



**National Executive Committee Meeting
Friday, January 31st, 2020
National Office (Boardroom 1967) 4th floor
100 Queen St., Ottawa, Ontario**

MINUTES

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

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

Via Teleconference: A. Nemeč, N. Giannakoulis, E. Venditti

Regrets: A. Coles, F. Lord

1. Call to Order

The NEC meeting was officially called to order at 9:06am and Chair G. Phillips confirmed quorum was achieved.

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

1.1 Review of Agenda

Following a brief roll call, the January 31st agenda was reviewed and a request was put forth to add 'staffing change' to be discussed in-camera. In addition, a debrief on Phoenix was added under 'Discussion Items'.

Motion to adopt the NEC Agenda as amended

Moved by: A. Picotte

Seconded by: H. Delnick

Abstentions (1)

By show of hands: Carried Unanimously

1.2 Review of NEC public minutes (November 29, 2019)

There were no questions or comments raised.

Motion to accept the NEC public minutes dated November 29, 2019 as presented

Moved by: H. Delnick

Seconded by: G. Kopytko

Abstentions (1)

By show of hands: Carried unanimously

**At this time the Chair presented certificates to members of the Bargaining Team to recognize their efforts, hard work and continued dedication to the Association*

2. Discussion Items

- a) **PSES Update:** NEC members were encouraged to bring forward additional questions or topics for consideration and/or addition in the next few days in time for the next iteration of the PSES survey. A communiqué in observance of Black history month is expected to be released Monday, correlating with work the President has performed on the PSES that yielded disaggregated questions relative to visible minorities.
- b) **CLC Resolution:** The planning of meetings with the resolutioners will soon be underway. Preliminary discussions on high level steps to establish the message to convey have been initiated. The aim is to prepare a robust and transparent presentation for the membership that outlines benefits as well as potential drawbacks. Going forward, the CLC process will become a standing NEC agenda item.
- c) **Elections:** A call for volunteers for the ERC went out to the general membership yesterday. Due diligence in selecting the next ERC will be exercised. Though By-laws state that the call for volunteers to the ERC is to be done before the end of February, it was considered prudent to perform this earlier in an effort to provide the Committee ample time to mobilize, meet and discuss various issues related to the voting and resolution process. Process-wise, volunteer submissions are open until March 2nd for subsequent NEC approval in mid-March to enable finalization by April 1st. The Chair will ensure sufficient time is allocated during the March NEC meeting to further discuss this matter.
- d) **Government Relations:** CAPE's President alongside the Director of Policy and Senior Advisor Advocacy & Relations met with the newly appointed President of Treasury Board Jean-Yves Duclos, during which time several concerns pertaining to Phoenix, the lack of consultation with unions, collective bargaining and the pension were relayed. The meeting was considered productive and Mr. Duclos was receptive to future meetings. A secondary meeting with his constituents is scheduled to take place on April 9th in Quebec City. In addition, the booking of meetings with MPs and the Liberal Cabinets, including critics of those ministries across Canada regions is

underway in an effort to enhance visibility and position CAPE as the analytical 3rd option for major unions. NEC members were overall supportive of this engagement.

(E. Venditti joined the meeting via teleconference at 10:05am)

- e) **Regional Council/North:** Often overlooked, members in the Northern territories with the support of LROs have expressed interest in establishing a regional council for the North to enable discussions on common issues. The general sentiment was in support of the Northern contingent having greater involvement despite lower populations of members and group sizes, as well as support for the President visiting in person.
- f) **Phoenix Update:** RCMP's migration onto Phoenix has raised several concerns from within their members. A series of meetings have convened to discuss the deeming process and although no guarantees can be made, RCMP and Treasury Board are striving to ensure a seamless transition including test runs. As the Class Action lawsuit in Montreal is strictly intended for unrepresented people, CAPE must act through arbitration with FPSLREB (*Federal Public Sector Labour Relations and Employment Board*). The MOU for the Phoenix damages letter has been signed and the Executive Director has been working alongside Treasury Board on the implementation process for provisions defined in the MOU. Next steps will consist of a detailed communication roll out to be released on February 6th which will address the more complex files/claims targeting individuals who have suffered damages exceeding \$1500.

NEC members discussed the timeline for filing claims, some of the criticisms levied at how CAPE handled the Phoenix Damages Agreement, as well as the complexities in calculating actual sums owed. Other departments were encouraged to emulate Health Canada by considering hiring forensic accountants to address the more intricate cases.

HEALTH BREAK

3. Action Items:

- I. **Administrative Assistant to examine the 2015 By-laws to review the subsequent history of votes:** *In progress*
- II. **Update on the Public Service Health Care Plan:** *In progress; negotiations for the Public Service Health Care Plan have been underway for a while.*
- III. **Present Governance Committee's TOR at January meeting for approval:** *To be addressed under Item 4*

- IV. **CBC and Governance Committee tasked with compiling recommendations for enhancements to the ERC TORs for the NEC to vote on at the January meeting:**
In progress; tabled for next NEC meeting

- V. **Schedule meeting between CBC Chair, the President and legal counsel to further discuss the matter and formulate a motion to be tabled in January on the review of CAPE's Constitution:**
In progress; tabled for next NEC meeting

4. Decision Items

4.1 Approval of the TORs for the Governance Committee: The final draft of the Governance Committee TORs was briefly presented for approval. There were no issues or comments raised.

Motion to approve the Governance Committee Terms of Reference as presented

Moved by: H. Delnick

Seconded by: A. Picotte

Abstentions: (3)

By show of hands: Carried Unanimously

4.2 Approval of NEC Retreat Report: The NEC Retreat Report was briefly reviewed and presented for final approval. There were no issues or comments raised.

Motion to approve the NEC Retreat Report as presented

Moved by: H. Delnick

Seconded by: A. Trau

Abstentions: (4)

By show of hands: Carried Unanimously

4.3 Approval of Job Action Policy: The question has been posed of the Association as to what its stance would be in the event another union was to engage in job action/strike. Being a political concern, it was recommended and agreed for management to review any documents on hand and prepare a summary for the NEC's approval and subsequent dissemination to the general membership to be used as guidance for local leaders should the need arise.

Motion to task CAPE management to review past practices and develop a Job Action Policy

Moved by: H. Delnick

Seconded by: A. Picotte

Abstentions: (2)

By show of hands: Carried Unanimously

4.4 Approval of Attendance Policy: Comments received on the Attendance Policy were applied and a revised version was circulated to the NEC in November.

Motion to approve the Attendance Policy as presented

Moved by: A. Trau

Seconded by: J. Lafontaine

Discussion: Under section 5 “Responsibilities and Requirements’, an amendment was suggested to reflect that ‘*more than one NEC member attending*’ so it can read ‘members’; it will be amended to plural accordingly.

Abstentions: (4)

By show of hands: Carried Unanimously

4.5 Approval of Language Policy: The Language Policy was circulated in October and presented to the NEC for final approval. There were no additional comments raised.

Motion to approve the Language Policy as presented

Moved by: N. Bois

Seconded by: G. Kopytko

Recorded Vote:

In Favour: (16) J. Akins, O. Alarie, C. Awada, N. Bois H. Delnick, N. Giannakoulis, G. Kopytko, J. Lafontaine, C. Lonmo, K. Mansfield, A. Nemec, A. Picotte, S. Rehman, M. Stiermann, A. Trau, E. Venditti

Abstention: (1) G. Phillips

Carried Unanimously

(Agenda Item #4.6 was reviewed in-camera)

LUNCH BREAK

(E. Venditti departed the meeting)

New Agenda Item: By-law revision (3.1 “Timing of voting”): In order to coincide with the earlier decision related to the composition of the ERC as well as gain greater flexibility, it was recommended carrying the appointment of volunteers during the month of March. As such, the section will now read: ‘*the NEC shall confirm the composition of the Committee no later than the NEC meeting in April*’

Motion to accept the recommendation to revise this section of By-Law 3.1

Moved by: H. Delnick

Seconded by: C. Awada

Abstentions (1)

By show of hands: Carried Unanimously

Action Item: The Director of Communications was reminded to add this motion to the list of resolutions to be put forth to the general membership at the next AGM.

(Agenda Item #5 was reviewed in-camera)

6. Committee Updates

6.1 Finance Committee: Copies of the financial statement as of December 31st, 2019 were circulated for review. A thorough debrief of the new budget review process was

presented by N. Giannakoulis. The Finance Committee met in December and are planning an upcoming all-day budget planning session this coming Friday to systematically perform an in-depth review of each budget line item and discuss potential scenarios related to the resolution to join the CLC. The Committee anticipates devising a presentation for the NEC in February with the goal of having a fulsome discussion. The final vetting process will be carried during the March NEC meeting.

Amendments to the Investment Policy reviewed by the HR subcommittee were applied. The Finance Committee met several times to discuss the Investment Policy, which is currently undergoing translation and will be submitted to the NEC within a week to allow ample time for review and subsequent approval at the next meeting.

The approval of the purchase of tablets has been indefinitely postponed mainly due to mixed results generated by the pilot. Additionally, it remains unclear what challenges will arise and therefore management will proceed with the matter with prudence.

(J. Lafontaine departed the meeting at 3:35pm and immediately re-joined via teleconference)

The striking of an Accommodations Committee to assess the office space needs of CAPE and engage the professional assistance of a broker to determine the optimal real estate options will be on the agenda for the next NEC meeting for discussion and approval.

As of January 27th, 2020, the Cumberland portfolio generated returns amounting to \$234K. Several members of the Finance Committee have utilized the Cumberland Pack program and therefore, it was recommended discussing the possibility of this program being extended to the general membership.

6.2 HR Subcommittee: A meeting with the HR Subcommittee and Mercer is scheduled for February 14th. A report will be presented to the NEC at the next meeting.

6.3 Constitution & Bylaws Committee: Nothing to report.

6.4 Governance Committee: The following 3 priorities have been identified by the Governance Committee: update the orientation package for new members of the NEC, develop a cheat sheet of Rules of Order and share good practice guidelines with the ERC.

6.5 Elections and Resolutions Committee: Nothing to report.

6.6 Ad Hoc CLC: A meeting is forthcoming and will be discussed at the next NEC meeting.

7. Reports

7.1 President's Report: As per usual, January was a bustling and demanding month for the President. The NEC was informed that it is the intent to have J. Courty attend

all AGM tour dates for additional support. The next Local Leadership Council meeting will take place on April 9th

7.2 Executive Director Report: A written report was provided in the binder and it was noted that the next report will focus more on the internal settlement. With respect to the Public Service Health Care Plan, as a member recently passed away, their vacated seat has become available on the Public Service Health Care Plan Committee. Accordingly, the Executive Director has submitted his name and results are pending while awaiting appointments. K. Mansfield expressed an interest to sit as an observer.

Creation of ISC local: K. Mansfield expressed great concern considering the AGM invitation for the appointment of presidents, executives and stewards was not extended to members of ISC local and as a result, the appointment of positions may be in violation of the Constitution and By-Laws. The Chair attributed this to an oversight and gave assurance this was not intentional. C. Vézina further explained that as a result of the change in department name, the acronym/coding was not triggered and therefore notification failed to go out to the appropriate individuals; more vigilance will be applied in the future. A date for the next AGM has yet to be determined.

7.3 Director of Policy Report: The ESU Collective Agreement was signed on December 16th and copies have been submitted to the Ontario Labour Board. As of today, ESU missed the deadline for seeking volunteers for the committee reviewing the CAPE pension plan; the parties should be meeting as soon as they are chosen. . Mr. Duclos, the president of treasury Board, is receptive to discussions to prepare the next round of negotiations and has committed to giving consideration to striking a joint committee and will provide a response at a future meeting. C. Danik is in the midst of developing a Work of Ethics Policy that will be presented to the NEC in March.

7.4 Director of Communications Report: A copy of the report was circulated to the NEC. Several key points related to Government Relations were highlighted.

7.5 Finance Manager Report: The process for information transference from Insite to the new database is almost complete. However, the data is not fully accurate and strategies are being examined to update the membership info.

The NEC meeting adjourned at 4:37 p.m. EDT

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The above minutes are accepted as a true representation of the National Executive Committee meeting held on January 31st, 2020

APPROVED by:

Chairperson

Date