

Date: January 23, 2009

Memo To: TR Members of CAPE

From: TR Negotiating Team

Subject: Vote – Final Offer from Employer

The attached information kit includes the employer's final offer, a ballot and voting instructions. If members of the TR group vote in favour of the offer, the current round of negotiations will end and CAPE will sign the new collective agreement with the changes provided for in the final offer. However, if the offer is rejected, CAPE's TR bargaining team will invite the employer to return to the table and further negotiate the issues that have not been resolved, including outsourcing, the responsibilities of team leaders, the translation of specialized texts and the standardization of the TR collective agreement in relation to other agreements reached during the current round. If the employer refuses to meet with CAPE's team, the problems brought to the table will be referred to arbitration at the Public Service Labour Relations Board.

When the employer made its final offer to the unions, it also announced that special compensation legislation would be presented to the House of Commons as part of the federal budget. This special legislation would provide for wage adjustments found in the final offer, or less generous wage adjustments, but with no other changes to collective agreements. It would also suspend the right to strike and to arbitration. Since then, the employer has stated that this legislation would not suspend the right to strike and to arbitration, but has given no information relating to possible wage adjustments.

At the time of this writing, we do not know the content of the special compensation legislation. As a result, the TR bargaining team can only recommend a cautious approach. Members of CAPE's TR group should wait until the special legislation is tabled before voting on the final offer. Please visit CAPE's Web site on a regular basis for updates regarding the special compensation legislation and its possible effects or implications (www.acep-cape.ca).

Please note also that the following changes to the TR collective agreement - articles dealing with deductions on behalf of the Association, grievance procedure and the extension of the implementation period of the collective agreement to 150 days - have not been agreed to at the bargaining table and have been included unilaterally in the final offer by the employer.

(français au verso)