



SUBJECT	EMPLOYEE RELATIONS COMMITTEE TERMS OF REFERENCE - AMENDMENT		
REPORT TO	EMPLOYEE RELATIONS COMMITTEE		
MEETING DATE	NOVEMBER 26, 2019		
MATTER TYPE	<input checked="" type="checkbox"/> BOARD DISCUSSION NOT REQUIRED	<input type="checkbox"/> BOARD DISCUSSION REQUIRED	
ACTION REQUESTED	No decision requested: for information		
REPORT DATE	November 5, 2019		
EXECUTIVE PROPONENT	Hubert Lai, Q.C., University Counsel		
PRESENTED BY	Hubert Lai, Q.C., University Counsel		
SUPPORTED BY	Karen Choi, Legal Counsel Lorena Vlad, Legal Counsel		

PRIOR SUBMISSIONS

No prior submissions.

EXECUTIVE SUMMARY

The *University Act* vests the management, administration and control of the property, revenue, business and affairs of the university in the Board of Governors. It is empowered to establish committees it considers necessary to carry out the Board's functions, and to confer on those committees the power and authority to act for the Board.

The Board has delegated authority to the Governance Committee to approve terms of reference for each of the standing committees, including the Employee Relations Committee. The Board has recently reviewed responsibilities where delegated authority is shared among two or more of its standing committees and determined that the practice of holding joint committee meetings will be discontinued. The Committee Chairs have reviewed the list of joint responsibilities and agreed upon a reallocation of each responsibility to one Board committee. The Employee Relations Committee did not have any jointly delegated responsibilities and thus no changes have been made to reallocate its previously delegated authority.

It is anticipated that at its meeting on November 22, 2019, the Governance Committee will approve revised terms of reference for the Employee Relations Committee with the following amendments:

1. revised language to clarify the delegation of authority from the Board to its committees (This language was presented by the Board Secretary to the Governance Committee at its June 2019 meeting and to the Employee Relations Committee at its September meeting but has not yet been formally approved.); and
2. updates to all cross-references to Board policies to reflect the recently approved naming and numbering system for Board policies.

SUPPLEMENTAL MATERIALS

1. Amended Employee Relations Committee Terms of Reference



PURPOSE

The Board of Governors has delegated to the Employee Relations Committee responsibility for strengthening the employer-employee relationship through measuring employee satisfaction and morale, and for oversight of appointments, terminations, conditions of employment and collective bargaining.

COMMITTEE OBJECTIVES

Without limiting the general responsibilities as described above, the Employee Relations Committee shall:

1. Advise the Board with regard to policies, principles and strategic plans that support the attraction, engagement and retention of a diverse and inclusive community of outstanding faculty and staff.
2. Other than as addressed through collective bargaining with the UBC Faculty Association, advise the Board of Governors in matters relating to:
 - the conditions of appointment of faculty members, professional librarians and program directors in the Centre for Continuing Education (including salaries and benefits);
 - the criteria and procedures governing appointments and termination of appointments;
 - provisions for collective bargaining with the UBC Faculty Association; and,
 - appointment, reappointment and extensions of appointment for Deans, Vice-Provosts, Associate Vice-Presidents, Librarian and Registrar, and determination of compensation associated with those actions. Determination of compensation for Deans, Associate Vice-Presidents, Librarian and Registrar is delegated to the President.
3. Advise the Board of Governors on matters relating to the conditions of employment and collective bargaining for all other UBC employees.
4. Review and recommend policies that affect the employment and termination of faculty and staff, including appointments to management positions (other than positions equal or senior to Dean).
5. Review (in open session) UBC Board of Governors policies as assigned by the Governance Committee (see appendix).
6. Advise and assist the Board of Governors and the President in advancing employment-related objectives of the University's strategic plan, *Shaping UBC's Next Century*.

MEMBERSHIP & PROCEDURES

Committee membership is comprised of:

- A minimum of six (6) Governors who are external to the University
- the Board Chair, the Chancellor and the President as *ex officio* voting members

Members are appointed by the Board Chair with the assistance of the President, based on qualifications and interest, and to avoid potential conflicts of interest.

Appointments are made, and reviewed, at each instance of changes in Board membership.

The Committee Chair is selected by the Board Chair, in consultation with the Board Vice-Chair and the Chair of the Governance Committee.

The Committee Chair is responsible for the better conduct of meetings, including agendas, information processes, and oversight of reporting and action items.

The Committee Vice-Chair is selected by the Board Chair, in consultation with the Board Vice-Chair and the Chair of the Governance Committee.

The Committee Vice-Chair assumes the responsibilities of the Committee Chair in the absence of the Committee Chair, and may also be assigned additional tasks at the discretion of the Committee Chair.

The Committee will receive (through the Board Secretariat) additional and reasonable support for the assembly, assessment and reporting of information.

The Committee has the authority to engage independent counsel and other advisors, with prior approval from the Board Chair, subject to reasonable limits on resources available to the Board of Governors for these matters.

MEETINGS & QUORUM

The Employee Relations Committee meets at the call of its Chair.

Attendance by at least 35% of Employee Relations Committee members (including *ex officio* members) is required to establish quorum.

ACCOUNTABILITY

Minutes of Employee Relations Committee meetings are approved at the next Committee meeting or by means of electronic approval and are distributed to Governors and others authorized to attend such closed sessions as soon as practicable. Employee Relations Committee minutes are confidential unless resolved otherwise by the Committee Chair.

A record of all agenda items considered and any resolutions passed during *in camera* meetings of the Employee Relations Committee are approved as soon as practicable by the Committee Chair, are distributed only to those individuals who are authorized to attend such *in camera* sessions, and are confidential.

The Chair of the Employee Relations Committee reports on discussion and any action taken at the next regularly scheduled meeting of the Board of Governors.

In addition to the above, procedures and practices of the Employee Relations Committee are governed by ~~Policy 93 (Open, Closed and In Camera Meetings of the Board of Governors)~~ [Meetings Policy \(GA8\)](#) and associated Committee Meeting Rules and Practices.

DELEGATED AUTHORITY

The Board of Governors has delegated to the Employee Relations Committee authority to ~~approve~~ [transact the following business on its behalf:](#)

- Approve the following reports ~~on behalf of the Board of Governors~~: Appointment Information: Appointments & Reappointments - Heads of Academic Units; Appointments & Reappointments - Delegation of Authority (as per Policy [#25AP3](#)); Summary of Board Appointments
- Associate Vice-President Evaluation and Compensation Recommendations
- Associate Vice-President Salary Administration Framework and Guidelines
- Collective Bargaining Mandates
- Salary Adjustments | Associate Vice-Presidents
- ~~The Board of Governors has delegated to the Employee Relations Committee authority to receive~~ Receive for information the following reports ~~on behalf of the Board of Governors~~: Grievance / Arbitration / Discipline / Personnel Issues Updates
- Managing Health Promotion & Absenteeism at UBC

Appendix
Board Policies for Review by Employee Relations Committee

Policy	Name
2HR10	Employment Equity
17AP11	Appointment of Registrar and Librarians (Joint Senate and Board Policy)
18AP12	Appointment of Designated Senior Academic Administrators (Joint Senate and Board Policy)
20HR11	Advertising of Position Vacancies Available Employment Positions
21AP5	Appointment of Deans and Principals (Joint Board and Senate Policy)
22AP9	Appointments and Extension of Appointments for Heads of Academic Units
23AP8	Extension of Appointments for Deans and Principals
25AP3	Board of Governors Appointments
26AP2	Designation of Acting Administrators in Cases Administrative Heads of Absence Unit
42AP4	Faculty Term Appointments Without Review
43AP13	Extension of Appointments for Registrar and Librarians
49HR9	Pre-Retirement Reduced Workload/Responsibility Appointment — Non-Academic Agreements for Staff
50HR2	Leave to Take Political Office
54HR8	Study Leave (other than Faculty)
56HR5	Vacations — Non- Union, Management and Professional Staff
62HR4	Leave Due to Illness of Members of Faculty
64HR7	Crossing Non-Performance of Picket Lines Work during a Legal Strike
75AP7	Appointment of Graduate Students to Teach a Course Requiring a Board of Governors Appointment
82HR6	Relocation of Faculty Members and Senior Management Staff
86FM7	Extraordinary Expenses - Grant and Contract-Funded Employees
97SC3	Conflict of Interest and Conflict of Commitment

Document comparison by Workshare 9.5 on Monday, November 4, 2019 11:25:06 AM

Input:	
Document 1 ID	file://G:\Public\Karen Choi\Board\BoG - 2019 - Dec\BoG - Committee - TORs Review\BoG - Committee - TORs - Amendment (Drafts)\BoG - Committees - TORS - Approved Versions\Employee Relations Committee ToR-Approved-CLEAN.docx
Description	Employee Relations Committee ToR-Approved-CLEAN
Document 2 ID	file://G:\Public\Karen Choi\Board\BoG - 2019 - Dec\BoG - Committee - TORs Review\BoG - Committee - TORs - Amendment (Drafts)\Employee Relations Committee ToR-draft-Oct29-2019-CLEAN.docx
Description	Employee Relations Committee ToR-draft-Oct29-2019-CLEAN
Rendering set	Standard

Legend:	
Insertion	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	37
Deletions	37
Moved from	0

Moved to	0
Style change	0
Format changed	0
Total changes	74