



**National Executive Committee Meeting
Friday, September 28th, 2018
National Office (Boardroom 1967) 4th floor
100 Queen St., Ottawa, Ontario**

MINUTES

Present: G. Phillips (Chair), N. Bois, A. Coles, M. Dyck, H. Delnick, N. Giannakoulis (*via teleconference in the am*), G. Kopytko, F. Lord, K. Mansfield, A. Picotte, M. Stiermann (*via teleconference in the am*), A. Trau

Staff: J. Courty, Debbie Cooper (*CAPE Legal Counsel*), C. Danik, K. Stoodley, C. Vézina

Via Teleconference: A. Nemec and E. Venditti

Regrets: O. Alarie, H. Collins

1. Call to Order

The NEC meeting was officially called to order at 9:03 am and following a roll call, the Chair confirmed quorum was achieved.

1.1 Review of Agenda

The agenda was briefly reviewed.

Motion to accept the NEC agenda as amended

Moved by: N. Bois

Seconded by: K. Mansfield

Abstentions (2)

By show of hands: Carried unanimously

1.2 Review of previous NEC public minutes (June 29, 2018)

There were no comments raised and/or amendments requested.

Motion to accept the NEC public minutes dated June 29, 2018 as presented

Moved by: H. Delnick
Seconded by: F. Lord
Abstentions (2)

By show of hands: Carried unanimously

**At this time printed copies of the June 29, 2018 in-camera minutes (including the SNEC minutes dated August 13, 2018) were distributed. The importance for the red folders to remain in the boardroom was reiterated. In consideration of the security of sensitive documents, prudence is imperative. The Chair outlined the ramifications for failure to comply with the directive stating that the first transgression will result in a warning; a secondary violation will result in a sanction being imposed. In the event of a third offense, the matter will then be brought forward to the NEC's attention to determine the penalty for repeated violations*

1.3 Review of previous NEC in-camera minutes (June 29, 2018)

NEC members were provided 5 minutes to review the in-camera minutes distributed. Further clarification on a terminology (*human process*) was sought. The approval of the June 29th in-camera minutes will be deferred until next meeting pending confirmation of the correct wording (*as it may have been intended to read "adjudication process"*)

(N. Giannakoulis joined the meeting at 9:22am via teleconference)

**Printed copies of the Security & Privacy Policy were distributed for review during which time NEC members were requested to initial each page, sign the document and return it to C. Vézina's attention. A minor error in translation in the document was noted and will be amended accordingly*

1.4 Review of SNEC in-camera minutes (August 13, 2018)

NEC members were provided 10 minutes to review the SNEC minutes distributed. A concern was raised related to the interpretation of a sentence (*on page 3*) with respect to a legal opinion rendered by Mr. Chuck Hofley; it was therefore requested strengthening the language, and that the August 13th SNEC minutes be reviewed by legal counsel prior to their approval. Although consideration can be given to a review by legal counsel, this would incur additional costs and is outside of standard practice.

The Chair described the internal editing process, confirmed that an amendment to this particular section of the original minutes submitted by the note taker was applied (*by the Chair and Secretary*) and provided the rationale for this revision. As slated on the agenda, the Chair will table this matter until the afternoon session during which time Mr. Hofley will be requested to review the SNEC minutes to validate his recommendation and elucidate this matter.

2. Decision Items

a) Approval of a Local for Civilian ECs and Public Service ECs and TRS at the RCMP

Motion to accept a local for the Civilian ECs and Public Service ECs and TRs at the RCMP

Moved by: A. Picotte

Seconded by: K. Mansfield

Abstentions (1)

By show of hands: Carried unanimously

b) Approval of LoP Bargaining volunteers

As per Article 14 of the Constitution and as set in Bylaw 7.1, the following volunteers have put their names forward to sit on the LoP Bargaining Committee: (Holly Porteous, Constance Naud-Arcand, Gabrielle de Billy Brown, Maxime Charron-Tousignant

Motion to accept the slate of candidates to serve on the Library of Parliament Bargaining Committee

Moved by: F. Lord

Seconded by: N. Giannakoulis

Abstentions (1)

By show of hands: Carried unanimously

c) Organizational Chart

The Association continues to perform a systematic review of the organizational chart in a practical manner. Although reclassification of various positions is anticipated, there is nothing to report at this time.

Action Item: J. Courty to email the organizational chart to all NEC members

3. Action Items deriving from the last NEC meeting

I. Posting of Welcome Message on the website for the new PBO: Completed

**At this time newly appointed in-house counsel Debbie Cooper was introduced to the NEC*

II. Meeting between Treasury Board and CAPE President on contracting out of PSES Survey: The President met with Sandra Hassan (*ADM of Compensation and Labour Relations at Treasury Board*) last month during which time concerns related to the outsourcing of the PSES Survey and lack of consultation with Stats Canada were relayed. In a follow up email, Ms. Hassan outlined TB's position stating that an adequate consultation process was undertaken and all concerns were addressed. The Chair confirmed an email soliciting feedback on the PSES survey was forwarded to the NEC on February 5th; however he concurred that no active participation took place and the timing of the consultation was inopportune as decisions by TB were already rendered and programming has been applied.

Several viable strategies were put forth by NEC members, including the development of an additional survey, the launch of a media campaign, and potentially setting another meeting with Ms. Hassan reiterating that as past practice, the co-development of survey (*between the Employer and the Union*) administered by Stats Canada is vital to the success of the PSES survey.

Motion that the NEC directs the President to request the unions to collectively conduct a separate survey in parallel with the PSES survey, and that it is conducted on a yearly basis

Moved by: M. Stiermann

Seconded by: N. Giannakoulis

Discussion: NEC members weighed in on the implications of administering a distinct survey and shared various viewpoints and factors to consider. Overarching concerns raised revolved around costs and the enhanced security risks associated with outsourcing to third party providers (*e.g.: ownership, use of and protection of individual micro, measures taken to mitigate risks, the safeguard of personal information etc.*)

All Opposed

Abstentions (3)

Motion Defeated

Action Items: The Chair will contact other Union Presidents to ascertain their input, taking into account all the comments and concerns raised. In addition, consideration will be given to deferring this matter to the newly formed Analytical Working Group

III. Student Information Guide to be reviewed by the Director of Policy and

General Counsel: With minor edits suggested by legal Counsel Debbie Cooper and NEC members, the guide is deemed as a work in progress.

Action Item: D. Cooper will revise the guide (*suggested it be renamed “Steward’s Guide”*) and will bring it back to the NEC for final approval at the next meeting

HEALTH BREAK

4. Discussion Items

4.1 Phoenix Update: C. Vézina touched on the steps taken thus far to remedy the situation related to Phoenix and the assistance available to members. Continuous efforts are made to advance the 180 grievances received; however while calls have significantly reduced, progress is slow-moving and the frustration remains. Members experiencing Phoenix pay issues are now being directed to reach out to their internal LROs.

A Joint Phoenix Communication Committee was struck at the NJC and is scheduled to meet on December 4th to discuss compensatory damages Treasury Board will be extending to members while also ensuring cohesion of communications. A newly formed “Phoenix Next Generation Consultation Working Group” comprised of the 4 Presidents of the largest

public service unions was established to discuss and begin work on the next generation consultation process for replacing Phoenix (to Phoenix+ HR systems), which will allow for a better understanding of HR services, paystubs etc. The first 3-hour long workshop was held last week in Vancouver and was attended by the local President of Garth Mullins. Several workshops across the country will be conducted. In the interim, Treasury Board is in the process of developing a list of requirements that will become part of the new system.

Any NEC members or stewards interested in attending the workshops and representing CAPE were invited to put their names forward. G. Kopytko, A. Coles, A. Trau, M. Dyck, N. Bois, K. Mansfield and A. Picotte volunteered. It was requested posting a communication piece on the website so members are kept informed.

Action Items: The Chair will forward the names of the volunteers to Treasury Board. In addition, D. Cooper and Kurt Stoodley will collaboratively work on developing a position paper or brief summary highlighting initiatives and ongoing efforts to date

4.2 Collective Bargaining Update: C. Danik reported that the TR Bargaining Committee met with Treasury Board last week to discuss the proposals that were put forth. The Employer's proposals are currently under review and the next meeting is scheduled to take place at the end of October. We are hoping for a quick resolution of bargaining. If there is no agreement in the end we would need to consider referring the impasse to arbitration.

The EC Bargaining Committee met in September. A comprehensive proposal on pay and pay administration is near completion and will be brought to the table once finalized. The EC Committee will meet again on October 3rd, during which time members of the bargaining team will be selected. The EC Bargaining Committee and Treasury Board have tentatively agreed to meet on October 19 and again in December.

PBO: The Employer has agreed in principle to engage in quick discussions for a speedy resolution. A meeting with a PBO representative has been scheduled in 2 weeks to further discuss.

LoP: The Collective Agreement will expire in mid-December. A Bargaining Team has now been established and a negotiator will soon be identified. Negotiations are expected to begin in the New Year.

Collective Bargaining: C. Danik reported on discussions at the NJC B.A. meeting held in Montreal. B.A. discussed how they anticipated bargaining would unfold in the current round. Various matters were raised including time lines and when the matter of pay may come to the table. During the meeting, the EC pay structure proposal at the Bargaining Table was presented which will ensure simplified and innovative strategies for addressing various pay issues and avoid retroactive pay transactions.

The NEC was requested to consider granting the PBO Bargaining Unit a seat on the NEC and contemplating how to operate with them as VPs. This matter will be tabled as a future agenda item.

(N. Giannakoulis left the conference call at 11:30 am and re-joined the meeting in person at 11:47 am)

Lastly, if a union were to take strike action further to an impasse at the bargaining table, we may need to communicate with locals and encourage them to get their CAPE membership cards ready

Action Item: It was requested preparing a communiqué with a friendly reminder to locals encouraging them to have their CAPE membership card at hand in the event of a strike action. Members that have misplaced their cards should contact the National office to request a replacement

**At this time, the issue regarding the process by which NEC minutes are edited and received was raised and it was requested re-opening the matter. The following motion was tabled:*

Be it resolved that effective immediately, the minutes will be presented to the NEC as recorded, recognizing they may be subject to amendments should discrepancies be identified.

Be it further resolved that minutes are not to be amended or edited prior to being presented to the NEC

Moved by: H. Delnick

Seconded by: G. Kopytko

(M. Stiermann left the conference call at 11:58 am)

Discussion: The NEC further deliberated on the issue where members expressed apprehension concerning substantive changes made to minutes that can potentially alter their meaning. For transparency sake, it was requested proactive measures be taken by the Chair to informing the NEC of such amendments prior to applying them.

**At this time J. Courty circulated printed copies of the unedited SNEC in-camera minutes*

In response, the Chair reminded that minutes are not verbatim but rather, a summary subject to interpretation by the note taker and therefore, are not considered official until reviewed and edited by the Secretary. This process has always been in place and the Chair affirmed this is not an attempt to circumvent the process.

2 in Favour,

8 opposed, 2 abstentions

Motion Defeated

Action Item: As a short term solution, minutes will be submitted in a “Track Changes” version to allow NEC members to pinpoint what was redacted. Sensitive information not intended to be reflected in the public minutes will be outlined by the Chair in person during the meeting rather than through email.

4.3 Review of Policies: Time permitting, this

LUNCH BREAK

(E. Venditti joined the meeting during lunch time)

(M. Stiermann rejoined the meeting in person at 1pm)

5. In-Camera Issues

(Agenda Item #5 was reviewed in-camera)

HEALTH BREAK

6. Committee Updates

6.1 Finance Committee

Will be addressed at the October NEC meeting

6.2 HR Subcommittee

Will be addressed at the October NEC meeting

6.3 Constitution & By-Laws Committee

Will be addressed at the October NEC meeting

6.4 Elections and Resolutions Committee

Will be addressed at the October NEC meeting

7. Reports

7.1 President’s Report:

Will be addressed at the October NEC meeting

7.2 VP’s Report: Will be addressed at the October NEC meeting

7.3 Professional Services Report: Will be addressed at the October NEC meeting

7.4 Director of Policy Report: Will be addressed at the October NEC meeting

8. Meeting Adjournment

Motion to adjourn the NEC meeting

Moved by: the Chair

By show of hands: Carried unanimously

The NEC meeting adjourned at 5:27 p.m. EDT

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The above minutes are accepted as a true representation of the National Executive Committee meeting held on September 28th, 2018

APPROVED by:

Chairperson

Date