



## **Board of Regents**

### **MEMORIAL UNIVERSITY OF NEWFOUNDLAND**

#### **BOARD OF REGENTS**

A Special meeting of the Board of Regents was held on Friday, 11 August 2000 at the Terra Nova Park Lodge in Port Blandford at 2:00 p.m.

#### **PRESENT:**

Mr. Edward Roberts, Chair  
Mr. Aubrey Bonnell, Vice-Chair  
Mr. John Crosbie, Chancellor  
Dr. Axel Meisen, President and Vice-Chancellor  
Dr. Evan Simpson, Vice President (Academic) and Pro Vice-Chancellor  
Mr. Alick Andrews  
Ms. Gail Aylward  
Mr. Hayward Blake  
Ms. Lisa Browne  
Mr. Calvin Butt  
Ms. Sharon Duggan  
Mr. Fred Durant  
Mr. Peter Fenwick  
Dr. Georgina Hedges  
Mr. Ed Kelly  
Dr. Brendan Lewis  
Ms. Frankie O'Neill  
Mr. Larry Peckford  
Ms. Joan Pinsent  
Mr. David Power  
Mr. Harvey Short  
Ms. Lorelei Stanley  
Ms. Susan Wood  
Ms. Eleanor Bennett, Secretary

**APOLOGIES:** Mr. Peter Barnes, Mr. Robert Brown, Mr. Chris Decker, Ms. Nancy Kelly, and Mr. Brendan Paddick.

**PRESENT BY INVITATION:** Mr. Wayne Thistle, Vice-President (Administration and Finance) and Legal Counsel and Dr. Jack Strawbridge, Director of Faculty Relations.

## **1. MINUTES**

The Minutes of the special meeting of the Board of Regents held on 22 June 2000, copies of which were circulated prior to the meeting, were approved by the Board.

## **2. CHAIR'S REPORT**

### **1. Congratulations**

The Chair advised that three members of the university community had been named recently as members of the Order of Canada. They are Dr. Douglas House, Professor in the Department of Sociology, Dr. Len Williams, retired Professor in the Faculty of Education, and Ms. Mary Walsh, recent honorary degree recipient. It was agreed that the Secretary would write and offer the Board's congratulations.

The Chair acknowledged that two members of the Regents were to be married. Mr. Paddick on 12 August and Ms. Stanley on 18 August. Congratulations were extended to both.

### **2. Oil and Gas Initiative**

The Chair referenced the Oil and Gas Initiative proposed by the President and approved in principle at the 22 June 2000 Board meeting. He advised that the President had made subsequent presentations on the proposal to the Minister of Education and the Minister of Industry, Trade and Technology, and their senior officials. Both Ministers acknowledged support, in principle, for this proposal through correspondence addressed to the President, copies of which were circulated prior to the meeting.

## **3. ATLANTIC INVESTMENT PARTNERSHIP**

The President informed the Board of an announcement made by the Prime Minister on 29 June 2000 of the Atlantic Investment Partnership. He advised that funding totalling \$700 million over five years will be provided to stimulate stronger economic growth in Atlantic Canada. The principal innovation elements include a \$300 million Atlantic Innovation Fund; up to \$110 million in new Atlantic research initiatives by the National Research Council; up to \$135 million with partnership for Community Economic Development, and up to \$155 million with partnership for trade and investment, and entrepreneurship and business skills development. The President identified a number of projects to be proposed by the University.

He pointed out the tremendous opportunities available for the University and added that it would be necessary to move quickly in order to access these investments. He advised that he would be meeting with members of the Department of Education and senior staff to advance these proposals.

The Board congratulated the President for his efforts in identifying these priorities and initiatives.

#### **4. APPOINTMENTS COMMITTEE ITEMS**

A report of the Appointments Committee meeting held on 11 August 2000, copies of which were circulated prior to the meeting, was presented by Ms. Aylward, Chair of the Committee, and accepted by the Board. Mr. Kelly declared a conflict of interest with one of the appointments and absented himself from any discussion or decisions.

Specific reference was made to the appointment of Dr. Ron Sparkes as Director of the Labrador Institute. The President conveyed his thanks to the members of the Search Committee and Dr. Simpson for their efforts in the recruitment of this position.

#### **5. LABOUR RELATIONS**

The Chair updated the Board on the progress of negotiations with CUPE and MUNFA. Mr. Thistle advised that there are two CUPE locals involved in separate negotiations at the present time. One represents administrative, instructional, technical and technical support personnel and the other staff at the Canada Games Park Inc. He advised that both CUPE locals have applied for conciliation but that neither application

would influence the other. He noted that the effective date for a strike/lockout position could be as early as 15 September 2000.

Dr. Strawbridge provided an update on MUNFA negotiations. He advised that to date no salary offer had been made to MUNFA. The University recognizes that faculty salaries are behind comparable universities across the country and is seeking ways to bridge the gap. He advised that MUNFA has applied for conciliation which could put both parties in a strike/lockout position by early to mid October.

With respect to the employees of the Canada Games Park Inc., a University held Separately Incorporated Entity, the following resolution was passed:

**RESOLVED:**

That compensation policies and practices for University held Separately Incorporated Entities (SIEs) are to be consistent with such policies and practices approved by the Board of Regents for University employees.

**6. SEPARATELY INCORPORATED ENTITIES**

The Board received copies of a note from the Chair concerning the Separately Incorporated Entities Committee along with a draft of the Committee's terms of reference.

After discussion the Board concurred with the following Terms of Reference:

To review all aspects of each of the University's Separately Incorporated Entities (hereinafter, SIE), and to report to the Board thereon with recommendations for such changes and further action as the Committee may deem appropriate and necessary.

The review is to include, but is not necessarily limited to:

- ? The mandate of each individual SIE, with particular reference to the relationship of the mandate to that of Memorial;
- ? A review of the stated objectives of each individual SIE, and a judgment of the appropriateness of those objectives in the context of current and likely foreseeable factors, including Memorial's responsibilities and resources.

- ? The rationale, and the justification, for the continued existence of the SIE, with particular reference to the mandate of Memorial;
- ? A determination whether the mandate of each SIE could be better accomplished by using an organizational structure other than that of an SIE, such as a division of the University;
- ? A determination of the efficiency and effectiveness of the existing organizational structure of each SIE, as an entity, with particular reference to its shareholders (Memorial, or individuals holding shares *ex officio*), the appointment of its directors (by the Board, the President or some other representative of Memorial) and related issues, including those set out in the Report on Separately Incorporated Entities dated 10 December 1999 and the documents attached thereto;
- ? Based on the review and other relevant considerations, to recommend a policy with respect to SIE's which includes criteria for their establishment and discontinuance as well as their organizational structure, reporting relationships and management. And the Chair is authorized and empowered to require officers and officials of the University, and officers and officials of the SIE's, to provide the Committee with such information as may reasonably be required to enable them to discharge their mandate.

## **7. UNIVERSITY CENTRE NAMING COMMITTEE REPORT**

Circulated prior to the meeting were copies of a Report of the University Centre Naming Committee. Mr. Bonnell, Chair of the Committee, reported that it was the unanimous decision of the committee that the University Centre be named "The Joseph R. Smallwood University Centre".

After discussion the following resolution was passed:

### **RESOLVED:**

That the Board of Regents approves the recommendation of the University Centre Naming Committee that the University Centre be named "The Joseph R. Smallwood University Centre".

## **8. POLICY ON PROVIDING ACCESS TO ALTERNATIVE COMMUNICATION FOR STUDENTS WHO ARE DEAF OR HARD OF HEARING**

Circulated prior to the meeting were copies of background information relating to a proposed Policy on Providing Access to Alternative Communication for Students Who are Deaf or Hard of Hearing. The Board reviewed the draft policy and offered several editorial changes.

After discussion the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the Policy on Providing Access to Alternative Communication for Students Who are Deaf or Hard of Hearing, taking into account editorial changes suggested by the Board of Regents.

**9. PENSION ISSUES**

The Board welcomed to the meeting Ms. Glenda Willis, Manager of Benefits and Pensions, Mr. Peter Hayes, Pension Plan Actuary with Eckler Partners Ltd., the actuarial firm engaged for the MUN Pension Plan, and Dr. George Hickman, Director of Human Resources and Secretary of the Pensions Committee.

Mr. Durant, Chair of the Pensions Committee, introduced the agenda for the presentation and provided an overview of the MUN pension plan structure. He pointed out that the MUN Pension Plan is a contributory defined-benefit plan with a current market value in excess of \$500 million. He advised of the applicable governing legislation and presented issues for consideration and subsequent discussion.

Mr. Hayes addressed actuarial valuation issues. He presented background information to familiarize the Board with certain aspects of the pension plan and outlined the purpose of preparing an actuarial valuation. He provided an analysis of the liability structure of the plan if faculty and staff were viewed as two separate groups and identified additional considerations associated with splitting the plan.

Ms. Willis presented an overview of the pension plan contribution issues. She advised of specific rates of employee contributions as prescribed under the MUN Pensions Act and provided the

definition of "pension plan" under the *Pension Benefits Act, 1997* (PBA). She advised that since January 1997 the MUN Pension Plan has been subject to the funding requirements of the PBA, including the requirement to fund benefits accruing to members in respect of current service. She advised that the MUN Pension Plan is also subject to the provisions of the *Canada Income Tax Act*.

Mr. Thistle provided a presentation on the ownership of the MUN pension plan. He provided a definition of the term "surplus" and provided information on when a surplus has to be "managed" and the "rules" regarding surpluses. He outlined the legislative environment for the MUN Pension Plan and the conflicting views regarding surplus ownership. He pointed out several options for using a surplus and provided information on contribution holidays. He provided examples and trends of pension surpluses. He provided a summary of legal principles as it relates to the ownership of pension surplus. He provided a legal opinion regarding the MUN Pension Plan and the issue of surplus.

Following a question and answer session and discussion, the meeting adjourned at 6:00 p.m.

The meeting reconvened at 9:00 a.m. on Saturday, 12 August 2000. Mr. Crosbie and Dr. Simpson were absent from the Saturday meeting.

The Board reviewed and summarized the pension issues discussed at Friday's meeting and addressed issues that would require input and direction from the Board.

After discussion, the following resolution was passed:

**RESOLVED:**

**THAT** an Ad Hoc Committee of five members be and is hereby appointed, and requested to review the University's Pension Plan and, after appropriate consultations with those concerned, to submit recommendations to the Board with respect to any legislative changes or other measures which may be necessary and desirable to ensure that the Plan continues to provide a high level of security and assurance that its resources will be adequate

to meet its obligations, and specifically the payment of pensions and other benefits, and does so in a manner consistent with the Board's responsibilities, to the beneficiaries of the Plan and to the University, arising from its role as administrator of The Memorial University Pension Fund, as constituted by the *Memorial University Pensions Act (RSN 1990, c.M-8, as amended)*;

**AND THAT** the members of the Committee will be the President, the Chair of the Finance Committee, the Chair of the Pensions Committee, another member of the Board to be appointed by the Chair of the Board, and the Chair of the Board, who will act as Chair of the Committee;

**AND THAT** the Committee is requested to report to the Board at the earliest possible time and not later than 31 December 2000.

It was agreed that this resolution should be communicated to the general university community and in particular to the various union groups.

#### **10. MEETING DATES FOR THE 2000-2001 ACADEMIC YEAR**

Dates for meetings of the Board of Regents for the 2000-2001 academic year were agreed upon as follows:

Thursday, 14 September 2000  
Thursday, 9 November 2000  
Thursday, 11 January 2001 (Corner Brook)  
Thursday, 8 March 2001  
Thursday, 10 May 2001  
Thursday, 14 June 2001

#### **ADJOURNMENT**

The meeting adjourned at 11:30 a.m.