

# A|M|A|P|C|E|O

## MEMBER NEWS

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

### Message from the President

#### A STRATEGIC PLAN FOR THE NEXT ROUND OF BARGAINING

*Gary Gannage*

On March 5, the AMAPCEO Board of Directors tabled a strategic plan with the Provincial Council, outlining priorities for the Association this year as we prepare for the next round of collective bargaining. The plan is ambitious, but essential, as we enter our second decade of providing leadership in improving the OPS workplace.

The Board has identified three major strategic goals for 2003. The first is **to improve the working lives of our members**, and central to that goal is to bargain a new collective agreement. Our current agreement expires on March 31, 2004, and we are determined to negotiate the next agreement before that date. With that objective in mind, the Board is inviting expressions of interest now from members who would like to participate in the bargaining process. There are a number of tasks that need to be done as we prepare for bargaining, and the Board is considering different ways to structure both the negotiating team and the methods by which the negotiators receive advice. If you are interested, we would like to hear from you. Please give me a call or drop me an e-mail, indicating your interests, skills, availability and any constraints (ext. 2707 or <gannage@amapceo.on.ca>).

Other planned strategies to improve members' working lives include: our ongoing efforts to improve the pension plan; an initiative to focus attention on the future of the Ontario Public Service; plans to ensure that members are well-represented in the workplace (building on our existing structures and resources); and improving our ability to influence the employer's behaviour beyond the traditional labour relations model.

Two other major goals have been identified for 2003: a comprehensive effort **to enhance membership development** (ranging

from the initial contact with new members to activist training to our communications strategies) and **ensuring clear governance and accountability** within the Association (including a review of our longer-range financial options). The success of the plans will depend, as always, on the support and participation of our membership, and you can help in two important ways:

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### **Update on Pensions**

Discussions with our Employer on pension issues are continuing. We are hopeful that an announcement can be made by the end of March. Please check the AMAPCEO Web site for updates.

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### **A strategic plan for the next round of bargaining**

First, please watch for our upcoming membership surveys, in which we will be seeking your input on both membership services and bargaining priorities. AMAPCEO was founded as a member-driven organization and the priorities of members have guided our bargaining strategies since the beginning.

Second, we will need the active involvement of members on a number of key committees, including three that have just been established:

- Membership Services Committee
- Membership Mobilization Committee
- Membership Development Committee

I encourage you to visit our Web site or call the AMAPCEO office for further information on how you can become involved!

### **Membership Surveys Coming Soon**

Please watch for our membership surveys, which will begin this spring. Although the main focus of our surveys will be to seek member input on collective agreement priorities for the next round of bargaining, we will also be asking questions on member services and communication issues, including your views on this newsletter and how you would prefer to receive information about your Association.

Membership surveys are important in assisting AMAPCEO representatives and staff to determine members' bargaining priorities, service expectations and communication requirements. We hope you will be able to set aside a few moments to participate when asked.

## **KINGSTON HEALTH AND SAFETY UPDATE**

**A**MAPCEO and OPSEU have been involved in a long-running dispute with Management Board over employee concerns about Kingston's Macdonald-Cartier building, which may have deposits of coal tar underneath it. There was further concern that, if there was coal tar under the building, toxic fumes may have entered offices and caused serious illnesses that have been reported by a number of building workers over the past few years.

AMAPCEO took a number of actions when members in Kingston approached the Association with their concerns last Fall. AMAPCEO President **GARY GANNAGE** immediately contacted MBS, the Ministry of Health and Long-Term Care, OPSEU, and the Medical Officer of Health in Kingston. Gannage urged Management Board to put a more transparent and comprehensive communication process in place so that employees could get better and more timely information. He met with affected members in Kingston in November and suggested the establishment of a local task force to co-ordinate activities, pledging corporate AMAPCEO resources to support the work of the task force. Members of the task force have been active in advising members on their rights, including the right to refuse to work in an unsafe workplace.

In addition to representing members on the local joint health and safety committee, AMAPCEO has launched a dispute over the issue under our collective agreement, seeking to find an alternate worksite until further tests are concluded. The Employer has denied the dispute at Stage Two of the grievance process, on the basis that evidence has not been found and that the physical condition of the Macdonald-Cartier building is likely to endanger the health and safety of workers. AMAPCEO is pursuing the dispute at the Joint Review Committee and, if necessary, will seek arbitration. In the meantime, however, the Employer has indicated that individual employees may make arrangements to work off-site by speaking with their managers.

Full background information has been posted on the AMAPCEO Web site, where updates will appear as further developments occur.

## RECENT BOARD AND COUNCIL DECISIONS



**R**ecent decisions from the Board of Directors and the Provincial Council include:

- **KEITH BAIRD** has been elected Chair of the Board. **DOMENIC FRAGALE** has been re-elected Chair of the Provincial Council and **STEPHEN STEIN** has been elected as Alternate Chair of the council.
- The Provincial Council has endorsed the Board's new policy on the protection of members' privacy. The policy essentially codifies the Association's past practice of placing stringent controls over access to member records and adds a requirement that all AMAPCEO officials and employees will sign a confidentiality undertaking acknowledging that personal information is to be used only for bona fide purposes. The policy has been posted on the AMAPCEO Web site.
- The Provincial Council has approved the Board's recommendation to conduct a thorough review of AMAPCEO's internal election procedures and practices, which have not been reviewed since being established in 1996. The review is being conducted by Association Secretary **DAVID COLVIN** and the members of the Elections and Credentials Committee. A revised elections by-law is scheduled for discussion at the April meeting of the Council.
- In response to a request at the December 2002 Annual Delegates' Conference that strategic financial options be presented for discussion at a special conference in June, both the Board of Directors and the Provincial Council have scheduled the item on every agenda until the June conference. The Board's Finance Committee is developing options, which are expected to review: the level of membership dues, the role and purpose of our investment funds, potential affiliation options, additional revenue sources, etc.

- The Board of Directors has established two new committees: a member services committee to review whether and to what extent the Association should offer additional services to members, and a constitutional review committee to provide advice, if asked, on potential constitutional amendments or issues that might arise from time to time.

- The Provincial Council has also struck two new committees, whose terms of reference are in the process of being developed: a membership development committee and a committee on mobilization.

Any member interested in volunteering to sit on any of AMAPCEO's committees, is encouraged to contact the Secretary of the Association, **DAVID COLVIN**, c/o <amapceo@amapceo.on.ca>. The terms of reference of the three new committees are posted on the AMAPCEO Web site.

As a follow-up to the December 2002 newsletter and, in particular, the news item about the Annual Delegates' Conference, members are invited to contact the AMAPCEO office if they would like copies of the conference agenda, committee reports, the annual report of the Board of Directors, the annual budget or the auditors' report. Please call or e-mail **MICHAEL MOURITSEN**, Director of Operations and Planning, at extension 2724 or <mouritsen@amapceo.on.ca>.

## Policy Dispute Filed Over Pay for Performance (P4P)

When the P4P provisions were being bargained (and costed), the Employer disclosed that 32% of the bargaining unit was at their salary maximum. This translated to over 1,800 employees. At the time, all parties believed that percentage to be an all time low; typically it has been between 45% and 50%.

By December 2002, the Employer's numbers had changed and it determined that only 1,224 employees were P4P eligible 2001-02. On December 5<sup>th</sup>, 962 employees received a 3.5% bonus; 218 received a 6% bonus and, 44 did not get as bonus. These payments were made notwithstanding the Employer's indecision on some key eligibility issues.

In response AMAPCEO has claimed that, contrary of the Collective Agreement, the Employer has:

1. Excluded employees from P4P eligibility and their salaries in the calculation of the P4P envelope; examples include:

- employees at the maximum of their salary ranges on March 31 and also on March 31 were:
  - temporarily in another position;
  - on an approved leave of absence including WSIB, LTIP and STSP;
- employees at the maximum of their salary ranges who were promoted to another position prior to March 31, 2002, and
- any other category of employee (excluded from eligibility for P4P) who, during collective bargaining, were represented as being at the maximum of their salary range by the Employer.

2. Excluded employees (already determined to be P4P eligible by the Employer, but to whom the Employer did not award a bonus) from consideration of a merit increase; i.e. a 1% merit to maintain their salary at the maximum of their salary range.

In the dispute, AMAPCEO noted the Employer's position that employees who, prior to March 31, 2002, were deceased, retired, transferred to another employer as a result of disposition or transfer of work, surplus where

notice had expired, or resigned with a final working day of March 1 to 30; were eligible for a performance award.

It appears that the Employer is happy to reward departing employees, but not those who are still working. AMAPCEO hopes that our dispute will help the Employer focus its attention and settle the issue, or alternatively, achieve an order from an arbitrator directing them to meet its P4P obligations.

### STATUS OF OTHER POLICY DISPUTES

Several policy disputes (filed by the Association on behalf of all members) have commenced hearings at the Grievance Settlement Board. They include:

- *Hours of Work* (filed on June 27, 2002) and
- *Delays in payment of salary increases, merit and pay for performance* (filed on June 27, 2002)

Stay tuned for news as decisions are made. More recently, disputes have been filed over the Employer's failure to give prior notification to AMAPCEO of decisions relating to the privatization of the Province of Ontario Savings Office and the MTO driver examination centres.

## KNOW YOUR BENEFITS

### BENEFITS GUIDE

The Joint Benefits Review Committee (JBRC) is reviewing a draft benefits guide prepared by the Employer. AMAPCEO reps on the Committee has scheduled several days dedicated to improving the draft.

While AMAPCEO believes that the Committee will resolve most issues, it has also filed a policy dispute claiming that the Employer cannot unilaterally issue a guide without AMAPCEO's agreement.

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## Know your Benefits

### ORTHODICS

One pair of prescribed corrective shoes inserts specifically designed for a patient is covered per year. If you have made a claim for orthodics since March 1, 2002, did Great West Life (GWL) cover all your costs (up to the \$500 limit)? If not, you should contact GWL to have the difference paid.

Since March 1, 2002, some members have received payments less than the amount required under our Collective Agreement. Rather than paying the costs claimed (up to \$500), GWL has paid what their records indicate are "reasonable and customary" based on the type of prescribing practitioner (physician, chiropractor, chiroprapist, podiatrist) and where you live.

AMAPCEO's representatives on the JBRC successfully argued that all costs (up to \$500) should be paid. The Employer has instructed GWL to correct any shortfalls.

Remember, benefit claim denials can be adjudicated by the JBRC, if your efforts with GWL fail. If the Committee cannot agree, an independent third party decides. Contact the AMAPCEO office if you require assistance.

If you have any questions about your benefit entitlements under the Collective Agreement, please do not hesitate to contact one your Workplace Representatives or call the AMAPCEO office (416.595.9000 or 1.888.AMAPCEO).

## WORK-LIFE CONFLICT WIDESPREAD ACROSS CANADA



Most recently, the federal government released a report that dealt with issues relating to the workplace and the economy. The study, *Voices of Canadians: Seeking Work-Life Balance*, by researchers Dr. Linda Duxbury of Carleton University, Dr. Christopher Higgins of the University of Western Ontario and Donna Coghill, an MBA student at Carleton, explores work-life balance issues and the conflict many Canadians face between the demands of work and home.

The report was not an academic study, but instead, a compilation of comments from Canadian workers discussing how they feel about the stress they face in their daily lives as they seek to balance work and family. The report, commissioned by Health Canada, reviews and analyzes written comments from 10,000 participants in the 2001 National Work-Life Conflict Study. The survey covered workers in the public, private and not-for-profit sectors in a wide range of large organizations across Canada.

Finding a balance between work and family life has become quite challenging in the last decade. Stress levels have increased due to changes in the workforce as society has tried to adjust to downsizing, globalization, competitive pressures and technological change.

The report shows that the major source of conflict is that employees don't have enough time to deal with the demands of work and home. Canadians told the researchers that they wanted flexibility or control over the organization of their working lives, that is, how much work is expected from them and when. They also mentioned that in order to achieve a better sense of balance in their lives, they wanted flexible work schedules, limits on overtime, opportunities for more part-time work and family care provisions.

Dr. Duxbury states that, "This document puts to rest the myth that Canadian can separate their work and family lives. Our work force has changed. It is time for Canadian employers and governments to recognize this fact and make the necessary changes so that Canadian can lead productive and meaningful lives at both work and home."

To read the study in its entirety, please visit the federal government's Web site: <<http://labour-travail.hrdc-drhc.gc.ca/worklife>>.

## STAFF CAREER OPPORTUNITIES

The AMAPCEO Office has a staff vacancy:

### DISPUTE RESOLUTION OFFICER

Full-time, permanent

Salary Range: \$57,784 - \$75,645

### MAJOR RESPONSIBILITIES INCLUDE

- Advising and counselling members and/or Association Representatives on terms and conditions of employment, on Collective Agreement rights and entitlements, and on specific workplace issues and/or problems;
- Assisting members and/or Association Representatives with member questions, complaints or disputes/grievances;
- Processing disputes/grievances through the dispute resolution processes, up to and including arbitration, fact-finding/researching, problem-solving and negotiating;
- Providing on-going support, advice and guidance to Association representatives and elected officials;
- Providing staff support to internal committees and to joint Employer-Association committees, and
- Other duties as assigned.

### CANDIDATES SHOULD POSSES:

- Relevant experience working in the field of labour relations, specifically in the areas of dispute resolution and/or grievance handling;
- Excellent communication, research, analytical and problem solving skills;
- Experience interpreting/administering collective agreements and human resource policies and practices;
- Knowledge of the Ontario Public Service and relevant employment statutes and regulations;
- Excellent negotiations, advocacy and facilitation skills;
- Ability to work in a small, collegial, fast-paced, multi-issue office with a mix of elected officials, volunteers and professional staff, and
- Computer Skills (e.g. word processing).

**WORK LOCATION:** AMAPCEO Office, 1 Dundas Street W., Suite 2310, Toronto, Ontario.

**TRAVEL REQUIREMENTS:** Occasional travel required.

**6.** AMAPCEO MAR / 03

All interested applicants should submit a resume in an envelope marked private/confidential by **Monday, March 31, 2003, before 5:00 p.m.** to the attention of **FARRAH KARIM**, Senior Administrative Officer.

## SURPLUS FACTOR 80 POLICY DISPUTE WON!

**O**n February 25th, the Grievance Settlement Board announced its decision to "allow" our policy dispute, and agreed with AMAPCEO that employees surplus by March 31, 2004, are entitled to pension bridge (including up to 2 years unpaid leave) if they can attain "80" points and retire with a factor 80; i.e. an employee (with 26 years service) surplus on March 31, 2004, could bridge up to 3 years to March 31, 2007 to attain a factor 80.

This will help more surplus employees reach the pensions they deserve.

With this decision, employees under divestment (opting for their surplus rights) in POSO (Province of Ontario Savings Office) and Drivers Examinations (MTO) will immediately be able to use this option if they can reach a factor 80. We will also ask the Employer to disclose/review employees previously surplus to ensure that this option is made available to them.

### ADDITIONAL BACKGROUND:

AMAPCEO filed a "Surplus Factor 80" policy dispute on July 23, 2002, claiming that the Employer had refused to provide surplus employees with a pension bridging option to reach a factor 80 beyond March 31, 2004, when the bridge includes a period of unpaid leave and enhanced severance. Hearings were held on February 13 & 17, 2003.

The Employer had allowed these bridges, but only to surplus employees trying to reach a factor 80 if they could do so by March 31, 2004. The Employer argued that surplus employees could only get to a factor 80 past March 31, 2004, by use of their 6 month notice period, up to 6 months paid leave (via conversion of severance) and other credits (that keep you on payroll). This effectively limited the bridge to a maximum 12 months for those trying to reach past March 31, 2004.

## NEW CHAPTER CHAIRS

Chapter Chairs who are elected to the Board of Directors are required by the AMAPCEO Constitution to resign their chapter positions within two months of their election. As a result of the election in December of **LINDEN HOLMES** and **PHYLLIS WAUGH** as Directors, the Association recently welcomed two new Acting Chapter Chairs: **SALLY RUDKA** replaces Waugh in the Ministry of Finance Chapter and **DIONNE SINCLAIR** replaces Holmes in the Ottawa-Eastern Ontario Chapter.

Rudka, a tax advisory specialist in the Tax Advisory Unit of the Ministry of Finance in Oshawa, has been a Delegate and a member of her ministry's AMERC. Sinclair, who retired from the Board of Directors in December, recently relocated from London to Ottawa, where she works as a nursing supervisor at the Ottawa-Carleton Detention Centre, Ministry of Public Safety and Security. Phyllis Waugh was also the AMERC Co-Chair in Finance; she has been replaced in that position by **GORDON DARLING**, a senior CT Appeals Officer in the Tax Appeals Unit in Whitby.

As noted earlier on the Web site, a number of Chapter Chairs were re-elected during chapter elections that were held in the Fall. They include: **APRIL EASTMAN** in Labour, **RICHARD MAISONNEUVE** in North Bay, **DAPHNE PEER** in Agriculture & Food/Guelph and **TERRY PETERS** in Kingston, all of whom had been acting in those roles. Also re-elected were: **KEVIN KILLOUGH** (London), **ALEX LAMOTHE** (Windsor), **DAVID MOORE** (Education/TCU) and **DOUG PLAUNT** (Sault Ste. Marie). As reported in the December issue of *Member News*, **SHARYN BIR** is the new Acting Chair in the Consumer and Business Services Chapter. **SHERRY FLOOD** continues as Acting Chair in the Sudbury/Northern Development and Mines Chapter until an election can be held to replace Neil Humphrey, who resigned last Fall.

Finally, **CAROLANNE ALLEN** has recently resigned after a number of years of outstanding service as Chair of the Toronto-based Chapter that encompasses the Ministry of the Attorney-General and the Ontario Native Affairs Secretariat. She has been succeeded by Acting Chair **TIM SIM**, a program consultant in ONAS, a long-time Delegate, alternate rep on Provincial Council and Chair of the Human Rights and Equal Opportunity Committee.

The Association wants to offer all of our Chapter Chairs congratulations and best wishes as they start or continue their terms, and we send a sincere thank you to Carolanne Allen for all her great work on behalf of colleagues in A-G and ONAS - a job well done, Carolanne; and all the best in the future!

## NOMINATIONS FOR AUDIT COMMITTEE VACANCY

A vacancy has recently been created on the AMAPCEO Audit Committee through the resignation of **TREVOR BINGLER**. The Elections and Credentials Committee invites nominations (including self-nominations) to fill this vacancy from all members in good standing. The Audit Committee is a standing committee of the Annual Delegates' Conference and consists of five members who are responsible for advising on the appointment of the Association's external auditors, reviewing and commenting on the results of audits, monitoring internal control procedures and, generally, protecting the independence of the audit function. The term of office ordinarily is two-years, although the term of the current vacancy expires in November 2003. Because the vacancy has occurred between meetings of the Delegates, the Provincial Council is responsible for electing a replacement and has decided to do so in April. The nomination deadline is 5:00 p.m. on Monday, **March 31**, 2003. Further information, including a nomination form, is posted on the AMAPCEO Web site: [www.amapceo.on.ca](http://www.amapceo.on.ca).

*On a related note:* **PETER BURNS**, a Delegate from Municipal Affairs and Housing in Toronto, is the new Chair of the Audit Committee. The other members of the Audit Committee are: **TIMOTHY AZAB** (Ministry of Finance/Whitby), **CATHERINE MILLER** (Community, Family and Children's Services, Peterborough) and **ARTHUR MOHIPP** (Management Board Secretariat/Toronto).

## NEW WORKPLACE REPS

The following AMAPCEO members have been appointed by the Board to two-year terms as Workplace Representatives after their successful completion of recent training. Workplace Reps are trained colleagues who assist members in the workplace in interpreting the Collective Agreement. The same training is required for representatives who sit on each ministry's AMERC (AMAPCEO-Ministry Employee Relations Committee). The new appointees bring the total number of trained Workplace Representatives to 85. A complete list is posted on the Web site.

Anyone interested in taking training to become a representative is encouraged to contact **ROB SMALLEY**, Director of Dispute Resolution, at 416.595.9000 ext. 2703 or by e-mail at <[rsmalley@amapceo.on.ca](mailto:rsmalley@amapceo.on.ca)>.

The new representatives are:

<b>ALEXANDRA ARDEN</b>	Community, Children and Family Services
<b>LEAH COHEN</b>	Citizenship
<b>KIMBERLY FORSTER</b>	Health and Long-Term Care
<b>BRIDGET GOLDSMITH</b>	Citizenship
<b>DHALIA KLINGER</b>	Culture
<b>RICHARD WALLIS</b>	Tourism and Recreation

## COC (MCO) Alert

The Association has received a few recent reports that some managers are continuing to spread that hoary myth that Compensation Option Credits (formerly known as MCO days) are in lieu of overtime. As a result, we are re-posting on our Web site, for the benefit of these managers, the original MBS documents that were issued at the time MCO days were introduced. MCO days were introduced as part of a compensation adjustment in 1980 and were *never* intended to compensate for extra hours worked. Members are also referred to the Collective Agreement, specifically Articles 46 (Hours of Work), which deals with overtime, and 49 (Compensation Option Credits).

## AMAPCEO Office News

AMAPCEO welcomes back **BURKE MOFFAT**, Projects Officer, from his parental leave. Burke's contact information is <[moffat@amapceo.on.ca](mailto:moffat@amapceo.on.ca)> and he can be reached at 416.595.9000 ext. 2710.

**SARAH RUTHERFORD** has resigned from her position as secretary-receptionist to pursue a career in human resources. We wish her all the best and extend our sincere appreciation for all her work at AMAPCEO

AMAPCEO welcomes **ROWENA COSTA-CORREA**, who succeeds Sarah as Receptionist.

Originally from Kenya, Rowena graduated from Brock University with a Bachelor of Science in Biological Science. Rowena has many years experience in customer service and administrative support. Prior to joining the AMAPCEO team, she worked at the Bay and Coles bookstore in customer service positions. She can be contacted at 416.595.9000 ext. 0 or by email at <[rowena@amapceo.on.ca](mailto:rowena@amapceo.on.ca)>.

## A|M|A|P|C|E|O Member News

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