

**CAPE Executive Committee
Minutes of September 30, 2009
CAPE National Office
Boardroom
5:45 p.m.**

Present: C. Poirier (Chair), A. Picotte, G. Thibault-Gosselin,
S. Maguire (arrived at 6:55 p.m.), S. Spak, I. Dawson (via teleconference),
C. Lakaski, C. Danik, J. Ouellette, D. Martin.

Apologies: B. Gauvin, M. Mascaro, D. Londynski, L. Whitmore.

Guests: J. MacKinnon and M-A. Beaulieu

5:45 – 6:05 p.m.

J. MacKinnon presented a request for payment for work that he was asked to do by the past president on the history of the previous ESSA/SSEA.

C. Poirier stated to Mr. MacKinnon that the NEC would need time to consider this request and would make a decision at the October meeting and we would correspond with him afterwards.

M-A. Beaulieu - 6:05 p.m. – 6:25 p.m.

M-A. Beaulieu presented the audit committees report on the draft audited financial statements. He advised the NEC that the Audit Committee required more time to review the statements prior to recommending them for approval.

C. Poirier advised M. Beaulieu that the NEC must approve the audited financial statements at its October 28th meeting in order to send the statements to the membership for approval in early November.

1 a) Approval of agenda

M. Mascaro sent an e-mail to the secretary requesting that item 3 a) Insurance coverage for NEC and Local Leadership be removed from the agenda.

M. Mascaro sent an e-mail to the secretary with an update on item 3 d) Update on Issues with Past President. The item was forwarded to the President to present at the meeting on her behalf.

Item 1 e) TR Vice President was renamed to NEC vacancies.

Motion: It was moved by S. Spak, seconded by C. Lakaski, that the agenda be approved, as amended. **Motion carried.**

1 b) Approval of previous minutes

June 25, 2009 In Camera Minutes

Motion: It was moved by A. Picotte, seconded by I. Dawson, that the June 25, 2009 In Camera minutes be approved. **Motion carried unanimously.**

June 25, 2009 Minutes

Motion: It was moved by A. Picotte, seconded by C. Lakaski, that the June 25, 2009 minutes be approved. **Motion carried unanimously.**

Special July 7, 2009 Minutes

Motion: It was moved by A. Picotte, seconded by S. Spak, that the Special July 7, 2009 minutes be approved.

In favour = 4, Opposed = 0, Abstention = 2. **Motion carried.**

Special July 8, 2009 Minutes

Motion: It was moved by C. Lakaski, seconded by A. Picotte, that the Special July 8, 2009 minutes be approved.

In favour = 5, Opposed = 0, Abstention = 1. **Motion carried.**

1 c) Workplace Review

C. Poirier provided an update on the costs, the timeframe and the work involved to proceed with Part 2 of the workplace review.

As the NEC was waiting for the above information the first part of the workplace review was on hold and it needs to be commenced in order for the Association to move ahead.

There was a consensus that Part 2 was not justified and is very costly therefore we should not proceed with the second part.

1 d) ESU/CAPE Labour Management Consultation Committee (LMCC)

C. Poirier requested volunteers to participate on the Committee due to the resignation of L. Perrin.

A. Picotte volunteered. Hearing no other volunteers there was a consensus that A. Picotte participate on the Committee.

1 e) NEC Vacancies

It was moved by C. Poirier, seconded by G. Thibault-Gosselin, that A. Picotte be appointed as TR Vice-President to fill the vacant position. **Motion carried unanimously.**

It was moved by C. Poirier, seconded by A. Picotte, that Stephen Mullen be appointed as a TR Director to fill the vacant position. **Motion carried unanimously.**

It was moved by C. Poirier, seconded by A. Picotte, that Gregory Phillips be appointed as an EC Director to fill one of the vacant positions.

In favour = 6, Opposed = 0, Abstention = 1. **Motion carried.**

1 f) Establishment of sub-committee to review Terms and Conditions of Office for future President's position

C. Poirier advised that a sub-committee needed to be struck to commence work on the Terms and Conditions of Office for the future President's position.

It was moved by C. Lakaski, seconded by S. Spak, that a sub-committee be established to review the Terms and Conditions of Office. **Motion carried unanimously.**

S. Maguire suggested that Terms of Reference be established for the sub-committee which should include the timeframe for the committee to report back to the NEC.

C. Poirier asked if there were any volunteers.

C. Lakaski nominated M. Mascaro to the Committee as she has previously done some work on this matter.

C. Poirier, C. Danik and J. Ouellette will work on the Terms of Reference and will report back at the next meeting on October 28th.

1 g) Finance Committee membership

Due to resignations and not being able to obtain quorums to hold meetings C. Poirier asked if there were any volunteers to participate on the Finance Committee.

It was moved by A. Picotte, seconded by G. Thibault-Gosselin, that C. Lakaski be appointed to the Finance Committee. **Motion carried unanimously.**

It was moved by S. Maguire, seconded by A. Picotte, that I. Dawson be appointed to the Finance Committee. **Motion carried unanimously.**

1 h) Office Accommodations Committee

C. Poirier advised that the office lease expires in 2013 and that the re-negotiations commence with the landlord as of January 2012.

C. Poirier requested volunteers to participate on this committee and will bring this back to the table at the next meeting.

1 i) Constitution and By-Laws Committee

The Committee needs to be re-established in order to commence work on the Constitution and By-Laws.

C. Poirier requested volunteers to participate on this committee and will bring this back to the table at the next meeting.

There is currently no Chairperson for this committee and C. Poirier volunteered to be the Interim Chair. There was a consensus that C. Poirier be the Interim Chair.

1 j) Elections and Resolutions Committee membership

There was a consensus that the membership of the last Elections and Resolutions Committee consisting of Michael Dewing, Jill Finlay and Jackie Leblanc be appointed as the Committee.

1 k) Communications Committee

C. Poirier advised that the Chairperson of this committee resigned and that the position needed to be filled. He requested volunteers to act as Interim Chairperson. G. Thibault-Gosselin nominated herself.

It was moved by G. Thibault-Gosselin, seconded by A. Picotte, that G. Thibault-Gosselin be appointed as the Interim Chairperson.

1 l) Locals and their relative autonomy

This item was discussed In Camera.

1 m) Financial Statements

This item was tabled.

2) a) President's Report

Summer is always a relatively quiet time in the public service sector. There were no major projects at the national office during the vacation period.

The Treasury Board summoned the bargaining agents to a "consultation" on the People Management Framework. In reality, this is a project that aims to delegate responsibility for policy instruments to deputy ministers. In other words, the Treasury Board is ridding itself of these instruments and entrusting them to the departments. As such, we would see policies and directives on subjects like telework, training, daycare centers in the workplace, etc. disappear. Nothing guarantees us the deputy ministers will be taken to task if they do not replace these instruments and nothing tells us there will be uniformity in how our members are treated from one department to the other. In addition, we will have to participate in consultations with around 60 departments and organizations. It is quite frankly irresponsible. We are told that the "order" comes from the Prime Minister's office. Now we understand.

On a more positive note, I had the opportunity to meet the Deputy Minister of Fisheries and Oceans, Ms. Claire Dansereau, as well as the human resources and labor relations managers. This was only an informal meeting to get to know one another, but we took the opportunity to broach important issues, like the discrepancies between classification levels, for identical work, between the national capital and other regions. For example, there is a difference of one, sometimes two, classification levels between two employees doing the same work, one in Ottawa and the other elsewhere. Ms. Dansereau promised me she would look at the issue and I proposed a meeting to discuss it. In general, our relationship with this department is excellent.

Claude Danik and I met Michèle d'Auray, secretary of the Treasury Board, Daphne Meredith, Chief Human Resources Officer, and Hélène Laurendeau from the TB. We of course spoke about the difficulties encountered during the last round of negotiations. Since a policy grievance has been filed in connection with the new classification standard, we avoided the subject. On the other hand, the employer is preparing to review the professional groups' structure. The Board thinks it is not ideal to deal with bargaining tables that involve 75 or 80,000 people. We therefore believe this is likely to affect the large unions but CAPE less so. Since our largest group is the EC group with 11,000 members, the risk is less significant.

However, we will have to decide what kind of resources we are going to dedicate to this project rather than twiddling our thumbs while we wait to hear from the Treasury Board. We don't want any unpleasant surprises.

On the other hand, it is possible that some employees with job descriptions closely related to those of the EC members will join us. However, these are only speculations.

Last week, I attended the National Joint Council seminar in Whitehorse along with some of you. It was without a doubt a golden opportunity to network and hear about unions' and employers' concerns. As the event took place in the North, we had the opportunity to learn about the challenges workers and employers from these regions have to confront. Moreover, this project will be in the forefront in 2010 since the National Joint Council will have to examine the allowances, largely insufficient we have learned, that workers are paid. For example, the allowances for higher cost of living paid to workers do not entitle them to retirement benefits. When individuals retire, in many cases they cannot remain in the North because life there is too expensive.

The bargaining agent side was also meeting during our stay in Whitehorse. In particular, a decision needed to be made about who would be nominated for the open positions on the Public Service Pension Advisory Committee. I was chosen for one of the two positions that were put to a vote, with the other going to Milt Isaacs from the ACFO. If the recommendation from the bargaining agent side of the NJC is accepted, I will be appointed by the Governor in Council for a three-year term.

Request for management leave

It was moved by C. Lakaski, seconded by A. Picotte, that C. Poirier's request for 10 days of management leave as per his contract be approved.

In favour = 6, Opposed = 0, Abstention = 1. **Motion carried.**

2 b) Professional Services Report

EC Classification Conversion

We are now into managing the grievances workload. Jean will be updating you on these matters in the future.

Charter Challenge

We were expecting Treasury Board's affidavits today. We are still waiting. Once we have the affidavits it will be necessary to review the content and exercise our right to reply.

Internal Matters

We spent a considerable amount of time during the summer addressing various internal matters. We are moving ahead with a review of all work descriptions in the national office. The current work descriptions are in different formats, with different degrees of detail. We are endeavoring to get all work descriptions in a single format and will be reviewing with the incumbents of each position.

We are also proceeding with the work that must be done in order to set up a work evaluation tool for the office. CAPE's budget sets aside money to hire a consultant to help a classification committee elaborate a classification standard. Under Ontario labour legislation and under the Pay Equity Act of Ontario the process to put together a classification standard is very different from what we know in the federal public service. A joint committee must be struck for pay equity purposes. The committee's responsibilities include agreeing to a work evaluation tool. This process could be something to replicate when we win our charter challenge against those parts of the PSLRA that give the employer exclusive right to determine the content of classification standards.

CAPE has distributed its most recent issue of *Professional Dialogue*. The issue is dedicated to a review of the deterioration of labour relations in the federal public service. It goes back to the 1990s in order to explain the gradual displacement of important issues from the bargaining table and the work place to Parliament Hill and the courts.

Approximately 2,000 members have asked that henceforth CAPE not send a paper copy of the *PD*. For these members we are sending electronic notices of the posting of the publication on our web site.

2 c) Administration Report

Database Issues

2006 missing Dues files

Over the summer we hired contractors to assist us with manually inputting 2006 dues payments in the database. The administrative staff's workload does not allow them sufficient time to do this inputting as it is a slow process to input the information manually for each member. Approximately 200 records can be inputted in a 7 hour period. We are hopeful that the manual inputting will be completed by the beginning of December.

Background

In March 2006, we had requested that the TRs be merged in with the ESs and SIs for which we received electronic remittance of dues payments.

The Employer merged all members together but they also assigned a new code number to CAPE employees. After they merged and assigned the new code number we only received dues remittance for approximately 1,000 members. We worked on trying to resolve this issue for several months and in November 2006 we were successful in receiving all of the dues remittance files for our members.

Bud Lists

We receive quarterly listings of all bargaining unit members from PWGSC which is called the Bud List. Each bargaining unit is assigned a code number by the Employer. This code number tells them what employees belong to which bargaining agent. We use these lists in order to reconcile our membership.

On our June 2009 listing we were missing a little over 4, 000 members. We discovered that those 4,000 members had been updated to the new EC classification and were assigned a new code number. However, the Employer failed to provide PWGSC with the new code number advising them that this code is assigned to CAPE members.

I brought this matter to the attention of the President; as this is a violation of the EC collective agreement. We use these lists in order to reconcile our membership. This issue has been resolved. After contacting Treasury Board the issue was resolved.

Union address file

We received the new address file in accordance with the PSLRB decision and the MOA signed with Treasury Board and with PSAC. However, the file is not formatted in a consistent manner. For example, some records are in uppercase and some in title case, some addresses are out of date, postal codes are not inputted in the same manner and there are some records with no addresses at all and there are other issues with the file that we have to work around.

I am working with our IT support and database programmer to rectify all possible scenarios with the file and to produce us with various reports where the information does not match with what our database has in order to verify the information.

3) a) Amend Constitution and By-Laws to allow for electronic voting (from Budget meeting – July 8)

This item was tabled.

3 b) President's contract

C. Poirier advised that he now has a signed employment contract.

3 c) Update on Issues with Past President (In Camera)

This item was tabled.

4) Substantive Issues for Discussion

There were no issues for Discussion.

5 a) Finance Committee

This item was tabled.

5 b) ESU/CAPE Collective Bargaining

This item was tabled.

6) Adjournment

It was moved by C. Lakaski, seconded by A. Picotte, that the meeting be adjourned at 10:05 p.m.