

**Program of Demands and Input Call for
PSAC Members Employed by the
Canadian Food Inspection Agency**



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada

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Message from John Gordon, National President of the PSAC

Bargaining with the Canadian Food Inspection Agency (CFIA) is always challenging. Given that this employer is so closely connected to the federal government, they are never far from the ability to enact new legislation that impacts the working lives of workers at the Canadian Food Inspection Agency. We certainly witnessed this during the last round of bargaining, when the Conservative government passed legislation restricting the economic increases to the federal public service, and effectively putting an end to pay equity.

Thanks to the committed efforts of the membership, we were able to finally achieve national rates of pay for the GL and GS Groups – a 40 year battle won. We were also able to make improvement to contract language that is equal to language we find elsewhere in the federal public sector. Despite all of this, there is still much to be achieved.

This was possible because workers were engaged, mobilized and politically active in support of our bargaining teams. We are all going to have to work hard to ensure that union members are active in this round as well, given the challenges we are sure to face – both at the bargaining table, and in the political arena.

These challenges have become clear: the Harper government has frozen departmental budgets. This means that we need to be mobilized and politically active; strengthening our efforts to make the case for quality public services – the work our members do everyday on behalf of Canadians – and how they are an essential element of Canada's economic recovery.

We have mature collective agreements, and we will be looking to make them better while saying no to employer concessions. Every round we have been able to make progress, and with your support, we will continue to move forward in this round of bargaining.

As such, it is time for membership input for the coming round of bargaining with the Canadian Food Inspection Agency. To win at the bargaining table we must engage members of our union from the very start of the bargaining process. Collective bargaining is about improving our working lives. It is through collective bargaining that we have a real say in the terms and conditions under which we work. As with the previous round, our objective is to initiate bargaining well in advance of the expiration of the current collective agreement, but to initiate the bargaining process we need your ideas and input. **We need your direct involvement in preparing for bargaining of our new collective agreement with the Canadian Food Inspection Agency.**

The attached Program of Demands provides some bargaining priorities, but we invite members to submit demands on their issues of importance. This is your collective agreement; we want to hear from you.

Building consensus amongst the membership, our bargaining team and elected leadership of our union around our bargaining priorities and strategies is key to success in collective bargaining. Again, that requires hearing from you, and having the membership engaged and supporting negotiations through mobilization and collective action. Ultimately it is this solidarity that will lead to success at the bargaining table.

Working together, we can make this happen.

In Solidarity,

A handwritten signature in black ink, appearing to read "John Gordon". The signature is written in a cursive, flowing style.

John Gordon
National President
PSAC

A message to Local executives and all PSAC members working for CFIA who are involved in providing bargaining input:

It is time for membership input for the next round of negotiations, which will begin before our collective agreement expires on December 31st 2011.

The PSAC's formal input call for these negotiations has gone to the PSAC Component with members employed by the Canadian Food Inspection Agency: The Agriculture Union. The Agriculture Union plays a critical role in the input call process by organizing the work of Locals, gathering input and forwarding it to the National Bargaining Conference for debate and setting of priorities.

We have created this Input Call document to facilitate the work of the more than 40 Locals that will be invited by the Agriculture Union to provide input. The purpose of this document is to provide Local executives with a tool that can be used to engage members in discussions about bargaining demands.

This document contains an initial "Program of Demands". Its purpose is to provide a tool to assist Locals in discussions with members about bargaining demands. Some of these demands have been selected from the list of unresolved issues from the last round of bargaining. Others reflect issues that have emerged during the life of our current agreement or reflect the long-term goals of our union such as the Social Justice Fund demand which is mandated by the PSAC National Convention.

We invite members to submit demands (with supporting rationale or description of a problem) on all issues of importance. This includes those that you see in this document. After all, this is your collective agreement; we want to hear from you. Your feedback on these Proposed Solutions to workplace problems is critical to the process, as is your input for other proposals for amendments to the collective agreement with the Canadian Food Inspection Agency.

Once Local demands are received by the Agriculture Union, they will vet the proposals by removing duplicates, and submit one demand on each issue to the PSAC. The package that comes to the PSAC will form the basis for discussion among the members who are delegates to the National Bargaining conference that will be held May 17 to May 20, 2011.

At the National Bargaining Conference, the bargaining team will be elected/selected. The bargaining team will be responsible for finalizing the package of demands and establishing priorities in preparation for an exchange of demands with the Employer in the fall of 2011.

We thank you in advance for your involvement in this process. We are confident that through membership solidarity we can achieve important goals in the next round of bargaining.

In Solidarity,



Patty Ducharme, National Executive Vice-President, PSAC
AEC co-chair responsible for Collective Bargaining, PSAC



Gerry Halabecki, Regional Executive Vice-President, Ontario, PSAC
AEC co-chair responsible for Collective Bargaining, PSAC

PROGRAM OF DEMANDS – GLOBAL OBJECTIVES

Workload

Issue: The Federal government is focused on reducing the number of staff through a policy of not replacing employees when they retire. This attack on the scope and size of the Public Service ultimately leads to a combination of poorer quality public services and increased workload for the employees that remain in the Public Service.

Proposed Solution: Introduce language that will address the workload increases associated with Government attempts to continue to provide services with fewer employees.

Job Security

Defending Public Services

Issue: Over the last 10 years, federal government departments and agencies have been contracting out an increasing portion of public sector work to private companies. In 2006-07 the federal government spent \$10.4 billion on contracting out. This professional and special-services work performed by outside-service providers represents more than the total salaries of PSAC members working for Treasury Board, the Canada Revenue Agency, Parks Canada, and the Canadian Food Inspection Agency. This number is on the rise. When public service work is contracted out, the quality of work suffers, and the costs go up. We want to restrict the employers' ability to contract out bargaining unit work. We also want the ability to recover any bargaining unit work being done or going to be done by the private sector.

Proposed Solution: Introduce language that will restrict the ability of the employer to contract out public service/bargaining unit work. Propose language which allows for the "contracting-in" of public sector work currently performed by private sector companies.

Employment Transition Policy (ETP) Appendix B

Issue: In the last round of CFIA bargaining, the PSAC negotiated increases to education and financial counseling allowances and improved the definition of reasonable job offer to include placement with FAA Schedule I, IV, or V

employers. In this round, we need to work to strengthen this language to further protect members' employment.

Proposed Solution: Propose language to update, strengthen and improve the language and protections in our Employment Transition Policy Appendix.

Student Employment

Issue: Each year thousands of students are hired into term positions under the Federal Student Work Experience Program (FSWEP) and other programs, including co-op placements, research affiliates and international exchange. Many of these are legitimate student programs, but in many cases government departments and agencies are using student employment as a low-cost alternative to the regular workforce. The employer may be assigning students to work the complete range of job functions without being paid the same as regular employees. With inadequate training, students often end up working under poor conditions or in dangerous or unsafe situations. While ultimately we would like to organize all students into bargaining units, the Public Service Labour Relations Act prevents us from doing so. During the summer of 2009, the PSAC launched an awareness campaign to educate students about their rights and encountered many students doing the full range of job functions with little or no supervision.

Proposed Solution: Negotiate language that clearly defines the appropriate use of "student employment programs" in the federal public service.

Fair Wages

We foresee difficult fights for continued wage gains. Wages will become a clear battle ground in the upcoming round of bargaining if the Government continues its' attempt to balance the books on its employees' backs. It will be up to us to ensure the Government's efforts to balance the budget and recover from the economic downturn are not made at the expense of fair wages for PSAC members.

As such, our wage proposals will be based on the following broad principles:

- Continued gains in real wages for all members.
- Protection against future inflation for all members.

Acting Pay

Issue: When employees go on acting assignments, that employee is placed at the step in the grid which is equal to what s/he would have received if s/he had been given a promotion. Employees on acting assignments are eligible to receive pay increments for their acting assignments based on cumulative service,

but only if they are in that new position for a continuous period that is long enough to qualify for the pay increment. Many employees are rehired numerous times for the same acting position, and all service in the acting assignment should be recognized as cumulative service. Members at the Canada Revenue Agency have the benefit of accruing cumulative service towards a pay increment in their acting assignments. This should be standard for CFIA employees.

Proposed Solution: Propose language that would provide for full recognition of time spent in acting positions.

Work Life Balance

Hours of work

Issue: The employer is seeking more coverage for hours outside the regular work week by trying to implement irregular working hours without fair compensation. It is well documented that irregular working hours have negative health and work life balance implications.

Proposed Solution: To minimize the use of irregular working hours and to fairly compensate workers who face those hours.

Compassionate Care Leave Top-up

Issue: Some employees face the challenge of providing round-the-clock care for terminally ill family members. This was recognized by the federal government in 2003 when they created a “compassionate care” program that grants employees up to eight weeks of leave without pay for compassionate care and up to six weeks of Employment Insurance benefits. We believe that the goals of the compassionate care program would be enhanced by a top-up allowance of EI benefits to employees on compassionate care, identical to those in existence for maternity and parental leave. In the last round of bargaining, there was a step in the right direction by including the benefits provided by the Employment Insurance Act in our collective agreement.

Proposed Solution: The creation of a “compassionate care allowance” to top-up the compassionate care benefits provided for under the Employment Insurance Act to 93% of income.

Pre-retirement Transition Leave

Issue: Pre-retirement transition leave allows employees within two years of retirement to reduce their workweek by up to 40%, while retaining existing benefits and earning full service for pension purposes. Significant turnover is

occurring in the public service. This leave is an important means of ensuring that the outgoing senior workers passing on their knowledge to their successors. Including this provision into the collective agreement would also assist with ensuring that this leave is not arbitrarily denied.

Proposed Solution: Incorporate a pre-retirement transitional leave clause into the collective agreement that allows for workers to reduce their workweek in the two years before they retire without harming their pension entitlements.

Term Employees' Sick Leave Credits

Issue: We have members hired on a recurring term basis who usually do not use all their sick-leave credits during the course of their term. Currently, after breaks in service of more than three months, they lose their unused sick-leave credits. When they start a new term, they have zero sick leave credits. Term employees get sick just like other employees, and earn their credits just like other employees. They should have the same opportunity to retain unused credits for times of future illness. This provision was negotiated at the Canada Revenue Agency, and now exists in the PA, SV and EB Treasury Board agreements and it is time for CFIA to catch up.

Proposed Solution: Restore unused sick leave credits to term employees who are rehired.

Term Employees' Vacation Leave Credits

Issue: Many term employees are hired year after year on a recurring basis. The rhythm of their work is very similar to indeterminate seasonal employees, but they do not receive the same benefits. The calculation of service for the purpose of determining vacation leave credits is one example. Indeterminate seasonals have their years of service for vacation leave calculated as if they were employed year around. But, for term employees, only the actual periods of employment count towards service resulting in disproportionately low vacation accrual. This proposal would ensure that someone who, for example, works 50% of the time over a 30 year period would have 50% of the vacation credits of someone who works 100% of the time (as opposed to the 41% of credits that they would currently receive). In a previous round of negotiations, Parks Canada Agency agreed to our proposal to credit term employees with a full year of service for the purposes of vacation leave, as long as the term appointments were not separated by more than one year.

Proposed Solution: Add language that would provide for a proportionate amount of vacation leave for term employees.

Leave with Income Averaging

Issue: Self-funded leave would allow indeterminate employees to average their income in order to finance leave without reducing pensionable service. This proposal addresses the desire of many workers to balance work with other commitments such as providing care for the elderly and/or children or pursuing education and training opportunities.

Proposed Solution: Self-funded leave arrangements should be introduced into the collective agreement.

Seasonal Work

Issue: Seasonal workers are often given extensions at the end of their season. These extensions are not recognized on their contract. In many cases members expect seasonal extension that are recurring yearly but have no guarantee of work. For example, seasonal workers who work 0.5 of a year on paper can regularly work 0.8 of a year without it being officially recognized. Extensions should be used to deal with unforeseen situations. The cause of much insecurity, this practice has a big impact on people's personal lives. To get loans or mortgages, the bank will look at official documents that often don't reflect the real period of employment in a year.

Proposed Solution: Propose language to ensure all work done by seasonal employees is recognized. Propose a mechanism under which length of seasons get adjusted when there are recurring seasonal extensions to reflect real time worked.

Human Rights (Including Health and Safety)

Protective Reassignment

Issue: Our current collective agreement requires the employer to, where possible, modify the job duties of, or reassign pregnant and nursing workers if they cannot safely perform their regular work. However, the article only provides for leave without pay if reassignment is "not reasonably practicable." Many workers in Canada are covered by laws or collective agreements which provide pregnant and nursing employees leave with pay if no reassignment is possible. CFIA workers deserve no less.

Proposed solution: Amend the agreement to provide for leave with pay where protective reassignment is not possible.

Injury-On-Duty Leave

Issue: Our current collective agreement gives the employer discretion as to the length of time they can approve injury-on-duty leave. This results in some employees being taken off of injury-on-duty leave (which gives them 100% salary) and being put onto WCB benefits, which can vary between 75% and 90% of net income. This discretion can lead to situations where some injured members will be financially disadvantaged relative to other members.

Proposed Solution: Amend the agreement to provide injury-on-duty leave for the length of time certified by a Worker's Compensation Board.

Workplace Surveillance

Issue: Workplace surveillance takes many forms in the modern workplace, including such methods as internet and email monitoring, electronic security pass technology and surveillance cameras. While there are some legitimate health-and-safety and security reasons for some forms of surveillance, the employer should be limited to what is reasonable while protecting the rights and dignity of employees. Employees should also be informed of the monitoring and surveillance that occurs in their workplace.

Proposed Solution: Propose language around workplace surveillance to protect the rights of workers.

Environmental and Social Justice

Social Justice Fund

Issue: Hundreds of employers have negotiated contributions that fund the international development work of Canadian unions. These contributions are making a concrete difference in supporting anti-poverty and labour-rights work in developing countries in Asia, Africa and South America, while also supporting anti-poverty and social justice work in Canada. Already more than 60 employers have agreed during negotiations to make regular contributions to the PSAC Social Justice Fund. With this demand, we will call on federal government employers to do the same.

Proposed Solution: Propose a direct employer contribution to the PSAC Social Justice Fund.

Workplace Child Care

Issue: In the next 10 years, the federal government and its agencies will be hiring thousands of new, younger workers, many of whom will be starting young families. They will join a large number of existing employees who often have unique child-care needs, given the organization of work within the federal government. Treasury Board already has a policy supporting the creation of workplace child care, and several federal worksites already have operating child care facilities. However, the growing needs of our members far exceed the current capacity. There is currently a real crisis in accessible, quality child-care spaces. Canada has the lowest child-care access rates among the OECD countries. Less than 20% of Canadian children have access to regulated child-care spaces.

Proposed Solution: Propose language aimed at improving the availability of quality child care for CFIA Workers.

Workplace Democracy

Union Orientation

Issue: It is important to introduce new members to the union so that they understand what it is, what it does, and why it is in their interest to be a part of it. Specifically, this provides an opportunity to educate new members that, as a union employee, they are part of the bargaining unit and that their conditions of employment are governed by the collective agreement. It is also an opportunity to encourage their participation and foster the relationships necessary to make the union an effective voice in the workplace and in the broader community.

This is critical to building our union at the grassroots as it:

- introduces the new employee to the union and the steward as the workplace contact;
- educates members on union basics: where to go if they have questions, problems, want to get involved, etc.; and
- Introduces members to the basics of the collective agreement and does not leave it up to the employer to provide their interpretation.

Proposed Solution: Introduce language that creates an opportunity for union stewards/representatives to meet and discuss the function of the union with all new employees in the workplace on work time as part of their orientation process.

Joint Learning Program

Issue: The PSAC-TBS joint learning program (JLP) is a highly successful initiative which has helped to increase the union's visibility and credibility in the workplace. Since 2007, the program has delivered over 1000 workshops and trained hundreds of facilitators. In the last round of bargaining with Parks Canada the parties agreed to establish a Joint Union Management learning program pilot which would be funded by the Employer. CFIA workers deserve no less.

Proposed Solution: That language is introduced to establish a Joint Learning Program which includes an appropriate and clearly identified level of funding.

Union Leave

Issue: The new Public Service Labour Relations Act mandates all departments to engage in regular union-management consultation and to develop Informal Conflict-Management Systems in order to improve labour relations within their workplaces. There is a need for collective agreement language which guarantees leave with pay for union representatives engaged in these processes. This should be extended to joint union-management programs, as well as union-run education programs, because these contribute to the effectiveness of union representatives and the improvement of workplace labour relations.

Proposed Solution: Introduce improved union leave with pay provisions in order to maximize member participation in union and joint union-management activities.

Union Leave Without Pay – Salary Continuation

Issue: The preamble to the new Public Service Labour Relations Act reinforces the important role to be played by unions in maintaining harmonious labour relations. The current collective agreement recognizes the right to leave without pay for union representatives, but these representatives often suffer income disruption as employers can deduct the leave from pay cheques much more quickly than the union can reimburse for lost salary. This acts as a barrier to union participation, particularly for lower-income or single-income earners. Many other employers have been willing to negotiate salary continuation clauses into their collective agreements. Two rounds ago, the PSAC succeeded in obtaining language in the Parks Canada collective agreement that provides for salary continuation in the case of contract negotiations. We believe that salary continuation should be extended to other forms of union leave without pay. There is no cost to the employer, and the administration of salary continuation places no additional burden on employers.

Proposed Solution: Introduce language that will ensure that members do not suffer income disruptions as a result of taking on an active role in their Union.

PROGRAM OF DEMANDS – GROUP SPECIFIC OBJECTIVES

EG Group - Wash-up Time / Preparation Time

Issue: EG's accommodate the Employer's client by being on the "line" for all working hours. These hours do not allow for adequate preparation time and wash-up time.

Proposed Solution: Amend or introduce language that will ensure that members get paid for all the hours they are required to be at the workplace.

AS & CR Groups – Admin Support Wages

Issue: Comparability with terms and conditions of employment in similar occupations inside the public service

Proposed Solution: Harmonization of the rates of pay with other federal public sector employees performing similar work.

What Makes a Good Bargaining Demand?

What makes a good bargaining demand? How can Locals increase the chances that their bargaining demands will be accepted by their Component and forwarded to the bargaining conference? How can they improve their chances of having a demand submitted to the employer by their elected bargaining team?

Here are four guidelines to help Locals make their choices:

(1) Demands rooted in workplace problems and member's needs: Every round we get bargaining proposals asking for things that are already provided for in the collective agreement or represent things that people would "like" to have in their collective agreement. The strongest demands come out of demonstrated workplace needs. This would include:

- situations where we have filed a grievance and lost because of problems with the existing language;
- situations where normal requests are being unreasonably refused by management; and
- demands related to significant changes in workplace conditions, for example, the introduction of new shift schedules or change in jobs.

In all cases, it is essential that the bargaining demand be accompanied by rationale, which could include copies of grievances and the employer response, copies of employer directives, correspondence to members, etc. Any evidence that would support the need to make changes to the collective agreement would assist your bargaining team.

(2) Demands with momentum: It takes a lot of work to get managers and the Canadian Food and Inspection Agency to accept that there are problems which must be addressed through collective bargaining. As a result, we have a better chance with demands which have been the subject of ongoing campaigns or in-depth studies, or relate to problems where we have been putting sustained pressure on the employer through union-management committees, letter-writing, and lobbying. If you have copies of such letters, minutes of union-management committee meetings, etc., please attach them to your demand as rationale. The more demonstrated need we have, the better your bargaining team can support your demand at the bargaining table.

(3) Demands with established precedents: In the world of collective bargaining, we have a somewhat easier time achieving demands which have already been negotiated into collective agreements between unions and employers. This doesn't mean we don't try for breakthroughs; if we didn't we wouldn't have been the first union in the country to achieve a full 52 weeks of top-up for maternity and parental leave or the first union to achieve compensatory leave for "captive time" workers. But if you have a demand that

you know exists in other collective agreements, it will help if you can mention this in the rationale you will provide in support of your demand.

(4) The right demand at the right place: Your demand should be one that actually gets dealt with at the bargaining table for your bargaining unit. There are a number of key areas of your benefits and working conditions which are dealt with outside the normal collective bargaining process. **A separate input call is issued for these items, which include:**

- the PSAC Dental Plan (negotiated directly between PSAC and Treasury Board to cover all TB and Separate Agency units),
- the Public Service Health Care Plan (negotiated in conjunction with other federal bargaining agents through the PSHCP Trust).

Since there are separate input calls and bargaining processes for these issues, any demands for improvements in these areas **cannot** be accepted by the teams.

Instructions For Responding To The Input Call

- Individuals wishing to propose bargaining demands must do so through their Local.
- **All feedback and bargaining input from Locals must be submitted to the Agriculture Union.**
- Bargaining proposals **must not** be sent directly to the PSAC.
- A deadline of April 11, 2011 has been set by the PSAC for the receipt of bargaining proposals from the Agriculture Union.
- **The Agriculture Union will set the deadlines for receipt of input from their Locals.**
- **The attached form is to be used for bargaining input:**
- The form is for providing input on ANY bargaining topic, including those which are in the Program of Demands.
- **Fill out one form for each proposal.**
- The form must be signed by an officer of the Local, normally the President. Forms submitted electronically must have the name and contact number of the Local officer typed in.
- Wherever possible, Locals should submit input electronically on the attached proposal form. Both English and French versions of these forms are available on the PSAC WEB site.
- **All input MUST include the name, telephone number, email address (when available), Local number and location of the Local executive member in charge of submitting the bargaining input.** This information is required for identification purposes and will help the Agriculture Union and bargaining team contact you should follow-up be required.

PSAC: Proposal For Collective Bargaining

Note: Use a separate page for each subject or proposal. All proposals must be approved at a Local level and submitted to the Agriculture Union, not directly to the PSAC.

1. BARGAINING UNIT/ COLLECTIVE AGREEMENT Include sub-group if applicable.	
2. SUBJECT MATTER (E.G. Article title)	
3. AGREEMENT REFERENCE If applicable, provide Article number and page reference.	
4. PROPOSAL Briefly outline your proposal. You do not need to provide actual language.	
5. RATIONALE a) If the purpose of your proposal is simply to clarify wording, give examples of problems of misinterpretation of current agreement. b) If this is a NEW proposal, or a CHANGE, briefly describe problem which prompted your proposal and give arguments to be used at bargaining table to support your proposal. Name other employers having similar practice and/or mention or attach other union agreements containing similar provisions. c) Keep the rationale brief. Any longer documents or descriptions should be referred to and attached.	

LOCAL AND COMPONENT APPROVAL

Name, phone and email contact information for Local Executive in charge of input:	Component, Local Number, and Location:
Signature: _____	Date: _____

Approved by Component Executive in charge:	Date:
Signature: _____	