



## **Director of Policy and Negotiations and General Counsel**

Competition #: 2022-8

Posting date: June 29, 2022

Closing date: TBD

Duration: Indeterminate

Classification level: Executive

Salary: 184,390 \$ - 210,084 \$

Number of positions: 1

Language requirements: Bilingual

Status: Excluded

### **Position Summary**

The Director of Policy, Negotiations, and General Counsel provides expert legal advice on the interpretation of the CAPE Constitution, and on all legislation under which CAPE operates or under which its members are employed. This role provides expert professional advice to the President, NEC, and other elected representatives on collective bargaining negotiation strategy, requisite-related research, and policies of the Association and proposed Association positions on Federal Government policies affecting the Association or its members. This role will also often be delegated the role of Chief Negotiator representing the Association in collective bargaining with the Treasury Board, and at times work with external legal counsel or take the lead in major strategic cases before the Federal Public Sector Labour Relations and Employment Board (FPSLREB), Federal Court, National Joint Council and other venues as required by the President.

### **Requirements**

#### **Education & Experience**

- Undergraduate degree in Industrial Relations, Commerce, Economics, or any related discipline.
- Law degree from a recognized university and membership in good standing with the Law Society of Ontario.

- 10+ years of collective bargaining experience including serving as a chief negotiator,
- Management or executive experience in a membership-driven and knowledge-intensive environment.

*Note: Equivalent combinations of education and/or experience are considered.*

### **Key responsibilities**

- Provides legal advice and support to the President, senior management, NEC, all other Committees of CAPE, and CAPE staff on compliance with the CAPE Constitution, CAPE policies and proposed policies, decisions on operations, and relations with and service to its members.
- Formulates legal opinions for CAPE positions on novel issues based on the general legal framework while balancing the interests, needs, and objectives of CAPE and its members.
- Consults with external legal counsel, legal counsel of other bargaining agents, and with legal counsel of departments and agencies employing CAPE members to identify legal risks and develop risk mitigation strategies to support CAPE and its members.
- Provides support to bargaining committees and labour relations officers to defend the interpretation of wording of collective agreements or of the application of the Public Service Labour Relations and Employment Act in the protection of the rights of CAPE or of its members.
- Leads the formulation of the collective bargaining negotiation strategy.
- Provides advice on cases being argued before the FPSLREB or Federal Court and on the potential outcomes under existing law.
- Provides advice to the President on the requirements and interpretation of the Association Constitution and By-Laws and on the requirements of all federal and provincial laws governing the management and activities of the Association.
- Advises the President on collective bargaining and negotiation strategies and the integration of those strategies into the collective agreements governing the terms of employment of Association members and Association staff.
- Advises the President on proposed positions of the Association on Federal Government policies affecting the Association or its members.
- Represents the Association with Treasury Board on collective bargaining, with the National Joint Council and with other bargaining agents on matters of policy affecting all bargaining agents, and when seeking the resolution of major cases with the Federal Court, and in other venues as required by the President.
- Serves as an ex-officio member of the National Executive Committee, NEC sub-committees, Presidents' Council, and Local Leadership Councils, and serves as ex-

officio member and Chair of the Collective Bargaining Committee and/or Collective Bargaining Team as delegated from time to time by the President.

### **Other skills and abilities**

- Skill in expressing and receiving information orally and in writing are required to:
  - Develop effective legal opinions, arguments, and advice to advance and/or defend positions of CAPE on the rights and obligations of its members.
  - Develop persuasive messages and evidence that can overcome significant challenges for the acceptance of proposed positions or solutions to resolve strategic, highly complex, critical or high-profile issues.
- This role is responsible for her/his own role, and for leading project teams in research or collective bargaining. This role also chairs the Collective Bargaining Committee when so authorized by the President.
- Expert professional, knowledge of the theories, principles, and practices of Canadian Common Law or Civil Law, policy research, labour relations, labour market economics, and collective bargaining.
- Expert professional knowledge at the broadest and deepest levels of Canadian labour law jurisprudence, and in particular of the jurisprudence of labour law as applied to the employees of the Government of Canada.
- Expert professional knowledge of federal public sector and Ontario employment legislation.

### **Condition of employment**

- Must meet the language requirement of the position.

### **Additional Information**

- A variety of assessment tools may be used to assess candidates.
- The Canadian Association of Professional Employees is committed to having a skilled, diversified workforce reflective of Canadian society. Applications are invited from all qualified candidates.
- The Canadian Association of Professional Employees is committed to developing inclusive, barrier-free selection processes and work environment. Alternative selection tool methods and/or reasonable accommodation are available upon request.
- Candidates are entitled to participate in the selection process in the official language of their choice.

### **Applications**

Please provide your CV accompanied by a cover letter to: [dotation-staffing@acep-cape.ca](mailto:dotation-staffing@acep-cape.ca)