

**CAPE Executive Committee
Minutes of March 21, 2012
CAPE National Office
Boardroom
5:00 p.m.**

Present: C. Poirier (Chair), J-L. Bourdages, D. Brackley, S. Gagnon, L. Haméon, A. Kurikshuk-Nemec, J. Marshall, S. Menard, S. Mullen, A. Picotte, G. Phillips, L. Whitmore, A. Wong, M. Zinck, R. Zwicker C. Danik, J. Ouellette, D. Martin.

Apologies: G. Brennan, R. Brockington, C. Creran.

1. Items for Approval

1 a) Approval of Agenda

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

1 b) In Camera Minutes of February 29, 2012

1 c) Minutes of February 29, 2012

It was noted that J. Marshall was absent.

Motion: It was moved by D. Brackley, seconded by A. Picotte, that the minutes be approved, as amended.

In favour = 10, Opposed = 0, Abstention = 3. **Motion Carried.**

1 d) Volunteers to Committees

Motion: It was moved by M. Zinck, seconded by A. Picotte, that all volunteers be approved to the respective committees to which they volunteered. **Carried unanimously.**

Professional Committees

C. Poirier mentioned that a professional committee or committees may be established in the future. These committees would be exclusive to each bargaining unit and this would allow each group to talk about specific issues pertaining to them. There is no decision required tonight but it is something that we may wish to consider.

2. Reports

2 a) President's Report

Only two weeks have elapsed since the last NEC meeting, so this report will be brief. I will provide a verbal update of events between the writing of this report and the meeting of March 21.

- Meetings with MPs have continued. We have been very favourably received. Our elected officials are eager for information because they are not getting any from the government.
- The media campaign is a definite success. The regions are now interested in what CAPE has to say about the consequences of budget cuts. Since it does not have any solid arguments, the government is attacking us.
- We are now part of a national committee that is “framing” the preparations for eventual work force adjustment measures. Thanks to Jean for giving us a heads up, because we had not been invited to participate and we had to insist.
- The six unions in the *Professionals Serving Canadians* coalition met on the 13th to review the campaign launched on March 20.

2 b) Executive Director of Policy's Report

Collective Bargaining

- EC:
 - Since the last meeting, the nominees for CAPE and the employer reached agreement on the dates for the hearing. The EC arbitration hearing is scheduled for June 18, 19 and 20. Further to a suggestion from the arbitration board chairperson to CAPE's nominee, we have contacted the employer and the PSLRB in order to explore the possibility of mediation.
- TR:
 - Since the last meeting, the nominee for CAPE has been asked to proceed with efforts to establish dates for the arbitration hearing. Considering that monsieur Tarte is not available for May dates and that our nominee is not available for June, it appears that the arbitration hearings will be scheduled in July. CAPE's nominee continues to explore possible dates with the employer's nominee and the chairperson of the arbitration board.

- LoP:
 - Nothing new to report. Since the written report of March 13, the parties met once at the bargaining table: after a hiatus of over four months due entirely to the employer's refusal to meet earlier, and only after CAPE's negotiator H       Paris pressured the employer back to the table earlier than what it had planned, the parties met on Monday March 19. CAPE came to the table in order to make progress. It withdrew some of its proposals and provided counter proposals to proposals tabled by the employer in the fall. On all matters, the employer responded with the same position it had in October. With a sense that no progress was possible, CAPE's LoP bargaining committee decided and CAPE's negotiator informed the employer that the Association would be filing for arbitration.

WFA

- Meetings: only one meeting in the national capital region occurred over the past half month, a meeting at the national office for our members at Elections Canada. It was an AGM. A new executive committee was elected. I did a short presentation on WFA and asked that the local invite me to do a full meeting presentation. Since the written report a week ago, there have been no meetings in the NCR. Four meetings are scheduled for dates prior the budget. Five meetings are scheduled for after the budget. These will be the last of the meetings where I will be presenting the WFAD. The purpose of the meetings was to alleviate to whatever extent we could the very heavy cloud of uncertainty and stress that was imposed on our members by the lack of information provided by the employer and the misinformation provided by the employer on rights and entitlements. We move now to the next phase where other information tools will be available to members who have questions.
- We have completed 3 of the 5 regional teleconferences. We have reached over 80 members so far and hope to have another 20 to 30 participants for the last two teleconferences. The written report was prepared in the middle of the delivery of our regional teleconferences. Since the report, we have completed the 5 regional teleconferences and estimate participation at about 120 members. Questions from members reflected the circumstances of members working in regions where there are fewer public service positions.
- You have been receiving monthly updates of work force adjustment throughout the PS and the same updates have been sent to local leaders. Nothing new to report since the written report.
- Information sheets: nothing to report. Since the written report, we have completed and posted the ten information sheets. Feedback from local leaders and members has been very positive.
- CAPE is now a participant in the NWACC. The NWACC is a joint consultation committee that meets every two weeks to review public service wide WFA matters.

Participants include four bargaining agents: PSAC, PIPSC, CAPE, and PAFSO on behalf of other NJC bargaining agents. On the employer's side, participants include the ADM of Compensation and Labour Relations from TBS, the Chairperson of the Public Service's HR Council, the Chairperson of the Regional Federal Councils and representatives from the PSC.

The Economic Analysis Project

- We have completed the first phase of our press release campaign. It was very successful in getting attention of the press and of Canadians in general.
- The next phase will be CAPE's reaction to the budget.
- A third phase will be CAPE's contribution to the debate on the budget through more press releases on related matters.

2 c) Executive Director of Operation's Report

Internal matters

Nothing to report.

Member training

A training session for stewards will be held in late May / early June.

Court cases

Boshra and CAPE (Federal Court of Appeal)

Mr. Boshra did not respond to the order giving him 15 days to respond to interrogatories. Our lawyer was instructed to proceed to the next step, which is to request a contempt order.

Public Service Labour Relations Board (PSLRB)

Cases

C. Basic v. CAPE

Nothing to report.

S. Boshra v. CAPE

The scheduled three-day hearing was suspended after one hour following a motion by Mr. Boshra to have the proceedings recorded, contravening a PSLRB directive. The parties were given until April 3 to file their submissions on the matter, and then until April 10 to file their replies. The PSLRB will then rule on the matter.

D.I. Tench v. Ouellette and CAPE

Nothing to report.

Scheduled hearings

There are four cases involving CAPE scheduled for a hearing before the PSLRB in the period from March to July 2012.

Ottawa	March 19 to 21	Boshra v. CAPE (DFR)	
Halifax	April 11 to 13	Tench v. Ouellette and CAPE (DFR)	
Ottawa	May 2 and 3	Lebeau (Discrim. – Human Rights)	StatCan
Ottawa	June 11 to 15	Dupuis (Discrim. – Human Rights)	StatCan

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

Public Service Commission Advisory Council (PSCAC)

A special meeting of the PSCAC was scheduled for March 26. The PSC had submitted two draft proposals on issues of particular importance in connection with the federal budget to be tabled March 29:

1. Policy on the Second Language Evaluation Confirmation Period (PSC proposal); and
2. Appointment or Deployment of Alternates Exclusion Approval Order (PSC proposal).

The PSCAC would like to know the views of its members and gather their comments on these two proposed documents.

PSLRB Client Consultation Committee

A bargaining agent representative leaving the Committee recommended that the seat be filled by a representative of CAPE. Following internal consultations, we decided to accept the invitation, and I was designated to sit on this committee.

Miscellaneous

E-communications and e-voting

Nothing new to report.

2 d) Finance Committee

Finance recommendation

The Finance Committee recommends to the NEC to allow the movement of funds in the amount of \$10,524.42 from budget line "Contingency Funds" to budget line "The Office".

Motion: It was moved by A. Picotte, seconded by R. Zwicker, that the recommendation be approved. **Carried unanimously.**

2 e) Communications Committee

Discussion forum - The CAPE budget will be the next item for discussion on the platform.

Promotional items - waiting on the quotes.

Media – met with the NDP and are now talking with Senators.

Awards Policy – has been updated and approved – thank you to Marc Vallée for this work and now we are reviewing the criteria.

2 f) Constitution and By-Laws Committee

By-Law # 5

Consensus to approve with the following additions below;

1. Members of the CRC are required to have completed CAPE's (investigation course) in order to be a member of the CRC.
2. If three members of the LLC do not volunteer for the CRC then the matter shall be returned to the NEC who shall establish a three person investigative committee of NEC members.

Article 20 – NEC Vacancies

NEC members are to provide the secretary with other options regarding NEC vacancies.

NEC will vote at the April meeting on their preferred option.

Action: circulate table of options, provided deadline date to add additional options, bring item back at the April meeting.

3) Matters Arising from strategic planning session

3 a) What constitutes “In Camera”

Tabled.

3 b) Statistics of Casework

This item was **tabled** to April.

4) Substantive Issues for Discussion

4 a) Federal Budget

C. Poirier noted that he will be on vacation at the time of the budget stakeholders meeting and R. Zwicker will be replacing him.

5) Adjournment

Motion: It was moved by G. Phillips, seconded by R. Zwicker, that the meeting be adjourned at 7:45 p.m.