



Association des professionnels et superviseurs
Association of Professionals and Supervisors

NEWSLETTER

May 2008

CIRB – The members getting involved

In both marathon-cases still running before the Canadian Industrial Relations Board (CIRB), the parties have engaged in a new phase of activity with the arrival of spring 2008. Participants have been given until the autumn to avoid formal hearing procedures.

Both in the English and French Networks, APS has chosen to consult its members with the hope of preparing the cases for the formal hearing as well as to enter into the mediation process with the best possible material. In both Networks the response has been massive with APS members standing up to participate in the debates.

Both cases originated by simultaneous requests before the Board by the Guild and SCFP (CUPE) unions to seek an alarming quantity of jobs from the APS bargaining unit in both Networks. The SCFP claim is heard in Montreal while the Guild claim is processed in Toronto. The Board has selected the same Vice-President to hear both cases in the person of Louise Fecteau. It was Me Fecteau who called the parties to try to resolve their problems with the hope of avoiding the costly and bitter deadline that awaits them next autumn.

It is with this in mind that the APS lawyers decided to undertake the consultation process to have in hand the freshest data available for both phases of proceedings. On the English side, Me Robert Dury heads the operation while Me Chantal Poirier is directing traffic in the French Network. Both of our principal lawyers are thus seeking first hand testimony to check the allegations coming out of the two unions.

In a few words, these unions are claiming APS members perform technician duties while the association maintains that those members are professionals or quasi-professionals. The text of the APS bargaining certificate is clear on this issue APS members are Professionals or "...employees who perform similar or comparable functions..." (Certification order issued originally by the Board on September 6, 1995). Our lawyers are investigating to find out if effectively our members are still meeting the definition determined by the Board.

Almost all of those that were asked to participate responded to the sometimes very pointed questions prepared by the lawyers concerning their jobs at the corporation. A task that called on more than a hundred employees in both Networks. The results are more than promising. Although the process is still in its analytical stage, it is becoming obvious that in many cases the jobs have been enriched and have risen in complexity since their inclusion in the APS unit back in 1995.

More than ever APS feels confident it can preserve the professional status of its members as well as overcome the threat extinction. The massive amount of claims in both cases is enough to jeopardize our financial viability. Our campaign is also serving to identify our future witnesses in the eventuality of autumn hearings.

We would like to salute in conclusion all of those who are participants in the venture, our members who are standing up for their status. For the English Network, Diana Duric stands as our top representative, while in the French Network Yves Ledoux has coordinated all sectors of claims and Sylvie Létourneau has concentrated on IT. A colossal task they will continue to oversee.
