

CAPE Executive Committee

Minutes of March 26, 2008
CAPE National Office
Boardroom
5:45 p.m.

Present: J. Aggrey (Chair), J-R. Benoit, C. Card (late arrival), G. Dussault, M. Holyk, M. Korol, C. Lakaski, R. McVicar, A. Picotte, A. Sipos, S. Spak, M. Zinck, C. Danik (late arrival), J. Ouellette, D. Martin.

Apologies: L. Perrin, S. Spano, C. Therrien.

1 a) Approval of Agenda

The following items were added under:

- 1) Items for Approval
- c) Motion from Communications Committee
- 6) Information Items
- a) Policies and Practices of the Association

Motion: M. Zinck moved, B. McVicar seconded, that the agenda be approved, as amended. **Carried unanimously.**

1 b) Approval of Minutes of February 27, 2007

It was noted that item 1 i) Grievance Committee was missing from the minutes and that the names of the Committee members should be recorded in the minutes.

J. Aggrey mentioned that he had some minor editorial corrections and he would provide the secretary with them.

Motion: B. McVicar moved, S. Spak seconded, that the minutes be approved as amended. **Carried unanimously.**

1 c) Motion from Communications Committee

M. Korol, Chair requested that further funds be budgeted for promotional items. He advised that currently there is \$10,000 budgeted and the Communications Committee did not feel that this amount was sufficient enough. He further mentioned that they did not have a recommendation on exactly how much the Communications Committee required for promotional items.

Motion: M. Korol moved, A. Picotte seconded that the National Executive Committee directs the Finance Committee to increase the budget for promotional items.

In favour = 9, Opposed = 2, Abstention = 0. **Motion Carried.**

2 a) Taskforce on Membership Participation Committee Report

C. Lakaski presented the report to the National Executive Committee. He thanked all the Committee members for their efforts and work on the Committee and also thanked M. Zinck for sending in comments on behalf of the P.E.I. Local # 102.

C. Lakaski mentioned that he would forward the comments he received by M. Zinck to the rest of the Committee for their information.

J. Aggrey requested the NEC to give serious consideration on having a “CAPE Day” similar to Public Service Week as recommended in the report.

Motion: M. Zinck moved, J-R. Benoit seconded, that the report be accepted by the National Executive Committee. **Carried unanimously.**

2 b) Finance Committee

The financial statements for the period ending January 31, 2008 were reviewed.

2 c) Audit Committee – Terms of reference

J. Aggrey mentioned that the past Chair of the Audit Committee is no longer in the EC bargaining unit and their new position does not allow them any time to provide further input on this matter.

G. Dussault mentioned that the current Terms of Reference do not provide enough information on the roles and responsibilities between the Auditor and the Audit Committee. He further requested that they be removed from the website and that this be brought back to the National Executive Committee for review.

G. Dussault further asked if there was a formal request made by our Auditor or any documentation that an Audit Committee be established.

J. Aggrey agreed to remove the Mandate from the website and to bring this item back to the National Executive Committee for review and hold the Terms of Reference in abeyance for the next Audit Committee when it is established.

2 d) Progress Report by Sub-Committee investigating complaint

M. Holyk stated that the report would be ready for the April meeting.

2 e) PSC to many perceptions by Kevin Lynch

J. Aggrey provided information on the article to the National Executive Committee and advised them that the article could be found on the Privy Council website.

3 a) Invitation to President's Council meetings

M. Holyk asked if only the President's of Locals could attend these meetings and why in cases of emergencies could an alternate delegate not attend.

J. Aggrey explained that the Presidents' Council was designated for the Presidents' only and that the Local Leadership Council was designated for all the Local Leadership to attend.

C. Card mentioned that the Vice-President normally replaces the President if he/she cannot attend a meeting.

C. Lakaski also agreed that the Vice-President should be able to attend in case the President of a Local could not.

M. Zinck stated that he would support the Vice-President as a delegate.

J. Aggrey stated that he would bring this issue back to the Presidents' Council to get their thoughts on sending alternates/delegates, if they could not attend.

4 a) President's Report

January 15, 2008: ESU-CAPE Meeting

I attended a Special ESU-CAPE meeting to explain the recommendation made to NEC in October, 2007 to consider purchasing as an option to renting and in particular, a recommendation to NEC to consider the purchase of an office accommodation in Vanier. The meeting resulted in ESU's recommendation to add a member of ESU to the Office Accommodation Working Group.

January 23, 2008: NJC Bargaining Side Meeting

The NJC Bargaining (BA) Side met to discuss the next steps after the Pensions Surplus Trial Case was dismissed by Judge Panet. The meeting was attended by the three Legal Counsels to the Plaintiffs. The NEC has already been informed of the intent of the BAs to launch an appeal, if possible, to the Supreme Court of Canada.

January 24, 2008: HRSDC Local AGM

I attended the AGM of HRSDC Local. The meeting was well attended and a new Local Executive was elected. I am to report that Barry Maloney decided to actively get involved in the Local and was elected as President. Another positive development at

HRSDC Local was the number of members who volunteered to be on the Executive. This far exceeds the number of volunteers on any Local Executives of the Association.

February 12, 2008: Local Leadership Council Meeting

This was the first meeting of the Local Leadership Council following the approval of the Constitutional amendments last year. The minutes of the meeting has been posted already. The Council proposed that its meetings be scheduled together with other meetings, if possible and that CAPE provide business cards to all Local Leaders with their respective titles.

February 13, 2008: Meeting with TR Leadership

The meeting of the TR leadership was called to review the outcome of our (Lionel Perrin and myself) meeting with Ms. Francine Kennedy, VP, Translation Bureau, on October 19, 2007 in which she had promised to address some concerns of the Bureau that we had discussed with her.

While I am personally disappointed with the pace of progress in addressing the TRs concerns, I have been informed that the Bureau, under Ms Kennedy's leadership, has made an effort in the right direction. For example, the TRs leadership acknowledges that there has been improvement in the consultation process since our meeting. Now management sends documents for meetings well in advance and the call for Agenda goes out well in advance of meetings.

The Bureau, however, has not addressed major issues, such as respect for the input of TRs into projects and decisions, or the lack of mobility from one unit to another. Neither has the Bureau addressed the issue of recruitment, retention and succession planning.

I advised the TRs Leadership that I will be scheduling another meeting in April or early May with Ms. Kennedy to continue to advocate for change and progress in addressing the TRs concerns.

February 19, 2008: Elections Canada Local AGM

The meeting was well attended and a new Executive was elected. The new President is Alain Tremblay. Some members spoke of some long standing issues at the Agency, for example, the cancellation of all holidays when there is an expectation of an election call and the issue of term employees after many years of working for EC. I encouraged the members to meet and identify their concerns and to send me a list for my meeting with the Chief Electoral Officer. See below the report on my meeting with the CEO.

February 26, 2008: CAPE Office Accommodation Committee Meeting

The Committee met and discussed their Terms of Reference. ESU's representatives are Claude Vezina and Liana Griffin. As mandated by the NEC, it has broadened its

work to include a search for other suitable properties in the National Capital Region as an option to purchase. The Committee will schedule a visit to 39 McArthur at its next meeting.

February 29, 2008: Pensions Advisory Committee (PAC) Meeting

Among other things, PAC discussed transformation of Pension Administration. This includes such things as pension modernization, centralization of Pension services, and pension data corrections with the objective of transforming the pension administration to align to industry standards. PAC also discussed on-going pension issues as governance, benchmarking, (i.e. to compare with international pension administration organizations in the public and private sector) and phased retirement – that is policies designed as a means to facilitate retention in an impending labour crunch and to assist employees in easing into retirement.

March 4, 2008: NJC Bargaining Agents Side

The Bargaining Agents side met to discuss its regular business, reviewing and approving various committee reports in preparation for the full NJC meeting. The NJC discussed its input to the employer's ICMS. As well, it discussed the idea of the NJC having a Policy on Recognition and Appreciation Awards. With my experience in drafting the CAPE policy, I volunteered to serve on a committee and to prepare a draft policy.

March 5, 2008: Meeting with PIPSC

Michèle Demers, President of PIPSC made a presentation to CAPE on their initiative to file an application against the employer on a Charter challenge for excluding on pensions, staffing and classification from collective bargaining. The presentation was attended by Claude Danik, Jean Ouellette and myself. As well, PIPSC invited representatives from both the Association of Justice Council and the Association of Canadian Financial Officers. The purpose of the presentation was to inform CAPE of their initiative and to find out if CAPE would be interested in collaborating with them or considering filing our own Charter challenge. We thanked Michèle for sharing their plans with us and promised to get back to her with CAPE's position.

March 5, 2008: NJC Meeting

The regular full NJC meeting was held on March 5, 2008 to conduct its business.

March 13, 2008: Meeting with Marc Mayrand

I met with Mr. Marc Mayrand, Chief Electoral Officer, to discuss the concerns of our members at Elections Canada. Mr. Mayrand was extremely receptive to the issues raised with him and indicated that he was willing to address some, if not all,

immediately. I was accompanied by the newly elected Local President, Alain Tremblay, who was pleased with the meeting. I will be sharing Mr. Mayrand's responses to the issues raised with both the members and the LRO for the Agency.

March 13, 2008: YMAC Meeting

The Committee is quite focused on broadening their scope of activities and reaching out to Young Members in the regions. To this end, the Committee is planning to have regional events, yet to be identified, and to have a Newsletter or Bulletin to communicate with their peers. YMAC will come to NEC with their proposal for funding approval later.

March 18 & 19, 2008: Spring Policy Conference

I attended the Ottawa Economic Association's Spring Policy Conference held at the Chateau Laurier in Ottawa. The Conferences are ongoing series that focus on Economic issues of the day. Generally, experts in their fields of endeavour and CEOs of businesses are invited to share their perspectives.

4 b) Professional Services Report

EC Conversion

- The APN for all departments will occur from June 16th to June 20th;
- According to the latest information shared with CAPE, there remains a small number of departments where there is a small handful of work descriptions to review;
- Three departments have more serious problems; however, it is anticipated that these problems will be resolved before the APN dates.

TR collective bargaining

- For reasons of poor health, I was not able to make it to the bargaining table for the third day of bargaining this month;
- Therefore, we only met on March 18 and 19;
- The parties discussed issues that are particularly important in terms of the future service model of the Translation Bureau.

EC collective bargaining

- Since the last NEC meeting CAPE has on two separate days been at the EC bargaining table;
- A few outstanding issues have been addressed successfully, while a major portion of the time spent at the table was devoted to a discussion of the grievance procedure defined in the collective agreement;
- Data was provided at a separate meeting with a representative from the CPSA;

- CAPE will need to take some time now to review the data as well as other information in order to craft a comprehensive pay proposal.

TR FIP negotiations

The Memorandum of Understanding was signed on March 18, 2008, and a notice to our TR members has already been posted to the Web site. The MOU expires in March 2010.

LoP Negotiations

The members of the LoP Bargaining Committee will be finalizing the questionnaire to the members tomorrow. Please see the February report for more information.

Representation

- An ES member was rejected on probation. The rejection took place during a period of long-term sick leave. The member did not file a grievance within the time specified in the rejection letter, and the collective agreement. After a thorough analysis of the case, the LRO concluded that there were extenuating circumstances that justified an extension of the deadline for filing a grievance, and we presented these to the employer. The employer agreed to extend the deadline for filing a grievance. The grievance was filed, and the process is under way.
- A SI member filed a complaint with the Canadian Human Rights Commission against CAPE alleging that it discriminated against her on the basis of a prohibited ground (religion). She alleged that CAPE denied her the opportunity to direct that her union dues be forwarded to a charity of her choice. CAPE replied to the complaint by indicating that an exemption to pay union dues must be based on bona fide grounds of conscience imposed or dictated by a religious organisation to all the members of its faith. It was CAPE's position that the member's organization was not a religious organisation. The Canadian Human Rights Commission decided not to deal with the complaint as the alleged discriminatory practice did not appear to be linked to a prohibited ground of discrimination.
- An ES member sought a perfume-free work environment. The Department refused to accommodate her, ruling that the right to wear perfume took precedence over the right to be accommodated in that specific respect. The member suffers migraines brought on by exposure to perfume.

Given the lack of an internal policy on the use of perfume within the Department, the LRO contacted representatives of the occupational safety and health committee to obtain their support in this matter. We eventually obtained a closed office with ventilation, and a notice asking people not to wear perfume on the floor where the employee works. The employer has also agreed to reimburse the member for sick days she had to take before the Department acted to accommodate her.

Internal Matters

A LRO has requested an extended period of leave. We have initiated a staffing process to staff a Term (12 months) Bilingual Labour Relations Officer position.

4 c) Administration Report

Mailing to membership

D. Martin advised that the call for the NEC vacancy and the Pensions update would be mailed to the membership by the end of the week.

IT support

This item was IN Camera.

5. Committee matters

NIL for this month.

6. Policies and Practices of the Association

J. Aggrey mentioned that a policy and practices booklet would be developed of all NEC motions and practices from 2003 to date.

7. Adjournment

Motion: B. McVicar moved, A. Picotte seconded, that the meeting be adjourned at 7:58 p.m. **Carried unanimously.**