

# AMAPCEO MEMBER NEWS

Association of Management, Administrative and Professional Crown Employees of Ontario

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## An Update on Bargaining and Job Evaluation

*Gary Gannage, President*

In the past, we had suggested that this round of collective bargaining would be the most challenging that we have faced thus far. We are now experiencing this! Despite significant amounts of activity and dialogue, we are having difficulty in getting the employer to engage with us in staking out the framework for a fair settlement. Our collective agreement expired on March 31, 2006 (although its provisions continue in the meantime) and in December, it will have been more than **twenty months** since AMAPCEO-represented employees received an across-the-board salary increase.

The central issue in bargaining this round is salaries and job evaluation. Other important issues on which we hope to make progress include alternative work arrangements (such as compressed work weeks, flextime and telecommuting), stronger language against workplace bullying (see the article inside on page 8), training, bargaining unit integrity and conversion of long-serving unclassified employees. We have also been confronted, as reported previously, with the employer's demands for unacceptable concessions on job security, which have added unnecessary tension to the bargaining dynamics.

This round of bargaining was intended to complete and institute a new job evaluation and classification system in the AMAPCEO unit – a project that has been underway since 2002 and that was originally supposed to conclude in 2004. Because of delays and a greater appreciation by both parties for the complexity of the process, a new completion date of 2006 was set. Now, however, the employer has proposed a timetable that would see the job evaluation project extend through all of 2007 before it is expected to be finished.

It seems clear to us that the employer will want to either avoid job evaluation in this round of bargaining by putting it off again, or it will want to try and contain the cost implications in advance or otherwise circumscribe the improvements to the unit which we anticipate job evaluation could bring. In other words, the employer will want **you** to pay the cost of job evaluation. Delaying tactics seem to be part of the employer's strategy in accomplishing this goal. For example, the employer has had since last spring to prepare revised job descriptions based on the input provided by AMAPCEO members through the PIQ process; the job specs are only now ready and will be sent out to employees and managers for comment beginning this month.

We are in the process of intense discussions with the employer to get the clearest and earliest possible timeframe for the conclusion of the job evaluation project. We are also exploring the possibility of an interim arrangement in order to ensure that AMAPCEO employees do not go much longer without an economic adjustment.

While job evaluation is the most important aspect of salaries in this round of bargaining, the salary picture for the AMAPCEO unit is also affected by how we compare to the marketplace for comparable jobs. In 2001, the Association commissioned and distributed an independent report prepared by Hay Associates on comparable jobs in the marketplace. We asked Hay to conduct a similar study this year and expect to be able to share the results with the membership very soon. Another important factor in bargaining are other settlements in the public sector, including settlements with other bargaining groups inside the OPS. We will be reporting to you

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## Board and Council News

AMAPCEO's Provincial Council and Board of Directors made a number of decisions in meetings held this Fall.

**2007 Annual Budget.** The Board recommended a \$5.4 million balanced budget for 2007 to the Delegates at the December ADC. Our new fiscal year begins on January 1, 2007. Treasurer **PHYLLIS WAUGH** reviewed the proposal with the Provincial Council (which consists of the 23 Chapter Chairs as well as the nine members of the Board of Directors) at the October Council meeting. The Council voted to endorse the budget, which was subsequently approved by the Delegates.

**Member Appointments.** Also in October, the Provincial Council appointed **JERRI-LEE DOYLE** (MCSCS, North Bay) as a Delegate-at-Large to the December ADC. In September, the Board of Directors appointed **PAULA EYLER** (MCSS/CYS, Thunder Bay), **BARBARA GOUGH** (TCU, Toronto) and **SANDRA LANE** (Finance, Toronto) to the Board's Health, Safety and Wellness Committee. The Board also appointed **GREG IRELAND** (MCSCS, Hamilton) as a member of the Community Safety and Correctional Services AMERC (AMAPCEO-Ministry Employee Relations Committee).

**Member Reconciliation Committee Process.** The Member Reconciliation Committee is responsible for mediating disagreements that occur *between* AMAPCEO members (as distinct from disputes against the employer filed under the collective agreement). The Board and Council both endorsed review criteria and procedures under which member reconciliation cases will be handled by the committee, essentially modeling them on those used for reviewing potential collective agreement disputes. There have been no member-against-member cases brought forward in the ten years that the committee has been established, but as a good governance practice, the process is now in place should any arise in the future.

**Constitutional Review.** Our constitution requires that a full review of the constitution and by-laws be conducted by the Delegates every five years. The last such review was concluded in June 2002, resulting in a comprehensive overhaul of the constitution. At its September 13<sup>th</sup> meeting, the Board approved a resolution, subsequently endorsed by the Provincial Council, recommending that a five-member special constitutional review committee be struck at the Annual Delegates' Conference. The proposal was approved by the Delegates and the committee has been asked to submit a final report in time to be considered at the December 2007 ADC.

**Investment Fund Management.** At its meeting last month, the Board expanded the number of investment firms managing the AMAPCEO investment funds (including our labour disruption fund) from six to ten, in order to decrease the impact of market volatility, allow for the risk to be spread out and provide greater opportunity for longer term returns.

## AMAPCEO Pays Tribute to Activists

It happens with every call for nominations: some incumbents decide not to seek re-election, for any number of reasons, including a desire to promote "new blood". AMAPCEO acknowledges the work of the following members who decided to step down this Fall:

- **KEVIN KILLOUGH** (MCSCS London), who has been the Chair of the London Chapter for over five years and who continues as a Workplace Representative.
- **APRIL EASTMAN** (Labour Toronto), who has been Chair of the Ministry of Labour Chapter since 2002, but who continues as both a Workplace Representative and AMAPCEO co-chair of the Labour AMERC (AMAPCEO-Ministry Employee Relations Committee).
- **ROGER NEWELL** (MCSCS Hamilton), who has been both Chair of the Community Safety and Corrections Chapter and co-chair of that ministry's AMERC. Roger was also a member of the central Member Reconciliation Committee and continues as a Workplace Representative.
- **CATHERINE MILLER** (MCSS/CYS Peterborough), who is leaving the Board of Directors after completing a two-year term. While on the Board, Catherine served on the Health, Safety and Wellness Committee. Before joining the Board, Catherine was the Chair of the Peterborough/Natural Resources Chapter and she also served on the central Audit Committee, including a term as chair. Catherine will step down temporarily from her responsibilities as a Workplace Representative while she takes a leave to work with an agency outside the OPS.

## Bargaining and Job Evaluation Update

*Continued from front page*

in the coming weeks on our analysis of those other settlements so you can see what a reasonable salary settlement might look like for AMAPCEO-represented employees at this time.

Our view continues to be that job evaluation is critically important for internal equity and fairness to our members. Our outdated job classification system has been consistently identified by members as a top priority that needs to be reformed. We thought the employer shared our concern to reform the current system, particularly given the employer's rhetoric about focusing on recruitment and retention issues. The employer's representatives keep **saying** they are committed to it, but actions (or inaction in this case) tend to speak louder than words.

## AMAPCEO Delegates Gather for Annual Conference

AMAPCEO's highest governing body, the Annual Delegates' Conference, was held in Toronto on Friday and Saturday, December 1<sup>st</sup> and 2<sup>nd</sup>, 2006.

The Annual Delegates' Conference (or ADC) consists of approximately 140 elected representatives: the nine members of the Board of Directors, the 23 Chapter Chairs and over 100 other Delegates who are elected on the basis of one Delegate for every fifty members.

In addition to approving the annual budget, accepting audited financial statements and appointing external auditors (the firm of Clarke Henning LLP was re-appointed), the ADC also filled positions on the Board (see separate article) and a number of committees; received reports on the status of bargaining and the job evaluation project; and heard from two guest speakers:

**GERRY PHILIPS**, Minister of Government Services, and **ALLAN GREGG**, pollster and public commentator.

Elected to the Audit Committee were incumbents **ARTHUR BROWN** (Environment Toronto) and **ARTHUR MOHIPP** (Finance Toronto), along with new member **GERRY WHITTAKER** (MGS Toronto), who join **RICK BERTOZZI** (MTO Toronto) and **DAVE PLUMPTON** (MGS Toronto), both of whose terms continue until next year.

The 2007 Elections and Credentials Committee will consist of one returning member, **JAMES QUIGLEY** (MTO North Bay) and four new members: **CAROLANNE ALLEN** (OSAA Toronto), **ANNA BRUNEMEYER** (Education Toronto), **SHERRY FLOOD** (MTO Sudbury) and **DOUG PLAUNT** (MTO Sudbury). Incumbents **ROGER BANGS**, **TOM BERTRAND**, **MURRAY GAUDREAU** and **RAY WRIGHT** decided not to stand for re-election.

The Resolutions Committee for 2007 will include incumbents **KEITH BAIRD** (Education Toronto), **SHARYN BIR** (MGS Toronto) and **FRANK CERILLI** (MCYS North Bay) and new members **JANET DAVIES** (MAH Toronto) and **MYRNA LYNCH** (MOHLTC Toronto). Incumbents **STEVE SMITH** and **CATHERINE MCPHERSON** did not seek re-election.

After approving the establishment of a special Constitutional Review Committee with a mandate to report back to the 2007 ADC, the Delegates elected five members to that committee:

**KEITH BAIRD** (Education Toronto), **LINDA BALLANTYNE** (MGS Toronto), **MURRAY GAUDREAU** (Education Toronto), **MAGGY MURRAY** (Finance Toronto) and **DIONNE SINCLAIR** (MCSCS Ottawa). A review of the constitution is required to be conducted every five years and the last one was done in 2002.

Finally, the Delegates unanimously endorsed a resolution proposed from the floor to direct the Board of Directors "to take immediate and ongoing action with the employer to eliminate bullying and harassing behaviours in the OPS". During debate, individuals reported on incidents they had witnessed and workplaces that had been poisoned by bullying or harassment. (See also the related story on page eight of this newsletter.)

For further information on the ADC, including copies of the agenda, the Annual Report of the Board of Directors and a full list of Delegates, please visit the AMAPCEO website. Members in good standing who would like copies of additional ADC reports and material should contact **MICHAEL MOURITSEN**, Director of Operations and Planning, at extension 2724 or by e-mail at [mouritsen@amapceo.on.ca](mailto:mouritsen@amapceo.on.ca).



### Dan Skwarok & Domenic Fragale Elected to the Board of Directors

**DAN SKWAROK**, a Senior Client Representative with the Office of the Public Guardian and Trustee in Sudbury, was the only new member elected to the Board of Directors following the December Annual Delegates' Conference. Dan, who is currently the Chair of the Sudbury/MNDM Chapter, will serve a two-year term as a Director on the Board.

Incumbent **DOMENIC FRAGALE** (MCSS Toronto) was re-elected to a second two-year term as a Director.

As previously reported on the website, President **GARY GANNAGE** (MOHLTC Toronto) and Vice-President **ROBERT STAMBULA** (MTO Toronto) were re-elected by acclamation.

The terms of incumbent Board members **DAVE COLVIN**, **PHYLLIS WAUGH**, **KEITH BAIRD**, **MARGARET KIPP** and **LINDA SULLIVAN** continue for another year.

## Member Profile: Psychiatric Patient Advocate

*First in an occasional series on the work of our members.*

*AMAPCEO Member News* is introducing a new feature profiling the type of work our members do and the contributions they make as Ontario public servants. The AMAPCEO bargaining unit encompasses an incredibly broad range of professional careers and the almost 9,000 employees we represent constitute a rich resource of experience, education and insight as they go about performing their responsibilities each day in every ministry and in every region of the province.

Our goal is both to pay tribute to the work of our members and the value they bring to their jobs, but also to familiarize AMAPCEO-represented employees with what their colleagues in other ministries do and to show how and why our work is important to the public. As one of our members who wrote to suggest this series said, "Sometimes we need to remind ourselves, and our employer, that the work we do has value and that it makes a difference."

This article features the Psychiatric Patient Advocates, of whom there are 15 who work as members of the Psychiatric Patient Advocate Office (PPAO), an arm's length agency of the Ministry of Health and Long-Term Care. The office was established in 1983 to protect the civil and legal rights of inpatients in the provincial psychiatric hospitals. The vision of the PPAO is that persons with mental illness in Ontario be treated with dignity and respect, that their legislated rights and entitlements be upheld at all times and that they be actively involved in all decisions affecting their lives, care and treatment. The advocates are in the field - on site in the ten current and divested mental health centres, but they are OPS employees and do not report to the local hospital administration. Their role is to act as advocates and rights advisors for individual patients within the hospital, trying to help patients develop their own skills and make their own informed decisions.

"An advocate's job can be difficult at times," says **COLLEEN WOODRUFF**, a Psychiatric Patient Advocate in Kingston who was interviewed by *AMAPCEO Member News* recently. "We are client instructed and believe that the client has the right to make their own choices, good or bad. We all have the right to make choices and learn from our mistakes," she continued. "This philosophy is not always met with enthusiasm from the [hospital] treatment team, but the goal is to reach an outcome, which hopefully is to the client's satisfaction, through negotiation".

Another responsibility of the PPAO is to identify and address general or systemic issues in specific hospitals or in the mental health system as a whole. Advocates need to stay abreast of mental health issues and developments in order to be effective advocates for their clients. The PPAO also has an educational mandate with patients, their families, hospital staff, communities, other mental health professionals, students and the general public, with a view to promoting the rights of psychiatric patients.

**JULIEN KUSEK**, a Psychiatric Patient Advocate based in Penetanguishene, was motivated to leave the corporate sector to get involved with something more meaningful. "Throughout my prior careers," he told us, "I always enjoyed working with people in order to achieve some positive result. I made a decision to join the public service as I considered public service as the main driver for helping people in our society...Despite 'reality setting in', my enthusiasm and love of my work reaffirms my decision to join the Psychiatric Patient Advocate Office. The camaraderie of our far flung organization adds to my job satisfaction."

As with most jobs, an advocate faces many hurdles and challenges daily. "Our clients are often poor," says Kusek, "many have severe mental illnesses and all are stigmatized and marginalized by society. My daily challenge is to assist them with *their* challenges... We need to deal with emotional events that affect everyone at various intensities and not lose sight of our responsibility to our clients to advocate in their instructed and non-instructed interests."

Despite the challenges, Colleen Woodruff says, "it is a great time to be involved in advocacy", particularly with the roll-out of the 'Recovery Model', a conceptual framework for understanding mental illness and a system of care to provide supports and opportunities for personal development. "I am excited to be around to see and experience such amazing changes," she said.

Colleen, Julien and their colleagues in the Psychiatric Patient Advocate Office clearly love their work - work that is vitally important to those of our fellow citizens who are among the most vulnerable and misunderstood in our society. In future issues, we will explore more of the work performed by AMAPCEO colleagues throughout the OPS - your comments and suggestions, as always, are encouraged.

## Employer Agrees To Restore Successor Rights

In legislation tabled on November 2<sup>nd</sup>, 2006 (Bill 158), the provincial government acted to fulfill the Premier's commitment to restore successor rights to OPS employees – rights enjoyed by unionized workers everywhere else in Ontario but removed from civil servants by the previous government in 1995.

With successor rights, the protection of a collective agreement and membership in the bargaining unit automatically follow employees who are divested to a new employer. AMAPCEO has been advocating for a restoration of successor rights since the current government was elected in October 2003.

If the legislation is passed, and where a divestment of bargaining unit functions or jobs constitutes a “sale of business” as defined in the *Ontario Labour Relations Act*, the existing obligation of the employer to use “reasonable efforts” to get the new employer to match employees' current entitlements will be replaced with the following obligations:

- The service and seniority of employees who are transferred to the successor employer carry over to the new employer, along with all of the provisions of the AMAPCEO collective agreement. AMAPCEO continues to represent the employees transferred (although there may be situations, if more than one bargaining agent is being transferred, where the affected employees will have an opportunity to vote among existing bargaining agents).
- Employees who do not receive a job offer or who refuse a job offer from the successor employer will be surplus under the provisions of the AMAPCEO collective agreement, i.e., they will have normal access to redeployment, severance and other provisions.
- The employer is required to provide advance notice of any proposed transfer according to the current provisions of the collective agreement.
- Employees who refuse a job offer and leave the OPS with a severance payment will have to repay any payments received if they accept employment with the successor employer within 12 months of the date of transfer.

Where there is a divestment that does not meet the definition of a “sale of business”, the current reasonable efforts obligations of the employer remain in place. These are contained in letters of understanding on pages 67 and 69 of the collective agreement (and are also summarized on the website in the job security rules found under “Quick Links”). AMAPCEO also retains its rights to file a dispute – at the Grievance Settlement Board with respect to disputes over reasonable efforts issues and at the Ontario Labour Relations Board for disputes related to a proposed sale of business.

## Government Adopts AMAPCEO Advice on Whistleblower Protection



AMAPCEO President Gary Gannage presents a whistle on an AMAPCEO lanyard to Government Services Minister Gerry Phillips

Readers of this newsletter will know that AMAPCEO has been urging the Government of Ontario to enact strong whistleblower protection for the OPS since the last provincial election. Within days of the Liberal government being sworn into office, in October 2003, AMAPCEO President **GARY GANNAGE** met with Government Services Minister **GERRY PHILLIPS** and asked him

to either implement the existing whistleblower legislation or introduce new provisions.

On November 2<sup>nd</sup>, 2006, Mr. Phillips responded, by introducing what we believe will be the strongest whistleblower protection law in Canada (Bill 158) if it is passed by the Legislature and, of course, if it is subsequently proclaimed. (The existing legislation that the new amendments are intended to replace was adopted by the Legislature in 1993 and was even given Royal Assent, but it was never actually implemented through the process of being proclaimed by the government.)

While whistleblower protection will promote transparency and accountability, other amendments to the *Public Service Act* will recognize the public service, in law, as apolitical and non-partisan, which we also believe is an important achievement, particularly in light of member complaints during previous election campaigns that they were being asked to provide information that was being used by the government for partisan purposes. “It is in the public interest that this nonpartisan role be codified in legislation and citizens will be the ultimate beneficiaries,” said Gary Gannage after the amendments were introduced.

The Association submitted three extensive briefs to the Ministry of Government Services as part of the *Public Service Act* reform consultation. In acknowledging our contributions, Mr. Phillips noted that the whistleblower legislation “has AMAPCEO’s fingerprints all over it”. Among the important changes the government made in response to AMAPCEO’s advice were the need for clear and broad grounds for disclosure of wrongdoing; an independent commissioner to receive disclosures of wrongdoing; anonymity for whistleblowers; and the need for tough measures to deal with reprisals against whistleblowers.

To read the AMAPCEO submissions on the *Public Service Act* reforms, please visit our website and click on “Briefs and Submissions”.

## Hitting the Target but Missing the Point? Review of an IPAC Panel Discussion

Held on Wednesday, November 15, 2006, 8:30 a.m.

Rather than provide our usual review of a book or article, *AMAPCEO Member News* plunked down its \$25.00 registration fee and decided to review a panel discussion sponsored by the Toronto Region of the Institute of Public Administration of Canada (IPAC), held last month at the Metro-Central YMCA in Toronto. The topic: a rather provocatively titled "Hitting the Target but Missing the Point? Performance Measurement in the Public Service".

Professor **PAUL THOMAS** of the University of Manitoba moderated a panel on November 15<sup>th</sup> consisting of Ontario Auditor-General **JIM MCCARTER**; **BRIAN MARSON**, a senior advisor with the federal Treasury Board; and **MARK MACDONALD**, head of KPMG's government consulting practice. Over 100 bleary-eyed federal, provincial and municipal public servants turned out at 8:30 in the morning to sip bad coffee and munch on sticky buns as the panelists explored a subject that has become an obsession with elected officials, civil servants, academics and media observers across the country: How can accountability and transparency be improved and how do we know it has improved? Is there a link between performance management and measurement, on the one hand, and increased accountability and transparency, on the other?

In introductory remarks, the panelists noted the recent history of various attempts to manage and measure performance (in Ontario, for example, there was Management by Results in the 1980s, followed by the preparation of Annual Business Plans containing performance measures in the 1990s, evolving into the current Results Based Plans). It was noted that Ontario municipalities are required to report on 54 key measures; performance measurement is specified in legislation establishing the new Local Health Integration Networks (LHINs); and, of course, there has been the mother of all attempts to make government accountable post-Gomery: the federal Accountability Act (which will lead, joked Professor Thomas, to "more people checking than doing", an example of what he called a new medical condition: Multiple Accountability Disorder or MAD).

Despite the requirements for increased reporting on performance measures by government agencies and public institutions, some difficulty has been noted actually putting performance management into practice and some cautionary remarks have begun to emerge recently from independent external observers. The Canadian Institute of Chartered Accountants, for example, has wisely suggested that numbers alone do not tell the whole story and that there is a need to report on more than just quantitative measures. In other words, it is important to measure what counts, not just what can be counted. Other challenges that were noted include:

- There is a risk of information overload, both for the public and the media. While it is no doubt a good thing that more material is publicly accessible on websites (Jim McCarter reported that, according to feedback from MPPs, their constituents like being able to get information about government programs and publicly funded institutions from websites), too much information, sometimes badly organized or presented or not expressed in layman-friendly language, risks being overlooked.
- The results may not be seen as worth the effort required. Jim McCarter noted the health indicators report that the provinces put together in 2003 and 2005. A lot of work went into it, the material was well presented and the results for Ontario were excellent. It was an example of something, in his view, that government did right (presenting useful information and reporting on it), but no one read it and now the reaction is: who cares, why we should continue doing it?
- There is a suspicion that governments or agencies only report on the good news and either don't report or play down or fudge the less flattering results.
- There is cynicism among public servants who do not see a connection between performance bonuses and, for example, increased funding for their program. Do the performance indicator results make a difference in how their program is affected?
- The same report may be trying to satisfy too many different audiences; there needs to be a balance between providing too much information or detail, which might be useful for analysts and specialists, and a simpler overview and summary that would be helpful to the media and public. The purpose and target audience need to be kept firmly in mind.

One of the more fascinating presentations was from Brian Marson of the federal Treasury Board, who reported on the little-known success of Canadian governments (federal, provincial and municipal) in measuring and comparing service standards and outcomes. Through this work, which began in 1997, Canada, apparently, is the only country in the world that can demonstrate the level of its citizens' satisfaction with public services. Other countries send representatives here to find out how we do it. The goal, he said, is not just about measurement; the effort is to improve outcomes by improving satisfaction through measuring citizen trust and confidence in public services.

Further, he said, by benchmarking similar services (e.g., the RCMP against municipal police forces, all of whom conduct

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## Briefly Noted: Take Back Your Time and Improve Your Health



Readers of the *AMAP-CEO Member News* July 2006 edition will recall a reference to the “Take Back Your Time” campaign that originated in the United States to promote a better balance between work and family/personal life. On a related note, *New York Times* columnist **PAUL KRUGMAN** has speculated on whether there is a link between the American way of life and the bad health of its

citizens.

Krugman was commenting in May on a study, “Disease and Disadvantage in the United States and England”, that had been reported in the *Journal of the American Medical Association*. The study concluded that “Americans are much sicker than the English”, despite the fact that Britain spends 40 per cent as much per person on health care as the U.S. Even the richest third of Americans were found to be sicker than the poorest third of the British.

Although the study’s authors, reported Krugman, were unable to explain the differences, after eliminating considerations such as race, income, class, health insurance and bad health habits as major factors, Krugman noted that full-time American workers work an average of 46 weeks per year whereas full-time British (and other Western European) workers spend only 41 weeks a year at work. “Maybe overwork”, he wrote, “together with the stress of living in an economy with a minimal social safety net, damages our health as well as our families”.

If American employers and workers are interested in at least starting to change their behaviour, they could do worse than take a look at an initiative of the Nova Scotia government, which is encouraging its public servants to leave their offices at lunch - to eat, exercise or take care of personal errands - in the hope that employees will “relax, refocus, refresh and re-energize”. The Nova Scotia Public Service Commission is urging staff to “take back the lunch break”. In reporting on this project, the *Globe and Mail* noted that the campaign is not based on scientific data “but rather [on] employee surveys and a good amount of common sense”.

[Sources: *New York Times*, May 5, 2006; *Globe and Mail*, September 30, 2006.]

## Pension & Retirement Briefs

**Mandatory retirement lifted on December 12.** Although Ontario legislation ending mandatory retirement at 65 was passed in December 2005, the provisions were not scheduled to take effect until one year later on December 12, 2006. As of that date, therefore, the *Public Service Act* requirement that OPS employees must retire at the age of 65 has been eliminated and the *Human Rights Code* now prohibits discrimination on the basis of age for those aged 65 or over. On a related note, Saskatchewan announced in November that it, too, will join the federal government and most other provinces in ending mandatory retirement at age 65.

**AMAPCEO to comment on pension legislation.** On November 9, 2006, Finance Minister **GREG SORBARA** announced that an expert commission has been appointed to review pension legislation and rules governing pension surpluses and deficits. The commission chair, former York University president **HARRY ARTHURS**, has written to AMAPCEO inviting us to submit a brief. Among the principles guiding the work of the commission is “the importance of maintaining and encouraging the system of defined benefit pension plans in Ontario”. The commission anticipates submitting a final report in the summer of 2008.

## From the Website: Results of Chapter Chair Elections

As originally posted on the AMAPCEO website on October 2<sup>nd</sup> and in a revised notice on October 30<sup>th</sup>, it was announced that the following Chapter Chairs were re-elected during the Fall nomination cycle:

**BARBARA GOUGH** (Training, Colleges, Universities, Education); **ROY SCOTT** (Transportation); **CONRAD MARIER** (Windsor); and **TERRY PETERS**, Acting Chair (Kingston).

The following new Chapter Chairs were also elected: **BENNETT MCCARDLE** (Citizenship, Immigration, Culture, Tourism); **GREG IRELAND** (Community Safety and Correctional Services); and **TOM BERTRAND** (London).

## Health, Safety and Wellness News

### Bullying in the Workplace

One fifth of all employees in the United Kingdom report that they have experienced some form of workplace bullying or harassment over the last two years, based on findings from a survey of 2,000 employees conducted by the Chartered Institute of Personnel and Development (CIPD), which is the major association for U.K. human resource professionals. Canada's Safety Council reports that the same level of bullying exists in Canadian workplaces, too.

The results released by the CIPD coincide with the launch of a national campaign against workplace bullying last month in the U.K. In an effort to persuade that country's employers to invest the resources needed to reduce bullying and harassment at work, November 7th has been designated as "Ban Bullying Day".

Bullying or harassment at work can damage employees' confidence, morale, motivation and health, causing them to be less productive and effective. It can also trigger absenteeism and make retention rates go down. Canada's Safety Council notes that bullying consumes incredible amounts of unproductive time – on the part of victims, who need to spend time coping with the bully, defending themselves and working under extreme levels of stress, and also on the part of those who investigate and try to resolve bullying complaints. The impact of bullying and harassment, of course, doesn't stop when an employee leaves work; the damage caused to individuals in their roles as employees also extends to their personal lives and to their families, making it a broader societal problem.

"Bullying and harassment are serious problems in many workplaces and employers need to take the issue more seriously", says **MIKE EMMOTT** of the CIPD. "Bullying can take many forms, including ridiculing personal characteristics, making unfair criticisms and ignoring people, as well as physical or verbal harassment. Employers need to be alert to the damage a bullying culture can cause." Examples of bullying include:

- spreading malicious rumours, gossip, or innuendo that is not true
- Trying to intimidate a person
- undermining or deliberately impeding a person's work
- physically abusing or threatening abuse
- withholding necessary information or purposefully giving the wrong information
- making jokes that are obviously offensive by spoken word or e-mail
- intruding on a person's privacy by pestering, spying or stalking
- assigning unreasonable dues or workload, which are unfavourable to one person
- shouting or using profanity
- criticising a person constantly

- belittling a person's opinions
- tampering with a person's personal belongings or work equipment.

The CIPD study also found that public sector employees are more likely to experience bullying at work than their private sector counterparts. AMAPCEO members have long identified workplace bullying and harassment as a priority. In the last bargaining survey, conducted in the Fall of 2005, fully 73 per cent of AMAPCEO members said it was important to address bullying and harassment in the collective agreement. We do have strong language in the agreement (see Article 2) prohibiting discrimination or harassment, but only if it is based on the *Ontario Human Rights Code* grounds of "race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, same sex partnership status or handicap". In other words, there is no explicit prohibition against so-called "equal opportunity" bullying or harassment, including psychological harassment, that is directed at anyone or everyone, as distinct from the "grounds-based" discrimination of the *Human Rights Code* (important as that is).

In the current and previous rounds of bargaining, we have tried, so far without success, to get the employer to agree to new contract language prohibiting psychological harassment and bullying in the OPS. Although the employer says it agrees that bullying is wrong and should not be tolerated, there is so far an unwillingness on the employer's part to include a provision in our agreement that would make it easier for an employee to file a formal dispute and, ultimately, to have access to binding, independent, third party arbitration. In the absence of legislation that specifically deals with workplace bullying and harassment, negotiating language in the collective agreement is our best option. The Province of Quebec is the only Canadian jurisdiction that currently has legislation that prohibits psychological harassment at work.

Despite what we feel is a need for better contract language, however, AMAPCEO-represented employees are not without the means now to fight back against workplace bullying or harassment. AMAPCEO has a successful track record in supporting our members and resolving disputes of all kinds, including bullying and harassment. Should you feel you are a target of bullying, contact an AMAPCEO workplace representative or dispute resolution officer to discuss the situation and explore your options. According to experts in this field, the most important first step is to identify what is happening to you and to name it; calling it bullying or harassment makes the problem external, something that is happening *to* you, and that makes it possible to talk about it and start planning how to resolve it.

[Sources for further information: The Chartered Institute of Personnel and Development, [www.cipd.co.uk](http://www.cipd.co.uk); Canada's Safety Council, [www.safety-council.org](http://www.safety-council.org); Canadian Centre for Occupational Health & Safety, [www.ccohs.ca](http://www.ccohs.ca)]

## New Workplace Representatives Appointed

The AMAPCEO Board of Directors has appointed the following six AMAPCEO members to two-year terms as Workplace Representatives following their successful completion of workplace rep training on October 24, 2006.

Workplace Representatives are trained colleagues who assist members on site with questions about the interpretation of the collective agreement. Workplace rep training is also required for AMAPCEO representatives sitting on AMERCs (AMAPCEO-Ministry Employee Relations Committees). The new appointees are:

<b>KAREN BOUCHER</b>	Ministry of Transportation, Sudbury
<b>INGRID CHINGCUANCO</b>	Ministry of Finance, Toronto
<b>BILL GIBSON</b>	Ministry of Transportation, St. Catharines
<b>CELIA HARTE</b>	Ministry of Finance, Toronto
<b>JOHN KIRK</b>	Ministry of Community and Social Services, Toronto
<b>RAYMOND PARIEN</b>	Ministry of Transportation, Ottawa

A complete list of AMAPCEO's 105 Workplace Representatives appears on the website. Anyone interested in taking Workplace Representative training is encouraged to contact **ROB SMALLEY** at 416 595 9000 (ext 2703) or by e-mail at [smalley@amapceo.on.ca](mailto:smalley@amapceo.on.ca).

### AMAPCEO Office Staff News

On October 4, 2006, **ALEKSANDRA OSVALD**, her husband Boris and son Goran welcomed a baby girl, Mia, into their family. AMAPCEO wishes Aleksandra and her family all the best with their new bundle of joy.

While Aleksandra is on maternity leave, **LINDA MALHANS** is replacing her as Administrative Assistant, Financial Support, with the result that **SABRYNA GILLIS** was recruited to replace Linda as Secretary-Receptionist during Aleksandra's absence. Sabryna comes with recent experience as a customer service representative at Great-West Life Assurance Company.

A new (sixth) Dispute Resolution Officer position was established by the Board following an analysis of the current staff case load and member service needs; after a competition, **TARA IRWIN** was appointed to this position, which she assumed when she returned in December from her four-month internship with the International Labour Organization in Geneva, Switzerland. Tara originally joined AMAPCEO in April 2005 and has worked on job jurisdiction issues and on the Job Evaluation Project.

Tara's appointment created a vacancy in one of the Project Officer positions and a competition was held to find a replacement, resulting in the appointment of **SARAH DECLERCK**, who had been working in the office on a part-time basis during the summer. As noted in the July issue of this newsletter, Sarah is completing her M.A. in Labour Studies at McMaster University and has extensive experience in labour relations, including working with the Public Service Alliance of Canada, UNITE-HERE and the Canadian Union of Public Employees. Sarah, who starts full-time in January 2007, will be working on job jurisdiction and membership development issues in the Operations and Planning Unit of the office.

### AMAPCEO First Union Honoured as "Top 100" Employer in Canada

AMAPCEO is the first union to be named to the annual list of the Top 100 Employers in Canada, announced in October by *Maclean's Magazine*.

The Association was also named one of the Top 50 Employers in the Greater Toronto Area (GTA), where its office and 19 staff are located.

"This national and regional recognition is an honour for both our employees and the members on whose behalf they work so hard," said AMAPCEO President **GARY GANNAGE** in acknowledging the two awards. This was the first year AMAPCEO participated in the competition.

*Maclean's* ran a cover story on the 2007 Top 100 employers in its October 16<sup>th</sup> edition. The *Toronto Star* featured a special supplement on the GTA Top 50 employers in the business section on Saturday, October 14<sup>th</sup>, and the *National Post* featured a series of articles on October 18<sup>th</sup>.

This is the 7<sup>th</sup> annual competition to identify the country's top employers, conducted by Mediacorp Canada, Inc. For this year's competition, Mediacorp began the process by reviewing the recruitment histories of over 60,000 employers across Canada, inviting more than 10,000 to apply. From over 1,500 applicants, the number was winnowed to a short-list of 200 and then to a final list of 100. A book, *Canada's Top 100 Employers*, will be released early next year.

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1 Dundas Street West,  
Suite 2310, P.O. Box 72  
Toronto, Ontario M5G 1Z3

Tel: 416-595-9000  
or 1-888-AMAPCEO  
Fax: 416-340-6461  
General e-mail:  
amapceo@amapceo.on.ca

[www.amapceo.on.ca](http://www.amapceo.on.ca)

*Editor:*

**Michael Mouritsen**  
(Director, Operations & Planning)  
mouritsen@amapceo.on.ca  
416-595-9000 Ext 2724

*Associate Editor:*

**Liza Papanikolaou**  
(Communications Officer)  
lizap@amapceo.on.ca  
416-595-9000 Ext 2725

AMAPCEO, established in 1992, is the second-largest bargaining agent in the Ontario Public Service, representing approximately 9,000 professional and supervisory civil servants who work directly for the Government of Ontario in every ministry and in a number of agencies, boards and commissions.

**Best wishes for a happy holiday and a prosperous New Year from the Board of Directors and AMAPCEO staff.**



## New Health & Safety Representatives Appointed

On behalf of the Board of Directors, the Health, Safety & Wellness Committee has appointed the following six AMAPCEO members to two-year terms as Health & Safety Representatives.

Health & Safety Representatives sit on local joint health & safety committees with employer representatives and members nominated by other bargaining agents. The new appointees are:

<b>MIKE BELL</b>	Health & Long-Term Care, 49 Place D'Armes, 3rd Fl, Kingston
<b>BARBARA BROOKS</b>	Attorney General, 200 First Avenue, 4th Fl, North Bay
<b>DAVID BULMER</b>	Health & Long-Term Care, 75 Spring Street, 1st Fl, Almonte
<b>JIM CHISHOLM</b>	Community & Social Services, 55 St. Clair Avenue, West, 8th Fl, Toronto
<b>ROB HARDING</b>	Health & Long-Term Care, 49 Place D'Armes, 1st Fl, Kingston
<b>JOHN KIRK</b>	Environment, 40 St. Clair Avenue West, 12th Fl, Toronto

A complete list of AMAPCEO's 103 Health & Safety Representatives appears on the website. Anyone interested in becoming a Health & Safety Representative is encouraged to contact **LIZA PAPANIKOLAOU** at 416 595 9000 (ext 2725) or by e-mail at [lizap@amapceo.on.ca](mailto:lizap@amapceo.on.ca). For more information on health & safety issues, please visit the health and safety section of the AMAPCEO website.

## AMAPCEO First Union Honoured.....

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"The idea behind the book is a kind of catalogue of best practices," **TONY MEEHAN**, Mediacorp's publisher, told the *National Post*. "This year's list also includes [employers] from industries that never made the Top 100 before, including a union (AMAPCEO), which is leading the way in showing employers how to lead their own people."

To see the complete list of Top 100 Employers in Canada for 2007, the list of Top 50 Employers in the GTA and to read the *Maclean's* article, please visit our website at [www.amapceo.on.ca](http://www.amapceo.on.ca) and click on "AMAPCEO First Union Honoured as 'Top 100' Employer".

## Hitting the Target but Missing the Point?

*Continued from page 6*

similar surveys), it is possible to discover what constitutes a high standard, how much improvement is required and how services have improved over time. Contrary to criticisms that are routinely trotted out by politicians and commentators, almost all public services consistently score significantly higher satisfaction and confidence ratings from citizens than private sector businesses score with their customers. The drivers of citizen confidence in the public sector, as identified in the research, are: strong services, benefits to citizens, equal and ethical treatment and strong leadership and management.

All three panelists agreed that a citizen-focused approach to measuring performance is the most promising and sensible. The federal data show that, in addition to measuring citizen/client satisfaction, measuring employee satisfaction and commitment in HR is critical in trying to find out what drives public servants. It was also acknowledged that many public servants fear that the results of such measures will be used in a punitive way rather than for educational and motivational purposes. One of the challenges is that managers need to earn the trust of their staff, engage them and actually practice what they preach. Reference was made to the recent Ontario survey of its employees, which was undertaken to find out what drives employee engagement in the OPS and provide a basis for comparison and measuring improvement. (Compared with results of recent federal civil service surveys, the OPS has a long way to go to make improvements in staff engagement and morale.)

Much more was discussed than can be summarized here, but *AMAPCEO Member News* was impressed, yet again, with the quality of these IPAC events and we thoroughly recommend them.