

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

Association of Management, Administrative and Professional Crown Employees of Ontario

www.amapceo.on.ca

## AMAPCEO Paydate Calendars

Look for your AMAPCEO Pay Date Calendar, being distributed with this newsletter. When the Shared Services Bureau announced it would no longer produce the calendar, we discovered it could be printed at minimal cost and decided it would be a useful way for our members to keep track of their pay days. Our contact information is on the reverse side.

### Nomination Call: Audit Committee

Please see website for further information;  
Deadline: April 5, 2005.

## The Status of Bargaining

Gary Gannage, President

In our last newsletter, which was published in December, we reported that the AMAPCEO Bargaining Team had met with the Employer's team four times in November and that dates were scheduled for January. The two teams did meet in January to discuss a number of non-monetary and job security matters. As previously noted, only non-monetary and job security issues were scheduled for the first phase of bargaining, since monetary items were to follow completion of the job evaluation project.

Although the talks in November and January were helpful in clarifying the interests of both parties, not much progress was made, which is not untypical of the early stages of negotiation. This round of bargaining has the added complexity of the job evaluation project, which is a joint attempt by both AMAPCEO and the Employer to develop

and implement a new job classification and evaluation system for AMAPCEO positions. We had until recently anticipated completion by this spring, which would have enabled the parties to negotiate salary adjustments at that time. Although work on the job evaluation project is progressing, the original schedule for completion was clearly ambitious and it now appears that it will take most of 2005 to do a proper job and ensure a good outcome.

We have, therefore, informed the Employer that we cannot expect members to wait any longer for a salary increase. We have given specific proposals to the Employer and are engaged in discussions to address the bargaining scope and timetable given the delay in the job evaluation project. Please continue to watch for updates on the website, where we will keep you informed of developments.

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## AMAPCEO Approaches An Important Anniversary

AMAPCEO celebrates an important event this month: the 10<sup>th</sup> anniversary of the negotiation of our *Voluntary Recognition Agreement*, which was ratified on March 29, 1995. Although the Association was founded in 1992, it was voluntary recognition that transformed us from a professional association into a full-fledged bargaining agent.

By the end of 1994, AMAPCEO canvassers had signed up a majority of eligible employees and we submitted the signed membership forms to the Ontario Labour Relations Board in January 1995 with our request for certification. In the meantime, we were pursuing voluntary recognition discussions with the government in order to expedite

what could have been a lengthy certification process at the OLRB. The agreement was signed by both parties on March 23, ratified by the AMAPCEO Provincial Council later that day and approved by Cabinet on the 29<sup>th</sup>, which became the official ratification date.

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## News from the Board and Council

A few items from recent meetings of the Board of Directors and the Provincial Council:

- **KEITH BAIRD** (Education/TCU) was re-elected to a third term as Chair of the Board of Directors.
- At the February meeting of the Provincial Council, **STEPHEN STEIN**, Chair of the Municipal Affairs Chapter, was elected as Chair of the Council and **BARBARA GOUGH**, Chair of the Education/Training, Colleges and Universities Chapter, was elected Alternate Chair. Stephen had previously served as Alternate Chair.
- **SALLY RUDKA** has resigned as Chair of the Ministry of Finance Chapter. She has been succeeded by **STAN SOSIN**, who will be Acting Chair until elections are held this Spring. **RICHARD MAISONNEUVE** has resigned as Chair of the North Bay Chapter and **FRANK CERILLI** is now Acting Chair.
- The Board appointed two new members to the Workplace Relations Committee: **JOANNE MARTIN** (MCSS/CYS Toronto) and **LINDA SULLIVAN** (Labour Toronto). The other members of the committee include: **KEITH BAIRD** as Chair, **BRYAN JEAN** (MTO North Bay), **STEPHEN SMITH** (MCSS/CYS Peterborough), **BARBARA STEAD** (Finance Oshawa) and **KEITH ZEHR** (MCSS/CYS Toronto). The Workplace Relations Committee provides peer review of AMAPCEO members' individual disputes (grievances) and approves which ones to support at Stage 2 and which ones should be recommended for support at arbitration.
- The Board made two appointments to AMERCs: **CATHERINE CIAVARELLA** in Citizenship, Tourism, Culture and Recreation and **ANNE MORRIS** in Finance.
- The Board appointed **ELIE NASSIF** to a vacancy on the Health and Safety Advisory Committee.
- Members of the Board held a one-and-a-half day strategic planning session in February to review the Board's strategic priorities and to develop a 2005 Workplan that could be tabled with Provincial Council in April.
- The Board authorized a change in the venue for the 2005 Annual Delegates' Conference, which is scheduled for Friday and Saturday, December 2 and 3. We have outgrown the Novotel and need more and better space, so after investigating our options, we have signed with the Marriott Courtyard, 475 Yonge Street, Toronto (just north of Carlton).
- President **GARY GANNAGE** and Vice-President **ROBERT STAMBULA** reported that they would be visiting members who work in regional offices of the Ministry of Health and Long Term Care in February and March to discuss issues related to the government's proposal to establish Local Health Integration Networks (LHINs). A total of eight meetings were scheduled for Sudbury, Newmarket, London, Ottawa, Kingston, Mississauga, Hamilton and Toronto.

## Know Your Agreement: AMAPCEO's Redeployment Protections

AMAPCEO's job security (redeployment) provisions in the Collective Agreement originated in 1996 when the Interim Agreement on Job Security was negotiated (the agreement was "interim" because it covered only a portion of what ordinarily is included in a full Collective Agreement). The full agreement, our first, was subsequently negotiated in 1998 and the interim redeployment articles from 1996 were incorporated into it. The basic redeployment provisions have remained unchanged since then. (A useful summary – both narrative and visual – has recently been posted on the website and can be found under "Quick Links" on our home page.)

Being surplus under the AMAPCEO Collective Agreement is a process rather than a single event and that process attempts to provide employees with as much choice, and as many options, as possible. One little-known feature, Article 18.8.1 (h), exemplifies this characteristic of maximizing choice, and the rules around it were codified in a letter of understanding that was negotiated as recently as 2001 (see page 127 of the current Collective Agreement, our second, which was ratified in 2002).

One potential outcome of being surplus is that an employee could be offered a direct assignment to a vacant position at a classification lower than his or her current position (the maximum salary of the new position could be up to fifteen per cent below the maximum for the current position). In addition, employees have the option of broadening their salary parameters (and thereby expanding the number of possible vacancies for which they might be eligible for direct assignment) by indicating in their employee portfolio that they are prepared to accept direct assignment to a position with a salary maximum *lower* than fifteen per cent below their current position. The reason for doing this would be to increase the opportunities for remaining in the OPS,

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## Changes in AMAPCEO Election Rules

A number of recent changes have been made to AMAPCEO's election rules on the recommendation of the Election and Credentials Committee. The committee is elected by the Annual Delegates' Conference to oversee elections for the Board of Directors, Chapter Chairs and Delegates. The Chair of the Elections and Credentials Committee functions as the chief returning officer for all elections.

At the Annual Delegates' Conference last December, Delegates approved two changes:

- A clarification that any scrutineers named by candidates for election at the ADC must themselves be either a Delegate or a Delegate-at-Large, in other words, someone who ordinarily would be at the conference and entitled to participate on the floor of the conference; and
- A stipulation that all nine members of the Board of Directors (not just the four officers) will require a majority of votes cast in order to be elected to the Board. (Previously, the five non-officer members of the Board could be elected with a simple plurality.) Both amendments were considered housekeeping changes and were approved with virtually no discussion.

A third change was made by the Provincial Council at its meeting in February, having been referred to the council by the Delegates. In future, candidates for the four officer positions (President, Vice-President, Secretary and Treasurer) will be required to have their nomination forms endorsed by signatures from five members in good standing, in addition to the signature of either the candidate (if self-nominating) or a nominator (if someone other than the candidate is nominating).

In recommending this amendment to the Elections By-law, the committee argued that a higher threshold for becoming a candidate for the four senior positions is warranted as AMAPCEO matures and as the responsibilities of its leaders become greater and more complex. The committee believed that the number proposed (five) was a modest requirement that would at least ensure that someone wanting to run for one of the four senior positions in the Association had discussed the matter with a few other people and had some evidence of support beyond himself or herself, but would be unlikely to deter anyone who seriously wanted to be a candidate.

## Labour Board Upholds AMAPCEO on Health and Safety Committees

In a written decision in January, the Ontario Labour Relations Board accepted AMAPCEO's motion to dismiss a claim by the Ontario Public Service Employees Union (OPSEU) that it should be entitled to name all employee representatives on local health and safety committees. The ruling upholds our position that the Occupational Health and Safety Act states clearly that both bargaining agents are entitled to appoint members to a local health and safety committee.

OPSEU was arguing that, as the largest bargaining agent in many OPS workplaces, it has the exclusive right to appoint employee representatives on health and safety committees. Alternatively, it claimed the right to its own separate committees where it would not have to sit with AMAPCEO representatives. Until a couple of months ago, OPSEU had an explicit policy that OPSEU members should not sit with AMAPCEO as employee representatives on joint health and safety committees on the alleged grounds that AMAPCEO and the employer are too closely allied with respect to health and safety matters.

With this decision, OPSEU has decided to rejoin local health and safety committees. AMAPCEO welcomes our OPSEU colleagues back to the table, where we believe we can cooperate on addressing our mutual health and safety concerns. Please refer to our website for more links regarding this topic.

## New This Issue: Featured Website Page

While we're on the subject of health and safety, AMAPCEO *Member News* would like to introduce a new feature: a specific focus on one of our website pages in each issue. The AMAPCEO website has grown and we realize that it is easy to forget exactly what resources are on the site.

Our health and safety page, in particular, has a wealth of information and links to resources that should answer most of your health and safety questions. Specifically, this section of the website includes information on how to refuse unsafe work, who to contact if you have a health and safety issue, how to volunteer to serve on a local joint health and safety committee, and links to the employer's guidelines on health and safety, the Ministry of Labour and the Workplace Safety and Insurance Board.

Many knowledge workers think health and safety issues are more relevant to industrial and construction sites, but our members have made it clear that issues such as ergonomic work stations, air quality, stress and harassment are priorities that need to be addressed. We have vacancies on local joint committees, so if you are interested in helping to represent your colleagues, please check the website for a nomination form.

## Book Review

### Public and Private Persons: The Ontario Political Culture, 1914-1934, by Peter N. Oliver (Clarke Irwin & Company, 1975)



A retired member sent in a suggestion that we consider this “old favourite” as our second book review (you will remember that our first review was the recent Annual Report of the Provincial Auditor). While space restrictions prevent anything other than

a cursory summary of this book, it is easy to understand why it is a favourite with anyone concerned about Ontario public policy.

Peter Oliver, a Professor of History at York University, specializes in Ontario history and has also written biographies of Premier Howard Ferguson and the late Conservative minister Allan Grossman. In *Public and Private Persons*, Oliver deals with a period of Ontario history that is not well known and yet was characterized by social upheaval, political scandal, surprising election upsets and changes in government, colourful characters and the introduction of many progressive policies and institutions from which our current public sector has emerged. During this twenty year period, Ontario experienced the disruption and losses of the First World War, postwar social adjustments, the stock market crash and significant changes in the economy, but perhaps the most fundamental change was in the attitude of Ontarians toward their government and in the expectations of citizens with regard to government’s role and responsibilities.

During this period, Sir Adam Beck built the publicly owned hydro-electric generating station at Niagara Falls (at the time the largest generating station in the world). The Ontario government began an active highway building program, established a child welfare bureau, passed a town planning act, developed a housing plan, enacted mothers’ allowances and a minimum wage for women and created employment bureaus. The Workmen’s Compensation Act was passed in 1914. The first Minister of Labour was named in 1919. In a particularly far-sighted move, the Ontario Research Foundation was established in 1928 to promote scientific research. Provincial government expenditures increased rapidly.

A Civil Service Commissioner was appointed in 1918, although patronage appointments to the civil service continued to be made by politicians for many years. By the end of the period, however, it was becoming clear that new social, educational and economic demands on the province required a more professional and competent civil service. Professor Oliver has produced a fascinating look at a period in which the role of the provincial government changed dramatically, resulting in a phenomenal growth of the public sector in Ontario that established the foundation for the public infrastructure that we enjoy and (sometimes) take for granted today.

## Member Reconciliation Committee

At the second Annual Delegates’ Conference held in 1996, the Delegates approved establishing a Member Reconciliation Committee. This committee was established for the purpose of attempting to inquire into, to resolve and if necessary, to offer recommendations on specific disagreements that may arise between and among members-in-good-standing.

The nature of the disagreements and/or complaints falling within the committee’s mandate are limited to:

- Disagreements between members with respect to actions taken or statements made in a member’s capacity as an employee (i.e., workplace related), provided such disagreement or complaint does not constitute a dispute that falls within the mandate of the Dispute Resolution Committee;
- Disagreements between members with respect to actions taken or statements made in a member’s capacity as a member of the Association (i.e., related to one’s membership and participation in AMAPCEO);
- Disagreements or complaints that form the basis for potential actions under Article 10 of the Constitution (i.e., request for resignation, censure or expulsion from the Association), but only if such disagreements or complaints are explicitly referred to the committee by the Board of Directors;
- Disagreements or complaints arising from the AMAPCEO nomination and elections process.

The full terms of reference of the committee are contained in Bylaw 4 (see the website under “Constitution and Governance”). Although an intake process is being refined by the committee and should be available shortly, if you have an issue that might fall within the committee’s jurisdiction, feel free to contact your ministry Dispute Resolution Officer in the meantime.

## Kingston Chapter Meeting A Success!



Kingston Chapter Chair **BILL MCNAMARA** (MCSS/CYS) reports that a very successful meeting of Kingston AMAPCEO members was held at the Kingston Brew Pub after work on Thursday, March 3. About 20 per cent of the total membership showed up for a combination social event and an opportunity to hear first-hand from President Gary Gannage on bargaining, job evaluation and other issues.

## AMAPCEO Renews Office Lease

After reviewing the report of the Accommodation Review Committee, Delegates at the annual conference in December authorized the Board of Directors to renegotiate the lease on the Association's current office space at 1 Dundas Street West in Toronto. The lease was due to expire in December 2006 and the Delegates asked the Board to seek an extension of no less than five years beyond 2006 in order to maximize cost savings.

At its meeting in February, the Board approved the terms of a new lease that extends to the end of February 2012. Negotiations with our landlord, Cadillac Fairview, resulted in a significant improvement in the terms, including a substantial reduction in the rental rate in each year. The lease has also been amended to give AMAPCEO more flexibility in subleasing our space in the event that other opportunities present themselves in the future.

The Delegates asked the Board to review a market scan of available options regarding lease and purchase opportunities on an annual basis and, if a cost-effective opportunity to purchase a property should arise, a recommendation can be made by the Board to the Provincial Council.

## Wal-Mart Watch (2)

A sharp-eyed member has drawn an error in the last issue to our attention. In "Wal-Mart Watch" in the Dec/04-Jan/05 edition, we stated that the CAW successfully organized the first Wal-Mart store in Canada (in Windsor in 1996) and that the Ontario Labour Relations Board certified the union based on the number of employees who signed union cards. In fact, it was the United Steelworkers of America that organized the Windsor store, and we should have pointed out that, while the Board did certify the union without a vote and based on membership cards, the fundamental reason was that Wal-Mart had violated the Act by implying that the store would close if workers voted in favour of unionization, thereby creating a climate of intimidation.

At that time, the Labour Relations Board had the option of automatically certifying a union without a vote where there was evidence of egregious employer misconduct. That power was taken away by Bill 31 (known as the "Wal-Mart" bill), introduced by the previous government and enacted in June 1998. The right of the Board to order automatic certification will be restored if the current government's Bill 144, introduced last November, is adopted by the Legislature.

More recently:

- As we were going to press, The United Food and Commercial Workers, the union that is trying to organize Wal-Mart employees in Quebec and Saskatchewan, was seeking to win a certification vote at the Windsor Wal-Mart store, almost ten years after the last effort.
- Wal-Mart has announced that it is closing its store in Jonquière, Quebec, where the UFCW first won certification, ostensibly because the store isn't meeting its financial targets. A recent poll reported in the *Globe and Mail* revealed that Canadians are not buying Wal-Mart's explanation: almost nine out of ten surveyed said they believe the closing is because the store has a union and 31 per cent said they would either shop less or stop shopping at Wal-Mart because of the closing.
- The Quebec Labour Relations Board ordered Wal-Mart to stop intimidating and harassing workers who are attempting to organize a union at the store in Ste-Foy, just outside Quebec City.
- The Workplace Safety and Insurance Board in Ontario announced in February that Wal-Mart was fined \$500,000 after pleading guilty to 25 charges of failing to report workplace injuries over the past four years.

## Briefly Noted

### Younger Workers Want What Older Workers Want

Evidence is increasing that younger workers are not much different from their older colleagues in their work expectations and priorities. Recent studies have indicated, for example, that Generation X employees value work-life balance, vacation entitlements, benefit plans and pensions, just as their Baby Boomer parents do. Many employers, including our own, have suggested that traditional benefits, including defined benefit pension plans, do not appeal to younger workers and, therefore, do not constitute effective recruitment incentives, in part because this generation does not see itself as staying with a single employer for very long, preferring to move frequently from one workplace to another.

One recent in-depth survey of 20,000 current postsecondary students in Canada would appear to contradict this view. The "Learning to Work 2004" survey conducted by D-Code, Inc., a Toronto firm that specializes in research on Generation X and Y, found that 41 per cent of students said they wanted to find an employer where they could spend their whole career; only 26 per cent said they did not want to spend their career with one employer. The majority of respondents also indicated a preference in working for larger organizations because, according to D-Code partner Eric Meerkamper, larger employers "offer more stability, opportunity for responsibility and advancement and are believed to have better resources to invest in training". He noted that other priorities identified by students included finding workplaces with good co-workers and good managers.

### E-Mail Advisory

The explosion of e-mail has brought with it a raft of privacy concerns, as well as questions about what is appropriate use of office e-mail systems and computer equipment. In some cases, security features, such as passwords, give users the illusion of privacy when this is not the case.

AMAPCEO advises its members to exercise caution when using e-mail or accessing the internet at the workplace. Whereas the personal use of an office phone has become widely accepted in most workplaces, including the OPS, different attitudes and practices exist with regard to the use of the employer's computer system and e-mail.

Not only *can* the employer monitor your e-mail messages and the websites you visit (both technically and

legally), it is probably wise to conduct yourself on the assumption that you *are* under surveillance and to adjust your behaviour accordingly. When it comes to using e-mail, people often express themselves less formally and more directly than they would in letters or in phone or face-to-face conversations and they are often more willing to forward inappropriate messages from others without thinking. As a result, use of e-mail and websites has generated a number of disciplinary actions involving civil servants, including AMAPCEO members.

The employer is able to monitor your computer use both in real time and historically. Even if you delete messages from your e-mail folders, they are retained on the server and the employer can access them months later and can easily reconstruct what you did with each message (e.g., whether you deleted it, forwarded it, opened any attachments, etc.). The employer can also document every web page you visit, how long you spend on each site and which pages you open. All of these records can be entered as evidence in disciplinary or grievance hearings.

Here are a few tips to remember:

- Don't respond to negative or critical comments from a colleague or stakeholder by e-mail; use the phone.
- Think carefully before you forward an e-mail message from one person to someone else; consider whether you are forwarding something that could be considered offensive or inappropriate, whether you might be violating a confidence or whether your sharing the message might exacerbate a given issue.
- It is a useful practice to wait awhile and re-read a message before you actually send it; e-mail messages can often be misinterpreted because of their informality, ambiguity or lack of context.
- Although you are entitled to use the employer's equipment to communicate with the AMAPCEO office or a Workplace Representative on an issue related to the Collective Agreement or the workplace, use your judgement as to what to include in any message. It might be better practice to use the phone and then fax material than to make extensive use of e-mail messages with attachments.
- Read your ministry's policies on use of e-mail, internet and computers and understand the employer's rules, notwithstanding that AMAPCEO does not necessarily agree with many of those rules and we reserve the right to challenge them. If in doubt about what you can or cannot do, please contact a Workplace Rep or the Dispute Resolution Officer for your ministry.

## Volunteering is Good for Your Health

As a faithful reader of *AMAPCEO Member News*, you are no doubt accustomed to our exhortations to become involved in the Association by running for office, volunteering to serve on a committee or just coming out to a meeting. One of the reasons for doing so, of course, is self-interest: AMAPCEO is *your* organization and has a strong tradition of being run by its members. By becoming involved, you are ensuring that your affairs are being properly managed.

It is also the case that taking on responsibilities for AMAPCEO can develop or improve transferable work skills that you can apply elsewhere in your OPS career.

In addition, by contributing your time and skills to AMAPCEO, you are making the Ontario Public Service and your own workplace better for you and your colleagues.

It turns out, however, that there is another, equally compelling reason for volunteering: it is good for your health! Researchers who study altruism, according to recent reports in the *Globe and Mail* and the *New York Times*, believe that volunteering or otherwise helping others generates the same kind of endorphin rush that runners get, which can boost the immune system, speed recovery from illness or surgery, make you happier, reduce stress and improve sleep patterns.

As California biologist Jeffrey Schloss notes, "it's not just a moral cliché"; it really is "better to give than to receive". So, for the good of your health, why not consider getting involved in AMAPCEO? Please visit the "Membership and Volunteering" section of our website for more information, including a copy of recent media reports on the benefits of volunteering.

## AMAPCEO Staff News

AMAPCEO welcomes **KEISHA FERGUSON FORDE** back to the office staff, this time as Administrative Assistant, Membership Support. Keisha worked in 2003-04 as a temporary replacement for **ALEKSANDRA OSVALD**, who was on maternity leave. Aleksandra, as Administrative Assistant, Financial Support, will continue to focus on the Association's financial matters, and Keisha, who has a strong background in data base management, will oversee our membership data base.

**JONATHAN CARSON** has been appointed as Research Officer. Jonathan started on a part-time basis this month and will be here full-time on April 11. He holds a BA in Political Science from the University of Calgary, a Master's in Political Science from York University and is graduating this spring from the University of Toronto law school. Jonathan has worked at ARCH, a legal resource centre for the disabled, as well as on a research project involving a public service dispute in B.C. He served as a trustee for CUPE Local 3901 while at York and is currently a senior editor of the U of T Law Review.

**MATTHEW HILL** starts on March 21 as a Project Officer. He has worked for the last ten years at Campus Co-Op Residence, Inc., a housing co-operative that operates 32 houses near the University of Toronto. Matthew has been Membership Co-ordinator of CCRI since 1998 and comes to AMAPCEO with strong membership development skills and experience in research, analysis, committee/board support and mediation. He also has experience in organizing, having worked on a volunteer basis with UNITE/HERE in attempting to organize campus food service workers. Matthew holds a BA in Political Science from U of T.

**TARA IRWIN** has also been appointed as a Project Officer and will join us on April 4. She holds a BA in Psychology from McMaster University and a Master's in Industrial Relations from the University of Toronto. She has worked as a labour relations researcher analysing compensation in the automotive industry, and has experience working on job evaluations for the U of T HR Department. She also worked as an HR assistant for a start-up technology firm. Tara has experience as a board member of Distress Centre Hamilton, where she initiated and implemented a training program for staff and volunteers.

**BURKE MOFFAT**, who has worked as a Project Officer at AMAPCEO since August 2000, was promoted in December to the new position of Labour Relations Specialist, in recognition of increased responsibilities in the areas of job jurisdiction, exclusion issues, policy disputes and the job evaluation project.

Finally, a new Dispute Resolution Officer is being recruited to succeed **ALEXANDER SABHARWAL**, who resigned in January.

A warm welcome to Keisha, Jonathan, Matthew and Tara, congratulations to Burke and best wishes to Alexander.

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## What to do if your address changes

If your home or work contact information (address, phone, e-mail) should change, please be sure to make the change first in your WIN account. Then, let AMAPCEO know by sending an e-mail to Keisha Ferguson (at [ferguson@amapceo.on.ca](mailto:ferguson@amapceo.on.ca)) or fill out the form on our website (click on "Address Change" on the home page). Unfortunately, notifying AMAPCEO alone without making the change in WIN will not work, since our data base is automatically updated with your WIN contact information when we receive our monthly dues remittance from the employer.

## Know Your Collective Agreement: AMAPCEO's Redeployment Protections

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particularly if there do not happen to be many vacancies at the time of the surplusings.

Article 18.8.1 (h) and its associated letter of understanding essentially make a direct assignment to a lower classification a mere temporary setback, since under this article, the affected employee is entitled to be appointed to a future vacancy that occurs in his or her ministry at his or her old classification and that he or she is qualified to perform. There is no time limit on this entitlement and, if a competition is underway and the employee becomes aware of it and triggers the entitlement, the competition must be stopped, the employee's qualifications assessed and, if qualified, the employee is entitled to be appointed directly to the vacant position. Thus, a direct assignment to a lower classification if you are surplusd may not be as disruptive as it seems at first glance and could end up being just a temporary and short-term interruption in your OPS career.

## AMAPCEO Approaches Important Anniversary

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Final implementation was contingent on the OLRB confirming our majority sign-up, which was done on May 12, 1995 following a formal count of the membership forms.

Among the significant features of the *Voluntary Recognition Agreement* were:

- The employer agreed to the Rand formula and began deducting dues from all represented employees once the majority support was confirmed by the Ontario Labour Relations Board. This allowed us to start paying our lawyers, repaying our debts and hiring more staff.
- AMAPCEO was given reasonable access to meeting rooms in government buildings.
- Leave provisions were negotiated to enable our representatives to attend meetings and conduct AMAPCEO business.
- A timetable was established for addressing the status of excluded positions.
- The employer agreed to consult AMAPCEO on a weekly basis (through the joint "Freeze Committee") on all reorganization and restructuring proposals, with binding arbitration available to settle any freeze-related disputes.
- The parties agreed that, if they could not reach agreement on a first contract, any disputes would be referred to binding, third party arbitration.

The timing could not have been better, coming as it did just before the election in which the government changed from the NDP to the Conservatives. One year later, AMAPCEO negotiated an interim collective agreement that provided members with seniority and job security protection for the first time.