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# THE UNIVERSITY OF BRITISH COLUMBIA



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**Date:** February 1, 2007

**To:** Deans, Directors, Department Heads and Administrators

**From:** Lisa Castle, Associate Vice President, Human Resources

**CC:** President, Vice-Presidents, HR Networks, HR Leaders,  
HR Advisory Services, Faculty Relations

**Re:** Update on Mandatory Retirement

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The purpose of this memorandum is to provide you with an update on developments in this area.

## **CONTEXT**

As you know, the University is one of many employers in British Columbia that requires employees – faculty and staff – to retire at age 65. For faculty members, this requirement is found in Board of Governors Policy #52. For staff, it is provided for in collective agreements, agreements and handbooks. In limited circumstances, both faculty and staff may be provided with post-retirement appointments.

As you also know, the Provincial Government has expressed the intention to eliminate mandatory retirement through the introduction of legislation this spring. British Columbia is one of a small number of provinces and territories that has not either eliminated, or is in the process of eliminating, mandatory retirement. The Provincial Government's indication in this area follows the issuance, on December 1, 2006, of the report of the Premier's Council on Aging and Seniors' Issues entitled *Aging Well in British Columbia*. The Council recommended that the Provincial Government move quickly to eliminate mandatory retirement, while acknowledging there were a multitude of issues to resolve across workplaces in BC.

You can appreciate that there are a number of discussions underway across the province with all different kinds of organizations, and the Provincial Government is engaged in consultations with public and private sector constituencies about all of the issues associated with this significant change.

## **AT UBC**

### ***Faculty:***

The University has had intermittent discussions with the UBC Faculty Association about this and related issues since spring 2005. There was a noticeable increase in the dialogue following the agreement between the University of Toronto (U of T) and the Faculty Association of the University of Toronto in March 2005 to end mandatory retirement at the U of T, effective on July 1, 2005.

Other universities in British Columbia as well as the University of Alberta are engaged in discussions about this matter with their respective Faculty Associations. One exception is UNBC, who reached agreement with their Faculty Association in April 2006.

The 2006 – 2010 collective agreement between UBC and the Faculty Association provides for a *Letter of Understanding* in which a process of facilitated discussion is to be engaged to discuss this (and other) issues commencing last month. The parties had agreed upon mediator Mark Brown as the facilitator, and he has brought the parties together in discussions on January 15 and 22.

After the last meeting, he commended the parties on their thorough review of the issues, but recommended that discussions of the issues associated with the elimination of mandatory retirement be placed on hold until we have a better sense of what the proposed legislation will provide. For example, there are differing opinions on whether the Human Rights Code needs to be amended to allow parties to provide for different eligibility for benefits or different benefit levels on the basis of age in their benefit plans.

The University and the Faculty Association have considered demographic data and it is clear that an average of 60 members of the professoriate will reach 65 each year for the next 5-6 years (and indeed further out). The parties have agreed upon the considerations that need to be discussed and resolved, ranging from eligibility and impact on benefit plans and the Faculty Pension Plan to academic planning and treating retirement as a process.

And, of course, there are costs - to be quantified – but are expected to include the salaries and benefits of those who continue past the traditional age of retirement, costs for bridged positions, loss turnover savings to fund progression through the ranks, and higher benefit and pension costs. We will need to retain actuaries to refine the cost implications further. This will be important for researchers as they manage their grants, as well as for discussions about the impact on the University's budget with the Ministry of Advanced Education.

The facilitator had indicated that he would follow up with the parties in the next week or so to determine next steps.

The University will be working in this intervening period on its requirements for a resolution of the issues, and, from a recent communication from the Faculty Association to its membership, we understand they will be doing so as well.

**Staff:**

As for staff, this matter has not had the same level of attention. That does not make it any less relevant to staff members. The retirement data suggest that most staff retire earlier than 65, and in fact the median retirement age is 60. That said, there has been a level of interest expressed by CUPE 2950, representing unionized administrative employees, as their members contemplate the affordability of retirement, particularly in the Lower Mainland.

Representatives of the University will be setting up meetings with each of the unions and AAPS (representing Management and Professional Staff) in February to commence the discussions of the implications of the upcoming legislation for staff.

**CONCLUSION**

This is a complex matter affecting both faculty and staff. The University is not opposed to the elimination of mandatory retirement, and in fact supports the Provincial Government's policy direction on this important social issue. We are approaching deliberations thoughtfully and with a commitment to find resolutions to the issues that are mutually satisfactory to all parties arising from this significant workplace change.

We will be communicating with you as developments occur.

Thank you.