of teaching assignments during the **previous 5-year qualifying period contract years:**

Average number of Type 1 or Equivalent assignments	Teaching Assignment Commitment (Number of Type 1 or Equivalent assignments)
0.5-1.49	1.0
1.5-1.90	1.5
2.0-2.49	2.0
2.5-2.9	2.5
3.0-3.49	3.0
3.5-3.9	3.5
4.0-4.49	4.0
4.5-4.9	4.5
5.0 above	5.0

In each year of the program, the TCA holder will be remunerated based on the initial teaching assignment commitment.

LATEST EMPLOYER PROPOSAL

The initial teaching assignment commitment is based on the applicant's average number of teaching assignments during the 15-year qualifying period:

Average number of Type 1 or Equivalent assignments	Teaching Assignment Commitment (Number of Type 1 or Equivalent assignments)
2.0 – 2.4	2.0
2.5 – 2.9	2.5
3.0 or higher	3.0

In each year of either a two-year or three-year TCA, the TCA holder will be remunerated based on the initial teaching assignment commitment.

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)

LATEST UNION PROPOSAL

For a Two-year TCA:

The TCA will be assigned teaching as follows for each of the two years:

Teaching Assignment Commitment (Number of Type 1 or Equivalent assignments)	Year 1 Assigned teaching	Year 2 Assigned teaching
1.0	0.5	0.5
1.5	1.0	0.5
2.0	1.5	1.0
2.5	2.0	1.5
3.0	2.5	2.0
3.5	3.0	2.5
4.0	3.5	3.0
4.5	4.0	3.5
5.0	4.5	4.0

LATEST EMPLOYER PROPOSAL

For a Two -year TCA:

The TCA will be assigned teaching as follows for each of the two years:

Teaching Assignment Commitment (Number of Type 1 or Equivalent assignment)	Year 1 Assigned teaching	Year 2 Assigned teaching
2.0	1.5	1.0
2.5	2.0	1.5
3.0	2.5	2.0

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LATEST UNION PROPOSAL

For a Three-year TCA:

The TCA will be assigned teaching as follows for each of the three years:

Teaching Assignment Commitment (Number of Type 1 or Equivalent Assignments)	Year 1 Assigned teaching	Year 2 Assigned teaching	Year 3 Assigned teaching
1.0	1.0	0.5	0.5
1.5	1.5	1.0	0.5
2.0	2.0	1.5	1.0
2.5	2.5	2.0	1.5
3.0	3.0	2.5	2.0
3.5	3.5	3.0	2.5
4.0	4.0	3.5	3.0
4.5	4.5	4.0	3.5
5.0	5.0	4.5	4.0

LATEST EMPLOYER PROPOSAL

For a Three-year TCA:

The TCA will be assigned teaching as follows for each of the two years:

Teaching Assignment Commitment (Number of Type 1 or Equivalent assignments)	Year 1 Assigned teaching	Year 2 Assigned teaching	Year 3 Assigned teaching
2.0	2.0	1.5	1.0
2.5	2.5	2.0	1.5
3.0	3.0	2.5	2.0

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)

LATEST UNION PROPOSAL

LATEST EMPLOYER PROPOSAL

For a Four-year TCA:

The TCA will be assigned teaching as follows for each of the four years:

Teaching Assignment Commitment (Number of Type 1 or Equivalent assignments)	Year 1 Assigned teaching	Year 2 Assigned teaching	Year 3 Assigned teaching	Year 4 Assigned teaching
1.0	1.0	1.0	0.5	0.5
1.5	1.5	1.5	1.0	0.5
2.0	2.0	2.0	1.5	1.0
2.5	2.5	2.5	2.0	1.5
3.0	3.0	3.0	2.5	2.0
3.5	3.5	3.5	3.0	2.5
4.0	4.0	4.0	3.5	3.0
4.5	4.5	4.5	4.0	3.5
5.0	5.0	5.0	4.5	4.0

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)

LATEST UNION PROPOSAL

LATEST EMPLOYER PROPOSAL

For a Five-year TCA:

The TCA will be assigned teaching as follows for each of the five years:

Teaching Assignment Commitment (Number of Type 1 or Equivalent Assignments)	Year 1 Assigned teaching	Year 2 Assigned teaching	Year 3 Assigned teaching	Year 4 Assigned teaching	Year 5 Assigned teaching
1.0	1.0	1.0	1.0	0.5	0.5
1.5	1.5	1.5	1.5	0.5	0.5
2.0	2.0	2.0	2.0	1.5	1.0
2.5	2.5	2.5	2.5	2.0	1.5
3.0	3.0	3.0	3.0	2.5	2.0
3.5	3.5	3.5	3.5	3.0	2.5
4.0	4.0	4.0	4.0	3.5	3.0
4.5	4.5	4.5	4.5	4.0	3.5
5.0	5.0	5.0	5.0	4.5	4.0

NEW: TRANSITIONAL CONTINUING APPOINTMENT (TCA)

LATEST UNION PROPOSAL

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- The Employer shall provide members with the opportunity to request preferred course and shall make best efforts to assign members to their preferred courses, provided no other hiring provisions in this collective agreement would be violated.
- The Employer shall have sole discretion in the assignment of the teaching positions based on the teaching needs of the Faculty or hiring unit(s). Except where necessary to meet accommodation needs the final decision on course assignment shall rest with the Employer.
- For purposes of the pension plan, where income is received that is minimum of 3.5 FCE, then the member will be credited for a full year of service, regardless of reduced teaching load.

The TCA may be cross appointed between and/or among two or more hiring units or Faculties. The hiring unit or Faculty shall be noted in the offer.

A TCA may be held in one or two academic units, and teaching assignments made expressly to meet the teaching assignment commitment will not be posted.

TCA holders may apply for and receive teaching assignments in addition to those making up their teaching assignment commitment, defined by the number of assignments for which they are paid, through the CSSP and other collective agreement posting and appointment processes subject to the caps in Article 12.04 in each of the two or three years of the TCA.

3. Applications

- The Employer will provide notice to all eligible members by September 30 each year.
- Members who meet the minimum service-based eligibility requirements and elect to obtain a TCA will notify the Office of the Vice-President Academic by submitting an application on November 1 for an appointment starting on September 1 of the following year.
- The application will state the TCA year option.
- The application will suffice for the duration of the appointment.

3. Applications

Individuals who meet the minimum service-based eligibility requirements at paragraph 1 above, may apply to the academic unit(s) in which they wish to hold a TCA.

Applications must be submitted by

- November 1, 2021 for continuing appointments commencing September 1, 2022;
- November 1, 2022 for continuing appointments commencing September 1, 2023; or
- November 1, 2023 for continuing appointments commencing September 1, 2024;

Applicants must indicate whether they are applying for a two-year or three-year TCA.

TCA holders will be awarded based on the academic unit or units' ability to meet its or their teaching assignment commitment to the TCA holder over the two-year or three-year term **and the quality of the applicant's teaching**. Applicants will submit an updated CV, **which shall include a list of courses taught in the previous 5 contract years, and may submit any additional information they believe will assist with the assessment of the quality of their teaching, including such as** experience with different course formats, modes of delivery and pedagogies, examples of innovative practices or course design, **or syllabi to assist the unit(s) in determining appropriate teaching assignments.**

Academic units will make recommendations **on the application(s)** to the Dean or Principal, **or designate**, who will make final appointment decisions. **No application will be unreasonably denied.**

Applicants who are offered and accept a TCA are, at the time of accepting the offer, required to provide irrevocable notice of intent to sever their employment relationship with the University effective the September 1st immediately following the conclusion of their TCA.

4. Severance

Applicants who are offered and accept a TCA are, at the time of accepting the offer, deemed to irrevocably give notice of intent to sever their employment relationship with the University effective the September 1st immediately following the conclusion of their TCA.

Severance upon the conclusion of a TCA will consist of the following:

- i. 17/35ths of the prevailing CD rate at the conclusion of the TCA; plus
- ii. 6/35ths for 5-year TCA
7/35ths for 4-year TCA
8/35ths for 3-year TCA
9/35ths for 2-year TCA

4. Severance

Severance upon the conclusion of a TCA will consist of the following:

- i. **4215/35** of the prevailing CD rate at the conclusion of the TCA; plus
- ii. 3/35 of the grid rate in the severance year for the position of course director for each year of service in which the employee held at least one Type 1 or equivalent position in the bargaining unit.

For example, an individual who has completed a TCA and has 20 years of service would receive a total severance equivalent in value to **4215/35 + 60/35** for a total of **7275/35** at the prevailing CD rate (\$XXX according to the 2021-22 CD rate).

of the grid rate in the severance year for the position of course director for each year of service in which the employee held at least one Type 1 or equivalent position in the bargaining unit.

For example,

- i. Based on the CD rate of \$18,000, $17/35$ ths = \$9,000
- ii. Based on the CD rate of \$18,000, $6/35$ ths multiplied by years of service (20 years in this case) becomes $120/35$ ths = \$61,000

The total severance for a 5-year TCA would then be the amount in (i) of \$9,000 plus the amount in (ii) of \$61,000, for a total of \$70,000.