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MEMBER NEWS

The Association of Management, Administrative and Professional Crown Employees of Ontario

Message from the President

AMAPCEO Wins Series of Major Settlements with Employer

Gary Gannage

Members occasionally ask me what AMAPCEO does for them in between negotiating Collective Agreements. Anyone who has visited the AMAPCEO Web site lately will be aware of a flurry of recent settlements that the Association has negotiated with our Employer. These settlements, which followed the successful conclusion of our second pension campaign, resolved a number of disputes arising from the implementation of the current Collective Agreement, and have the effect of putting more compensation directly into the deserving hands of AMAPCEO employees, as well as making possible a significant improvement in the work-life balance of many members.

First, however, a brief reminder of the achievements of the **pension campaign**, the results of which were announced in March, too late to include in the last issue of this newsletter. The AMAPCEO Board of Directors felt compelled to launch a second *for* Fair Pensions campaign to encourage the Employer to address the inequities between the Public Service Pension Plan and the OPSEU Pension Trust. As a direct result of the campaign, Cabinet agreed to reinstate the temporary pension contribution holiday - at a three per cent reduction- for the twelve months starting March 3, 2003. In addition, the surplus Factor 80 program and the provision to bridge to an unreduced pension were extended to March 31, 2006.

Perhaps most significant, however, was the commitment of the Employer to address longer-term structural and governance issues associated with the Public Service Pension Plan. Included on AMAPCEO's list of items that need review are: pension board governance, the timing of the PSPP valuation, CPP integration rules, early retirement penalties, surviving spousal benefits and exploration of other voluntary early retirement programs (such as Factor 80). Because of the current climate of financial uncertainty facing all pension plans, AMAPCEO felt it would be fiscally prudent to agree that the temporary contribution holiday can be terminated early if the

triennial valuation of the PSPP for the period ending December 31, 2002 (now underway) shows the plan in a deficit position or that it would fall into a deficit position because of the contribution holiday.

The pension agreement was, in effect, a resolution of unfinished business left over from collective bargaining. Three other settlements reached in May addressed formal disputes that AMAPCEO had launched over the Employer's implementation of the Collective Agreement and each one upheld the Association's positions. We had challenged the Employer's interpretation of how to administer the **pay for performance** provisions of the Collective Agreement, including critical issues of eligibility and standards. As a result of the settlement, an additional 400 AMAPCEO employees will receive pay for performance bonuses for fiscal 2001-02. We also challenged the Employer's interpretation of how to administer the **hours of work (overtime)** provisions of the Collective Agreement, including compensation for travel time outside regular hours of work, use of credits in determining the threshold for earning

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overtime, how overtime is authorized and whether pre-existing hours of work arrangements, if unwritten and informal, could be continued. In the settlement, the Employer acknowledges that all of AMAPCEO's interpretations are correct and will be implemented.

The Association also disputed the Employer's **delay in implementing 2001 and 2002 salary increases**, merit adjustments and pay for performance bonuses. As a result of AMAPCEO's intervention, all current employees who were also members of the bargaining unit as of April 1, 2003 will be credited with 2 hours of compensating leave, which may be taken as time off or paid out with the agreement of your manager. Many members had encouraged us to seek damages in the form of interest on the delayed payments; for someone earning \$60,000, two hours of salary are worth over \$63.00, more than the amount that would have been provided in interest.

Finally, AMAPCEO also negotiated in May an agreement that ensures that any AMAPCEO employee who was quarantined or isolated due to Severe Acute Respiratory Syndrome (SARS) will be granted a leave with full pay for work days that the individual was absent. Furthermore, any loss of credits (paid/unpaid) due to such a quarantine/isolation will be restored. The Employer had originally insisted that anyone quarantined was required to use normal credits (e.g., vacation and sick leave) while in quarantine, whereas the Association argued that it was unduly punitive and potentially counter-productive in encouraging employees to remain in quarantine.

While there is still much work to be done (e.g., the upcoming discussions with the Employer and other bargaining agents over PSPP structure and governance issues; the 2004 round of collective bargaining; and your Board's ambitious strategic plan for enhancing membership development), it is important to reflect on what the Association and its members can achieve by standing together to defend our negotiated agreements and improve the quality of the OPS workplace. This is the value that AMAPCEO contributes - to its members and to the Ontario Public Service.

Stambula Re-appointed Chair of Bargaining Team

AMAPCEO Vice-President **ROBERT STAMBULA** has been re-appointed Chair of the Bargaining Team to negotiate the next Collective Agreement. On the recommendation of the Board of Directors, Provincial Council unanimously endorsed Stambula's appointment at the April council meeting. The Board is reviewing the expressions of interest to serve on the Bargaining Team that were received in response to the invitation that appeared in the last edition of this newsletter. Recommendations are expected to be submitted to Provincial Council shortly.

Under the AMAPCEO Constitution, the Board is responsible for nominating members of the Bargaining Team to Provincial Council. **GARY GANNAGE**, President of the Association, is an *ex officio* member of the Bargaining Team. The current Collective Agreement expires on March 31, 2004 and negotiations on a new agreement are expected to begin this Fall.

Proposed Deadlines for Fall Nominations, Resolutions and Constitutional Amendments

At its meeting on June 12, the Board of Directors recommended Friday, **October 3, 2003**, as the deadline for (a) submission of resolutions and constitutional amendments for consideration at the November Annual Delegates' Conference (ADC) and (b) submitting nominations for open positions on the Board of Directors, Audit Committee, Chapter Executives and Delegates. The ADC will be held in Toronto on Friday and Saturday, November 14 and 15, 2003. According to the normal rotation, the positions of Secretary, Treasurer and three Directors on the nine-member Board of Directors are open for election at the ADC. Further details will appear in the August edition of this newsletter. In the meantime, if you would like additional information, please contact **MICHAEL MOURITSEN**, Director of Operations and Planning, at ext. 2724 <mouritsen@amapceo.on.ca>.

Are You a "Member" of AMAPCEO?

Readers will recall an article in the December 2002 edition of *AMAPCEO Member News* addressing the question "If I pay dues, why aren't I a member?". Many employees represented by the Association continue to assume that they are automatically members because they are required to pay dues.

Under our Constitution, membership is voluntary, because some individuals do not believe they should be compelled to belong to a union for religious or other reasons. Under what has become known as the "Rand formula", dues are collected, however, from all employees in the bargaining unit, since AMAPCEO has a legal obligation to represent everyone, whether they have joined or not. Everyone who is represented by AMAPCEO is entitled to full protection of the Collective Agreement and to full access to our staff and other resources to defend their rights.

Why become a member? To ensure that you receive all of our information and to have the opportunity to participate fully in the Association, including voting and running in elections, volunteering to sit on committees and being consulted through membership surveys. There is no additional cost to joining. All you have to do is download or print a membership application form from our Web site, sign it and fax it in to the AMAPCEO office, something that most of your colleagues in the bargaining unit have already done. We value your involvement and hope you will consider joining the organization that represents you.

Please visit <www.amapceo.on.ca> for further information on membership, the Rand formula and the full range of services provided by your Association.

New Workplace Representatives

The Board of Directors has appointed the following AMAPCEO members to two-year terms as Workplace Representatives after their successful completion of recent training in Ottawa. Workplace reps are trained colleagues who assist members in the workplace in interpreting the Collective Agreement. A complete list of representatives is posted on the Web site.

DANIEL DUBOIS	Attorney-General/Ottawa
GORD MCAUSLAND	Transportation/St. Catharines
LEANNE PALLIONIS	Health and Long Term Care/Kingston
DANIEL RAYMOND	Attorney-General/Ottawa

Update on Policy Disputes

Now that the disputes over salary implementation, pay for performance and hours of work have been settled, you might well ask if there are any unresolved disputes with the Employer left to settle. Unfortunately, there are a number still outstanding; here are just a few:

- **Recognition Clause.** This is a dispute over a fundamental issue: AMAPCEO argues that we are a "tag end" bargaining unit (entitled to include all new positions that are not either in another bargaining unit or defined as management-excluded) while the Employer claims we are restricted to the positions identified in the Order in Council establishing the bargaining unit. AMAPCEO filed for arbitration in December 2000; there has been considerable legal skirmishing between then and now; dates with the arbitrator have been set for June and September 2003.
- **SuperBuild.** We are disputing the Employer's contention that employees at SuperBuild are not eligible for inclusion in the bargaining unit. Discussions with the Employer are continuing.
- **Transfer payment agencies.** AMAPCEO has filed a dispute complaining that positions occupied routinely over a number of years by secondees from transfer payment agencies (such as school boards, hospitals and social service organizations) or by individuals hired on a fee for service basis should be included in the AMAPCEO bargaining unit. Arbitration dates have been set.
- **Health and Safety.** The Association initiated a dispute over the Employer's failure to make reasonable provisions for the health and safety of employees working at Place d'Armes in Kingston. An arbitration date has not yet been set.

Briefly Noted

More Canadian dads taking parental leave



Since the extension of parental benefits two years ago, more fathers are taking parental leave. According to a report recently released by Statistics Canada, about 10 per cent or 30,000 of the country's 300,000 new fathers in 2001 took parental leave. That's up significantly from 3 per cent or 9,000 new fathers who took leave in 2000.

This dramatic increase in male parental leave is attributed to the new federal employment benefits introduced in December 2001, which increased paid benefits for employed parents to 35 from 10 weeks. Either parent is eligible to take this leave.

Canada is one of the world's top-ranked places for male parental leaves. The top country is Norway, where almost 80% of fathers elect to take parental leave.

Middle managers making a comeback

Middle managers are now seen as being key to leading change in many organizations, a recent study by the Conference Board of Canada found.

Middle managers were once the victims of downsizing and restructuring, but now, they are often valued for their potential as future leaders and for their knowledge of their organization from all levels.

"A decade ago, senior executives viewed middle managers poorly. They thought middle managers changed and prevented the transfer of authority to front-line employees. A fundamental shift has occurred and middle managers are now considered as an essential link to making change throughout the organization because they manage both people and results," says Carolyn Farquhar, co-author of the report, "Leading From the Middle: Managers make the Difference."

For middle managers to exert their full value, organizations must clarify their roles, grant them appropriate decision-making authority, enhance teamwork and communication, address their challenges of work-life balance and recognize their contributions.

Take Back Your Time

An initiative was launched in Washington, D.C. in April to challenge the North American epidemic of overwork and to promote discussions about ways to find a better work-life balance.

According to the International Labour Organization, Americans now work 1,978 hours annually, a full nine weeks longer than in most countries of Western Europe. Take Back Your Time Day has been called for October 24, which is nine weeks before the end of the year, to dramatize the difference between the U.S. and Europe.

Information on "Take Back Your Time Day" can be found at <www.timeday.org>.

Professional Employees' Network Submission on Whistle-Blowing

In March, the Professional Employees' Network submitted a brief to the House of Commons Standing Committee on Government Operations and Estimates on Bill C-25, *Public Service Modernization Act*, urging the adoption of strong whistle-blowing protection for employees in the federal public service.

The Network is a national umbrella organization of bargaining agents representing professional and managerial employees in both the public and private sectors. AMAPCEO is a founding member of the Network, which was established in 2002, and sits on the Network Steering Committee along with the Professional Institute of the Public Service of Canada and the Society of Energy Professionals.

A copy of the Network submission can be found on the AMAPCEO Web site.

Survey Results Are in: You Like What We're Doing!



AMAPCEO conducted its first Web-based membership survey last month and members responded enthusiastically to the opportunity to express their views on the Association's communications and services. With a healthy 25 per cent response rate from 1,400 members who were surveyed, the results have provided the Board and staff with a good measure of the level of members' satisfaction and their preferences. (For comparison purposes, a smaller sample of members was surveyed using a paper version of the same questionnaire, although those results are not yet available.)

Some of the highlights:

- 83 per cent of respondents feel they are sufficiently informed about what AMAPCEO does for them; 19 per cent rated AMAPCEO's overall communications to members as "excellent" and 62 per cent rated it "good";
- 83 per cent find this newsletter informative, 77 per cent find the current distribution of six issues per year sufficient and 37 per cent refer back to the newsletter from once to three times after first reading;
- 79 per cent of respondents had visited the Web site in the last month (most within the last two weeks) and 39 per cent report that they visit the site at least a couple of times a month;
- Most respondents indicated that they get their news about AMAPCEO from the Web site and the newsletter and that is how they would like to continue getting information. A majority (62 per cent) stated a preference for receiving the newsletter electronically, although 20 per cent want to receive it both electronically and in hard copy.

The most important topics for the newsletter according to respondents are: information on the Collective Agreement, news on AMAPCEO grievances and arbitrations and news about labour relations and HR trends in society.

Finally, 62 per cent expressed support for AMAPCEO offering additional services to its members (such as group insurance programs), under certain conditions. Fifteen per cent expressed opposition to this proposal and 22 per cent indicated they had no opinion. Group auto insurance and group discounts on hotels and travel were the most popular services selected, followed closely by home insurance and group discounts on computer equipment and cable tv. The AMAPCEO Board of Directors will take this information into account when considering whether and how the Association should offer additional membership services.

In terms of communications, the overall consensus of members seems to be that we should continue doing what we are doing, making improvements where they make sense and keeping a close eye on costs. We will try to address as many of your suggestions as we can (indeed, many of the suggestions for improving the Web site have already been implemented). Although there were a few bugs in this first effort (including the inadvertent deletion of three ministries from one of the drop-down boxes in the questionnaire), the electronic survey worked extremely well and we expect to continue using it as one way (but not the only way) to assess the views of our members.

An engaged and informed membership can only make us a stronger and more effective organization. The AMAPCEO Board and staff are grateful to all of the members who took the time to participate in this survey. Thank you for sharing your views with us.

Collective Bargaining Survey

Our second Web-based survey, seeking members' views on collective bargaining priorities, has just been sent out by e-mail to all employees in the bargaining unit. The current Collective Agreement expires on March 31, 2004, and we hope to begin negotiating a new agreement with our Employer in the Fall of 2003. The bargaining survey is probably the most important survey we will conduct; it is the single most influential way for members to have a direct impact on bargaining priorities. If, by the time you receive this newsletter, you have not received an e-mail containing the link to access the survey, please contact **MICHAEL MOURITSEN** at the AMAPCEO office (<mouritsen@amapceo.on.ca> or ext. 2724).

Recent News From Provincial Council

- At the April meeting, the Provincial Council adopted a new Elections By-law in order to consolidate in one document all of the internal election procedures, practices and regulations that have evolved since the adoption of the AMAPCEO Constitution in 1995. The by-law, which has been posted on the Web site as part of the Constitution, covers the nomination and election process for Chapter Executive positions, Delegates, Alternate Delegates, members of the Board of Directors and members of the Audit Committee.
- Also in April, the council adopted amendments to the terms of reference of the Audit Committee. The changes have been reflected in By-law 3, posted on the Web site.
- The council filled the vacant position on the Audit Committee in April by appointing **CAROLANNE ALLEN**, former Chair of the Attorney-General/ONAS Chapter. At the same meeting, the following members were appointed to the Member Mobilization Committee: **DENISE ASHBY** (Finance/Toronto); **LESLIE KOHSED-CURRIE** (AG/Toronto); **KEVIN KILLOUGH** (PSS/London); **MARK KITELEY** (Citizenship, Culture, Tourism, Rec/Toronto); **BILL MCNAMARA** (CFCS/Kingston).
- At the May meeting, Provincial Council approved a resolution recommending that a membership dues increase to 1 per cent of gross compensation (from the current level of 0.85 per cent), with additional funds raised to go to the labour disruption fund, be considered and discussed at the June 20 special Delegates' Conference. This resolution is intended to be discussed in conjunction with a report from the Board of Directors on strategic financial options.

(The Provincial Council consists of the Chairs of the 22 AMAPCEO ministry and regional Chapters, plus the nine members of the Board of Directors.)

AMAPCEO Launches a New Look For Its Web Site



Based on suggestions from our members, the AMAPCEO Web site has been redesigned to make it easier for you to navigate and find everything you need to know about the Association. The new graphic design and information architecture pays particular attention to accessibility for all users and offers a cleaner, more consistent look. The Web site is the most cost effective way to communicate quickly with our members, who are located in all parts of the Province.

There are a few new features that we think you will enjoy and that will assist in making your visit more user-friendly: the ability to search the site using the Google search engine; the option of subscribing to the Web site so you are notified immediately when a new item is posted; and the storage of older material in an Archives that is readily accessible. Check us out at <www.amapceo.on.ca>.

AMAPCEO Meets With Ontario Energy Board Members

On June 9, 2003, President **GARY GANNAGE** and AMAPCEO staff met with our members at the Ontario Energy Board (OEB) to discuss and answer questions regarding the proposed legislation affecting the structure and operation of the OEB. If you were unable to attend the meeting and you have questions or concerns, please contact Gary Gannage at <gannage@amapceo.on.ca>.

AM|A|P|C|E|O Member News

AMAPCEO Member News is published
by the Association of Management, Administrative and
Professional Crown Employees of Ontario
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