2006-2007
ACTIVITY REPORT

CPQ Conseil du patronat du Québec

Pour avoir l'assurance
d'être entendu et défendu

2006-2007 ACTIVITY REPORT

June 2007

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Submitted by CPQ President Michel Kelly-Gagnon

Introduction and highlights

Although this is technically the second activities report submitted to CPQ members since I took over my responsibilities as president in April 2006, the following report is the first one for which I can assume full responsibility. I am, therefore, very proud to present this report.

Adhering to the 2003-2006 action plan prepared by my predecessor, Gilles Taillon, the CPQ has concentrated its efforts during 2006-2007 on following government policies that affect Québec companies, and strategically intervening to ensure these policies respond as closely as possible to the needs of the business community. In addition to the government representation that is at the heart of its activities, the CPQ made itself felt in the media to sensitize the general public to the concerns of companies and their contribution to wealth generation and the vitality of Québec society.

In parallel with these activities, during the year the CPQ has undertaken a number of major steps aimed at modernizing the organization, including its rules of governance. We also carried out an extensive reflective exercise to update our action program, an exercise that culminated in the unveiling of our 2007-2009 platform on March 1, 2007.

Our efforts are already paying off. In a single year, the CPQ went from a net deficit of $253,000 (at the end of the 2005-2006 financial year) to a net surplus of $205 804 (at the end of the 2006-2007 financial year). This is a major turnaround in a short period of time. Since money is the life force of any organization, these excellent results bode well for the CPQ and its ability to achieve its objectives.

Sincerely,

Michel Kelly-Gagnon
President

I - Government representations

The major issues that mobilized the CPQ were labour laws and related regulations, the availability of a quality workforce, payroll and other taxes, and health and safety in the workplace.

As you will see from what follows, several bills, regulations, and policy changes had an effect on each of these issues and the CPQ vigorously defended the interests of its members in each one of them. In addition to the interventions and initiatives whose details you can read about, several issues became subjects of discussion during meetings held in Québec City in November 2006 between the CPQ and the caucuses of the three political parties represented in the National Assembly.

Labour laws and regulations

Pay equity: the CPQ keeps an eye on it

The CPQ was very active in this file to ensure that the *Report on the implementation of the Pay Equity Act* would take into account its members' concerns. Despite our representations to the ministry and the Pay Equity Commission (*Commission de l'équité salariale – CES*), the report presented to the National Assembly in November 2006 did not meet our expectations. A lot remains to be done and, to this end, a committee of CPQ members has been created. The CPQ is also consulting with other associations with a view to forming a common front. The next major step in this file is a parliamentary commission on the CES report and we are already working on a submission to be presented to it.

The CPQ also made an intervention request in a judicial review process whose aim is to invalidate a ruling made by the Labour Relations Board (*Commission des relations du travail – CRT*), a decision in which the CRT recognized wide powers of intervention for the CES and supported a CES interpretation according to which distinct programs requested by accredited associations that do not represent predominantly female job categories would be in contravention of the Pay Equity Act. The court's ruling concerning this request should be known shortly. This issue could affect numerous companies that rely on distinct pay equity programs.

Lastly, the CPQ's expertise in this file was also to the benefit of the Montréal Compensation Group and the Conference of Rectors and Principals of Québec, where our vice-president and chief economist gave presentations on employer issues related to pay equity. A CPQ colloquium held in Montréal in October 2006 also discussed this question (as well as salary forecasts for 2007).

Supplemental Pension Plans: the main irritants in Bill 30 are retracted

Through the submission it presented to the parliamentary commission in September 2006 and the common position it took with the Québec federation of chambers of commerce, the CPQ succeeded in suppressing the worst of the irritants contained in Bill 30, *An Act to amend the supplemental pension plans act*. However, the CPQ remains convinced that this bill should never have seen the light of day and that its mechanisms will have the negative effect of encouraging companies to replace the current defined-benefits plans, which are very much for the good of wage earners, by defined-contribution plans, which are less so.

Bill C-257: no to prohibiting the hiring of replacement workers

The CPQ worked relentlessly to have federal members of parliament reject the Bloc Québécois's (BQ) Bill C-257, the objective of which was to make it illegal to hire replacement workers during labour conflicts (strikes and lock-outs) in companies under federal jurisdiction. All means at the CPQ's disposal were used to prevent the adoption of this bill: submission to the House of Commons Standing Committee responsible for studying the bill, letters to members of parliament, open letters in the print media, etc. As a result, the bill was defeated at its third reading in March 2006. However, the members of the official opposition rejected it for the wrong reasons and, the day after the defeat of the BQ bill, their labour critic, Mario Silva, tabled a similar new bill. We are actively following up on this issue.

Canadian Labour Code: the CPQ reacts to the Arthurs report

In October 2006, the CPQ reacted to the report, *Fairness at work: Labour Standards in the 21st Century* (Arthurs Report), and met with the Canadian Federal Labour Standards Review Board to ensure that the labour standards that govern employees of companies under federal jurisdiction take into account the needs of the companies.

The need to modernize union accreditation rules

In the fall of 2007, to stimulate the thoughts of political decision makers concerning the regulations governing union accreditation, the CPQ released a public opinion poll on the subject. Carried out by Léger Marketing, the poll revealed that a very large majority of Quebecers are in favour of a vote by secret ballot. In fact, 79% said that they agree or strongly agree that the government should change the *Labour Code* to make it mandatory for a vote by secret ballot to be held among employees requesting union accreditation. In addition, support for such a legislative amendment is even stronger (83%) among respondents who are currently unionized.

Personnel placement industry: the CPQ is a part of the task force

By taking part in the work of the task force on the personnel placement industry, the CPQ made sure that the labour ministry, which set up the group, has a good understanding of the employer's situation. Our interventions were useful not only for the placement agencies that are directly affected, but also for all companies that call upon these agencies for their manpower needs.

International Labour Conference: the CPQ represents Canadian employers

The CPQ, through its legal counsel, Me Pascale Gauthier, was appointed to represent Canadian employers at the 95th International Labour Conference held in Geneva in June 2006 by the International Labour Organization (ILO). In addition to taking part in discussions about adopting a labour relations recommendation, Me Gauthier was asked by the employer delegates at the conference to represent them on the select committee responsible for the linguistic and legal consistency of the recommendation.

Overall compensation: payroll taxes

Overall manpower costs represent an important variable when a company decides whether or not to invest in Québec. Even though our pay is, for the most part, competitive, contributions based on payroll significantly increase the total cost of Québec's workforce. Thus the CPQ actively continued its representation work to ensure that these taxes do not harm our business competitiveness.

Lower employment insurance contributions

The CPQ actively participated on behalf of employers in the process of determining contribution rates for employment insurance. In this respect, we continued to demand a lowering of the contribution rate. In addition, in a letter to the chair of the Employment Insurance Commission and the Minister of Finance, the CPQ asked the Commission to bring together employer and employee representatives to discuss possible changes to the program to make it more efficient.

Québec Parental Insurance Plan: the need for an equitable sharing of costs

The CPQ took advantage of the plan's first anniversary in January 2007 to repeat publicly that, with a contribution rate of 0.583%, employers currently carry a burden that is 40% higher than that borne by wage earners, whose contribution rate is set at 0.416%. The CPQ will continue to campaign for a re-balancing of the financing of the plan so that the cost is equally shared by wage earners and employers.

Lower average contribution rate to the CSST

Thanks to the work of the CPQ, among others, the average rate of contribution to the CSST was lowered from $2.32 per $100 of total payroll subject to contribution in 2006 to $2.24 in 2007. The CPQ remains convinced that further reductions are possible, especially if there are sustained efforts to manage the plan effectively. We will continue to defend this position to the board of directors of the CSST. For information about our other actions in the area of workplace health and safety, refer to the section specifically devoted to this subject.

Health care: no to an increase in corporate contributions!

Health represents approximately 45% of the expenses of the Government of Québec's programs and, given that pressure is growing stronger for new sources of financing for it, the CPQ felt it had to intervene in the legislative process following the decision of the Supreme Court of Canada in the case of *Chaoulli-Zeliotis*. Thus the CPQ prepared a submission and presented it to the Social Affairs Commission during their public consultation sessions. The CPQ clearly warned the government against asking for more from companies to finance health care. The concrete solutions put forward by the CPQ, while preserving the universality of health care, included recourse to private health insurance and the creation of a tax status for individuals who pay for their own health care costs.

Manpower training and development

The CPQ devoted a great deal of energy to actively following all of the files of the Labour Market Partners Board (*Commission des partenaires du marché du travail – CPMT*). Since May 2006, our senior vice-president and chief economist, Diane Bellemare, has officially been representing the CPQ on the CPMT, which holds about twenty meetings per year (regular and special meetings and meetings of the executive). I sit on the Advisory Council on labour and the labour force (*Conseil consultatif du travail et de la main-d'œuvre – CCTM*). The CPQ also participates in the Council's main committees.

Proposed amendments to the 1% law: gains made for businesses

On the specific issue of the amendment to the *Act to foster the development of manpower training*, the CPQ was an active participant through its representations to the CPMT in developing a bill and related revisions to the regulations. The objective of our efforts was to ease the regulations surrounding this law and to refocus it on developing and recognizing competences. Our efforts will be continued to ensure that, when a bill is drafted, it responds to the concerns of our membership.

Occupational and technical training: getting closer to labour market needs

The CPQ publicly endorsed the plan for getting closer to the workplace that was presented in June 2006 by the minister of education, leisure and sports. The measures called for in this strategy should improve the effectiveness of training programs, including by making it cost-effective to use equipment and shortening training times. We will continue to work toward the full implementation of this plan by the new government.

Post-secondary education and tuition fees: the CPQ is in favour of more freedom for universities

The CPQ continued to defend the need to increase the contribution of students to financing universities so that Québec's universities can offer a quality education and remain competitive with other universities in Canada and on the rest of the continent. This was our public response to the Federation of University Students of Québec (*Fédération étudiante universitaire du Québec – FEUQ*), which continues to demand that the tuition freeze that has been in place for over a decade be maintained.

The problem of aging workers: the CPQ's expertise is recognized

The CPQ participates concretely in the development of federal government policies in this area, especially thanks to the appointment of Mrs. Bellemare to the federal government's Expert Panel on Older Workers that was formed in January 2007 by the Minister of Human Resources and Social Development. Mrs. Bellemare is one of four experts who make up this group, and the only one from Québec. The committee's work will end with a report due in the fall of 2007. In the same field, Mrs. Bellemare gave a talk on the aging of the workforce to the Québec Miners Association (December 2006).

Integrating handicapped individuals and keeping them employed

The CPQ represented employers during the consultation process held in February 2007 on the strategy of the Government of Québec to better integrate handicapped individuals and keep them employed. The CPQ argued for measures that would create incentives rather than be coercive.

Adult education: the CPQ on a mission to the United Kingdom

At the invitation of the Canadian Council on Learning (CCL), in the fall of 2006, the CPQ's senior vice-president and chief economist, Diane Bellemare, took part in a mission to the United Kingdom to study their system of adult education. After returning from the mission, she wrote a report that could help the CPQ develop future positions on the issue of manpower training. Mrs. Bellemare presented her report at a round table held in Montréal on January 30, 2007.

Workplace health and safety

In addition to having our vice-president, Me Robert Borduas, devoted entirely to this important area, I have personally been a member of the board of directors of the Workplace Health and Safety Commission (*Commission de la santé et de la sécurité du travail – CSST*) since June 2006. Thus the CPQ has unequalled expertise and strength in this important matter.

Financing unallocated expenses: the priority of the year

The financing of unallocated expenses was the issue the CPQ spent the most time on in 2006-2007. In May and June 2006, the CPQ organized consultation sessions in Montréal, Québec, Laval, Chicoutimi and Saint-Hyacinthe so that we could hear the comments of employers about the proposal made by the CSST in December 2005. More than 350 people participated in these sessions. The conclusion was that the method initially proposed by the CSST is unacceptable and that three broad principles should guide the development of a new method for setting the fee structure: maintaining the flexibility of contribution plans, equity among contributing groups and equity among business sectors. In November 2006, the employer delegation to the CSST board of directors unanimously gave the mandate to the CSST to develop, backed by data, a new contribution method that would integrate the three principles. The new proposal from the CSST will not be tabled until September 2007; it will then be the subject of CPQ consultations among its members. Regardless of which scenario is chosen, the method cannot be put into force before the 2009 contribution year.

Bill 40: the minister listened to the CPQ's demands

By allowing for a contribution system to be set up that is based on salaries actually paid, Bill 40, which was passed in December 2006, responds to one of the most important demands of the CPQ. This change had the positive result that employers' contributions will from now on be calculated on salaries actually paid rather than on forecast payroll for the subsequent year. The other advantage of this bill is that it clarifies once and for all the insurance coverage affecting administrators of a legal entity.

Medical Evaluation Board: unacceptable recommendations

In the matter of the Medical Evaluation Board (*Bureau d'évaluation médicale – BEM*), following the tabling of the report of the National Assembly's Committee on the Economy and Labour in December 2006, the CPQ wrote to the minister of labour to urge him not to follow through on the main recommendations of the Committee. A number of these recommendations are unacceptable to the CPQ and its members and we will continue with the representation we have already begun with the next minister of labour.

Employment Injury Board

The members from employer associations on the Employment Injury Board (*Commission des lésions professionnelles – CLP*) continued to benefit from the training offered them by the CPQ. Available in Québec and Montréal, the training given this year was on the pathology of the hand, fingers and wrist (June 2006), income replacement compensation (September 2006) and occupational hearing loss (November 2006). The CPQ also produces a quarterly newsletter called *Bulletin d'information à l'intention des membres issus des associations d'employeurs à la CLP*.

Still on the subject of the CLP, following pre-publication in the *Gazette officielle du Québec* of the draft regulation on the *Regulations amending the rules of evidence, procedure and practice of the Employment Injury Board*, the CPQ prepared comments for the chair of the tribunal so that the final draft regulation would take greater account of the needs of companies.

Other CSST issues: priorities established

To update our strategies in other CSST issues, the CPQ held a working lunch in January 2007, in which more than 150 members participated. Following this event, three task forces were created by the CPQ. They will focus on the three priorities established during the consultation session: overcompensation, admissibility, and the Medical Evaluation Board (*Bureau d'évaluation médicale – BEM*). In addition, to ensure that members can let the CSST senior management know about their concerns directly, the CPQ held a Members' Forum in February 2007, along with the chairman and acting CEO of the CSST, Mr. Réal Bisson.

The CPQ has also continued to participate in all the joint committees of the CSST board of directors on the subjects of prevention and financing. The same is true of some other committees, including the multi-sectoral lockout committee. Lastly, through our vice-president, health safety and labour relations, the CPQ also sits on the Scientific Council of the Robert-Sauvé Research Institute into Workplace Health and Safety (*Conseil scientifique de l'Institut de recherche Robert-Sauvé en santé et sécurité du travail – IRSST*) which puts employers in a better position when it comes to research projects.

Corporate and personal taxes

Taxation of companies and individuals is among the most important priorities of its members and the CPQ has strongly urged governments to ease the tax burden, including during the public consultations held prior to the provincial and federal budgets. I personally participated in these consultations.

Provincial budget 2007-2008

At the provincial level, the budget tabled in February 2007 contained good news for individuals because, from January 1, 2008, the taxable income threshold on the taxation schedules will be raised. As has been repeated time and again by the CPQ, this measure should have a positive impact on the number of hours worked as it decreases the tax rate on overtime. From the point of view of business, and despite representations made by the CPQ, the increases in the tax rate on company profits—from 9.9% to 11.9% between now and 2009—unfortunately remains on the agenda. The CPQ will continue its initiatives in this respect, as well as those aimed at the complete abolition of provincial taxes on capital.

Two federal budgets: the CPQ's demands were heard

As rarely happens, two federal budgets were tabled during the period covered by this report. Since the CPQ had been calling for this measure for a long time, we welcomed, in May 2006, the complete and immediate abolition of federal tax on capital that was contained in the first budget of the Harper government. This budget also called for the gradual implementation, beginning in 2008, of a tax reduction on corporate profits from 21% to 19%, and of the abolition of the 4% surtax on profits. These measures also responded to the demands of the CPQ, as did a reduction in the taxation of individuals of more than $10 billion.

At the request of the CPQ and other employer associations in the rest of Canada, the budget tabled in March 2007 contained measures allowing for faster amortization (over two years) of machinery and equipment. Since it was announced as a temporary measure, the CPQ will campaign to have it renewed in future budgets. It should be noted that the federal minister of finance, the Honorable Jim Flaherty, chose the CPQ as the only Québec forum for his 2007 post-budget tour.

Economic development and major projects

The debate on the impact of some pressure groups on major projects

Following the shelving of the new casino project and the Cirque de Soleil's new permanent facilities, I publicly intervened in May 2006 to highlight the overly strong influence on decisions related to major projects and economic development of some pressure groups that are financed through public funds. By opening this debate, the CPQ allowed numerous developers, such as Guy Laliberté, Gilbert Rozon, Jacques Parisien and Alain Simard, to publicly express their concern about the future of major projects. The CPQ did not just criticize, but also took advantage of opportunities to publicly support projects that will create wealth, such as the official launch of the Eastmain-1-A hydroelectric project and the Rabaska liquefied natural gas terminal in Lévis. In addition to these specific projects, the CPQ insisted throughout the year on the importance of reviving private investment in Québec and proposed a series of tax measures to achieve this end.

Provincial election campaign 2007

In the context of the 2007 provincial election campaign, the CPQ also insisted that economic issues be on the agenda, among other ways, by questioning the political parties on their respective positions in relation to the concerns of our members and organizing a public debate among the economics spokespeople of the three political parties represented in the National Assembly: Mr. Raymond Bachand (PLQ), Mr. François Legault (PQ) and Mr. Gilles Taillon (ADQ). At the end of the campaign, and given the unexpected results of the vote, the CPQ also encouraged the three parties to act in such a way that the minority government could carry out its responsibilities to govern and to take on those issues that are pressing for the future of Québec's economy.

II - Other CPQ initiatives

In addition to government representation and the numerous events already mentioned, several other CPQ initiatives should be highlighted.

The CPQ: a forum for political decision makers

Thanks to the events organized by the CPQ, our members gained privileged access to Québec's minister of labour, Mr. Laurent Lessard (October 2006) and the federal industry minister, the Honorable Maxime Bernier (August 2006). As was mentioned earlier, the CPQ also hosted the federal finance minister, the Honorable Jim Flaherty (March 2007), as well as the economic spokespeople for the three parties represented in the National Assembly (March 2007). The CPQ is without question a forum of choice for political decision makers.

Specialized colloquia

Besides the events already mentioned in other sections, the CPQ organized a great many events featuring specialized content: our colloquium *Santé psychologique et qualité de vie au travail… Pourquoi et comment changer notre monde!* (Psychological health and quality of life in the workplace—why and how to change our world!) (May 2006), our breakfast discussion *Le passage aux normes comptables internationales – Quelles seront les conséquences pour les entreprises?* (Working toward international accounting standards—what are the consequences for companies?) (June 2006, in partnership with the Québec Order of Chartered Accountants), our joint CPQ-Labour Standards Board colloquia (October and November 2006), our members' Forum with the senior vice-president and chief economist and strategist of National Bank Financial, Mr. Clément Gignac (February 2007), our colloquia on new developments at the CSST (February 2007). Hundreds of people attended one or more of these events.

On the subject of networking, we should mention our golf tournament, held in Laval in September 2006.

The CPQ honours its members

Lastly, remaining true to its traditions, the CPQ took advantage of the opportunity offered by its annual general meeting in June 2006 to honour some remarkable individuals in Québec's business community. The *2006 Prix de Carrière* was awarded to Mr. Jean-Marie Poitras, who left his mark on Québec's insurance industry over a period of more than 50 years. The Québec Mining Association and the Québec Furniture Manufacturers Association jointly won the award for *Service to members*. The award for Commitment to Community was presented to the *Québec Glass and Window Association*.

III - Improved communications

All of our activities were widely reported in the media, especially since our new director of communications began the job in January 2007. This position had been vacant since 2005. In addition to getting our message across to the general public through the media, our spokespeople are increasingly solicited to present the CPQ viewpoint to specific audiences. Lastly, a special effort was put in motion to increase the level of communication between the CPQ's permanent staff and its members.

Communications with the public: the CPQ present in the media

The CPQ issued approximately forty press releases between May 1, 2006 and April 30, 2007. These efforts, as well as responses to media requests, generated about 650 articles and news reports in the same time period, a 100% increase compared to 2005-2006! The CPQ also published eight letters expressing the organization's opinion in Québec daily newspapers.

In addition, during the same time period, looking only at articles that appeared in the print media, the name of the CPQ was mentioned 850 times and the name of its president 200 times.

Lastly, according to an independent assessment, the public relations value of our media coverage reached $7.3 million between April 2006 and March 2007.

Our spokespeople in all forums

The CPQ is increasingly solicited by its member associations and other organizations to share its analyses of government policies that have an impact on business.

I gave speeches to the Québec School Transport Association (May 2006), the University Club of Montréal (November 2006), the Corporation of General Contractors of Québec (February 2007), the annual student seminar of the Montréal Economic Institute and the Fraser Institute (February 2007), the young professionals of the Union Club (March 2007), members of the Business People's Association of Boucherville (April 2007) and at a colloquium of the Groupement québécois des chefs d'entreprises (April 2007).

Our senior vice-president and chief economist, Diane Bellemare, was also very active, including at a round table of the Montréal Junior Board of Trade on the 2007 economic outlook (January 2007). Mrs. Bellemare also coordinated the employers' part of the Forum on productivity and employment in the construction industries (September 2006).

Our vice-president health, safety and labour relations, Me Robert Borduas, made presentations on recent developments in workplace health and safety during five meetings organized by the Inter-Entreprises Committee of Metropolitan Montréal in 2006 and 2007.

Lastly, our legal counsel, Me Pascale Gauthier, during an *Insight* conference in October 2006, gave a talk on the employer's obligations related to the continued occupational activities of workers who have suffered employment injuries.

Internal communications: better informed members

In addition to four specialized newsletters aimed at members of CLP employer associations, the CPQ also prepared nine issues of its *InfoCPQ* newsletter for its members, whose objective is to inform members of CPQ initiatives and their outcomes. A new, more succinct, format was developed to make it easier to read. To these two newsletters we should add the *Messages from the president* aimed at quickly informing members about specific issues.

IV - The organization and its governance

CPQ board: new chair and vice-chair

Apart from my arrival in March 2006, other changes took place in the management of the CPQ. Mr. John LeBoutillier, who currently chairs the board of directors of Industrielle Alliance, was named chairman of the board of the CPQ in October 2006, replacing Mr. Guy G. Dufresne who held this function for two consecutive mandates. The position of vice-chair of the board of directors was also created. Mr. Pierre Pomerleau, president and general manager of Pomerleau, was appointed to this position in November 2006.

New permanent employees

Personnel changes also took place in our permanent staff. Two support staff positions were abolished and we hired a communications director (Patrick Leblanc, who began in January 2007) and a policy analyst (Youri Chassin, who began in April 2007).

New rules of governance

In the fall of 2006, the board of directors appointed a review committee, whose work culminated in the submission, in early 2007, of a plan to modernize the CPQ's laws and regulations. This plan was the subject of three information meetings held for association members of the CPQ. Following these meetings, the plan was ratified by the board of directors on February 20, 2007. It will be submitted to members for their approval during the annual general meeting in June.

One of the key elements of this reform is to make it automatic and mandatory that members of the board of directors change on a rotation basis so that, ultimately, a greater number of people participate, and these changes all take place in an orderly and predictable manner. In addition, while re-enforcing the confederative identity of the CPQ, the new rules will also give a greater place to member companies and their senior managers. Their presence will help to increase the means available to us to accomplish our mission, as well as the influence of the CPQ among political decision makers.

Increased membership and new fee structure for companies

To give the permanent staff the means they require to carry out their mission, a new fee structure for member companies was approved by the board of directors on January 23, 2007. This new structure came into force on March 1, 2007. Parallel to this, initiatives that called on employer solidarity were put in motion to recruit new members. Our recruiting efforts have already paid off: for 2006, for the first time in many years, our membership numbers (new recruits less closed files) increased. In addition to adding to our financial resources, the increase in membership will also have the advantage of giving greater political influence to the CPQ.

Excellent financial results

As was highlighted in the introduction, in a single year, the CPQ went from a net deficit of $253,000 (at the end of the 2005-2006 financial year) to a net surplus of $205 804 (at the end of the 2006-2007 financial year). This is a major turnaround in a short period of time. Money is our lifeblood and these excellent results augur well for the future of the CPQ and our ability to attain our objectives.

To conclude, we are especially proud of our team's achievements for the 2006-2007 financial year. With your support, we will be in a position to carry on our work with renewed energy in 2007-2008.

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