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CAPE's mobilization & bargaining newsletter

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WHERE DO THE PARTIES STAND ON ISSUES AFFECTING THE PUBLIC SERVICE?

The government that will take office, following the October 19 election, will have a number of issues on its plate, many of which directly affect federal public service employees.

For starters, there are negotiations at the bargaining table that have been ongoing for more than a year now, including the ones affecting CAPE's EC and TR groups. As for the legislative changes enacted by the current Conservative government, a new government will be forced to choose between staying the course or repealing certain provisions, as requested by CAPE and the largest federal unions.





We sent five specific questions to each of the major parties concerning issues of importance to Canadians and to federal public service employees. You'll be able to read their replies on our website shortly – stay tuned!

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In the meantime, we've prepared a table summarizing the positions of the various political parties on issues pertaining to bills C-51, C-4 and C-377, Canadian democracy and relations with the public service.

	 Conservative	 green PARTY OF CANADA	 Liberal	 NDP
C-51	Passage of Bill C-51: Anti-terrorism Act, 2015	The Green Party is committed to repealing Bill C-51	The Liberals promise to amend C-51 by adding a sunset clause for its new provisions	The NDP is committed to repealing Bill C-51
C-4	Passage of Bill C-4 – Economic Action Plan 2013 Act No. 2	Repeal of Bill C-4	Will eliminate the provisions of Bill C-4 affecting collective bargaining in the public service	Repeal of Bill C-4
Democracy	Enacted the Fair Elections Act which will make voting harder for students, Aboriginal Peoples and the economically disadvantaged	<ul style="list-style-type: none"> • Will lower the voting age to 16 • Will hold elections at fixed intervals • Will reduce candidate deposits by \$1,000 	<ul style="list-style-type: none"> • Will repeal Conservatives' Fair Elections Act • Will eliminate the Citizen Voting Act • Will restore the voter identification card as a valid form of ID 	The NDP will bring in a form of mixed-member proportional representation
Public Service	<ul style="list-style-type: none"> • Threatening the right to strike (C-4) • Changes to arbitration rules and the sick leave system (C-4 and C-59) • Imposing of wage reductions • Adopts anti-union's Bill C-525 (union certification) and C-377 ("union transparency") 	<ul style="list-style-type: none"> • Supports the right to collective bargaining as a human right under the <i>Canadian Charter of Rights and Freedoms</i> 	<ul style="list-style-type: none"> • Creation of a single window for all government services • Amendment of anti-union legislative measures in bills C-525 and C-377 	<ul style="list-style-type: none"> • Creation of a Public Appointments Commission • Additional protection for whistleblowers • Adoption of a code of conduct for ministers and their employees • Repeal of bills C-525 and C-377

HOW WE GOT HERE: THE EROSION OF UNION RIGHTS

Since Confederation, unions have expanded workers' rights and forced governments and businesses to create a fairer and more equitable Canada. This role was particularly significant in the postwar period, when public sector workers began unionizing, and governments of all stripes recognized the importance of containing the extreme inequalities associated with unfettered markets. But just as the commitment to ensuring some degree of social compromise transcended political ideology, attacks against labour unions over the past three decades have been launched by the political left and right at all levels of government. It's within this larger historical context that the current attacks against our collective bargaining rights and benefits must be situated – and in which our own strategies to defend our members must be understood.

Undoing the Gains of the Past

In the past three decades, Canadians have witnessed a serious erosion of fundamental human rights, including the right to organize into a union and engage in full and free collective bargaining. According to the Canadian Foundation for Labour Rights, since 1982, federal and provincial governments in Canada have passed 213 pieces of legislation that have restricted, suspended or denied collective bargaining rights for Canadian workers. The attack has included an increase in the frequency and severity of back-to-work legislation, restrictions on the right of unions to organize, the annulment of collective agreements, and the removal of the right to strike and the imposition of settlements favourable to employers. While both private and public sector workers have suffered, the suspension of collective bargaining rights has been particularly pronounced in the public sector. There have been 46 pieces of legislation passed in the federal Parliament and provincial legislatures since 1982 that have suspended the collective bargaining rights of public sector workers. These attacks have greatly reduced the bargaining power of unions, and have set the stage for a lowering of the living standards of all Canadians.

The Latest Round of Attacks

In addition to deep austerity cuts, the Conservative government has continued the assault against

working Canadians through frequent use of back-to-work legislation (e.g., Canada Post, Air Canada and CP Rail) and measures targeting public servants. These attacks have included massive job cuts (to the tune of 35,000), spending and hiring freezes, elimination of severance pay, introduction of two-tier pensions, the undermining of scientific and professional integrity, and – most egregiously – legislation transforming the entire postwar labour relations regime (C-4). Perhaps the most significant change was the removal of the right to arbitration, the cornerstone of the collective bargaining strategy pursued by professional units such as CAPE, which have traditionally avoided the conciliation/strike route. The change in the rules surrounding collective bargaining were followed – in the midst of a new round of collective bargaining – by a law (Bill C-59) giving the government unilateral decision-making over policies related to sick leave, the most contentious issue then under negotiation. First the rules were changed, then the scope of what could be bargained. While the rights to bargain collectively and to strike still exist, they are now devoid of any real substance; we have effectively returned to the pre-1967 era. The government, in effect, has decided to impose a more exploitative and mean-spirited model of labour-management relations which will only serve to encourage private-sector employers to follow suit.

Standing Together

The scope and the pace of these developments – and the fact that attacks against Canadian workers have come from all political parties – underscore the need for labour unions in both the private and public sectors to act with a renewed sense of unity and purpose. As we approach a federal election, we cannot merely hope for a government more favourable to our concerns to come to power. We must build stronger links with other unions and we must develop our strategies with the full awareness that the stakes are not merely about defending our benefits – as important as these might be – but standing up for collective rights in Canada.

THE TRUTH BEHIND THE UNFAIR ELECTIONS ACT

We import a lot of stuff from the US; thanks to the Fair Elections Act, voter suppression tactics just got added to the list. Under the guise of protecting democracy from the boogeyman of voter fraud, the current government has made wide-sweeping changes that will disenfranchise hundreds of thousands of Canadians.

It starts with your ID.

This election, you won't be able to use your voter information card as proof of address. According to Elections Canada's own report on the 2011 elections, the ability to use the voter information card in conjunction with another piece of ID was especially helpful in enfranchising "students living on campus, electors living on Aboriginal reserves and seniors in residences" – in all, 10% of voters reported using the voter identification card to meet the proof of address requirement. Conversely, these same groups are at serious risk of being disenfranchised this election. Add to this list anyone who has recently moved and hasn't had a chance to update their ID.

By and large, electors know they need to provide ID to vote, but many don't know about the proof-of-address requirement.

The Fair Elections Act also takes a lot of oomph out of Elections Canada's mandate when it comes to outreach. In short, the agency can run ads letting voters know when, where and how to vote – but it can no longer encourage people to get out and vote. So while our country laments the low voter turnout among youth, the government says: we're okay with that – this isn't a problem we want to fix. Let's not kid ourselves about the political motives at play here.

In addition, the Act has reinforced the influence of money in politics. Individual Canadians now have the potential of donating up to \$6,000 per year, up from \$4,800. Leadership candidates can dig into their pockets and donate up to \$25,000 to their own campaign, a sharp increase from the previous \$1,000 limit. And, of course, a longer campaign period allows for even more campaign spending.

Sure, attack ads are annoying. But more troublesome is that candidates have to rub shoulders with a specific segment of Canadian society to get the dough: the rich. According to Paul Howe, a political science professor at the University of New Brunswick, political donating is significantly dominated by smaller numbers of wealthy Canadians.

"Donors of amounts over \$200 account for only one-quarter of all donors, but their contributions represent nearly two-thirds of all donation dollars. So larger donations, not surprisingly, count for a lot more."

In the end, the voice of a very particular segment of society is amplified.

When you consider that candidates who raise the most money tend to get elected (so much for a battle of ideas!), it's clear that money in politics only serves to undermine a true democracy. And this does nothing to draw the swath of non-voting Canadians who are disillusioned with the political process.

At every turn, the Fair Elections Act is a lot like Bill C-59: it heavily tilts the playing field in the conservatives' favour. It rewrites the rules of the game. And in this case, a sound democracy is the certain loser.



you're on facebook
we're on facebook
...so like us on facebook! (please!)
facebook.com/acepcape

NO, YOU'RE NOT A PUBLIC SERVANT 24/7

Contrary to what this government would have you believe, public service employees aren't stripped of their democratic rights the minute they start working on behalf of Her Majesty.

With the elections looming, many federal public servants received heavy-handed memos aimed at dissuading their participation in political activities and silencing their voice on social media. The employer contends that sharing anything of a political nature may put public servants at risk because they "cannot control the actions of others and what they do, or how they comment, on the information [being shared]".

"This is really insidious," explained National President Emmanuelle Tremblay. "The myth that public service employees can't engage in political action is just that: a myth."

"It's clear that this government wants to intimidate its employees into silence."

The truth, of course, is that public service employees are endowed with the same civil and political rights as any other Canadian citizen. Their position in the halls of government does warrant a

degree of caution to ensure the impartiality of the public service, but this doesn't tip the scale to the degree where civil rights are unreasonably withheld.

Public servants are public servants during their work hours. Period.

By and large, they can safely and appropriately engage in political activity as long as they do so outside work hours and as long as they don't identify themselves as public servants. They should ensure that they don't use the employer's network or other work resources and that they don't wear anything that might identify them as public servants.

Recently, a PIPSC member, Tony Turner, made the news after he was suspended for his part in the now-famous Harperman video. At the time, the video only had about 50,000 views; after the suspension became public, the video quickly climbed to more than 500,000 views.

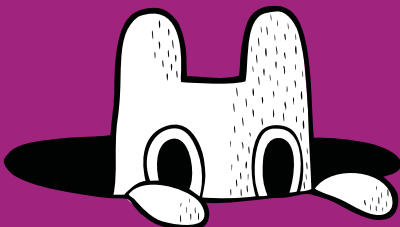
There was nothing in the video identifying him as a public service employee.

The government clearly overstepped and paid a political price; public servants' political rights

and the censorship thereof were quickly drawn into the national discussion. On our end, the incident seems to have spurred CAPE members to get active; we've since received quite a number of questions from members who eagerly want to exercise the full extent of their democratic rights. For many, this includes participating in the Harperman sing-along, happening across Canada, on September 17. If this activity is scheduled outside of work hours (or during an unpaid lunch-hour) and your government ID isn't visible, it would be very difficult for the employer to discipline any and all public servants that will participate.

"I will be there, singing loudly the truths that have been put into words by Tony Turner and others," said Tremblay.

CAPE has a comprehensive document detailing which activities public service employees can safely participate in and what precautions ought to be taken when engaging in these activities. There is also information on how to safely make your voice heard on social media. Get the whole scoop here: bit.ly/elxn2015

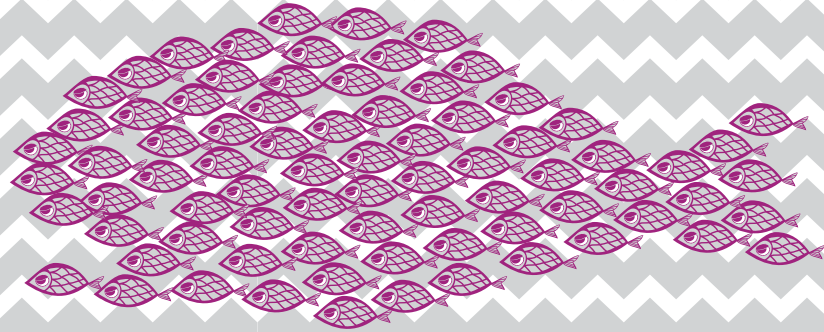


DON'T GET INTIMIDATED!

BE INFORMED. GET ALL THE DETAILS HERE: bit.ly/elxn2015



DON'T PANIC,



ORGANIZE!



ACEP
Association canadienne
des employés professionnels



CAPE
Canadian Association
of Professional Employees

