

**ANNUAL GENERAL MEETING
Research Council Employees' Association
Wednesday, October 20, 2010
Auditorium, Building M-50**

Minutes

The President, Serge Croteau, called the meeting to order at 4:28 p.m. He introduced himself, thanked everyone for coming and then proceeded to introduce the head table: Sarah Agosta, Recording Secretary; Greg Kresko, Treasurer; Greg Scriver, 2nd Vice President and Joan Van Den Bergh, Negotiator and Senior Labour Relations Officer.

1. Rules of Meeting

The President announced that the meeting would be conducted using Robert's Rules of Order. Members making statements should give their name and their institute/branch for the record.

2. Minutes of Annual General Meeting – October 7, 2009

MOTION: *“That the minutes of the Annual General Meeting, held October 7, 2009 be adopted.”*

MOVED: by Kurt Konieczny, CSTT, and seconded by Kerry Foster, IMSB

CARRIED.

3. President's Report: Serge Croteau

Bienvenue, welcome to the 2010 Annual General Meeting

I would like to take this opportunity and welcome representatives from the regional institutes and technology centres to Ottawa. It is very important to acknowledge the work of all Institute representatives your commitment in helping your fellow members by taking on the duties of shop steward; it is greatly appreciated, thank you again.

This past year the RCEA was faced with many challenges since the last AGM; I will give you an outlook on some of those challenges and up-coming changes. At the last AGM I reported that the Constitution Committee was working hard on the full rewrite of the RCEA constitution. Unfortunately we will not be able to present to you the proposed new constitution at this year's AGM. The committee has met several times to review the first draft of the constitution. At this time we are working on a schedule for completing the first review of the first draft. We anticipate submitting the revised draft of the constitution to the consultant by March 2011. I hope to be able to present the new constitution at the 2011 AGM.

You will have the opportunity of viewing the Treasurer's Report; it will give you a better understanding of the financial demands on the RCEA when serving its members. Last year we presented to you a 3-year budget forecast. A proposed dues increase was presented to all members for a vote in May of 2010. I would like to take this opportunity to thank all of the membership who voted in favour of the increases. These increases are necessary in order to avoid an operating deficit and allow the RCEA to continue providing the same high level of service to its members.

The classification renewal project announced in April 2008 at NRC is going forward; this remains a very important issue for the RCEA. The RCEA had several consultations with the classification renewal committee. We will be looking at hiring a classification expert/consultant to represent RCEA's interests during the review process. Classification is the foundation of pay and we have to get it right. We also have to try and ensure that no one loses as a result of any changes to the classification system.

In my last update on the pension surplus litigation undertaken by the coalition of 18 federal public service unions together with the FSNA and the RCMP, I mentioned that the appeal hearing was scheduled in April. We recently received the Ontario Court of Appeal decision.

Unfortunately, Justices Laskin, Gillese and Juriansz denied our appeal. They confirmed a 2007 Superior Court of Justice Decision which dismissed our claims that the government breached the trust of plan members, violating its fiduciary duty and not meeting its obligations. At issue was the fact that the federal government raided a \$28 billion surplus from the public service, RCMP and Canadian Forces pension plans after passing legislation that restructured the way the plans are managed.

The Court of Appeal found that the federal government did have the discretion to remove the surplus funds, even if it resulted in higher pension contributions for plan members.

All the bargaining agents will be meeting shortly to determine next steps. The RCEA will be carefully evaluating the situation and will communicate with the membership prior to the making of any decision. Any further updates will be posted on our website.

I will touch briefly on the issue of parking fees at NRC, at no time did the RCEA agreed to the implementation of parking charges to its members. Since the announcement by NRC on the implementation of parking fees we have received a great number of emails from employees affected by the imposition of parking fees at various NRC sites. Clearly, most members are very upset. And I don't blame them. The RCEA brought all concerns and suggestions to the NRC parking committee. I believe it's important to acknowledge the tremendous effort and work that Joan has put into this issue and continues to do so.

In the past year, we had very little activity in bargaining for all of our groups. The last group, the Operational group ratified their collective agreement in December 2009, with a signing date of April 7, 2010. At this time we are preparing for the next round of bargaining scheduled in 2011. You will have the opportunity after the Treasurer's Report presentation to have more information about the upcoming bargaining.

The RCEA continues to attend numerous committees, the Joint Consultation Committee or JCC meets every 3 months. Attending the committee with me is; Joan Van Den Bergh, negotiator, labour relation, Cathie Fraser, first Vice-President and Greg Scriver second Vice-President. At these meetings we raise issues and items of national concern for discussion. Typically, the RCEA brings forward issues that are of concern to a majority of members. Some of the topics have included: term employees, the application of medical dental leave, Workforce Adjustment situations, time recording, grievance handling, and overall labour management relations. Minutes of these meetings can be found on NRC Zone.

I am co-chair of NCOSH National Committee on Occupational Safety and Health with PIPSC and NRC. The NCOSH is a national level committee devoted solely to safety and health issues at NRC. We meet four times each year. The committee puts together recommendations that are brought forward to the Senior Executive Committee SEC for approval. Any new policy that deals with Health and Safety must get the approval of SEC before its implementation.

The RCEA is a member of the National Joint Council, which is a bilateral body made up of most public service employers and all public service bargaining agents, of which there are 18. The NJC is responsible for the development, negotiation and management of the public service health care and dental plans. It is also responsible for the negotiation of public service wide directives or policies, such as government travel, relocation, occupational safety and health, official languages, Foreign Service directives, etc. As President of the RCEA I sit on the National Joint Council itself, as well as on the Occupational Safety and Health Committee. Joan Van Den Bergh; is a member of the Government Relocation Committee which recently negotiated a new Relocation Directive.

Last year I mentioned the changes to the NJC Occupational Safety and Health directives, the NJC OSH directives have now been amalgamated in 4 groups; group A cyclical review was completed in 2009. We have now completed the cyclical review of the remaining groups of the OSH directives.

The reduction of CISTI and the phasing out of 3 research groups has come to an end. During these past months, we continued to be involved. This has been a very difficult time for all affected members. I would like to take the opportunity to thank our Institute representatives involved in the process with us. Their assistance was indeed invaluable.

We visited most of the Regional Institutes and technology centres. These visits are important and are great opportunities for the members to express their concerns or just have discussions. The feedback from the members of the regions is positive. They appreciate the opportunity of meeting face to face with Joan and me.

The level of support from the RCEA to its members continues to be high. The RCEA is committed to ensure that our members are always supported. The RCEA will be there to help you when needed.

This past year, four representatives ended their terms. I would like to acknowledge the contribution of those representatives; Jim Jennings HIA Victoria representative, Rob Green ASPM, Sylvie Dupuis BRI Montreal representative and Heather Morgan CISTI representative. All have shown continuous willingness and dedication in helping their fellow members.

I would also like to welcome all newly elected representatives; Robert Walker HIA Victoria, Roseanne Tom BRI Montreal, Andrew Anderson CSTT and Diane Perkins ASPM.

Constant communication between the RCEA and our representatives continues to be maintained via the 2nd vice-president; since the full participation of the regional institutes and technology centres representatives the RCEA will be looking at better ways of improving their involvement. Our regional institutes and centres members now represent over 40% of our total membership. This is a significant change since I first came to office in 2005. We are now faced with new challenges with respect to communication and participation of our members.

I would like to acknowledge the help of the members who participated and continue to do so, on the various committees. Starting with the Constitution Committee; Greg Scriver, Jim Jennings, Bill Neil, Dave O'Neil and Greg Kresko. I would also like to acknowledge the participation of Gordon Fougere on NCOSH.

We must also acknowledge group committees representatives; Greg Scriver for the CS's, Gerry Kennedy for the PG's, Peter Sullivan for the Operational group and Vince Clancy for the technical category.

At this time I would like to give many thanks to the office staff, Laurette Ernst, Jackay Cardinal and Joan Van Den Bergh. Every year I repeat myself in saying how I am always impressed to see the extraordinary amount of work being produced with a minimum of staff. Special thanks also go to the 1st vice-president, Cathie Fraser, to the 2nd vice-president, Greg Scriver and to the Treasurer, Greg Kresko, for all of their support during the year.

Thank you Merci

4. Treasurer's and Auditor's Reports: Greg Kresko

Greg Kresko presented a PowerPoint document which highlighted the RCEA financial report for the July 2009 – June 2010 fiscal year.

AGM costs were up slightly due to travel and other expenses; however these costs are justifiable as meetings are important. Legal costs were lower compared to last year (roughly 35% lower). General expenses totalled half of last year's, with WSIB totalling the same. Pay equity was one third of last year's costs. In regards to the costs associated with the pension appeal, costs are nothing as we are waiting for the courts to decide. The RCEA will have expenses related to the pension appeal in the near future as we will have to decide whether we will go ahead with the case or wrap up expenses. Grievance costs are more than last year, as well as rent as the NRC is raising it to market values, representing an increase of 10%.

Question: Roseanne Tom, BRI, asked for clarification on the meaning of WSIB.

Answer: Greg Scriver, 2nd Vice President, IMSB, replied Workplace Safety and Insurance Board.

Greg Kresko then referred to the table of revenues and expenses. More revenue has been generated as a result of increased dues (~\$48 000), which has helped to balance the legal fees.

Questions and Comments:

No other questions or comments were heard at this time.

MOTION: *“That the Treasurer’s and Auditor’s Reports be accepted as presented.”*

MOVED: by Frank Zarboni, ASPM, and seconded by Anthony Ifill, IAR

CARRIED.

5. Collective Bargaining Update: Joan Van Den Bergh

Joan Van Den Bergh, Union Negotiator, RCEA, then updated the members on the following subjects with regards to collective bargaining.

She stated that no bargaining took place in the last year, and all agreements will expire in the next year, so the next step is to prepare. PSAC has reached a tentative agreement with the Treasury Board, and have negotiated wages with severance cuts. The Treasury Board is also meeting with PIPSC and IBEW, but has not approached the NRC yet. NRC must wait for most of the larger bargaining agents to finish, which gives the RCEA time to plan and deal with potential issues with regards to severance pay.

Questions and Comments:

Question: Michel Proulx, IMSB, asked about the feeling about how it has been received.

Answer: Joan Van Den Bergh, RCEA, replied that she has no idea and that she was surprised. The Alliance has agreed to give up severance on retirement for new employees and to stop paying out for existing employees. This creates two classes of employees, which is contrary to what the union stands for. The RCEA executive will get the pulse from its members by conducting straw polls to see if members are prepared for giving up severance pay. The IBEW have exchanged demands, but the Treasury Board reserves the right to introduce proposals on severance pay. She went on to say that it seems like this is coming, so the RCEA must be careful about making the right decisions to reflect the position of its members. IBEW has also demanded that the employer pay for parking and the RCEA will put this demand forward as well.

Question: Jacques Dufour, IMI, asked if this would qualify as a benefit, if the employer pays for parking.

Answer: Joan Van Den Bergh, RCEA, replied that it would be considered a taxable benefit.

Joan Van Den Bergh, RCEA, continued to say that under the current agreement, if an employee resigns or retires after 20 years of service, severance is capped and future service would not contribute. New negotiations would give employees three options: 1) to cash out now, 2) to wait to resign or retire, or 3) take a portion now or later. Employees must consider that this may have implications for income tax. New employees coming in would not get any severance pay when they resign or retire. Under the current agreement, with 10 or more years of service, severance is paid upon layoff, death, rejection on probation, and release. It remains unknown where this money is coming from. The last government budget froze MP budgets; therefore any wage increases would have to come out of existing budgets. A lot remains unknown.

Greg Scriver, 2nd Vice President, IMSB, added that the executive wants to go to its members to see whether or not they are willing to go down the same path before the RCEA begins the bargaining process. Institute reps will be

conducting straw polling to see if the membership is willing to give up severance for a small monetary gain, or if members would not want to give up that type of severance.

Quick poll of AGM attendees: Greg Scriver, 2nd Vice President, IMSB, conducted a quick poll of its members on the issue of severance.

Those in favor of going down the path to give up severance

-No hands shown-

Those in favor of retaining severance

-Everyone-

Question: Lacelle Charles, IMS, asked what kind of gain they are referring to.

Answer: Greg Scriver, 2nd Vice President, IMSB, replied it would be 5.3% over 3 years, which is what the public service alliance negotiated for its members, with no guarantee of wage increases.

Comment: Carl Halle, IMSB, suggested that the RCEA put a clause forward about differentiation, and employees moving and possibly being caught behind.

Answer: Joan Van Den Bergh, RCEA, replied that is whatever the collective agreement at that time states.

Question: Stephen Rolfe, IMS, asked if an employee can cash out if moving to another job.

Answer: Carl Halle, IMSB, replied that if an employee moves downtown for example, they would respect your services, but it is the last service when you retire that pays your severance.

Joan Van Den Bergh, RCEA, added that the NRC is only liable to pay, and if the employee retires then the NRC will not acknowledge any differences.

Question: Pauline Kulbaba, IBD, asked for the panel to explain these severance “carrots” and if employees with less service or temporary employees will qualify?

Answer: Joan Van Den Bergh, RCEA, replied that everyone including term employees will be able to choose. Under the current language, to get severance pay on resignation, an employee must have 10 years of service.

Joan Van Den Bergh, RCEA, continued by saying that Canada Post gave up severance pay. The Treasury Board has ignored the bargaining schedule, and approached the PSAC and asked them to engage in exploratory talks. Treasury Board sat down with the PSAC with a divide and conquer strategy in an attempt to get the biggest union to settle for something.

Question: Bruce Schooley, IMSB, inquired about the history of severance pay in the contract.

Answer: Joan Van Den Bergh, RCEA, replied that it has been around since the beginning of collective bargaining in 1968, and represents an economic bridge to recognize service. Since then there have been slight improvements, such as lay-off and rejection, but it has essentially been the same for 30 years.

Question: Renée Auger, CISTI, asked why they have agreed to this.

Answer: Joan Van Den Bergh, RCEA, replied that the Alliance made a deal with the Treasury Board to set a trend. The Treasury Board got the biggest union to agree first. Their reasoning on this agreement is that they are adapting to the younger workforce that do not have the same view of work. They generally move around in their careers, and do not stay for 30 years so they do not need severance pay. All this information is on the PSAC website. A chart was put together where based on 30 years of service and annual earnings of \$70 000, severance pay out would be \$40 000.

Comment: Michel Proulx, IMSB, commented that only the older employees benefit from this, where it will be difficult to move the younger ones around if the NRC wants them to stay.

Response: Joan Van Den Bergh, RCEA, added that there are certain occupations where new employees will bounce around, but generally they stay in the public service when they join.

Comment: Michel Proulx, IMSB, commented that people are afraid of losing their jobs.

Question: Andrew Ott, IAR, asked the panel to comment on the job cuts at M-6 at ASPN.

Answer: Joan Van Den Bergh, RCEA, replied that in regards to the four HP3 employees that were cut, NRC decided to go for 1 person shifts and to keep the HP5's. The RCEA was notified in advance and objected strenuously, raising safety and health concerns, and even took this directly to the President, but their efforts were brushed aside. One of the four employees will take a package and retire.

Question: Andrew Ott, IAR, asked the panel to comment on the position of NRC regarding stationary engineers and the 1st class front. In order to be a 2nd class engineer, an employee has to apply to TSAC, and it is difficult to keep writing for permission.

Answer: Joan Van Den Bergh, RCEA, replied that they felt they could operate with one person shifts.

Question: Eric Gesler, IMS, asked if the severance package can be enrolled into years of service by percentage. For example, an employee with 60% of salary by retirement, can severance be rolled into a package by giving a few extra years?

Answer: Joan Van Den Bergh, RCEA, doubted that this is possible, but one may be able to roll it into an RRSP.

Question: Carl Halle, IMSB, asked if the Association can facilitate the surplus of people downtown.

Answer: Joan Van Den Bergh, RCEA, replied that the chief of engineering at the plant is contracted by Public Works where NRC employees are appointed by the Public Service; therefore movement between the two is difficult as they are not automatically considered for surplus. It is a matter of publicizing the surplus, and not automatic consideration.

Question: Carl Halle, IMSB, asked if it was possible for the union to get together to make a special negotiation or clause to include it.

Answer: Joan Van Den Bergh, RCEA, replied that it may be possible within the NRC but it is not just semantics, it is a different piece of legislation altogether. Most other unions are public service unions. Staff bargaining cannot be done.

Question: Carl Halle, IMSB, wondered if this would be possible if all unions agreed.

Answer: Joan Van Den Bergh, RCEA, replied that it is not up to the unions, it is up to Public Service Commission which controls staffing and the Public Service Employment Act.

Question: Mark Robertson, IFCI, asked if employees would have access to jobs within the NRC if they were laid off.

Answer: Joan Van Den Bergh, RCEA, replied that employees in the Public Service that are declared surplus are governed by the PSC. The NRC is not included in the PSC so employees would not have access to these jobs.

Question: Mark Robertson, IFCI, asked if they can apply internally.

Answer: Joan Van Den Bergh, RCEA, replied that it all depends on the terminology and the area of competition described.

Comment: Randall Hartwig, INMS, commented that in his experience, there is no drift in classification, and lots of positions are excluded because of the area, which is not well defined.

Response: Joan Van Den Bergh, RCEA, reiterated that it all depends on the wording of the legislation.

6. Questions from the floor

Question: Kurt Konieczny, CSTT, suggested that at next year's AGM, training should take place at 3 p.m. rather than noon, followed by the AGM at 4:30 p.m. in order to cap the bridge between.

Answer: Serge Croteau, President, said he would look into it.

Question: Roseanne Tom, BRI, said that HR sent an NRC message about being reorganized and that the reclassification process will be overhauled in 2011. She wondered what that would mean for people now asking for reclassification.

Answer: Joan Van Den Bergh, RCEA, replied that everything continues as is until something new takes place.

Question: Roseanne Tom, BRI, asked if a grievance was ongoing.

Answer: Joan Van Den Bergh, RCEA, replied yes.

Comment: Roseanne Tom, BRI, commented that BRI avoided a WFA situation when one sector was going through a financial situation. She said that 5 employees were reassigned to another group that was busier doing contract work, and that 4 RCEA TO's were assigned to work in another group with revenue generating activities.

Question: Roseanne Tom, BRI, asked about the Maul Boil Act, and if there were other activities going on.

Answer: Joan Van Den Bergh, RCEA, replied that jobs were at the same level, not permanent, and employees do not get reclassified higher in a temporary position.

Question: Michel Proulx, IMSB, asked if there are any expectations that the government wants to touch or reduce the pension, and if so, he wanted to know if any bargaining was going on.

Answer: Joan Van Den Bergh, RCEA, replied that there are always rumors floating around in regards to the pension case, and that organizations consistently point to the public service pension plan as a hot potato; therefore there is a lot of noise around this subject.

Serge Croteau, President, added that he had a meeting with the bargaining agents, and invited the minister responsible for the pension, to which he asked point blank if there were plans to touch the pension. The minister indicated that the rumours were not true.

Comment: Michel Proulx, IMSB, commented on the parking situation at IMSB. The RCSG group works in different buildings, and are expecting flexibility from upper management. In his case, he works one day a week at Sussex, and the rest of the time elsewhere. Other people have agreements to work from home. The Zone parking website indicated that they would be flexible, but recently this has not been the case as they will not pro-rate parking, and these employees have been charged the full amount, even those who work from home. He said that the website is not providing accurate information.

Response: Joan Van Den Bergh, RCEA, said she would look into this. If this information is on the website, then the NRC has to live by it. She knows of a few institutions that are unhappy with the parking situation (Edmonton, Winnipeg, Vancouver, Sussex, AMTC Montreal, etc), which are unhappy they have to pay what they do given the circumstances.

Comment: Lacelle Suzanne, IBS, added that the issue of parking is inconsistent for the employees at Sussex. She said that there is a lot of travel back and forth, which creates a financial problem for the institution as employees are charging for the use of their cars and taxis.

Response: Joan Van Den Bergh, RCEA, replied that parking for all NRC employees is charged by location. She agrees that the NRC should have thought of all these implications, such as mileage and taxis, before imposing parking charges.

Comment: Michel Proulx, IMSB, added that there is a lack of flexibility and willingness to help from the NRC, and he believes it is a question of attitude. He said it is easy to modify one's conditions of employment.

Answer: Joan Van Den Bergh, RCEA, agrees with the comments from the members. Institutions will be getting more revenue from parking charges, so she has no sympathy if taxi costs are going up.

Question: Jason Sanderson, INH, added that revenues from parking will stay with the institution, and they will have flexibility for exceptions. He said employees travelling from IMB for example get parking at INH. He wondered if this can work at the institution level.

Answer: Joan Van Den Bergh, RCEA, replied that these two institutions are located in two different cities, and it has to do with the workplace. Parking charges should be prorated. Visitor parking is also for this purpose.

Michel Proulx, IMSB, added that he was told visitor parking should be used no more than 3 times per month.

Question: Randall Hartwig, INMS, wondered if there is a process for special cases for travel among institutions.

Answer: Joan Van Den Bergh, RCEA, replied that the DG tried to invoke the process, and that they now have a parking committee.

Michel Proulx, IMSB, added that they are not flexible.

Joan Van Den Bergh, RCEA, commented that the Treasury Board got out of the parking business. She also added that she is aware of employees who are disabled or have a slight handicap paying double the amount than they used to. NRC has said that the institutes must start charging for parking.

Question: Lacelle Suzanne, IBS, wondered if the NRC could work out its own parking agreements and be more flexible.

Answer: Joan Van Den Bergh, RCEA, said that this was asked of the NRC, and said that this was an opportunity to show the employees they have their backs, but the NRC said they could not.

Greg Sriver, 2nd Vice President, IMSB, added that there was lots of discussion during consultation with the NRC over parking, and they asked the NRC many times to waive parking charges in good faith to their employees, but the NRC replied that they were just following Treasury Board guidelines.

Joan Van Den Bergh, RCEA, said that they provided a lot of information during these discussions, such as leases for parking garages and available parking in the area. However it did not matter to Public Works that the parking in these areas was full, just that it existed. The RCEA even asked that they make parking a taxable benefit, which is not ideal, but better than paying.

Comment: Randall Hartwig, INMS, said that he knows from personal experience that one will not be covered by their auto insurance if they get into an accident away from your place of work.

Answer: Joan Van Den Bergh, RCEA, reaffirmed that people should be using taxis.

Michel Proulx, IMSB, added that additional coverage on insurance only costs an additional \$8 more per year.

Joan Van Den Bergh, RCEA, continued by saying that this was getting into specifics, but when an employee uses their car on government business, they are covered by the travel policy.

Question: Michel Proulx, IMSB, asked if an employee can be fired if they lose access to their car.

Answer: Joan Van Den Bergh, RCEA, replied that if having a car is a term or condition of their employment, then that employee is supposed to get free parking.

Question: Lacelle Suzanne, IBS, asked if an exemption is put in an employee's job description.

Answer: Joan Van Den Bergh, RCEA, replied that an exemption seeking means that an employee is not there full time therefore they do not have to pay full time.

The panel asked if there were any more questions or comments from members.

Pauline Kulbaba, IBD, wanted to thank the Executive for all the hard work and fighting they have done for their members over the past year.

7. Adjournment

The meeting was adjourned at 5:50 p.m.