

ARFL Newsletter

Association of Retired Faculty and Librarians of York University

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ANNUAL GENERAL MEETING

Date: October 18, 2007
Time: 12 noon - 2:30 p.m.
Place: 101 Stong College
 Master's Dining Room

Meeting to follow a light lunch.

1. May 2007 ARFL Membership Meeting

It was surely memories of meals past and not the humble fare on offer that led a member to remind us that gastronomic pleasures were among the few that persist into old age and to make an impassioned plea concerning dental benefits. The May 15 membership meeting was reviewing some improvements in benefits and compensation for retirees arising from the 2006-2009 York-YUFA

Collective Agreement. The main focus was on what should be our priorities the next time around and the alternative benefit plans available to members.

It was reported that the issue of those forced to retire because of age in 2006 has not disappeared. YUFA Exec had to be pushed but did agree to support the arbitration of these retirees' grievance. But if this fails it seems that private lawsuits remain the only option for the members of this group.

We learned that the issue of possible age discrimination in compensation for graduate supervision is being pursued as a grievance and also with the York Ombudsperson and Centre for Human Rights. Other issues being actively pursued are those of the initial year-end calculation of pension adjustments for those who retired in the years 2001 to 2004 and some questions concerning dates of expiry of PER accounts.

Since there was no news on the "shadow pension" issue, suggestions were made that we ask questions of our MPPs; though they cannot interfere in a decision, such enquiries may expedite matters. In response to a question, ARFL President Alex Murray stated that in case the initial decision goes against us, YUFA can be expected to appeal.

A motion to change the name of the "Association to Association of Retired Faculty and Librarians of York University (ARFL)" passed unanimously.

For a fuller account of the meeting see the draft minutes under “AGM Documents” at www.yuarfl.org .



2. Highlights of the 5th Annual CURAC Conference (U. of Windsor, May 24-26, 2007)

The Editor

Safeguarding of Retirees’ Interests: Fiduciary Responsibilities

This session was presented by *Len Rotman* (Faculty of Law, Windsor) and *Greg Hurst* (Principal, Pensions, Sobeco, Vancouver)

Fiduciary law is a relatively new and evolving field and considerable uncertainty exists even at the Supreme Court level. A fiduciary arrangement exists when one party’s, i.e. the beneficiary’s, interests are dependent on the actions of another party, i.e. the fiduciary. Examples of such a relationship include parent-child, corporate officers/directors-corporation, doctor-patient, York administration-York retiree, YUFA-YUFA retiree, etc. It is important to recognize that YUFA has a fiduciary responsibility towards us and has no option but to protect and promote our rights and interests (according to Rotman). Thus, for example, active YUFA members cannot in law approve collective agreements that disadvantage retirees in order to advance their own interests. Both YUFA and York University (fiduciaries) must treat all retirees (beneficiaries) with identical interests identically and all retirees with different interests fairly, and must follow a practice of full disclosure.

Health Care for Seniors

This session was presented by *Cornelia Baines* (Professor Emerita, Public Health, University of Toronto), *Raisa Deber* (Health Policy, Management and Evaluation, University of Toronto) and *Mary Seeman* (Professor Emerita, Psychiatry, University of Toronto).

One of the presenters stated that some myths must be exposed. For example, we are led to believe that an aging population will drive up medical costs enormously. This is not true. Governments have also declared that health costs are occupying an increasing proportion of their budgets. The truth is that health costs as a percentage of GDP have remained steady over the years. It is the reduction of expenditures in other areas that has left health costs occupying a higher fraction of budgets. The Canada Health Act applies only to hospitals contrary to popular belief. The so-called crisis in Canadian health care can be attributed to factors such as inefficiencies in hospitals, inappropriate public expectations and the dearth of geriatric specialists resulting from reluctance of medical graduates to specialize in geriatrics.

An interesting “paradox” is that mental health actually improves with age in the sense of the absence of psychiatric disease. This conclusion results from a study that probed substance abuse, anxiety, mood and other factors. The incidence of depression drops with age. Generally seniors feel good mentally despite the deterioration of their physical states, but they tend to lose interest in many activities. Creativity remains despite aging, but is transformed from innovation to increasing complexity.

There is a pervading concern in our society over the future costs of long-term care as the

population ages. However, only 50-60% of home care users are seniors and their requirements are fairly low consisting mainly of personal support.

Improving Benefits

Bill Gleberzon from CARP discussed CARP's general strategy on behalf of seniors and offered some advice for retired academics. His advice:

1. Forge alliances with faculty associations and unions
2. Emphasize to union members that bargaining positions they adopt presently will eventually affect them when they retire.
3. Emphasize that retirees represent the "memory" of the university.
4. Get retiree issues into negotiation packages.
5. Find champions in the union, university administration, departments, etc.
6. Make use of campus and public media, release reports, call media conferences, contact MPs and MPPs.

John Meyer, a Board member of CURAC and a past-president of WURA, offered advice with regard to negotiations of collective agreements.

1. Identify mutual interests of the union and retirees' association.
2. Identify mutual interests of retirees and the university; lobby the university president and other officials re: the value of retirees to the institution.
3. Seek a joint consultative strategy with the university administration; identify an ally or champion in the administration; develop a strategic plan with specific goals and objectives; identify a priority list with rationales; establish and maintain personal contacts; identify models, precedents.

Meyer also had suggestions for moving away from confrontation:

1. Contributions to scholarships and endowments.
2. Voluntary actions on behalf of the university.
3. Awards of recognition; e.g. Friend of ARFL.
4. Establish campus connections.



3. Retiree Health Benefits

Cynthia Dent

Pre-retirees and retirees who have not "topped-up" their retirement benefits are advised to do so. A major reason for this is that the York plan limits out-of-province, out-of-Canada travel insurance emergency coverage to a lifetime maximum of \$10,000. This is so low that it would not adequately cover expenses for an emergency illness or accident almost anywhere in the world. Coverage of one million dollars or more for travel is strongly advised. York's in-province prescription drug coverage is also insufficient for those who need expensive, i.e. some cancer, or other chronic illness, medications. Also, the range of paramedical practitioners covered by York is limited, as is the amount payable per person per year. An additional concern is our plan's lifetime maximum in-country coverage, although that has been somewhat improved for Faculty and Librarians in recent negotiations. The major shortcoming of all of these limitations is that they don't cover what is called "the catastrophic event"- the serious illness or accident for which some of us are going to need coverage. Financial considerations can be major.

How to “top-up”? How expensive will this be?

One of the best plans is **OTIP/RTIP**. It provides three extended health care plans to choose from, has reasonable rates, and you can apply for coverage until your 70th birthday as long as you have maintained a group health insurance plan. Once you enroll, your coverage continues for life as long as you pay the premiums. You will not be required to complete a medical questionnaire if you apply for coverage within 60 days of termination of your group health insurance plan or your coverage under your spouse’s health insurance plan. RTIP provides one million dollars coverage for emergency travel insurance per person per trip, effective for 62 days per trip. There is no limitation on the number of trips taken in each year. You can continue this coverage for longer trips if you pay a “top up” – I believe the costs are reasonable. RTIP’s coverage of paramedical and other services is better than York’s, which can also be an important factor for those with chronic illnesses. Finally RTIP provides good survivor’s benefits.

At York, for Faculty and Librarians, survivors and their dependants are covered for only two years at the existing rates. After that time they must pay the full cost, which includes the university’s portion. Most people say that the plan is not worth the extra cost, which can be close to prohibitive for those whose pensions are not large. At RTIP, however, coverage continues at a reduced rate if you need this – ie. single as opposed to couple or family. I believe one has to let RTIP know- or apply- but once again, there is no medical questionnaire for survivors if this is done within the required period. RTIP’s telephone is 1-800-267-6847 and their internet address is www.otip.com.

RTO is a second plan for retired teachers which some people like. I believe it is more expensive than RTIP, but it has the same conditions for entry; i.e. you can “top up” at any time or roll over to

RTO and cancel your York plan. Within 60 days of termination of your group plan, you can enroll without medical evidence of insurability. Most important to those age 70 or over, your age is not a factor; you can roll over or “top up” without evidence of insurability in the same way as those younger than 70. Like RTIP, RTO allows survivors to continue coverage “for as long as your dependents pay the premiums and continue to qualify for dependent coverage”. As with RTIP, if a spouse carrying the group plan passes away, the survivor’s payments may be reduced to single coverage if that is appropriate. If family coverage is still required, children who are fulltime students are covered until the age of 30. There is also emergency travel insurance of up to one million dollars per person per trip although there are some clearly stated preconditions for coverage. You may contact RTO at 416-920-7248 in the Toronto area, or toll-free in North America at 1-877-406-9007. Internet address is: www.rto-ero.org.

Note that these plans cover acute care only; that is, there is no chronic care hospital, nursing home, rehabilitation hospital or home for the aged coverage. For long term care, special plans may be had from RTIP and from CARP. The latter provides a series of specific plans such as Health and Dental, Travel Health, Critical Illness and Long Term Care. For information on them (I believe all have preconditions) call 1-877-551-5566 (Health and Dental) or contact by internet: www.carpinsurance.ca. Call or contact RTIP for their plans.



4. York Office of the Ombudsperson and Centre for Human Rights asked to investigate the employment of retirees for graduate supervision activities.

ARFL has asked the York University Office of the Ombudsperson and Centre for Human Rights to investigate what we believe to be unfair and discriminatory university policies and practices concerning the employment of retired faculty who do a share of the Faculty of Graduate Studies graduate supervision responsibilities without pay. The Office is an impartial body operating at arm's length from the university. Its mandate includes the ability to investigate allegations of unfairness in policies, processes or procedures, and discrimination as defined by the Ontario Human Rights Code and the University human rights policies.

ARFL is asking for the inquiry in order to fully explore the grounds for discrimination in compensation for graduate supervision activities by retired faculty and whether or not it is based on age or offends the Employment Standards Act. Under York's Collective Agreement (CA) the parties, YUFA and the Board of Governors, have agreed not to pay retired faculty for their graduate supervision services with one exception. The recent addition, in the 2006-09 Agreement 14.02(e), is discretionary and limits payment to principal supervision of MA theses and PhD dissertations.

Eligible pre-retirees are compensated for both principal and other formal supervisory activities associated with theses, dissertations and major research papers. In anticipation of the recent (2006) CA negotiations ARFL requested and YUFA included the wider range of supervisory activity in their negotiation proposal. The discretionary and limited scope for payment to retirees for their contribution to the core work of the university was accepted by the membership.

Although entitlements and benefits for retirees are included in the CA, retirees do not have the right to vote on the Agreement. This right is limited to eligible full-time members of the bargaining unit. Retirees have a continuing relationship with the Collective Agreement and when part-time workers they pay YUFA dues.

Twenty retirees have provided ARFL with the stories of their experience with graduate activities, including documentation of their graduate supervision activities. These communications have been submitted to the York Office of the Ombudsperson and Centre for Human Rights. Against a background of human rights and employment case law, ARFL has asked for an examination of retirees' experience, the available FGS and graduate programme policies and practices related to graduate supervision, relevant university personnel policies as well as the Collective Agreement.

ARFL is hopeful that both YUFA and the Administration will assist the investigators with this inquiry, because regardless of the elegance of the rationale for the discrimination in the Collective Agreement the central question is: "Is the harm done by the discrimination in pay against retired colleagues warranted?"



5. Retired professor meets goal of raising one million dollars in aid for York students

Joy Cohnstaedt, professor emerita and member of the ARFL executive, will soon exceed her personal goal of raising one million dollars in student aid for York

University. The sum of the endowments, with a current value of approximately one million dollars, has been made possible with the support of family and friends, and the significant contribution of matching funds for eligible awards from the provincial government.

Among the awards fully endowed through her efforts are: the many Harry Rowe Bursaries and the Fine Arts Cultural Studies Award for undergraduate students in the Faculty of Fine Arts; the Visual Arts of the Americas and the Dorothy Rowe Visual Cultures and Canada graduate awards in Art History. As well, she established the Martin Cohnstaedt Graduate Research Award for Studies in Non-Violence in the York Centre for International and Security Studies; and more recently launched the Writer-in-Exile Bursary and funded the E.B. Rowe Communication and Culture Policy & Politics Scholarship in the graduate programme in communication and culture. Joy has supported the projects of others too. For example, she raised 95% of the funds needed to endow the Louise Bennett-Coverley award in Music in honour of the Jamaican icon. Plans are now in place to establish a new award in the graduate programme in dance.

Endowing new student awards makes it possible to support important scholarly initiatives that are valued by both the donor and the university. Retired faculty can make a difference by contributing to student aid and in this way assisting new scholars for as long as the university exists.



6. Elizabeth Lander - A Personal Remembrance

Larry Licht

Sadly, Elizabeth Lander, a long-time member of the Department of Biology, passed away recently.

She served on the ARF Executive several years ago and until recently was a constant attendee of ARF meetings. Those of us who knew her will miss her terribly.

Her former Biology colleague *Larry Licht* writes,

“Over the past years, when walking through the halls of Lumbers or Farquharson, there were some people whom I always found a joy to meet. Elizabeth Lander was one of them. While continuously busy with her full schedule of advising biology students and countless administrative tasks such as the preparation of the Biology Department Handbook and collation of end-of-term grades for students in all biology courses, Elizabeth always had time to exchange a few words. Moreover, each such brief encounter was always brightened by her warm, genuine smile which provided additional wordless pleasure to our collegial friendship.

In the classroom, she enlightened and motivated students. My daughter Vina was in her Natural Science course and often came home after class eager to discuss some topic that had been presented.

Elizabeth was a strong supporter of faculty labour rights. She served often on the executive of YUFA. Even though she had formally retired before the 1997 strike, she still came to the Founders Gate picket line and spent hours walking with us on some very cold, wet mornings. Yet, her presence, her enthusiasm and her solidarity lifted and warmed the spirits of those with whom she spoke.

Until her funeral last month, I was not aware that after her retirement, she pursued the study

of classical piano and music theory and became a competent player. She also travelled widely to dozens of countries to experience the cultures she had always wondered and read about.

For twenty-five years, Elizabeth and I were colleagues, sharing our mutual interests in music, wildlife and biology, as well as events at York itself. Our almost daily encounters may not have been of major importance in the grand scheme of things, but their absence now makes me realize that it is people like Elizabeth Lander that provide the soul and emotional substance to not just my life, but to an academic institution, such as York.”



6. John Buttrick (1919-2007)

Martin Muldoon

Members of his family, friends and colleagues gathered at the Toronto Friends' Meeting House on September 8 to remember John Buttrick, Emeritus Professor of Economics, who died July 16 in a car accident on Gabriola Island, BC. He was remembered as an intelligent and unintimidated person who challenged orthodox views and had a marvellous sense of humour. His work was related to development, with social justice, with special interests in the Caribbean and Latin America. Buttrick studied at Haverford College and Yale University and worked at a number of US universities before coming to York in 1970. He also held visiting positions in various parts of the world. He had been a conscientious objector in World War II and was a strong opponent of the Vietnam war both before and after he came to Canada. Characteristically, in the past few years in Gabriola Island, he helped deserters from the US military service in Iraq. In the 1980s he was one of a group of faculty members who challenged the mandatory retirement policies at some Ontario universities and the

provision of the Ontario Human Rights Code permitting age discrimination against those over 65. But the Supreme Court decision *McKinney v. University of Guelph* (1990) upheld the status quo. A part of the rationale for the decision in this complicated case held that “on average there is a decline in intellectual ability from the age of 60 onwards”. Whatever the average situation, John Buttrick’s abilities seem to have continued unabated. He did several years of post-retirement University and government work in Jamaica as well as working for periods in Bangladesh and China.

Donations can be made, in Prof. Buttrick’s memory, to Médecins Sans Frontières/Doctors Without Borders, 720 Spadina Ave., Suite 402, Toronto M5S 2T9.



7. Michael Cowles (1936-2007)

The Editor

Michael Cowles, a former Chair of Psychology in Atkinson College, passed away on August 21 in Newmarket. He was part of a small contingent of Atkinson faculty with connections to the University of Edinburgh. His research interests included the history and development of statistics, and personality and individual differences. Following the reshuffling of Atkinson’s programs and structure, he taught in the area of Brains, Behaviour and Cognitive Sciences in the Faculty of Health and was a spearhead in the History and Theory of Psychology Program, which is unique in Canada.

A memorial service was held at the All Souls Anglican Church in King City on August 27th. Michael was remembered by former colleagues, Martin Steinbach, David Wood and Chuck Marino. Particularly moving were eulogies by his surviving children, Richard

and Maggie. Michael is also survived by his wife Fiona. He was my colleague and friend in Atkinson College for several decades and one of my favourite people at York. He'll be missed for his wit, intelligence and wry sense of humour.



8. Old Age Security Pension

Martin Muldoon

Hallowe'en 2006 announcement that in 2007 and subsequent years, seniors would be able to apply income splitting (with a spouse) to pension payments. This was meant to take away some sting out of the taxing of income trusts. You can apply for the OAS pension by using the form at :

www.hrsdc.gc.ca/forms/isp3000ke.pdf .

Sopme of you may not have applied for the Old Age Security (OAS) pension because your income is high enough that much or all of it is "clawed back". If so, then you should consider whether you can benefit from Finance Minister Flaherty's



The ARFL Newsletter is published by the Association of Retired Faculty and Librarians of York University (ARFL). ARFL is an independent organization of retired faculty and librarians of York University and of pre-retirees who pay dues. Members of ARFL are Associate Members of YUFA and YUFA has recognized ARFL as the "representative organization for retired members" of YUFA. ARFL is a member of the College and University Retirees Association of Canada. (CURAC)

At the Annual General Meeting of October, 2006 the following slate of officers was returned, including those subsequently nominated to the Executive to extend its base and representation, as the meeting agreed:

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The editor of the newsletter welcomes comments, letters or items of interest, but reserves the right to edit any submissions. Please send submissions to chesters@yorku.ca or ARFL, c/o YUFA, 261 HNES, York University, 4700 Keele St., Toronto, ON M3J 1P3.

**ASSOCIATION OF RETIRED FACULTY AND LIBRARIANS
OF YORK UNIVERSITY**

DUES FOR 2007/08 ARE NOW RECEIVABLE

Please mail to : Association of Retired Faculty and Librarians, c/o YUFA
 261 Health, Nursing and Environmental Studies
 York University
 4700 Keele Street
 Toronto, ON M3J 1P3

- I wish to join ARFL, to receive its mailings and support its activities
 - I wish to renew my membership in ARFL
 - I am willing to undertake occasional work in ARFL
 - I am not yet a retiree, but I want to become an Associate Member of ARFL
- (To verify your status, send an e-mail to yuarfl@web.net)**

Enclosed is my cheque for the period 1 July, 2007 to 30 June, 2008

- \$25 Regular membership
- \$10 Associate membership (available to pre-retirees)
- I would like to contribute \$_____ To support ARFL in its continuing work on behalf of York's retired Faculty and Librarians

NAME(please print) _____

HOME ADDRESS

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Home Phone _____ ***E-mail** _____

*** This is very vital to maintain communication with ARFL members.**

**ASSOCIATION DES PROFESSEURS ET BIBLIOTHÉCAIRES
RETRAITÉS DE L'UNIVERSITÉ YORK (APBR)**

**COTISATION 2007-2008
PREMIER APPEL**

Veillez envoyer votre cotisation à : Association of Retired Faculty and Librarians
a/s YUFA
261 Health, Nursing and Environmental Studies
Université York
4700, rue Keele
Toronto, ON M3J 1P3

- Je désire devenir membre, recevoir ses bulletins et soutenir ses activités
- Je désire renouveler mon adhésion a l'APBR
- Je suis prêt(e) à participer à l'occasion aux travaux de l'APBR
- Je ne suis pas encore à la retraite, mais je veux devenir membre associé de l'APBR

Pour vérifier le statut de votre adhésion, veuillez envoyer un courriel à yuarfl@web.net

Veillez trouver ci-joint mon chèque pour la période du 1er juillet 2007 au 30 juin 2008, au nom de l'APBR.

- 25\$ membre titulaire
- 10\$ membre associé

Plus _____\$ de contribution supplémentaire pour aider l'APBR à poursuivre ses travaux au nom des professeurs et bibliothécaires retraités de l'Université York.

NOM(en majuscules) _____

ADRESSE À LA MAISON

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***Très important pour maintenir les liens avec les membres de l'APBR!**

