

The Update



Issue 5 2012/2013

April 2013

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MEETING DATES

The Annual General Meeting (AGM) is scheduled for 5:00-9:00 p.m., Friday, April 26 (Kelowna Campus Cafeteria, Dinner & drinks at 5 p.m., meeting at 6:30 p.m.)

OCFA Executive meetings are generally held once every two weeks. If you would like to bring forward a particular item for consideration please contact one of your OCFA Exec members (see page 2 for the list).

OCFA Council meetings are generally held once per month. If you would like to bring forward a particular item for consideration please contact one of your OCFA Council or Exec members (see page 2 for the list).

LETTERS TO THE EDITOR

The *Update* welcomes letters to the editor. I encourage you to write either in response to what you read in the newsletter or about other Faculty Association matters. Letters to the *Update* do not represent the opinions of the editor nor the OCFA Executive or Council. Please send letters as e-mail to the *Update* editor Chris Clarkson at cclarkson@okanagan.bc.ca. The preferred format is MS-Word.

DELIVERY OF THE UPDATE

The *Update* is now distributed electronically as a PDF file by e-mail as well as being available on the OCFA webpage at: <http://www.okanagan.bc.ca/administration/ocfa/update.html>

Copies of the *Update* are also posted in local campus mailrooms.

Members of OCFA Council and CARC 2012-2013

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| | | | |
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Collective Agreement Review Committee:

| | | | |
|---------------------------|-----------------|---------------|--|
| Kelowna Campus Steward | Sasha Johnston | Ext 4273 | sljohnston@okanagan.bc.ca |
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President's Report

Sharon Josephson

Hello everyone,

The good news in this issue of the *Update* is that the semester is finally coming to an end. Unfortunately, the bad news is that we are unable to say the same about bargaining.

You'll see in Nolan's report, below, the College has made it very clear that they do not plan to withdraw their proposals on Article 14. The bargaining committee intends to do whatever it can to resolve the situation. In fact, just last week we met with the College and tabled a comprehensive settlement package. We're looking to finish this round of bargaining sooner rather than later and live for a little while with the Collective Agreement language we worked long and hard on in the last round.

In a nutshell, the outcome of the College's proposals would be that term faculty could be hired, indefinitely, without right of accrual—indeed, with no rights at all. In the College's view, some faculty members are not good enough to give rights to, but they're good enough to hire to teach, as needed, as term faculty members, and to dispose of, as the College wishes, whenever it wants.

Our Collective Agreement already gives the College a great deal of latitude in relation to term faculty rights. As it stands, term faculty:

- Must accrue 8 TLUs, a minimum of one year full-time, to be eligible for right of accrual
- Must compete in open competition after accruing 8 TLUs to earn right of accrual
- Must have a satisfactory summative evaluation to be eligible for right of accrual
- Must accrue an additional 8 TLUs after earning right of accrual to be eligible for conversion
- Must have another satisfactory summative evaluation to be eligible for conversion
- Must remain in the "garage" and undergoing summative evaluations until continuing work is available to convert into

In other words, if they are lucky enough to be hired full-time, the *very best case scenario* for a term faculty member seeking conversion to a continuing position includes at least two years as a term faculty member and multiple summative evaluations before they even get parked in the garage. In addition, term faculty members are paid less than continuing faculty, are provided no means of support over the summer break, receive reduced PD funding, and are expected to give service to the College. And finally, in the time it takes for a term faculty member to make it to the garage—a minimum of two years full-time work—the College can post and hire a continuing position whenever it wishes and hire someone else entirely.

That this is not also considered by the College to be a best case scenario for management is unfathomable.

As an educational institution, we should be leaders in adopting the most progressive labour practices possible. That the College chooses the most short-sighted and regressive labour practices is shameful. The impact on our standards generally and on our reputation overall should not be dismissed. If we allow the College to create a second-class of term faculty—good enough to teach a few classes but not so good that they can't be disposed of easily—we allow OC to become a second-class institution as a whole.

Please let the College know you care about our reputation. Come out to our Annual General Meeting in April.

- **Annual General Meeting:** April 26th, 2013, 5:00-9:00pm, *Kelowna Cafeteria*

As always, we will enjoy a full buffet dinner and a hosted bar prior to the meeting. I hope to see many of you there.

In solidarity,

Sharon

First Vice-President's Report

Rod Watkins Chief Steward

Hello fellow OCFA members.

Though the winter term is coming to an end and the slower pace of summer is around the corner, I and the CARC committee have been rather busy the last several weeks.

Ongoing Grievances

FAC12/01: DCU Grievance

FAC12/01 is the grievance of the College's decision to require chairs to enter scheduling data into the DCU (now renamed to EPP) software system. The OCFA has agreed to withdraw the grievance under two conditions: 1) that chairs not be required to use the electronic system and be allowed to use a paper-based alternative; and 2) that the OCFA be consulted before any new version of the system is implemented and/or chairs are trained in the new system. The College has agreed to those conditions, so the grievance is withdrawn.

FAC12/04: Selection process Grievance

FAC12/04 is the grievance filed over the College's implementation of LOU #8 last spring/summer. LOU #8 defined the process to transition term members with accrual rights under the previous Collective Agreement into accrual rights under the current Collective Agreement. The OCFA and the College have in

principle settled the grievance and the affected departments are implementing the terms of the settlement.

New Grievances

FAC13/01: Failure to Consider for Accrual Rights/Conversion

Our first grievance for 2013 was filed in early March. The facts of the grievance are as follows: A member in STH, who will have over 16 TLUs at the end of his current two year contract, will be required to compete in an open competition for work he has satisfactorily conducted for more than two years. As a result of the College's action, this member has been denied accrual rights to as well as the opportunity to convert into the full-time continuing position for which he is now being required to compete. Had this member not had a two year contract, he would have undergone last spring the process outlined in LOU #8: he would have applied for the available term work and been evaluated through an internal competition. But, due to his two-year contract, there was no work for him to apply for as he already had it. This grievance has recently been moved to Step 2.

Other Issues

Service Recognition

A member in STH who will be retiring had approximately three years of service discounted for his Service Recognition payout since there was a 24 month break in service between those three years and the remainder of his teaching history at the College. The College argued that the break in service made him a new employee and the previous years of service therefore do not count. In talks with HR and the member's Dean, we have argued that the language in the Collective Agreement on Service Recognition does not say the service must be continuous and that the language on new employees is from an altogether different article on salary placement and so does not apply. The College has promised a response by the end of March. If the decision is not reversed, we will grieve.

If anyone else has had years of service discounted for similar reasons, could you please contact me or your local steward.

Privacy in the Classroom

In the past two semesters, we have learned of two separate instances of members being photographed or videoed while teaching without the instructor's permission. Such behavior is a violation of privacy and it may also constitute a violation of the Policy on Student Non-Academic Conduct as well as be a form of harassment. If anyone else has experienced something similar in their classroom, please let me or your steward know so that we can provide advice as well as monitor the College's response.

I would like to remind all members that your campus stewards and I are always available to answer questions and offer advice where we can. Please feel free to contact us if you have questions about the Collective Agreement or your working conditions.

Rod Watkins

Chief Steward/1st VP

Second Vice-President's Report

Nolan Fretz **Negotiations Committee Chair**

Local contract bargaining continues at a glacial pace. We have brought in Jeff McKeil from FPSE to assist us at the table and to communicate to the employer that we are serious about the positions we have taken to resist the erosion of the rights of our term members and that our negotiations are receiving provincial attention. The employer has had PSEA representation on their side of the table all along so this also provides balance. Jeff has a long history in contract negotiations and actively participates at the tables of several other faculty locals. His awareness of the status of the sector is a welcome addition. We met with the employer on March 18th. This was the first meeting following our statement that their proposal on Article 14 would have to be withdrawn for us to proceed. In the meeting, the employer presented some information but finished with a clear statement that their position on the language has not changed. We met with the employer again on April 4th. This meeting involved a more active discussion of the key issues and we hope this will lead to moving forward. We will meet with them again on April 15th and expect the employer to make a serious attempt to reach an agreement.

Provincially, three locals have reached agreements: Langara, Vancouver Community College and Vancouver Island University. All other locals are still engaged in bargaining.

Recently in my role on the FPSE Bargaining Coordination Committee (BCC) I attended training on the use of PSEA's Human Resources Database. This database gathers a variety of information from employers in the post-secondary sector and is used to assimilate the data to both provide institutional and sectoral overviews and to identify emerging trends. The BCC sees this database as a valuable tool in preparing for future bargaining rounds.

Finally, thank you to all who took the time to nominate a colleague for an Employee Excellence award. The judging panels are now hard at work preparing for the award event on Wednesday, May 1.

Secretary-Treasurer's Report

Michelle Nicholson

At last year's AGM the membership expressed concern over the cost of the accounting fees we have been paying and I was directed to shop around and see if we could get a better deal. I notified our current accounting firm of this directive and they asked that they be included and given the chance to provide us with a quote. During March I contacted our current firm, Mackay.ca, and four other firms to discuss our needs and to obtain quotes with the following results:

- Julian Jasiura, Chartered Accountant,
 - A small CA firm
 - Julian Jasiura, MBA CA, declined to meet with us as they would be unable to offer their services for less than \$4,000 which I set current fee level we were looking to reduce.
- Chun & Company, Certified General Accountants
 - A small CGA firm
 - Dan Chun, CGA quoted \$2,500 to compile financial statements and T2 for the year ended January 31, 2014.
- Peter McFadden, Inc, Chartered Accountants
 - A midsize CA firm that works extensively with Not-for-Profit clients
 - Peter McFadden, CA, Partner, quoted \$2,400 to compile financial statements and T2 for the year ended January 31, 2014.
- Kemp Harvey Hunt Ward Inc., Certified General Accountants
 - A midsize CGA firm that is familiar with Okanagan College and the OCSA
 - Darin Schierbeck, CGA, quoted a range of \$2,800 to \$3,200 to compile financial statements and T2 for the year ended January 31, 2014.
- Mackay.ca, Chartered Accountants,
 - A large national accounting firm and our accountants for many years,
 - John Diduch, CA, Associate, would very much like to retain our business and reminded me that we paid \$3,500 last year. They have provided a quote for this year and the next four years as follows:
 - Year ended January 31, 2013 \$2,500
 - Year ended January 31, 2014 \$2,575
 - Year ended January 31, 2015 \$2,650
 - Year ended January 31, 2016 \$2,725
 - Year ended January 31, 2017 \$2,800

I am very happy with the service received from John Diduch, CA at Mackay.ca and I recommend that we continue to appoint them as our accounting firm. However the decision is up to the membership and this will be voted on at the AGM on April 26, 2013.

Status of Women Officer's Report

Norah Bowman-Broz

The Status of Women Officer on council represents all members. The position is still relatively new, and in the coming year I would like to extend the scope of the position. My goal is to serve members from all four campuses.

If your campus is having or would like to have an event commemorating December 6th or celebrating International Women's Day during the 2013-2014 academic year, or if you have any suggestions for addressing equity in our workplace, please email or call me. I have some FPSE promotional material about gender equity at the college workplace that I would be happy to distribute to different campuses. Further, I would really like to meet with faculty at different campuses to discuss any ideas, concerns, or questions about gender and our workplace.

This year the Status of Women Committee supported the Kelowna International Women's Day Event on March 8th. About 200 people attended, including children, men, women, and elders. Some teachers from the BCTF came, and we welcomed representatives from the Kelowna Indian Friendship Centre. CBC and CHBC reported event. The evening included the presentation of the Gert Beadle Award to Kathleen Stanford-Baker, a former student of Okanagan College who continues to volunteer at the Kelowna campus. The OCFA banner was displayed, and OCFA was recognized and thanked throughout the evening. Overall, this was a successful community gathering.

OCFA FPSE International Solidarity Fund Recipients

Congratulations to Gill Green, Ellen Pedersen and Kathy Bockhold, whose projects have received funding from FPSE's International Solidarity Fund this year.

The International Solidarity Fund, first proposed at FPSE's Human Rights and International Solidarity Committee in 2006, has been funding projects since 2008. The fund is set at one per cent of member dues, and this year, over \$37,000 was available to members of FPSE affiliates.

A key objective of the fund is that funded projects should be "distinct from traditional charity efforts" in that they should create enduring partnerships with "community groups and organizations who are *organizing themselves*" to advance workers' rights, educational initiatives, and social justice, or to defend basic human rights.

One of the central premises of the fund's creators is that true partnerships are reflexive: relationships with organizations pursuing "a decent life, respect, and dignity" in economically disadvantaged countries

will generate a new understanding of our own society, and of the ways in which Canadian policies and institutions may foster human rights violations in other parts of the world.

For more information on the fund, see: <http://www.fpse.ca/committees/hrisc/isf>

In the paragraphs that follow, our local recipients describe their projects.

Rural School Support – Sambolabo, Cameroon

Gill Green, Geography and Earth & Environmental Science

I am working with a Cameroonian NGO called PADI (*Projet d'Appui au Développement Intégré* or the Integrated Rural Development Project) on a project to improve access to education for 87 children between the age of 11-18 years old in Sambolabo – a remote community in the Adamaoua Province of Cameroon. I have worked with PADI since 2002 on agricultural extension and school infrastructure projects. PADI is an entirely Cameroonian-staffed NGO recognized for its work on improving education access, agricultural production, and building schools, clinics, bridges, and wells. They are the only NGO based in this remote region.

This project improves access to education for current and future generations of children in Sambolabo. Currently, Sambolabo children are attending school in an unfinished, one room building. Courses are cancelled in inclement weather. There are no toilets, no access to water or electricity, and the roof needs to be finished. Mr. Paul Iya of PADI will build a latrine, provide water access, install an electric generator, and finish roofing and building. This work provides infrastructure that allows access to basic education facilities. Thank you FPSE!



The soon-to-be-completed school at Sambolabo.

Reproductive Health for Girls and Women – Uganda

Ellen Pedersen and Kathy Bockhold, Biology

Last year Kathy Bockhold and I travelled to Uganda with a local non-profit educational organization, Niteo. One of the highlights of our trip was a series of workshops we presented on women's reproductive health. Since returning home we have started a new group dedicated to helping find sustainable solutions to problems faced by vulnerable peoples. You can see our website at: <http://www.iseesolutions.org/>.

This summer we are returning to Uganda. We have partnered with several Ugandan groups and individuals who are involved with projects to educate and empower vulnerable Ugandans. Our main focus this summer will be reproductive health issues for girls and women. Many girls miss or drop out of school due to lack of menstrual supplies. We will be distributing reusable menstrual supply kits and instructions for producing them. These were designed by a group called Days for Girls <http://www.daysforgirls.org/#>. We use these kits as a focal point to present workshops on basic reproductive biology, birth control, and HIV/AIDS. Workshops will be held in disadvantaged communities in and around Kampala as well as in more remote northern regions of the country. We will be sharing our resources with local women so they can present the workshops to other women in Uganda. FPSE Solidarity Grant funds will be used to purchase sewing machines and supplies to help collectives of Ugandan women start small businesses producing the menstrual supplies.

In addition to this work we will be continuing to help several orphanages develop sustainable solutions such as installing gardens to grow food for the kids. Last year we partnered with a group of young Ugandan professionals and were involved in the installation of a garden at God's Grace Orphanage in Kampala. The orphanage has relied on donations from people in the community so often the children get one cup of cornmeal gruel (posho) a day. The garden has elevated the level of nutrition for over 100 children. They have also started growing mushrooms for sale at local markets. The proceeds are used to purchase other items required at the orphanage.

If you are interested in learning more about our projects, or want advice on applying for the FPSE Solidarity grant please contact Ellen Pedersen or Kathy Bockhold.



Young women at one of our workshops in Gulu, 2012. The sewing machine was purchased with a previous FPSE grant (2010).

Pension News

Doug Birtwistle, Pension Advisory Officer

Preliminary Results from the College Pension Plan Survey

Results of the College Pension Plan survey that you may have been a participant in a few months ago are now in the hands of the Partners of the Pension Plan. An electronic copy of those results should be made available soon. When it is, we will make sure to provide you with a link to access all the statistics and the summary. An overview of the survey results was provided at the most recent FPSE Pension Advisory Committee meeting.

Do remember that the results of the survey are for information purposes only. The survey was not a vote, nor is it binding in any way. The results are meant to help inform the direction FPSE will take in discussion with the other Pension Plan Partners regarding any possible changes to the design of the Plan. Having said that, the Partners of the College Pension Plan have, apparently, been meeting on a regular basis discussing the results of the survey. It is possible that the Partners will agree on a set of options for change that will be presented to the College Pension Plan Corporation. It is important to remember that, if changes are approved and implemented, those changes apply **to future service only**. They cannot be changed retroactively for service you have already earned if the change would result in a loss of benefits.

Some general comments (my interpretation) about the survey results:

1. Some 1756 members responded to the survey.
2. The vast majority of respondents were open to some sort of change.
3. If given a choice of only one, most respondents favored an improvement to the accrual rate over an improvement to inflation protection. However, retired members almost unanimously favored an improvement to inflation protection. Yes, our retired members are smart.
4. As for “paying” for improvements, there was a distinct “line” at age 60. Most respondents were open to changes to rules for members who retire before age 60. Fewer respondents were open to changes to rules for members who retire at or after age 60. Eliminating indexing (inflation protection) and the bridge benefit for members who retire between the ages of 55 and 60, until the member reaches the age of 60, was a popular choice, as was increasing the reduction factor from the now 3% a year for each year below age 60. The average age that a member retires at is now 62, and is continuing to trend higher. Presently, about 30% of members do retire before age 60.
5. There was a resistance to contribution rate increases of more than 1% to improve inflation protection.
6. Most respondents did not want to see the bridge benefit eliminated for those retirees between the ages of 60 and 65.
7. Most respondents wanted to see some form of inflation protection available for those retirees who are 60 or older.
8. Younger members appeared to be more conservative about Pension Plan change options.

Retirement Payouts

I'm looking forward to picking up one of those blue surplus "10 year recognition" coffee mugs when I retire. More importantly, when you retire, there are three "one time" payments you are likely entitled to. The information I have gathered below is based on interpretations I have made and is not "official". If you have any question or require any clarification or verification, you should contact HR, a financial advisor, or some other expert. As a matter of fact, as you near your planned retirement date, you may want to arrange a private meeting with one of the fine employees of HR to discuss what you are entitled to and any options you may have. Ask for one of those blue mugs when you are there.

Unused Vacation Time

According to Article **44.1.4** in the Collective Agreement, "In the final year of employment, the employee may retain **up to 30 days of unused vacation** ... up to the date of retirement." According to Article **30.1.2** in the Collective Agreement, "Upon retirement, a continuing employee shall be entitled to a cash payment equal to his or her ... normal vacation benefits due for that year. Any cash payment of vacation shall be limited to the balance of unused vacation to a maximum of 30 days." Unused vacation leave is typically paid out on the final paycheque. The Public Sector Employers Amendment Act, Bill 66 prohibits "the banking, accumulation, carry forward, or payout of any unused vacation leave, beyond the year in which it is entitled to be taken". So, in the hope of perhaps saving a bit on income taxes, you cannot delay the payment of unused vacation leave until the following year. You will be fully taxed on the amount of unused vacation leave. The College cannot transfer money from unused vacation time directly into an RRSP. You always have the option of contributing money to your RRSP, as you normally would, assuming you have RRSP room available. Check out your latest Notice of Assessment from the Canada Revenue Agency.

Unused Sick Leave Allowance

According to Article **30.1.2** in the Collective Agreement, "Upon retirement, a continuing employee shall be entitled to a cash payment equal to his or her accumulated sick leave to a **maximum of 60 days** ..." As with unused vacation leave, the unused sick leave payment is typically paid out on the final paycheque and you cannot delay the payment of unused sick leave until the next year. However, unlike unused vacation leave, the College can arrange with you to have all or a portion of your unused sick leave transferred **directly** into an RRSP. If interested, you should contact HR a few months ahead of your retirement date and they will work with you to determine how much, if any, you can have directly transferred. The amount will likely depend on how much RRSP room you have available and, **in addition**, what is outlined in the following:

If you go to the Canada Revenue Agency website and follow the path Individuals>RRSPs and related plans>RRSP>Transferring>Retiring allowances, the amount of your unused sick leave payment that can be directly transferred to your RRSP is specified as "\$2000 for each year or part-year of service before 1996 in which you were employed by the employer ... from which you received the retiring allowance (i.e. the unused sick leave payment) and you can transfer an additional \$1500 for each year or part of a year of service before 1989 in which you had earned no pension or DPSP benefit from employer contributions ...". I believe the \$1500 per year would come into effect if you were an employee of the College before 1989 but did not enroll in the College Pension Plan. HR should be able to explain it and

determine how much you can directly transfer. The nice thing about a direct transfer is that income tax will not be withheld from the amount that is directly transferred. Again, you always have the option of contributing money to your RRSP “indirectly”, as you normally would, assuming you have RRSP room available.

Because unused sick leave and unused vacation leave are paid out on the last paycheque, such payments will not affect the start date of your College Pension Plan payments.

Service Recognition Retirement Allowance

According to Article **30.3** in the Collective Agreement, “An employee on a continuing appointment who is retiring and who has a minimum of five (5) completed full-time equivalent years of service with the College, or its predecessors, shall ... receive a service recognition allowance at the rate of **five (5) working days for each year of completed full-time equivalent service** with OC, prorated. Overload, summer session, extended semester and DE work shall not be included in the calculation of full-time equivalent service for the purpose of this clause. The service recognition allowance shall not be payable to employees terminated for cause. You should contact HR a few months ahead of your retirement date and they will determine your service recognition allowance. You will be fully taxed on the amount of the allowance. However, as with unused sick leave, the College can arrange with you to have all or a portion of your service recognition allowance transferred **directly** into an RRSP. If interested, you should contact HR a few months ahead of your retirement date and they will work with you to determine how much, if any, you can have directly transferred. The amount you can have directly transferred to an RRSP will again depend on how much RRSP room you have.

Members do have the option, if they ask for it, of delaying payment of the service recognition allowance until the year after the member retires. This could be advantageous for tax reasons. This option should be discussed ahead of time with HR. The memorandum of agreement regarding the “Service Recognition on Retirement Allowance” does specify that “an employee or employees who retire, but who do not receive the allowance as a result of the demand exceeding the available funding, will have preference over all other applicants in the subsequent calendar year and will receive their allowance as a retiring allowance in the Fiscal year following the retirement.” In other words, there is a chance that some retiring members will be **forced** to wait until the next fiscal year to receive their allowance. The delay in the service recognition payment will not affect the start date of your College Pension Plan payments.