

Contacts at the NRCan CAPE Local		
Name	Telephone	Email
Carol Fairbrother, President	943-9218	cfairbro@nrcan.gc.ca
Galina Obolenskaia, Vice President	995-0422	gobolens@nrcan.g.ca
Elizabeth Walsh, Secretary	943-0937	elwalsh@nrcan.gc.ca
Margot Ashfield, Director	990-5509	mashfiel@nrcan.gc.ca
Al Howatson, Director	990-5708	ahowatso@nrcan.gc.ca
CAPE Labour Relations Officer for NRCan		
Bert Myre	(613) 236-9181	bmyre@acep-cape.ca

WELCOME TO THE NRCAN CAPE LOCAL NEWSLETTER

Welcome to the fifth Newsletter from the NRCan CAPE Local. An NRCan local for the National Capital Region was first created in March 2006.

ANNUAL GENERAL MEETING

Mark your calendars for **June 11, 2009 in Camsell Hall at 580 Booth from 12:00 to 1:00. A light lunch will be served.**

Come and meet Claude Poirier, the new President of CAPE, as he briefs us on what is happening at the Association Level.

**NRCan CAPE Local
Annual General Meeting
June 11, 2009
Camsell Hall**

AGENDA

1. Introductions / Welcome
2. Approval of Agenda
3. Approval of Minutes from 2008 (see last page of newsletter for a copy of the minutes)
4. Local Executive Report
5. National Office Report
 - o EC Conversion
6. Election of the Local Executive
7. Questions / Discussion
8. Other
9. Adjournment

Please confirm your attendance with Elizabeth Walsh elwalsh@nrcan.gc.ca by June 3, 2009.

LABOUR MANAGEMENT MEETINGS

Labour-Management Consultation Committees (LMCCs) provide an opportunity for union and management to communicate and maintain a sustained dialogue. The departmental LMCC meets twice per year as well as a number of sector level LMCCs. Given that minutes from the LMCCs are posted at: <http://www.int.nrcan.gc.ca/ci/ems/1/h-srumc-e.htm>, we will report on LMCCs not yet included there.

Departmental LMCC, May 12, 2009

Carol Fairbrother will represent CAPE at the departmental LMCC to be held May 12, 2009.

Canadian Forest Service, LMCC, April 14, 2009

Unfortunately, none of the Executive members were able to attend. Are there CAPE members in CFS (or elsewhere) willing to become members of the Local Executive?

Corporate Management Services Sector LMCC, April 21, 2009

Carol Fairbrother and Elizabeth Walsh attended the Corporate Management and Services Sector (CMSS) LMCC on April 21, 2009. A number of issues were discussed including overtime, reimbursement of travel claims, and the planned release of the results from the 2008 Public Service Employees Survey (PSES). Bargaining agents will be consulted on the results of the survey through the updating of the Workplace Well-Being Framework that is partially based on the results of the survey.

Earth Sciences Sector LMCC, April 20, 2009

Carol Fairbrother attended the LMCC for the Earth Sciences Sector. Changes to the loading dock at 601 Booth as well as issues of interest to scientists were discussed.

Innovation and Energy Technology Sector / Energy Sector LMCC

Élizabeth Walsh attended the LMCC for the Energy Sector and the new Innovation and Energy Technology Sector on May 5, 2009. Discussions included the Sector restructuring, succession planning and workload management issues.

Minerals and Metals Sector, LMCC, April 16, 2009

Al Howatson attended the LMCC for Minerals and Metals Sector. Stephen Lucas, ADM, reviewed the renewal processes at NRCan and MMS, along with the relocation of the Materials Technology Laboratory to Hamilton. Items raised by union representatives for discussion included: the travel approval process; 360 degree feedback for managers; the issue of "cost recovery" in individual performance evaluation; and the need, in spite of tight budgets, for staff to attend conferences.

Science and Policy Integration Sector, LMCC, April 2, 2009

Carol Fairbrother attended the LMCC for Science and Policy Integration. A revised set of Terms of Reference for LMCCs were tabled at this meeting as prepared by a small sub-group of which Carol was a member. A number of issues of interest to SPI CAPE

members were also discussed such as: staffing processes, performance evaluation reviews, accommodations and the changes to the Sector given the creation of the new Innovation and Energy Technology Sector.

CONTRACT NEGOTIATIONS AND THE EMPLOYER'S FINAL OFFER

Contract negotiations were terminated by the Employer's Final Offer in November 2008. CAPE sponsored a series of conference calls to explain the Final Offer and members of the NRCan Local participated. A series of questions and answers were developed that explained the offer and CAPE's position

(See http://acep-cape.ca/pdfs/General/files/QandAratification_e.pdf .)

CAPE members ratified the contract on February 20, 2009. See the following for a summary of the new contract as well the the new pay scales: http://acep-cape.ca/pdfs/General/files/ECratification_e.pdf . The contract was signed by CAPE on March 11, 2009 and the employer has 150 days from that date to update the pay system and provide retroactive pay cheques back to June 23, 2007.

Printed Copies of the Collective Agreement

New employees should receive a printed copy of the Collective Agreement from their compensation advisors.

In addition, the new Collective Agreement, it will be distributed to CAPE members when it becomes available in print.

EC CONVERSION

In 2003, Treasury Board initiated the process to convert the ES and SI to the EC group. One of the government's objectives was to increase its ability to attract, retain, motivate, and renew a workforce that delivers quality services to Canadians.¹ EC conversion was to have been negotiated as part of collective bargaining process in the last round of negotiations. This did not happen because Treasury Board representatives did not have a mandate to bargain new rates of pay.

After negotiations were abruptly terminated in November 2008 with the Employer's Final Offer, the government introduced its expenditure control bill, Bill C-10, in the House of Commons, in February 2009. This bill proposed to control wages and to suspend collective bargaining until 2011. At the same time, the bill exempted three other groups from suspension of pay scale restructuring, including Canada Border Services employees, who were also undergoing a classification conversion process. Only the EC classification conversion was affected by this suspension.

¹ Treasury Board Secretariat, *EC Conversion – Key Messages*, <http://www.tbs-sct.gc.ca/cla/eckmmc-eng.asp> (page accessed April 20, 2009).

Throughout last winter, CAPE made representations to Treasury Board and Parliament in order to prevent the suspension of pay scale restructuring for the EC group. In particular, CAPE wrote twice to Mr. Vic Toews, President of Treasury Board. CAPE also appeared before the House of Commons Standing Committee on Finance which was responsible for the in-depth study of the bill. The President of CAPE took that opportunity to propose an amendment which would also have exempted CAPE from the suspension of pay negotiations. While this proposed amendment was endorsed by the NDP and the Bloc Québécois, it was rejected by the Committee. The bill was finally given royal assent on March 12, 2009.

In an interview for the *Ottawa Citizen*, CAPE's chief negotiator for the EC group, Mr. Claude Danik, clearly explained the negative impact of the exclusion of this issue from collective bargaining. According to him, by refusing to address EC conversion and pay scale restructuring during collective bargaining, Treasury Board has created additional problems. Given that salaries offered in the public service are not competitive with those of the private sector, many managers have no other option but to offer promotions to their employees to keep them. Mr. Danik explains that, in so doing, "they keep their employees by giving them a little more work so they can reclassify them and give them promotions. That's a temporary solution and in a couple years they face it all over again."²

Although CAPE is still reviewing its legal options, Treasury Board will apparently implement EC conversion on June 23, 2009.

CAPE has scheduled call-in forums with Mr. Claude Danik and Claude Vézina on EC conversion on June 2 and June 3, 2009. This would be an opportunity to ask questions about the EC conversion process.

Language	Day	Date	Time
English	Tuesday	June 2, 2009	11:30 a.m. – 1:00 p.m.
English	Tuesday	June 2, 2009	5:30 p.m. – 7:00 p.m.
French	Wednesday	June 3, 2009	11:30 a.m. – 1:00 p.m.
French	Wednesday	June 3, 2009	5:30 p.m. – 7:00 p.m.

Contact the Local Executive if you would like us to participate as a group in these forums.

One final note: NRCan is targeting June 15-22, 2009, as the dates when the Official Personal Notifications (OPN) will be distributed to every CAPE member through their Director General's offices.

² Kathryn May, "MPs focus attention on turnover within PS," *The Ottawa Citizen*, March 31, 2009.

**WORKPLACE HEALTH AND SAFETY COMMITTEE FOR 2934 BASELINE
(THE QUALICUM SITE)**

Two branches of the NRCan Minerals and Metals Sector (MMS) have been “camping” since January 2009 on the 4th and 5th floors of Tower B at the Qualicum facility, until their floors at 580 Booth are renovated. Al Howatson attends monthly meetings, as the CAPE representative, of the Workplace Health and Safety Committee (WPHSC) for Qualicum. The WPHSC, required under the Canada Labour Code, consists of the representatives of the employer and unions. SNC Lavalin/PROFAC participates at the meetings as well.

The Qualicum Committee had just commenced its life when we were faced with its first major health and safety incident. On Thursday February 11, 2009, a number of employees reported health symptoms including itchy eyes, headaches, sore throat and fainting. These symptoms coincided with the installation of carpets and other construction activities on the 2nd and 3rd floors. At least a dozen employees went home that day. The next day, MMS management, requested an indoor environmental assessment from Health Canada. Given that building air is re-circulated, it was requested that potential off-gassing of Volatile Organic Compounds (VOCs) from carpet and/or carpet glues be investigated. VOCs, including formaldehyde, may be off-gassed from adhesives and new furnishings, and may cause health symptoms such as itchy eyes, headaches, and sore throat.

Although Health Canada reported that by March 9th the sampling results were within acceptable ranges, employees in certain sections are still reporting symptoms on some days, and still need to return home to work. The CAPE representative is noting these incidents, and the managers concerned have been filing Hazardous Occurrence and Incident Reports (HOIR). While the Health Canada report provides useful advice on preventing such further incidents, it is clear that the WPHSC at Qualicum needs to quickly find both short and longer-term solutions to this problem. For concerns at Qualicum, CAPE members should contact Al Howatson at 990-5708.

**WORKPLACE HEALTH AND SAFETY COMMITTEE FOR 580 BOOTH
STREET**

Galina Obolenskaia attended monthly meetings of the Workplace Health and Safety Committee (WPHSC) for 580 Booth as the CAPE representative. WPHSC is a committee mandated by the Canadian Labour Code. The Committee consists of the representatives of the employer and unions. SNC Lavalin/PROFAC participates at the meetings as well. The co-chairs are Eugenie Prevost (representing the employer) and Joe Cunningham (representing the employees). Over the period June 2008 to April 2009, WPHSC organized floor inspections and discussed important issues related to occupational health and safety (OHS), such as, hazardous occurrences and incidents, environmental sensitivities, fire hazards, the small appliance policy, and floor kitchens.

There are a number of health & safety areas where CAPE members might wish to take note:

- Mandatory interactive occupational health and safety awareness sessions for managers, supervisors and employees are available as organized by the Security, Safety and Emergency Management Division, Corporate Management and Services Sector.
- The OHS office is organizing ergonomic adjustment coaching. This is your opportunity to take care of your health at work through an ergonomic adjustment at your workstation.
- Members may wish to report incidents to first-aid attendants (even what seem to be minor incidents) who must make a note of them; this can help you if there are longer-term consequences of the accident.
- Employees can report health and safety issues via the hotline number: 1 (800) 463-1850.

For health & safety related issues at 580 Booth Street, please contact Galina Obolenskaia at 995-0422.

Did you know?

At NRCAN, employers must complete a Hazardous Occurrence Incident Report (HOIR) as soon as a work-related incident, accident or illness is reported which is then reviewed and approved by the Work Place Health and Safety Committee at the facility where the accident or illness occurred. In conjunction with the HOIR, the employer must also complete a Form 7, Employer's Report of Injury/Disease and report all work-related incidents, accidents or illness to the Workplace Safety and Insurance Board (WSIB) located in their respective province where an employee requires health care and/or is absent from regular work due to an accident or illness. It is important to report all accidents or illness if, following the date of the work-related accident/illness, the worker does not receive health care but requires modified work at regular pay for more than seven calendar days. The completed form has to be received by WSIB within 7 business days after you learn of your reporting obligation.

Consequences of not reporting due to late submission of the Form 7; incomplete information; failing to provide a copy of the completed form to the employee and reporting on a version not approved by WSIB can result in penalties starting at \$250 to \$25,000 or up to 6 months in jail.

Employers should contact their provincial office of the Workers Safety and Insurance Board to obtain copies of Form 7.

HR RENEWAL: VISIBLE MINORITY TALENT MANAGEMENT PROGRAM

In November 2008, HR launched the Visible Minority (VM) Talent Management Program. The objective of this program is to enhance career development for visible minority indeterminate employees in the EX, EX minus 1 and EX minus 2 levels as well enhance the numbers of EX ready candidates for NRCan. 39 NRCan employees participated in this pilot, 28% of which are CAPE members.

The CAPE Local Executive applauds NRCan for this initiative and looks forward to such a program being extended to all NRCan employees.

NRCan CAPE Local Annual General Meeting

Minutes of Meeting

June 6, 2008
Time: 12:00-1:00 p.m.

List of Attendees

Local Executive:

Carol Fairbrother - President
Geoff Bokovay - Vice-President
Franco Bello- Secretary
Ashfield, Margot - Director
Sarah Lawson - Director

Members:

Gauthier, Yolanda
Gélinas, José
Jimsanger, Raphael
Laplante, Marilyn
Mierwa, Alina
Miller, Cristobal
Minter, Penny
Mongeon, Lydia
Obolenskaia, Galina
Oshier, Romi
Ouattara, Tidiane
Richter, Julie
Sauvé, Sheryn
Savoie, Annie
Simon, Julie
van Beek, Consuelo
Walsh, Elizabeth

Invitées:

Jacques Dupont, CAPE-LRO

The Annual General Meeting (AGM) of the NRCan CAPE Local was held on Friday, June 6, 2008 from noon to 1pm at Camsell Hall, 580 Booth St.

Introductions/Welcome

Attendees were welcomed to the AGM by Carol Fairbrother, NRCan CAPE Local President.

Approval of minutes from 2006 and 2007

There were no errors or omissions noted.

Local Executive Report—Carol Fairbrother

See newsletters that are now available on the CAPE website for news of the CAPE Local at NRCan. Of particular note:

- CAPE Local Executive members attend Labour Management Consultation Committee (LMCC) meetings both at the sectoral and departmental level. On May 13, Carol Fairbrother chaired the departmental LMCC. This is good visibility for CAPE, and the CAPE Local
- Labour-Management Symposium in Cornwall, January 9-10, 2008. Next one in 2 years.
- Staffing Appointment Framework—the rules by which non-advertised staffing processes are used. CAPE Local Executive members attended the meetings but this was NOT co-development.

National Office Report—Jacques Dupont

- Regrets from CAPE National President, José Aggrey, who could not attend NRCan CAPE Local meeting
- CAPE initially withdrew from Pension Surplus Case in November 2007 after the Ontario Superior Court of Justice dismissed the case brought by various bargaining agents against the Federal Government. A Special Meeting has been called for June 19, 2008, to discuss this issue with the CAPE Executive Committee.
- EC Conversion—Advanced Personal Notifications (APN) would be sent to all employees week of June 16, 2008. Generally, ES positions will become EC positions +1, e.g., ES5 becomes and EC6. Salary scales still have to be negotiated. Opportunity to speak to your manager if your APN is less than it should be.
- EC contract negotiations are proceeding.
- Staffing Reform—Under the Public Service Modernization Act, it is the “candidate with the best fit”, not necessarily the “best candidate”, who will be offered a position. This means that even if a candidate gets 100% in a test or competition he/she may not be offered the job because the manager can decide that there is someone else who is a better fit. Unions have not been successful in fighting appointments under the new Act as there are only 2 criteria—abuse of authority and the lack of opportunity to offer a staffing process in the candidate’s language of choice. In addition, instead of creating eligibility lists, “pools” are now being created. A pool is a list of candidates who meet the requirements for a particular job

competition. The pool may be valid for a certain period of time. Managers may choose to hire someone from a pool but there is no guarantee. Not only are there intradepartmental pools, but it looks as if there could also be interdepartmental pools.

Nominations/Elections

Carol thanked the outgoing members of the Local Executive: Franco Bello, Geoff Bokovay, Sarah Lawson, and Melissa Ryan for their contributions and willingness to serve. She asked that we give a special recognition to Sarah Lawson who started the Local 2 years ago and will now be leaving the public service. Carol announced that she and Margot Ashfield were willing to have their names stand for election and asked Jacques Dupont to conduct the nominations/elections. There were 2 additional nominations from the floor, Galina Obolenskaia and Elizabeth Walsh. People were acclaimed as member of the Executive. As per the By-laws, the Executive will meet to decide who will fill which position.

Reminder to Employees (especially those in Science Policy Integration (SPI))

SPI is undergoing a transformation—the amalgamation of the former Office of the Chief Scientists and Strategic Policy Branch. It has been decided that SPI employees would operate in a form of matrix organization, i.e. that an employee could work on other projects other than those for his/her direct supervisor. These reminders are particularly relevant to SPI, but also apply to other employees at NRCan:

- The employee, you, is in charge of his/her career. Do not assume that management is looking out for you.
- Make sure that you have a Performance Evaluation, Work Plan and Learning Plan. SPI ADMs have indicated that they want to match opportunities with people through their Learning Plans.
- Reporting relationships in SPI are still not clear--not all RC Codes or financial delegations have been assigned. Nevertheless, employees have been assigned a manager. It is her/his responsibility to make sure that you have the resources you need to do your job. He/She will also ensure that you have the appropriate workload, especially in a matrix organization. He/She should be aware of all of the work that you are doing within SPI and make arrangements if you have been assigned too much or not enough work.
- Sector asks have not been going well. Let us know of particular situations.

Adjournment

A motion to adjourn the meeting was made and seconded.