

National Executive Committee

Minutes

Wednesday, September 30th, 2015

4:00p.m.

National Office

Boardroom 1967

100 Queen Street, Ottawa ON

Present:

E. Tremblay (chair), N. Giannakoulis, A. Picotte, A. Butler, N. Burrton, J. Hove, S. Maguire, S. Mullen, N. Pothier, S. Powell, J. Squires, I. Borré, C. Vezina, R. Kelly(Tel), J. Porter(Tel), A. Nemeč (Tel), C. DesRochers (Tel).

Excused:

R. Coffi, P. Scholey

1. Items for approval

- a) Adoption of the Agenda

Motion: It was moved by A. Picotte and seconded by S. Maguire that the agenda be approved with proposed additions.

In favour = 13, Opposed = 0, Abstention = 1. **Motion carried**

- b) Adoption of the Minutes from the July 7th, 2015, NEC meeting

Motion: It was moved by A. Picotte and seconded by J. Hove that the minutes from the July 7th meeting be approved with minor changes. A request was made that more details on the content of discussions be included in future minutes.

In favour = 13, Opposed = 1, Abstention = 1. **Motion carried**

2. Presentation on the PIPSC Membership Database

Presentation was given by the following members of the Professional Institute of the Public Service of Canada:

Steve Hindle, Vice-President
Eddie Gillis, Chief Operating Office and Executive Secretary
Phil Keast, Director, Informatics
Linda Martel, Manager, Membership and Administration

The institute has a business proposal regarding the delivery of technical services for CAPE's membership and dues database. The Institute indicated that their primary motivation is to maintain joint solidarity and good relationship with CAPE and to offer the same type of relationship that prevailed under the Service Plus agreement. The Institute says it has no hidden agenda and does not intend to use CAPE's database access for personal gain and that agreements would be drafted for this purpose.

PIPSC presents itself as a leader in database management in the public service and says they would offer that expertise to CAPE on a contract basis, in a cost effective manner. In parallel, the Institute would develop its expertise to develop this market among other bargaining agents.

The presentation was followed by a question period.

Some of the concerns raised include: privacy protection, de facto sub-contracting of functions currently held by CAPE staff, ease of use for e-communications purposes and control over the issuance of messages directly to the CAPE membership, integrity of the voting and survey system.

Motion: It was moved by A. Picotte and seconded by S. Maguire to go in camera.

Motion: It was moved by J. Squires and seconded by J. Hove to come out of camera.

3. **Matters arising**

- a) CAPE-ESU Bargaining (see below in President's report and-in camera)

4. **Item for decision**

- a) Motion to approve recommendation from the Complaints Review Committee

Motion: It was moved by N. Giannakoulis and seconded by A. Butler to approve CRC recommendation with the caveat that the further investigation will be conducted by a 3-person NEC sub-committee.

In favour = 8, Opposed = 7, Abstention = 0. **Motion carried**

Motion: It was moved by J. Squires and seconded by E. Tremblay to create a 3 person sub-committee of the NEC, to be established as per B 5.3.9. Nominated to this committee are Jessica Squires, Alex Butler and Johanna Hove. All have accepted their nomination.

In favour = 11, Opposed = 0, Abstention = 4. **Motion carried**

- b) Motion to nominate Claude Poirier on the TR bargaining team

Marc Vallée is on parental leave and Andre Picotte will also be away on leave for 5 weeks. Two members of the negotiations committee will be absent. It is recommended that Claude Poirier be nominated to the TR bargaining team.

Discussion:

It was noted that when a member of the EC negotiations committee is away, an alternate is brought in to replace during the absence of the committee member. There is no equivalent system on the TR team that has no second group of alternate to draw from.

Claude Poirier, as a former CAPE President was automatically on all committees, including the TR bargaining Committee. He brings to this committee his experience and background in negotiations, including during the current round. This would allow him to function immediately. No other names were brought forward for this temporary replacement.

Motion: It was moved by A. Picotte and seconded by S. Mullen to nominate Claude Poirier to the TR bargaining team.

In favour = 6, Opposed = 0, Abstention = 10. **Motion carried**

Note: Many EC Directors abstained since this is mainly a TR matter.

c) Motion to approve the creation of a Local at the Treasury Board Secretariat

NEC has already approved 2 stewards for this Department. They have collected 10+ signatures in support of creating a local at TBS. If NEC agrees, there will be an AGM on October 1st, 2015 and a local executive will be elected among members at the TBS.

The signatures collected are required to request permission to create a local. They will run an election and inform us of who will be on their executive.

The suggestion was made to provide this new Local with an experienced LRO and also provide a buddy/mentor from a well-established Local. The LRO responsible for TBS is the experienced Claude Archambault who knows the Department very well.

Motion: It was moved by E. Tremblay and seconded by N. Burrton to approve the creation of a Local at the Treasury Board Secretariat.

Motion carried unanimously

d) Motion to approve Kate McKerlie as Steward for Environment Canada

Environment Canada has an established Local number 524. It has been dormant for several years. Although NEC approval is not required on this motion, it should be noted that Mrs. McKerlie has already started collaborating with CAPE national to organize a Local AGM on October 28th, 2015.

e) Motion to endorse Evidence for Democracy's [Science Pledge](#)

Evidence for Democracy is asking individuals and organizations to support the Science Pledge. If we agree to support the Science Pledge, we could add our logo to Evidence for Democracy's website endorsing evidence-based decision making.

Science Pledge

"I believe that all Canadians benefit when governments solicit, collect and use the evidence and expertise needed to make smart policy decisions that safeguard the health, safety and prosperity of Canadians. I support actions that invest in public-interest science; ensure open, honest and timely communication of scientific information; and make public the evidence considered in government decisions."

PIPSC and many other organizations (which can be found on their website) have signed in support of the Science Pledge.

Motion: It was moved by E. Tremblay and seconded by S. Maguire that CAPE as an organization, signs the Science Pledge. **Motion carried unanimously**

f) Motion to endorse the [Leap Manifesto](#)

"We call for a Canada based on caring for each other and the planet, moving swiftly to a post-carbon future, upholding Indigenous rights, and pursuing economic justice for all."

Discussion:

CAPE wants to support social justice by demonstrating where coalition work is possible. Other organizations with which we are in coalition on other fronts are supporting this Manifesto. As discussed at the NEC retreat, CAPE should try to foster these linkages, add pressure on the upcoming election regarding these issues and not take a partisan approach. With the link below you will find the 15 demands of the Leap Manifesto along with its statement.

The [Leap Manifesto's 15 demands](#) were read out loud.

Motion: It was moved by E. Tremblay and seconded by J. Hove that CAPE, as an organization, become signatory to the Leap Manifesto.

In favour = 10, Opposed = 3, Abstention = 2. **Motion carried**

g) Motion to support [Friends of Public services](#)

CAPE has received a request from a group called Friends of Public Services for financial support to print leaflets in support of door to door mail delivery, as a non-partisan campaign, to inform the public about the issue in communities where door-to-door has been or will be cut.

It is recommended that a maximum amount of \$500 be granted.

Discussion:

Questions arose as to the perception and legality of our contribution. Legally, CAPE can make a contribution, as long as we are a registered 3rd party. The registration process was begun with Elections Canada and a ceiling of \$4999 was set by a NEC e-vote. Anything above \$5000 has strict audit requirements.

Of note, the vote was unanimous for the motion established on May 27, 2015, regarding CAPE's position on the federal election, which read as follows:

Be it resolved that the CAPE position on the 2015 federal election is as follows:

- that CAPE does not see the election as an end in itself, but as a step along the way to restoring Canada's public service to one that provides scientific and respected evidence, professional translation services, and sound, fearless advice to senior managers and political decision-makers; and,

- that members should be encouraged both to vote, and to be civically engaged in other ways, as is their right under the PSEA (section 112). CAPE will post to its website, a summary of the rights of federal employees under the PSEA for consideration by CAPE members. - that members should be encouraged to make an informed decision about voting, including by reviewing party platforms and track records for their alignment with CAPE members' interests as workers. CAPE will review party platforms and post on its web page a summary of their positions for consideration by CAPE members.

It was mentioned that much of the Canadian public is still unaware that there has been many postal cuts and they need to be informed. If this is complementary to defending public services more broadly, CAPE should support this request.

Motion: It was moved by E. Tremblay and seconded by N. Burron to support Friends of Public Services with a donation of \$500.

In favour = 11, Opposed = 2, Abstention = 1. **Motion carried**

h) Motion of Solidarity for Locked out Ottawa Airport Taxi Drivers

A request was brought forward to file a resolution of solidarity for the locked out taxi drivers who, while having been locked out by their employer, they had a 400% increase in new fees for taking customers which will have an impact on their livelihood.

Motion: It was moved by S. Powell and seconded by J. Hove that,

CAPE expresses solidarity and support for the hundreds of Ottawa Airport taxi drivers locked out by their employer.

CAPE condemns such injunctions that prevent workers from exercising their constitutional right to freedom of assembly, which has implications for future job actions by all workers who seek to protect and improve their working conditions.

CAPE calls upon all of its members to refrain from using the services of other taxis at the airport, including Uber, during this labour dispute.

Discussion:

Our support is for those who have lost their right and if we were on strike and we received an order, even if the other unions received no injunction, we would still want the support of other unions. The point of this motion is the mechanism by which the drivers were locked out. Our members need to be made aware about the injunctions applied to the drivers of this conflict.

The employer has locked out the Airport drivers - other taxi drivers working for the same employer are not in dispute and are picking up fares. Airport drivers have exclusive rights as they are required to have a special license (more cost).

Motion put to a nominal vote:

In Favour: Emmanuelle, Ryan, Simone, Jessica, Neil, Nick, Johanna, Stephen

Opposed: Alex, André, Ann, Nathalie

Abstention: Chantal, Jacob, Sean

In favour = 8, Opposed = 4, Abstention = 3. **Motion carried**

5. Reports

a) President's report (Leadership Summit, LoP Arbitration, Bargaining, C-59 Injunction)
Presented by Emmanuelle Tremblay

- ESU collective bargaining report-

Motion: It was moved by A. Butler and seconded by Sean to go into camera.

Motion: It was moved by Sean and seconded by A. Butler to come out of camera.

- Leadership Summit will be held on October 24th following the Federal Election. It gives CAPE an opportunity to train and give guidance to our local leaders on how to rebuild locals and appoint new LLC committee members. We will look for ideas on rebuilding our locals and reassessing CAPE's role in the new political environment.

All locals have been helpful to varying degrees with the monthly events usually held around the 19th of each month with the manning of tables to provide information and participation. There is always a need to get our members more engaged and informed on workplace issues. Here is an opportunity to get feelers from our local leaders to rethink bargaining/mandate following the election. Several of the federal parties, if elected, have indicated that they would reset the mandate.

TBS also expects to have their mandate renewed which has been focused on the sick leave and short term disability plan. This signals the possibility for CAPE to bring new proposals to the table and to retake the pulse of our members in terms of what their real priorities are.

We have bargaining dates planned in November for the EC table and December for the TR table. These dates will only stand if a Conservative Party is elected, otherwise, these dates will very likely change.

The Injunction has been filed and the court date has been set for October 29, 2015. If Tony Clement was to decide to try to impose sick leave or short term disability on us, he would need to give a 5 day notice to unions and to the court and the court would hear the application for injunction.

Further demarche has been undertaken by the unions through the International Labour Organization via the CLC and Public Service International regarding C-59.

The other important date is the AGM set for November 17th 2015, which involves the election of a new EC Director. NEC members were provided with the candidates' information and one resolution which were submitted for the AGM.

The Finance committee only made a change with the insertion of dates to the resolution which calls for an analysis of how a progressive rather than flat structure of dues would impact members and asking of a membership vote in the future about such a change.

b) Administrative services report (AGM preparations) Presented by Isabelle Borré

In preparation for the AGM, the elections calendar is finalized. We are looking at changing the format for this year's AGM. It was proposed that no head table be set at this year's AGM. To be further discussed.

We are looking for a keynote speaker and have asked Mike Pelacek, the President of the Canadian Union of Postal Workers to speak.

We plan to have an exhibition space with tables for our sub-committees.

The resolution which was submitted by Wayne Fan and Maggie Simpson is about a progressive dues structure. What they are proposing is a restructuring of how dues are collected. Not a set fee but a progressive (percentage) fee structure. They would like CAPE to do an analysis. NEC has no authority on the resolutions as this process is separate from the NEC.

There has been much evolution in the internal culture of the CAPE office that is somewhat reflexive of the changes in leadership. Increased membership engagement is not the default setting so it requires adjustments. Also, there was a more siloed approach to performing functions, particularly administrative functions that made it hard for back-ups to know what to do when staff were absent. We are now working on reference and procedures manuals. We are also looking at restructuring our reception area since the new automatized phone system reduced the need for a receptionist.

As follow-up to a past NEC minutes, thank you letters and certificates have been sent to outgoing members of the 2012-2014 NEC.

c) Professional services report

Claude Vézina gave an account of completed cases.

Some had positive outcomes and others not so positive. Here are a few summaries:

- Case of member against member - outside consultant hired for 2nd member of this case.
- There are extensive delays at the PSLREB (with about 5500 cases waiting for adjudication). A solution is being sought for all the unnecessary delays and three new members were appointed to the Board.

- Increase in numbers of classification grievances– new levels and job descriptions take time.

- Success in a classification case - decision was given to raise member from EC-03 to EC-04.
- WFA case – a letter was given to member prior to Maternity Leave which triggered a Human Rights Discrimination. Case was settled (financial compensation).

There are two instances this year of a member having been successful at adjudication wishing to make a donation to CAPE as a gesture of gratefulness. The second member specifically requested that the donation be made into CAPE's Defense and Strike fund.

d) Reports from Committees

- i. Mobilization and Job Action & Education (Pre-electoral activities)
Presented by Jessica Squires

There were a lot of activities in September; Labour Day, Harperman Song (Sept 17), Memorial on Parliament Hill (Sept 19) and the We Can Do Better Rally (Sept 26), in addition to several BBQs. There have been 2 other MOB bulletins published since we last met with very interesting articles.

There was a MJAC and Education joint committee meeting on September 2 where it was decided to push for a coalition where CAPE would take the lead. These actions were endorsed by several (9) other organizations and taken to Parliament Hill on Sept 26st. It was a small success with media coverage which was attended by the Postal Workers Union, Friends of Canadian Broadcasting, Pilots Association, Council for Canadians, Canadian Media Guild, Peace Alliance, etc. The main theme of the campaign is that this election and beyond, We Can Do Better on a variety of fronts, together. Each organization had the flexibility on how the slogan was to be interpreted and take it further. It was able to go further than just how we were going to vote on October 19th. This was a great example of building a coalition. Now it is time to build the "better".

Comments were made that prior to the upcoming elections members should be reminded about sick leave, workload issues post 2012 cuts, and pension plan legislation. We need strong messaging for the issues to be made clear.

CAPE's elections page is being prepared and will be live very shortly. It will include letters from party leaders, our MOB bulletin, and analysis of where the parties stand. Time is of the essence and we want our members to know the key issues.

ii. Finance - Presented by Nick Giannakoulis -

There were no recommendations for NEC this time around.

CAPE did implement the new telephone system. The Auditors submitted a draft audit report but the audit committee has not finalized its review.

It was asked that the monthly financial report be circulated to NEC members more regularly. This will be done for the next NEC meeting.

Request was made for a tally of the mobilization expenses based on what was approved.

It was reported that 3 BBQ's were held; Tunneys Pasture BBQ was successful 2000 attended.

Approx. \$4000 spent. Transport Canada also had a BBQ and a Corn Roast was held at Terrasse de la Chaudière.

iii. Communications -

Our communications officer did an audit of our website – sub-committee will work on restructuring the website making it more intuitive, but this will have to wait until after the AGM. We can expect a better product sometime after January.

Issue of a publication to take volunteer time to attend the Harpeman Song event which went out prior to being vetted was discussed. A variety of viewpoints were expressed in this regard.

Emmanuelle assured the NEC that any web posting would be vetted by her and by others on the management team as required in future.

iv. Ad-hoc HR Sub Committee – No report at this time. A meeting should be scheduled next week as there are issues of contention which need to be addressed and NEC members should have an opportunity to express opinions. HR Sub Committee does not have terms of reference nor mandate but to advise the President on specific HR matters. Management contracts are to be treated as confidential, although there is recognition of the need for proper governance.

v. Young Members Advisory Committee – Presented by Emmanuelle Tremblay
YMAC is about to formalize an inter union Youth Caucus, including PIPSC and PSAC for the TORs of the group are to be adopted. This is to be held here at CAPE HQ October 6th. Anyone can attend. No age set as to who can attend.

vi. External Committees - Presented by Simone Powell

Gave an update of what her participation was on several other committees.

The local coalition in Ottawa is trying to get a motion before City council regarding its support to door-to-door delivery.. Signatures were collected from Ottawa citizens at the Labour Day Parade

We are participating in the Canadian Coalition for Retirement Security. The Coalition is supporting the campaign [Honour Your Promise](#) that calls on politicians to respect agreed upon retirement schemes and continue the generally well-funded and sustainable defined benefits plans

Simone is also personally involved with the Ottawa Health Coalition, and on October 4th at Ottawa Public Library, there will be a forum on Health Care with local candidates present. The Workers' Action Group of Solidarity Against Austerity is supportive of a group of workers that have lost their jobs at the Mugshots Bar at the Jail Hostel. Management has not granted them the minimum severance that is required under the Ontario Labour Code and the now jobless group has to fend for itself.

Motion: It was moved by A. Picotte and seconded S. Powell to adjourn the NEC at 22h25.

Motion carried unanimously.