

**CAPE Executive Committee
Minutes of April 27, 2011
CAPE National Office
Boardroom
5:45 p.m.**

Present: C. Poirier (Chair), J-L. Bourdages, R. Brockington, S. Chatterton, R. Duranceau, S. Maguire, S. Mullen, G. Phillips, L. Whitmore, A. Wong, M. Zinck, R. Zwicker, C. Danik, J. Ouellette, D. Martin.

Apologies: C. Creran, I. Dawson, S. Pichie, A. Picotte, G. Thibault-Gosselin.

Resignation

C. Poirier advised the NEC that J. Pentick had to resign due to workload.

1. Items for Approval

1 a) Approval of Agenda

The following items were added under items for approval;

1e) LoP Bargaining Committee

1 f) Volunteers for Grievance sub-committee

Motion: It was moved by G. Phillips, seconded by M. Zinck, that the agenda be approved, as amended. **Carried unanimously.**

1 b) In Camera items from March 30, 2011 Minutes [\(In Camera\)](#)

1 c) Minutes of March 30, 2011

Corrections were made to the attendance.

Motion: It was moved by M. Zinck, seconded by A. Picotte, that the minutes be approved, as amended. **Carried unanimously.**

1 d) Elections and Resolutions Committee

Motion: It was moved by R. Duranceau, seconded by S. Chatterton, that Zhiyong Hong and Walter Omariba be approved as EC members on the Elections and Resolutions Committee. **Carried unanimously.**

It was mentioned that a second call for volunteers was sent to the TR and LoP members as there were no volunteers received from these bargaining units.

1 e) LOP Bargaining Committee

Motion: It was moved by C. Poirier, seconded by J-L. Bourdage, that Dominique Valiquet be approved as a member on the LoP Bargaining Committee. **Carried unanimously.**

1 f) Volunteers for Grievance sub-committee (In Camera)

2) Reports

2 a) President's Report

Planning for the month of April has been somewhat changed by the elections in late March. Nevertheless, meetings to prepare for bargaining continue at our three tables and representatives of your respective groups are doing an excellent job.

The annual spring meetings have begun and there will be many more in the coming weeks. I will meet with local unions in Quebec next week and those in the Maritimes in the second week of May. Our members greatly enjoy these meetings which allow them more direct access to their Labour Relations Officer and their President. The subject matter is varied but I can tell you that the most popular topics are the collective bargaining to come, the government budget and threats of the program review sort. The Council of Presidents met in April and the meeting was quite productive. Ray gave a presentation on the discussion forum and we had a good discussion about granting access to the forum for local leadership.

Also in April, we conducted our most recent joint activity, in this case, with the Institute and the Association of Canadian Financial Officers. The theme was pensions from the perspective of professionals. John and Deborah represented CAPE in the organizing committee. I can tell you they did a great job and I'd like to thank them on behalf of us all. Committee members will send out an update within a week and have already started contemplating future activity. Arrangements for the NEC's strategic retreat are going well. Tomorrow, we meet with the consultant who will act as facilitator. Again, I hope you'll join us May 26.

2 b) Executive Director of Policy's Report

Collective Bargaining

Since the last meeting, each of the three bargaining committees was scheduled to meet twice. Unfortunately, as explained earlier in the meeting the second

meeting of the Library of Parliament committee was not held today. The committee did not meet quorum.

We are in the early stages of preparation with the committee for our members at the Library of Parliament; we are review issues for the purpose of preparing an input questionnaire.

The TR and EC bargaining committees completed the survey questionnaire preparation and the surveys were carried earlier this month with an extended closing date of April 15.

Approximately 1,300 EC members responded to the survey, while just over 300 TR members answered the survey questions.

The numbers are down from the previous input survey, when about 2,000 EC members and 400 TR members participated: this time around, with an electronic survey 303 TR members logged onto the service providers site while 1,284 EC members did the same.

It is possible that membership expectation regarding this round of bargaining, with the agreements signed by other bargaining agents, may have had an effect.

The TR and EC bargaining committees are getting ready for an exchange of proposals at their respective bargaining tables, for some time in June, with the TR committee meeting with the employer probably in the first half of the month and the EC committee meeting probably in the second half.

The LoP committee is preparing a questionnaire for our members at the Library of Parliament. We are looking at an exchange at the LoP table probably in the early fall. In contrast to negotiations with past Treasury Board, negotiations at the Library usually take a two or three months.

The next two meetings of the LoP bargaining committee are scheduled for May 5 and May 11. The next meeting of EC bargaining committee is scheduled for May 10, while the next scheduled meeting of the TR committee is for May 18.

I remind you that H       Paris is the *de facto* negotiator for our LoP members in this round. I will be the official negotiator.

Charter Challenge

Nothing new to report except that we are expecting a decision from the Supr       Court that may have an effect on our course of action.

In the meantime, we are working on finalizing affidavits from expert witnesses.

2 c) Executive Director of Operation's Report

Internal Matters

Patrick O'Reilly was the successful candidate in the internal competition to staff the vacant Finance Officer Assistant position. He commenced in his new duties on April 26th.

Negotiations

TR – FIP

The tentative agreement arrived at on February 22 between CAPE and the Treasury Board for the renewal of the Financial Incentive Plan at the Translation Bureau was signed on March 31.

Court Cases

Boshra and CAPE (Federal Court of Appeal)

CAPE's legal counsel will be serving on Mr. Boshra a bill of costs this week as costs were awarded to us by the court.

Bernard v. PIPSC (Union Address File System Matter)

Further to the PSLRB decision issued on March 21, Ms. Bernard has filed an appeal in the Federal Court. Our legal counsel has been instructed to coordinate our submission to the Court with the PSAC and PIPSC's legal counsel.

Public Service Labour Relations Board (PSLRB) Cases

C. Therrien vs. CAPE

Further to the pre-hearing by the PSLRB on February 11 and to Mr. Therrien's submission of additional arguments and documents on April 14, the PSLRB is in the process of setting up an in-person pre-hearing conference for next week.

Hearings

There is only one CAPE case scheduled for a hearing before the PSLRB for the period May to August 2011.

Ottawa HRSDC	August 8 to 12	Nasrallah (non-disciplinary termination)
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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

Miscellaneous

Public Service Pension Plan: Perspectives for its Professionals Panel Discussion

The Public Service Pension Plan: Perspectives for its Professionals panel discussion, organized jointly by PIPSC, ACFO and CAPE, was held on April 19th at the Ottawa Convention Center. Prior to the event, over 11,000 members of the three unions completed an e-survey on pensions.

Over 600 members attended the event. The feedback, on the panel and on the joint collaboration of the three unions in organizing it, received that evening and since then has been extremely positive. The webcast of the event will be posted on our website shortly. The results of the e-survey are being analyzed and a report will be posted on our website as soon as it is available.

The staff involved in organizing the event will be meeting next week to carry out an evaluation and to draft a report to the presidents of the three unions.

E-communications

We have embarked upon a major transition of the way we communicate with members on a collective basis. In the near future, all mass communications from the Association to its members will be done electronically. To that end, a Members Only Online Feature has been developed and, while it has been quite a challenge, it is now operational. Employees who assisted in the implementation of the feature have gone over and beyond the call of duty during and since its implementation and I am very grateful for all of their hard work and dedication.

The results of the first e-surveys, on the EC and TC collective bargaining, are presently being analyzed and will be available shortly for the members of the EC and TR Collective Bargaining Committee. An e-survey is being developed by the members of the LoP Collective Bargaining Committee for LoP members.

On April 20th, seven employees of CAPE attended a training session on the InSite e-survey and e-communications tools that will be used. The system will also allow the Association to organize an e-vote for elections and ratification purposes.

By using e-communications, the Association will reduce its environmental footprint and its printing and postage costs.

As for the introduction of an online discussion platform, please see the Communications Committee report.

Case Reports

An EC 07 member was unsuccessful in having his salary anniversary date properly determined by his current department. When his current department calculated his total continuous employment in the EC category to determine his salary increment date, they determined that there was a break in his continuous service as a result of an assignment in another bargaining unit when the member worked in another department. His current department's calculation resulted in the loss of 1.8 years of service for the purposes of determining his increment level in the salary scale. Following a thorough review of the member's file and in particular as to the assignment in the other bargaining unit, CAPE found a number of administrative mistakes and/or lack of proper paperwork, the matter was discussed with representatives of the current department. The employer's representatives agreed with CAPE's assessment. The member was credited with 1.8 year of service for the purpose of determining his increment level in the salary scale. The member's pay was adjusted and he received a retroactive payment.

In drafting the new job description for the EC conversion, the employer representatives incorrectly transcribed some features and omitted certain details relating to certain factors. In preparing for the grievance hearing, CAPE has requested changes to the job description, which were accepted by the employer. The position was reclassified upward.

3) Matters Arising

There were no matters arising.

4) Substantive Issues for Discussion

4 a) Budget 2011

No discussion on this matter.

5) Committees

a) Finance Committee

The financial statements for December 2010, January and February 2011 were reviewed.

b) ESU Negotiations (In Camera)

c) Constitution and By-Laws Committee

The meeting for April was postponed.

d) Communications Committee

R. Zwicker advised the NEC that the forums for the NEC and sub-committees would be ready by the end of next week and each Chairperson will be the moderator of their own sub-committee.

The Local Leadership forum will be launched for the Local President's Council the following week and then we will look for a volunteer Local or two to pilot a forum for their members. Although technically ready now, the launch of a forum for our general membership will have to wait until we have the staff HR infrastructure in place and moderator and system administrator training has been completed.

6) Adjournment

Motion: It was moved by R. Zwicker that the meeting be adjourned at 8:10 p.m.