



Local Leadership Council Meeting
Thursday, April 19th, 2018
National Office (Boardroom 1967) 4th floor
100 Queen St., Ottawa, Ontario

MINUTES

Present: G. Phillips (*Chair*), M. Charron-Tousignant, N. Giannakoulis, A. Picotte, L. Ramsingh, J. Rothschild, N. Stewart, B. Sharamen, K. Poplowska, T. Wilcox, H. Al-Souci, S. Mir, H. Gibson, D. Hager, N. Perron, K. McKerlie

Staff: J. Courty, C. Vézina

Via Teleconference: A. Butler, D. Barty, L. Ladouceur, A. Nemec

1. Call to Order / Opening Remarks

The Local Leadership Council meeting was officially called to order at 5:30 pm. A round of introductions was made. Context for the purpose of the meeting was described, and the desire to expand attendance for future meetings was touched on. Lapel pins were made available to participants.

A 'Student Guide' was developed as a result of requests to the National Office to provide a guide for Stewards and Local Leaders to address questions from students. This will be added to the agenda as a presentation, with feedback requested.

2. Update on Collective Bargaining

The Chair presented a report outlining the following updates:

- Library of Parliament: a tentative agreement was reached on February 22, and subsequently approved by members on March 14th and signed on March 21st. Voters turnout was high, with nearly 90% in favour of the new agreement. A \$650 signing bonus was included in the April 4th pay cycle.

- The TR agreement expired yesterday. The Collective Bargaining Committee (CBC) recently completed the membership survey. As a next step, the CBC will create a collective bargaining team and use the results from the survey to assemble the demands for the table.
- EC - CBC attended their first training on bargaining last month which provided an opportunity to brainstorm on various subjects related to bargaining, challenges related to the Federal Public Service as well as issues specific to the EC group.
- CBC is looking forward to their next session. A Director of Policy responsible for being chief negotiator has recently been hired. It was enthusiastically announced that Claude Dannick will be fulfilling this role.
- CAPE will now be representing Parliamentary Budget Officers. Once certification is complete, preparation to negotiate a new collective agreement on their behalf will be underway.

Questions/Comments:

In response to a question regarding strategies for engaging members around issues of importance to them to allow for debate on issues that might not be covered within the collective agreement but perhaps be of interest prior to the next round of negotiation, it was explained that addressing this matter is at the discretion of the CBC but that in general it begins with the survey. As far as sick leave (*now referred to as 'wellness'*), PSAC Wellness and PIPSC Wellness committees are looking at modernizing this approach. CAPE has representation on both committees. While the PIPSC table is moving quickly and making progress, PSAC is not. However, adjustments of sick leave or wellness programs for this round of collective bargaining are not foreseen.

When asked as to the rationale for last year's approved collective agreement already nearing expiry, N. Giannakoulis noted that the round of negotiations being referred to was exceptional, and that from the EC Bargaining Committee it was felt that going longer on a contract didn't make sense as the offer from the Employer was less than favorable..

A comment was raised with respect to increased solidarity within, increasing engagement of members and extending it to other unions, and even as far as vulnerable workers in related spheres. A proposed approach was suggested towards collective bargaining that not only encompasses seeking to upgrade the package but as well as to leverage the membership's position to forge alliances with other unions in correlated spheres.

In relation to what is expected to be achieved in this round of bargaining, based on high percentages of people impacted by Phoenix, a comment was made that this creates a platform to advocate for the needs of members. Furthermore, it was suggested that pension issues be examined based on Bill C-27 introduced in Parliament; if the Bill passes and becomes law it may exert pressures towards terminating defined benefit pensions for Public Service, which could have a rippling effect over time to affect others. As such, it was

recommended bargaining for provision in the collective agreement that will require the federal government to obtain agreements from Public Service unions prior to applying any changes to the Public Service Superannuation Act, Supplementary Retirement Benefits Act, and Pensions Benefit Act, along with the right to grieve any potential adverse changes. In response it was noted that pensions have been dealt with by unions for many years, and the topic is always brought forward for a topic of negotiation, and it's always denied.

**At this time a handout was circulated to participants with a strong recommendation for this Council to thoroughly review this issue for inclusion in the survey, in addition to holding town hall meetings for discussion in an effort to address this matter*

An anecdote was shared in which during a conversation, a member affected by Phoenix had expressed assumption that on the issue of collective bargaining a great deal should be expected in a compensatory nature as a means of balancing the effects of Phoenix. The Chair acknowledged that conceptually, this has persisted for some time and is an issue of concern for unions seeing that members have an expectation of not just reimbursement, but payment for suffering or damages. There is the potential to include some language and protection to outline the appropriate damages in the event of reoccurrence. Strategies will be determined by the directors acting as chief negotiators who will then make decisions based on perceived priorities.

A point was raised that in light of percentages contributed towards pensions across a number of unions at a ratio of 50/50, some degree of control should be sought, particularly supportive of the notion that in collective bargaining agreements there should be included limits to changes to Acts without the approval of union even if traditionally dealt with at the National Joint Council level.

It was observed that often during bargaining sessions, opportunities are somewhat missed given the much technocratic approach been taken in addressing issues and the manner in which they're communicated to members. Failing the collective bargaining process, it was asked as to the best avenues/strategies for educating members on key issues and positions that can be taken (*e.g.: protection of pensions*). The Chair stated that constitutional opinion would be required to determine the viability. He therefore recommended amending the recommendation to include "if constitutionally valid." If adopted at this table, the recommendation could be passed to the two chief negotiators. The following motion was raised:

Be it resolved that the meeting of the Local Leadership Council recommend to the Collective Bargaining Committee/Collective Bargaining Team that they hold a townhall and/or a series of meetings to engage members on collective bargaining

Moved by: N. Stewart

Seconded by: S. Mir

Discussion: A friendly amendment was proposed that this also be directed to the NEC to inform as collective bargaining priorities are set. The Chair indicated a willingness to add

this to the agenda of the next NEC meeting. Both the mover and seconder were in agreement with the amendment put forth.

The Chair noted that the issue of budget and costs associated with town hall meetings must be taken into consideration, and also indicated being mindful of the timing aspect due to summer vacation schedules. He confirmed this item will be added on the agenda of the next meeting of the NEC, as well as being forwarded to the chief negotiators.

Moved by: N. Stewart

Seconded by: S. Mir

Abstentions (2)

By show of hands: Carried unanimously

3. Update and follow-up on Phoenix and its impact on members

The Chair shared information and background on activities undertaken by CAPE towards resolving retroactive pay issues and the Phoenix system. The Association has filed grievances on behalf of all its members affected, as well as an unfair labour practice (ULP) against the government for failing to properly implement the collective agreement. CAPE is currently responding to the government's preliminary objections to this complaint and has asked the Federal Public Sector Labour Relations and Employment Board to schedule dates for the hearing of the ULP.

Legal advice is that the most effective manner to address this issue is through policy grievances and ULP on behalf of affected members. In addition to retro pay, the Association has also been assisting members who had previously experienced Phoenix related issues through informal and formal processes. CAPE has filed numerous individual grievances, most of which have been resolved while others are still being pursued. The Chair outlined a number of policy grievances filed by CAPE on behalf of members and groups relating to numerous errors that Phoenix has incurred. The Association has challenged the Employer to rectify pay errors as well as compensate for penalties and expenses sustained as a result of employer errors and omissions.

In conjunction with other unions, a mandamus compelling the government to take steps to rectify individual pay issues, resulting in a court approved consent order for the government to provide certain supports to resolve Phoenix pay issues has been put in place. In addition to press releases and press conferences, CAPE is involved with other unions on the ongoing National Joint Council work on Phoenix, which details those affected and attempts to resolve the issues. Ongoing updates will be available on the website.

Discussion Points:

- A great deal of frustration was expressed as some members believe that not nearly enough is being achieved by both CAPE and other unions in pressuring Treasury Board and the government on this issue. The Chair acknowledged the frustration. However the notion of going on strike or taking other measures would present an issue given that it would be considered an illegal action and the union is not allowed to endorse such a course. He emphasized CAPE's active involvement in addressing this issue and pursuing all legal avenues, which is as much as or greater than any

other organization within the sphere. The options afforded under labour laws are being explored as much as possible. While the frustration is understood, there are certain rules that must be abided. Although legal advice could possibly be sought, such actions could not derive from the bargaining team.

- A comment was raised that despite efforts on this side of the equation, it does not appear that there is much effort on the side of the government towards resolving the situation. Therefore other options available to work towards putting pressure on the government if progress is not being made must be considered (*e.g.: symbolic actions such as coordinated coffee breaks with speakers and rallies during those breaks to force management to take notice*). This coupled with public sympathy and media coverage is an unexploited factor that can assist in engaging members more broadly.
- A member highlighted the importance of the discriminatory aspect of people on leave as those members don't have access to any of the systems. Paperwork requests to access systems cannot be completed without access to the systems, and it seems to unravel from there. Another aspect that has not seen much discussion but impacts people in similar ways is the 'My GCHR' as files take an average of 16 months to be transferred and it is affecting people accessing such areas as leave balances or fear of taking promotions or transfers. The Chair expanded on this notion with reference to the impact that less money being spent over paycheque fears has on the economy and the multiplier effect throughout communities.
- There are great concerns concerning the number of compensation advisors in Miramichi and whether this may be a source of problems in processing times. It was explained that despite the number, there are not sufficient and in most cases do not have the authority to make decisions on resolving files. The Chair acknowledged this as an issue previously raised.
- One of the members outlined strategies relating to work-to-rule, overtime and success with previous rallies working in solidarity with other unions that garnered media attention and increased visibility through concepts such as wearing buttons. Furthermore, he suggested taking a more forceful approach rather than continuing to function normally in the absence of proper pay as a move to action, create engagement, boost morale and offer members a reason to feel part of a union.
- Further clarification regarding the settlement of grievances over the last year and a half was requested. C. Vézina explained that a bi-weekly status update is requested from the person responsible for Phoenix files. The number of incoming calls seems to have declined.

4. Budget

The Finance Committee held a series of meetings in the months of February and March. The spreadsheet was described to provide context and a better understanding of the categories. Key lines were highlighted, and a high-level overview of the budget was provided.

- In response to a question regarding legal fees, the various fees were explained, including unanticipated fees, additional audit costs and consultancy fees. Although certain legal fees were high in the previous fiscal years, they are expected to considerably decline during this fiscal period. In addition, an in-house lawyer is being hired as a means of controlling some expenses and increasing efficiency.
- A request to have the financial documents as presented sent to the local leaders was requested. The Chair confirmed they could be submitted as a draft only and should not be regarded as a final version.
- A member raised as a point of order that while the budget is important, it does not weigh in on the principle reason for this meeting and should possibly be capped to allow other issues to be addressed more fulsomely before too many members have to leave. Additionally, it was recommended that any future meetings remain accurate to the scheduled times to allow for people to plan their personal and family time and maintain interest in returning to future meetings. The Chair acknowledged the point but noted that during certain lively discussions people occupy extra time on subjects and this cannot always be anticipated.

In the interest of time, it was suggested that any detail questions related the budget be directed to the Chair of the Finance Committee, N. Giannakoulis.

5. Local Leaders Committee: Expectations & Objectives

Members were provided with an opportunity to identify expected outcomes from the Local Leaders Committee as followed:

- A comment was raised seeking guidance, whether through the Council or through CAPE, to support work being undertaken to be linked to some of the priorities identified by those in smaller or remote areas. There is still a sense of isolation in the NWT. Clarity around NWT and Yukon and if, and how they should be collaborating would be helpful. The Chair suggested an offline discussion to seek solutions.
- Seeing that this body provides an opportunity to coordinate mobilization and campaign opportunities on issues, it was felt beneficial sharing successful initiatives that have been achieved and/or lessons learned. Contingent on bargaining, this could become a forum for supporting outreach initiatives.
- It was suggested adding local updates and initiatives as a standing item on the agenda and holding short discussions as a means to learn from each other. The Chair

suggested updates be directed to the President's Council and proposed that this Council performs in a working capacity primarily with an open agenda and allow for more presentation and discussion from the local leaders or a roundtable. The possibility of looking at social media platforms or a dedicated internal log in to convene group discussions was explored.

- A comment was made that even with additional communications platforms, 2 meetings a year is not sufficient. Additionally with regards to technology, video conferencing should be considered to allow for those calling in to be presented with a visual element to presentations. The Chair alluded to the small deficit projected in the budget, hereby restricting additional meetings and townhalls etc. This may necessitate a dues increase to allow for more resources and would require the support of this Council.
- A comment supported the idea of developing a “Members’ Corner” on the website to attempt to maintain a certain vibe amongst the group that may get lost after 6 months. Another idea presented was to allow participation/attendance of non-voting local leaders at the President Council meeting.
- A member expressed interest in seeing some investigation towards affordable options to enable virtual participation for both local member engagement and leadership council engagement using technology available that is cost effective, and recommended analysis be performed to assess this.

6. Steward Training

The Chair stated that training is coming up in May and a call went out accordingly. Various LROs are looking at possibly tweaking the training. Stewards who have yet to attend were strongly encouraged to do so.

The Local Leadership Council meeting adjourned at 7:45 p.m. EDT