

**Agriculture Union
National Council Meeting
November 2 - 4, 2010
Vanier Room, Minto Suites, Ottawa, ON**

MINUTES

In Attendance:

National Executive	National Council
Bob Kingston, National President Debbie Forsythe, 1 st NEVP Denis Sicard, 2 nd NEVP Fabian Murphy, 4 th NEVP	Sam Barlin, MB, NW ON & Nunavut Elena Beynon, Alt. for N. SK Jean Cloutier, E. Qc Michele Coe, S. AB Rick Cormier, W. Atl Milton Dyck, S. SK Teri Friday, CGC Nat'l Director Marianne Hladun, E.O. Nat'l Director Bob Jackson, W. BC & Yukon Meraiah Krebs, PSC & CSPS Nat'l Director John Langs, NE ON Jane McDonald, E. Atl Darrell-Lee McKenzie, E. BC Glenn Miller, SW ON Danielle Moffet, DND Nat'l Director Barry Payne, E. ON, Ottawa-Gatineau Raphaël Tarasco, W. Qc Mike Vanson, N. AB & NWT
Staff	Absent: Howard Willems Brenda Baergen Teri Friday (November 2/10 only)
Larry Budge, Administrative Officer Sylvie Rochon, Service Officer Elaine Massie, Service Officer Nancy Milosevic, Service Officer Linda Koo, Service Officer Christine Gauthier, Admin. Asst. & Membership (Nov 2/10 a.m. only) Debbie Ramsay, Recording Secretary	

Tuesday November 2, 2010

1. Call to Order

National President Bob Kingston called the meeting to order at 9:10 a.m. A quick round table ensued to present Council members for the benefit of the new people in attendance.

2. Opening Remarks

B. Kingston noted it has been an interesting few months. He indicated we have ongoing issues with all Employers: AAFC - reviews and grievance procedure; CFIA – listeriosis problem; DND – H & S; PSC – many concerns; CSPA – still issues with the teachers.

3. Adoption of Agenda

Additions:

19. CFIA - Employee Engagement
20. Cash out of excessive vacation leave in the Atlantic Region
21. In-camera session – NB - decision made to have this session at 4:30 pm Tuesday November 4, 2010 (all staff to leave for this session).
Renumber 19 to 22. (Next Council Meeting) and 20 to 23. (Other Business).

M/S/C – J. Langs/J. McDonald – by show of hands – carried.

4. Hours of Session

Day 1

9:00 am to 12:00 pm	Business agenda
1:30 pm to 4:30 pm	Business agenda
4:30 pm to 5:00 pm	In-camera session

Day 2

9:00 am to 12:00 pm	Standing Committee meetings
1:30 pm to 5:00 pm	Standing Committee meetings

Day 3

9:00 am to 12:00 pm	Standing Committee Reports
1:30 pm to 4:00 pm	Standing Committee Reports
4:00 pm to 5:00 pm	Completion of Business Agenda

M/S/C – S. Barlin/J. McDonald – by a show of hands - carried

B. Kingston reminded all that on Thursday November 4, 2010 from 6:00 pm to 8:00 p.m. there will be a reception for Sylvia Prowse to celebrate her upcoming retirement. It will be held in the party room at D. Forsythe's condo complex.

5. Approval of April 12-14, 2010 Council Minutes

Corrections:

Page 1 – Marianne Hladun, HR, title should be '**E.O. National Director**'

Page 1 – date should read Monday '**April**' 12, 2010

Page 4 – (3rd para) Research Director should read '**Regional**' Director

Page 5 (last para) – PIPS should read '**PIPSC**'

Page 6 (para 2) – Kinston should read '**Kingston**'

Page 6 (#21) – OOG as spelled out is '**One Operational Group**'

N.B. – B. Kingston advised that if you were absent from the meeting you should abstain from voting on the approval of the minutes.

M/S/C – R. Cormier/J. Langs – Carried unanimously – Recorded vote #1

6. Business Arising out of Previous Minutes

Tracking Report

#1 – PSAC Holdings documentation – complete

#2 – NUMCC Agenda & Minutes - Endeavouring to improve

#3 – Minutes of National level meetings - B. Kingston advised notes taken by Service Officers at national level meetings are for Council's information purposes only. He noted HR Update meetings are functional in nature; more about agreeing on procedural solutions to problems, not debating issues as is the process at NUMCC's. D. Forsythe advised there are minutes taken at the AAFC HR Update meetings. She has received the English version of the minutes from the last meeting and has requested the French version from the Department. She will send these minutes out to Council as soon as she receives them. D. Forsythe noted we will endeavour to get more notes formalized, translated and sent out. D. Forsythe suggested Council could consider having additional conference calls, possibly on a monthly or bi-monthly basis. The primary purpose would be to bring Council up to date on topics that are being discussed at meetings that D. Forsythe and/or B. Kingston have recently attended. D. Forsythe clarified that minutes for HR meetings are received for AAFC and DND but not for the rest of the employers.

#4 – Action Report - B. Kingston committed to sending the Tracking Report out earlier but noted that if the report is sent out much earlier we won't have an up-to-date status on many of the items in the report.

#5 – Royalties paid at AAFC - complete

#6 – Paid prep time – B. Kingston advised he is scheduled to meet on December 14 with John Haunholter, the G & A Officer in Edmonton responsible to deal with this grievance which had been scheduled to be heard in September but was postponed. B. Jackson inquired as to the process PSAC uses to prioritize grievances. B. Kingston replied if B. Jackson sent a specific request to B. Kingston it would be forwarded on to PSAC for a written response. E. Massie also added that the grievances filed in Québec were unsuccessful at adjudication.

#7 – Education/training issue – D. Forsythe raised this issue at the last meeting with AAFC. The response she received was that there is no change in the law, this requirement has always been there, but the Department is now applying it differently. She noted the staffing policy is changing and this will provide another opportunity to discuss this issue at the next HRUC meeting.

#8 – CFIA list of long term terms – complete. B. Kingston suggested we could keep this item open as he noted we haven't received any input from Council regarding this list. He suggested we will check with the Employer on the deadline for receipt for our feedback/response.

#9 – Timeline for training for Duty to Accommodate – it was noted this issue has been dragging on for a long time. D. Forsythe advised the UMC is in December and a request for agenda items has been sent out. We will put this issue back on the agenda and will hope for a more positive answer. B. Kingston commented that where we have identified problems the employer has suggested they will try to do in-person training, but for the most part, the Employer is trying to get out of this type of training because of budgetary constraints. B. Jackson advised that Inspection Managers are still being hired in the West and further that pilot projects are still continuing, so obviously CFIA still has money for other things. B. Kingston requested written details so this issue can be brought to the UMC. B. Jackson asked for clarification of who said there are no resources available for this training, CFIA or us. B. Kingston advised he had heard this from the Agency.

#10 – Follow-up on barrier exam – Ongoing discussions. There will be a meeting on November 5 to follow-up with Employer. B. Kingston confirmed that the committee is an expanded committee, and is now called the Inspection Reform Committee. Again, if you have specific cases that can be put forward we need to name names. S. Barlin asked how direct the supervision has to be – B. Kingston advised it is more to do with how much responsibility an employee has to take on and what decisions they have to make without being able to consult.

#11, #12 & #13 – Training – B. Kingston confirmed the Employer is trying to push on-line training due to budgetary constraints but talks are still ongoing. Where problems are identified training will be held in person. J. Cloutier advised that in Québec 98% of the training has taken place, but not with the new material (Reg. 20 and CLC Part II). M. Hladun detailed the process that transpired: The first

draft, which was a condensed version of the JLP package, was sent to be translated. It was also sent to all HR managers for their information. Québec went ahead and started to deliver the training but the concern was that the Québec training didn't have the amendments. Training was pulled back, and in consultation with H. Willems, was amended. M. Hladun noted the issue has been brought up at UMC's and she enquired as to what direction we should be taking - should we be going ahead with the training or should we be putting things on hold? B. Kingston advised that if the training is using the updated material and is a joint process, it is OK to go ahead with it. As for the actual training of the trainers, B. Kingston advised that there is a list in Québec and the Atlantic Regions only.

#14 – Destination Inspection Issue – issue has been covered, Cameron Prince will have to hear all grievances.

#15 – One Operational Group – still ongoing. More information is required from the Steering Committee and a decision has to be made by them. We are targeting for a decision whether or not to go ahead with the project by early spring. CGC has made a commitment that the implementation time line would be up to five years with everyone being cross-trained and assigned new levels. B. Kingston noted there will be provisions to deal with senior members not wishing to take the training and as for classification, basically everyone will go up a level (working levels - 2-4; supervisory -5). Migration would be to the TC Group under the PI heading.

#16 – By-Laws & Regulations – will be updated in the By-Laws and Regulations report. Still ongoing.

#17 – H & S Committees and Representatives – Management has taken '*carte blanche*' on the letter/decision by HRSDC in Québec regarding this issue. It has been addressed at NOSH and we should have a decision shortly. The internal letter (from the HRSDC H&S officer in Québec) reiterates what is on their website. The HRSDC website lists four criteria that have to be met before supervisors can sit at the table to represent managers; 1-staffing authority, 2-step in grievance procedure, 3-ability to make and enact decisions, and 4- budgetary control. Three cases were made at CFIA NOSH with none of them meeting the criteria to qualify as a management representative. The managers conceded and were told to participate themselves. If there are discrepancies, bring them forward so we can have them addressed and a decision rendered.

B. Jackson presented another situation: There was full agreement surrounding third parties (Part 15 & 20) and the people and process involved. When he checked with his NOSH counterpart shortly thereafter, the message had changed.

B. Kingston advised that there is an agreement at the table and the Employer has committed to rectify any problems that are identified and brought forward.

#18 – Members acting in excluded positions – article posted on website in October. The information also included those members who are not represented by PSAC. Complete.

#19 – CFIA 7 Day work week – article posted in July, item completed. A question on what has changed with the Destination Inspections. B. Kingston advised it is back in Operations but with the reporting structure staying the same. Grievance steps are now being posted.

#20 – Activity Reports for D. Forsythe and B. Kingston – tracking report notes calendar of events is sent out monthly, but will only be updated if there are changes in the month. D. Forsythe asked for feedback on how useful Council members find the calendar.

7. Finance & Communication

Item was referred to the Finance and Communication Committee – see attached report.

8. National Office Staff

There have been no changes to the National office staff.

9. Employer Updates

B. Kingston asked if there were any questions on the document as provided. He noted some health and safety information is missing and it will be reported on in the H & S Committee Report.

Public Service Commission/Canada School of Public Service (PSC/CSPS):

Q & A's:

In relation to JLP, have pilot courses been done and will they be expanded?	The workshops were specific to harassment and result from a previously signed MoU. Two sessions had waiting lists. Discussions show they will be continuing.
How many CSPS people in Victoria and what should we do with these members?	Have requested details, info not rec'd to date. It is possible to get these members re-assigned to the Victoria Local.
Requested we verify who and where the people are (Victoria).	B. Kingston advised this can be done locally.
How long has the 'sunset clause' been used?	Has been used for a long time. A lot of teachers were hired under this initiative and we

	still have terms. Trying to get numbers from the School on this. At the AGM this issue was put forward as priority and therefore the grievance was initiated.
How long have they been terms?	The longest is 9 years. We will be meeting with the Employer next week to discuss further. Before they were mandated to provide language training. In 2005 things changed. They are still responsible for standards but not delivery. CSPS has agreed to run a staffing process, not based on seniority, for 12 positions.

Department of National Defence (DND):

Q & A's:

Question on grievance process.	They are trying to get the grievance structure changed. Longstanding practice that the final level is heard by an entry level Labour Relations officer with no authority. UNDE is working on issue. If no resolution, it will be dealt with at NUMCC in the new year.
What was the Policy Grievance concerning?	Issue was joint consultation. The complaint, abuse of authority, was founded. Timeline for the whole process was 3 yrs. Decision was that the Tribunal cannot order. Has been sent for Judicial Review. Argument will be to 'recommend' instead of 'order'.
? on why the H&S Cttee is lacking in knowledge and training	Cttees aren't functional. At Val Cartier the teachers are grouped in with all other units. At the Qc Reg'l Seminar training was given and this info will be brought back to Local.
? on harassment situation in Esquimalt.	An assessment on the work environment was done. In our view the outcome was favourable but the Employer did a 2 nd investigation last week as they felt the 1 st investigation was biased. B. Kingston noted there is a good definition of participation in the <i>CUPE vs. Air Canada</i> Federal Court decision: (http://decisions.fct-cf.gc.ca/en/2010/2010fc103/2010fc103.html). After further discussion on this issue B. Kingston requested all info on this matter be brought to the Nat'l Office so he can speak to the problem at the meeting with DND next week.

Canadian Food Inspection Agency (CFIA):

PI/EG Review

There was a lengthy discussion on the PI/EG Review. B. Kingston advised he spoke to CFIA President Carole Swan and the Exec. Vice-President, George Da Pont to brief them on the whole issue. They then went back to their Human Resources people to hear their version of the events from the beginning. As a result of this process, there is a briefing booklet being put together by CFIA and our input has been requested. B. Kingston has the draft booklet and it does support our position on the effective date issue. We are presently trying to set up a meeting to compare notes and confirm correctness of all the historical information. If this process is successful, it could resolve grievances in large batches (i.e. EG 02's lump sum payment).

There was a suggestion that we should possibly try and move this matter forward more expeditiously by complaining to the labour board. B. Kingston advised this route would move the grievances out of abeyance and they would then be sent directly to adjudication. The outstanding grievances were further discussed along with their prospects for success given the changes in jurisprudence over the many years.

? if members are now retired do their grievances still stand.	Yes ¹
Have there been any dealings with retired members?	L. Koo advised she has seen a draft letter from the Department to retirees. It was our opinion that the letter is not suitable and we have provided input. The letter has not gone forward yet.
? on CFIA members who went to CBSA and have since retired. Employer has said they would not hear these grievances.	PSLRB does support our position and there are challenges to be made.
? on what update can RVP's bring to members on the PI/EG Review.	B. Kingston suggested that there has been positive movement on the review. Sr. level management at CFIA is involved and we are moving towards having grievances heard in batches in order to get through as many as possible as expeditiously as possible.
? on whether or not grievances should have been filed in relation to job descriptions that were mediated.	B. Kingston advised that once the content had been agreed to, no other job content grievance should be filed except to reflect being mapped to the wrong position. He also noted that classification grievances were still supposed to be filed, so even if someone left they would be

¹ B. Kingston noted here that if GL's are planning to retire before their review is complete they should be filing grievances.

	covered. B. Kingston further advised that employees who had received new classifications in 2007 had every right to file a new grievance and that no generic job descriptions had gone to classification grievance hearing.
? on whether a historical summary for the PI/EG Review could be prepared for the website.	B. Kingston suggested our original document could be amended/updated and put on the web.

B. Kingston continued the CFIA Report by requesting input on the following:

- how many additional process or non-slaughter meat hygiene inspectors
- how many (retail level) consumer products fair labelling inspectors
- how many fish inspectors
- how many vacancies in meat hygiene (slaughter) are going unfilled.

Some discussion on the above took place with B. Kingston requesting details in writing asap.

Agriculture and Agri-Food Canada (AAFC):

M. Coe noted the Respectful Workplace training was not being co-delivered in her region. D. Forsythe advised she had looked into the issue at the October HR UMC and will follow-up with the message that we want to ensure all sessions are being co-delivered. M. Coe noted the new format for the course had not been given to our sidespeople. D. Forsythe confirmed the new information would have to be looked at before delivery could be provided but a training session would not be necessary. F. Murphy noted the Violence Prevention program will also be provided.

GL Review

D. Forsythe advised we received a list from AAFC last week illustrating the low returns of the questionnaires to date. We have broken down this list by RVP's and have noted the problematic work sites. RVP's are requested to follow-up with their Local Presidents in order to ascertain the issues so we can address them and get the questionnaires completed. We are looking at the end of December 2010 as a cut-off date to receive this information. M. Dyck and S. Barlin suggested a number of reasons for employees not completing the questionnaire, such as; not having time to work on job descriptions due to too much overtime, short staffing and other time constraining workload issues. S. Rochon noted there may be some members allocated to the wrong RVP lists. She requested RVP's identify areas where they believe members are incorrectly mapped. She also noted that the goal is to try and not have any grievances filed.

She reiterated that we want to address issues at all identified locations to hopefully circumvent problems that could potentially arise.

At 4:30 p.m. staff left in order to proceed with the In-camera session.

Wednesday November 3, 2010 – Standing Committee Meetings

Thursday November 4, 2010

B. Kingston called the meeting to order at 9:10 a.m.

10. Agriculture Union Social Justice Fund

D. Forsythe advised that three projects have been approved since last Council, for a total of eight projects this year. The new projects are:

- Local 58 steer purchased, slaughtered and donated to the local food bank (385 lbs. of ground beef)
- Local 44 rural development project in India. This is a continuation of an earlier project where they are building a school for children.
- Local 22 Core Neighborhood Youth garden project where a garden was planted and local youth worked at it to gain important life skills.

D. Forsythe noted there is one outstanding project where we are working with the members to see if the project can go ahead.

Monies allocated are \$13,315.00 for the three new projects along with \$22,200.00 from the earlier three projects for a total of \$35,515.00 this year.

11. Collective Bargaining Update

Item was referred to the Collective Bargaining and Health & Safety Committee – see attached report.

12. Standing Committee Reports

By-Laws & Regulations Committee Report

J McDonald presented the report, see attached.

Discussion:

- After discussion on the timeline for voting on the resolutions presented, and in consideration of the fact that the next Council meetings in April 2011 will not allow for the four month deadline for receiving resolutions, B. Kingston confirmed that the President has the authority to interpret the calendar. He further confirmed his interpretation of the calendar does include the Council meetings in April 2011 to allow for voting on resolutions.
- There was discussion surrounding RVP's and/or Directors attending Local AGM's. The changes put forward were not restrictive, they were meant to ensure the RVP was invited, but did not preclude the Director from being invited as well. D. Forsythe commented that from a financial perspective dues will definitely have to be increased to cover the cost of having the Directors attend all AGM's in the country every year. If Directors are invited to an AGM the National Office would have to be contacted to discuss their attendance, i.e. if concerns are deemed as needing to be addressed.
- B. Kingston went on to advise that the Bylaw as interpreted to date is that annual meetings have been insisted, however, there are locals who have positions with two year terms, this is the accepted practice. This has not been problematic, and he would be reluctant to change this process.
- B. Kingston informed everyone that the original intention for Directors was for them to deal with issues at the departmental level. Local union work was intended for RVP jurisdiction. Directors and RVP's are expected to work together.

By Law-6

Recorded Vote #2 on Section 1 – Carried unanimously

Recorded Vote #3 on Section 7. Number 2 – Carried unanimously

Recorded Vote #4 on Section 10 – Carried

By-Law 8 Section 5, number 1

Referral, as proposed by F.Murphy, seconded by G. Miller:

Motion to amend report to read: Add “The Local shall invite the RVP to the AGM as per By-Law 9, Section 4, No. 5 and send to the RVP and the appropriate Director(s) the notice for the AGM which must be posted and sent no less the 30 days prior to the event”.

Recorded Vote #5 on referral itself – Carried unanimously
Recorded Vote #6 – By-Law 8 Section 5, number 1 – Carried unanimously.

Recorded Vote #7 – By-Law 8, Section 8, Number 3 – Carried unanimously

By-Law 9

Recorded Vote #8 – By-Law 9, Sections 4 & 5 – Carried unanimously
By-Law 9, Section 6, Number 9 – **Referral** to amend report by DL McKenzie, seconded by M. Vanson – change Number 9 to: ‘maintain an up-to-date list of Local Presidents on the website’.

In favour of referral – carried

Vote on amended By-Law 9, Section 6, Number 9 – Carried

Recorded Vote #9 – By-Law 9, Section 6 – Carried

By-Law 2

Longstanding typos – ‘aims and objectives’. NB - French version also needs correction – both to be fixed.

G. Miller requested a friendly amendment: “To be environmentally responsible and to that end, all communications and documents shall be submitted/sent electronically where possible.”

Recorded Vote #10 - By-Law 2 – Carried unanimously

By Law 11

B. Kingston ruled this was a housekeeping change; the committee name had changed. No vote.

By law 15

B. Kingston advised we can change Regulations but before they are fully legally in effect they have to be ratified at convention.²

Recorded Vote #11 – Carried unanimously

Annex 2

Recorded Vote #12 - Carried unanimously

Regulation 1A

Recorded Vote #13 - Carried unanimously

By- Law 12

Section 10 – B. Kingston noted we have the same wording in two sections, therefore one is redundant. He suggested that as this has not come as a recommendation, think about this duplication and be prepared to make a decision on the issue.

² B. Jackson wanted it recorded that he agreed with B. Kingston on this particular issue.

Handbook for Directors/Regional Vice-Presidents
Discussion on draft document. It was decided that the draft handbook will go out to Council for comments. E. Massie will coordinate comments and go back to the sub-committee to finalize changes.

Motion at item 12 of report – (D. Sicard, seconded by J. McDonald) – effective date for increased reimbursement was clarified as to begin immediately. D. Forsythe advised that because we know the cost per council member it did not have to go to the Finance Committee for costing.
Recorded Vote #14 - Carried unanimously

Recorded Vote #15 on Report as a whole (D. Sicard, J. McDonald 2nd) – Carried unannimously.

General Committee Report

M. Vanson presented the report, see attached.

Motion – draft Pensions Key Info binder fact sheet. D. Forsythe informed that this item will be brought forward to the next Council meeting.

Recorded Vote #16 on **Motion** to refer to Committee to include in the Key Info binder – Carried unanimously

Recorded Vote #17 on Key Info binder fact sheet for Fitness to Work – Carried unanimously.

A question regarding who will sit on the Structure Review Committee for the HR Committee was asked. M. Hladun confirmed the committee members will be: M. Hladun, M. Krebs, M. Coe and R. East.

Recorded Vote #18 on Report as a whole (M. Hladun, M. Vanson 2nd) – Carried unanimously.

Collective Bargaining – Occupational Health & Safety Committee Report

M. Krebs presented the report, see attached.

Recorded Vote #19 **Motion** to post news article on website ‘Selection of Safety & Health Committee members and of Representatives Using ‘Managerial Functions’ as Criterion – Carried unanimously.

Recorded Vote #20 on report as a whole– Carried unanimously.

Finance and Communication Committee Report

B. Jackson presented the report, see attached.

Motion – Food Safety First Campaign

Discussion – B. Kingston noted the \$50K amount requested is an outside amount. The nature of the campaign requires some flexibility as we respond to issues as they arise. The financial information concerning the campaign goes to PSAC in order to get their financial support and B. Kingston suggested this information could also go to Council members. We will be providing a document to PSAC in the near future in order for our funding request to go to the AEC for approval and we will get this information out to Council as well.

M. Hladun made a suggestion that more involvement/connections with other coalitions and the community at large would be beneficial. She also suggested brochures/information for distribution purposes. B. Kingston noted that because things change so frequently it would be better to work directly at having information available as the need arises and that we definitely want people engaged in this campaign.

Recorded Vote #21 on Food Safety First motion – Carried unanimously

Report as a whole:

Discussion – D. Forsythe advised that as things presently sit we could be looking at a dues increase of between \$2 and \$3/member/month.³ She also noted this number will go down if the budget is based on more members. D. Forsythe added that we presently have two staff members above our usual complement and that we may add 'Political Action' as a budgeted item for the next budget.

Recorded Vote #22 on the report as a whole – Carried unanimously

13. Convention 2011

B. Jackson reported the following:

- They have had an initial organizing teleconference and will be having a face-to-face meeting later this month.
- The Four Seasons has agreed to hold our convention rates for their sister hotel in Whistler for the 3 days prior to and after Convention.
- There have been preliminary discussions with one supplier for promotional material (used by the Regional Office in Vancouver), with some examples brought here for Council members to view. They are also looking at additional items (garments, bags, binders, hats, etc.) and he'll pass this information along to the National Office as he receives it.

³ This amount is based on the same number of members from current budget – 8, 800.

- He noted that at the April 2011 Council meetings they will have a lot clearer idea of what has been accomplished and will report further then.

14. Handbook/Manual for National Officers

Item was referred to By-laws and Regulations Committee – see attached report.

15. Local RVP Reports

B. Kingston advised the two main objectives of the reports are:

- A guarantee that RVP's that don't have an opportunity to check in with locals do get some feedback from their locals
- and, so we do get a 'head's up' if a local is having trouble

B. Kingston reported that six Council members had sent in reports. The information received is appreciated and there were a few areas of concern noted from the reports received.

16. Review of PSAC Equal Opportunities Committee

B. Kingston advised that M. Hladun sits on this committee. Proposals were previously sent to Council for input. Comments should be sent to M. Hladun (with a cc to the National Office) by the week of November 22, 2010 so M. Hladun can bring them to the committee. The committee will be meeting November 30 – December 2, 2010.

17. Lowering of EG Classification Level at AAFC

D-L McKenzie spoke to this issue. She also advised they did a presentation to Minister Stockwell Day on funding levels at Research Centres. They reported to him that of great concern is the fact that indeterminate staffing levels are down approximately 20%. B. Kingston noted this is a perfect area to partner with PIPSC. We have done a position paper on this issue and PSAC has been approached to send the message out again.

There was a discussion around the table on the lowering of EG classification levels which identified this issue as prevalent all across the country. B. Kingston advised he will put these issues forward at a meeting tomorrow with Dr. Marc Fortin, Asst. Deputy Minister Research Br., and requested specific examples in writing.

18. CFIA Issues

Pregnant members – R. Tarasco advised that presently in Québec if there are no vacant positions the Employer wouldn't move pregnant women to other jobs. B. Kingston advised he will bring this issue back to the table. He noted that dealing with problems concerning reassignment of pregnant women you can withdraw services until you get an approved medical recommendation. The process is to get the employee referred to a specialist in both obstetrics and occupational health and safety, not their family doctor. NB - (Section 132(h) of the CLC). B. Kingston also suggested that this item could be added to our H & S newsletter. Noted by F. Murphy.

Subcontracting of lab work – R. Tarasco advised Council that CFIA had contracted out sampling jobs. B. Kingston reported that he had recently spoken to Martine Dubuc on this issue and had been told the work in question is specific to about 60,000 samples for the food safety action plan and that the extra work shouldn't have any negative affects on our members. He noted this money is temporary and will be coming to an end soon. B. Kingston suggested that we should be watching this situation very carefully for the level of delivery of service and if it looks like it will in any way affect our members we can take action. After further discussion B. Kingston agreed this is work our members should be doing and he will take this message forward.

Irregular working hours – R. Tarasco presented this issue and noted that over 300 grievances had been filed in Québec. The Employer has not wanted to hear these grievances, but to deal with them only verbally. B. Kingston noted that this system has already been implemented everywhere else. This issue has been discussed at the National level and we agreed that consultation needs to take place locally and an ongoing assessment of the necessity of those extended hours is to take place. He suggested they go in with some reasonable proposals and see what happens. After further discussion B. Kingston advised these issues need to be discussed at Regional UMC's; make a good case and wait for the response.

19. Employee Engagement

This issue is an effort by CFIA to respond to the last employee survey. CFIA West Area is taking the lead. H. Willems and B. Jackson are the contacts for the union.

20. Cash out of excessive Vacation Leave in the Atlantic Region

J. McDonald spoke to this issue. The employer is saying they don't have money to pay out vacation if it is over 35 hours and they are telling employees to

schedule vacation. B. Kingston advised that only if they have tried everything without success to schedule the vacation at a time agreeable to the employee are they able to put employees on vacation⁴.

21. Next Council Meeting

B. Kingston advised the next Council Meetings will be held April 18, 19 & 20, 2011 at the Four Seasons Vancouver.

22. Other Business

Closing remarks by B. Kingston with thanks to all for attending.

M/S/C R. Cormier/J. Langs, by show of hands, carried.

Minutes submitted by D. Ramsay

⁴ After a review of the Collective Agreement it would appear that the Employer has no authority to schedule vacation against an employee's wishes. The Collective Agreement appears to provide for cash-out only.

COMMITTEE MEMBERS:

Fabian Murphy (chair)
Glen Miller
Raphaël Tarasco
Sam Barlin
Michelle Coe
Meraiah Krebs(recorder)
Elaine Massie (Service Officer)

Report as a whole was M/S by Fabian Murphy & Meraiah Krebs (respectively)

COLLECTIVE BARGAINING:

TREASURY BOARD

PSAC has reached three tentative agreements for the following tables PA, SV, EB. The FB and TC groups will resume the regular collective bargaining process. Ratification votes are currently taking place and will end on the 30th of November. The results will be released December 1st, 2010.

The Collective Bargaining conference for TC and FB group will be held nationally in January.

All bargaining demands that were submitted to Agriculture Union were vetted through this committee and have been forwarded to PSAC. The names for delegates to Collective Bargaining conferences have been chosen and have also been forwarded to PSAC.

CFIA

The Collective bargaining Process is on track, an input call for bargaining demands will be forth-coming from PSAC.

HEALTH AND SAFETY:

We would like to remind council that submission of Employer Health and Safety reports are due at the same time as the Employer Updates. (Attached you will find the employer updates on health and Safety)

National Policy Committees minutes are still not being received for each employer, co-chairs are again reminded to send a copy, in both official languages if possible to Christine Gauhtier and Fabian Murphy. We are missing NOSH minutes from the PSC, CGC, CSPS, DND and CFIA.

There has been a new appointment to the CFIA Area OHS committee in Quebec - Raphaël Tarasco will be assuming the co-chair responsibilities.

Regional OSH committee for CFIA is of the ground in Alberta and Manitoba, this is a huge step forward.

The fall newsletter will contain the following :

PSAC Health and Safety training

Lockout tag out

Confined spaces

Selection and appointment of Safety and Health Committee Members and of Representatives Using 'Managerial Functions' as a Criterion

***Please send in any Health and Safety topics for future articles to Fabian Murphy*

MOTION: The committee moves that the following news article be posted to the website under "Here's what's new".

M/S – Sam Barlin & Glen Miller

Selection of Safety and Health Committee Members and of Representatives Using 'Managerial Functions' as Criterion

In order to assist Health and Safety Officers in advising employers and employees in the establishment of work place health and safety committees and the appointment of health and safety representatives, the following interpretation is issued in order to ensure consistent and uniform application of the Code and of the pursuant Regulations:

Those criteria may be summarized as follows:

1. decision-making authority in financial, operational, personnel and policy matters;
2. the power to make decisions or effective recommendations that materially affect the conditions of employment of others, i.e. recommendations that are usually acted upon;

3. the power to hire, fire, suspend, demote, transfer or otherwise discipline employees;
4. the person acts as a step in the grievance procedure.

Supervisors typically do not meet the criterion identified and therefore should not be appointed as management representatives on local OHS committees. If a manager deems that a supervisor does meet the criterion outlined above this would be an exception and should only take place with national consultation at the appropriate NOSH committees.

For official release please visit <http://www.hrsdc.gc.ca/eng/labour/ipg/006.shtml>

A referral was made to the committee to review the Hazard Prevention flow chart that is currently posted on our website to see if it needs updating with regards to regulation 20. The committee reviewed the chart and determined that it is sufficient as regulation 19 includes all hazards in the workplace including Violence in the Workplace.

A further referral was made that addresses Violence in the Workplace (Reg. 20), and employer's Harassment Policies. The committee concluded that Reg 20 may be covered as a separate policy or in combination with a Harassment Policy. Reg. 20 is a priority for all Policy Committees and should be addressed by all Council members that sit on these committees.

Employer Updates
Occupational Health and Safety (OH&S)

CFIA

Health and Safety at CFIA is a work in progress but we are heading in the right direction. The CFIA has more worksites per capita and faces a wider variety of hazards than any other federal department. This leads to a vast amount of work for CFIA to be compliant with all the legal requirements.

We are finally coming to agreement on many of the issues there, such as:

- governance structure – a hierarchy of policy committees: National, Area, Regional;
- Hazard Prevention Program training for all employees;
- managerial representation at committees;
- Committee and Representative training content;
- third party inspection requirements;
- firearms used in meat plants.

Due to CFIA finances we are meeting some resistance on joint core training (JHA, Workplace Inspections, and Hazardous Occurrence Investigation) for committees, but we are holding to our position. On-line training in these areas would simply not be as effective.

CSPS

There has been a change of management at the school, but for a small department they are about average in OH&S compliance. They are willing to do most of what we suggest and take action when we bring issues to their attention. They have made information and training available for members on Campus Direct and are very open to any training suggestions we have.

We are behind in meetings but have one coming up this month.

Getting more members at the school interested and active in OH&S is a goal we still have to work on.

DND

DND has the largest population of any Treasury Board department but their OH&S program is in shambles. Their OH&S staff continually defer to senior military officers who represent management on the policy committee, but the officers have very little awareness of the Canada Labour Code or National Joint Council requirements. Unfortunately, some of the other unions at the table appear more concerned about upsetting the management co-chair than protecting their members' rights. Even their terms of reference show many more managers at the table than union-named members. The last meeting was very contentious, with the management co-chair being over-ruled by our new union co-chair from the Canadian Association of Professional Employees (CAPE) when the management co-chair tried to cut off debate when union representatives were speaking.

There have been no discussions about training or hazardous occurrence investigation protocols and it will be a fight to straighten out this mess.

The union co-chair and I are meeting with the head of OH&S at DND and some of her staff next week to see if we can fix some of the major problems. Stay tuned.

Public Service Commission

General health and safety training is being rolled out to both workplace committees and the general employee population, and it is not surprising that it is being so well received both committees and employees are asking for stuff that the national policy committee can't produce fast enough and all the committees have been trained, now the only problem is keeping the staff.

Again the relocation to the new building in 2013 is always on the table and will continue to be a standing item for the next 3 years. The committee is going to see what PWGSC deems "the new concept of working" setup in early November where we will be looking for and at any Health and Safety concerns.

The Violence Prevention Program is in the works and hopefully by the New Year will be up and running.

Policy meetings are ongoing and the employer seems willing to discuss concerns as they relate to Health and Safety matters.

AAFC NOHSPC Update

The AAFC National Occupational Health & Safety Policy Committee just released the new updates on the Procedures for Fire Drills, Model Fire Safety Plans & Training Model for Fire Safety Plans & Emergency Evacuation Training. This was announced by the Department in it's News@ Work newsletter as part of Fire Prevention week, as well a link to Fire Prevention Canada (<http://www.fiprecan.ca/>) was included.

This was timely as the DM has made some changes to the structure in AAFC and who the Department's Chief Fire Warden will be.

We are currently working on a draft program for Contractors/Persons granted access to the Work Place. The policy on Safe Use of Cell Phones and Other Wireless Devices in Vehicles was reviewed at the last meeting in September as part of the three year ongoing review. The National Lab Safety Program is always a work in progress with changes to Inventory Programs and duties of co-ordinators. We are also looking at our smaller groups and how we communicate, get training for them and feed back from them. As well we are looking at our AESB Range Rider members and their PPE requirements and Scales of Entitlements. We will continue to address violations of the CLC Part II that have been identified within this branch.

The next meeting for AAFC NOHSPC is scheduled for December 8, 2010.

CGC NOSH

Issues are being solved that are being brought forward. Pilot project for gas detection ongoing in Vancouver. Committee is working to revise the Violence in the Workplace Policy. Duty to Accommodate Policy as well as the Threat Assessment Policy. These revisions are to be in compliance with the CLC Part II changes. Members have been assured that training required/requested will be scheduled asap.

**General Committee Report
November 3, 2010**

Present: Marianne Hladun (Acting Chair), Mike Vanson, Darrell-Lee McKenzie, Terri Friday, Nancy Milosevic

The committee reviewed the minutes and action items from the April 2010 meeting.

Update on Agriculture Union Human Rights Conference

- over 50 applications were received
- delegate selection was based on several factors. All provinces are represented, all designated equity groups are represented, every local who applied received at least one delegate and all members self identifying as youth were accepted
- a notice will be posted to the website next week advising that observers are welcome to attend if they can secure funding
- the agenda is being finalized but an elder has been confirmed for both opening and closing of the conference and Sister Barbara Byers and Brother Hassan Yussuf from the CLC will address the participants on the Friday morning. Additionally, Brother John Gordon or Sister Patti Ducharme will be available for the closing.

Update on HR Committee Structure Review

- The Structure Committee met during the last council meeting and reviewed the results of the survey done by Sister Krebs. As the results were inconclusive, the General Committee was in consensus that the facilitated discussion periods at the conference should be used to better assess our membership needs. A full report will be presented to the next National Council meeting as it relates to structure for dealing with Human Rights issues.

Action Item #7 - Key Info Fact Sheets for:

- 1) Seasonal / Part-time Benefits and Term and Casual Benefits
 - Committee identified several issues that should be included such as, is there a difference between how TB and CFIA treat these workers, when do you become a union member, when do you start accruing benefits (e.g. DI, health & dental, leave), need to be clear as to what benefits you get even if the employer doesn't tell them, definitions of seasonal and part-time workers, fact that the working conditions are defined in the terms and conditions of employment. **ACTION: Nancy will do some research and report back to the committee by January 2011.**
- 2) Pensions and Pensionable Benefits
 - **ACTION:** m/s/c Darrel-Lee, Mike that the attached draft Pensions Key Info fact sheet be referred to the Finance and Communication Committee for approval and distribution.
- 3) Disability Insurance and Taxable Benefits
 - **ACTION:** Nancy will research some links and resources by January 2011. The committee will review the information and draft a fact sheet for the next Council meeting in April 2011

Action Item #8 – Key Info Fact Sheet for Fitness to Work and Independent Medical Exams

- the committee discussed the issue in 2009 and decided that this issue is best served by the CB & OSH committee. The request was verbally referred in 2009 but it was not recorded in the minutes.
- **ACTION:** m/s/c Terri, Mike that the CB & OSH Committee develops a Key info fact sheet detailing our members rights as it relates to fitness to work and independent medical exams.

Action Item #11 – Key Info Fact Sheet on Human Rights

- Need to confirm if the legislative references are still valid. Also suggested that the section on employment equity include a section on identifying actions for Local Executives relative to how employment equity is being implemented in their jurisdiction. It would also be useful to hold off on a final draft until after the Human Rights Conference to see if other issues are identified that should be incorporated.

**Report of By-Law & Regulations Committee for
National Council November 2-4th, 2010**

Members of the committee:

Denis Sicard – Chair
Jane McDonald – RVP Eastern Atlantic
John Langs – RVP Central Ontario
Milton Dyck – RVP South Saskatchewan
Jean Cloutier – RVP Eastern Québec
Danielle Moffet – Director for National Defence
Elaine Massie – Service Officer responsible for National Handbook

Agenda:

1. By-Law 6
 - a. Section 1
 - b. Section 7
 - c. Section 10
2. By-Law 8
 - a. Section 5
 - i. Local By-Laws
 - ii. 30 days notice
3. By-Law 9
 - a. Section 4-5
 - b. Section 6, Number 4, A & d
 - c. Section 7
 - d. Section 9
4. By-Law 2, Section 5
5. By-Law 11
 - a. Section 2 & 3
6. By-Law 15
 - a. Section 5
7. Annex 2
8. Proposed Annex 3
9. Regulation 1A
10. By-Law 12
 - a. Section 10
11. Review of Handbook
12. Motion on increase of Internet Service

Details:

The mandate we received from the National Executive was to review and update our by-laws and regulations. Our committee brings to the National Council for approval those changes that will be presented as a resolution to the National Convention. All will be presented as “Be it resolved..” separately.

1. By-Law 6,

Section 1:

Remove North-East and replace with Central- better reflects geographical location.

Section 7, Number 2

Change “The National Executive shall hold meetings at least annually” to 4 times per year.

Section 10

All rights, privileges, work standards and remuneration shall “be the responsibility of the National Executive”. Remove “ at least be in accord with accepted practice in the Public Service of Canada.

2. By-Law 8

Section 5, Number 1

Add, “ The local shall invite the RVP to the Annual General meeting as per By-Law 9 Section 4, number 5 and send to the RVP and the appropriate Directors the notice for the annual general meeting which must be posted and sent no less than 30 days prior to the event.”

Section 8, Number 3

Add: c) be responsible to submit updated contact list of officers to the National Office immediately following an election.

3. By-Law 9

Sections 4 & 5

Add: 3. Attend the PSAC National Triennial Convention. Then renumber all of the others.

Add: New number to each section as follows: In the event that the RVP/ Director is unable to fulfil their duties the Alternate RVP/Director will assume full responsibilities.

Section 6, Number 4a

Any reference to “prepare and circulate” should be changed to “prepare and post on the Agriculture Union website”. Change 3 weeks to 6 weeks.

Number 4b

Prepare and circulate change to “prepare and post on the”

Number 4d

National Union Management Committee should be committees.

Number 7 – replace without delay with “as soon as possible”

Number 9 – maintain an up to date list of local Presidents on the Website.

4. By-Law 2

Add: Section 5: (As per the Agriculture Union Green policy) To be environmentally responsible and to that end all communications and documents shall be submitted/sent electronically where possible.

5. By-Law 11

Section 2

Change Equal Opportunities to Human Rights.

Section 3, Number 1

Change Equal Opportunities to Human Rights.

These have been determined as being housekeeping item.

6. By-Law 15, Section 5:

This section needs to be reworded to reflect our new “Green” policy. The Section 5 will read:

These By-Laws and subsequent amendments shall be prepared and distributed in both English and French. Updated copies of the By-laws

and Regulations are to be distributed to the locals electronically and posted on the website no later than 8 months following the Component Triennial Convention.

7. Propose change to Annex 2:

1. Remove PFRA and replace with AESB, which stands for Agri-Environment Services Branch.
2. Remove JCTC
3. Add HR for Human Rights.

8. Regulation 1A

Section 1 – In keeping with the requirements of the Constitution of the Public Service Alliance of Canada the delegates for the Triennial National Convention of the Public Service Alliance of Canada shall be determined as follows:

1. National Executive Vice Presidents
2. National Council

Section 2- Remove

Subsequent renumbering.

New Section 2 – Should the allotted delegation be greater than the size of the National Council the remaining delegates shall be selected from the Alternate Regional Vice Presidents/Directors by the National Council.

New Section 3 – Should the allotted delegation be less than the size of the National Council the required designation of the official delegates shall be the decision of the National Council.

9. By-Law 12

Section 10 - This is a duplicate of By-Law 6 Section 11 parts 2&3. Should we maintain this in both places or should one be removed?

10. Handbook for Directors/Regional Vice-Presidents

The draft handbook was reviewed and suggestions have been incorporated. The final draft is being presented and we would like the Council's comments to be directed to the Chair of the Education and By-Laws committee by December 10, 2010.

11. Motion:

After reviewing the Handbook, the By-laws committee recommends that the amount for internet services be reimbursed up to a maximum of \$30 per month.

Proposed by Denis Sicard and seconded by Jane McDonald.

Report of the Finance Committee

November 03, 2010

Members Present:

Debbie Forsythe - Chair
Bob Jackson - Secretary
Rick Cormier
Barry Payne
Elena Beynon for Brenda Baergen

Staff :

Larry Budge
Sylvie Rochon

Communications

Rand Contest

We had 1114 rand deductees as of the September, 2010 printout. The contest started in January, 2010 with 1157 rand deductees. We have signed 733 cards since the contest started but due to new hires the total number is 1114. There is still three months to go to meet our target of 800 cards by the end of the contest. It has been noted there are still problems with the employers not notifying us of new staff when they are hired. The council is reminded to raise this at all levels of UMCC. The contest winners are listed on the website. The committee reminds the council of the incentives for locals to sign up rand members that include increasing their delegate status for the 2011 Agriculture convention, PSAC conferences as well as increased participation.

Please send all membership cards to Christine who will update our lists and then pass the information along to the PSAC.

Website

The committee had an extensive discussion of the website and its effectiveness. Issues raised by members regarding the search capabilities still exist and while some changes have been made, there is still much more work to do. When issues are identified, members should pass this information through to the national council to Debbie Forsythe who will be able to make sure the issue is addressed. The committee looked at the FAQ section and discussed the fact that we have not added any information to this section since its creation. The original idea was that this section would grow and be an evolving source of information but we need to continue to "feed" this page and make it more useful.

Key Info Kit

The committee discussed the Key Info Kit at the last council meeting and it was noted that the entire kit needs to be reviewed and updated. This work has now been completed with the exception of three tabs that the standing committee on Health & Safety and Collective Bargaining are working on.

This review has been delayed for a number of reasons and was to be completed by this Council meeting. Although most of the kit has been completed, it is not in its final form. The committee hopes to have all the material ready for distribution by February, 2011.

National officers are requested to encourage locals in their jurisdictions to use the binder and make sure it is kept current. It was also suggested that locals include the Agriculture Union By-Laws & Regulations, local Bylaws and any other relevant documents in their own binders.

Finance

Total membership is 9155 as of September 2010. Rand deductees are 1114.

New Meal Rates as of October 1, 2010

Breakfast \$14.80
Lunch \$13.90
Supper \$39.20
Incid. \$17.30

Total \$85.20

Larry will resend the electronic claim form with these adjustments.

Referrals

The committee dealt with a referral from the Agriculture Union Executive. The referral deals with the Food Safety First Campaign and a 50/50 cost sharing arrangement with the PSAC. The specific areas of the arrangement would deal with the monitoring of Parliament Hill activities as it pertains to Agriculture Union, and maintenance of the Food Safety First Website as well as the outreach to MP's.

The dollar amount of the proposal for the Agriculture Union would be up to \$50,000.

Motion:

The Agriculture Union authorizes the amount of up to \$50,000 dollars in a 50/50 cost sharing arrangement for the continuation of the Food Safety First Campaign.

M/ Forsythe
S/ Jackson

Statement of Revenue and Expenses

The committee reviewed the un-audited statement to the month September 2010.

The committee had a general discussion regarding the overspending in some of the line items. The committee looked at the breakdown of each item and concluded that the expenditures were necessary to provide the levels of service that the membership has demanded.

The committee again discussed the budget for the upcoming 2011 convention. The committee has determined that a dues increase will be inevitable if the present levels of service are to be maintained and is again suggesting the council initiate discussions with members about this situation.

Motion to accept the report as a whole:

M / Forsythe
S / Jackson

Recorded Votes/Votes Consignés

	1	2	3	4	5	6	7	8	9	10	11
Barlin	1	1	1	1	1	1	1	1	1	1	1
Beynon	3	1	1	1	1	1	1	1	1	1	1
Cloutier	1	1	1	1	1	1	1	1	1	1	1
Coe	3	1	1	2	1	1	1	1	1	1	1
Cormier	1	1	1	1	1	1	1	1	1	1	1
Dyck	1	1	1	1	1	1	1	1	1	1	1
Forsythe	1	1	1	1	1	1	1	1	1	1	1
Friday	4	1	1	1	1	1	1	1	1	1	1
Hladun	1	1	1	1	1	1	1	1	2	1	1
Jackson	1	1	1	2	1	1	1	1	1	1	1
Krebs	1	1	1	1	1	1	1	1	1	1	1
Langs	1	1	1	1	1	1	1	1	1	1	1
McDonald	1	1	1	1	1	1	1	1	1	1	1
McKenzie	3	1	1	1	1	1	1	1	1	1	1
Miller	3	1	1	1	1	1	1	1	1	1	1
Moffet	1	1	1	1	1	1	1	1	1	1	1
Murphy	1	1	1	1	1	1	1	1	1	1	1
Payne	1	1	1	1	1	1	1	1	1	1	1
Sicard	1	1	1	1	1	1	1	1	1	1	1
Tarasco	1	1	1	1	1	1	1	1	1	1	1
Vanson	1	1	1	1	1	1	1	1	1	1	1
Willems	4	4	4	4	4	4	4	4	4	4	4
Kingston	1	1	1	1	1	1	1	1	1	1	1

1=yes/pour	2=no/non	3=abstain/abstention	4=absent
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Recorded Votes/Votes Consignés

	12	13	14	15	16	17	18	19	20	21	22
Barlin	1	1	1	4	1	1	1	1	1	1	1
Beynon	1	1	1	1	1	1	1	1	1	1	1
Cloutier	1	1	1	1	1	1	1	1	1	1	1
Coe	1	1	1	1	1	1	1	1	1	1	1
Cormier	1	1	1	1	1	1	1	1	1	1	1
Dyck	1	1	1	1	1	1	1	1	1	1	1
Forsythe	1	1	1	1	1	1	1	1	1	1	1
Friday	1	1	1	1	1	1	1	1	1	1	1
Hladun	1	1	1	1	1	1	1	1	1	1	1
Jackson	1	1	1	1	1	1	1	1	1	1	1
Krebs	1	1	1	1	1	1	1	1	1	1	1
Langs	1	1	1	1	1	1	1	1	1	1	1
McDonald	1	1	1	1	1	1	1	1	1	1	1
McKenzie	1	1	1	1	1	1	1	1	1	1	1
Miller	1	1	1	1	1	1	1	1	1	1	1
Moffet	1	1	1	1	1	1	1	1	1	1	1
Murphy	1	1	1	1	1	1	1	1	1	1	1
Payne	1	1	1	1	1	1	1	1	1	1	1
Sicard	1	1	1	1	1	1	1	1	1	1	1
Tarasco	1	1	1	1	1	1	1	1	1	1	1
Vanson	1	1	1	1	1	1	1	1	1	1	1
Willems	4	4	4	4	4	4	4	4	4	4	4
Kingston	1	1	4	4	4	4	3	1	1	1	4

1=yes/pour	2=no/non	3=abstain/abstention	4=absent
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