

news from

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MORE ON THE ABOLITION OF MANDATORY RETIREMENT

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"The equality provisions of the Canadian Charter of Rights will significantly enhance the flexible retirement schemes we have developed at Carleton. We welcome this progressive Constitutional development, and will attempt to develop and implement plans for mixing age and youth among our employees." (emphasis added)

A normal person reading this in Carleton University's brief to the Bovey Commission might think that the University supports the end of mandatory retirement. Such a person would not expect Carleton University to be seeking loopholes (where none actually exist). This normal person would not expect individuals whose "normal" retirement is this July to be told that they must retire. Such a person would be wrong.

The administration, apparently under direction from the Board of Governors, holds that Carleton University is not subject to the Canadian Charter of Rights and therefore need not change its retirement policy. The argument seems to be that Carleton is not under "the authority of the legislature" of the Province. The Board certainly didn't argue this when the Inflation Restraint Act was imposed on us.

Clearly there is a lack of good will on the part of the Board. CUASA remains ready to negotiate on the retirement policy of the University as long as it is assumed from the start that no one will be forced to retire on June 30, 1985. That was the assumption when we started meetings with the administration in November. The Board of Governors changed that assumption in December. We await the next move of the administration.

It must be noted that the Board's view on the "non-applicability" of the Charter is a distinctly minority opinion. Legal advice requested by the administration was that the Charter applied. The AUCC believes the Charter applies to Universities. The Bovey Commission obviously assumed in its report (section 4.2.2.3, page 22) that Universities are to be subject to the Charter.

Stan Jones, President.

ARBITRATOR RULES AGAINST CUASA FOR FIRST TIME SINCE 1976

In the matter of the grievance filed by CUASA over the calculation of the scale increase due to members of the bargaining unit (reported in News from CUASA Vol. 15, No.13) the sole arbitrator, Mr. M. Teplitsky, O.C., found that the "effect of section 12 of the Inflation Restraint Act was to deem included within the Collective Agreement a provision limiting increases to 5%" and that therefore, "the nominal salary as of April 30, 1984 was as calculated by the employer".

The Association is still pursuing the grievance launched with respect to career development increments and this issue is scheduled to be heard Tuesday, February 5th, 1985 in the Senate Chambers (6th Floor of the Administration Building) beginning at 10:00 a.m. The hearing is open to anyone interested in attending.

DUFFY

by HAYMOND

