



**National Executive Committee Meeting
Friday, November 29th, 2019
National Office (Boardroom 1967) 4th floor
100 Queen St., Ottawa, Ontario**

MINUTES

Present: G. Phillips (*Chair*), J. Akins, O. Alarie, C. Awada, H. Delnick, N. Giannakoulis, G. Kopytko, J. Lafontaine, C. Lonmo, F. Lord, K. Mansfield, A. Nemec, S. Rehman, M. Stiermann, A. Trau

Staff: J. Courty, C. Danik, O. Kahriz, C. Vézina

Via Teleconference: N. Bois, A. Picotte (*pm*), E. Venditti

Regrets: A. Coles

1. Call to Order

The NEC meeting was officially called to order at 9:10am and Chair G. Phillips confirmed quorum was achieved.

** At this time, CAPE's Statement on Harassment was read aloud*

1.1 Review of Agenda

The November 29th agenda was briefly reviewed and a request was put forth to add 'ESU bargaining negotiations' to be discussed in-camera. In addition, 'AGM tour 2020' will be added under discussion items.

Motion to adopt the NEC Agenda as amended

Moved by: C. Lonmo

Seconded by: J. Lafontaine

Abstentions (1)

By show of hands: Motion Carried

1.2 Review of NEC public minutes (October 25, 2019)

There were no questions or comments raised.

Motion to accept the NEC public minutes dated October 25, 2019 as presented

Moved by: G. Kopytko

Seconded by: H. Delnick

Abstentions (2)

By show of hands: Carried unanimously

2. Discussion Items

- a) **Review of CAPE's Constitution:** To ensure a holistic review is undertaken, the Constitution and Bylaws Committee (CBC) recommends that the Constitution be submitted to legal counsel for a 2-phased analysis process: initially to ensure it conforms with professional standards with no substantive modifications, and then for the NEC to determine any constitutional amendments to be reflected. If approval is granted by the President, the CBC will then meet with legal counsel and subsequently develop a proposal to be presented to the NEC. Overall comments from NEC members indicated general support of the proposed approach. Next step is a meeting between the CBC Chair, the President and legal counsel to further discuss the matter and formulate a motion to be tabled in January.
- b) **New EC Collective Agreement:** New tables along with the collective agreement have yet to be posted on the Treasury Board website despite a commitment to have that available by mid-November. This is problematic and therefore requires an assertive approach to demand precisely when the information will be released, possibly through an ATIP. NEC members were advised that questions related to the collective agreement should be directed to LROs. C. Danik emailed Treasury Board advising of the possibility of increasing pressure and possibly utilizing a draft letter from the President questioning the basis for delay.
- c) **By-laws passed by previous NEC:** An issue was raised by the former President contending that bylaws that were passed by the preceding NEC but were never put to a vote by the membership, despite being posted to the website. As it stands, it remains unclear as to which bylaws are effective or approved by membership as several discussions were held in-camera and are inaccessible. As preliminary work, an administrative staff has been commissioned to examine the 2015 By-laws to examine the subsequent history of votes in order to address those that were omitted from voting. Afterwards, the CBC will be tasked to review the matter and report to the NEC to discuss next steps.
- d) **Update on the Public Service Health Care Plan:** An update on the renewal of the Public Service Health Care Plan was sought, to which it was reported that negotiations are still ongoing and no recent updates from the NJC have been

provided. C. Vézina will request a status and report to the NEC at the January meeting.

- e) **Update on Phoenix MOA:** The Treasury Board's Communication department distributed a notice to all employees entitled 'Claim Form for compensation for financial damages caused by the Phoenix Pay system' which details the process for submitting claims forms. C. Vézina is scheduled to meet with the ADM next Friday. A recommendation as put forth to consider negotiating the services of a forensic accountant to perform necessary calculations considering the complexity attached to the assessment of damages.
- f) **IT Transition:** The NEC was updated on an operational activity undertaken by the Finance Manager to introduce select products from Microsoft Dynamics 365 to address issues of security and privacy. Though in the initial stages, the scope and evolution of the project was described and a high-level overview describing the system and steps underway was presented. Documents highlighting the capabilities and limitations of this cloud-based software were distributed for the NEC's review. The premise of this transition is to replace the current database provider and pursue the modernization of the technology.
- g) **AGM Tour:** The planning process has begun and therefore NEC members should place requests indicating their city of preference for attendance to the attention of J. Courty by the first week of January. Efforts will be made to accommodate requests where possible.

Action Item: J. Courty to send a reminder to the NEC

- h) **AGM:** Management is exploring the idea of creating a video experience of each NEC member being interviewed and broadcast at the next AGM. Though not mandatory, this would provide an opportunity for the membership to have insight into the NEC. This is a brainstorming proposal at this time.

HEALTH BREAK

3. Comments on NEC AGM Attendance Policy and Language Policy:

Copies of both policies were distributed at the last NEC meeting and amendments have been made following comments received. Official approval by the NEC will be sought at the January meeting.

4. Decision Items

4.1 AI in the Public Sector Event: The President is registered to attend an upcoming event on Artificial Intelligence hosted by InfoNex scheduled February 18-19 in

Ottawa. Should any NEC member express an interest in attending, J. Courty can provide the relevant information. Overall comments indicated the need for further vetting this company before a commitment is made.

4.2 ERC Process: In an effort to address challenges that have been encountered at the committee level, the NAC will consider the establishment of TORs for the ERC to ensure a well-defined process for screening files and dealing with appeals cases is properly followed. However, caution must be exercised to avoid the appearance of influencing the election, thus the need to re-evaluate the current voting process to ensure it is the optimal method. Additionally, placing limits on those who want to run for positions should be minimized.

Motion to refer the review and refinement of the ERC's existing Terms of Reference to the CBC, particularly pertaining to the appeals process

Moved by: A. Nemec

Seconded by: J. Lafontaine

Discussion: A friendly amendment was put forth that the Governance Committee provides assistance to the CBC on this matter. The amendment was accepted provided that the Governance Committee works independently from the CBC.

In Favour: (11), Abstentions: (4)

By show of hands: Motion Carried

Next Steps: The CBC and Governance Committee were tasked with compiling recommendations for enhancements to the ERC TORs for the NEC to vote on at the January meeting.

(Agenda Item #5 was reviewed in-camera)

LUNCH BREAK

6. Committee Updates

6.1 Finance Committee: In response to the previous request by the NEC to receive monthly financial statements, a draft 'financial statements' as of October 31st was distributed to NEC members for review. The report was well-received.

6.2 HR Subcommittee: Nothing further to report.

6.3 Constitution & Bylaws Committee: Starting in January, the Committee will focus on setting their workplan for the final year.

6.4 Elections and Resolutions Committee: Voting results were distributed and read aloud in French and effectively all passed. The Communication department will oversee the announcement process, which will be posted on the CAPE website by Monday. A letter from the Chair of the ERC will be submitted to the resolutioners. Three NEC members (*H. Delnick, S. Rehman and N. Giannakoulis*) volunteered to inform the

membership of the pros and cons of joining the CLC. As due diligence, it was recommended seeking a legal opinion as a preliminary step to assess if the NEC is permitted to take a position on this. Although this process has been approved by the membership, oversight will be in place to ensure there is a strategic execution. Consideration will also be given to explore potential affiliation with the International Public Service Community to broach at the AGM considering that membership may offer many benefits given the price of \$16K per annum.

6.5 Governance Committee: The English version of the TORs is set for the Committee and will be forwarded to J. Courty for translation to enable finalization aligned with the January meeting for approval by the NEC. It was reiterated that comments arising from the retreat report should be submitted to the attention of J. Courty. N. Bois volunteered to sit on the Governance Committee.

Motion to approve Nicolas Bois' membership on the Governance Committee

Moved by: C. Lonmo

Seconded by: H. Delnick

Abstentions (2)

By show of hands: Motion Carried

7. Reports

7.1 President's Report: Nothing further to report

7.2 VP's Report: Nothing to report

7.3 Executive Director Report: Copies of information on Phoenix were entrusted for NEC members to review at their convenience. The org chart will first be reviewed by the HR subcommittee and then come back to the NEC. C. Vézina informed the NEC of 2 DFR received. A full report is expected to be delivered at the January NEC meeting.

7.4 Director of Policy Report: C. Danik acknowledged the Bargaining Team's efforts and work accomplished.

7.5 Director of Communications Report: Nothing to report

7.6 Finance Manager Report: With respect to the \$2.7M owed, a meeting was held between the Employer and the Finance Manager recently. There were no objections raised to funding the money once proper approval is given. Minor adjustments will be applied to CAPE's Investment Policy and will be shared with the Finance Committee for review prior to being presented to the NEC. Lastly, auditors have advised that HST paid on rental expenses is not a claimable or recoverable item.

The NEC meeting adjourned at 3:55 p.m. EDT

* * * * *

The above minutes are accepted as a true representation of the National Executive Committee meeting held on November 29th, 2019

APPROVED by:

Chairperson

Date