

**CAPE Executive Committee
Minutes of October 27, 2010
CAPE National Office
Boardroom
5:45 p.m.**

Present: C. Poirier (Chair), J-L. Bourdages, C. Creran, I. Dawson, R. Duranceau, S. Maguire, S. Mullen, J. Pentick, G. Phillips, S. Pichie, A. Picotte, L. Whitmore, M. Zinck, R. Zwicker, C. Danik, J. Ouellette, D. Martin.

Apologies: S. Chatterton, D. Londynski, K. Piché, G. Thibault-Gosselin.

1. Items for Approval

1 a) Approval of Agenda

Motion: It was moved by L. Whitmore, seconded by G. Phillips, that the agenda be approved. **Carried unanimously.**

1 b) Presentation on Elder Care

Mr. Nelson Riis gave a verbal presentation on Elder Care. It was requested that Mr. Riis provide further information on the costs and the details of what was covered under the program. The NEC would discuss via e-mail if there this program would be of benefit to the Association.

1 c) In Camera Minutes of September 22, 2010 (In Camera)

1 d) Minutes of September 22, 2010

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

In favour = 10, Opposed = 0, Abstention = 4. **Motion Carried.**

1 e) FIP Negotiations Committee

Motion: It was moved by G. Phillips, seconded by R. Zwicker, that M. Vallée and A. Picotte be approved as members of the Committee. **Carried unanimously.**

1 f) LoP Collective Bargaining Committee

Motion: It was moved by R. Duranceau, seconded by J-L. Bourdages, that S. Norris, É. Hurtubise-Loranger, F. Côté and A. Goody, be approved as members of the Committee. **Motion carried unanimously.**

1 g) Finance Committee recommendations

Motion: It was moved by A. Picotte, seconded by M. Zinck, that \$31,073.89 be transferred from the Executive Contingency to cover the shortfalls. **Motion carried unanimously.**

1 h) New Communications Committee member

Motion: It was moved by R. Zwicker, seconded by A. Picotte, that L. Levesque be appointed to the committee. **Motion carried unanimously.**

2. Reports

2 a) President's Report

Normally, I prepare my report in the final days leading up to the meeting of the National Executive Committee. This time, though, I'm afraid that time was in short supply. My report will therefore be quite brief.

In late September, we attended the National Joint Council meeting in Victoria, which was an excellent networking opportunity, as our colleagues in other unions were there as well as employer representatives from nearly all departments and agencies.

The NJC meeting this year was dominated by events that had little to do with the National Joint Council: for instance, the parties returning unexpectedly to the bargaining table in the case of the Public Service Alliance even though collective agreements were not due. Indeed, we learned before going to Victoria that the Treasury Board had invited the Alliance to what they called *expedited bargaining*, i.e. ten intense days to hammer out a bargained agreement.

Subsequently, the Council changed its mind and issued the same invitation to the Institute, then to all the unions involved. It's still rather insulting to the bargaining agents who are already at the table as a part of the regular process, who have been sidelined because the Council lacks negotiators to do the job.

At three of the tables the Alliance concluded a tentative agreement which it submitted to its members for ratification. We examined its content to try to understand the situation better. The Institute had just withdrawn from the process before going to the bargaining table.

We agreed to meet with the Treasury Board in January, but are still preparing for "normal" bargaining to be entered into after the expiration of our collective agreements.

I mentioned our cooperative efforts with other unions. We have an activity scheduled for next week in Parliament, organized in cooperation with the Institute and the Association of Canadian Financial Officers. The meeting's theme will be ideology in making decisions on public policy.

In closing, I must regrettably inform you that our colleague Carl Lakaski decided to resign. He will retire later in 2011 and decided to terminate its participation in the NEC. His common sense and wisdom will be missed.

2 b) Professional Services Report

Internal Matters

- Work continues on the classification standard for positions in CAPE's national office. We are currently at the stage of testing its gender neutrality.
- We are also reviewing the functionality of our virtual library. The objective is to have a system that complements our regular files and that makes available to staff documents that they would need on a regular basis.

Constitutional Charter Challenge

- H       Paris and I had a meeting on October 12 with legal counsel to review the content of our supplementary affidavit.
- PIPSC representatives, CAPE representatives (H      , Jean and I) will be meeting with legal counsel to finalize our affidavits and give a final ok to the affidavits prepared by our independent expert witness.

Collective Bargaining

- I met with the members of the new EC collective bargaining committee yesterday evening to begin the process of preparing for the bargaining table in accordance with the regular schedule which would have us at the table some time late in June. Six members attended the first meeting. We reviewed the work that needs to be done as well as special circumstances occurring during our preparation period. It was explained to the members that in the event that there is an agreement between CAPE and Treasury Board in the expedited bargaining process that is scheduled for January, we would interrupt preparation for June.
- We have had a preparatory meeting with Treasury Board to set up the parameters of bargaining in January. Treasury Board has explained its expectations. We have explained CAPE's expectations. We have sent out an invitation to the members of the TR and EC bargaining teams of the previous round to volunteer for the expedited bargaining. We hope to have a first meeting some time in the second half of November. Unfortunately

the time of year makes it difficult to get volunteers free for bargaining committee work.

- Preparing for expedited and regular bargaining at the same time is a bit of a stress on our resources.
- Jean and I will be delivering a training course on collective bargaining. The French session is all day November 22nd, the English session is all day November 23rd.

Other

- I have been invited to do a presentation with Danièle Chainé at l'UQO on interest based bargaining on November 16
- I have also been invited to complete a four part presentation to the Bureau of Translation local's steward network. I presented the first two parts last year. The topic is: the state of labour relations in the federal public service.
- This morning I did a presentation to PWGSC managers in the context of an all day seminar on union recognition. For the purposes of the presentation I used a document developed by CAPE entitled: CAPE: Professional Advocacy. This document is the product of a NEC resolution. NEC asked that I prepare a document for members and locals explaining CAPE's organization and how decisions are made within the organization. The resolution was part of the approval of the recommendations of the supplementary report of the investigation committee that examined allegations of wrongdoing by members of Local 503's former executive committee. I will be inviting all locals to call on me, if they so wish, to present the document to their local members.

Union Address File System (PIPSC v. Canada Revenue Agency)

The matter is scheduled to be heard the weeks of November 1st and 15th, 2010.

Hearings

CAPE cases that are scheduled for a hearing before the PSLRB:

Ottawa	November 12	Dyskstra et al. (pay)	PWGSC (BtB)
Ottawa	February 28 – March 4	LaBranche (discrimination)	Passport Canada

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

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

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

Internal Matters

Aleisha Stevens will be on leave until May 2012. The process of staffing a term position has been initiated.

Policy Grievance (27.07 – CAPE v. Treasury Board)

The arbiter, Michele A. Pineau, dismissed the complaint in a decision dated September 27, 2010. Please see our website for more information. We will decide shortly on the possibility of appealing the decision.

PSLRB Cases

C. Renaud v. CAPE

Mrs. Renaud's complaint against CAPE was heard on October 12th and 13th. The case was taken under advisement by the Commissioner, Mr. Renaud Paquet. We await his decision.

D. Perkovic v. Elections Canada (disciplinary measure)

The arbitration was to take place from February 23rd to 25th. The case was settled amicably and the grievance was withdrawn from arbitration proceedings.

3. Matters Arising

3 a) Harassment Complaint [\(In Camera\)](#)

3 b) Investigation Committee [\(In Camera\)](#)

4. Substantive Issues for Discussion

4 a) Confidential information/documents provided to NEC [\(In Camera\)](#)

5. Committees

5 a) Finance Committee

The financial statements were reviewed.

5 b) Mobilization and Education Committee

R. Duranceau provided an update.

5 c) Communications Committee

R. Zwicker provided an update.

5 d) Audit Committee

The Audit Committee report was reviewed.

5 e) ESU Negotiations (In Camera)

6. Adjournment

Motion: It was moved by R. Zwicker, seconded by G. Phillips, that the meeting adjourn at 8:45 p.m. **Carried unanimously.**