

National Executive Committee

Tuesday, July 7th, 2015

1:00 pm to 7:00 pm

National Office Boardroom 1967

100 Queen Street, 4th floor

Ottawa, ON

Present:

E. Tremblay (chair), N. Giannakoulis, A. Picotte, N. Burrton, C. DesRochers, J. Hove, R. Kelly, A. Kurikshuk-Nemec, S. Maguire, S. Mullen, N. Pothier, S. Powell, J. Squires, I. Borré, C. Vezina.

Present Via teleconference:

A. Butler, R. Kelly, J. Porter

Excused:

P. Scholey

Observer:

Maggie Simpson

1. Items for Approval

a) Adoption of the Agenda

Items to be added to 3.a),

-Bill C-377, to discuss the strategy we plan to follow.

-Document regarding guidelines for union and political activities and CAPE's position on the election.

Items to be added to 4.a),

-VP report

Items to be added to 4.d) i.,

-MJAC Discuss a 2nd survey

Items to be added to 4.d) vi.,

-update on Mobilization action

Items to be added to 4.d) v.,

- Maggie has asked to attend and provide an update of the NYMAC committee.

Items to be added to 4.d) vi.,

-External Committees Report by S. Powell

Motion: It was moved by J. Hove and seconded by S. Maguire that the agenda be approved with proposed additions.

Motion carried unanimously

b) Adoption of the Minutes from the May 27th, 2015 NEC meeting

A Question was brought to the attention of all that if someone leaves, should it be recorded. It was noted that the vote, when recorded, will reflect numbers present. For critical items or upon request, a nominal roll call will be used.

Motion: It was moved by A. Picotte and seconded by C. DesRochers that the Minutes from the May 27th, 2015 meeting be approved with minor changes.

In favour = 8, Opposed = 0, Abstention = 2. **Motion carried**

c) Adoption of the in-camera Minutes from the May 27th, 2015 NEC meeting

2. Matters Arising

a) CAPE-ESU Bargaining

-Will exchange proposals on July 23rd, will meet mid-August to early September for two – 3 day sessions.

-The employer was asked to allow leave with pay for the union's bargaining team during the bargaining round. This will have to be discussed further or as part of bargaining itself.

-Isabelle Petrin withdrew as union negotiator and Pierre Lebel was elected by members to negotiate on their behalf.

Motion: It was moved by J. Squires and seconded N. Pothier that they go in-camera.

b) Steward's appointment at Treasury Board Secretariat

-A steward was appointed at our April meeting and now another candidate has stepped forward. The biography for Allison Desrosiers-Rodriguez was distributed to all present. She completed Stewards' training this June 15-17th, 2015.

-All future request for candidacy as stewards' and wanting to partake in union activities are to fill out the basic application found on website. Application can be found on web page at www.cape-acep.ca/en/resources/stewards-corner/

A suggestion was made to have a button created on website to get involved where application could be an online form versus a PDF which requires member to print and fill, then scan and send to CAPE.

Motion: It was moved by J. Squires and seconded by A.Kurikshuk-Nemec to have Allison Desrosiers-Rodriguez approved as a Steward for the Treasury Board Secretariat. **Motion carried unanimously**

c) Complaints Review Committee

-This committee's constitution was approved by vote and members of the committee are as follows: Maciek Hawrylak, Elaine Koren and Isabelle Solon-Helal.

-The NEC is referring a matter from Industry Canada, local 508. The bylaw regarding a complaint was read from page 11- section B5.3.

-The NEC at its next monthly meeting shall vote on the CRC recommendation. It is understood that the CRC does not require a formal mandate and is governed by the National By-laws.

-Complaint was received the 22nd of May. This was within the 90 day window.

-The CRC has 30 working days to respond. The period will start when the CRC is duly constituted and trained.

-There was a discussion regarding NEC's involvement in the decision of whether the complaint should be referred to investigation.

-N. Giannakoulis will forward all documentation to the CRC now that the NEC has been informed. Training will be required as per the By-Law 5 and should be conducted at the earliest convenience.

3. Items for Discussion

a) Bill C-59& C-377

Bill C-59 was passed with provisions that allow the Treasury Board to impose a new sick leave scheme.

The Conservatives have passed Bill C-377 by overruling their own leader in the Senate. This Bill will possibly have an enormous impact on CAPE as it imposes heavy reporting obligations regarding

transparency of our operations. All contracts and agreements CAPE has had over \$5000 would mean that personal info would need to be made public.

What actions should be taken regarding both pieces of legislation? The 4 following steps were communicated at the AGMs:

- 1-legal challenge
- 2-mobilisation of members and information
- 3-public opinion& public relations
- 4-electoral strategy

Given the implementation timeframe (2016), no action is required at this time about the Bill C-377

-Bill C-59 – 12 of the 17 NJC bargaining agents are joining a constitutional challenge via the SGM Law firm.

-PIPSC and CAPE have partnered to foot the bill and to be speaking partners. Other bargaining agents will not decide on strategy or tactics or have a right to veto.

-Amount paid is based on weight of memberships, 4/5th for PIPSC and 1/5TH for CAPE.

-PSAC is launching a similar and complementary application.

-Legal advisors are collaborating with the final draft.

b) CAPE Position Regarding Federal Election (Motion)

-Discussion on approach related to election.

-Amendments were friendly

-Motion with changes attached

Motion: It was moved by J. Squires and seconded by S. Powell to accept the amended motion.

Motion carried unanimously

c) Motion for Rand Outreach Clerk and Education Officer's position

-We have identified the need and plan to hire an education officer.

Roles to position are mentioned in motion 3.c).

-Committee is accepting suggestions as to other role items for this position. It was suggested that should the motion be kept that the following wording be added to the motion: "subject to approval of the 2015-16 budget by its members via the outgoing electronic vote".

Point of order – was there a motion on the table – It was removed by the Chair.

New Motion was brought forward to create a subcommittee to review staffing, subject to section 12.1 of the Constitution for a committee such as this.

-There was discussion as to the creation and roles of this ad hoc committee.

Motion: It was moved by A. Kurikshuk-Nemec and seconded by A. Butler that an HR ad hoc Committee be formed for the duration of this NEC, to meet monthly or as needed, made up of the President, both Vice-Presidents and at least 2 additional NEC members.

President has proposed that this motion be linked to 3.f) as it relates to management structure and manager's positions. There should be a clear distinction as to the role of the NEC and its eventual subcommittee regarding hiring procedures, the Management Cadre vs the manager's responsibilities in terms of hiring and managing the office and staff.

-This committee would be additional protection for senior Managers, the President and Vice-Presidents as it would share the workload of setting hiring policies, it could act as a sounding board in the establishing of procedures and oversight.

In favour = 8, Opposed = 2, Abstention = 2. **Motion carried**

Motion to go into camera to discuss issues around management contracts.

d) & e) Motion to support ACORN and to support Evidence for Democracy

-These items were pulled from discussion at this meeting.

4. Reports

a) President's Report: E. Tremblay presented

-Updates on negotiations - Attempts were made by TBS negotiators to sign deals with smaller Bargaining Agents. Unions remain in solidarity.

-Legal advice sought regarding political activities. The Do's and Don'ts will be placed on Website with the updated version of the 2011 election guidelines with additional legal advice.

-NEC will be consulted prior to any summer communications regarding joint positioning of Unions for upcoming elections.

-It was stated that our position is to not take any side but to raise the awareness of the platforms being presented.

a) i.) Vice-Presidents Report: Presented by N. Giannakoulis

-Database update – On June 22-24, Union Ware met with the membership database and communications staff. Primary focus was on communications element, data and dues recovery modules. They are currently working on a module for us that could be built over time, which deals with emails to members.

-Proposed that we give PIPSC 1 hr., as they will table a presentation for the September NEC meeting.

-Stewards' model-looking at the internal redress process protocols. Reached out to LROs to take a look at the protocols and looked through archives. Proposes that the redress protocols for complaints have an additional step added:

-1st level having the Director of Professional services or Director of Operations,

-2nd level with the VPs for review and

-have the President be 3rd and final level.

-Wants to have a discussion at a later date regarding the NEC wanting a role in this process. A constitutional review may be required.

-Proposed meeting with PIPSC regarding Service Agreement, meeting PSAC for July 10th. In house training has expanded and we are engaging LROs to review the service protocols. Revising the current MOU we have with PSAC regarding the Joint Learning Program. They have limited modules.

-PSAC training has been offered to CAPE and we are exploring in BC with possible access to regional training.

b) Professional Services Report

-Provided NEC members with a summary of open cases referred to adjudication (protected)

c) Bargaining Report

-EC table-met on 23rd & 25th June, negotiations list of concerns were provided.

The document that was submitted by the EC table to the TBS negotiator will be shared to NEC members. The document highlights that there are other STDPs out there that are significantly more generous than what is being proposed by the employer.

Example -Private sector companies with no caps on sick days, will kick in short term after 4 days absence, with no waiting period. TBS seemed interested in the Ontario teachers plan.

-Dates set for the EC table are the 22nd & 23rd of September. Dates for the TR are the 15th to the 17th of September and we were told that bargaining will continue even after the writ is dropped.

Library of Parliament went through arbitration on June 19th. Employer was offering 1% and CAPE is asking 2.5% Increase over the 2 year agreement. We are still waiting on arbitral award.

d) Reports from Committees

i.) Mobilization and Job Action

-MJAC would like to issue a 2nd survey. There have been items drafted, including demographic questions such as age, gender, Department and years of service.

-Remind people about job action/strike vote and ask to rank.

-need to define job action /strike vote more precisely and clarify scales and ranking.

-Timing of survey such as before or after elections important.

ii.) Finance

- Audit, month of July. Report will be presented at our September meeting.

- Results in Early August.

- Budget/vote results are due mid-July.

iii.) Communications

- Due to the hiring of Ben René, the look and feel of CAPE's website has changed. Graphics have improved, page added on sick leave, a mobilization bulletin, and shorter texts. More work will be required with the input from the members to revamp the website.

iv.) Local Leaders Council

-To meet in the fall, date TBD.

v.) New and Young Members Advisory Committee

-This report was moved up on the agenda.

-Committee met June 9th and will meet again July 9th, Wayne Fan, co-chair, drafted a letter highlighting support by young professionals of the unions' position on sick leave. The Op-Ed was published in the Ottawa Citizen (paper form). PIPSC & PSAC stood in solidarity & signed the Ottawa Citizen Letter.

-Next meeting they will review the TORs and plans for the future of this committee. Create Strategies to get young professionals to come to meetings.

-Work with PIPSC and PSAC to give a union orientation to grad University students and student unions.

vi.) External Committees

-S. Powell reported on her participation in various outside initiatives where she is the CAPE representative.

-Meeting with the Federal Retiree Group/retirement coalition initiated by Bernard Dussault (PIPSC) retired Chief Actuary CPP.

-Define trends and threats of benefits plan in the government.

-SAGE Magazine article defining benefits to inject into our elections strategy pension security and questions you should ask yourself when you vote.

-Pensions and our positioning needs to be discussed. We are fixated on sick leave, but members need to be better informed about pensions.

-Other leaders talked about meeting with MPs and candidates to discuss issues.
They shared information of letters being sent to members.

-Consider getting Pension expert's panel to provide information to NEC to better understand pensions. As part of education, do the same for members. Have day of learning on understanding pensions.

-Our presence is noticed and much appreciated by other groups
Ontario Pension Plan is being developed and we should get informed as to how it will affect members living in ON/QC, income tax implications and Federal Pension plans.

5. Miscellaneous

-President will have lunch with Mike Palecek, President of the Canadian Union of Postal Workers (CUPW/STTP) and debrief NEC on discussions after that meeting.

6. Adjournment

Motion: A. Picotte moved to adjourn the meeting at 7:26p.m. and seconded by S. Maguire.

Motion carried unanimously