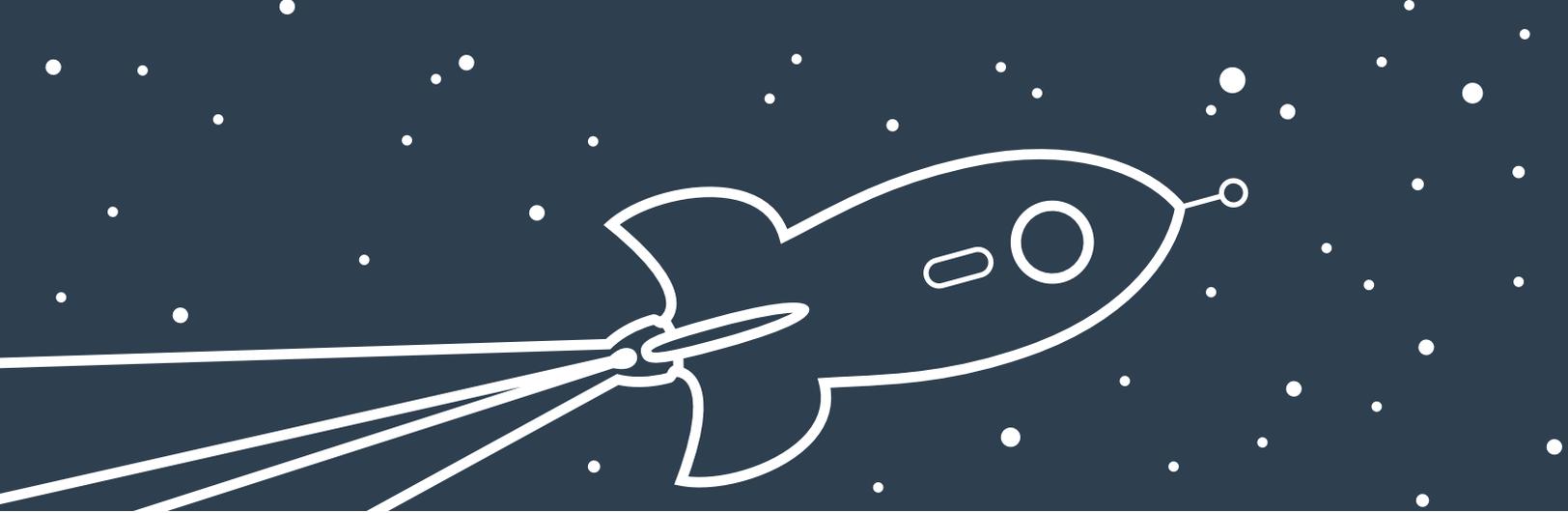




**PRESIDENT'S REPORT**  
*2015*



## INTRODUCTION

The year 2015 was certainly an eventful one for Canada's public service unions and for CAPE in particular. As the previous year drew to a close, CAPE elected a new National Executive Committee (NEC) and its first-ever woman president. In my campaign to become CAPE president, I lead a team of candidates running for the EC Director posts on the NEC who shared a common platform. This too was a first at CAPE. Our goal was to set aside the service-oriented union model that did not value the active participation of grassroots members and replace it with a vision of a strong, active and democratic union able to meet the current needs of its members. The newly elected National Executive Committee, which also included independent members who were elected on their own agendas, immediately sought to identify common strategic objectives. Those common objectives form the basis and structure of this report.

The new NEC took office in January 2015: collective bargaining was in full swing and the employer was threatening to abolish the existing banked sick leave system and replace it with a new sick leave and short-term disability plan. We also faced the prospect of having the conciliation/strike route as the only means of resolving impasse at the bargaining table, even though CAPE did not have a strike fund.

We now stand at a crossroads. With the election of a Liberal majority government, there is some hope that public servants and the unions that represent them will be treated with greater respect. The new government's decision, under pressure by CAPE and a variety of

other actors, to bring back the long-form census questionnaire is an indication of its commitment to evidence-based policy decisions and constitutes a real breath of fresh air after nearly 10 years of stifling control of information and muzzling of scientists by Stephen Harper and his centralist government.

The Trudeau team has promised us that it will not impose a collective agreement on us and has indicated its desire to bargain in good faith. While we gladly welcome these signals, we have a duty to remain vigilant and to keep up the pressure on the new government, since right-wing interests will undoubtedly also be pressuring the government to maintain austerity policies that would lead to more cutbacks and otherwise weaken the public sector to the detriment of the interests of Canadians.

I look forward to continuing my dialogue with you on how best to meet the needs of CAPE's members in order to ensure that the Association is connected, democratic, open to new ideas and focused on increased participation from its grassroots. I personally urge you to take an interest in the various projects and issues we are already engaged in or will be tackling in the coming months, and to participate actively in the associative life of your union at the local level, on a national committee or by adding your voice to our upcoming consultations.

## OBJECTIVE 1

*CAPE members have the information and opportunity to engage in and shape the union.*

From January 2015 onward, the new National Executive Committee sought to revitalize its communications with the membership. Weekly messages were given evocative titles designed to attract interest. We started publishing a mobilization newsletter to inform members about CAPE's efforts in this area and also to provide a historical perspective on past union battles, the importance of which tends to be overlooked in today's context. Obviously, one cannot be an active union member without first joining the union! Many public servants in the EC and TR groups are unaware of the fact that paying union dues does not necessarily make them union members. The proportion of those paying dues who are actually members currently stands at 72%. We have been working hard to increase this proportion, and we will be stepping up our efforts in the coming months in the hope that we can raise it to 80% by the end of the fiscal year.

As summer approached, we significantly upgraded the look-and-feel of our communications. We plan to continue our efforts in this direction in the coming year with a full-scale redesign of our website and a rebranding initiative.

The Mobilization and Job Action Committee (MJAC), established in the fall of 2014, intensified its work significantly with a series of activities, for the most part conducted jointly with other unions, particularly revolving around the 19th of each month (as part of the countdown to the October 19 federal election). For the first time in its history, CAPE was the instigating force behind a series of demonstrations, in May and June, to protest against Bill C-59. On four consecutive Mondays, the members of CAPE and other unions picketed in front of the Prime Minister's Office; this had a galvanizing effect on our members, who are not known to be militant by nature.

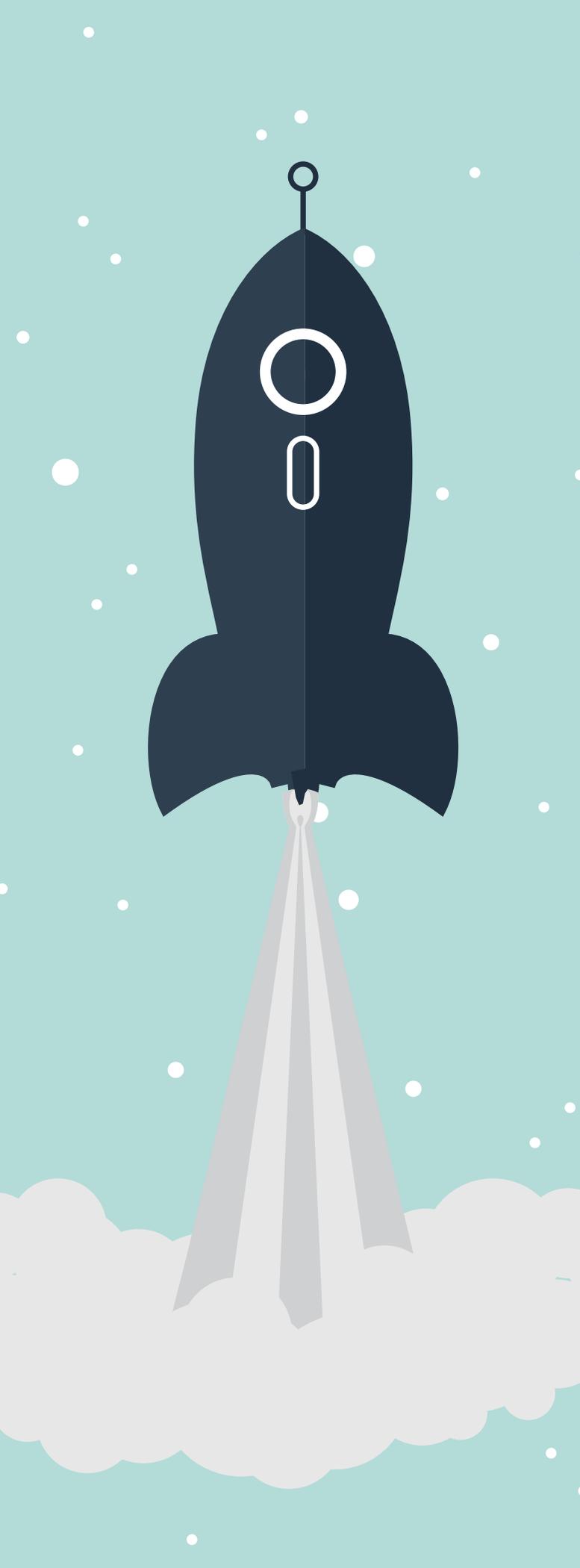
An Education Committee was established in February and worked with the MJAC to organize a series of lunchtime conferences in various workplaces on the link between past union battles and the issues we now face in the workplace and at the bargaining table. The Young Members Advisory Committee also resumed its activities and has plans for several joint actions with the youth committees of other major unions. The vitality of this group is invigorating, and it is the key players on this committee who put forward the resolution for the establishment of a progressive union dues structure that is to be voted on by the entire membership.

## OBJECTIVE 1, CONTINUED

During the course of the year, I had the pleasure of meeting with hundreds if not more than a thousand of our members at Local Annual General Meetings or at information sessions and meet-the-president events in various workplaces. This direct contact with the members and a more direct involvement in labour-management consultation sessions allowed me to gain a better grasp of the issues specific to each workplace and thus represent you better.

This active presence in the field also made it possible to establish new Locals where none had existed before or to revive Locals that had been dormant for many years, such as the Treasury Board Secretariat and Environment Canada, and to strengthen existing Locals. The Local Leadership Council is another body we have revitalized, in particular by transforming it into a discussion forum on the best practices for reaching members, making them aware of what the union is (and is not!) and engaging them in our actions. A new Guide to running effective and democratic locals was developed and incorporated into the basic training of stewards.

*This year, CAPE enjoyed a strong social media presence and had an elevated profile in the traditional media. We were featured prominently in a front-page article in the Ottawa Citizen and quoted dozens of times in the National Capital Region's newspapers, including with published open letters in support of the role of Translation Bureau professionals or to debunk that myth that young public servants would be supportive of the Treasury Board short-term disability proposals. I also gave numerous radio interviews (all across Canada during my tour of the regions this spring) as well as prime-time television interviews (Le Téléjournal on May 19, 2015, and Power and Politics on November 2, 2015).*



## OBJECTIVE 2

*CAPE and its membership are respected and effective members of the labour and social justice movements.*

CAPE had become a rather traditionalist union. Its an almost exclusive focus was on defending the individual interests of its members through labour relations officers filing formal recourse measures such as grievances and complaints in order to protect the integrity of the collective agreement, as well as on the collective bargaining of terms and conditions of employment and competitive wages for its members.

The team now at the helm of the Association has brought about a shift toward making CAPE a union that is more engaged as a force for social justice and greater equity in society, particularly for groups that lack representation or are more vulnerable. It is clear from this approach that a union is not a self-serving corporate entity, but rather a forum for human dialogue and democracy, where issues that go beyond our daily experience as federal public servants can be openly discussed. It is important to bear in mind that such a broadening of our perspectives does not take any of the union's resources away from its primary functions; rather, it rests on the mobilization and leveraging of essentially volunteer forces within its membership.

Inter-union collaboration against a Conservative government that exhibited hostility toward unions and the public service was one of the most positive developments that occurred in recent years: faced with a common enemy, the labour movement undeniably found strength in unity. Such collaboration must not cease now that we are dealing with a more respectful employer. Strength in numbers will always be a powerful lever, of course, but it is important to remain cognizant of the diversity of the groups we represent and of the specific interests we must continue to defend. Translators, terminologists and interpreters, for instance, deal with issues and realities far different from those faced by ECs or analysts at the Library of Parliament.



## OBJECTIVE 2, CONTINUED

Over the last year, Local 301 (British Columbia and the Yukon) has built ongoing solidarity with PIPSC, PSAC and Unifor. The Local also supported the environmental movement during protests of the closure of the Kits Point Coast Guard base and the English Bay oil spill. Local members have expressed a keen interest in more future work with social justice movements, solidarity with Indigenous peoples as well as teachers' and nurses' unions. The Local has also supported labour movement demands to raise the minimum wage in BC and looks forward to membership in the Vancouver District Labour Council. With 300 members spread across BC and the Yukon, solidarity is the key to success. We have spoken at many events, including during the election campaign, where we argued against racism and scapegoating.

The causes which the National Executive Committee chose to support this year, either symbolically or through modest financial contributions, include the following:

- more-visible participation in the May Day march and in the Labour Day parade in September;
- the organization of a walking tour focusing on Indigenous culture in the Ottawa area;
- support for the organization of the Acorn general meeting (this group defends the interests of low-income Canadians);
- CAPE and about ten other organizations participated in a non-partisan pre-election campaign called “We can do better!”;
- a motion of solidarity for locked out Ottawa Airport taxi drivers;
- support to the Friends of Public services campaign focused on reinstating door-to-door mail delivery;
- support for the Science Pledge, for the leap manifesto and the 100% Possible March on climate change.

*The fact that we represent professionals does not mean we should feel different, special or privileged. We are all workers with common interests who must show solidarity amongst ourselves and toward less fortunate groups.*

The left side of the page features a teal background with a white line graph that starts at the bottom left, rises to a peak, dips slightly, and then rises again towards the top right. Scattered throughout this background are several white circles of varying sizes, some of which are partially cut off by the edge of the page.

### OBJECTIVE 3

*Members, locals and professional staff work together to improve and defend the everyday working conditions of CAPE members.*

The primary purpose of a union, however, is to defend the rights of members that may sometimes be violated by abusive management or a unhealthy work environment. A marked increase was noted this year in formal (e.g., grievances and complaints) or informal recourse for issues pertaining to performance assessments and matters involving harassment and discrimination.

Another key issue revolved around duty to accommodate for health and safety reasons, and in particular where mental health was concerned. CAPE will participate in the efforts launched by the Public Service Alliance of Canada to incorporate the National Standard of Canada for Psychological Health and Safety in the Workplace into our workplaces.

CAPE has always thought of itself as “professionals serving professionals.” This motto underscores the fact that exclusive responsibility for the formal representation of members is given over to labour relations officers (LROs) employed by the union, rather than to union stewards who are present in the workplace. This model may have its good points, but it also has its limitations. CAPE is presently looking at expanding the role of Locals and stewards so they can work in close collaboration with professional labour relations officers, who would nonetheless remain essential pillars in defending the rights of our members.

## OBJECTIVE 3, CONTINUED

CAPE will step up its training options for stewards, Local leaders and activists in order to make this new model possible and sustainable. We have already established alliances with the other major unions to share resources and take advantage of additional training opportunities. This will allow us to work together in order to strengthen our mutual solidarity and bolster the reflex to collaborate in the workplace. Mobilization, consultation, participation in occupational health and safety committees and relaying information from the union to its members in the workplace – these are all roles that can be played by more-active members in the Locals. Interested individuals are also urged to become involved in CAPE's committees.

In the past, Labour-Management Consultation Committees (LMCCs) were not a clear priority for CAPE. In my view, however, consultation is vital and it should first and foremost involve the stakeholders on the ground, namely the Local leaders. Coming from a workplace (the former CIDA) where consultation platforms, albeit imperfect, were forums where problems could be resolved constructively and effectively, I consider those Committees essential. The presence of a national president in LMCCs at the national level can sometimes give added weight to CAPE's voice at the table, which was too often silent in the past.



## OBJECTIVE 4

*CAPE is positioned to successfully defend and improve the working conditions of its members for the next round of bargaining*

We should remind ourselves that the current round of collective bargaining started on a new playing field due to the rule changes imposed by the government in its omnibus Bill C-4 in 2013, which eliminated CAPE members' right to request binding arbitration. Conciliation/strike action thus became the only option for resolving impasses at the bargaining table for the EC and TR groups, as they entered the bargaining process in the spring of 2014.

For both of these groups, bargaining gave rise to some rather sterile exchanges during slightly more than ten days of negotiating over the past 18 months, in light of the restrictive mandate which the Treasury Board bargaining teams were given under the Conservative government. If anything, these exchanges amounted to nothing more than the employer negotiating with itself: without waiting for our questions or counterproposals on its key issue of banked sick leave and the establishment of a short-term disability plan, for instance, the employer kept coming back to the table with slightly sweetened offers that nevertheless profoundly undermined our terms and conditions of employment.

The negotiation process undoubtedly jumped off the rails when the EC bargaining team gained access to all of the historical data on sick leave use and was thus able to extract trends indicating that the model presented by the employer, if applied as presented, could result in an average income loss of approximately one week's pay per employee per year. These data were presented in a brief submitted by CAPE to the House of Commons Standing Committee on Finance on June 4, 2015, in conjunction with that committee's examination of Bill C-59.



## OBJECTIVE 4, CONTINUED

For the record, Division 20 of Part 3 of Bill C-59 authorized the Treasury Board to establish and modify at any time the terms and conditions of employment related to the sick leave of employees who are employed in the core public administration. Thus Treasury Board proposed to reduce the number of annual sick leave days from 15 to 6 and establish a short-term disability plan that would provide employees with 100% salary coverage, after a five-day unpaid waiting period, for six weeks and 70% salary coverage for weeks 7 to 26. This model would postpone the start of long-term disability coverage from week 13 to week 26. It is important to bear in mind all of the myths about sick leave that were debunked in our 2014 publication which we updated this year. The eventual fate of banked sick leave days was once again bandied about in an open letter to public servants from Prime Minister Harper in the run-up to the federal election, even though the employer had already booked nearly a billion dollars in savings from the elimination of banked sick leave as part of its plans to balance the budget.

At the TR table, the employer indicated that it intended to challenge the parliamentary leave granted to employees whose higher translation word quotas during the course of the year, which clearly exceed the quotas set for TRs in general, are offset by the fact that they receive parliamentary leave benefits similar to those given to other employees on the Hill. Once again, the employer was rather inflexible about the options that might be considered for “solving a problem” it had identified. Although we had agreed to engage in ‘interest-based bargaining’, the negotiation was suspended due to the manifest lack of adherence of the employer to the interest-based model, which requires flexibility for a real, open exchange at the table with no foregone conclusions.

We levelled a constitutional challenge and filed for an injunction against Bill C-59, effectively staving off the threat of seeing the new plan imposed by Tony Clement. The hearing, which had been scheduled for the end of October, was postponed until early March 2016 in order to give the newly elected Trudeau government an opportunity to demonstrate its good faith with regard to the spirit that will prevail when collective bargaining resumes.

At the Library of Parliament, where employees are not entitled to strike and consequently still have access to binding arbitration, the approximately one hundred analysts represented by CAPE received an arbitral award that put them ahead of their counterparts at the House of Commons and Senate, who had accepted lower wage increases from the employer.

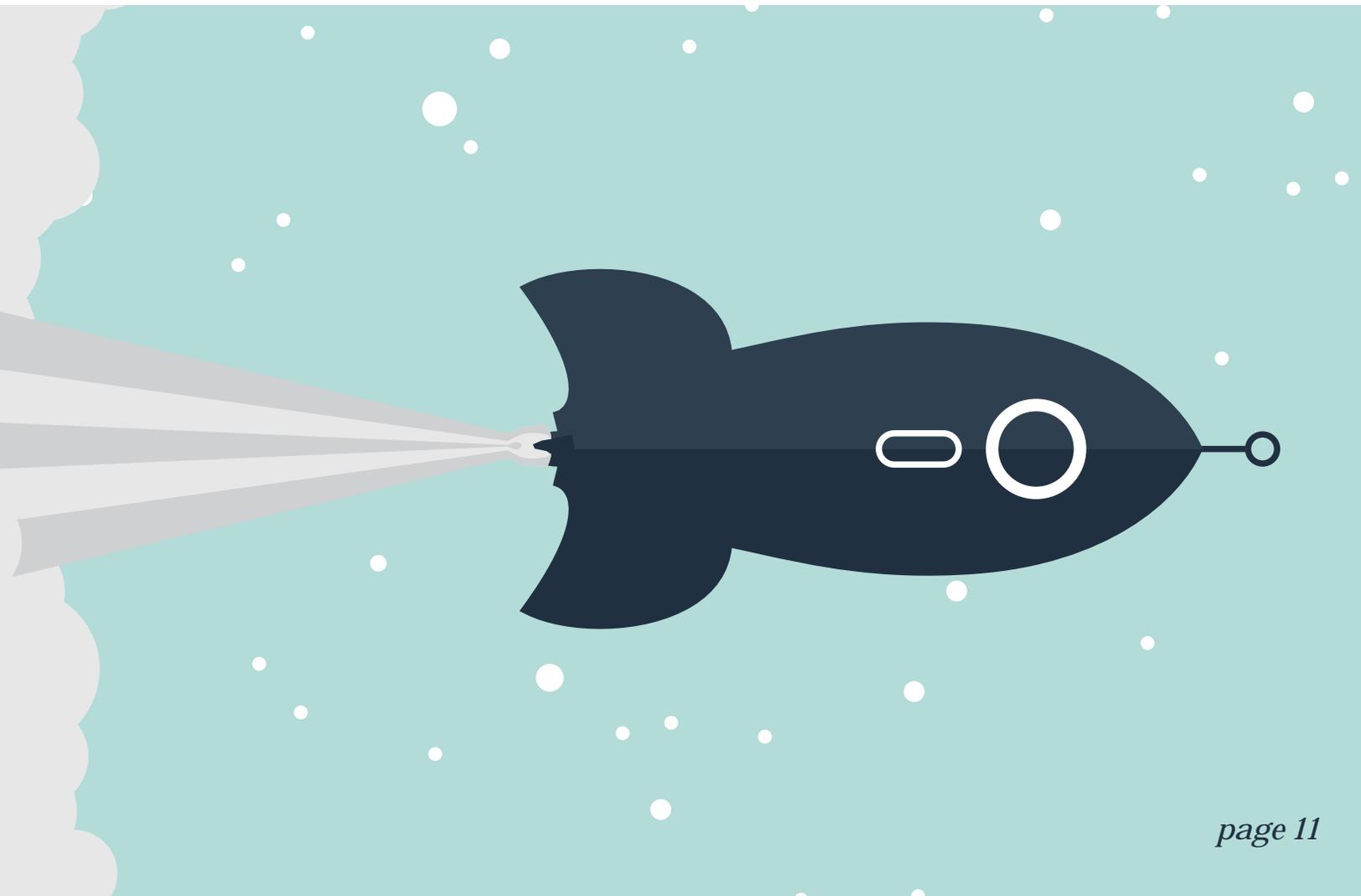
It is hoped that the election of a Liberal majority government will lead to a major shift in the form and substance of negotiations in the year 2016 (the 2015 bargaining sessions having been postponed). CAPE will take this opportunity to revisit its mandate by consulting with its members on the continued relevance of the priorities that had been identified in a survey on bargaining that was conducted in 2013. It should be noted that the Mobilization and Job Action Committee also surveyed members in January and February 2015 to determine whether they would be prepared to engage in job action up to a full-scale walkout within the context of the current round of collective bargaining. We were pleased with a participation rate of about 40% of the membership, and their level of readiness beyond our initial expectations to consider job action to counter the intransigence of the employer.

## OBJECTIVE 4, CONTINUED

It must be pointed out that the Liberal Party has made no commitment to cancel the changes brought about by C-4 which took away CAPE members' right to arbitration. This makes last June's decision by CAPE members to establish a Defense and Strike Fund and to start it off with a million dollars drawn from the Association's 2014-15 budget surplus all the more relevant. We must now look at ways to endow the fund sufficiently for it to become a reliable source of resources needed to wage various battles through legal challenges, work to rule actions or withdrawal of service if necessary.

The solidarity pact among the various National Joint Council unions continues to be relevant. One of its objectives was to avoid the kind of episode that occurred in the last round of collective bargaining, when one key table agreed to give up severance pay, inevitably leading to the loss of this benefit for all groups.

Now is not the time to stand back or to stop exerting pressure. We would be pleased to welcome any and all members who might wish to become more closely involved by supporting their bargaining team when the process resumes.





## CONCLUSION

### *Our focus for 2016*

In the wake of the federal election, we held our first-ever CAPE Leadership Summit, which was attended by NEC members, Local leaders and members of various committees. The conclusions that emerged have laid out an ambitious roadmap for the coming year. Along the way, there will be milestones when we will consult with our members, by organizing surveys, discussion groups or even special general meetings. Among other things, we are considering the possibility of revising CAPE's constitution and by-laws to better reflect the new union philosophy we are championing.

I hope I can rely on you to be present at and participate in these consultations. A diversity of voices can only reap richer conclusions.

In solidarity, your president,

Emmanuelle Tremblay

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