

**CAPE Executive Committee  
Minutes of February 26, 2014  
CAPE National Office  
Boardroom  
1:00 p.m.**

**Present:** C. Poirier (Chair), J-L. Bourdages, R. Brockington, A. Butler, S. Gagnon, N. Giannakoulis, L. Haméon, S. Jaroudi, A. Kurikshuk-Nemec, S. Mullen, G. Phillips, A. Picotte, C. Danik (teleconference), J. Ouellette and D. Martin.

**Apologies:** B. Black, C. Creran, L. Whitmore.

**1) Items for Approval**

1 a) Agenda

**Motion:** It was moved by A. Picotte, seconded by S. Gagnon, that the agenda be approved.  
**Motion carried unanimously.**

1 b) In Camera Minutes of January 8, 2014

It was moved by L. Haméon, seconded by J.-L. Bourdages, that the minutes be approved.

In favour = 9, Opposed = 0, Abstention = 3. **Motion carried.**

1 c) Minutes of January 8, 2014

**Motion:** It was moved by R. Brockington, seconded by A. Butler, that the minutes be approved.

In favour = 10, Opposed = 0, Abstention = 2. **Motion carried.**

1 d) Approval of new steward(s)

**Motion:** It was moved by R. Brockington, seconded by G. Phillips, that the new stewards be approved as a group. **Motion carried unanimously.**

1 e) Motion on By-Law 3.35

**Motion:** It was moved by A. Kurikshuk-Nemec, seconded by G. Philips, that all resolutions that, on their face, incur a cost of more than \$500 to the Association shall be held in abeyance until a new process is adopted. **Motion carried unanimously.**

1 f) Motion from Finance Committee

This item was moved to 4 e).

## 2 a) How to deal with resolutions with monetary implications

There was a consensus for option # 3 with an amendment to include the costing and that the mover is provided with a consultation process with the Finance Committee. Perhaps a template can be prepared to submit resolutions with a costing column/section.

**Action:** S. Mullen will draft something for the next meeting.

## 3 a) Federal Budget

Nothing to report.

## 3 b) Economic Reaction Plan

This item was In Camera.

## 4 a) President's Report

The labour movement, CAPE and its members have been under constant siege for much too long. Thousands of jobs have been eliminated as a result of various program reviews, budget cutbacks and workforce adjustments. The employer has restricted wage increases, removed severance pay from collective agreements, changed the ratio of pension plan contributions and altered pension eligibility standards for new employees. In addition, the employer has violated its moral contract with pensioners with respect to health care. Indeed, what will the employer do to you when the time comes for you to retire? Will there still be someone to defend your interests?

The employer is now targeting sick leave and, to make things easier for itself, it has stacked the deck with Bill C-4. In 2014, therefore, circumstances will bring about a major change in our defences against such attacks. An effective system of defence must be founded on more than one strategy. Our first line of defence, our membership, is currently organizing with the aid of CAPE's National Office and mobilization officer. Workers in various departments and agencies who did not have a Local are uniting to create Locals and elect executives. Locals that were dormant or largely inactive are reviving their efforts. Locals that were already quite active are working even harder. In accordance with the mobilization action plan, the number of meetings is increasing and the participation rate is excellent.

The recruitment of non-members is going very well. We have had about 140 people sign cards in recent weeks. New members are introduced at each new meeting. Our newly elected executives are making this a priority.

Our second line of defence, solidarity among unions, has taken a number of different forms. In various departments and agencies, for example, CAPE members are working on awareness campaigns with PSAC and PIPSC members, pooling their efforts and resources to make sure their colleagues receive the best possible information.

The various bargaining agents are working together more closely within the context of several joint committees, including one on communications and mobilization and another on bargaining. CAPE is a leading player in this new solidarity movement, and our leadership is being recognized by our partner unions.

Differences of opinion and disagreements are being set aside in order to tackle a threat that far outweighs our individual interests. The facts are clear: individually we could not withstand the barrage of attacks from an enemy that passes anti-union laws, appoints Supreme Court Justices, changes the rules of the game when it comes to collective bargaining, has a seemingly limitless budget to pay for legal fees, and will not hesitate to spout lies in order to sway public opinion against its own employees.

We are preparing our third line of defence: various forms of legal remedies. In this regard, we must avoid past mistakes, make sure there is no dissension in the ranks, and resist the temptation to go it alone.

We are on the verge of the fight of our lives. Our members are beginning to understand what is at stake here, but it is our job to continue to mobilize and encourage them. The other public service unions have embraced this new solidarity, and it is now up to us to channel this energy as well. Our lawyers are preparing for battle and analyzing the options; it will be up to us to make the right choices.

I hope that all of the people who are “seated at the round table,” so to speak, have an appreciation of the role they must now play and will focus their efforts properly. Solidarity will make all the difference: we must all pull together in the same direction.

#### 4 b) Executive Director of Policy's Report

##### **EC Collective Bargaining**

- The EC Collective Bargaining Committee (EC CBC) scheduled three meetings since the last NEC meeting. One was canceled as a result of uncontrollable circumstances. The committee has been working on the input questionnaire that will be going out to EC members sometime in the latter part of March which means that you will be receiving it within the next 10 days for comments. The survey period is tentatively scheduled for March 18 to March 29.
- There is still a considerable amount of work to be done in addition to the questionnaire, including a review of what was put on the table in the last round and that the committee may wish to re-introduce as proposals; a review of proposals from CAPE staff who work with the collective agreement; a review of proposals from EC members who send email individually when they have an idea for a proposal, a review of new language that was added to other collective agreements in the last round.
- Further to a selection of issues by the committee, the staff is directed to prepare contract language and rationale and supportive documents.
- Then, the committee members must review the language, contribute to the rationale if they can, and suggests documents if they can.
- We have three meetings scheduled for the current fiscal year, and three more in May and June.
- Treasury Board has provided CAPE with a notice to bargain, which means that we will need to decide whether to meet within the next 20 days or alternatively and only with the agreement of TBS, meet at a later date.
- We can squeeze the process into a shorter timeframe, to some extent. But, as we say in French “nul n'est tenu à l'impossible” or, you can't squeeze blood from a stone.

- We will be ready when everything is done and done right. If we are forced to the table before everything is ready, then we will flag what will be a matter for later discussions.
- This is not an efficient way of working at the bargaining table, and certainly not a cost effective way. As a taxpayer, I am not a happy camper... again.

### **TR Collective Bargaining**

- The TR Committee met twice since the last NEC meeting.
- You were provided with the questionnaire for review and comments. I did not receive any comments, and the committee decided to proceed with the administration of the survey. The deadline was 4pm yesterday.
- A total of 240 TR members out of 880 responded to the survey for a response rate of 27%
- We are in the process of analyzing the data and preparing a report for the bargaining committee.

### **LoP- CAPE Joint Committee on Departures**

The joint committee is about to proceed with a survey of former employees. There are a few logistic issues to address, but should be worked out in time to meet the May deadline.

### **LoP- CAPE Consultations: WFA Policy**

No report.

### **Information Sessions: C-4**

- CAPE has been providing member an opportunity to become familiar with the effects of C-4 on their rights, in various ways.
- We held a series of information sessions by teleconference in early January, for members in the regions. Participation was uneven from region to region but members who did participate expressed their appreciation.

### **Internal Working Groups**

#### **Performance Management**

We will finalize the two documents that we have been preparing and they will be posted on our web site with a notice to members subscribed to our posting notice service.

#### **Workplace 2.0**

Work is progressing slowly as other matters including C-4 and collective bargaining have become a priority.

### **General**

- I was invited to the AGM of CAPE's local at Elections Canada yesterday to speak to the matters of C-4 and collective bargaining. I am happy to report that there appears to be growing interest in union activities as 6 members volunteered for the local executive

committee. It was also suggested that the local organize with the PSAC local a joint presentation on C-4 when I would be invited back to provide more details on the effects of the legislation.

- I was asked to address PIPSC representatives at their collective bargaining conference in late January. I shared the panel table with Robyn Benson from the Alliance and Jean-Marc Noël from the CMCFA. The three panel members explained how their respective organizations were preparing and how important it was for all bargaining agents to be on the same page for this round of bargaining.
- I was asked to do a presentation on costing proposals for the bargaining table for a course on collective bargaining at l'UQO. If members of the NEC are interested, I can make the presentation available to them. It is not as self-explanatory as the previous presentation that I made available.
- Last but not least, I was invited to and attended a retirement celebration for a long time active ESSA, SSEA and CAPE volunteer, Sandra Chatterton. It is truly sad to realize the corporate knowledge that is lost with Sandra's retirement. However, on a positive note, she did say that we have not heard the last from her. So stay tuned.

#### 4 c) Legislative Reviews

The updated report was provided to the NEC and there were no issues arising.

#### 4 d) Executive Director of Operation's Report

##### Internal Matters

Mr. Walter Belyea has advised that he will be retiring on March 27th. Ms. Anita Bangiricenge was the successful candidate and is now an indeterminate LRO position. Ms. Julie Courty has proceeded on maternity leave. We are in the process of appointing another employee to occupy the Services Coordinator's position in an acting capacity.

##### E-surveys

We launched three surveys since our last meeting:

- the budget consultation survey closed on February 4th – a total of 402 members completed the survey
- the TR collective bargaining survey closed on February 25th and 240 members completed the survey
- the LoP collective bargaining survey and it is active.

##### Negotiations

A third meeting of the Collective Bargaining Committee for CAPE members at the Library of Parliament was held on January 21<sup>st</sup>. The next meeting of the committee will be held after the collective bargaining survey closes.

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)

I continue to sit on these three committees on behalf of CAPE.

The PSCJAC met on January 24th 2014. The following matters were discussed:

- Overview of the PSC Annual Report
- Consultation on the proposed RCMP Casual Employment Regulations
- Members of Employment Equity groups: chances of promotion and perceptions of the staffing process (studies).
- Political Activities Self-Assessment Tool - Mid-Year Report
- Update on the Priority Information Management System

The next meeting of the PSCJAC is scheduled for April 30th, 2014.

The next meeting of the PSLRBCC will be held on March 4th. The date of the next meeting of the PSDPTCCC has not yet been set – this committee meets twice a year.

### Representation Files

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

Absenteeism		NJC (benefits)	
Access to information		NJC (Dental)	
Accommodation	8	NJC (FSD)	
Acting Appointment		NJC (health care plan)	
ATIP		NJC (Relocation)	
Authorship		NJC (Transportation All.)	
Bargaining Unit Work		NJC (Travel)	
Benefits		NJC (WFAD)	6
Bilingualism Bonus		Pay	2
Career & Registration Fees		Pension	
Classification	2	Performance Evaluation	1
Code of Conduct		Personal File	1
Consultation		Policy	
Deployment		Political Activity	
DFR		Privacy	
Disability Insurance	3	Probation	2
Discipline	8	RAND	
Discrimination		Recruitment Program	
Employment Status		Representation	
Ergonomic Assessment		Resignation	
Fitness to Work Evaluation		Retirement	1
Harassment	10	Return to work	2
Health and Safety		FIP	

Health and Safety (Claim)		Security Status	
Hours of Work	1	Service	
Hours of Work (Overtime)		Staffing	3
Hours of Work (Travel)		Staffing (WFAD)	
Human Rights		Statement of Duties	3
ICMS		Telework	
Johnson Insurance		Term Employee	
Language Profile		Termination	1
Language Training		Terms and Conditions of Work	
Leave	2	Training Program	
Leave (Annual)	1	Travelling Time	
Leave (Bereavement)		Unfair Labour Practice Complaint	
Leave (Other)	2	Union Dues	1
Leave (Parliamentary)		Union Representation	
Leave (Sick)	4	Work Assignment	1
Leave (Without Pay)	1	Work Location	
Letter of Expectation		Workload	
Maternity Allowance	1	Wrongdoing (Whistle Blowing)	
Medical Evaluation	2		
		<b>Total</b>	<b>69</b>

As requested I have also provided you with the report on the top five cases for the last three years.

#### 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.

Winnipeg	Mar. 13 and 14	Dorn (Discrim. – Human Rights)	HRSDC
Ottawa	May 23	Dupuis (Relocation – NJC dir.)	DFATD
Ottawa	June 30	Paquet (Leave)	PWGSC (BtB)

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_e.asp)

[http://www.crtfp-pslrb.gc.ca/hearingschedules/intro\\_f.asp](http://www.crtfp-pslrb.gc.ca/hearingschedules/intro_f.asp)

#### 4 e) Finance Committee Report

The financial statements for October, November and December 2013 were reviewed.

**Motion:** It was moved R. Brockington, seconded by A. Picotte, that \$24,002.81 be transferred from the Executive Contingency Fund to cover the shortfalls for Professional Fees = \$18,702.75 and Collective Bargaining = \$5,300.06.

In favour = 11, Opposed = 0, Abstention = 1

**Action:** J. Ouellette will provide a breakdown report of the expenditures for the next meeting.

#### 4 f) Visioning Committee

The Committee is scheduled to meet next week.

#### 4 g) HR Committee Report

A. Butler advised that the Committee has met twice. The first meeting was a brainstorming session. The two Vice-Presidents have looked at the President's contract. The Committee is uncertain whether it needs to review the contract or look at it as the salary and benefits are dealt with in the Constitution. The Committee does not need a contract prior to the next elected President. There may also be a conflict of interest for Committee members if they are planning to run in the election.

#### 5. Adjournment

The meeting adjourned at 9:12 p.m.