

RALUT REPORTER

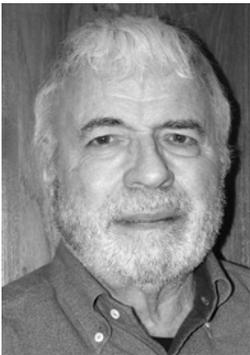
RETIRED ACADEMICS AND LIBRARIANS OF THE UNIVERSITY OF TORONTO

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President's Report

Doug Creelman



Lots is happening at RALUT. By the time this arrives on your doorstep the arbitrator will have given a decision, and the important issues that our representatives have worked so hard for will have been decided. The main issue, of course, was full indexation of our pension. Also some issues regarding our health benefits were at stake. Look for the results - if you are a member of UTFA you will have a

newsletter; if not we'll summarize it in the next issue, and the University will of course contact us directly if, as is hoped, changes are required.

The Planning Group for the Retiree Centres has begun to meet, and by the Spring will have drawn up concrete plans for these important facilities. The important issue here is that RALUT is recognized as a party in the negotiations with the University – this is along with UTFA, but in this case UTFA is not speaking for us. Here we are recognized on our own, and this is an important accomplishment, gained at the negotiations last Spring when mandatory retirement was ended.

It has not all been politics. Our super-active membership/social committee has instituted monthly gatherings for lunch at the Faculty Club, and organized a special group tour of the wonderful current Catherine the Great show at the Art Gallery of Ontario. I am particularly happy that our organization, concerned heretofore with the important questions of representation, pensions, and benefits, now can kick back and enjoy ourselves. Come on out and join the festivities.

Your generous contributions, in addition to your dues, have given us a sufficient financial cushion to enable a bursary to be established in support of a worthy undergraduate

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Exploring New Initiatives

Beate Lowenberg

Last April we began to investigate the potential appeal of introducing some social activities into our schedule, in order to provide our members with a range of opportunities which might otherwise not be readily accessible to them.

Our first venture combined a convivial lunch at the Faculty Club with a tour of “*Nihil Obstat: An exhibition of banned, censored & challenged books in the West, 1491-2000*” an exhibition then showing at the Thomas Fisher Rare Books Library. We were fortunate to be able to benefit from the enthusiasm and expertise of Dr. Pearce Carefoote, the knowledgeable curator who had planned and organized this unusually interesting collection of books ranging from the end of the 15th century to such more recent censorship attempts as the efforts made by Trinity College, Cambridge to ban Darwin’s *Origin of the Species* from its premises. Even more recent examples in the Canadian section included some works by Margaret Laurence, Alice Munro and Margaret Atwood. Dr. Carefoot’s detailed responses to our many questions, and seemingly inexhaustible patience, were much appreciated and contributed significantly to our enjoyment of this event.

Encouraged by the positive response thus generated, we decided to branch out in two different directions: Firstly, following through on Roselyn Stone’s suggestion of arranging regular informal lunches at the Faculty Club (every second Wednesday of the month) in order to provide our members with the opportunity to socialize and fraternize with colleagues whom they might not otherwise meet. An additional bonus of this arrangement is that individual Faculty Club membership by lunch participants is not a pre-requisite, since RALUT has promoted this monthly event. So, if you had been staying home because you believed that you were not eligible due to lack of FC membership – stay away no longer on those second monthly Wednesdays! Come and join us there (in the lower ground floor Pub, at 12 noon).

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***Time's Up!: Mandatory Retirement in Canada*, ed. by C.T. Gillin, David MacGregor and Thomas R. Klassen. Toronto: James Lorimer & Company, A CAUT Series Title, 2005, 326 pp.**

"I am an English-born Canadian who now lives in Florida. I am here because Ontario universities still fire people for being old. The United States regards ageism as a moral wrong, on a par with sexism and racism." So said Michael Ruse (a distinguished philosopher of science) in a review (*Globe & Mail*, D6, December 3, 2005) of a new Darwin exhibit. He is not alone in declaring mandatory retirement to be a form of ageism and therefore morally wrong. *Time's Up!*, consisting of twelve essays, argues in various ways against mandatory retirement on the basis of age for academics (and others). Only one essay, by Gunderson and Hyatt, gives a partial defence of the practice.

Recently Ontario joined the Canadian jurisdictions (Manitoba, Alberta, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Yukon, Nunavut, the Northwest Territories and the Federal Government) that have banned mandatory retirement. Thus it might seem that the authors of the book are beating a horse that, if not dead, is at least moribund.

Nevertheless, we still have much to learn from this book. One of the virtues of *Time's Up!* is that, as the back cover says, it "...offers new information and new insights regarding the complex dynamics underlying this controversial policy." The end of mandatory retirement will be the end of only one chapter in the saga of age, work and retirement.

For convenience, I shall divide my remarks about the book into three parts: the concept of ageism; the complex, evolving legal issues; and the basic underlying demographic and socio-economic issues.

There are at least 23 references to ageism in *Time's Up!*. To the best of my knowledge, the term "ageism" was coined by Robert Butler in "Ageism: Another form of bigotry" (*Gerontologist*, 1969, 9, 243-245) to denote a process of systematically stereotyping elders as old fashioned, rigid and senile. It is no doubt insensitive and demeaning to stereotype all elders in this negative fashion.

One theme in *Time's Up!* is that being forcibly put on the scrap heap at 65 is an affront to one's human dignity, as well as an economic hardship for late entrants or re-entrants to the labour force, who are often women. Jean McKenzie Leiper's personalized and poignant essay makes this point well. Norene Pupo and Ann Duffy put the issue into a broader social context of general employment trends and the intertwining of our roles at home and work, the nexus between our private and

public lives. In this context a good case can be made for flexible employment policies. Written under the influence of Foucault, Allan Irving's interesting but one-sided essay gives us a post-modernist analysis of a socially constructed and demeaning concept of "old age." I say one-sided, because in many societies there is a "socially constructed and stereotypical" concept of old age in which elders as a group are portrayed as reflective, knowledgeable persons, who are wise counsellors to youngsters and society at large.

I doubt that anyone wants to defend ageism, as the term has come to be used. I certainly don't want to do so, but I do want to suggest that the use of the term "ageism"—like other members of its rebarbative tribe, "racism," "sexism," "ableism," and so on—easily leads to unclear thinking that obscures important issues. It can become a club with which to beat one's opponents, a mere pejorative to be used in slogans. It is ironic that a generation that marched under the banner "Never trust anyone over thirty" now marches under the banner "Down with ageism." In a similar fashion, the perfectly good word "discrimination" has become debased. If we did not discriminate (distinguish) we could not think or act.

It is not always wrong to use race, ethnicity, age or sex in making decisions. For instance, a physician may justifiably use such characteristics in making medical decisions, such as whether or not to use certain tests, which may be arduous or disturbing. Only the most vapid proponent of political correctness would claim that being of northern European extraction is irrelevant to cystic fibrosis, being of African descent irrelevant to sickle cell anaemia, being Jewish irrelevant to Tay-Sach's disease, being a woman irrelevant to ovarian cancer, being over age 80 irrelevant to Alzheimer's disease.

In the human life-cycle many abilities typically develop, flourish and then decline with age. The plain fact is that senescence (not to be confused with senility) is a normal part of the human life cycle. This has been well known from time immemorial and has been the subject of considerable scientific investigation. More interesting and important than the truism are particular questions: What faculties and abilities decline? When? At what rates? To what extent? With what variability in the human population? From what causes? Can declines be slowed down, and if so, how? Should certain facts about senescence play a role in policy decisions?

It is misleading, as we shall see shortly, to say that people at Ontario universities were simply "fired for being old"—rather it was more a question of the wage structure and pension plans. Yet it is still a fact that in Canada we often *do* discriminate (distinguish) both positively and negatively, both for and against, individuals on the basis of their age. For example, on reaching 65 years of age, Canadians do have the right to Old Age Security payments; at six years of age, children *do not* have the right to have a driver's licence.

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THE “TORONTO TRIANGLE”

Germaine Warkentin

When RALUT was founded five years ago, we realized how important it would be for our future to find out what was going on in the world of university retirees in general. With help from across the country, members of RALUT helped to re-establish a nation-wide association of such groups, which has become the very successful CURAC (34 members, see <http://www.curac.ca/>) We joined AROHE, the US's Association of Retiree Organizations in Higher Education (<http://www.arohe.org/>) and CURC, the Congress of Union Retirees of Canada (<http://curc.clc-ctc.ca/>).

We also began sharing information with our sister universities in the Toronto area. For about three years an informal group of representatives from RALUT has been meeting with executive members from The Ryerson Connection and from York's two associations, YURA (York University Retirees Organization, <http://www.yorku.ca/yura/>) and ARF (Association of Retired Faculty). Irregularly-scheduled meetings of the “Toronto Triangle” have been taking place ever since, at the three universities in succession. RALUT hosted the Triangle on November 21, but instead of our usual topics of pensions, benefits, and the structure of our respective institutions, our debate was about the future of the Triangle itself.

The time seems to have come to establish the Triangle as a permanent, if small-scale, organization, capable not merely of

discussing retirees objectives, but of acting to carry them out. Possibly the group may become a quadrangle, as our contacts with member organizations of OCRA, the Ontario Colleges Retirees Association (<http://www.caatretirees.org/>) suggest they would make a valuable contribution to our discussions. The debate on November 21 was a vigorous one; what are the issues? how can we act to accomplish our objectives? how would such an organization be funded? What would be its structure?

Most vigorously debated was the issue of whether we should work towards an Ontario-based organization, or one focussed on the GTA. In the end we decided to start small, with an organization based on the universities in the Golden Horseshoe area, but flexible enough to – in time – incorporate groups farther away. The Triangle will meet again in February, this time at Glendon College, and RALUT's Past President Ralph Garber has been charged with assembling a small sub-committee to propose a workable structure for the group. Ralph spoke eloquently at the November meeting about the concerns such a group – whether GTA or provincial – should address: retiree engagement with the university (e.g., retiree centres), housing, benefits (what resources? what critique can we provide?), how retirees groups deal with their faculty unions, helping to create retiree organizations, and critical approaches to public policy.

We'll bring you further news of the Triangle, or Quadrangle, or whatever name the group decides to adopt, as its development takes place.

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And this is not always unreasonable. When we discriminate on the basis of age it is usually because we *assume* (or better, have evidence) that age is a reliable marker or sign of some other characteristic or circumstance that *is* a reasonable ground for granting or withholding rights—or for that matter making many other important decisions.

The fact is that, in many cases, discrimination on the basis of group membership is, or has pretensions to be, founded on statistical evidence that is inherently probabilistic. We can sometimes say (with a specific probability and margin of error, based on a particular body of evidence) that a person of age X does or does not have the ability to do Y. Almost all three year-olds are not good at abstract reasoning; almost all 85-year olds have some difficulty with short-term memory.

But we also know that within any age-reference group there will usually be a spread of abilities, sometimes with a significant number of outliers. Measurements of central tendency (e.g., the mean) are important, but so are measurements of dispersion (e.g., standard deviation) about the mean, when it comes to forming public policy. Two significant questions are: Is our evidence about age-markers sound? and How do we deal with *both* the central cases and the outliers?

On the one hand, against the view that eligibility to obtain a driver's licence should be based on ability to drive safely, independently of age, one could argue that some age, say being in the six-year-old age group, is a reliable marker of being unable to drive safely. Most people would regard this as a reasonable limitation on the rights of six-year-olds, and I daresay that this limitation is unlikely to be heard on appeal by the Supreme Court.

On the other hand, why should a 15-year-old, who may be every bit as competent as most 16-year-olds, be denied a licence? And why should every 80-year-old driver, some of whom may be better drivers than most 16-year-olds, be subject to special tests, as has been the case in some jurisdictions? Do not our licensing rules (and insurance policies) involve “age-profiling”—treating individuals on the basis of their group membership, rather than on their individual merits? And is not this wrong?

When it comes to making policy decisions, there are indeed those who would apply what I would dub the “Thatcher Principle” (“There is no such thing as society”): each individual should always be treated as an individual, regardless of his/her membership in any group. As it happens, *pace* Mrs. Thatcher, our Charter specifically allows for affirmative action favouring disadvantaged *continued on page 5*

SENIOR SCHOLARS WORKING FOR ALL

Germaine Warkentin

RALUT's Senior Scholars Committee was founded last year to advocate for the academic benefits retirees were demanding. Many University of Toronto retirees continue to work in their subjects after retirement – who has not heard, or perhaps uttered, that famous line “I retired so I could finish my book”? The committee's agenda, however, has been dealing with a lot more than benefits for continuing scholars. For example, patient and imaginative consultation with UofT library administrators by committee members Joan Winears and Ken Rea has led the library to re-examine the way it deals with *all* retirees.

The library has always welcomed retirees, but for practical purposes we have been classed with the alumni. Joan and Ken have worked their way through the library system, department by department, to ensure that all retired faculty and librarians – who after all have been using the library in some cases for decades – have full access *as academics* to all its resources, from internet connections to Inter-Library Loan, the Digital Studio, and Accessibility Services. In the next few months we hope to mount two seminars especially for retirees, a “Connectivity” workshop on using the internet and the Information Commons, and a seminar on all the new resources the library is able to offer as a result of the digital revolution. Did you know that you can search library catalogues from all over the world using our library's wonderful resources in your own home? What about searching on-line journals? Our friends at the library are eager to help us explore this new material.

Early in the fall we were busy preparing a draft of the Retirement Questionnaire proposed in the Letter of Understanding attached to last spring's ground-breaking Agreement on Retirement Matters. The committee's view is that the instrument should be a standard UofT form constituting part of the “October 15 process” by which current non-retirees will make the decision to retire each year. (For the new retirement process, see the Provost's web site, <http://www.provost.utoronto.ca/English/Retirement-Information-and-Resources.html>). Its purpose should be to create an inventory for deans and department chairs of resources in the retiree

community. The questionnaire was passed by the RALUT Executive in October and was communicated immediately to UTFA for transmission to the Administration. We hope they will appreciate the fund of experience that went into the questionnaire, since everyone who worked on it has actually been through the retirement process.

By the time you read this another of our initiatives will have produced the Retired Scientists' Forum scheduled for January 11. Because RALUT is currently participating in planning sessions with the administration to establish Retiree Centres on all three campuses, we want to have accurate and up-to-date information about retirees' needs. A particular concern is the needs of scientists who have had lab space in the past, and who continue to write and to do research after they retire, but without grants that support such space. We also invited academics retired from other disciplines (e.g., music, anthropology, archaeology, etc.) who had lab or similar research space before retirement and may still need it. Everyone knows that the University of Toronto has a big space problem, but the academics who continue to produce scholarship after retirement have a space problem too, and it needs some innovative thinking to resolve it. We hope to be able to bring some new ideas to the Project Planning Committee. Watch for a full account of the Retired Scientists' Forum in the next REPORTER.

Among other issues the Senior Scholars Committee has been addressing is retiree status in the Graduate School; we wrote to Dean Susan Pfeiffer to draw her attention to the pool of qualified RALUT members who could chair graduate oral defences, and as a result she has reminded all department chairs of this valuable resource. Do you know what the words “Emeritus/Emerita” mean in University of Toronto policy? We think that at present they're pretty vague titles, and we hope to find out more about the various ways in which they are awarded, on what basis, and what entitlements they bring. Finally, we continue to cheer on the accomplishments of University of Toronto faculty and librarians, in the REPORTER's twice-a-year column “Current Honours and Publications.” If you have been honoured, or have produced work that should be acknowledged, by all means contact me at g.warkentin@utoronto.ca.

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student. So far RALUT does not have status as a charitable organization to enable a tax writeoff for donations. Despite this, people have generously donated above their dues amounts. Soon this will be remedied, so you will be able to deduct these donations on your tax return.

What else? Ed Barbeau, our webmaster, has updated our web site – have a look. Honorary President Peter Russell, who

is president of CURAC, the organization of Canadian retiree organizations, has announced that next Spring the group will meet in Guelph/Kitchener/Waterloo so this interesting annual gathering will this time be close enough for all to attend.

Finally, RALUT continues actively to be looking for committee members, folks to help with these and other important activities. Interested? Call the office, or call me. We would love to have you on board.

Toronto Round Table Luncheon Meeting at Hart House February 9th

Jean Iron, former President of the Ontario Field Ornithologists will be talking and showing beautiful slides from the Carden Alvar which lies just east of Lake Simcoe along the southern edge of the Canadian Shield. The alvar is a globally rare habitat with an abundance of special birds and plants. The tour explores Carden's scenic back roads through vast ranchlands where grassland birds, wildflowers and butterflies are abundant. You'll want to visit the famed Carden Alvar after seeing this informative and entertaining presentation which features Prairie Smoke, Indian Paintbrush, Horned Larks, Bobolinks,

Eastern Bluebirds, Sedge Wrens and endangered species such as the Loggerhead Shrike which impales its prey. The Toronto Round Table meets for a buffet lunch and a presentation at the Hart House every second Wednesday of the month and is open to all University of Toronto academics and librarians.

For details contact Peter Levitt at levittsp@sympatico.ca or by telephone 416-967-5535.

Reservations are necessary.

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groups, such as women, many of whom fought for the inclusion of this principle in the Charter. Moreover, it would be almost impossible to construct public policies and laws, if consideration of group characteristics were to be prohibited. Some generalizations are indispensable. This is not to say that they should not be tempered by consideration of exceptions to the general rule.

An underlying refrain of *Time's Up!* is the claim that academics are not automatically "burnt out" at 65, or some other age. It is suggested that there is a wide variety of individual differences in academic performance at various ages. And it is suggested, therefore, that the age of retirement should be left largely to the judgment of the individuals involved. (See, for example, John Munro's passionate essay on this point.) There is much anecdotal evidence offered in the essays that elderly academics are often very productive, and there are some studies of the general relation between age and productivity (See esp. note 24, p. 280), but I would like to see statistical evidence about differences concerning age and academic productivity in various fields. It is often said, whether truly or not I do not know, that there *are* field differences. I shall return to the issue of age and productivity in discussing the BFOR legal principle.

One of the main themes presented in the book is a legal argument: that mandatory retirement violates the Canadian Charter of Rights by relying on one of the prohibited grounds, age. In Canada, academics have been at the leading edge of the fight against mandatory retirement, and much of the fight has been in the courts. As Gillen says in his Introduction, "Virtually every analysis of this issue has been informed by and, at least implicitly, written in response to the *McKinney* decision." (The Index lists no less than 47 references to this decision.)

This decision was an appeal by McKinney et al. to the Supreme Court of Canada against mandatory retirement at the University of Guelph, and it went against the appellants. Gillen and Klassen in their essay give a good overview of the shifting legal scene, and Klassen and Forgione in theirs discuss the history and role of organized labour in defending defined benefit pensions and mandatory retirement.

Gunderson and Hyatt in their article give examples of some confusions and misunderstandings about age discrimination policies in Canada. Strictly speaking, the Charter covers only relations between the government and its citizens; it does not concern itself directly with relations amongst citizens, such as most employment contracts, which constitutionally fall under provincial jurisdiction. The Provinces have Human Rights Codes that do touch upon employment matters, and decisions under their aegis can be appealed, ultimately, to the Supreme Court.

Whether or not some form of age discrimination should be sheltered under the umbrella of the Charter of Rights often depends on two main things: first, a factual question, whether age is indeed a useful and reliable marker of some other characteristic or circumstance and, second, a normative question, whether that characteristic or circumstance itself is reasonably relevant to some specific right. The Charter itself recognizes "reasonable limitations" on our right not to be discriminated against on the basis of age and other prohibited grounds. Charter rights are defeasible, on a wide variety of possible grounds, even without appeal to the "notwithstanding" clause of the Charter.

An important "reasonable limitation" on the Charter stricture against ageism is the BFOR (bona fida occupational requirements) principle. The Supreme Court heard on appeal *Ontario Human Rights Commission v. Borough of Etobicoke* (1982) and rejected, at least on the then available evidence, mandatory retirement at age 60 for Ontario firefighters.

The Court laid down two principles, a subjective and an objective test, in deciding the case: age limitations, subjectively, must be used "honestly and in good faith," and the limitation, objectively, must be "in the interests of adequate performance of the work." In this case, the Court concluded that the subjective test was met, but the objective principle was violated because of the "lack of scientific evidence." (See pp. 48-9) I shall return to the subjective test later in this review.

I mentioned earlier the lack of detailed, non-anecdotal evidence about academic productivity by age group in various fields. Perhaps the lack of evidence *continued on page 6*

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on this does not matter, for the Supreme Court took the position in the firefighter's case that the presumption, the default position, in the absence of scientific evidence, was in favour of non-discrimination on the basis of age.

Some have expressed concern that the elimination of mandatory, aged-base retirement will lead to special testing regimes for those over an arbitrary age, such as 65. However, as Munro points out, at least at the University of Toronto, every academic is subject to an annual performance appraisal, according to which anyone who receives in three consecutive years no merit increase may be subject to "dismissal for cause." Presumably such academics would be considered "incompetent." However, this issue of academic competence in the context of BFOR, while important in some arguments about mandatory retirement for academics, is not discussed in scientific detail in *Time's Up!*

In Canada the regulation of professions is a provincial matter, but the standards laid down always include the removal of a licence to practise from those deemed incompetent. The usual standard for professional competence is quite low; incompetence is performance grossly below average. For academics, a similar principle should apply. This is important in the current debate: the standard of competence for elderly academics, for both practical and equitable reasons, cannot be set very high, and certainly not higher than that for other tenured academics.

I turn now to some of the general socio-economic considerations that were at the heart of the legal appeals, although they are too complex to be done full justice here. Two essays by economists—the case for mandatory retirement presented by Gunderson and Hyatt and the contrary case presented by Kesselman—are tightly argued and are well

worth reading to gain a balanced perspective. It should be noted that the Supreme Court majority in *McKinney* relied on the pro argument; the minority—the two female Justices—relied on the con argument. The balance may be shifting in favour of the con arguments. (See, for example, Mr. Justice Iacobucci's comments in *Law v. Canada* (1999) quoted on pages 61-62.)

Let me address just one of the central socio-economic considerations: the deferred (or back-loaded) compensation principle, which is closely tied to defined benefit pensions, and which is something of a sacred cow in large organizations, such as universities using a concept such as "progress through the ranks." Normally, in such wage schemes, one's salary starts out low and gradually increases over time (say about 35 years) until one reaches one's highest salary at retirement, and then the average of the last few years (say three or five) is used as the basis of a defined benefit pension that relies on tax-sheltered contributions and actuarial considerations. Why use this scheme?

Is it because, in general, as we age our heads gradually fill to bursting with knowledge, creativity and wisdom, so that our teaching and research production usually reach a climax at retirement? There may usually be some performance improvements with age, but neither of our two economists discussing the issue makes the implausible claim that these improvements match the usual wage schedule. They give other reasons. For example, it is an incentive for the employee to be loyal and diligent in the expectation of being rewarded in the long run. A consequence is that people are underpaid early in their career and overpaid towards the end, if productivity is considered as the appropriate basis for compensation.

In my layman's terms, here is some of what is involved. The donkey is offered, first, nibbles at the pointed end of the carrot, and as she plods along she gets nibbles at thicker parts

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The following month we attended a weekend matinée performance of "Alice's Affair" at the Tarragon Theatre, which proved to be well up to the high standard we have come to expect of this talented company; providing much stimulation for our subsequent discussions (appropriately fueled by coffee and cake) on a wide range of related – or unrelated – topics.

Literary yearnings were acknowledged by attending author presentations, such as that given last spring at the Toronto Reference Library by Ken McGoogan on his new book, *Lady Franklin's Revenge*. Another such opportunity occurred this fall, when Christopher Ondaatje gave an illuminating (and illuminated – with slides) talk on his newly-published work *Wolf in Ceylon* in the Hart House theatre.

More recently a RALUT group tour at the Art Gallery of Ontario, of masterpieces from the collection of Catherine

the Great normally housed in St. Petersburg's State Hermitage Museum, enabled our members to gain access to this fascinating exhibition at 10 am – a full two hours before the general public are admitted at noon. Thus we were able to enjoy the luxury of viewing these amazing works of art without being exposed to the potential frustration of maneuvering through crowding associated with later admission; with the additional bonus of benefiting from discounted group admission rates (AGO members had free admission, as usual).

Future plans include a group visit to the Marvin Gelber Prints and Drawing Study Centre at the AGO in December, to attend a talk on Rembrandt etchings; so, stay in touch and obtain information on this and subsequent events by going to our website www.ralut.utoronto.ca. If you have ideas or requests regarding outings, please contact RALUT by e-mail at ral.ut@utoronto.ca or phone (416-978-7256) marking your message for my attention.

ESTABLISHING A RESIDENCE FOR OUR RETIREES STRIKES A CHORD WITH RALUT MEMBERS.

Responses to the housing survey that we mailed with the last issue of the REPORTER show a high level of interest in having a residence for retirees at the University of Toronto. Of nearly 250 surveys returned to date, over 75% are interested in moving into such a project at some point in time. Some of them are eager to move in as soon as possible! Our next step is to have the returns tabulated so that personal circumstances and preferences are made clear.

Meanwhile, in the new year, RALUT'S policy committee will start to plan informational meetings for members and arrange for consultations with people who can bring us their experience with such developments. It will be important, for example, to examine the provision of long term health care for retirees in residence.

The committee appreciates receiving so many replies to the questionnaire. Further information will follow, but if members have questions or comments please let us know at RALUT.

Donald F. Bellamy
Chair of the Policy Committee.

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of the carrot until at the end of the journey she gets to chomp the thick end. An academic wag once suggested reversing the process: get paid more when you are young, vigorous and needy; get less as you age and have fewer obligations. In both cases you end up with the whole carrot. However, it is clear, because of the time value of money, that, using the discounting to present value method of evaluation, the second scheme is advantageous to the employee (she could invest the "surplus wage" of her early years) and the first to the employer (who likewise could take his "wage savings" from the early years and invest them).

Deferred compensation can lead to the administrator's "Two for the Price of One" argument: offload a senior academic by early retirement and purchase two cheaper young academics to meet budget constraints and shortfalls. The savings are often so considerable that "retirement packages" are often used to get rid of expensive seniors. Does this process really meet the Supreme Court's subjective test for BFOR? I think not.

Moreover, suppose that, in an allegedly merit-based system such as the U of T's, where merit increases become part of the base salary, Academic A spurts ahead in the merit race while young and then coasts to retirement; suppose Academic B is a slow starter but spurts towards the end of her career. They could conceivably end up with the same total lifetime earnings, yet A would still be, economically-speaking, better off than B—for example, she could invest and gain a return on some of her early earnings. Furthermore, as Kesselman, an advocate of abolishing mandatory retirement, puts it: "Economic theory also asserts that with deferred compensation, individuals would choose to work 'indefinitely' to capture more wages that exceed their actual productivity." (p. 187) Academics are not angels; we are as much afflicted

with avarice as the next person. Do all those who wish to work past "normal" retirement wish to do so solely on the basis of a disinterested desire to "make a contribution to knowledge"?

I do not have space here to discuss in detail the impact of the elimination of mandatory retirement on pensions (in Canada a complex amalgam of tax-sheltered RRs and RRSPs, the CPP, the OAS, the Supplement and non-tax-sheltered personal savings, to say nothing of post-retirement RRIFs and LIFs). What I think is clear is that the elimination of mandatory retirement, together with demographic changes and actuarial considerations, will eventually affect, even though it has not quite done so yet, pension contributions and expected retirement income.

Kesselman argues (see p, 175) that mandatory retirement will have little effect. Perhaps, but in any case, life expectancy increases will have serious effects. Québec is held out, in the book, as an example of a jurisdiction in which mandatory retirement has been eliminated without adverse effects on entitlements. But recently an informal committee of "wise persons," including a former leader of the Parti Québécois, has claimed the entitlement situation in Québec cannot long last. Other jurisdictions, for example Germany and the USA, have made, or are moving to make, the normal retirement age 67, with consequent effects on entitlement levels and contributions. Here will be written the next chapter in the age, work, retirement saga.

Facts on the ground often outweigh normative considerations about rights. One of the most interesting parts of *Time's Up* concerns demographics and actual retirement statistics. Essays by Don Kerr and Roderick Beaujot, David MacGregor, and incidentally those of others, limn the real situation rather than an idealized one. Our labour force is not being overrun, in academe or elsewhere, with decrepit, incompetent elders.

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CURRENT PUBLICATIONS

The sixth edition of "Current Publications and Honours," is in preparation. New contributors: we are currently noting publications from January 2003 onward Former contributors: recent publications only.

Contributions may be edited for reasons of space. Please state your department, and for suggested format see edition # 5 in the October, 2005 REPORTER, accessible at <http://www.ralut.utoronto.ca/newsletter.html>

The deadline for submissions for edition no. 6 is February 1, 2006.

Please send contributions to Germaine Warkentin,

<g.warkentin@utoronto.ca>. THANKS!

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In fact, the average age of retirement, both in the general labour force and in academe, is approximately 61-62 years of age. Two-thirds of us retire before 65, fully 43% retire before age 60, only 11.8% aged 65 to 69 are still active in the labour force. (See p. 171) It seems clear that the "Freedom Fifty-Five" slogan has much more appeal, even among academics, than breaking mandatory retirement barriers.

In future there will likely be a labour shortage and, as Kerr and Beaujot point out; the demographic evidence shows that immigration will not provide a simple solution to the problem.

Immigrants are not all youngsters; the age profile of the group as a whole is not much different from the age profile of the current population of Canadian residents. (Remember that much of the immigrant stream is determined by family reunification provisions.)

As Peter Russell, a long-time student of the Supreme Court, sagely observes in the Conclusion, "In the long run, in virtually all constitutional democracies, judicial-decision making on these issues follows election returns." (p. 235) Would that the electorate in general have the benefit of the kind of material in *Time's Up!* when they go to the polls.

J.T. Stevenson

I thought you would all like to see this message of appreciation that came to the RALUT office from retiree Dr. Eva Butler. Dr Butler had almost no health coverage before getting the CAUT plan.

Drs. Ruth Pike and Doug Creelman,

I wish a wonderful Holiday Season and a Happy New Year to All of you and many thanks for working for us during the past year!

Dr. Eva Butler

PS Without your and RALUT's help I would be still looking for solution regarding my missing health insurance! I have received the CAUT Health Insurance as from December 2005. Thanks for your help!

Merry Christmas and Happy New Year for you all!

Eva Butler

Publication Notice

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