



# AJC-AJJ

ASSOCIATION OF JUSTICE COUNSEL  
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Press Clippings for the period of October 7-13, 2011  
Revue de presse pour la période du 7 au 13 octobre 2011

## English Media

October 13

### **Making the bureaucrats earn their keep**

When it comes to the size of the state, the Conservatives are finally starting to live up to their name. This week Industry Minister Tony Clement announced that Ottawa bureaucrats' "at-risk pay" (government-speak for "performance bonus") will be tied to - gasp! - efficiency. Forty percent of government managers' bonuses will depend on their ability to identify savings, towards the Tories' goal of finding \$4-billion in permanent cuts in the 2012 budget.

<http://www.nationalpost.com/news/Making+bureaucrats+earn+their+keep/5541708/story.htm>  
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October 12

### **How far will Ottawa go?**

Have whole groups of workers in Canada effectively lost the right to strike? Just how far is Prime Minister Harper's newly minted Conservative majority government prepared to go in siding with employers against employees to thwart strikes that inconvenience the public? And what will that mean for labour relations at a time when the economy is at risk and employers and workers alike have a common interest in getting along?

<http://www.thestar.com/opinion/editorials/article/1068717--how-far-will-ottawa-go>

## **Tories talk tough on labour**

“This is a government which appears to be addicted to back-to-work legislation. If workers’ rights are going to be trampled on so cavalierly, then I think workers have to stand up,” said Paul Cavalluzzo, the lawyer acting for the postal workers.

But making war with the unions might not be bad politics, according to EKOS pollster Frank Graves. He suggested the Tory moves are less about ideology and more about politics and the fact that playing tough with labour plays well with their Conservative constituency.

<http://www.thestar.com/news/canada/politics/article/1068776--tories-talk-tough-on-labour>

## **Meddling in union disputes at odds with labour law trend**

Back-to-work legislation is surprisingly common but out of step with the evolution of labour law in Canada, where workers have the right to resort to “lawful economic warfare,” legal experts say.

Since the 1980s, governments in Ontario, Quebec and British Columbia have introduced back-to-work laws about 60 times and the federal government has used them on about two dozen occasions to end management-labour disputes, said Sara Slinn, a professor at Osgoode Hall Law School.

<http://www.thestar.com/news/canada/politics/article/1068725--meddling-in-union-disputes-at-odds-with-labour-law-trend>

## **Canada Post workers sue Ottawa over ‘unjust’ back-to-work order**

Canada Post workers threw the future of Canada's labour movement into the hands of the courts Wednesday, launching a case that could test the Conservative government's aggressive stance on the rights of unionized labour.

The Canadian Union of Postal Workers' constitutional challenge to back-to-work legislation came as Air Canada flight attendants saw their right to strike abruptly stalled by the government's use of what experts suggest is an obscure legal loophole.

<http://www.theglobeandmail.com/news/politics/canada-post-workers-sue-ottawa-over-unjust-back-to-work-order/article2198537/>

## **Despite looming job cuts ordered by the Tory government, finance minister tells business students job satisfaction is worth the long hours and low pay**

Jim Flaherty is not known for his sense of irony. But giving a speech urging business students to eschew the corporate world for a career in the public service at a time of government cutbacks does suggest a certain dissonance.

<http://www.ottawacitizen.com/Flaherty+touts+higher+calling/5535844/story.html>

## **Postal union launches court challenge to eliminate back-to-work legislation**

The union representing Canadian postal workers said Wednesday it has officially asked the courts to kill the federal government's ability to use back-to-work legislation, saying its use is unconstitutional.

The federal government used the legislation to order an end to the Canada Post labour dispute in June.

The same legislation has been threatened in the Air Canada labour dispute between the airline and its 6,800 flight attendants.

The Canadian Union of Postal Workers argues the legislation violates workers' rights enshrined in the Charter of Rights and Freedoms.

<http://www.calgaryherald.com/business/Postal+union+launches+court+challenge+eliminate+back+work+legislation/5540722/story.html>

<b>October 11</b>
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## **Crunching the numbers**

### **\$20-million contract must lead to leaner federal civil service**

Is it worth spending money to save money? When it comes to hiring experts who are paid big bucks, it depends on whether enough efficiencies are identified that would otherwise have been overlooked.

On first blush, the federal government's hiring of auditor Deloitte Inc. for \$20 million to help cut about \$4 billion from \$80 billion in annual program spending seems to defeat the purpose of the cost-saving exercise. By our count, there are nearly 6,000 staff auditors in the bureaucracy whose expertise could be called upon during this department-by-department strategic and operating review.

<http://www.calgaryherald.com/business/Crunching+numbers/5530427/story.html>

## **Deeper cuts mean bigger bonuses, senior bureaucrats told**

Axe-wielding executives in the public service stand to earn big bonuses based on how much they cut in the run-up to the 2012 federal budget.

Treasury Board President Tony Clement says 40 per cent of “at risk” pay for senior managers will be based on how much they contribute to the Conservatives’ target of finding at least \$4-billion a year in permanent savings.

<http://www.theglobeandmail.com/news/politics/deeper-cuts-mean-bigger-bonuses-senior-bureaucrats-told/article2197020/>

## **Defence department changes rules for part-timers**

The Defence Department is going to change the rules covering part-time employees as it prepares to reduce civilian staff over the next several years.

The department's deputy minister, Robert Fonberg, told union leaders in late June that the stage is being set so that term employees will no longer be allowed to count their days on the job toward a full-time position, confirmed John MacLennan, national president of the Union of National Defence Employees.

<http://www.nationalpost.com/news/Defence+department+changes+rules+part+timers/5530134/story.html>

**October 9**

## **Unions spent \$400,000 on federal election ads**

As the NDP faces questions about money it received from labour unions for convention advertising, newly-released financial reports show unions spent more than \$400,000 on political ads during the spring federal election campaign.

Reports filed with Elections Canada show public-sector and trade unions funded third-party ad buys in newspapers, websites and on radio across the country leading up to voting day on May 2.

<http://www.ottawacitizen.com/business/Unions+spent+federal+election/5524663/story.html>

**October 7**

## **Save billions via pension reform**

Public-sector unions have negotiated pensions that lift their retired members far above the poverty line. Their plans have been heavily funded by Canadian taxpayers and provide a seamless level of income support for public-sector employees, spanning their careers and continuing into their retirement until death.

In fact, many retirees on public-sector plans have a higher disposable income in retirement than they had on average during their working years. It is unfair for taxpayers to be on the hook for these liabilities.

<http://www.financialpost.com/news/Save+billions+pension+reform/5516535/story.html>

## **Proposed changes to Canada's Income Tax Act to make union spending public**

A private member's bill introduced in Canada's House of Commons intends to force unions to file financial statements to the Canada Revenue Agency, which would then make that information available online to the public.

<http://www.labour-reporter.com/articleview?articleid=11382&headline=proposed-changes-to-canadas-income-tax-act-to-make-union-spending-public>

## **No review of public sector pensions for N.S.**

Nova Scotia Premier Darrell Dexter says the province has no plans to review public sector pension plans.

Dexter says his government will look at what a New Brunswick government review concludes, but he says the biggest plan in Nova Scotia is in a "balanced position."

<http://www.benefitscanada.com/pensions/other-pensions/no-review-of-public-sector-pensions-for-n-s-21438>

## **New Brunswick first out of the gate in launching public sector pension review**

The Canadian Federation of Independent Business (CFIB) applauds the Government of New Brunswick for being the first out of the gate in announcing a review of public sector pensions, and urges all other governments to follow suit.

"We've been shining a light on the massive cost of public sector pensions for years knowing full well they're unsustainable," said Catherine Swift, CFIB president. "New Brunswick's bold step to dig deep into the issue is what we need to see happening across the country."

[http://www.cfib-fcei.ca/english/media\\_centre/canada/120-social\\_policy/3254-new\\_brunswick\\_first\\_out\\_of\\_the\\_gate\\_in\\_launching\\_public\\_sector\\_pension\\_review.html](http://www.cfib-fcei.ca/english/media_centre/canada/120-social_policy/3254-new_brunswick_first_out_of_the_gate_in_launching_public_sector_pension_review.html)

## **Watchdog probing cost of Tory crime bill**

As questions swirl about the true cost of the federal government's controversial omnibus crime bill, Canada's budget watchdog confirmed Thursday that he will undertake a full analysis.

Parliamentary Budget Officer Kevin Page said his office was "looking at C-10" following a request from both the NDP and the Liberals for an "independent costing."

<http://www.calgaryherald.com/news/politics/Watchdog+probing+cost+Tory+crime+bill/5513010/story.html>

## **Crime bill to cost \$78 million over 5 years, Tories say**

Under pressure to put a dollar figure on its controversial omnibus crime bill, the federal government released figures Thursday that peg the cost at \$78.6 million over five years.

The document indicates proposed mandatory minimum sentences for incest and sexual exploitation of children would result in additional correctional costs and that \$10.9 million would be provided in the first two years.

<http://www.ottawacitizen.com/news/Crime+bill+cost+million+over+years+Tories/5516117/story.html>

## Médias francophones

13 octobre

### **Crime et justice - La loi C-10 doit être repensée**

Au cours de l'histoire relativement courte du Canada, la détermination de la peine en matière pénale a rarement fait l'objet d'un véritable débat public qui soit tout à la fois éclairé et rationnel. Étant donné le dépôt du projet de loi C-10, intitulé Loi sur la sécurité des rues et des communautés, présenté par le gouvernement conservateur le 20 septembre dernier, il est essentiel de rappeler les principes et les objectifs censés guider la détermination de la peine.

<http://www.ledevoir.com/societe/justice/333436/crime-et-justice-la-loi-c-10-doit-etre-repensee>

12 octobre

### **Compressions dans l'appareil fédéral**

#### **La santé mentale des fonctionnaires en souffrira, craint l'AFPC**

La réduction du nombre d'emplois dans la fonction publique fédérale ne fera qu'accroître les problèmes de santé mentale chez les fonctionnaires fédéraux, craint l'Alliance de la fonction publique du Canada (AFPC).

<http://www.cyberpresse.ca/le-droit/actualites/fonction-publique/201110/11/01-4456242-la-sante-mentale-des-fonctionnaires-en-souffrira-craint-lafpc.php>