

May 29, 2021

Employer Proposal

Corresponds to CUPE Proposal #36

*Note: Previous proposed revisions made by the employer have been incorporated into the proposal. Revisions here are shown by **yellow highlight** (all of which are at Section 2 and 4 below) and represent further revisions to the Employer proposal of April 11.*

1. Eligibility

This is a time-limited program for applicants who, as of the date of their application, have at a minimum:

- 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. A year of taught Applicable Prior Experience (APE) of at least 1 Type 1 or equivalent counts as 1 year of service in the bargaining unit for the purposes of this program.
- b. Taught APE of 30 Type 1 or equivalent assignments in the last 15 years, except for applicants who self-identify as a member of one or more Equity Groups, in which case the eligibility is taught APE of 20 Type 1 or equivalent assignments in the last 10 years.
- c. Persons who have elected to retire from a York University position outside the bargaining unit are not eligible for a Transitional Continuing Appointment.

Further, to be eligible for the severance portion at s.4 of this Letter of Understanding, an applicant 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.

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.

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

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| 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 |

Applicants who have had a minimum average of 3.5 Type 1 or equivalent assignments over the previous 5 years, the most recent 3 years of which are in the academic unit(s) in which the TCA is sought, may apply for a TCA with an initial teaching assignment of 3.5 Type 1 or equivalent positions:

| | |
|---|-----|
| 3.5 or higher in the academic unit(s) where appointment is sought | 3.5 |
|---|-----|

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.

For a Two-year TCA:

The TCA holder 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 |
|--|---------------------------------|---------------------------------|
| 2.0 | 1.5 | 1.0 |
| 2.5 | 2 | 1.5 |
| 3.0 | 2.5 | 2 |
| 3.5* | 3 | 2.5 |

*Please see eligibility criteria above for an initial teaching assignment of 3.5 Type 1 or equivalent positions.

For a Three-year TCA:

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

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| 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 | 1.5 |
| 3.0 | 3 | 2.5 | 2 |
| 3.5* | 3.5 | 3 | 2.5 |

*Please see eligibility criteria above for an initial assignment of 3.5 Type 1 or equivalent assignments.

Course reductions through the Transitional Continuing Appointment Program as set out above will be deemed to be courses taught in calculating credited service.

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

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.

- a. Applications must be submitted by:
 - i. November 1, 2021 for continuing appointments commencing September 1, 2022; or
 - ii. November 1, 2022 for continuing appointments commencing September 1, 2023; or
 - iii. 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.

- b. TCAs 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. Applicants will submit an updated CV, which shall include a list of courses taught in the previous 5 contract years, and may submit additional information 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.

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- c. 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.
- d. 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

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

- (i) $121517/35$ 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 $121517/35 + 60/35$ for a total of $727577/35$ at the prevailing CD rate (\$XXX according to the 2021-22 CD rate).

5. Post-Retirement Benefits

Where an applicant accepts a TCA and provides irrevocable notice to sever their employment relationship with the University per 3.d above, with a copy to Pension and Benefits, such an applicant will be deemed to have fulfilled their written notice responsibilities in accordance with Article 15.27 should they wish and be otherwise eligible to receive Post-Retirement Benefits.