

**MEMBER COMMUNICATION 80**  
**March 15, 2017**



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[national@mppac.ca](mailto:national@mppac.ca)

We, the National Executive Board of the Mounted Police Professional Association of Canada (“MPPAC”), write to correct any false impressions that MPPAC members may have as a result of a missive published by a small group of individuals claiming to represent “savemyrcmp.ca.” We acknowledge receipt of the resignation of these individuals from their volunteer positions as Officers and we take this opportunity to thank them for their service.

Members of MPPAC can rest assured that their status as MPPAC Members as well as any information communicated to these former officers for the purpose of giving or receiving labour relations advice is confidential. It is protected by labour relations privilege (*Canada Safeway Ltd v Retail Clerks Union, Local 1518* (1984), 21 LAC (3d) 50 (McCull), **which is similar to solicitor-client privilege**). Each of these former officers voluntarily signed a legal non-disclosure agreement. These legally binding, non-disclosure agreements continue to be in force and are intended to maintain the confidentiality of MPPAC Members’ interests.

Adhering to democratic principles of self-governance in the interests of fulfilling the will of MPPAC’s membership is one of our guiding principles (Section 2.01 of the MPPAC Constitution and Bylaws). In democratic organizations like MPPAC, it is not unusual for there to be divergent opinions from time to time and for there to be “growing pains” as the Association evolves and matures. The final decisions made by MPPAC are made on the basis of the consensus of the majority of the Members of the National Board of Directors. The Board of Directors have always made these decisions after considering input from our National Officers, legal advice, advice from established unions and our membership as a whole. All input from the aforementioned is discussed amongst the Board and a final decision is made by them.

In a democratic employee association such as MPPAC, the expectation is that the minority will be bound by the will as expressed by the majority vote of MPPAC’s Board of Directors (as per our constitution). The unexpressed expectation is that those in the minority who are not prepared to abide by the majority’s decision may resign (as they are entitled to do), which is what occurred in this case. However, MPPAC must continue to carry out its important work which includes certification.

MPPAC’s Constitution and Bylaws requires that the Board of Directors meet at least 4 times per year (Article 7.04). We have held regular National Executive Board meetings in excess of this requirement. In addition MPPAC has held, at a minimum, regular monthly meetings for our volunteer National Officers. Unfortunately, some of our officers who resigned either were not available to attend or chose not to attend these meetings. Instead, they chose to quit and air their personal complaints publicly, which undermined the collective interests of MPPAC Members.

An ultimatum was made for Rae Banwarie to resign as President. The demand included a self-imposed deadline. This behaviour is not in keeping with any democratic processes nor is it in line with MPPAC's Constitution. Rae continues to have the full support of the National Board of Directors as well as the National Officers. Calling for a leadership review in the midst of an organizing drive is simply nonsensical, not to mention counter-productive for the entire membership.

In this regard, Section 34.01 of MPPAC's Constitution and Bylaws has a provision that triggers an election of the Members of the National Executive Board. This is when MPPAC would transition to full governance. At that time, every Member of the MPPAC National Executive Board will be elected by delegates attending MPPAC's General Meeting. (Sec.6 MPPAC Constitution). In the meantime, the remaining Members of the National Executive Board are committed to carrying out their duties and responsibilities in the best interest of the entire membership of MPPAC in accordance with Section 34.02(c) of the Constitution and Bylaws.

Contrary to the opinion of these antagonists, the National Executive Board has the authority to remove, by majority vote, any MPPAC officer whose actions or conduct is deemed to be contrary to the objectives of the Association (Article 34.02(f) of the Constitution and Bylaws) and the Members.

The National Executive Board categorically denies the allegation that threats have been made not to honour any enrolled MPPAC Member's legal indemnification. An individual must be an MPPAC Member who has enrolled in our legal indemnification program in order to be eligible. The simple fact is that, if you are not an MPPAC Member, you are not eligible. It is not a "threat" but our **responsibility** to inform any MPPAC member of the scope and eligibility requirement of the program.

Contrary to the misinformation provided on the savemyrcmp website, by signing the "Council Agreement Card" you rescind your authorization to have MPPAC act as your bargaining agent. In doing so, you are not able to maintain MPPAC membership eligibility as governed by our constitution Article 3.01(g) and Article 2, Section 2.01 (a). Eligibility for membership in MPPAC is governed by MPPAC's Constitution and Bylaws.

"Savemyrcmp" is not an accredited organization with a Constitution and Bylaws defining the organizations' objectives that have been adopted by a majority of its members. The efforts of Charles Mancer and "savemyrcmp" are contrary to the interests of each of the employee associations seeking to be certified to represent RCMP Members in collective bargaining. This is not just our opinion, as the MPPAC Executive Board sought and obtained a legal opinion with respect to the viability of a establishing a council consisting of the three employee associations.

The legal advice provided to MPPAC by our certification lawyers, as well as other labour lawyers, concluded that forming a council of the employee associations is NOT in the collective interests of RCMP Members. The National Police Federation has disclosed that it too, has received similar advice from their lawyers.

Charles Mancer's initiative undermines the objectives for one bargaining agent representing the interests of all RCMP Members. This is particularly true when none of the employee associations seeking certification have been previously certified as a trade union authorized to bargain collectively on behalf of members of the bargaining unit. An applicant for certification must prove that

the proposed bargaining unit is an appropriate bargaining unit, but it must also prove upon an initial certification application that the employee association is capable of representing the collective interests of the majority members of the bargaining unit.

The effort to create a council undermines MPPAC's ability to obtain certification on the basis of majority support. Furthermore, the Force would be able to use the Council structure to employ unfair collective bargaining techniques to undermine RCMP Members collective interests by "leap-frogging," "whipsawing," and "dividing and conquering" the interests of one group over those of the other. Therefore, a council would weaken our collective bargaining strength, not enhance it.

MPPAC has been advocating and representing members in the workplace for decades and continues to do so. Ongoing Member representation files include codes of conduct, harassment complaints, unfair medical discharge complaints, to name a few. MPPAC continues to meet with parliamentarians regarding the unionization of the RCMP. In addition, MPPAC still meets with our contract partners (Mayors and Council) and continues to speak out publically on issues that affect our members and their quality of life. We are also committed to open and bi-lateral discussions with any group seeking to work in the best interest of ALL RCMP members.

We invite all RCMP Members to join our membership campaign, rather than being side-tracked and misled by the efforts of Charles Mancer or savemyrcmp.

If you have any questions or concerns, we encourage you to contact any Member of the MPPAC National Executive @national@mppac.ca.

Sincerely,

MPPAC National Executive Board

#### **LET US BE YOUR ADVOCATE**

*The Mounted Police Professional Association of Canada is on the way to becoming the independent labour representative for all non-commissioned RCMP members. MPPAC was established in 2010 and has successfully fought for the right of members to engage in collective bargaining through an independent association. **True independence from management and fiscal accountability** are two of the reasons MPPAC continues to grow in strength and momentum. In addition to our certification efforts, MPPAC continues to represent members on a daily basis as well as provide an independent legal program which is completely free from management. The Association does not seek or support the right to strike. To learn more, visit [www.mppac.ca](http://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.*

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