

**CAPE Executive Committee  
Minutes of February 27, 2013  
CAPE National Office  
Boardroom  
5:00 p.m.**

**Present:** C. Poirier (Chair), B. Black, J-L. Bourdages, G. Brennan, R. Brockington, C. Creran, S. Gagnon L. Haméon, S. Jaroudi, A. Kurikshuk-Nemec, S. Mullen, A. Picotte, G. Phillips, L. Whitmore, J. Ouellette and D. Martin.

**Apologies:** A. Butler, N. Giannakoulis, S. Menard and C. Danik.

- 5:00 p.m. 5:15 p.m. Presentation – P. Lebel, New Media and Outreach Officer, CAPE provided the NEC with a presentation on the Joint Learning Program.
- C. Poirier provided the NEC with an update on the status of S. Menard.

**1) Items for Approval**

1 a) Agenda

It was agreed to move item 1f – Finance Committee Motion to item 2d – Finance Committee.

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

In favour = 11, Opposed = 0, Abstention = 1. **Motion carried.**

1 b) Minutes of Special meeting of January 12, 2013

**Motion:** It was moved by A. Picotte, seconded by S. Mullen, that the minutes be approved, as amended.

In favour = 7, Opposed = 0, Abstention = 5. **Motion carried.**

1 c) In Camera Minutes of January 30, 2013

This item was reviewed In Camera.

1 d) Minutes of January 30, 2013

**Motion:** It was moved by A. Picotte, seconded by G. Phillips, that the minutes be approved.

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

1 e) Motion – Strategic Plan

This motion is being put forward by NEC members Alex Butler, Nick Giannakoulis, Greg Phillips and Riley Brockington.

Whereas, developing a strong vision and strategic plan for CAPE will provide direction and purpose,

Whereas, sharing the vision and strategic plan with CAPE members and staff will provide assurance that the NEC is focused on the sustainability of the organization

**Therefore be it resolved that:**

**A.** A sub-committee of the NEC be formed to guide the process of developing an overall vision and strategic plan for CAPE.

**B.** A one-day facilitated session of the NEC be held ~~before June 30, 2013~~ **on such a date as recommended by the sub-committee** that would:

- i. Discuss ways to engage and consult with members on the key components of CAPE's vision and strategic plan,
- ii. Develop the key components of CAPE's vision and strategic plan,
- iii. Develop a timeline to plan the various stages, as well as the refinement of CAPE's vision and strategic plan, following member consultation and feedback and the eventual adoption and implementation by the NEC

**C.** All members of the NEC be provided information on key elements of the strategic plan, as well as definitions associated with vision statements in advance of the facilitated session. In addition, if CAPE has developed a vision and/or strategic plan in the past, that they be shared with the NEC.

Highlights of the debate;

- Sub-committee would only plan and cost out the one-day session. The NEC would be the decision making body as a whole.
- Do we need to vote on a provisional budget
- The one-day session could be held in the fall
- Timing is a concern
- Should this be an annual exercise in January

There was a **consensus** that A. Butler, R Brockington, N. Giannakoulis, G. Phillips, L. Whitmore, A. Picotte, C. Creran, C. Poirier and C. Danik will form the sub-committee.

**Motion:** It was moved by L. Whitmore, seconded by G. Brennan, that the motion be approved, as amended. **Motion carried unanimously.**

## **2) Reports**

### 2 a) President's Report

The day after our last meeting, I attended the Annual General Meeting of the members of our CIDA Local. Following the example of the Translation Bureau Local, the CIDA Local is trying out electronic balloting for the first time. This reminds me that the TR bargaining team held its final meeting on that same day to take stock of the now completed round of bargaining and review the lessons learned from that experience. This exercise is particularly important because a call for volunteers for the next round will be issued shortly. The EC bargaining team also held a post-mortem meeting to review their last round of bargaining.

Last month I mentioned the recruitment of the next National Joint Council General Secretary, who will be chosen by the bargaining agents. I have been asked to participate in a subcommittee assigned to prepare the recruitment and selection process. Interviews will be held next week at CAPE's offices on March 5, at which time the new Secretary General will be selected.

During the afternoon of March 4, CAPE will again be hosting at its offices an extraordinary meeting of the public service bargaining agents to discuss Bill C-377 and the anticipated attacks on the Rand Formula. I organized the first such meeting in January, and this approach was embraced by the other unions. I chaired the last meeting on January 13 at the Public Service Alliance of Canada's offices, and our strategy is beginning to take shape. Among other things, we will be visiting senators to raise their awareness of the problem. I will be meeting with Senator Hervieux-Payette tomorrow, and Riley and I have a meeting scheduled for next week with Liberal Senator Cowan, who is the Leader of the Opposition in the Senate. Another facet of our strategy involves writing to the ministers involved. If you would like to participate in this letter writing campaign, ask Donna to provide you with a copy of a letter addressed to ministers Clement and Raitt.

When it comes to correspondence, sometimes patience is required. PSAC President Robyn Benson and I wrote to Minister Vic Toews in November to express our concerns about the closure of the Addictions Research Centre in Montague, Prince Edward Island. He wrote back to us only a few days ago to inform us that he had a very busy schedule and did not have the time to meet with us.

Returning to the subject of forthcoming meetings, we have a meeting planned with the Commissioner of Official Languages Graham Fraser to discuss the decline of official language services in the federal public service. Claude Danik and I will also be meeting with the Parliamentary Librarian at the Library of Parliament to discuss the relations between CAPE and the Library.

Yesterday evening, the Local Leadership Council met in this same room. The primary focus of that meeting was the issue of CAPE's finances. A long evening of discussions produced suggestions that should help us in our deliberations on this subject. The subject of consultations on dues has often come up, and the Local Leaders at that meeting felt this was an avenue that should be explored as a means of achieving a positive vote result.

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

This item was **deferred**.

## 2 c) Executive Director of Operations' Report

Anita Bangicirenge was acting in a Labour Relations Officer position until February 22nd.

### Work Force Adjustment (WFA)

The outstanding issue regarding the "years of service" policy grievance has been resolved. A day of hearing, March 5, has been set aside for the completion of the hearing in the "Competitive Process at HRSDC" policy grievance matter. As for the "Implementation of the Alternation Process" policy grievance, the PSAC and PIPSC policy grievances were heard on January 28 and 29 and we await the PSLRB's decision. We continue, for the three policy

grievances, to send out e-communications to the membership and update our website information on these as it becomes available.

### Representation Files

Here is a breakdown of the major subjects with all of the representation files opened since the beginning of 2013:

Absenteeism	1	NJC (benefits)	
Access to information		NJC (Dental)	
Accommodation	9	NJC (health care plan)	
Acting Appointment	1	NJC (Relocation)	1
ATIP		NJC (Transportation All.)	
Authorship		NJC (Travel)	
Bargaining Unit Work		NJC (WFAD)	12
Benefits		Pay	6
Bilingualism Bonus		Pension	
Career	1	Performance Evaluation	2
Classification	1	Personal File	
Code of Conduct	1	Policy	
Consultation		Political Activity	
Deployment		Privacy	
DFR		Probation	
Disability Insurance	2	RAND	
Discipline	3	Recruitment Program	
Discrimination		Representation	
Employment Status	1	Resignation	
Ergonomic Assessment		Retirement	1
Fitness to Work Evaluation		Return to work	1
Harassment	9	FIP	
Health and Safety	1	Security Status	
Health and Safety (Claim)		Service	
Hours of Work	1	Staffing	1
Hours of Work (Overtime)	1	Staffing (WFAD)	
Hours of Work (Travel)		Statement of Duties	1
Human Rights		Telework	1
ICMS	1	Term Employee	1
Johnson Insurance		Termination	
Language Training	1	Terms and Conditions of Work	
Leave	4	Training Program	
Leave (Annual)		Travelling Time	
Leave (Bereavement)		Unfair Labour Practice Complaint	
Leave (Other)	3	Union Dues	
Leave (Parliamentary)		Union Representation	
Leave (Sick)	1	Work Assignment	

Leave (Without Pay)	1	Work Location	
Letter of Expectation		Workload	1
Maternity Allowance	1	Wrongdoing (Whistle Blowing)	1
Medical Evaluation			
			73
		<b>Total</b>	

### Professionals Serving Canadians (PSC)

A meeting of the six bargaining agents was held on January 29. A draft Terms of Reference document was presented and discussed; there was a consensus on some minor changes to be made to the draft and there was also consensus that the bargaining agents would recommend the adoption of the amended TOR to their respective organization. There was also a discussion on updating the PSC's website and social media tools. PIPSC and CAPE communications officers are presently working on this project which should be completed, barring any technical challenges, by the end of the month.

### Court cases

#### Boshra and CAPE (Federal Court of Appeal)

CAPE's motion to have Mr. Boshra's appeal dismissed with cost was allowed by the Court on February 14, 2013. Cost was fixed at \$ 500. Mr. Boshra's appeal dealt with a preliminary matter decided by the PSLRB. We will now request that the PSLRB schedule a hearing into the merits of Mr. Boshra's last complaint against CAPE.

#### Boshra and CAPE (Federal Court)

CAPE is still pursuing the matter of costs owed to it.

### Public Service Labour Relations Board (PSLRB)

### Cases

#### Scheduled hearings

These are the cases involving CAPE scheduled for a hearing before the PSLRB in the period from March to 2013.

Ottawa	June 18 to 21 (continuation)	Desfossés (Discrim. – Human Rights)	HRDSC
Ottawa	May 8 and 9	CAPE v. LoP (hours of work)	Lib. Of Parl.
Ottawa	May 13 and 14	Lebeau (Discrim. – Human Rights)	StatCan
Ottawa	May 30 and 31	Chaudhary (Discrim. – Human Rights)	Health Can.
Vancouver	June 25 and 26	Anderson (Statement of Duties)	Service Can.

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)

## 2 d) Finance Committee

- R. Brockington advised that the installation of the security doors has been delayed for 2 – 3 months.
- J. Ouellette was requested to obtain the logistics of holding a web cast to be done by the President and the Vice-Presidents on the next proposed dues increase.
- The financial statements for the period ending December 31, 2012 were reviewed.
- The security on the website has been increased at a small cost due to the recent issues

### **Motion # 1 – New member**

It was moved by R. Brockington, seconded by A. Picotte, that J-L. Bourdages be approved as a new member

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

### **Motion # 2 – Budget timeline**

It was moved by R. Brockington, seconded by L. Haméon, to proceed with the revised 2013 budget process for the current year and request the changes to the Constitution be drafted to be put to the membership for a vote in November. **Motion carried unanimously.**

### **Dues Vote**

Highlights of an open discussion on the next proposed dues increase vote;

- All components need to be in place
- This should be our main focus for the year
- Timing issue is important
- This should be a standing item on the NEC agenda
- Vote should be in the fall
- Communications and meeting with the Local Leadership Council

When should the vote be held and how much of an increase?

**Motion:** It was moved by G. Phillips, seconded by L. Haméon, that the next dues vote be held no sooner than mid-May but no later than mid-June. **Motion carried unanimously.**

## 2 e) Update from Investigation Sub-Committee

S. Mullen, Chairperson, advised the NEC that the investigation report would be provided for the March meeting and that additional time or a special meeting may be necessary as the complainant and respondents are invited to speak to the NEC. Whether this is done at the March meeting or a special meeting it will be In Camera.

If you have any questions on the procedural process please contact C. Danik.

## 2 f) Constitution & By-Laws Committee

S. Mullen presented the following constitutional amendment to the NEC and explained that it was for clarity purposes as resolutions can be submitted any time throughout the year provided that they are received 60 days prior to the AGM. (reference By-Law 3.36)

15.4 The Elections and Resolutions Committee shall send a call for ~~resolutions and~~ nominations for candidates for the NEC no later than June 1, ~~in an election year~~.

S. Mullen

## **3) Matters Arising**

### 3 a) What constitutes "In Camera"

J. Ouellette provided a draft policy on this matter and requested that any comments be sent to him. This item is deferred to the next meeting in March.

### 3 b) CAPE's Award Policy

This item was deferred.

### 3 c) YMAC mandate

This item has been deferred to the June meeting.

### 3 d) R. Brockington Motion

This item has been deferred.

## **4) Substantive Issues for Discussion**

### 4 a) Financial Incentive Plan (FIP)

An update on this matter was provided by J. Ouellette.

## **5) Adjournment**

**The meeting at 8:40 p.m.**