



## **CAPE is always working for you, sometimes behind the scenes**

**May 30, 2014**

After such a busy spring, we are looking forward to the summer months. For many of us, this will be an opportunity to “recharge our batteries” before we get back to business in the fall. Others will be using this time to work on files that are expected to come to a head later this year. We will all be keeping a close eye on government announcements and new projects that might affect us.

While some of us will be enjoying some hard-earned vacation time, I can assure you that CAPE will remain busy in the weeks and months to come. The Association has been a hive of activity in recent months, and we expect this to continue. The following is a glimpse at some of the files that have been a constant focus of attention for us.

### **Collective bargaining**

Our negotiating teams have been up and running for a number of weeks. The members of the EC, TR and Library of Parliament groups responded in large numbers to the survey questionnaires that were sent out to identify their concerns for the forthcoming round of collective bargaining. Their suggestions and priorities have been taken into account by the negotiating teams in preparing the lists of demands that will be tabled shortly.

The next issue of *Professional Dialogue* will contain a report on our collective bargaining progress to date. The “President’s Message” in the same issue reviews the work we have been doing together with other federal public service unions in the run-up to this round of collective bargaining.

I accepted an invitation from the Public Service Alliance of Canada to speak at its 2014 Triennial National Capital Region Convention on May 9. While the labour organizers I met there sought to protect the interests of PSAC members, they also put a high priority on preserving services to the public. Indeed, by fighting to maintain quality services to Canadians, public service employees are helping to combat the social and economic inequalities that flourish in countries where the State loses sight of its primary mission of serving the public.

At the PSAC Convention, I gave the Conservative government an ironic vote of thanks, because the Conservatives' contempt for the public service and its employees has been responsible at least in part for bringing unions closer together and fostering among them a greater spirit of mutual cooperation.

Indeed, the cooperation among unions continues to grow. At the start of this year, the federal public service unions signed a declaration of solidarity marking their desire to work in collaboration with each other to ward off unwarranted attacks against public service workers and to defend the interests of their members. Since then, we have been working together to prepare for the next round of collective bargaining. We are also working on communication projects directed at all public service workers.

These collaborative efforts are greatly appreciated by our members in the field. CAPE played a front-line role this past fall and winter in informing the members of all public service unions about the changes that would affect them once Bill C-4, now called the *Economic Action Plan 2013 Act, No. 2*, became law. More recently, PSAC has picked up the ball in the National Capital Region by inviting all public service employees – including CAPE members – to information sessions on the forthcoming round of collective bargaining.

A note in passing: you recently received a message from the management of your departments and agencies announcing a new workplace wellness and productivity strategy. This message includes statements implying that public service workers will inevitably have to agree to make concessions regarding sick leave at the bargaining table. But nothing could be further from the truth. [We have written to the employer](#) to request a halt to the spread of such disinformation, and we have invited the employer to bring its proposals concerning sick leave and a short-term disability plan to the bargaining table. We will meet with the employer to propose adjustments that would be far less costly to taxpayers than the changes the employer is apparently contemplating.

### **Sick leave**

Sick leave and collective bargaining are intimately related, since the government's desire to set up a short-term disability plan will surely have an impact at the bargaining table. Without consulting us and without asking us for permission, the government can set up [a costly plan that is not needed by 98% of public service employees](#). Because it wants to tie this plan to the provisions governing employee sick leave benefits, however, the government will have to agree to discuss the specifics at the bargaining table, since leave is part and

parcel of the terms and conditions of employment covered in public service workers' collective agreements.

CAPE has been at the forefront on the issue of sick leave, producing incisive studies and leading discussions with other bargaining agents. In March, we published a background paper dispelling [nine myths about paid sick leave](#) that resonated with our members, the media and federal public service workers in general.

While we don't have the kind of resources that PSAC and PIPSC can draw upon, we are actively working with all of the bargaining agents, building on their respective strengths, and we can therefore make an intelligent and constructive contribution to our mutual discussions. To see the importance of what we are doing, just consider how the statements made by Treasury Board President Tony Clement have changed in recent months. Initially [peddling misinformation](#) about how public servants took an average of 18 sick days annually, he has been forced to embrace [a more realistic set of figures](#) in the wake of studies and analyses produced by the unions as well as the [Parliamentary Budget Officer](#) and [Statistics Canada](#).

## **Pensions**

Pension plans have also been an important file of late. We have been working hard on this issue, sometimes behind the curtain, but we hope our efforts will have an impact on decision makers and the Canadian public. We were strongly critical of the imposed changes to the Public Service Pension Plan that raised your pension plan contributions to the same level as the employer's contributions. On the face of it, this measure seems logical: have both sides pay an equal share for a plan that will provide a comfortable retirement for former public servants. But the present government could not resist the temptation to imply that, in forcing us to raise our contributions, it was defending the rights of Canadian taxpayers. As usual, the government failed to incorporate into its calculations the future needs of a plan from which it had skimmed \$30 billion in 1999. As former CAPE President Bill Krause explains in a piece awaiting publication, after 30 years the increased employee contributions should just about cover the amount of the surplus confiscated from the plan by the present federal government.

We took the government to court over this theft of our contributions, but the court sided with the government and ruled that the plan's surplus belonged to the government. However, we did demonstrate the existence of a surplus which the government could have used to cement the viability of the pension plan without

increasing our contribution rates. Instead, the government chose to apply the surplus against its budget deficit. The fact that this “loan” was approved by the court does not make it any less immoral.

### **Performance management and disciplinary measures**

Sometimes we work on a case by case basis, defending your rights directly with your managers. Year after year, our labour relations officers participate in mediation, grievance and arbitration procedures to ensure that your rights are respected in the workplace. The forthcoming issue of *Professional Dialogue* looks at the high number of cases of harassment in the workplace, performance assessment issues, unjustified disciplinary measures and problems obtaining reasonable accommodation measures affecting some of your colleagues.

You will read in this issue how some managers have bought into the Treasury Board President’s negative messages that make us out to be a gaggle of overpaid and underproductive employees hampering the development of Canada! Our labour relations officers have found that, in the last three years, a third of their activities have focused on one of the four problems listed above. They have also noted that some managers are using performance assessments to impose disciplinary measures on employees who ask them embarrassing questions or ask for additional information in order to do their work properly.

### **In closing**

This is just glimpse of the work your Association does to protect your rights and defend your interests. I also wish to alert you to the fact that CAPE’s website is about to undergo a major transformation. We are currently in the final stages of our preparations to revitalize the website’s design and structure. We believe the changes we are about to implement will make it easier for you to get the information you need about subjects that are of interest to you.

Lastly, I want to encourage you to share your comments, suggestions and ideas with us. You can do so through your Local. You can also contact staff members at [CAPE’s National Office](#). We are always on the lookout for better ways to do things, better practices that will enable us to improve the work we do on your behalf.

Have a good summer.

Claude Poirier  
President