

June 17, 2014

**GUILD PROPOSALS TO AMEND
THE COLLECTIVE AGREEMENT
BETWEEN
TRESUARY BOARD OF CANADA SECRETARIAT
AND
THE CANADIAN MERCHANT SERVICE GUILD**

Group: Ships' Officers

* All Articles and Memorandums of Understanding in the current Collective Agreement not listed here are expected to be carried forward

* All proposals are presented on a without prejudice basis and are subject to amendment, removal or withdrawal

Article 17 Leave for Guild Business or for other Activities under the Public Service Labour Relations Act (PSLRA)

Amend Article 17.05 as follows:

Where operational requirements permit, the Employer will grant *leave with pay* to an officer for the purpose of attending contract negotiation meetings with the Employer on behalf of the Guild.

Article 17 Leave for Guild Business or for other Activities under the Public Service Labour Relations Act (PSLRA)

Amend Article 17.06 as follows:

Where operational requirements permit, the Employer will grant *leave with pay* to an officer to attend meetings preparatory to contract negotiations with the Employer.

Article 17 Leave for Guild Business or for other Activities under the Public Service Labour Relations Act (PSLRA)

Amend Article 17.08 as follows:

Where operational requirements permit, the Employer will grant *leave with pay* to an officer engaged in such business of the Guild as attendance at executive meetings, conventions and congresses.

Article 20 Vacation Leave with Pay

Amend Article 20.07 as follows:

The Employer shall schedule vacation leave as requested by the officer.

Article 21 Designated Holidays

Amend Article 21.05 as follows:

(b) Double time for all hours worked

Delete (a), (c)

Article 21 Designated Holidays

Amend Article 21.06 as follows:

(b) Double time for all hours worked

Delete (a),(c)

Article 23 Other Types of Leave With or Without Pay

Amend Article 23.02 (a) as follows:

Where a member of an officer's immediate family dies, the officer shall be entitled to bereavement leave with pay for a period of *seven (7)* consecutive calendar days, including the day of the memorial commemorating the deceased. During such period, the officer shall be granted leave with pay for those days which are not the regularly scheduled days of rest for that officer. In addition, the officer may be granted up to three (3) days leave for the purpose of travel related to the death.

Article 23 Other Types of Leave With or Without Pay

Amend Article 23.18 (b) (i) as follows:

The Employer shall grant leave with pay as follows:

- (i) One (1) day when circumstances arise with those individuals indicated in Article 23.18(a). An officer requesting leave under this provision must notify his/ her supervisor as far in advance as possible;

Article 24 Travelling Time

Amend Article 24.04 (b) (ii) and (c) to reflect 9 hours.

Article 25 Meals and Quarters

Amend Articles 25.02 (a), (b), and 25.03 (a), (b) as follows:

Replace quantum with NJC Travel Directive

Article 30 Hours of Work and Overtime

Amend Article 30.04 (a) as follows:

Any work which appears to be necessary for the safety of the vessel, passengers or crew shall be performed at any time on immediate call by all officers and shall be paid overtime.

Article 30 Hours of Work and Overtime

Amend Article 30.06 as follows:

Delete (c).

Article 30 Hours of Work and Overtime

Amend Article 30.07 as follows:

Delete (c).

Article 30 Hours of Work and Overtime

Amend Article 30.08 as follows:

Subject to clause 30.11 an officer is entitled to compensation under 30.06 (d):

- (a) for overtime worked following the officer's normal daily hours of work;
- (b) for overtime worked on the officer's days of rest:

Article 30.09 Meal Allowance

Amend Article 30.09 (a) (b) (c) as follows:

Replace quantum with NJC Travel Directive

Article 30.14 Compensation in cash or leave with pay

Amend Article 30.14 (a) as follows:

All overtime earned (Article 30), all compensation earned for performing Security Duty (Article 33), Travelling Time (Article 24), Call-back Pay (Article 31) Reporting Pay (Article 32), Dirty Work (Article 40) and all compensation earned for work on a Designated Holiday (Article 21) shall accumulate as compensatory leave at the equivalent cash value of the sub-group and level at which it is earned. Such accumulated compensatory leave shall be held in reserve to be liquidated in leave or cash at the request of the officer.

Article 32 Reporting Pay

Amend Article 32.01 as follows:

If an officer *is not notified* at least forty-eight (48) hours prior to the commencement...

Article 35 Pay Administration

Amend Article 35.04 as follows:

Add: All acting time shall be cumulative for the purposes of pay increment calculation.

Article 35 Pay Administration

Amend Article 35.08 as follows:

The Employer shall make cash payments for overtime, acting pay and other premium payments within the first pay period following the end of the calendar month in which it is earned.

Article 40 Dirty Work Allowance

Amend Article 40.02 as follows:

Supervision of duties described in clause 40.01 (a), (b), (c) or (d) does not entitle an officer to the allowance specified in clause 40.01.

Article 43 Duration and Renewal

Amend Article 43.02 as follows:

All benefits and monetary items shall be effective retroactive to April 1, 2014.

Article 45 Disability Insurance Plan (new)

The Guild proposes to incorporate the Disability Insurance (DI) Plan into the Ships' Officers Collective Agreement.

Wages and Allowances

Significant increases in all wage scales and allowances.

Appendix A-D

Eliminate all increments except for the top two.

Appendix E Officer Cadets

Replace Monthly Allowances with equivalent Appendix A SO-MAO-TO increments.

Appendix G Extra Responsibility Allowance

Amend ERA rates to reflect 18% of new top pay increment.

Amend ERA rate tables to include FLP and INS groups.

Appendix H Lay Day Operational Crewing System

Amend Article 30 (1) as follows:

Overtime compensation will be subject to:

(a) Clauses 30.07 and 30.08 of the Ships' Officers Collective Agreement.

Delete (b), (c).

Appendix H Lay Day Operational Crewing System

Amend paragraph (c) as follows:

The workday will consist of on-duty-cycle of twelve (12) hours of work per day. For each day worked or for each on-duty-cycle day on which an officer is on authorized leave with pay other than compensatory leave and vacation leave with pay, an officer shall earn one decimal one seven (1.17) lay-days in addition to the officer's lay-Day rate of pay.

Appendix H Lay Day Operational Crewing System

Amend Lay –Days General (b) as follows:

Officers will be informed of the anticipated work schedule for the operational year. Officers will be notified of changes to the anticipated work schedule at the earliest possible time. Normally, officers will receive two (2) months notice of changes to the anticipated work schedule, with a minimum of fourteen (14) days notice. *Tours of duty shall not exceed four (4) weeks.*

Appendix I Averaging System Forty-Two (42) Hours

Amend Article 30 (b) (c) as follows:

Except as provided in (c) below officers shall be entitled to compensation at double time for hours worked in excess of an average of forty (40) hours per week but not exceeding an average of forty-two (42) hours per week.

The following conditions apply to officers employed on fire tugs or assigned to DND security watch patrols or assigned as Coast Guard Rescue Centre Watch keepers.

- (i) Subject to clause 30.07, officers shall be entitled to compensation at the double time rate for hours worked in excess of an average of forty (40) hours per week.

Appendix I Averaging System Forty-Two (42) Hours

Amend Article (b) Overtime Compensation as follows:

An officer subject to Hours of Work (a) and (b) above is entitled to compensation at double time for any work performed on days of rest.

Appendix J On-Call System – Average Forty-Six Point Six (46.6) Hours

Amend Article 30 (e) as follows:

An officer is entitled to double time for work performed on days of rest.

Appendix K 40 Hour Work Week System

Article 30 Hours of Work and Overtime

Amend Article 30 (c) as follows:

Officers whose hours of work are.... These hours shall be designated so as to be consecutive.

Amend Article 30 (d) as follows:

For officers who regularly work five (5) consecutive days per week on "non-watch keeping vessels":

- (i) Hours of work shall be consecutive*
- (ii) Meal periods shall not constitute a part of any work period*
- (iii) However, the provisions of clause (d) (ii) above do not apply to Officers who are required to eat during their work period*
- (iv) The normal hours of work shall be between 0600 and 1800 hours*
- (v) Officers shall be given forty-eight (48) hours notice of any change in scheduled starting time*

Letter of Understanding (13-4) Variable Hours of Work

Amend as follows:

1. General Terms

- (a) Officers with the approval of the Employer...no change*
- (b) The starting and finishing no change*
- (c) Scheduled hours shall be consecutive , and all hours in excess of the scheduled hours shall be overtime hours*
- (d) Meal periods shall not constitute a part of any work period*
- (e) However, the provisions of clause (d) above do not apply to Officers who are required to eat during their work period*
- (f) The maximum life... no change*
- (g) Normally, the cancellation...no change*

2. Designated Paid Holidays

When an officer works on a Designated Paid Holiday, the officer shall be compensated, *in addition to the normal daily hours' pay double (2) time for all hours worked.*

Appendix K 40 Hour Work Week System

Amend Article 30 (f) as follows:

An officer is entitled to compensation at double (2) time:

- 1) For overtime worked in excess of his normal daily hours of work;
- 2) For overtime worked on his/her days of rest
- 3) Delete

Appendix M Long Service Pay (new)

1.01 An officer who receives pay for at least eighty-four (84) hours for each of twelve (12) consecutive calendar months for which the officer is eligible to receive long service pay, beginning October 1 of each year, is entitled to be paid, in a lump sum an amount related to the officers' period of service in the Public Service set out in the following table:

Period of Service	Annual Amount
5 to 9 years	\$740
10 to 14 years	\$850
15 to 19 years	\$980
20 to 24 years	\$1110
25 to 29 years	\$1240
30 years or more	\$1370

1.02 An officer who does not receive at least eighty-four (84) hours pay for each of twelve (12) consecutive calendar months for which the officer is eligible to receive long service pay, beginning October 1 of each year, is entitled to one-twelfth (1/12) of the relevant amount as set out in clause 1.01 for each month for which he/ she receives at least eighty-four (84) hours pay.

1.03 Where an officer does not complete their specified period of service in the Public Service upon the first (1st) day of a calendar month, the officer shall, for the purpose of clause 1.01, be deemed to have completed the specified period of employment:

- a) On the first (1st) day of the current month if the officer completes the specified period of employment during the first fifteen (15) days of the month,

And

- b) On the first (1st) day of the subsequent month in any other case.

Appendix N Isolated Allowance (new)

Isolation allowance shall apply to officers assigned to vessels performing work on or above fifty-five degrees of latitude north.

Officers on vessels engaged in work on or above fifty-five degrees (55) shall receive a daily allowance as follows:

2014	2015	2016	2017	2018	2019
\$34.10	\$34.78	\$35.48	\$36.19	\$36.91	\$37.65

The isolation allowance shall be considered as part of pay for the purposes of the Public Service Superannuation Act (PSSA), Disability Insurance (DI), the Public Service Management Insurance Plan and Severance Pay (Article 29).

Certification Allowance (New)

The employer shall pay a Certification Allowance to officers who maintain a Certificate of Competency greater than required by the officer's substantive position.