

**CAPE Executive Committee
Minutes of April 30, 2014
CAPE National Office
Boardroom
3:00 p.m.**

Present: C. Poirier (Chair), B. Black (teleconference), J-L. Bourdages, R. Brockington, A. Butler (5:00 p.m.), S. Gagnon (3:35 p.m.), L. Haméon, A. Kurikshuk-Nemec, S. Mullen, G. Phillips, A. Picotte, J. Ouellette D. Martin and S. Wensink.

Apologies: C. Creran, N. Giannakoulis, S. Jaroudi, L. Whitmore, C. Danik.

1) Items for Approval

1 a) Agenda

Motion: It was moved by R. Brockington, seconded by S. Mullen, that the agenda be approved.
Motion carried unanimously.

1 b) Budget

R. Brockington presented the budget. Sandi Wensink, Finance Officer was in attendance in order to respond to any questions.

The budget was reviewed by heading items and not line by line due to timing.

R. Brockington mentioned that the Membership Budget meeting (MBM) will be held in June and that the audited financial statements would not be ready for the meeting due to the changes in the budget consultation process that was approved by the membership. Members will vote on the budget in September.

Action: It was requested to have a breakdown by Local for line item 16.1 and also to provide a list of Locals that receive a rebate and that it is broken down by type of expenditure example travel, salary reimbursement, catering etc....

Motion: It was moved by R. Brockington, seconded by A. Picotte, that the budget be recommended to the membership for approval.

C. Poirier = In favour, R. Brockington = In favour, A. Picotte = In favour, S. Mullen = In favour, L. Haméon = In favour, B. Black = In favour, A. Kurikshuk-Nemec = In favour, S. Gagnon = In favour, G. Phillips = In favour, J-L. Bourdages = In favour.

In favour = 10, Opposed = 0, Abstention = 0. **Motion carried unanimously.**

1 c) In Camera Minutes of March 26, 2014

Motion: It was moved by A. Picotte, seconded by S. Mullen, that the minutes be approved.

In favour = 10, Opposed = 0, Abstention = 1. **Motion carried.**

1 d) In Camera Special Minutes of April 3, 2014

Motion: It was moved by A. Picotte, seconded by J-L. Bourdages, that the minutes be approved.

In favour = 8, Opposed = 0, Abstention = 3. **Motion carried.**

1 e) Minutes of March 26, 2014

Motion: It was moved by L. Haméon, seconded by A. Picotte, that the minutes be approved.

In favour = 11, Opposed = 0, Abstention = 0. **Motion carried unanimously.**

1 f) Approval of Elections and Resolutions Committee volunteers

Motion: It was moved by A. Picotte, seconded by L. Haméon, that the returning members and the new volunteers be approved.

**G. Phillips was absent for the vote.*

In favour = 10, Opposed = 0, Abstention = 0. **Motion carried unanimously.**

1 g) Approval of New Locals

Motion: It was moved by L. Haméon, seconded by A. Picotte, that Infrastructure Canada be approved.

**G. Phillips was absent for the vote.*

In favour = 10, Opposed = 0, Abstention = 0. **Motion carried unanimously.**

Motion: It was moved by J-L Bourdages, seconded by L. Haméon, that Fisheries and Oceans be approved. **Motion carried unanimously.**

1 h) Finance Committee Motions

Motion: It was moved by R. Brockington, seconded by L. Haméon, that \$36,114.90 be transferred from the Executive Contingency Fund to cover the shortfalls for Professional Fees = \$32,033.73 and Collective Bargaining = \$4,081.17.

In favour = 10, Opposed = 1, Abstention = 0. **Motion carried.**

1 i) Local 512 motion

Motion: It was moved by R. Brockington, seconded by A. Butler, that the National Executive Committee of CAPE supports the Mayday BBQ and the march organized by Solidarity Against Austerity and endorses the organizational and financial support already provided by the National Office. **Motion carried unanimously.**

2) Matters Arising

2 a) Update on Strike Pay costs (In Camera)

This item was reviewed and discussed In Camera.

2 b) Update on Professional Fees

J. Ouellette provided a breakdown of the professional as requested by the Committee. No further issues arose on this item.

2 c) E-communications Policy

C. Poirier provided the context for this policy. Concerns were raised that this includes all documents and what about members who do not have internet at home or a computer.

- Perhaps the CAPE network could have a secure area for our use.
- Purchase Ipads
- What about the discussion platform – can this be used

Action: It was requested that other options be looked into and report back.

2 d) CLC/FTQ

Action: Invite a representative to do a presentation to the NEC in May or June.

3) Substantive Issues for Discussion

3 a) Solemn Declaration process

D. Martin raised the issue not all Local Leaders have signed the solemn declaration. The staff will figure out a process for following up with Local Leaders.

Action: It was requested to provide a report of those Local Leaders who have or have not signed the declaration for the May 7, 2014 Local Leadership Council meeting.

3 b) Service Plus

J. Ouellette provided information on this plan and advised the NEC that it is a professional service, that there is no cost to members and that it is a recruitment tool.

There was a **consensus** that J. Ouellette continue to negotiate and report back to the NEC.

4) Reports

4 a) President

Each spring our Locals hold their annual general meetings. The 2014 AGMs were scheduled a bit earlier, however, so we could meet with as many members as possible before the start of the new round of collective bargaining. In addition to visiting locals in the National Capital Region, I

went out on a cross-Canada tour, starting in Vancouver and working my way east. The details of those meetings are described in a travel diary I posted on the CAPE blog.

In Vancouver, Edmonton, Saskatoon and Winnipeg, our members had similar concerns. There is no shortage of rumours about the disappearance of sick leave, the new performance assessment system and the frightening possibility of further government cutbacks. Members are worried about their future. Also, the more information we share with our members, the greater their understanding of the extent of the changes that have been made to the bargaining process.

I was also in Toronto just before Easter. In addition to the mutual concerns shared by all members, our members in the north end of the city are feeling isolated. We therefore held two AGMs in the GTA: one in the downtown core and the other in North York. Our Labour Relations Officer will be working with several resource persons to shore up our presence outside the city centre.

Unfortunately, I was unable to participate in the Local AGMS in the Maritimes because I developed an inner-ear problem that prevented me from engaging in air travel. However, Labour Relations Officer Karen Brook was well prepared, and the EC Vice-President was able to participate in the Nova Scotia meeting.

I think we will try to spread the AGMs out a bit more next year, making it possible to take a break instead of trying to do too much in too little time.

In the regions, the Montreal and Quebec City meetings have yet to be held. As for the National Capital Region, a few Locals will be holding their AGMs in the coming weeks. After those meetings, we will have completed our tour to provide members with valuable information.

We are entering a round of collective bargaining with an employer that is more schizophrenic than ever. On the one hand, we have an implacable government that wants to cause as much damage as possible before the 2015 election; on the other hand, Treasury Board seems ill-prepared for a fight that it knows to be unfair from the outset. This is really the only way to describe the dynamics that exist now that the rules of the game have been rigged to favour the employer. As I pointed out to the Treasury Board negotiator at the EC bargaining table, if I were playing poker at a casino you can be sure that I would be calling for a new deck of cards...

But we will enter the bargaining process in good faith, preparing ourselves as much as possible and keeping an open mind, which one should always do at a bargaining table. We can only hope that the employer will adopt an equally open attitude.

Mobilization is progressing well, and our efforts in various departments and agencies are yielding positive results. The number of joint activities with other unions will increase. In fact, I was invited to attend PSAC's triennial convention in the Ottawa Region and to address the delegates on the subject of inter-union solidarity. I will admit that this put me in a bit of a strange position in light of the fact that some of our Local leaders have been trying to undermine this solidarity.

Speaking of work accomplished with the other public service unions, the various union presidents met today at PIPSC, and the level of solidarity continues to increase. The Joint Bargaining Committee reported to the presidents, and it will continue its work in the months to

come. Now that the movement is truly gathering momentum, it is hoped that nobody will spoil what has been accomplished in recent months.

4 b) Executive Director of Policy

No report this month.

4 c) Legislative Reviews

The updated report was provided.

4 d) Executive Director of Operations

Internal Matters

We have postponed the appointment of another employee to occupy the Services Coordinator's position in an acting capacity due to operational reasons. After a review of our needs and in anticipation of the impact C-4 will have on our duties and responsibilities in matters of representation, the position of Education Officer will be abolished as of May 1, 2014. Isabelle Borré will occupy a Labour Relations Officer's position as of that date.

E-surveys

No new surveys were launched during the reporting period. We are working with the Elections' Committee of Local 503 to organize an e-election that is to follow their AGM on May 28th.

Website

As you are aware, we will be proceeding with a complete redesign of our website. We hope to have it up and running by mid-June. Local Leaders, member of the NEC and staff were consulted to assist us in choosing a structure and functionalities that meet their needs. The contract for the design and creation of the new website, along with training for the staff and maintenance and support will be awarded the week of April 28th.

Mobilization

The responsibility of coordinating the mobilization efforts ceased to be the responsibility of the LRO/Mobilization as of April 1. A full detailed report of the activities and results of the mobilization campaign has been provided to the NEC. Claude Archambault has returned to his Labour Relations Officer duties but continues to assist in mobilization projects initiated during his tenure in the mobilization position.

Negotiations

The fifth meeting of the Collective Bargaining Committee for CAPE members at the Library of Parliament was to be held on April 15. The members of the committee and staff reviewed the survey results and had a preliminary discussion on the bargaining proposals. Notice to bargain will be served before June 15 and a request for information from the Employer will be sent in May.

Public Service Commission Joint Advisory Council (PSCJAC), Public Service Labour Relations Board Client Committee (PSLRBCC) and Public Servants Disclosure Protection Tribunal Client Consultation Committee (PSDPTCCC)

The next meeting of the PSCJAC is to be held on April 30th. I will be reporting verbally on the meeting.

The next meeting of the PSLRBCC will be held in June

The next meeting of the PSDPTCCC should be held in the fall.

Representation Files

Here is a breakdown of the major subjects with all of the representation files opened since the beginning of 2014:

| | | | |
|----------------------------|----|---------------------------|----|
| Absenteeism | 1 | NJC (benefits) | |
| Access to information | | NJC (Dental) | |
| Accommodation | 19 | NJC (FSD) | |
| Acting Appointment | | NJC (health care plan) | |
| ATIP | | NJC (Relocation) | |
| Authorship | | NJC (Transportation All.) | |
| Bargaining Unit Work | | NJC (Travel) | |
| Benefits | | NJC (WFAD) | 8 |
| Bilingualism Bonus | | Pay | 9 |
| Career & Registration Fees | | Pension | |
| Classification | 5 | Performance Evaluation | 15 |
| Code of Conduct | | Personal File | 1 |
| Consultation | | Policy | |
| Deployment | | Political Activity | |
| DFR | | Privacy | |
| Disability Insurance | 5 | Probation | 2 |
| Discipline | 15 | RAND | |
| Discrimination | 2 | Recruitment Program | |
| Employment Status | | Representation | |
| Ergonomic Assessment | | Resignation | |
| Fitness to Work Evaluation | | Retirement | 1 |
| Harassment | 24 | Return to work | 6 |
| Health and Safety | 1 | FIP | |
| Health and Safety (Claim) | | Security Status | |
| Hours of Work | 1 | Service | |
| Hours of Work (Overtime) | 1 | Staffing | |
| Hours of Work (Travel) | | Staffing (WFAD) | 1 |
| Human Rights | | Statement of Duties | 5 |
| ICMS | 1 | Telework | 1 |

| | | | |
|-----------------------|---|----------------------------------|------------|
| Implementation of MOA | 1 | Term Employee | |
| Johnson Insurance | | Termination | 3 |
| Language Profile | | Terms and Conditions of Work | |
| Language Training | 1 | Training Program | |
| Leave | 4 | Travelling Time | |
| Leave (Annual) | 3 | Unfair Labour Practice Complaint | |
| Leave (Bereavement) | | Union Dues | 1 |
| Leave (Other) | 3 | Union Representation | |
| Leave (Parliamentary) | | Work Assignment | 3 |
| Leave (Sick) | 6 | Work Location | |
| Leave (Without Pay) | 4 | Workload | |
| Letter of Expectation | | Wrongdoing (Whistle Blowing) | |
| Maternity Allowance | 1 | | |
| Medical Evaluation | 3 | | |
| | | Total | 157 |

Court cases

An application for judicial review of the decision in the Lebeau case (discrimination – human rights issue – Statistics Canada) was filed on November 22 with the Federal Court of Appeal.

Public Service Labour Relations and Board (PSLRB)

Scheduled hearings

These are the cases involving CAPE scheduled for a hearing before the PSLRB.

| | | | |
|--------|----------------|--------------------------------|-------------|
| Ottawa | May 23 | Dupuis (Relocation – NJC dir.) | DFATD |
| Ottawa | July 4 | Paquet (Leave) | PWGSC (BtB) |
| Ottawa | Sept. 15 to 19 | (Termination) | IRB |

Please note that hearings may be postponed or cancelled up to the day of the hearing. The PSLRB schedule may be consulted at:

http://www.crtfp-pslrb.gc.ca/hearingschedules/intro_e.asp

http://www.crtfp-pslrb.gc.ca/hearingschedules/intro_f.asp

4 e) Finance Committee

The financial statements for the period ending February 28, 2014 were reviewed.

4 f) HR Committee

A. Butler provided an update on the work of the Committee

- Have met once since the last report
- Trying to set up the structure of the report
- One main chapter = Presidential
- Supplementary piece regarding the risks to organization
- Elections recommendation to follow
- Report should be ready for the May meeting
- C. Danik mentioned that ESU bargaining should be on the agenda

4 g) Visioning Exercise Committee

A. Butler provided an update on the work of the Committee.

- Has not met for 2 months
- Restrictions on time and availability of members
- What we do now may be overwritten by the new NEC
- Decided to look towards the fall for recommendations to be provided to the new NEC.

4 h) Constitution and By-Laws

Resolutions with monetary implications

B 3.36 Resolutions in any text medium format with verifiable signatures shall be received at the National Office. Resolutions must be received ~~sixty-ninety~~ (960) days before the AGM. Once resolutions have been received and their admissibility confirmed in consultation with the President, the National Office shall organize a vote concurrent with the elections schedule.

B 3.37 All resolutions will be reviewed by the Finance Committee for monetary implications.

B-3.38 If the Finance Committee determines that implementing a resolution will require funds not available in the current budget, it will inform the authors of the resolution and offer them an opportunity to make changes to the resolution before it is sent to the membership. Any changes must be received sixty-five (65) days before the AGM.

B 3.39 The Finance Committee has the authority to amend any resolution to include a special levy or budget amendment to ensure that the funds are available to implement the resolution.

B 3.~~37-40~~ Authors of the resolution may delegate one (1) scrutineer to the counting of votes. All other provisions under paragraphs B 3.11 to B 3.36 inclusive shall apply, mutatis mutandis, excluding B 3.14.

Motion: It was moved by S. Mullen, seconded by L. Haméon, to adopt the proposed amendments to By-Law # 3. **Motion carried unanimously.**

5) Adjournment

The meeting adjourned at 9:00 p.m.