

Appendix A - Policy Grievance – EC Group

This is a Policy Grievance filed by the Canadian Association of Professional Employees (“CAPE”) pursuant to s. 220 of the *Federal Public Sector Labour Relations Act* (the “FPSLR”) and the Economics and Social Science Services (“EC”) Collective Agreement.

Details of policy grievance

In 2025, Immigration, Refugees and Citizenship Canada (“IRCC” or “Employer”) implemented a workforce reduction exercise, which is governed by the National Joint Council Workforce Adjustment Directive (the “WFAD”).

CAPE submits that throughout this process the Employer has failed to comply with the requirements of the WFAD and breached its other obligations as detailed below:

1. CAPE grieves the Employer’s omission or failure to:
 - a. adhere to its notification and consultation obligations;
 - b. counsel and advise its affected employees;
 - c. identify staff reduction targets for its Voluntary Departure Program (“VDP”) prior to establishing the program;
 - d. offer VDP to all EC members affected by workforce adjustment in units with five or more employees at the same group and level;
 - e. provide EC members written notice of being deemed affected simultaneous to being verbally advised;
 - f. provide EC members affected by the workforce adjustment with a copy of the WFAD simultaneous with the official notification;
 - g. obtain the consent of all EC members prior to disclosing their personal information;
 - h. adhere to its health and safety obligations; and
 - i. adhere to its other obligations under the WFAD.
2. CAPE further grieves that the Employer’s workforce adjustment exercise has an adverse discriminatory effect on our members based on prohibited grounds.
3. CAPE further grieves that the Employer’s workforce adjustment exercise is an unreasonable exercise of managerial responsibilities.

All of which is contrary to Articles 6, 16, 37, 38, and 39 of the EC Collective Agreement, the WFAD, the FPSLR, the *Privacy Act*, the *Canadian Human Rights Act*, Part II of the *Canada Labour Code*, the Values and Ethics Code for the Public Sector (the “VEC”), the Directive on the Duty to Accommodate, as well as any other relevant provisions, policies, rules, directives, agreements, laws, rights, practices, customs, conventions, principles, or documentation, as may be applicable.

Corrective Action:

CAPE seeks the following corrective action:

1. A declaration that the Employer is in violation of the EC Collective Agreement, FPSLRRA, *Canadian Human Rights Act*, *Privacy Act*, Part II of the *Canada Labour Code*, the VEC, the Directive on the Duty to Accommodate as well any other provisions, policies, rules, directives, agreements, laws, rights, practices, customs, conventions, principles, or documentation which may apply;
2. An order that the Employer immediately cease and desist any further violations of these provisions, policies, rules, directives, agreements, laws, rights, practices, customs, conventions, principles, and/or documentation;
3. An order that any work force adjustment measures, consequences and decisions which breached the EC Collective Agreement and the WFAD be declared void *ab initio*, rescinded or annulled; or in the alternative, that any work force adjustment measures, consequences and decisions touched by a breach be suspended, postponed or placed in abeyance until meaningful consultation occurs and that all breaches of rights and obligations have been rectified, corrected or fixed; or in the further alternative, an order that the Employer offer VDP to year two and three affected members forthwith;
4. An order that the Employer ensure that any of its representatives interpreting or taking action as a result of the EC Collective Agreement and WFAD be properly trained and able to fulfil the requirements of a work force adjustment process;
5. An order that the Employer investigate, correct, and remedy any privacy breaches that have occurred;
6. An order that the Employer advise the Office of the Privacy Commissioner of Canada of the existence or the possibly of privacy breaches;
7. An order that CAPE's affected members be reimbursed any and all leave that has been or will be used as a result of the Employer's actions, omissions or failures;
8. Other such remedies as may be required to make all affected employees whole;
9. An order for interest on all damages; and
10. Any other remedies deemed just in the circumstances.