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Press Clippings for the period of December 2-8, 2011
Revue de presse pour la période du 2 au 8 décembre 2011

English Media

December 8

System at risk, B.C. chief justice warns

British Columbia's Supreme Court chief justice says the province's judicial system "is threatened, if not in peril" because of insufficient government funding.

In a speech to a Canadian Bar Association (CBA) meeting in Las Vegas November 19, Chief Justice Robert Bauman urged members of the Bar to speak out to defend and protect the system.

<http://www.lawyersweekly.ca/index.php?section=article&volume=31&number=30&article=2>

Lawyers throw down gauntlet

Saying they're "fed up" with the crisis in funding for the legal aid system, British Columbia lawyers have pledged to gradually stop taking duty counsel referrals beginning in January and leading to "complete closure" by April unless the provincial government takes action.

More than 100 lawyers, many of them gowned, protested the lack of funding outside Vancouver Provincial Court last week. Similar demonstrations took place in Victoria, Kamloops and Penticton.

<http://www.lawyersweekly.ca/index.php?section=article&volume=31&number=30&article=1>

Guest column: It's time to make unions open their books

For organizations that claim they have nothing to hide, Canada's big labour unions definitely don't act like it.

Take the saga of Conservative MP Russ Hiebert's recent private-member's bill which, if passed, would have obliged labour unions to regularly and publicly file statements of their finances. This is a basic level of transparency and accountability that applies to Canadian charities, for instance, as a condition of their preferred federal tax status.

<http://www.theprovince.com/business/Guest+column+time+make+unions+open+their+books/5829282/story.html>

December 7

Fixing government-union relations

Next year will be a year of public sector labour unrest. So says the Conference Board of Canada's recently released 2012 Industrial Relations Outlook, which portrays a grim outlook for public sector bargaining as a result of governments' efforts to reduce staff and compensation.

<http://www.financialpost.com/news/Fixing+government+union+relations/5822465/story.html>

December 6

How many regimes does it take to change a civil service?

If it wasn't clear to Canadians before, it ought to be now: our federal public service - bureaucracy - is out of control and stern measures are needed to rein it in. A Postmedia report last week indicates that the "core public service" has grown itself by 34 per cent over the past 10 years, the number of people living off the taxpayers' dime rising from 211,925 to 282,955 in 2010.

<http://timestranscript.canadaeast.com/opinion/article/1461478>

December 5

Arbitrators have wide leeway in applying legal doctrines, Supreme Court declares

On Friday, December 2, the Supreme Court granted an appeal from the Manitoba Court of Appeal, determining that an arbitral award applying common law or equitable remedies deserves deference, and should be reviewed on a standard of reasonableness rather than correctness.

http://www.lancasterhouse.com/about/headlines_dec5.asp

Pay rise appeal out of order

Since judges are relied upon for their sound reasoning, the faulty arguments behind provincial court judges' appeal for higher salaries are unsettling.

The judges are seeking a hike that would increase their base salaries by more than \$31,000 over three years from \$239,000 to \$270,000. The province is countering by proposing no increase for next year followed by modest cost-of-living increases the following two years.

Both judges and the province are submitting proposals to an independent commission tasked with determining provincial judges' salary increases.

<http://www.thestarphoenix.com/business/rise+appeal+order/5810755/story.html>

\$5-million in double-pay accidentally deposited in federal employee bank accounts

More than 3,000 federal employees were accidentally paid \$5-million in double-pay last month after the Royal Bank of Canada deposited earnings twice in some bank accounts.

All double payments were “reversed promptly,” according to a spokesperson for Public Works and Government Services, which posted a notice about the Nov. 23 error on its Compensation Sector site last month.

<http://news.nationalpost.com/2011/12/05/5-million-in-double-pay-accidentally-deposited-in-federal-employee-bank-accounts/>

Lorne Gunter: Civil service pay Ottawa's biggest expense

Bureaucrats' pay is now far and away the federal government's largest single expense. Each of the more than 450,000 federal civil servants costs taxpayers an average of \$92,000 annually for salaries, benefits and pension contributions – nearly \$20,000 a year more than the average private-sector worker. At \$42 billion, total civil service compensation is nearly double what it was just a decade ago and accounts for almost 17% of all of Ottawa's spending. There is no practical way for the Tory government to balance its budget again without dramatic cuts to the size and expense of the civil service.

To make matters worse, according to James Lahey, a former senior bureaucrat who has done the most comprehensive studies yet into civil service pay and benefits, no one is in charge of monitoring bureaucrats' compensation. There are few controls and uneven management of raises, promotions and salary negotiations.

<http://fullcomment.nationalpost.com/2011/12/05/lorne-gunter-civil-service-pay-ottawas-biggest-expense/>

Loose controls, management blamed for costly PS

The \$25-billion compensation bill for Canada's public service is costlier than necessary because of loose controls and uneven management, says the man who conducted the most comprehensive study of pay and benefits in the public service.

Compensation is the government's biggest operating cost, but no one takes overall responsibility for managing, tracking or even properly recording those costs, concluded long-time senior bureaucrat James Lahey. He recently updated his landmark 2006 study in an article published in How Ottawa Spends.

<http://www.ottawacitizen.com/business/Loose+controls+management+blamed+costly/5810153/story.html>

Toronto's rise as a global finance centre

In a nation with high public payrolls, cutting costs in government services usually means slashing jobs. That, in turn, dampens consumer spending, notes Tobias Levkovich, chief U.S. equity strategist with Citigroup Global Markets Inc.

Viewed from that perspective, the United States and Canada look pretty good. The U.S. has less than 16 per cent of the labour force employed in the public sector while Canada has about 20 per cent.

http://www.theglobeandmail.com/globe-investor/investment-ideas/features/at-the-bell/torontos-rise-as-a-global-finance-centre/article2259757/?utm_medium=Feeds%3A%20RSS%2FAtom&utm_source=Home&utm_content=2259757

December 2

Public sector union launches social media campaign against federal cuts — with video

Public-sector unions are fighting back against the Conservative government's multibillion-dollar spending review with a new social-media campaign that claims it's absurd to have Canadians choose between strong public services and eliminating the deficit.

The Public Service Alliance of Canada's new 'Third Choice' online campaign — launched Friday on Facebook — features a video of a giant squirrel ransacking a federal government office, and urges Canadians to fight back against the cuts.

<http://blogs.canada.com/2011/12/02/public-sector-union-launches-social-media-campaign-against-federal-cuts/>

Public sector frustration could lead to increased work stoppages in 2012

There is an increased prospect of work stoppages in the public sector in 2012, because labour - which has quietly accepted restraint in recent years - is becoming frustrated with ongoing demands for concessions from government employers, according to The Conference Board of Canada's Industrial Relations Outlook 2012: Going Sideways, With a Twist.

"A number of large public sector institutions will be at the bargaining table in 2012," said Karla Thorpe, Director, Leadership and Human Resources Research. "The federal and provincial governments are focused on eliminating their respective budget deficits, and this will limit their ability or willingness to offer much more than modest wage increases."

<http://www.newswire.ca/en/story/889089/public-sector-frustration-could-lead-to-increased-work-stoppages-in-2012>

National Union releases report on long-term care: Dignity Denied 2011

Medicare as a fundamental value of the Canadian character and one of the most loved public services. It is a system based on a principle of quality care for all, regardless of wealth or social status. Yet more and more families are becoming acutely aware that much of this quality of care ends at the doors to long-term care facilities.

As part of the National Union of Public and General Employees' (NUPGE) on-going All Together Now! campaign promoting quality public services and tax fairness, NUPGE is releasing an updated edition of Dignity Denied 2011. This matter is of urgent concern to NUPGE and our 340,000 members, most of whom deliver public services and many who work in the long-term care sector.

<http://www.nupge.ca/content/4660/national-union-releases-dignity-denied-2011>

[Full Report](#)

Warning: labour strife ahead

Governments and unions across the country are getting ready for a bare-knuckles brawl in 2012 that could make this year's Canada Post and Air Canada disputes seem mild, according to a new report from an economics think tank.

<http://www.thestar.com/business/article/1096049--warning-labour-strife-ahead?bn=1>

Médias francophones

7 Décembre

Loi sur le contrôle des dépenses permettant d'imposer des plafonds salariaux aux 2700 juristes fédéraux

La loi jugée inconstitutionnelle en cour supérieure

Les 2700 juristes et procureurs fédéraux viennent de remporter une victoire importante contre le gouvernement fédéral alors qu'un juge de la Cour supérieure de l'Ontario a statué que la Loi sur le contrôle des dépenses, qui avait pour effet de leur imposer des plafonds salariaux à compter de 2006, est inconstitutionnelle.

<http://www.cyberpresse.ca/le-droit/actualites/fonction-publique/201112/06/01-4475251-la-loi-jugee-inconstitutionnelle-en-cour-superieure.php>

Les juristes fédéraux réclament de meilleurs salaires

7 Dec 2011 Le Droit PAUL GABOURY

Après plusieurs séances tenues en 2011 sans pouvoir arriver à une nouvelle convention collective, l'association des juristes de justice a fait une demande d'arbitrage dans l'espoir de dénouer l'impasse. Les premières séances en arbitrage devraient avoir lieu au début de 2012.

L'AJJ espère que le jugement de la Cour supérieure envoie un signal à l'employeur qu'il doit adopter une démarche raisonnée et équitable avec elle dans le cadre des présentes négociations pour le renouvellement du contrat de travail de ses membres.

Écart de 65000\$ avec l'Ontario

Actuellement, le Conseil du Trésor offre 1,5 % par année en 2011-2012, 2012-2013 et 2013-2014. Quant à l'indemnité de départ, l'offre est de mettre fin à la prestation, rétroactivement au 11 mai 2011, en échange d'une augmentation salariale de 0,75 % et des options de paiement. L'AJJ soutient pour sa part que l'écart de salaire est à son maximum en Ontario. Un juriste fédéral payé au maximum du taux national reçoit 36 % de moins que les niveaux équivalents de la province de l'Ontario, ce qui représente une différence de 65 000 \$. Environ les deux tiers de tous les juristes et procureurs fédéraux travaillent en Ontario.