



Association of Justice Counsel Association des Juristes de Justice

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All the details

Newsletter for members of the Association of Justice Counsel Volume 1, No 2 August 2008

The AJC's financial situation

The Governing Council held a conference call on July 10, 2008 to discuss the AJC's financial situation. As a young association, the AJC has incurred some significant expenses for its accreditation, representation of its members, preparation of a list of union demands, and negotiation and mediation of our first collective agreement. Other expenses are expected, including the dues holiday for members who provided financial assistance to their union during start-up, and the costs for arbitrating our agreement, which process will begin in the fall.

In view of the challenges imposed by our financial situation, the Executive Committee has asked the Finance Committee to appoint an independent consultant to undertake an analysis of the Association's financial situation and to propose a plan and recommendations to ensure the AJC's long-term financial viability and allow the union to meet the objectives set forth by its members. This plan will be presented to the Executive Committee, followed by the Governing Council, and will ultimately be submitted to you. You will therefore be advised in the next few weeks of the overall situation as well as proposed solutions, and will be called upon to make decisions regarding your association's finances.

Updating our constitution and bylaws

The constitution and bylaws that govern the operations of the AJC have remained unchanged since the Association was founded. At the time of their adoption, they were adequate to meet our needs. But the Association has evolved, and they no longer truly reflect the realities of our status as a union. The constitutional changes being contemplated, which will be submitted to you for approval by means of a general vote, focus essentially on the electoral process, conditions of membership, and union dues (subject to recommendation by the Finance Committee and the Governing Council). These amendments are essential for updating our operating rules to address current challenges.

Where's the arbitrator...

Following the demonstration by hundreds of members from the National Capital in front of the Justice Department offices on May 13, the President of the Treasury Board wrote to indicate his willingness to reach an agreement with us on the choice of a chair for the arbitration board. Despite his good intentions, however, the spokesperson for the employer has not come up with anything concrete. We therefore find ourselves involved in a mediation process to reach an agreement on the choice of chair. Kevin Burkett, who already served as mediator for the face-to-face negotiations on our agreement, will attempt to guide us to a consensus on this important appointment. Unfortunately, the legislation does not provide a time limit for forcing an agreement between the parties. Should no agreement be reached, the Public Service Labour Relations Board will appoint the chair of the arbitration board. Despite the current political context

and the fact that a general election will likely be held this fall, we are still in favour of a negotiated choice in order to ensure the impartiality of the chair of the arbitration board.

Once the chair is appointed, each party will appoint a member to complete the three-member arbitration board. After that, an agreement will be reached as to a work schedule, and arbitration can officially begin. At that point, we will have a better idea of the duration of the entire process.

In the meantime, the negotiation team will be fine-tuning the arguments to be included in the brief presenting our demands and arguments, which will be tabled before the arbitration board. This brief will be provided to you in full. Until then, for those who wish to know more about our initial demands, the text of the proposals filed with the employer for purposes of the collective bargaining will soon be available on our [website](#). You may also view a summary of the major elements of the proposal in the [December 2007 Collective Bargaining Update](#).

Here to protect your interests!

Vivian Gates and Michelle Flaherty are our two legal counsel and labour relations officers working full-time for the AJC. Essentially, their work involves defending your interests and representing you to the employer. In the last year, they dealt with over 200 files, enabling 200 members to be heard and respected. Vivian and Michelle have allowed us to repatriate the vast majority of representation files that we previously had to refer to the private bar given our lack of staff. This means that we can ensure greater consistency in how files are handled, and that we can also substantially reduce the costs associated with representing members.

By way of example of the files handled, on August 18, 2008, the AJC filed a complaint under section 190 of the *Public Service Staff Relations Act*, alleging that the employer had changed its policies on statutory holidays for part-time employees. In our view, these amendments are contrary to the employer's statutory obligation to respect the conditions of employment until such time as a collective agreement has been reached.

Congratulations Michelle!

The Common Law Honour Society of the University of Ottawa has selected Michelle Flaherty, Labour Relations Agent and Counsel for the AJC, to receive the highest distinction that can be awarded to a former student of the Faculty of Law. Each year, the selection committee recognizes one candidate who has achieved notable success in the first ten years since graduation. Michelle's accomplishments have earned her a place among this year's inductees. Her appointment to the Honour Society ensures that all present and future Common Law students will know of her important contributions to the Faculty of Law. We are proud to count Michelle among our colleagues, and want to offer her our sincerest congratulations.

Provide input to your committee representatives

There are a large number of national employer-union and workplace health and safety advisory committees, both at the Department of Justice and the Public Prosecution Service of Canada, to which the AJC is called upon to delegate representatives. Also, as regards the National Health and Safety Committee, besides DOJ and the PPSC, we either currently are, or soon will be, obliged to participate with agencies where we have members, such as the Human Rights Commission, Veterans Affairs, etc.

In order to ensure the best possible representation of our members, we will be posting the schedule of meetings with the various departments and agencies on the AJC Web site. This will enable you to indicate the subjects of concern to you, and thereby obtain concrete responses from the management of these departments and agencies.

Even closer than before!

We have adopted a communications plan that includes a component on union life. This means that the frequency of regional general meetings will increase in order to promote better communication between regional union representatives and members.

Your 2008-2010 Executive Committee

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