

MEMORIAL UNIVERSITY OF NEWFOUNDLAND

BOARD OF REGENTS

The regular meeting of the Board of Regents was held on Thursday, September 5, 2013, at 4:00 p.m., in the Junior Common Room, R. Gushue Hall.

PRESENT:

Ms. Iris Petten, Chair
Dr. Gary Kachanoski, President and Vice-Chancellor
Dr. David Wardlaw, Provost and Vice-President (Academic)
Chancellor Susan Knight
Ms. Sheila Ashton
Mr. Steve Belanger
Mr. Gilbert Bennett
Ms. Pat Coish-Snow
Mr. Brian Dalton, via teleconference
Ms. Michelle Daye
Dr. Rex Gibbons
Ms. Noreen Greene-Fraize
Mr. Jim Keating
Ms. Kim Keating
Mr. Bill Matthews
Mr. Asan Mohideen
Dr. Vinod Patel
Mr. Tony Roche
Ms. Kathleen Roul, via teleconference
Ms. Eleanor Swanson
Mr. George Tucker
Mr. Edmund Walsh
Ms. Tina Scott, Secretary

APOLOGIES:

Ms. Mary Cormier, Ms. Pegi Earle, Dr. James Hickey, Dr. Luke Pike, Ms. Donna Stone.

PRESENT BY INVITATION:

Mr. Kent Decker, Vice-President (Administration and Finance), Dr. Richard Marceau, Vice-President (Research), Mr. Glenn Blackwood, Vice-President (Marine Institute), Dr. Mary Bluehardt, Vice-President (Grenfell Campus) via videoconference, Mr. Glenn Collins, Interim Executive Director, Office of the Board of Regents, Ms. Mary Mandville, Acting General Counsel.

6012. MEETING CALLED TO ORDER

The meeting was called to order at 4:00 p.m. by Ms. Iris Petten, Chair.

6013. APPROVAL OF AGENDA

The Board agreed to the following changes to the agenda for the September 5, 2013 meeting:

i) Human Relations Committee

It was agreed to accept the recommendation from the Human Relations Committee that:

- agenda item 9.c "Senior Positions requiring Board Approval" be moved to the Discussion Agenda

ii) Governance Committee

Add to the agenda a report from the Governance Committee.

iii) Add a new agenda item "In-Camera Session".

Following approval of the agenda, Ms. Petten provided members and those present by invitation with the opportunity to declare if they were in a conflict of interest position or a potential conflict of interest position with regard to any agenda items.

Ms. Greene-Fraize declared a conflict with Agenda Item "Collective Bargaining Overview".

6014. MINUTES

The Minutes of the regular meeting of the Board of Regents held on July 4, 2013 were approved by the Board noting editorial leeway given to the Secretary and General Counsel to revise the last paragraph of item 6008.c "Increase to the Graduate Students' Union Health and Dental Insurance Plan.

6015. CHAIR'S REPORT

A. Meeting of the Executive Committee

Ms. Petten advised that the Executive Committee met on August 23, 2013 to finalize the agenda for today's meeting.

B. Correction to Naming of the *Hibernia Offshore Operations Simulator Facility*

The Chair advised that in an email poll conducted July 18 - 19, 2013, members of the Executive Committee received and reviewed background information regarding a correction to the name of a new research and development facility at the Fisheries and Marine Institute. Since the July 4, 2013 Board meeting, it has been determined that

Correction to Naming of the *Hibernia Offshore Operations Simulator Facility* (cont'd)

the naming was inadvertently put forward as *HMDC Offshore Operations Simulator Facility* when it should have been proposed as *Hibernia Offshore Operations Simulator Facility*. Members of the Executive Committee were advised that the Campus Planning and Development Committee through an email poll conducted July 18 - 19, 2013, agreed to recommend this correction to the naming of the facility. As a result, the Executive Committee through the e-mail poll, passed the following resolution:

That the Executive Committee of the Board of Regents approve the correction to the naming of the new research and development facility in the Fisheries and Marine Institute as the *Hibernia Offshore Operations Simulator Facility* and that the time limitation on the naming continues to be 20 years from the date of approval.

At this time, the Chair requested that the Board ratify the actions of the Executive Committee as outlined above. Following discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents ratify the actions of the Executive Committee as outlined above.

6016. PRESIDENT'S REPORT

A. Registration Progress Report for Fall Semester 2013

The Board received and reviewed a registration progress report for the Fall Semester 2013 as of August 23, 2013 outlining enrolments and registrations as of that date.

Dr. Kachanoski also provided the Board with highlights of his recent activities since the July 2013 Board meeting.

B. Planning Objectives for Memorial University 2013-14

Dr. Kachanoski provided the Board with a presentation entitled "Planning Objectives for Memorial University 2013-14". In doing so, he covered the following major topics:

- Mission
- Vision
- Values
- Planning Objectives

He noted that over the next few months, he anticipates bringing a series of plans covering topics such as alternative budget models, capital/infrastructure plans, enrolment plan and research intensity plan.

Planning Objectives for Memorial University 2013-14 (cont'd)

During discussion, it was noted that while the plans will be further developed, it would also be useful for the Board to receive more information regarding cooperation between the University and the College of the North Atlantic, particularly in view of the fact that three Board members are cross-appointed to the Boards of the two institutions.

Following discussion, the Chair thanked Dr. Kachanoski for the presentation (a copy of which is located in the Board file).

Mr. Roche left the meeting at 5:05 p.m.

CONSENT AGENDA

Noting that the items were dealt with in detail in meetings of the appropriate committees, it was moved by Ms. Coish-Snow, seconded by Mr. Steve Belanger and carried that the consent agenda, comprising the resolutions listed in 6017 through 6020 below be approved as follows:

6017. AUDIT AND RISK COMMITTEE

A. Proposed revised Policy: Computer Standards

The Board received background information and agreed to the proposed revised Policy *Computer Standards* to come into effect immediately and as outlined in the background documentation.

6018. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE

A. Purchase and Installation of an Offshore Operations Simulator at the Centre for Marine Simulation at the Marine Institute

The Board received background information and agreed to the purchase and installation of an Offshore Operations Simulator at the Centre for Marine Simulation at the Marine Institute as outlined in the background documentation and as follows:

- Capital outlay for the purchase and installation of an offshore operations simulator (cost \$4.4 million)
- Construction of the facility to house the simulator at the Centre for Marine Simulation, Marine Institute (estimated cost \$1.5 million).

B. Update of Progress of Capital Projects

The Board received a summary report of the following capital projects currently underway or being planned:

St. John's Campus

- New Residence
- Residence Renovations
- Newfoundland & Labrador Centre for Interdisciplinary Research in Human Genetics and Faculty of Medicine Building Extension, HSC
- Ocean Sciences Centre - Cold Water Supply
- Dr. Jack Clark Building and the S.J. Carew Building Expansions
- Queen's College Upgrade
- Aboriginal Centre
- Core Science Facility
- Battery Property

Grenfell Campus

- New Residence

The Board was advised that the projects are on time and on budget unless otherwise noted.

6019. FINANCE COMMITTEE

A. Signing Officers for the Labrador Institute Petty Cash Bank Account

The Board received background information and agreed to the recommendation that incumbents of any two of the following positions at the Labrador Institute be authorized as Bank Signing Officers for the account held at the Royal Bank of Canada (Account Number 09801 100-501-60): Director, Associate Director, Manager of Administration and Finance, and Administrative Staff Specialist.

B. Purchase and Installation of an Offshore Operations Simulator at the Centre for Marine Simulation at the Marine Institute

The Board received background information and agreed to the purchase and installation of an Offshore Operations Simulator at the Centre for Marine Simulation at the Marine Institute as outlined in the background documentation and as follows:

- Capital outlay for the purchase and installation of an offshore operations simulator (cost \$4.4 million)
- Construction of the facility to house the simulator at the Centre for Marine Simulation, Marine Institute (estimated cost \$1.5 million).

6020. HUMAN RELATIONS COMMITTEE

A. Appointments Report

The Board received the Appointments Report for actions taken since July 4, 2013 noting that the actions have been taken under delegated authority as provided in the Terms of Reference for the Human Relations Committee.

B. Reappointment of Dr. Mark Abrahams as Dean of the Faculty of Science

The Board received background information and approved the reappointment of Dr. Mark Abrahams as Dean of the Faculty of Science for a further five-year term and as outlined in the background documentation.

C. Extension of Ms. Nancy Parsons as Interim Director, Housing, Food and Conference Services

The Board received background information and approved the extension of appointment of Ms. Nancy Parsons as Interim Director of Housing, Food and Conference Services for a five-month period or until a permanent candidate is recruited whichever comes first and as outlined in the background documentation.

D. Appointment of Dr. Alice Gaudine as Dean, Pro Tempore, School of Nursing

The Board received background information and approved the appointment of Dr. Alice Gaudine as Dean, *Pro Tempore*, in the School of Nursing until September 30, 2014 or until a permanent candidate is recruited, whichever comes first and as outlined in the background documentation.

E. Proposed new Policy: Compensation

Members of the Board were advised that Memorial University has relied on the collective bargaining process for the implementation of compensation procedures for unionized employees, and a handbook for non-unionized employees. Therefore an overall compensation policy has not been developed. The University recognizes the need for an overarching policy and associated procedures for the effective management of compensation at Memorial.

The policy proposal, as outlined in the background documentation, for a new compensation policy for non-bargaining employees has been approved by the Vice-Presidents' Council. Recent compensation changes for senior and middle management employees have been implemented upon approval of the Board of Regents, therefore the Board of Regents is being advised of the commencement of this policy work in compensation.

This item was received for information and did not require a resolution of the Board.

F. Senior Leadership Position vacancies and upcoming Renewals

The Board received for information a status update of the senior leadership position vacancies at Memorial University as of August 22, 2013.

G. Human Resources Annual Report entitled "Enabling Success - HR Annual Report April 1, 2012 - March 31, 2013"

The Board received for information the Human Resources Annual Report entitled "Enabling Success - HR Annual Report April 1, 2012 - March 31, 2013". Members of the Board were advised that the Department of Human Resources produced an annual report which outlined key activities and achievements for the period April 1, 2012 to March 31, 2013. The report included an overview of major initiatives undertaken by Human Resources for the 2012-2013 fiscal year including a summary of activities in the areas of recruitment, labour relations, job evaluation and compensation, learning and development, and policy development. Also included were the Department's renewed mission, vision and values that were adopted in March 2013; commentary on employment equity practices and benefit trends experienced by Memorial; and an overview of future priorities and initiatives. The Department continues to identify key metrics that will capture the continued progress of HR activities and programming in the interest of aligning with the needs of various stakeholder groups.

DISCUSSION AGENDA

6021. AUDIT AND RISK COMMITTEE

A. Accident Incident Quarterly Report

The Board received and reviewed background information pertaining to the Accident Incident Quarterly Report.

The Board was advised that the Department of Health and Safety (DHS), in collaboration with the Department of Human Resources, receives and tracks accident and injury reports for all campuses throughout the University. The report, as noted in the background documentation, provides an overview of the accident and incident statistical information for the second quarter for the years 2010, 2011, 2012 and 2013. It also gives a status report on the Slips, Trips and Falls Prevention Program. The Board was further advised that at a meeting held earlier today, the Audit and Risk Committee noted the importance of continuing to improve the safety culture on the University campuses.

This item was received for information and did not require a resolution of the Board.

B. Smoking Policy Update

The Board received and reviewed background information pertaining to the Smoking Policy update.

Mr. Decker advised the Board that on August 1st of this year the University completed the implementation of the Smoking Policy that was approved by the Board of Regents in July, 2011. Therefore, smoking is now prohibited on all campuses.

Smoking Policy Update (cont'd)

The development of the Policy commenced in late 2009 and continued into 2010 and early 2011. The initial policy development research was led by an ad hoc committee comprised of 19 individuals at the University who had an interest in change or represented groups that had such an interest. Included in the committee were representatives from the Graduate Students' Union (GSU), Memorial University of Newfoundland Students' Union (MUNSU), employee unions, student housing, Grenfell Campus, Marine Institute Campus, Communications, Health and Safety and others.

Following the work by the Ad Hoc Committee, a Policy Working Group was formed to write a draft policy and conduct consultations as per the policy framework. The Working Group initiated consultation sessions on the St. John's, Grenfell, and Marine Institute campuses and researched policies at other universities. In addition to the public sessions a total of 62 written submissions were received from members of the university community including unions, student groups and individuals. In addition to these responses, written submissions were received from 11 external organizations and individuals including the Association for the Control of Tobacco (ACT), the Provincial Government Medical Officer of Health, the Lung Association, and other interested individuals. It is fair to say that this policy received the greatest interest and response of any policy consultation at Memorial. The feedback ranged from support for moving smokers away from entrances to an absolute ban on campus.

Mr. Decker noted that there are several attachments included in the background documentation to fully apprise the Board of the variety of communication in which the administration has engaged including:

- policy consultation responses from the May 19, 2011 Board of Regents materials. (Appendix A); and the Minute of the meeting of the Board of Regents which summarizes the proceedings including requirements for annual reviews and strict timelines leading to a total ban;
- the final policy from the July 2011 meeting of the Board of Regents where communications and implementation plans were presented and approved (Appendix B);
- an update regarding the Policy implementation from the September 6, 2012 Board of Regents Meeting (Appendix C);
- Memorial news releases and articles communicating the changes (Appendix D);
- copies of the posters used for the 2012 Communications campaign (Appendix E);
- and copies of the posters used for the 2013 Communications campaign (Appendix F).

It is noteworthy that the issues identified in the September 2012 update (Appendix C) remain. In particular, the elimination of all designated areas has resulted in smoking being more distributed on the campuses. The Marine Institute Campus, having only two commonly used entrances, has been particularly challenging.

Smoking Policy Update (cont'd)

Communications efforts will continue for the foreseeable future and discussions regarding enforcement options have commenced. Any recommendations will be brought to the Board of Regents for consideration before implementation given the safety concerns.

This item was received for information and did not require a resolution of the Board.

6022. FINANCE COMMITTEE

A. Strategic Direction for Annual Budget Submission

Dr. Kachanoski and Mr. Decker provided the Board with a presentation entitled "Memorial University of Newfoundland Budget Strategy". In doing so, they provided an overview of the budget strategy and covered the following topics:

- Operating/Capital Budget - Province
- Proposal to Province
- Provincial Budget Submission
- Infrastructure Deficit
- Infrastructure Fund
- Infrastructure Plan

Dr. Kachanoski then provided members of the Board with an update regarding the core Sciences facility.

Following a detailed discussion, the Chair thanked Dr. Kachanoski and Mr. Decker for their presentation (a copy of which is located in the Board file).

6024. HUMAN RELATIONS COMMITTEE

A. Senior Positions proposed for Board of Regents approval of appointments

The Board received and reviewed background regarding the senior positions proposed for Board of Regents approval of appointments. Members of the Board were reminded that at a meeting held on July 4, 2013, the Human Relations Committee requested the administration to provide a recommendation regarding senior positions where the Board will be required to approve appointments. Currently, in addition to the President, Vice-Presidents, Associate Vice-Presidents, Deans and the University Librarian, all unit head positions reporting to a Vice-President or the President, are approved by the Board. Attachments listing these positions, as well position descriptions, and the Memorial University organizational chart were provided to the Board.

The Board was then advised that the University Administration has reviewed this listing of current positions requiring board approval; and the Memorial University Act, and recommends that in addition to the President, Vice-Presidents, Associate Vice-Presidents, Deans and the University Librarian, all senior administrative positions assigned to the SAM 5 pay level will require Board of Regents approval of appointees.

Senior Positions proposed for Board of Regents approval of appointments (cont'd)

Positions currently allocated to SAM 5 not classified as Associate Vice-President include: Registrar, Director of Human Resources, Director of Facilities Management, General Counsel, and Chief Information Officer.

The University Administration is proposing the following recommendation:

“That the Board of Regents approve the recommendation that appointments to executive level positions including President and Vice-Presidents; appointments to Associate Vice-President positions; and appointments of Deans and the University Librarian, be approved by the Board of Regents. Furthermore, it is recommended that permanent appointments to senior administrative positions allocated to the SAM 5 level be approved by the Board of Regents. Additionally, upon acceptance of this recommendation, it is further recommended that all remaining appointments be delegated to the President or respective Vice-President.”

Following consideration and discussion of the document dealing with senior positions proposed for Board of Regents' approval of appointments, the Board agreed to give members an opportunity to provide feedback to the Chair of the Human Relations Committee regarding the proposal. The Board also agreed that the matter be brought back for consideration of both the Human Relations Committee and the Board at the October 24, 2013 meeting of both bodies.

6025. GOVERNANCE COMMITTEE

A. Membership of the Governance Committee

Ms. Swanson advised that at a meeting held earlier today, the Governance Committee agreed to recommend to the Board that the membership of the ad hoc Sub-Committee to Develop Board Policies be rolled into the new Governance Committee. The Committee further agreed that Dr. Susan Knight, Chancellor, be invited to join the Governance Committee. The Board agreed with these recommendations. Ms. Swanson then invited other Board members to consider volunteering to serve on this Committee and to advise the Secretary of the Board if interested.

Ms. Swanson then advised that the Governance Committee will continue to review and work on the skills matrix, Board evaluation, Board portal and other related business.

6026. **COLLECTIVE BARGAINING OVERVIEW: DAVID WARDLAW, PROVOST AND VICE-PRESIDENT (ACADEMIC) AND Kent Decker, VICE-PRESIDENT (ADMINISTRATION AND FINANCE**

Ms. Noreen Greene-Fraize left the room for this presentation.

Dr. David Wardlaw, Provost and Vice-President (Academic), and Mr. Kent Decker, Vice-President (Administration and Finance), provided the Board with a presentation entitled "Collective Bargaining" which included the following topics:

- Role of the Board in Collective Bargaining
 - Responsibilities under the Memorial University Act
 - Responsibilities under Labour Relations Act
- The Public Sector and Government Influence
- Public Sector Influence
 - Several negotiating challenges for the University
 - Implications for Collective Agreement commitments outside the scope of the template
- Preparation for Bargaining
- Memorial's Collective Agreements

Following a question and answer period, Ms. Petten, on behalf of the Board, thanked Dr. Wardlaw and Mr. Decker for their very informative presentation (a copy of which is located in the Board files).

6027. **ANY OTHER BUSINESS**

1. Date of Next Meeting

The next meeting of the Board of Regents is tentatively scheduled to be held on October 24, 2013.

ADJOURNMENT

The meeting adjourned at 6:10 p.m.

CHAIR

SECRETARY

DATE