

A | M | A | P | C | E | O MEMBER NEWS

Association of Management, Administrative and Professional Crown Employees of Ontario

www.amapceo.on.ca

Pension Contribution Reduction Ends

AMAPCEO employees and other members of the Public Service Pension Plan (PSP) can expect an increase in their pension contributions in the March 25 paycheque. As scheduled, the one-year contribution reduction of three per cent, which has been in place since last March, has now ended, and the contribution rate returns to eight per cent this month.

A Proposal to Re-Invent the OPS

Gary Gannage, President

On March 2, Vice-President **ROBERT STAMBULA** and I met with the Chair of Management Board, **GERRY PHILLIPS**, to deliver two documents: a brief calling for binding arbitration and a submission from AMAPCEO as part of the OPS Ideas Campaign. Both documents are posted on our Web site (and excerpts appear inside this newsletter).

The OPS Ideas submission was prepared by a committee consisting of some present and former Board members, chapter chairs and AMERC co-chairs. It was subsequently endorsed by the Board of Directors. The key message: that the Ideas Campaign should be about more than just a transition to a new government but should encourage a transition to a new public service, and that AMAPCEO is willing to engage in a partnership with the government to re-invent and revitalize the OPS.

We have proposed creating an ongoing "ideas culture" in the OPS in order to make the best possible use of the strengths, experience and knowledge of civil servants. Although the

government is often viewed solely in terms of its costs, we believe that public services and infrastructure *add value* to society. The Ontario Public Service is an institution in its own right that deserves to be valued for what its members contribute to the public and it is refreshing to have a Premier who explicitly acknowledges that value.

In our brief, we described what we think are the characteristics of a good public service, concluding that it is an essential component of good governance and democratic renewal. Our members, in particular, are critical contributors to this process. We also identified, however, a number of challenges to re-inventing the OPS, including: the lack of a forum to address issues that fall outside the traditional labour relations framework; the lack of confidence among professional staff in the leadership skills and knowledge of

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Notice to Bargain to be Given This Month: Full Details Inside

AMAPCEO will be giving the Employer formal notice this month that we intend to negotiate a new Collective Agreement. Although our current agreement is scheduled to expire on March 31, 2004, existing terms and conditions will continue during negotiations. Two other major initiatives will be underway at the same time: a joint Employer-AMAPCEO job evaluation project and a re-

view (with the Employer and other affected bargaining agents) of the structure and governance of the Public Service Pension Plan.

This newsletter is devoted primarily to bargaining, job evaluation and pension issues, in an effort to bring members up to date on recent developments, expected timelines and how various initiatives relate to

each other.

A special Q & A section tries to anticipate many of your questions. A bargaining page will also be established shortly on the AMAPCEO Web site where we will post updates on a regular basis. If you have further questions after you have read this newsletter, please let us know.

Collective Bargaining and Job Evaluation Update

Status of Collective Bargaining

As we noted in the December edition of *AMAPCEO Member News*, your bargaining team has been hard at work preparing for negotiations for a new Collective Agreement. The current agreement expires on March 31. The team consists of: **FRANK CERILLI** (CSCS/North Bay), President **GARY GANNAGE** (*ex officio*), **MARILYN HYDE** (MNDM/Toronto), **NORM MOHAMID** (CSS/Toronto), and Vice-President **ROBERT STAMBULA** (as Chair). The team is analysing the results of last Spring's membership survey, conducting research and developing specific contract proposals.

While negotiation of an Essential Services Agreement (under which the Employer and AMAPCEO agree on essential positions whose incumbents are required to continue working during a strike or lockout) has traditionally been the first item of business, there is no requirement that it be negotiated before terms and conditions in the Collective Agreement and it is AMAPCEO's view that there is no need to negotiate an ESA at this stage.

The survey on bargaining priorities that was conducted among members last June confirmed a number of priorities that were identified in the last round of bargaining. Fair and independent binding arbitration as the means to resolve disputes (rather than strike or lockout) was endorsed by an overwhelming majority of members. The other major priorities, in no particular order, included: health benefits; hours of work; pensions; compensation; and job security.

These priorities were recommended by the Board of Directors to the Delegates' Conference that was held in June and were endorsed. The Board also recommended a set of guiding principles against which the Board is required to assess and balance specific bargaining proposals (both as specific proposals and as a package). The guiding principles approved by the Delegates require proposals to be assessed in terms of whether they:

- Provide fair and reasonable compensation for all members.
- On the whole, improve members' working conditions.
- Protect the dignity and human rights of all members.
- Provide fair and equal treatment of members.
- Support members' health, safety and well being.
- Support career and personal/family objectives and responsibilities.

- Provide clarity to existing provisions.
- Facilitate member choice/self reliance.
- Assist the Association in representing and serving members.
- Assist the Association in achieving business objectives.

Formal notice to bargain will be given to the Employer this month and negotiations are expected to start shortly thereafter. As usual, non-monetary items will be discussed first, with salary negotiations unlikely to occur before early 2005 (see following article on the job evaluation project). Given the current fiscal constraint agenda of the government, this is not the best of environments in which to sit down and negotiate salaries. During negotiations, current terms and conditions in the Collective Agreement continue, including the provisions for merit and pay-for-performance.

Please refer to the special insert on Bargaining Q & A's in this newsletter for further information on bargaining issues. Updates will appear on the Web site. Members are encouraged to draw comments, suggestions or questions directly to the attention of the Bargaining Team, which may be reached by email at <bargain@amapceo.on.ca>.

Job Evaluation Project

Members will recall from the last newsletter that the current Collective Agreement made provision for a major review of the job evaluation and classification system for the AMAPCEO bargaining unit, and that an agreement was finally negotiated specifying the process and timetable under which the Employer and the Association will jointly engage an external consultant to provide a new job evaluation plan for the review and classification of AMAPCEO jobs. The consultant will report to a joint steering committee that will manage the process.

The Request for Proposals has now been issued and the parties will select a consultant shortly (there has been some slippage from the original January deadline). Testing and customization of the system chosen to suit AMAPCEO jobs is expected to be completed by June 30. Identification and development of job descriptions and the evaluation of all AMAPCEO jobs are to be completed by November 30, 2004, following which the parties are to negotiate salary rates.

A copy of the memorandum of agreement between Management Board and AMAPCEO on the job evaluation project has been posted on the AMAPCEO Web site.

Excerpts from AMAPCEO Submission to the OPS Ideas Campaign

On March 2, President **GARY GANNAGE** and Vice-President **ROBERT S TAMBULA** presented the Chair of Management Board with AMAPCEO's submission to the OPS Ideas Campaign. The principal recommendation is a call for a partnership between the government and the Association to re-invent and revitalize the Ontario Public Service. The full text is posted on the AMAPCEO Web site. Here are a few excerpts:

What Defines a Good Public Service?

The Ontario Public Service is the continuing resource that makes government work, i.e., that helps the government achieve its objectives. Among the traditional characteristics of a good public service are:

1. It is apolitical and non-partisan, serving the government that is elected;
2. At the same time, however, it works for the public, not for a particular governing party, and attempts to serve the public interest;
3. It acts as a trusted honest-broker, providing objective advice and comprehensive policy options;
4. It promotes an open and transparent policy development process;
5. It is accountable and is committed to good value for money;
6. It is merit-based in hiring and promotion;
7. It engages in creative, strategic, long-term thinking to find the best approaches and solutions;
8. It should be a good role model for other employers and sectors in society;
9. It should be able to "speak truth to power", whether to the government or to stakeholders.

In short, a good public service is an essential component of good governance, which is a function that the public may not always understand. Most citizens are involved with government at two

critical points: at the time of an election and when they access government services at a physical or virtual "front counter". What's left, however, is everything between these two points, which is basically the work of our members: policy and financial analysts, program administrators, program supervisors, auditors, nursing supervisors, pharmacists, scientists, mediators, arbitrators, veterinarians, financial officers and many others.

Our members work at the nexus between government and stakeholders and work on a daily basis with colleagues in other ministries across government and with other governments (municipal, provincial and federal); they have a real investment in the government's plans to engage in broad, public consultation and to approach policy from a government-wide perspective. Recent research from Canadian Policy Research Networks suggests that if you provide the right structures, the public can and will provide meaningful input; civil servants are critical in making this work.



What are the challenges to re-inventing the OPS?

Our members have identified a number of challenges that confront us --both the government and civil servants -- as we try to initiate fundamental changes within the Ontario Public Service. Unfortunately, the OPS has some ways to go before we can honestly say that we embody all of the characteristics of the ideal public service described above.

- There is a need for a forum in which we can address important issues (such as those itemized immediately below) that fall outside the realm of the traditional labour relations framework and thus do not lend themselves easily to resolution through the collective bargaining process.
- Surveys conducted by both the employer and AMAPCEO have revealed a widespread lack of confidence among professional staff in the leadership skills and knowledge of their managers, many of whom are beyond their depth both in the substance of the work they supervise and in being able to lead professionals. Managers are often hired with no skills or training in how to manage or coach people.

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- There has been no shortage of “visioning” in the OPS but there is a real failure to actually apply the vision on a day-to-day basis (e.g., exhortations to be risk takers in an essentially risk averse culture; calls to empower staff in a rigidly hierarchical structure; encouragement to engage in long-range planning but with a continual focus on short-term firefighting).
- The OPS policy environment and human resource policies do not support a transparent, bottom up policy development process involving civil servants, citizens and stakeholder groups. Policy options have often been developed in the past without any input from professional staff or stakeholders.
- The OPS was, at one time, a role model for other employers in attempting to demonstrate progressive human resource policies, merit based hiring and promotion and innovative workplace practices. There is a need to revive this role and invest in employees. An emphasis on progressive approaches to recruitment, retention, training and re-training will be essential, given the retirement projections for the OPS over the next decade. We will need to focus on how to persuade the best and the brightest young people to choose public service (and the OPS) as a career, and then how to retain them in the face of competition from other governments and broader public sector employers. Our members, who constitute the internal labour pool from which senior managers are recruited, have a keen interest both in expanding training opportunities for themselves and in having input into how senior managers are trained (because our members will either become senior managers or will continue to work with them). In a particularly short-sighted approach, the recent OPS training model reserves most training exclusively for the senior management group, which is serviced by the Centre for Leadership.
- It will be important, as we embark on a transition to a re-invented government (and public service) that we not undervalue those government services or functions that are difficult to measure in quantitative terms. We must ensure that we continue to have the capacity to fulfill our ongoing obligations to the public during a time of fundamental change.



of the whistleblower protection provisions in the Public Service Act (to make a significant and practical commitment to open, transparent government), the submission offers the following specific proposals that might constitute a partnership to re-invent the OPS:

- **Re-establish the OPS as a model, progressive employer** capable of attracting and retaining the best employees. Key activities might include: clear reductions in the use of external consultants; a commitment to more training/learning options and resources for professional employees; AMAPCEO participation in planning the training for senior managers (e.g., a seat on the board of the Centre for Leadership); a renewed commitment to the merit principle in hiring and promotion; a commitment to implement innovative, flexible workplace policies (e.g., telecommuting; compressed work week arrangements; opportunities for two-way exchanges with the business community, the broader public sector, the non-profit sector and other levels of government).
- **Establish a new forum** in which AMAPCEO (and other interested bargaining agents) can engage the government and senior management in discussion, perhaps leading to joint action, on issues that do not fall within the traditional labour relations framework. Key activities might include: a regular annual meeting between the Premier and the President of AMAPCEO; regular meetings with ministers and deputy ministers; bargaining agent presentations to the Council of Deputies.
- **Establish the OPS as an open, participatory, less hierarchical workplace.** Key activities might include: 360-degree performance reviews for senior managers; a commitment to a transparent, bottom up policy development process and explicit ways to implement this approach in each workplace.
- **Promote the value of the public service to Ontarians,** building on the Premier’s statements to date. Key activities might include: co-ordinated messages to stakeholders by ministers and deputy ministers; joint collaboration with university researchers and professional organizations such as the Institute of Public Affairs of Canada; joint outreach to schools and community groups.
- **Make a clear commitment to a true partnership.** Key activities might include: full and timely disclosure to bargaining agents of government plans before final decisions are made and before they are announced.

Specific Proposals

In addition to recommending both binding arbitration (as an example of exploring innovative labour relations strategies to strengthen the delivery of public services) and proclamation

AMAPCEO Staff News

ROWENA COSTA-CORREA has resigned from her position as Receptionist-Secretary to pursue a career in biology. We wish her all the best and extend our appreciation for all her work at AMAPCEO.

AMAPCEO welcomes **LINDA MALHANS**, who succeeds Rowena as Receptionist-Secretary.

Linda is currently in her final year at York University studying Business Administration. She brings with her experience in customer service and administrative support. Prior to joining AMAPCEO, Linda worked at the Mayfair Racquet Club. She can be contacted at 416.595.9000 ext. 0 or by email at <malhans@amapceo.on.ca>.

MARTIN BARCLAY will be joining the staff of AMAPCEO on March 15, 2004, as a Project Officer.

Martin has been a program/policy analyst with the Ontario Native Affairs Secretariat since 1995, where he works on aboriginal/federal negotiations, stakeholder relations and grant programs. A graduate of Trent University, he joined the OPS in 1991 at the Ministry of Health. As an AMAPCEO member, Martin has been active in a number of different capacities,

including helping to organize his building's participation in AMAPCEO Day in January 2002, as co-chair of his workplace health and safety committee and as a Delegate to the 2002 and 2003 Conferences representing the Attorney-General/ONAS Chapter.

As Project Officer, Martin will work primarily on a broad range of membership development activities, member mobilization initiatives and recruitment of local health and safety representatives.

HEATHER PETRIE joins the AMAPCEO staff on March 15 as a Project Officer. She will be working on a short-term contract until the end of June supporting a number of job jurisdiction matters, including our recognition clause policy dispute, the current policy dispute on fee-for-service/transfer payment personnel and Tier II negotiations.

Heather holds a B.A. in industrial relations and women's studies from York University and has worked as a co-op student at Sack Goldblatt Mitchell (AMAPCEO's legal counsel), the Centre for Research on Work and Society and Lancaster House, which organizes conferences and seminars on labour relations.

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AMAPCEO Has Gone Mobile



The AMAPCEO Web site is now wireless enabled. This means that you can now use your cell phone or personal digital assistant (PDA) to view the AMAPCEO Web site. Whenever you see the wireless enabled icon on our regular site, that page can be accessed for wireless viewing.

To view the site on your cell phone or PDA, enter the address: wap.amapceo.on.ca.

Information currently available on the wireless site includes:

- Home Page (What's New)
- Selected News Items
- Who We Are
- Directory of Contacts

The wireless Web site is designed to complement the existing AMAPCEO site. Any information viewed on this site is available on the regular AMAPCEO site. Please note that the information displayed on your portable device will vary depending on the model.

Excerpts From AMAPCEO's Submission on Binding Arbitration

On March 2, President **GARY GANNAGE** and Vice-President **ROBERT STAMBULA** presented a brief on independent binding interest arbitration to the Chair of Management Board. The submission sets out the Association's argument for arbitration as the most effective way to resolve disputes. The full text is posted on the AMAPCEO Web site. Here are a few excerpts:

Independent Binding Interest Arbitration – A Principle

AMAPCEO strongly supports the use of fair and independent binding interest arbitration as a way to resolve an impasse at the bargaining table rather than disruptive strikes or lockouts. In a recent AMAPCEO member survey, over 95% of respondents supported this position.

Practice in the OPS

[The brief argues that it is an opportune time to change the labour relations climate in the OPS as part of the government's proposal to re-invent government. Following a review of the history of OPS collective bargaining since 1993, when the reform of the Crown Employees Collective Bargaining Act (CECBA) introduced the strike/lockout regime to the OPS at the request of OPSEU, the brief notes that nothing in CECBA prohibits the government and a bargaining agent from agreeing to use binding arbitration.]

Despite CECBA, there have been other arbitrations in the OPS since 1993. AMAPCEO first contract negotiations were regulated by an interest arbitration protocol fashioned as part of its 1995 Voluntary Recognition Agreement. After bargaining hard to reach a complete agreement, the parties referred only several out of hundreds of possible issues to Justice George Adams for resolution. An orderly conclusion to the contract was achieved which resulted in very small compensation increases which was very much at odds with what AMAPCEO considered to be fair or in its interests. Nonetheless, we prefer a system of fair and independent binding arbitration, even when the results are not to our liking.

The Government continues to voluntarily agree to interest arbitration with other OPS groups that have requested it, such as lawyers and Crown Attorneys. In amending the legislation to allow the OPPA to raid OPSEU, AMAPCEO and PEGO employees working in the OPP, the Government in effect allowed these civilian employees, who were subject to a system of strike or lockout, to choose to be covered by a system of binding arbitration. Indeed, we believe this is the major reason former OPSEU employees chose to be represented by the OPPA instead of OPSEU.

The Practice in Other Jurisdictions

The Government of Canada is the Government of Ontario's

primary competitor for the best employees at senior levels of government. Canada provides for choice by the bargaining agent for either a system of strike/lockout or binding arbitration. The same policy or outright bans of strikes/lockouts is followed in Alberta, Manitoba, Nova Scotia, the Yukon and P.E.I. Even though these other systems provide for a choice, AMAPCEO would be prepared to fully endorse the principle of binding arbitration, abandoning the right to choose a system of strike or lockout. As we indicated earlier, we are prepared to accept the results of such a system, whether we like them or not.

AMAPCEO'S Binding Interest Arbitration Proposal

AMAPCEO recommends that in *partnership with the employer* we jointly develop a "made in Ontario" interest dispute resolution model. Such a model could include some of the following:

- Establish an independent, neutral public sector labour relations process which includes a broad range of remedies available to assist the parties in resolving interest disputes, such as referral back to the negotiating table, mediation, "med/arb" and ultimately binding interest arbitration;
- If arbitration is required the panel will consist of three members (each party appoints 1 member and jointly appoints a chair) and strict timelines will be established for holding hearings and making decisions;
- Require the arbitration panel to be guided by the jointly agreed upon principles, such as: the desirability of promoting harmonious labour – management relations in the public service; the commitment to facilitate fair resolution of disputes in an impartial, timely and cost-effective manner; the recognition of the importance of a competent and efficient public service to the people of Ontario; the recognition that terms of settlement require balancing [all of a number] of considerations (the current and overall state of the provincial economy; the necessity for the public service to offer compensation and other terms of employment comparable to those offered by private sector and other public sector employers; and ability to attract and retain qualified employees).
- This approach could be implemented on a pilot project basis and be in place over a period of several rounds of collective bargaining, after which it could be reconsidered.

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Rationale:

- Public service strikes and lockouts inconvenience the public, create additional costs for many businesses and increase the risk that the health or safety of the public may be endangered.
- Consenting to binding interest arbitrations is a change that helps *deliver on the government's commitment* to respect civil servants and work towards positive more co-operative labour relations.
- Embracing a co-operative, less adversarial approach to labour-management relations will help the government *attract or retain high quality, dedicated staff*.
- Research indicates that public sector interest arbitration as a strike-substitute promotes peaceful and harmonious relations between public employers and their unions, and despite the existence of the right to an arbitration option, and contrary to suggestions that arbitration inhibits hard constructive bargaining, several interest arbitration models have a very high (over 90%) success rate in producing mutually acceptable, voluntary contract agreements.

Update on Our Pension Plan

As noted elsewhere in this newsletter, the three per cent pension contribution reduction ended last month, with the result that the pension deductions of AMAPCEO members and other affected employees in the Public Service Pension Plan (PSPP) will return to the standard eight per cent with the March 25 paycheque. Members will recall that AMAPCEO won the twelve-month extension of the contribution reduction following last year's campaign for fair pensions. A further extension of the contribution reduction will depend on the results of the 2003 valuation of the PSPP. Before the expiration of the current reduction, AMAPCEO formally asked for the 2003 valuation and, confident that the PSPP's performance has been better than many other public sector plans, proposed continuation of the pension holiday, if the pension plan's fiscal situation can support it. There has been no response from the Employer to date.

Two other achievements of the fair pensions campaign remain in force until March 31, 2006: extension of the surplus Factor 80 early retirement program and the provision to bridge to an unreduced pension.

The most important victory of the campaign, of course, was the commitment of the government to participate in a consultation process with AMAPCEO and other bargaining agents to review longer-term structural and governance issues affecting the plan. Although this process has been delayed by the election and transition, preliminary discussions among the bargaining agents have occurred, and we expect to engage the Employer soon. AMAPCEO wants to discuss pension board governance, the timing of the PSPP valuation, CPP integration rules, early retirement penalties, surviving spousal benefits and the expansion of existing early retirement programs.

Whistleblowing Protection

AMAPCEO has now written to both the Chair of Management Board and the Minister for Democratic Renewal to urge the government to proclaim the whistleblowing provisions in the *Public Service Act*. As we noted in the last edition of *AMAPCEO Member News*, these provisions were adopted by the Legislature in 1993 and were given Royal Assent in the same year, but have never been proclaimed.

We believe that implementation of this essential protection would be consistent with the Premier's strong statements supporting the value of public servants, would complement the proposals to give expanded oversight authority to the Provincial Auditor, would require very little additional work or cost to implement and would send a powerful and positive message to both the public service and, more importantly, the citizens of Ontario, who would be the ultimate beneficiaries of whistleblowing protection.

The federal government has now announced that it will introduce legislation to give whistleblowing protection to federal public servants, in response to the recent revelations about the federal sponsorship program, as well as last year's events leading to the forced resignation of the federal privacy commissioner. It would be unfortunate if the federal legislation is enacted before the already existing Ontario legislation is proclaimed.

**New Benefits Guide
Now Available**

A new guide to AMAPCEO employee benefits has been jointly prepared by the Association and the Employer. It has been posted on the AMAPCEO Web site and provides a comprehensive overview of the benefit plans to which members are entitled under the Collective Agreement.

This is the first updated benefits guide in over ten years and, in addition to a glossary of definitions, the guide explains eligibility, how to make a claim, how to co-ordinate benefits if your spouse has a benefits plan and how to file an appeal if your benefits are denied by the carrier. There are separate sections on Supplementary Health and Hospital Plan, Dental Care, Long Term Income Protection, Life Insurance, Part-time and Unclassified Employee Benefits and Post-Retirement Benefits.

Great-West Life has announced that plan members have the option of viewing their benefit details and claims history on line. Information on how to register can be found on the "My OPS" intranet site.

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Not sure if you are a member?

Even if you are paying dues, you still need to sign up to become a member of AMAPCEO. Please visit our Web site and click on "Membership and Volunteering" for further information and a membership form. Also, check our new volunteer form!

New Board and Committee Members

LYNN PARDOE (Agriculture and Food/Guelph) was elected to fill a vacancy on the Board of Directors in a by-election that was held in January. Lynn is a former Treasurer, who decided not to seek re-election to that position at the Annual Delegates' Conference last November.

At its meeting in February, the Provincial Council appointed members to two committees. The Member Reconciliation Committee, which is responsible for trying to resolve disputes that occur between AMAPCEO members, now consists of: **FRANK CERILLI** (Corrections, North Bay); **BARBARA GOUGH** (Training, Colleges and Universities, Toronto); **ROGER NEWELL** (Corrections, Hamilton); and **SALLY RUDKA** (Finance, Oshawa). There remains one vacancy.

DONNA VOGEL (Education, Toronto) was appointed to fill a vacant position on the Membership Development Committee.

Also in February, the Board of Directors appointed the following members to its Finance Committee: **ARTHUR BROWN** (MBS, Toronto); **LARRY KOURTIS** (Municipal Affairs, Toronto); **TERRY MARESCAUX** (A-G, Toronto); **DAVID MOORE** (Education, Toronto); **TERRY PETERS** (MTO, Kingston); and **PHYLLIS WAUGH** (Treasurer, *ex officio*).

AMAPCEO Meetings with Ministers

AMAPCEO President **GARY GANNAGE** has been meeting with new Cabinet ministers as part of a process of opening a broad dialogue with the government on a variety of issues, some of which do not fall within the traditional labour relations framework. In addition to two meetings with **GERRY PHILLIPS**, Chair of Management Board, meetings have been held so far with **CHRIS BENTLEY**, Minister of Labour; **JIM BRADLEY**, Minister of Tourism; **DAVID CAPLAN**, Minister of Public Infrastructure Renewal; and **DWIGHT DUNCAN**, Minister of Energy. A meeting has also been scheduled with **MARY ANNE CHAMBERS**, Minister of Training, Colleges and Universities, and other meetings will be organized soon.

These meetings provide an opportunity for AMAPCEO to introduce our approach to labour relations, to raise issues that are specific to each minister's portfolio and to explain our positions on a number of major priorities, such as whistleblowing protection and binding arbitration. Gary reports that the meetings have been frank and cordial and that the ministers have indicated they welcome the Association's input.

A Proposal to Re-Invent the OPS

their managers; the gap between the rhetoric of good management principles and their actual application in the workplace; the lack of an open, transparent, bottom up policy development process involving civil servants, stakeholder groups and citizens; the need to invest in training and progressive human resource policies to make the OPS a role model for other employers; and the risk of undervaluing government services or functions that may be hard to measure in quantitative terms during a time of transition and change.

Our brief concluded with a call

for a commitment to pursue a true partnership to re-invent the OPS. Among our suggested goals: to re-establish the OPS as a model, progressive employer capable of attracting and retaining the best employees; to establish a new forum in which AMAPCEO and other interested bargaining agents can engage the government and senior management on issues that do not lend themselves to traditional collective bargaining; to establish the OPS as an open, participatory, less hierarchical workplace; and to make a concerted, joint effort to promote the value of the public service to Ontarians.

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AMAPCEO is willing to work with the government to create a "made in Ontario" solution to re-inventing government; not simply borrowing ideas from other jurisdictions, but trying to find proposals that work in the Ontario context and that build on our existing strengths. Based on the Premier's positive statements so far, we believe an opportunity exists to position Ontario as the leader of the "next big thing" in articulating the public service of the future, and we invite the government to involve us and our members in that exercise.

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Collective Bargaining Update - March 2004
Q & A Summary

1. Is the job evaluation project delaying bargaining?

A: No. The current collective agreement ends on March 31, 2004, and AMAPCEO gives formal notice to the Employer this month that we intend to bargain a new agreement. As usual in collective bargaining, non-salary items will be discussed first. At the same time that non-salary issues are being negotiated at the collective bargaining table, the Employer and AMAPCEO will conduct an entirely separate process to review job descriptions and classification levels as part of the job evaluation project. The job evaluation process is scheduled to be completed by **November 30, 2004**, after which the parties will negotiate the classification rates and salary adjustments that should be applied on the new system. It is conceivable, based on past experience, that we may not be able to finish negotiating non-salary matters much before November 30, so we do not expect the job evaluation process to delay the bargaining process.

2. But isn't the job evaluation process itself delayed?

A: Yes. First, the start of the job evaluation project itself was delayed because the Employer dragged its feet on negotiating an agreement on timelines and process. The Employer originally agreed in February 2002, when the current Collective Agreement was signed, to conduct a review of the job evaluation and classification system, but the specific details were only ironed out in November 2003 following long delays caused by MBS representatives. Second, there has been a two-month delay by the Employer in meeting the negotiated timelines. MBS was supposed to send the Request for Proposals to prospective external consultants by early December, but the RFP was only issued in late January, when, according to the timetable, the parties were supposed to be **selecting** a job evaluation system and consultant. Nevertheless, we expect to appoint a consultant this month and we hope to do our best to complete the next phases on time.

3. What happens if there are further delays in the job evaluation timelines or if collective bargaining talks break down? Have you locked us into a process that we cannot get out of?

A: First, both parties have agreed to work in good faith to reach agreement on a new classification system. The Employer needs a new job evaluation and classification system as much as AMAPCEO does in order to address long-standing recruitment and retention problems and to replace an outdated and administratively complex system. Second, the job evaluation process does not delay us bargaining non-salary items, i.e., the overwhelming majority of the collective agreement. Third, the latest that salary negotiations can be put off without the consent of both sides, even if the job evaluation project is not completed, is **January 1, 2005**, and as indicated above we expect that it could take that long to negotiate non-salary items. Fourth, the job evaluation agreement gives both sides the option of adjusting the timelines by mutual consent. Fifth, both sides have agreed not to make any application for conciliation until at least 120 days after salary negotiations begin, which means the Employer cannot try to bully us by rushing to invoke its ability to unilaterally impose an agreement or lock us out.

4. Will there be across-the-board salary increases on April 1, 2004?

A: No, but as with all salary negotiations, our intention is to negotiate an increase retroactive to the commencement date of the new collective agreement.

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5. *So the earliest I can expect an across-the-board salary increase is 2005? How is this a good thing?*

A: It makes sense to first negotiate new classifications and salary ranges to replace our outmoded and inequitable current system. In our judgement, the job evaluation process will likely be in the best interests of AMAP-CEO employees in both the short and long term.

6. *Why did we agree to a job evaluation review anyway? Didn't the OPSEU bargaining unit overhaul take forever?*

A: We consider the agreement of the government to do a joint job evaluation process with us to be one of the most important achievements from the last round of bargaining. In the collective bargaining survey conducted in 2001, before the last set of negotiations, a sizeable majority of members identified a new, reformed classification system as a major priority for bargaining. The Employer finally agreed on the "need and desirability of undertaking a review of the AMAPCEO job evaluation and classification system" and this was codified in the current collective agreement. Yes, the OPSEU bargaining unit overhaul did take a long time, but the number of positions and classifications in our bargaining unit is considerably smaller than in OPSEU, so we do not expect the review process to take as much time and we intend to do it in a better and more efficient fashion.

7. *When could AMAPCEO employees be placed in the position of facing either a lockout or other potential sanctions from the Employer if negotiations break down?*

A: The Employer has agreed not to seek conciliation (which is a necessary step before triggering the countdown to either a unilateral imposition of a new agreement or a lockout of employees) any earlier than 120 days after the start of salary negotiations. If we do not begin salary negotiations until January 1, 2005, the earliest the government could seek to **initiate** the steps needed to invoke sanctions would be 120 days later, i.e., around **May 1, 2005**.

8. *Is AMAPCEO planning to schedule a strike vote?*

A: No. Our members have indicated clearly that they do not favour strikes or lockouts to resolve disputes with their Employer. We continue to make the case for fair and independent binding interest arbitration (please visit our Web site to read the binding arbitration brief that was submitted to the government this month) and we intend to press this intelligent approach to conflict resolution within the OPS in this round of bargaining, as well.

What if I have more questions? If you have any other questions about collective bargaining, please send them to bargain@amapceo.on.ca and continue to visit the AMAPCEO Web site (www.amapceo.on.ca) for updates. If you have any questions about the job evaluation project, please contact President Gary Gannage (by e-mail at gannage@amapceo.on.ca or by phone at 416-595-9000 or 1-888-AMAPCEO, extension 2707).