



**Local Leadership Council Meeting  
Thursday, May 2, 2019  
National Office (Boardroom 1967) 4<sup>th</sup> floor  
100 Queen St., Ottawa, Ontario**

**MINUTES**

**Present:** G. Phillips (*Chair*), N. Giannakoulis, A. Picotte, A. Gibson, M. Mouelhi, C. Hug, F. McAneney, J. Crown

**Staff:** J. Courty, C. Vézina, O. Kahriz

**Via Teleconference:** A. Butler, L. Ladouceur, P. Timusk, M. Collins, S. Van Der Werf, K. McKerlie, T. Croscup, D. Mutamba

**1. Call to Order / Opening Remarks**

The Local Leadership Council meeting was officially called to order at 5:30 pm. A round of introductions were made.

**2. Agenda**

The chair has added data scientist to the agenda. The agenda was approved as amended.

**3. Update on Collective Bargaining**

The Chair presented a report outlining the following updates:

- EC – Mediation is underway and is scheduled for 3 days. This is the last attempt before reaching an impasse. The employer does not seem to be in a rush to come to an agreement.
- TR-Much of the same as the EC table. Small points have been settled. Larger items are still ongoing. The process is very slow. Next week has 3 days scheduled for this table. Arbitration is on the horizon.

## Questions/Comments:

It was suggested that CAPE should have more information/updates on its website that pertains to Collective Bargaining.

### 3. Data scientists

Classification is entirely under the authority of the employer. Public service unions are prohibited by legislation to negotiate classification and all its instruments including the classification standards. Furthermore, in contrast to the private sector, bargaining units in the federal public service are not delimited by the negotiation of community of interest. They are delimited and defined again unilaterally by the employer. The employer decides who will be in the EC bargaining unit and who will be in the TR bargaining unit simply by issuing a group definition as part of the EC classification standard and another group definition as part of the TR group definition. On March 9, 2019, further to its authority under the financial administration act, Treasury Board informed parliament that a new occupational group definition was coming immediately into effect. CAPE was not provided any notice. The principle reasons for the new definitions was the work carried out over of the past 4 years on the PA classification and to a lesser extend on the FI classification standard. The PA group included the following subgroups the AS, CM, CR, DA, OE etc. The PA group will now include the following subgroups. Occupational group definitions and subgroup definitions which will include 3 sections:

- 1) General definition of the type of work that is carried out by the members of the subgroup
- 2) A list of inclusions
- 3) A list of exclusions

As a result of the rewriting of the definitions of the subgroup of the PA group, wording that appeared in the former definitions that were reproduced in the exclusions list of the EC and TR group no longer existed. New wording was added to the new subgroup of the PA group and as a result the exclusion list for both the EC and TR groups required updating which was done. All of this is to say that the EC and TR group definitions have changed a little but of the best of our ability to ascertain at this time, these changes will have no affect on the EC and TR group and in fact this is the reassurance that CAPE was given the definitions. There is still one outstanding matter that CAPE needs to discuss with the Employer. The subgroup definition of the new PDM subgroup includes wording that appear to define work that could be called data scientist type work. The way that this is defined in the PDM subgroup definition seems to indicate that the data science work to which it refers is the development of algorithms for the specific purpose of carrying out predictive work in HR ie: the application of data scientist to corporate analysis. This would exclude data scientist applied to the mandated work of each department.

Data scientist work has really taken off over the last few years, especially at Statistics Canada. Data scientist work, as long as it is geared towards the mandate of the organization, should be carried out by ECs. If the work affects HR activities withing a

department, it should be done by the PDM group. This subject is being raised at this table because this group is rapidly growing and has a real potential to have a big impact on CAPE in the future and our membership base because as we see over as Statistics Canada, it is a very big group. It is CAPE's position that if this group is fulfilling the responsibilities of the organization then it should be ECs and as local leaders you need to be advocating these positions to be ECs if you are participating in a UMCC or HR committees where they speak on data scientists, you should ensure that you fully understand what the work is that they are doing and if these data scientists are doing work to fulfil the mandate of the organization then they are EC. CAPE will be engaging the employer in discussions to clarify the intent and application of the wording in subgroup definitions. Although we are not negotiating, we are engaging in advocating on our membership's behalf. If it applies to only corporate analysis this new group PDM, it will affect for the moment less than 200 positions for which may already be outside of CAPE. If it applies to all data scientist then it could affect around 500 EC positions. CAPE has always taken a stance that data scientist are ECs. The definition of data scientist used for hiring in the private sector concur. We will engage the employer in discussions to ensure the employer has the same understanding. A clear communication will be sent to all local leaders in order for them to have a clear rationale when attending UMCCs.

#### **4. Update on Phoenix**

- Retro payments are still not fully implemented
- Damages are being negotiated at a 3-tier level
- The unfair labour practice grievance is moving to the board. May 23<sup>rd</sup> is the date scheduled at the board.
- 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.

#### **5. EC Conversion**

Giannakoulis mentioned that a lot of departments are moving forward with finalizing some of the classification work that is related to the standardization projects. This has created a lot of anxiety for our members. N. Giannakoulis asked the council if there were any questions or concerns within each local to see if CAPE needed to take a closer look at. One member has raised that this feels like a campaign against ECs and that it was devastating over at Justice Canada. A. Butler mentioned that over at PSPC there is a little movement happening. A lot of loss is coming but is not as obvious as it is at Justice and Library and Archives Canada.

#### **6. Budget**

N. Giannakoulis provided an extensive overview of the budget. The Finance committee met in February and then presented the budget to the NEC. It is now time

to have the LLC to approve this budget. June 18<sup>th</sup> will be the Membership Budget Meeting. We are moving into favorability with this budget. We have more dues revenue in comparison to previous years.

Members of the council expressed discontentment over the fact that they did not receive the budget ahead of time and that this does not consist proper consultation. It was decided that another meeting be held with this council on May 23<sup>rd</sup> as part 2 in order to give everyone the opportunity to review ahead of time.

## **7. Privacy Policy**

This policy was signed by all members of the NEC. This was also signed by all of CAPE's staff.

Local leaders have expressed their discontent about the policy. They feel it seems intended more for CAPE staff rather than local leaders. Some have raised concerns about signing the document based on some the languages that is being used.

**The Local Leadership Council meeting adjourned at 8:18 p.m. EDT**