

CAPE Local 514 Newsletter

Reminders

If you have a workplace issue, you can contact the Labour Relations Officer assigned to ESDC, Karen Brook (kbrook@acep-cape.ca) or your local CAPE steward network (cape514esdc@gmail.com).

If you know someone that is a new EC at ESDC or does not get emails from CAPE, they may not be registered. Pass them our email and visit CAPE National's [membership page](#) and [registration page](#). You can also share this [member benefits flyer](#).

Spotlight on challenging anti-Black racism in the federal public service

Systemic racism and discrimination is a daily, lived reality for Black and racialized people in Canada, including federal public servants. Systemic racism and discrimination occurs in the workplace through individual/interpersonal prejudice (both conscious and unconscious) and institutional bias that continue to reproduce unequal power dynamics and outcomes.

Successive governments have acknowledged the reality that systemic racism and discrimination are barriers to the full inclusion and advancement of persons from marginalized groups. While some progress has been made in recent years, a level playing field for racialized federal public servants remains a distant goal (see this [report](#) from Immigration, Refugees and Citizenship Canada on the experiences of racialized employees in their day-to-day operations).

Federal public servants from racialized groups have decided to organize and seek redress. In December 2020, Black employees in the federal public service launched a class-action lawsuit that seeks to compel the Government to establish long-term solutions and award damages.

To date, approximately 1,300 Black employees have joined the Black class-action lawsuit and the certification hearing is scheduled for September 21, 2022. For more information, please consult the website for the class action: <https://www.blackclassaction.ca/>

Systemic racism within the federal public service is not unique to the Black community. In September 2021, First Nations women employees launched a class-action lawsuit seeking damages as a result of the psychological harm caused by racism in the workplace: <https://www.aptnnews.ca/national-news/first-nations-women-sue-ottawa-alleging-systemic-racism-against-indigenous-public-servants/> .

[CAPE recognizes](#) that systemic racism is “prevalent in Canadian public institutions” and is a daily occurrence in the federal public service.

ESDC Promotes Diversity Networks

Did you know? The Department recently announced that it will be creating paid full-time positions to lead the following ESDC Diversity Networks: Black Employee Network; Indigenous Employee Network; Women's Network; 2+LGBTQ Network; Employees with Disabilities Network; and the Visible Minorities Network.

Legislative Spotlight on Ontario's Bill 124

In November 2019, the Ontario Progressive Conservative government moved forward with Bill 124 - *Protecting a Sustainable Public Sector for Future Generation Act, 2019*. Also known as the “Ontario Public Sector Wage Freeze Act”, this legislation limited annual salary increases to one per cent for many parts of the public sector in the province for three years. When factoring in inflation, this wage freeze was effectively a salary cut for many public-sector workers such as teachers, educational staff, public long-term care aides, and even the very health care workers that have been lauded as heroes during this pandemic. The most notable exemption from this legislation are those working in police services.

This conservative approach to public-sector compensation and working conditions undermines our public services, our right to freely and collectively bargain, and our own negotiating position as public servants. Similar legislation was introduced in Manitoba in 2017; although the law was never enforced as it was being litigated in court. Thankfully, the government of Manitoba repealed their *Public Services Sustainability Act* in November 2021. Unfortunately, as of May 17th, Ford has declined to commit to repealing Ontario’s Bill 124 after the provincial election.

For further information, please see this [informational flyer](#) put together by the Canadian Union of Public Employees, a union that represents workers in Ontario’s public sector.

Know your collective agreement: leave entitlements

As CAPE members, we are entitled to a number of leave provisions under the EC [collective agreement](#), in addition to leave options available to all employees. While some leave types are widely known and used (e.g. vacation entitlements, paid sick days), we would like to spotlight a few:

- **Personal leave with pay (Article 21.01):** we are entitled to **two personal days** (15 hours) annually that are non-refundable and non-transferable, meaning if you do not use them within the fiscal year, they are lost. These can be used interchangeably with traditional vacation days. Personal leave with pay can be taken either in four half-days, two full days, or a mix of both.
- **Domestic violence leave (Article 21.18):** if you or your child are experiencing abuse from someone with whom you have or had an intimate relationship, know that you are entitled to up to 75 hours (10 working days) each fiscal year of domestic violence leave to enable you to access assistance and/or relocate.
- **Leave without pay for personal needs (Article 21.11):** some of us may feel the need for more time off. As you enter the public service, gaining access to a fourth week of vacation takes 8 years. Fortunately, and subject to operational requirements, you may be eligible for a period of leave without pay for up to three months, or from three months to a year. We suggest you read Article 21.11 if you are considering this leave, as there are some conditions.
- We are also eligible for a **special work arrangement** that allows us to take extended leave without pay (for five weeks to three months) while averaging our income over a 12-month period. It allows us to keep a steady income by receiving part of our regular salary during the leave without pay. This arrangement is in the employer’s policies, not in our collective agreement. More information can be found on [Public Services and Procurement Canada’s webpage](#).

- **Leave with pay for family-related responsibilities (Article 21.13):** under our collective agreement, we are entitled to 37.5 hours of leave with pay per fiscal year for family-related responsibilities. Under this leave, family is loosely defined, making this leave a good option whenever a loved one needs our attention. It is also non-refundable and non-transferable.

There are many other types of leave in our collective agreement (some with pay, others without pay). We encourage you to review the agreement to learn more (it's great reading material if you can't fall asleep!), or reach out to us (your local 514 stewards) if you have any questions about leave.

Change in your local 514 leadership

While we are saddened to see the departure of our former President of CAPE Local 514, Shanisse Kleuskens, it is for a great reason! We congratulate her and her partner on expecting their first child this summer. We wish her the best on her maternity and parental leave. In her absence, Secretary and steward, Annie Yeo was appointed as interim President until the next local 514 annual general meeting (AGM) anticipated for Fall 2022.

Declan Ingham was also appointed as interim Director of Organizing, and will be acting in this role until our next local 514 AGM. He will lead outreach initiatives related to local and member mobilization.

Lastly, we thank our former steward, Alexis-Nicolas Brabant for all his work in our local and wish him the best in his new position at Innovation, Science and Economic Development Canada. We know he will continue great work at his new local.

Have your say - Future of work at ESDC

While "back to work" plans have fluctuated throughout the pandemic, September 7, 2022 marks the official date when the Department plans to implement a "new flexible workplace", with teleworking, in-person, and hybrid work arrangements. Managers are expected to engage with their teams on the flexible work model over the summer months. As always, we would love to get your thoughts on these plans. If you have any issues to raise or suggestions to make, please do not hesitate to reach out at cape514esdc@gmail.com.

About the Canadian Association of Professional Employees (CAPE)

CAPE represents over 21,000 federal public service employees across Canada and is the third-largest federal public service union in the country. CAPE represents economists, policy analysts, researchers in the Library of Parliament, analysts in the Office of the Parliamentary Budget Officer, statisticians, translators, interpreters, terminologists and civilian members of the RCMP (ESS and TRL): www.acep-cape.ca

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