The Ratification Process Explained
Ratification of the proposed new collective agreement will take place online, 9-15 February 2019

By Elizabeth Hanson
Co-Chief Negotiator, QUFA
Bargaining Term

and Rob Hickey
Co-Chief Negotiator, QUFA
Bargaining Team

Introduction

In February, QUFA Members will be asked to vote on two important matters: the terms of a new collective agreement (2019-2022) (CA) and conversion to a new pension plan (the University Pension Plan (UPP)) in 2021. The nature of this ratification vote is determined by the fact of deciding these two separate but linked issues. This QUFA Bargaining Alert! explains how ratification will work and why it is scheduled as it is.

Pension Benefit Act Requirements

By law, if the sponsor of a pension, in our case Queen’s University, wants to make material changes to the pension, it must consult with members of the pension plan. These are people who are actively contributing to the pension, or who have contributed in the past and expect to receive a pension in the future. At least two-thirds of these people must agree to the proposed change. Where those members are unionized, their union, as the sole bargaining agent, must either consent or withhold consent on their behalf. As well, retirees who are taking their pension are given the opportunity to object to the change. If more than one-third of retirees object, the change is not permitted.

The sponsor must inform the people in each of these groups about the proposed change by sending them a detailed package of information. They must do this within one year of the last valuation of the pension plan. Non-unionized members of the plan and retirees receiving these packages have ninety days to send back their consent or their objection, as the case may be. Unionized members of the plan will receive packages at this time but will not have a ballot. Unions can determine how to vote on behalf of union members, which QUFA has done. You will be able to see a draft version of this package on the QUFA Web site.

Queen’s University is planning to send these packages to Queen’s employees, former employees, and retirees in late March 2019, and will close the consent vote in June 2019. Depending on your status in the pension plan (either contributing or taking a pension), you will either have already voted on this question in a QUFA ratification or you will have the retiree option of objecting.

QUFA Ratification

The full story of how QUFA came to participate in negotiating the terms of a new, university-sector, multi-employer, and jointly-sponsored pension plan (the UPP) was explained at the December 2018 fall general meeting. You can find a link to the Webcast of that meeting on the QUFA Web site. That Webcast also explains how we came to negotiate a new CA at the same time as we negotiated the terms under which we would recommend conversion of the pension to our Members. If you prefer to read about this, please see the January 2019 issue of QUFA Voices.

The QUFA executive and the QUFA council agree that QUFA Members should have the right to vote on pension conversion. There is a policy governing how this vote is to be conducted, approved by both bodies, in the “Background Documents” section of the QUFA Web site, noted above.

The ratification vote will be electronic and will be open from 9 February 2019 at 12.00 noon to 15 February 2019 at 12.00 noon. The QUFA vote begins following the close of the faculty association votes at the University of Toronto and the University of Guelph (who are also recommending the new pension plan to their members). The QUFA vote will close on 15 February 2019 so that Queen’s administration has six weeks to prepare the summary information documents for mailing in late March. The United Steelworkers (USW) on campus will also be voting in February. If both USW and QUFA get positive votes and agree to convert the pension to the UPP, Queen’s University will proceed with the mailing of summary information documents in March. If QUFA and USW do not consent, it is likely that...
the UPP option will cease to exist for Queen’s employees.

For the electronic vote, if you have or are contributing to the QPP and are a Member of the QUFA bargaining unit, you will receive the following question:

Do you accept the proposed collective agreement between Queen’s University and the Queen’s University Faculty Association (QUFA) as outlined in the summary changes and attachments previously circulated, and instruct QUFA to consent to conversion of the Queen’s University Pension Plan to the University Pension Plan?

If you are a Member of the QUFA bargaining unit but have activated your pension, or are a term or a continuing adjunct who is not a plan member, you will receive the following question:

Do you accept the proposed collective agreement between Queen’s University and the Queen’s University Faculty Association (QUFA) as outlined in the summary changes and attachments previously circulated?

If fifty percent plus one of voting Members consent to the pension conversion and collective agreement changes, QUFA will grant its consent to join the UPP. Initially, QUFA decided the threshold for consent needed to be two-thirds of plan members voting. However, because we are also asking Members to vote on a new CA, and the Labour Relations Act (1995) prescribes a fifty-percent-plus-one bar for ratification, we have had to make the threshold fifty percent plus one. QUFA executive sought a legal opinion on this question and were informed that we had to set the lower bar for the combined vote. The votes cannot be split out because the changes to the CA we negotiated are contingent on granting consent to convert to the UPP.

The vote is managed through Simply Voting and is completely anonymous. You will receive e-mails informing you of the vote and sending you an electronic ballot. If you don’t get those e-mails on 9 February 2019, please first check your junk and clutter folders and then contact Elizabeth Polnicky (ep43@queensu.ca) for assistance. We will send reminders to vote throughout the week. At the close of the voting period, we will announce the decision by e-mail.

If you have questions about this process, please contact QUFA (qufa@queensu.ca).

Notes


2 https://www.qufa.ca/ (“Member Services” > “Pension Information” > “Background Documents”)


Elizabeth Hanson can be reached at hansone@queensu.ca.

Rob Hickey can be reached at hickeyr@queensu.ca.