

# ARFL NEWSLETTER

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## DUES 2008/9

If a dues notice is enclosed with this Newsletter, then you are past due for 2008/9 dues and are requested to pay up by return in order to continue your membership of ARFL.

### 1. General Meeting 14 May

The May General Meeting of ARFL will be held from 12-3 on 14 May 2009 in the Harry Crowe Room in Atkinson College. The room is located on the main floor at the South end of Atkinson. Lunch will be provided as usual. Any proposed agenda items should be sent by the end of April to Alex Murray [amurray@yorku.ca](mailto:amurray@yorku.ca) and Gene Denzel [lezned@yorku.ca](mailto:lezned@yorku.ca).

### 2. President's Message Alex Murray

As the 50<sup>th</sup> Anniversary of York approaches, each of us, the people who created Canada's third largest university, can conjure up their own collage of images and memories; some exciting, pleasurable, satisfying, disappointing and discouraging. Well, York has not changed. It is still all of the above.

Some of us came to York to work hard within our discipline to get a tenure track appointment. Some of us were attracted by the promise of creating multi- and trans-disciplinary programs that reflected our perception of the world as it really is, or should be. Well, York has not changed. It is still all of the above.

I hope all ARFL members, indeed all retirees, will come "home" to recall and celebrate what it is we did achieve.

### 3. Voluntarism: A Default Position for Retirees Working At York Joy Cohnstaedt

Computer programs often prompt a question about the default position and we assume that the practice is acceptable. But it may come as a surprise to some retirees that when our Collective Agreement is silent about pay for work for which pre-retirees receive pay, such as for all graduate supervision services, a default position is asserted by the employer that prohibits pay to retirees

Arguably the parties agree that the work is "voluntary" – without pay – when the Collective Agreement does not contain a clause outlining the conditions for pay for the work performed by retirees even if the practice appears ageist. Furthermore, the matter is regarded as negotiable. This is the current situation facing retirees employed as supervisors of MRPs and for other supervisory committee work, as compensation is limited to principal supervision of theses and dissertations in the current Collective Agreement.

But there is no evidence in the Collective Agreement that the parties have agreed to a default position of “voluntary work”. Indeed it would seem exceptional for a bargaining unit to defer to the employer in this matter and agree that the work performed by retired members is unpaid work when pre-retirees are paid for the same work. At the time of writing, the issue of compensation for all graduate supervision services performed by retirees is to be considered by the Joint Committee on the Administration of the Agreement (JCOAA).

#### 4. 2006 Retirement Cohort and YUFA Raise

**The Bar** Joy Cohnstaedt

The 2006 Retirement Cohort and YUFA have done a service for all retirees and equity seeking groups on grounds such as age, among others, at York University, if the recent Interim Decision regarding section 54 of the Labour Relations Act of Ontario (OLRA) is a measure. The sole arbitrator, Pamela Cooper Picher, found in favour of YUFA’s interpretation that the section 54 prohibition against discrimination under collective agreements encompasses discrimination contrary to the Ontario Human Rights Code and the federal Charter of Rights and Freedom. Both the Charter and the Code prohibit discrimination on equality right grounds. The arbitrator’s conclusion in her Interim Decision about the Charter is significant because unlike the Code, which is an ordinary law, the Charter is a Constitutional law. Any limit on Charter rights must be demonstrably justified in a free and democratic society.

York University asserted that the prohibition in the Ontario statute included only discrimination contrary to the provincial Code and not the Charter since the University is not subject to the Charter. In support for this position the University referenced a 1990 Supreme Court decision

(re: McKinney vs. the Board of Governors of the University of Guelph et al) that held that the Charter is not applicable to universities. The arbitrator found that the argument that the Charter did not apply to the University was irrelevant as she was interpreting the Ontario Labour Relations Act and not the Charter.

Section 54 of the OLRA is as follows:

*Discrimination Prohibited – A collective agreement must not discriminate against any person if the discrimination is contrary to the Human Rights Code or the Canadian Charter of Human rights and Freedoms.*

The arbitrator found that in the absence of clear language in the OLRA limiting the act to a reference to the Code or with reference to the limited number of Ontario employers that are subject to the Charter, the prohibition against discrimination under the Charter is applicable to all collective agreements in Ontario, including the one at York University. The next step, arguing the substantive merits of the 2006 cohort grievance – whether the retirement of the cohort was unjustified discrimination contrary to the Charter – is scheduled for late April. It remains to be seen how this decision will influence the 2006 retirement cohort grievance and whether or not its substance will be challenged by the employer. Regardless, this decision confirming that York University is subject to the Charter under the OLRA raises the bar to be met by the present and future collective agreements.

#### 5. Retiree(Emeriti) Centres/Colleges

Chester Sadowski

Retiree, or Emeriti, Centres and Colleges are now fairly commonplace in the North American university system. In 1967, UCLA became the first institution to establish a Retiree Centre and was followed shortly after by USC (1974 or 1977), the University

of Washington (1978) and the University of California in San Diego (1984). Rapid development took place in the middle 1970s when budgetary problems persuaded many North American universities to offer their faculty early retirement with lucrative golden handshakes. The response to such offers was very strong and the number of retired faculty quickly became very large. This growth in the number of emeriti stimulated a rapid expansion of retirement centres to assist faculty members in entering into retirement and dealing with issues arising in the early years of retirement.

Many variations exist among American Retiree Centres and Colleges, perhaps too great to be covered in the limited space of this newsletter, but a comparison of the USC Emeriti College and the Berkeley Emeriti Centre published in 2005 is helpful in understanding what such institutions do. (see [www.arohe.org/continuing\\_emeriti\\_faculty.html](http://www.arohe.org/continuing_emeriti_faculty.html))

The Berkeley Emeriti Centre was established in 1977 and is part of a 10 campus system. In that year an existing centre was removed from Human Resources and placed under the President's Office. This means that its executive now reports directly to the President. The Centre provides assistance in pre-retirement planning, sends quarterly newsletters to all retirees, provides computer courses to retirees, facilitates access of retirees to university programmes, libraries and other facilities and organizes courses given by retirees to other retirees. There is also a Senate Committee on University-Retiree Relations.

The USC Emeriti Centre was transformed into the Emeriti College in 1990. The College is heavily involved in USC and is recognized as a valuable resource in teaching, research, service, mentoring and as

a source of oral history of the University. It provides small grants to support ongoing research by retirees, including assistantships to undergraduates wishing to work with a retiree. It is called on by the Administration to analyze issues being faced by USC and to present White Papers for discussion. Its members participate in a project involving video-taped interviews of an archival nature.

In addition, the College provides lifetime achievement awards to meritorious retirees, prepares speakers' lists and organizes commemorative lectures in honour of outstanding emeriti. It also participates in outreach activities through the provision of volunteers to the community and of money in support of community projects.

Other models of an Emeriti College exist as well. An interesting variant is one in Arizona State University (ASU), where a very formal College exists complete with a Dean and a College Council. Another is Emeriti House at Indiana University whose development will proceed through four phases with a final transition into an autonomous, self-sufficient institution occupying a house off-campus serving the university, retirees and the community at large.

Closer to home, Peter Russell reported at the 2008 CURAC Convention that RALUT at the University of Toronto will soon be moving into its very own Retiree Centre located on the south side of College Street across from the main St. George Campus, the first of its kind in Canada. This facility will include an administrative office, a small reception area with a kitchen and a lounge and a study room with 8 carrels and private lockers. Access will also be provided to larger meeting rooms on the same floor. Sister centres will be established at the two other U of T campuses. The Centre, named the Academic Retiree Centre, will serve

retired faculty, librarians and senior administrators and will be governed by a board headed by the Vice-Provost and consisting of a mixture of members drawn from the Faculty Association, active and retired faculty and librarians and the Principal of Victoria College. Its broad mission will be to provide opportunities for retired faculty and librarians to contribute to the life and mission of the U of T as well as to the intellectual life of retirees. The latter purpose will be encouraged through the creation of a Senior Scholars Centre. Contributions to and involvement in the non-university community will also be encouraged.

York has its Retirement Planning Centre, whose mission, as stated on the York website, is to assist pre-retirees in planning for retirement and retirees in their first few years of retirement. The scope of its stated mandate appears narrow, but in association with YURA its activities are broadened to the point where it functions somewhat like retiree centres described earlier in this article. With York retirees now numbering in the hundreds, many of whom continue to engage in intellectual and creative pursuits, perhaps the time has come to re-examine the whole question of the relationship between York and its retirees and how that relationship should and can be best exploited to the mutual benefit of all parties.

In the comparative study mentioned above, Glazer et al state that there are many factors essential to the success of Emeriti Centres and Colleges, of which three are:

- a) A senior level university administration fostering appreciation of retirees as valued members of the campus community
- b) Dedicated budget and mission focused solely on retirees

- c) Retiree involvement in governance and programming.

## **6. ARFL's Input to YUFA's Bargaining Position in the Upcoming Negotiations**

Chester Sadowski

The ARFL Executive has submitted its positions on three items in the upcoming negotiations to YUFA that of concern to retirees. These are in the areas of health benefits, graduate student supervision and research support. The Executive urges ARFL members to attend the YUFA members meeting on its negotiating position when it is called.

## **7. Retirement Parties -The Spirit of it All.**

Peter Harries-Jones

In our society where jobs and accomplishment in jobs is as important as birth, death and marriages, what do we want out of the occasion to mark retirement? After working 30 years or so with many of the same colleagues, do we need any occasion to mark the transition? Do we anticipate with some pleasure a party in which colleagues enjoyable and not-so-enjoyable are given the opportunity to say "thanks" to us and "good luck?" Or do we have a secret desire for the ultimate accolade of a formal event, including a "roasting" together with more serious attempts at expression of our accomplishments?

Most of us receive a party of one form or another - though this was not my own experience - and are content with that. My department, one of the smaller departments on the main campus, was noted for throwing parties to retiring staff but not to retiring colleagues, where it was assumed that if the colleague wanted to mark retirement by a party, this would be a do-it-yourself affair.

Do-it-yourself affairs have their merit, providing all your ex-students have research budgets or other funding to make the trip. I heard recently of one well known University of Toronto physics professor who

threw one of these events and his ex-students turned up from as far away as Hong Kong. For most of us this style of celebration is impractical.

The fact that there was no party for me did not particularly rankle. My expectation had been dimmed by the official luncheon given by the York administration some years before marking 25 years of service, held in the days of Cara Catering when food presentation at York main had reached an all time low. Of particular note was the administration's present to us to mark this singular event. It was a faux-gilded alarm clock. Now being a professional anthropologist I have always been interested in gift exchange. I thought about that gift more than once. In fact it led to a plus and minus sign chart, in the best tradition of Claude Levi-Strauss, to work out whether the gift said something about the administration's view of its employees, or whether it was meant to be a genuine aid for Monday morning 8:30 am lectures in my few remaining years. I recall at the end of the luncheon that approximately one third of the alarm clocks remained untouched, next to the unused knives and forks. According to one report, the clocks that were carried home lasted two months.

A few years later my wife went to the same celebration and came home with two elegant wine glasses. I was glad to see that the message of the untouched alarm clocks had been duly noted. Somebody now realized how we truly wished to live out our final years at York.

I thought no more about retirement parties until recently, when I went to a retirement event of police officers in one of the university towns surrounding Metro Toronto. My association with police over the years had been mainly one of eye balling each other from the middle ranks of demonstration marches in downtown Toronto, but I agreed to accept their invitation card since most doubts can be overridden by one set of ties - family connections. On this occasion six retirements were being honoured, four officers and two staff. The venue was a sporting club hall with tables for 200 and a cash bar.

There was a defined programme of events, which began with the emcee for the evening offering a few Taser jokes. The jokes were about how speakers were to interpret laser beams on their chest if they over-stayed the time limits of their talks. At this particular moment I was wondering about family connections and time limits on my own continued presence in the room.

My concern was short lived. The following hour and a half was a genuine celebration of the contributions of the retiring officers and staff, ranging from events that had hit the headlines in the Toronto papers, to the seemingly trivial day-by-day activity which kept the department going on an even keel. Each retiree had a formal spokesperson who recounted these accomplishments and each was celebrated to the full. The careers were highlighted by an accompanying video on the lives of each of the officers, a video made up of snapshots drawn from their childhood, their parenthood, and where appropriate their hobbies. Colleagues appeared on the video as performers at a "funny table" guessing at questions put to them about which officer did what while a member of the force. It was a real appreciation of being in a collegial job, and I think I learned much about how such appreciation can be displayed. The speeches were followed by the awarding of various plaques and badges honouring completed service.

For me the most noticeable element in this celebration of police retirement stemmed from a very different conception of "teamwork" and collegiality than that which exists in academia. Of course it is evident that the two conceptions of "teamwork" arise out of circumstances in which officers have from time to time had to support one another in life-threatening circumstances, while the sort of support and teamwork academics give to each other, if at all, is good-will and emotional. In addition, support for colleagues arises from two different conceptions of "crisis," an academic crisis and a police crisis; and its consequences are different.

Academics face burn-out as do other professionals. In our case crises arise through continuing financial constraints and through a technocracy convinced it can educate better by organizing education though “clicks” than through teaching at blackboards. Yet we can usually go on teaching after retirement if we have to, publishing if we want to, and are given some institutional support for research and travel.

Being part of constant police crises induces a different sort of burn-out, sometimes an inability to function. One of the officers celebrated at this retirement party had run a criminal investigation department noted for its thoroughness in investigation procedures. With institutional support withdrawn, he was unable at retirement to take on the relatively simple task of attaching pricing labels to supermarket products. He confessed to his fellow celebrants that he had to throw-in his new job after a few days at work. For such people the retirement celebration marks a definitive stage of his life, in which a complete break from institutional support is one of its most disturbing features.

Given the symbolic importance of retirement to a police officer, the retirement party was costly, with expenses picked up by the local Police Association. The Association gets some of its money through appeals to the public which enables it to operate on a scale that was inevitably grander than one could expect from a departmental retirement party at York.

Yet it was not the comparative lavishness that got me wondering about marking the retirement occasion but the evident spirit of it all. Is it just at York main campus that the spirit, along with its buildings is so bleak? Glendon campus is known for its conviviality in these matters deriving, perhaps, from smaller numbers creating more of a family atmosphere at work. Families have their quarrels too, but there are always times in family life when ritual trumps reality. So too, there is a time when ritual should override the ideological and intellectual differences which are the very stuff of university existence. The Police Association event had

forcefully expressed to me that a good retirement party helps everyone to remember that.

**8. Books reviewed: Michiel Horn, *York University: the way must be tried*. McGill-Queen's University Press, 2009. John T. Saywell, *Someone To Teach Them: York and the great university explosion, 1960-1973*. University of Toronto Press, 2008. Albert Tucker**

Fifty years is not a very long time in the history of most universities, but for York the first half century after its founding in 1959 contained decisions and events that entered into the very ethos of the university and established its academic structure. It is time for the historical record to be written and understood, while memories are still intact to complement the archival record.

These two books, each by a reflective professional historian who lived through most of the events, provide a rich harvest of narrative and insight into a time that was as turbulent as it was creative for the new university.

The book by Michiel Horn, commissioned and financed entirely by the university, can mislead the reader at first by its size, its luxurious layout and glossy paper, its array of striking coloured photos, its arrangement of print in space and its impeccable copy editing. Once into the reading of text, however, one soon becomes aware that this is more than a handsome company history. There is abundant anecdote to please various constituencies, whether alumnae, or former staff and faculty; but anecdote is placed carefully in context with the larger subject, accompanied with interviews and relevant interpretive judgment. Indeed, while both books depend on oral interviews, Michiel Horn has chosen the form of the interview as his primary source, and he lets these voices speak in brief and personal commentary.

He had unlimited access also to the York archives, to the Minutes of the board of governors, and to Toronto and student newspapers, sources which add substance to his interviews and bring a sustained conviction to his writing. This range of sources is especially important in his interpretation

of the three most dramatic crises in the history of the university between 1963 and 1973. The three crises were: the revolt of the faculty against the president in 1963, when the university was only four years old; the passionate differences that erupted over the succession to Murray Ross in 1970; and the forced resignation of president David Slater in 1973, after five months of intense budgetary debate that left many faculty, even in the tenure stream, feeling threatened by the possibility of dismissal on financial grounds.

These events are also central to the book by John Saywell – a work which, as the author says, may have started out as a memoir but became in the writing an expanded and deeply felt study by a dynamic academic figure at the centre of a new urban university which had to grow rapidly with inadequate public and private funding.

Saywell begins with his departure from the University of Toronto at the age of 34 to take on the challenge of building what was then a three-year old Faculty of Arts and Science in a university determined to break free from replication of the Toronto curriculum. He found and hired Harold Schiff to build a Faculty of Science. Through telephone contact, correspondence and travel, and wining and dining, he brought gifted professional faculty to develop the social sciences and the humanities. At the same time, he and Schiff were always careful to place a premium on research. And as the campus took shape in a raw and barren landscape, both books describe how, in a mere five years from 1968 to 1973, new Faculties were created in Fine Arts, Environmental Studies, and Education. Saywell's book is especially revealing on the creation of an Education Faculty that was largely shaped by his own ideas about how young teachers should be taught and trained, not by instructors in a separate teachers' college but by professors fully qualified with university appointments.

For integration of the professional faculties in business and law, one turns to Horn's book, in which the author explains also why the addition of professional schools was limited to two, and how that limitation influenced the scale and support of research. This discussion of research comes in the

last chapter, but it fills eighteen interesting pages, based for the most part on interviews with scholars still engaged in projects that reflect more their disciplinary base than the interdisciplinary character of the university.

Finally, writing in the early months of 2008, Horn comes to a few concluding pages that contain a touch of paradox. He would have written them differently had he been concluding the book a year later. With a more professionally qualified faculty, he says, and after seven years without a strike, York might at last be seen as settling into an era of labour peace. But the book had just reached the final stage of publication when a new and major strike paralyzed the university. Though Saywell's book appeared earlier, its concluding chapter reflects with telling insight on the new, burgeoning multiversity that goes on expanding without seriously examining inherited structures that govern the balance between teaching and research.

**ARFL NEWSLETTER**

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

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