



Department of Justice Canada

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Sent electronically

June 15, 2018

Ms. Martine McFarlane
Case Management Officer
Federal Public Service Labour Relations and Employment Board
P.O. Box 1525, Station B
Ottawa, ON K1P 5V2

Ms. McFarlane:

**Subject: Response to Board Instruction of May 3, 2018
Certification Vote and Hearing on Constitutional Question
FPSLREB File N^o 542-02-12 and 13**

We are writing in response to the Board's directions of May 3 and June 6, 2018 wherein it sought the following:

1. Production a list of all employees eligible to vote, with their name, status, home address and physical work location;
2. The employer's position regarding the use of E-post to distribute the voter packages; and
3. Employer's availability for the hearing on the constitutional question.

List of Employees eligible to vote

We enclose an electronic report with the Home Contact Information list for regular members as well as reservists of the RCMP (List) based on the information available to the employer as of this date. Despite the employer's best efforts, the List is still incomplete, as many employees have failed to update and/or enter their contact information in the self-service system used to generate the List. Specifically, we estimate the List is only 93.6% accurate effective today. Accordingly, the employer respectfully requests an extension to July 20, 2018 in order to contact each employee individually to obtain the missing contact information for the purposes of the List.

The Board should Refrain from Using E-Post

The Employer respectfully submits that the Board should decline using E-Post on the following basis:

- (a) *E-Post is incomplete.* This systems is not being used by all employees who are eligible to vote. Specifically, not all regular members are registered on this

system. Furthermore, none of the reservists are presently registered on this system.

- (b) *E-Post is costly.* Based our inquiries, there will be significant costs associated with attempting customizing E-Post for the purpose of the vote. Moreover, there will be an additional cost of \$0.33 transaction fee charged to the expeditor for each communication.
- (c) *E-Post will Delay the Vote.* E-Post cannot presently communicate voter information without customization. The customization/implementation process of the system and/or registration of new users will require significant time and thus further delay the vote.
- (d) *Absence of Consent.* Employees have registered on E-Post for the limited purpose of distribution of paycheques, T-4 slips and pension benefit statements. Voters have not expressly consented to the use of the system for other purposes such as the vote. Any new usage would require further consent of all users.

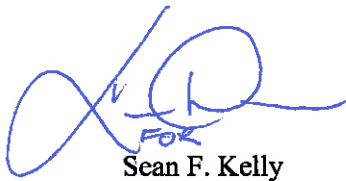
Hearing on the Constitutional Question

Please be advised that counsel and/or employer witnesses are not available in July or August. The Employer is presently available during the following weeks in September and October, 2018:

- September: 5 to 7, 11 to 14, 18 to 21 and 25 to 28; and
- October: 9 to 12, 16 to 19, 23 to 26.

Trusting that the foregoing is satisfactory, please do not hesitate to contact me directly should you have any questions regarding this letter.

Yours truly,



FOR
Sean F. Kelly

Encl.

c.c. *less enclosure*
S. Chouinard (TBS)
S. Drouin (RCMP)
M. Gaggino (AMPMQ)
C. Rootham (NPF)