



**National Executive Committee Meeting
Friday, April 30th, 2021
Via Zoom Videoconference**

MINUTES

In Attendance: G. Phillips (*Chair*), J. Akins, C. Awada, N. Bois, J. Brulotte, M. Collins, S. Crawford, H. Delnick, M. English, P. Ives, J. King, G. Kopytko, R. Kossick, J. Lafontaine, C. Lonmo, K. Mansfield, A. Nemec, A. Picotte, S. Rehman, A. Trau

Staff: J. Courty, J. George, A. Lizotte, K. Thériault, J. Ouellette

Observer: M. Mallet (TR rep)

Regrets: D. Monafu, A. Okladov

1. Call to Order / Roundtable introductions

The NEC meeting was officially called to order at 9:05 am and Chair G. Phillips confirmed quorum was achieved. CAPE's New Executive Director, Jean Ouellette was introduced to the NEC.

** At this time, CAPE's Statement on Harassment was read aloud. A. Lizotte was identified as the Anti-Harassment resource person for the meeting and concerns should be directed to her attention via email.*

1.2 Approval of NEC Agenda (April 30, 2021)

It was requested to move Agenda item 2a to be in-camera.

Motion to adopt the Agenda as amended.

Moved by: N. Bois

Seconded by: H. Delnick

Abstentions (1)

By show of hands: Carried unanimously

1.3 Review and approval of NEC public minutes (March 26, 2021)

Several grammatical modifications under 'Decision Items' were brought forward. An oversight was noted whereby D. Monafu's name was omitted as a volunteer to sit on the Digital and Transformation Committee.

Motion to accept the NEC public minutes dated March 26, 2021 as amended.

Moved by: M. Collins

Seconded by: N. Bois

Abstentions (3)

By show of hands: Carried unanimously

2. Discussion Items

a) *(Agenda item 2a was discussed in-camera)*

b) Presentation of Draft By-law 5 Policy: The 3 components of the Draft By-law 5 Policy which covered the hearing procedures, identity of DRS (Dispute Resolutions Committee) panel members and legal representation were described for the NEC. Questions/comments should be addressed by email to the attention of A. Lizotte.

c) Update on NEC Retreat: The management team has been active in many areas and have not had the opportunity to organise a NEC retreat or alternatively explore some team building exercise. It is hopeful that something can be arranged, possibly targeting the fall.

d) Presentation of Microsoft Dynamics: A PowerPoint presentation was previously circulated. Due to the Director of Finance no longer being employed at CAPE, this project has been put on hold and will be revisited in the near future.

e) Member representation: A NEC member brought forward a concern related to a social media post on the CAPE website in response to an article shared by the Ottawa Citizen whereby a member commented having contacted the Association on a matter and reported having received no representation or support. The President provided reassurance that protocols and processes to address membership representation have been put in place should issues arise and if warranted, will be escalated to the Senior LRO, and then ED.

f) Presentation by Tim Robinson (Senior Associate, Talent & Leadership Practice): Following a brief self-introduction, guest speaker Tim Robinson provided background on his leadership coaching and behavioural assessment change management experience as a consultant at Lee Hecht Harrison. Activities implemented to date were highlighted. The President undertook this initiative in an effort to enhance team effectiveness and through a number of discussions, settled on the following 4 objectives:

- 1) Assessment of the organization's overall effectiveness,
- 2) Design solutions and activities based on the assessment to drive improvement in the management team

- 3) Implementation of a behavioural assessment of the management team
- 4) Provide one-on-one sessions with members of the management team

These goals will be achieved through context, collaboration, trust, support and timing of interventions. As the project moves towards phase 2, the strengths of the organization and of the individuals will be underlined as the process of selection and the design of activities are introduced.

- g) **COVID-19 Vaccination Framework for the Public Service:** NEC members were encouraged to read the Framework in conjunction with the previously distributed presentation by the National Advisory Committee on Immunization (NACI) and provide comments as CAPE begins to formulate its policy position on the matter. As it stands, there are no legislations requiring employees to get vaccinated, hence no consequences for refusing. The Framework also examines the identification of occupational groups for priority vaccination. Pursuant to the NACI presentation, the vast majority of employees will be eligible to receive a vaccine through their provincial and territorial health care systems.
- h) **Constitutional Amendment:** A decision will be sought by the NEC to consider a constitutional change to include the OPBO group in the Constitution and Bylaws as they are currently omitted.

3. Action Items

Below is the status of the action items arising from the last NEC meeting:

- a) Bill C-65: Draft a communiqué to apprise Local leaders of the situation and encouraging them to address it at the Local level: ***In progress***
- b) ERC and DRS Committee: Notify candidates of their acceptance and arrange training: ***Completed***
- c) Send an email to OPBO and LoP bargaining groups to elicit volunteers for the ERC and Audit Committee: ***Completed***
- d) Organize the inaugural Audit Committee meeting: ***Completed***
- e) Digital Disruption and Transformation Committee: Organize the inaugural meeting and develop Terms of Reference: ***In progress***
- f) Executive Coaching: Request that Mr. Robinson prepare a presentation for the NEC's review: ***Completed (on the agenda)***
- g) Accommodations Working Group: Forward the survey once completed to the NEC: ***Completed***
- h) Microsoft Dynamics demo: Report back to the NEC on next steps: ***Deferred***
- i) ULP complaints: Provide the names of the complainants in writing for the NEC's review: ***Completed***
- j) The National Office to arrangements to have a 3rd party consider the complaints and invite N. Giannakoulis to participate: ***In progress – looking to set an arbitration date.***

LUNCH BREAK

4. Decision Items

4.1 Approval of Policy on delegates' attendance at CLC convention: The draft policy on CLC conventions attendance was developed in consultation with other unions and in alignment with standard practice at the CLC. There is an allocation of 35 spaces, however the goal is to send a minimum of 12 delegates: 4 from the NEC, 4 from staff, 4 for elected officials, though this can be increase to 35, which could include members-at-large. The convention will be held June 16-18, 2021. Members and staff participating will be entitled to salary reimbursement. The number of attendees will be approved at the next NEC meeting. Interested NEC members and staff were instructed to email J. Courty.

Motion to approve the Policy on delegates' attendance at CLC conventions.

In Favour (15), Abstentions (5)

Carried unanimously

Action Item: The Director of Communications was requested to put out a call to the membership for expression of interest, specifying that the number of attendees has yet to be determined.

4.2 Approval of B. Segul-Brown for the OPBO Collective Bargaining Committee

Motion to approve B. Segul-Brown to sit on the OPBO Collective Bargaining Committee.

Moved by: H. Delnick

Seconded by: S. Crawford

Abstentions (1)

By show of hands: Carried unanimously

4.3 Approval of volunteers for the TR Collective Bargaining Committee: The list of the names of the 9 individuals were submitted to the NEC via email. An additional spot is being reserved for a terminologist, bringing the total to 10.

Motion to approve the 9 volunteers to sit on the TR Collective Bargaining Committee.

Moved by: A. Picotte

Seconded by: N. Bois

Abstentions (1)

By show of hands: Carried unanimously

4.4 Approval of E. Kayisinga as steward: A candidate put forth their application to become a steward.

Motion to approve E. Kayisinga as steward.

Moved by: H. Delnick

Seconded by: G. Kopytko

Comment: Given her legal background, a request was put forth to remind the candidate of her limitations regarding what can and cannot be said.

Abstentions (1)

By show of hands: Carried unanimously

Action Item: The Executive Director was requested to clarify that LROs will ensure training is mandatory for all applications and be overall consistent.

4.5 Amendment to Constitution and By-Laws: As a follow up to Agenda item 2h, the following motion was put forth:

Motion to approve the amendments to the Constitution and Bylaws necessary to reflect the inclusion of the OPBO group as submitted.

Moved by: C. Lonmo

Seconded by: H. Delnick

Abstentions (1)

By show of hands: Carried unanimously

It was noted that these changes will not take effect immediately as Bylaw amendments are conditional on the changes first being applied to the Constitution.

4.6 Participation on sub-committees: Following a Doodle poll requesting NEC members participation on various committees, names of volunteers sitting on each committee were read aloud and modifications were applied immediately to ensure accuracy.

Action Item: J. Courty will forward the amended list to the NEC.

Motion to approve the list of volunteers to sit on the ERC.

Moved by: H. Delnick

Seconded by: C. Awada

Abstentions (1)

By show of hands: Carried unanimously

Motion to approve the volunteers to sit on the Communications Working Group

Moved by: G. Kopytko

Seconded by: J. Lafontaine

Abstentions (1)

By show of hands: Carried unanimously

In the interest of time, it was agreed to accept all the volunteers who have put their names forward to sit on the committees pending a TOR review to determine the committee size.

Motion to tentatively approve all the names submitted to sit on the committees.

Moved by: H. Delnick

Seconded by: J. Lafontaine

Abstentions (1)

By show of hands: Carried unanimously

4.7 HR Sub-committee review the Presidents employment contract for the 2024-2027 term: The CBC (Constitution and Bylaws Committee) put forth a proposal to

consider an amendment to the Constitution to enable the process to review the President's remuneration within the context of the President's employment contract and associated processes. Should the NEC direct the CBC to pursue, the committee will bring forward recommendations to the NEC for feedback next month, followed by a decision in June in order to present the resolution to the membership in time for the AGM. Upon approval of the amended Constitution, the matter will be referred to the HR Subcommittee for review and operationalization.

Comments/Recommendations:

- Given the current lens and working conditions, a recommendation was put forth to consider the acceptance of e-signatures as a priority matter.
- The rationale of presenting to members at this early stage is to avoid any perception of a political decision. In previous discussions, it was proposed that membership be made aware this year of matters subject to being passed in the following year. Additionally, any amendments trigger new processes in place the need to be adhered to.
- Another suggestion was put forth for the CBC to explore the addition of formal processes on negotiation tactics pertaining to the President's contract.

Motion that the NEC task the Constitution and Bylaws Committee (CBC) to look into the President's salary clause and remuneration in the Constitution, keeping in mind that the process might be for negotiation in the future, as well as look into different instances for the requirements for electronic signatures vs. hand-written signatures addressed in the Bylaws and Constitution. Be it further resolved that the NEC task the Constitution and Bylaws Committee to amend the Constitution and Bylaw's minimum requirement to run for the position of President.

Moved by: H. Delnick

Seconded by: A. Picotte

In Favour (15), Opposed (1), Abstentions (2)

Motion Carried

(Agenda Item 5 was discussed in-camera)

6. Reports

6.1 President's Report: The President reported on a concern with the Public Service Pension Advisory Committee. Since his appointment through the NJC, the Advisory Committee has implemented an extensive security screening process through CSIS which is perceived as unproportionate with the nature of the role. As a result, the President has sought legal advice from P. Engelmann and who concurred, citing the unnecessary invasion of privacy. The President took the stance to alleviate his family from being subjected to this rigorous background process and is in the midst of appealing this requirement. A letter summarizing the President's views was submitted to the NJC who have offered endorsement. CLC President Hassan Yussuff has provided assistance in facilitating a meeting with Treasury Board President Jean-Yves Duclos to discuss the matter.

In light of ongoing challenges related with PSES (Public Service Employee Survey) stemming from the lack of collaboration, engagement and consultation, the President is considering resigning from this committee. As it stands, a decision has yet to be made, though other unions encourage remaining on the committee. However, this needs to be weighed against focussing on priorities benefitting members, as well as an increasingly busy schedule.

In an effort to alleviate the Executive Office current workload, the President has enlisted the help of EC-VP C. Awada to work 2 days a week and provide assistance on committee-related matters, members representation, as well as other internal issues.

6.2 Director of Policy & Negotiations Report: The weekly reporting COVID stats from Treasury Board as of April 28th, 2021 were shared as followed: 570 employees have reported positive COVID-19 testing for a total of 4581 employees since the beginning of the pandemic. Of that, 971 of those cases remain active. Work refusal under the Canada Labour Code related to COVID-19: 3 new cases have been reported since last week, 12 since the beginning of the pandemic for a total of 67 with only 1 remaining active. There have been 21 instances of new office closures, with a total of 12 559 since the beginning of the pandemic with 7477 employees remaining affected by office closures.

NexGen Pay HR System: J. George reported that Phase 1 of the NexGen Pay HR System exploratory stage is now successfully completed. Only one issue related to accessibility of the platform was reported and work in underway by the NexGen team to ensure compliance with the Accessible Canada Act. Next steps will consist of the design & experimentation phase. The pilot program roll out is set to launch in mid-May. Though originally set to be strictly deployed at Heritage Canada, the pilot program will be extended to other departments to avoid recurrence of Phoenix issues. The NexGen team is in the process of selecting departments for inclusion.

6.3 Senior Advisor Report: The OPBO Bargaining group survey is now completed and was sent yesterday. Preparatory work in addressing ongoing challenges with the TR group have begun and several policy grievances will be filed to ensure all matters are adequately addressed. Given his experience as former Chief Negotiator, Claude Poirier has been retained to work 2 days per week to assist with preparations for the TR Collective Bargaining.

6.4 Director of Communications Report: In addition to the previously circulated report, the following activities by the Communication Department were highlighted:

- A news release just announced the appointment of Christine Donoghue as Chief Human Resources Officer of Treasury Board of Canada Secretariat, effective May 3, 2021.

- The interpreter survey was launched yesterday, with quantitative and qualitative data collected to gain a better understanding of the current health and safety challenges as it pertains to remote interpretation. The survey will assist in strengthening advocacy efforts. May 13 is the deadline to submit to the Communications Department.
- A thorough analysis of the Federal Budget was undertaken last week and findings will be highlighted in the monthly newsletter to be posted sometime today.
- Letters addressed to a number of government officials were submitted this week: one to Greg Fergus congratulating him on his recent appointment as Parliamentary Secretary to the Prime Minister. A letter was also sent to RCMP Commissioner Brenda Lucki requesting that consultations related to the RCMP deeming process suspended last year be expediated.

6.5 Director of Finance Report: None.

6.6 Report on CLC: Nothing further to report.

7. Committee Updates

7.1 Finance Committee: The Chair of the Finance Committee informed the NEC that the mandate of governance and transparency under Article 13 of the Constitution will be diligently enforced.

7.2 Constitution and Bylaws: Already discussed

7.3 Audit Committee: The Audit Committee has appointed Alex Butler as the Chair. The President was invited to attend the next meeting once scheduled.

7.4 Office Accommodations: The Office Accommodations Working Group inaugural meeting was held on April 15 with Real Strategy in attendance. A survey for ESU members was launched and at the request of ESU's President, it was extended to 2.5 days to yield better responses, which are expected to be tallied early next week. ESU forwarded two names of individuals who have expressed interest in sitting on the Office Accommodations Working Group as per the Collective Agreement. J. Courty met with Real Strategy this week to discuss the timelines and give approval to initiate discussions with the landlord on the lease renewal and understand what is available. A follow up meeting with Real Strategy is schedule to take place in a couple of weeks. In June , a meeting with the Office Accommodations Working Group will be held to debrief them on options, recommendations and next steps.

The NEC meeting adjourned at 4:26 p.m. EDT.

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The above minutes are accepted as a true representation of the National Executive Committee meeting held on April 30th, 2021.

APPROVED by:

Chairperson

Date