

ARBITRATION AWARD

IN THE MATTER OF A DISPUTE

BETWEEN

THE CANADIAN ASSOCIATION OF PROFESSIONAL EMPLOYEES

Bargaining Agent

AND

TREASURY BOARD

Employer



IN RESPECT OF THE ECONOMICS AND SOCIAL SCIENCES SERVICES GROUP

For the Bargaining Agent: Frederica Wilson, Counsel

For the Employer: Kathryn Wilder Paterson, Negotiator & Marc Richard,  
Senior Researcher

Before: Ken Norman, Chair,  
Fred Pomeroy, Bargaining Agent Nominee  
Richard Nannini, Employer Nominee

OTTAWA September 27, 28 & 29 and written submissions of  
October 4, 2004

[1] The Economics and Social Science Services [EC] bargaining unit includes 4,817 employees in the Economics [ES] category and 3,261 employees at the Social Science [SI] level. Women make up 51.9% of the bargaining unit.

[2] The Canadian Association of Professional Employees [CAPE] filed a notice to bargain a renewed agreement on April 3, 2003. The collective agreement expired on June 21, 2003. The parties exchanged proposals on September 30 and October 1, 2003. Bargaining sessions then took place on November 13 & 14; December 9 & 10; February 17 & 18; April 14 & 15 and April 20 & 21, 2004. CAPE served notice of its intention to proceed to arbitration on May 11, 2004.

[3] On July 22, 2004, this arbitration board was fully constituted with the appointment by Yvon Tarte, Chairperson of the PSSRB, of Ken Norman as chairperson of the board. Fred Pomeroy was appointed to represent CAPE and Richard Nannini was appointed to represent the Treasury Board.

[4] The board sat on September 27, 28 & 29, 2004, and received final written submissions on October 4, 2004.

[5] The board approached the hearing process with an appreciation of how much progress had been made by the parties in their bargaining sessions, with some 45 articles and 2 appendices having been signed off. All that remained before the board in addition to pay issues - which included a new package from CAPE - were proposals concerning 8 existing articles and 1 appendix as well as CAPE's demands for 3 new articles.

[6] In light of this productive recent bargaining history, the board determined to mediate the remaining differences between the parties. Thanks to the efforts of my experienced colleagues, Richard Nannini and Fred Pomeroy, and to the apparent good will displayed by the bargaining teams, at the end of two extended days of this negotiation process much common ground had been gained. In the end, with a counter proposal on pay from Treasury Board further narrowing the gap between the parties, all that was left for the board to resolve were 3 articles in addition to pay. The final day of sittings was then devoted to hearing the parties on these remaining issues.

[7] Having considered the parties' thorough representations on these matters, the board's award, establishing additional terms of a renewed collective agreement for 3 years from June 21, 2003, is set forth in bold face type:

**ARTICLE 17 - SEXUAL HARASSMENT - Renew**

ARTICLE 21.06 - PARENTAL LEAVE WITHOUT PAY

(a) (i) Where an employee has or will have the actual care and custody of a new-born child (including the new-born of a common-law partner), the employee shall, upon request, be granted parental leave without pay for up to thirty-seven (37) consecutive weeks in the fifty-two (52) week period beginning on the day on which the child is born or the day on which the child comes into the employee's care.

(ii) Notwithstanding the above, at the option of the employee, the parental leave can be taken in two periods of consecutive weeks, to a maximum of thirty-seven (37) weeks.

(b) (i) Where an employee commences legal proceedings under the laws of a province to adopt a child or obtains an order under the laws of a province for the adoption of a child, the employee shall, upon request, be granted parental leave without pay for up to thirty-seven (37) consecutive weeks in the fifty-two week (52) period beginning on the day on which the child comes into the employee's care.

(ii) Notwithstanding the above, at the option of the employee, the parental leave can be taken in two periods of consecutive weeks, to a maximum of thirty-seven (37) weeks.

ARTICLE 24.02 - VACATION LEAVE WITH PAY

(h) eighteen decimal seven five (18.75) hours at the employee's straight-time hourly rate commencing with the month in which the anniversary of the employee's twenty-eighth (28th) year of service occurs; (30 days)

RATES OF PAY

- Existing increments - Renew
  
- At the third step of the ES-03 pay scale - \$53,893
  
- Economic Increases:

Effective June 22, 2003 - 2.5 %

Effective June 22, 2004 - 2.25 %

Effective June 22, 2005 - 2.25 %

Dated at Saskatoon this 14 day  
of October, 2004.

**Original Signed by**  
**Original signé par**

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Ken Norman, Chairperson,  
Board of Arbitration