

MPPAC - Protecting its Members

Dear RCMP Membership

MPPAC continues to abide by the rules that the RCMP have lawfully set out as it pertains to the use of the employer's Groupwise messaging system and equipment. MPPAC is cognizant of our obligations under policy and law and will not advise members to break the law or contravene policy in order to achieve our goals in a short-sighted, and unethical manner.

MPPAC has asked and continues to ask members to not put themselves in any jeopardy by using Groupwise to communicate with their colleagues and instead to do this off line and by other means.

Unfortunately the NPF has not abided by the request of the employer and has asked members to put themselves in jeopardy by encouraging them to forward information about the NPF using Groupwise.

MPPAC could not ethically condone placing members in a position where they could face a Code of Conduct or other sanctions from the employer, and hence chose not to sit idly by and watch this happen. For this reason among others, MPPAC went ahead and advised the Commissioner about this breach. MPPAC encourages all members to educate themselves but not put themselves or their families in harm's way.

The mandate of MPPAC is to provide the most qualified representation for all RCMP members, best strategic advice on policy and the best legal advice via our unlimited telephone legal advice and legal indemnification program, with the best interests of our membership looked after in a democratic fashion. We have been doing this for years with senior management of the RCMP and have been successful in many, many cases where the employer run and controlled program has failed the membership.

MPPAC is the only national association who has an established "constitution" that stipulates it must and will have an election of its' executive. Once we certify, the membership will have the opportunity to vote for those they support.

Contrary to what has been said by others, it was the BCMPPA who sought the legal opinion for the challenge for the SCC decision. The attached legal opinion confirms

that it was under the leadership of Michel Funicelli and the BCMPPA that the impetus for the challenge began. These are the facts and MPPAC is pleased to educate the membership so that they can make an informed choice and clearly see the truth (see PDF of attached Legal Opinion).

It was also the BCMPPA who kept the challenge going in later years to the tune of approximately 90K when the MPAO did not have the funding to pay their share for the challenge. This is the sole reason why we are here today and all RCMP members have gained the right to collective bargaining, independent representation and a process chosen by the membership.

For the Supreme Court challenge both co-litigants used the the legal services of Laura Young an exceptional labour lawyer. The BCMPPA on its own volition also hired {[Paul Cavalluzzo](#)} to oversee the Court Factum and processes to be presented to the SCC. The BCMPPA instructed Cavalluzzo to ensure all facets of the SCC challenge were reviewed and this included the Factums filed by all of the major intervenors - Canadian Labour Congress, Canadian Civil Liberties, Confederation des syndicats nationaux, British Columbia Civil Liberties Association, Canadian Police Association and the Public Service Alliance. This was to ensure they supported and flowed to support our SCC challenge. Cavalluzzo also held conference calls with all counsel to ensure the arguments met the threshold for a successful win. The BCMPPA recognized that this was a significant case and the executives at the BCMPPA wanted to ensure that nothing was left to chance. The other co-litigant, the MPAO, did not contribute financially to this whatsoever. This was done solely by the BCMPPA - Please note the email correspondence below from BCMPPA Lawyer Paul Cavalluzzo to Rae Banwarie :

*February 4th 2014 at 6:00am
Rae:*

I met yesterday with counsel for the appellant associations, the CLC,PSAC, the Quebec association, the Canadian Police Association and PIPSC. Apart from the a[ppellants these are the key intervener groups which support your position. In the meeting I reviewed with the group the key arguments which the SCC will be interested in. As well, we reviewed the questions which would be on the court's mind in respect of the issues before the court. We also discussed which issues would be focussed on by a party as well as the order of argument. It was a good meeting which went on for over 3 hours.

In preparation for this meeting, I spent hours reviewing the relevant portions of the record as well as all of the relevant jurisprudence. My accounts person advises that my time to this point is close to \$35,000.00 at my normal rates. However, in light of the importance of the case, I am prepared to perform this work on a very reduced fee. No doubt when you requested my assistance you may not have realized the amount of work the job would entail. However the work has been done and I think that your association will greatly benefit. The only work left would be my offer to answer any questions which counsel may have and for my colleague Adrienne Telford to attend Ottawa for the hearings in February.

If you have any questions or comments I would be pleased to discuss them with you.

*Regards,
Paul.*

*Paul Cavalluzzo
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Today, MPPAC the national body, has {[Goldblatt Partners](#)} a significant Labour Law Firm that is renown for certification as well as support to all the major unions in Canada such as the Professional Institute of the Public Service of Canada (PIPSC), Canadian Association of Professional Employees (CAPE) and the United Steelworkers (USW) to name a few on retainer. MPPAC already has the support of PIPSC, CAPE, CLC, NUPGE, OPSEU, Customs and Immigration Union (CIU), The Union of Canadian Correctional Officers (UCCO-SACC-CSN), the British Columbia Government Employees Union (BCGEU) and is a Board member of the Canadian Police Association.

MPPAC also has a renowned Criminal Law firm that is part of our legal indemnification program. This Criminal law firm { [Edelson Clifford D'angelo Freidman](#) }, currently represents members from the Ottawa Police Service, Ontario Provincial Police and Winnipeg Police Service on criminal matters. MPPAC has partnered with this firm to provide legal assistance for our members in criminal matters. We have the public backing, support, knowledge and assistance of the best in the industry, here in Canada, to get us to certification and beyond. Why? Because our membership deserves the best!

Contrary to other groups, MPPAC executives are comprised of members who are NOT part of the employer run and controlled SRR program and never have had SRR among its directorship in MPPAC. This is because we have long recognized that the SRR program is simply an extension of management in the RCMP. The SCC ruling confirmed this in their majority 6-1 decision. This same group has used the membership's money from the legal fund at every level of court up to and including the SCC and the government's request for an extension which was granted January 2016. The purpose for these actions was to prevent RCMP members from acquiring collective bargaining rights. Our Executive Board is comprised of many front line members across the country and can be accessed here.

<http://mppac.ca/about/board-of-directors/>

Our Association's relationship with management is cordial and respectful. This is because management knows we will not be undermined when it comes to our membership's best interests. We have been successful in advocating for hundreds if

not thousands of members over the years and we will not be compromised by promotions like the current unconstitutional program which other groups still belong to today.

All costs for campaigning, travel, legal advice, legal support, media relations, book keeping and running the Association are being paid for from membership dues and not from any alternative sources. We will not be compromised nor use our memberships' money for [self preservation](#) as some groups have done with the memberships' money from the 'Legal Fund' up to and including the [Government's request for extension this past December 2015](#).

The Board of Directors has oversight for all operations for the Association, with the advice of senior Association members who have been in the fight for many decades. All significant decisions are made by the Board of Directors with input from our officers. All claims are reviewed by our Treasurer and Bookkeeper for accuracy and then approved and paid. MPPAC does not have any outstanding loans. We pay all operating costs from our membership dues. Annually, since inception, we have had Accountants review our books when preparing our tax returns for filing. At the annual AGM, copies of our financials are on hand and given out to members who request them.

We hope that you, the membership, will understand that this fight is not about us. It has never been about us. It has always been about YOU and the betterment of your future and that of your families. When you win, we all win. Talk is cheap and there are those who are great at spin doctoring. We are all police officers and our craft and training is to follow the evidence. What does the evidence show you?

We hope that we have cleared the air and shown who and what we are all about in this brief submission. We will continue in our fight for those who are part of our family and hope that you will make the positive decision to join us today. You are not alone anymore!

LET US BE YOUR ADVOCATE

The Mounted Police Professional Association of Canada (MPPAC) aims to become the independent labour representative for all non-commissioned RCMP members. MPPAC was established in 2010 to fight for the right to engage in collective bargaining through an independent association on behalf of RCMP regular and civilian members across Canada. We strive for excellence in our conduct and obligations. We provide leadership to all of our membership, on justice issues which affect the quality of life of all Canadians. The Association does not seek or support the right to strike. To learn more, visit www.mppac.ca.

Become a member today and let's put forward a collective voice on work issues that concern us all. Please forward this message to your RCMP colleagues who are not yet members of MPPAC.

MPPAC | Mounted Police Professional Association of Canada
ACPMP | Association Canadienne de la Police Montée Professionnelle

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