



**National Executive Committee Meeting
Friday, February 25th, 2022
Via Zoom Videoconference**

MINUTES

In Person: G. Phillips (*Chair*), C. Awada, S. Crawford, M. English, R. Kossick, C. Lonmo, A. Trau, E. Tremblay (*in-person after lunch*)

Via Zoom: A. Butler, M. Collins, H. Delnick, P. Ives, J. King, P. Makrodimitris, K. Mansfield, A. Nemec, A. Picotte, S. Rehman

Staff: J. Courty, A. Lizotte, S. Salter, K. Thériault and J. Ouellette

Regrets: J. Brulotte, G. Kopytko, J. Lafontaine, D. Monafu, A. Okladov

1. Call to Order

The NEC meeting was officially called to order at 9:04 a.m. and Chair G. Phillips confirmed quorum was achieved.

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

1.2 Approval of NEC Agenda

A request was put forth to add the appointment of a NEC member to the EC Collective Member Bargaining Committee. This item will be added under "Decision Items 4.4".

Motion to adopt the Agenda as amended.

Moved by: C. Awada

Seconded by: A. Trau

Abstentions (1)

By show of hands: Carried unanimously

1.3 Review and approval of NEC public minutes (January 28, 2022)

Motion to adopt the January 28, 2022, NEC minutes as presented.

Moved by: C. Awada

Seconded by: C. Lonmo

Discussion: A comment pertaining to the level of details was raised. In addition, it was requested removing the names of individuals to instead reflect their position/title when discussing sensitive topics. In light of the minutes having not been reviewed by members of the management team, there was agreement to defer the approval until the next NEC meeting.

Motion Tabled

Action Item: NEC members were directed to send amendments to the attention of J. Courty.

2. Reports

2.1 President's Report: The President took part in an interview with Radio Canada on the topic of the interpreters and the complaint filed against the Occupational Health & Safety aspects pertaining to the sound quality, inferior internet connections and the proposed recommendations that failed to be implemented. Additional meetings with CBC and the Hill Times were conducted to further discuss the matter.

A meeting with S. Diotte was held to discuss several issues including the Deeming Process for the RCMP/CMs and ambiguity regarding timelines. Also discussed was the lack of consistency relative to the reimbursement of prescriptions, in that members in some provinces are reimbursed expenses for prescriptions written by nurse practitioners while in other provinces they are not. Feedback from LROs indicates substantial confusion amongst members regarding unused scheduled leaves accumulated during the moratorium. Treasury Board confirmed that the most recently earned leave will be first to be utilized, followed by carried over leave credits. Previously approved scheduled leaves will be honoured. A document was developed as an interpretive aid to provide a better understanding of carry-over leave MOU and has been shared with the membership and will soon be posted on the website.

Bi-weekly meetings with OCRO concerning COVID cases and updates on return-to-work protocols continue. The use of approved medical masks/respirators will be required indoors and social distancing measures will be put in place.

A SNEC meeting was held this week to discuss the financial statements.

The President will be on vacation at the end of March during which time, C. Awada will serve as Acting President.

2.2 ED Report: The first edition of the quarterly report to the NEC was circulated beforehand. The report outlined strategies employed by the National Office geared towards better serving the members. Input and recommendations for improvement of the report are welcome.

Stats on COVID grievances broken down by departments was previously circulated.

The Labour Representation Organizational Review has commenced and the questionnaire for the NEC and management team is being finalized. Input from the NEC on labour representation services will be sought next week. The recommendations from the consultant are anticipated to be rendered by the end of April. A 2-day workshop for LROs to be scheduled for mid-September 2022 during which time a review of the recommendations and work on the implementation phase will be undertaken.

The HR Officer recently hired has resigned from their position. As a result, the services of a consultant were retained on a 3-day a week basis to spearhead the staffing process, which will be underway in the next few days.

2.3 Senior Advisor Report: Tabled until the NEC meeting in light of J. George's absence.

2.4 Director of Policy & Negotiations Report: Notice to Bargain for the EC group was submitted to Treasury Board on February 18th, 2022. The first meeting with the Employer to exchange initial proposals has been set for March 17/18th, 2022. The Committee met yesterday to finalize the list of proposals and the Collective Bargaining Team is scheduled to meet four times between now and March 17th to prepare for the meeting with the Employer.

The initial meeting with the ESU Bargaining Committee was held two weeks ago. There has been no indication or progress on ESU's stance towards potentially receiving Notice to Bargain.

Notice to bargain for the TR Bargaining Group was submitted on December 20th, 2021, and negotiations are being led by C. Poirier. The first meeting with the Employer to exchange initial proposals has been scheduled for March 9th, 2022.

The survey for the LOPs was completed and results have been analyzed and presented to the Collective Bargaining Committee for review this week. An update to the NEC will follow upon J. George's return.

Regarding ongoing litigation files, CAPE has filed a policy grievance regarding the system used to measure work effort for the translators. This is the same topic as the class action law suit brought forward by contractors. We have decided this was a more effective way for us to address this issue for our members.

We have also brought a Health and Safety Complaint under the Canada Labour Code on Monday on the basis that the Employer is failing in its duty to provide a safe workplace for our interpreters.

2.5 Director of Communications Report: The Board of Internal Economy at the House of Commons recently requested Chief Executive Officer of Public Services and Procurement Canada's Translation Bureau L. Séguin to testify on the matter to further expand on her response. CAPE has put forth a request to appear as witness at the follow up meeting scheduled March 3rd, 2022.

Increased support has been offered to members of the RCMP experiencing challenges with Division C senior members of RCMP management in Montreal as several reports of intimidation in the workplace have been filed. The President had attempted to secure a meeting with RCMP Commissioner B. Lucki last week in order to intervene, but in turn was deferred to leaders of Division C. As a result, a detailed report on the situation will be drafted in an attempt to persuade the Commissioner to meet with the President to discuss ways to implement CAPE's recommendations.

The Communications Team is in the process of designing and engineering consultations with Locals around communications, member engagement needs and challenges. The objective is to launch consultations in early March with a completion target of June 2022.

The NEC bio page launch was anticipated to be operational; however unexpected delays have arisen due to several glitches. A confirmation link will be sent to the NEC once it is live by end of day or early next week.

An internal info-session on diversity, equity and inclusion will be conducted at CAPE's direction. New partner, CCDI, will be in attendance to address the membership on the nature of the recently forged partnership and expand on the benefits extended to staff. The subsequent step is to extend this offer to the NEC for a similar info-session.

A NEC member flagged an attempt at phishing by scammers using a bogus Gmail address to request money. Local Presidents will be informed of this incident as an example of proper management of membership lists.

HEALTH BREAK

2.6 Director of Finance Report: Further to the detailed financial summary highlighted in the written Executive Director's report, it was noted that the Association expenses are currently \$2.8M under budget for the 8th months ended December 31, 2021. The 67-page report on the finance process optimization project by Deloitte was received and a summary of the report will be presented to the NEC at the next meeting.

Temporary help has been retained to assist in filling the membership clerk role with the aim of permanently staffing this position in short order.

The management team recently met with several members of the NEC to undergo a fulsome review of cheques exceeding \$500 for fiscal years 2020 and 2021, during which time questions were answered and concerns were addressed.

2.7 Presentation by Cumberland Private Wealth

Following a recommendation put forth by Cumberland and discussions at last week's SNEC meeting, approval from the NEC was sought to increase the Association's equity investments by 10% (i.e.: from 25% to 35%). Cumberland's Portfolio Manager alongside Chief Investment Officer delivered a presentation of the proposed rationale for the recommendation and provided a detailed overview of CAPE's asset allocation, historical performance of the portfolio, views on the current market, and investment risk assessment. Despite uncertainties of the market economy and inability to predict future outcomes, increasing the equity by 10% was deemed as a sound financial decision on the reasonable assumption of growth in the portfolio holdings as no major withdrawals are anticipated, and therefore it would be reasonable to have higher equity exposure given the long-term goals of modest capital appreciation and preserving purchasing power over and above inflation, leading to the conclusion that the long-term strategic decision to cap it at 25% is not optimal.

Motion to increase CAPE's portfolio equity investments by 10%

Moved by: H. Delnick

Seconded by: C. Awada

In Favour (8), Opposed (5) Abstentions (3)

Motion Carried

Action Item: J. Courty to forward Cumberland's PowerPoint presentation to NEC members.

3. Committee Updates

3.1 Finance Committee: The motion pertaining to the analysis of the Defense Fund was withdrawn. The Finance Committee will instead proceed with an overall review of the Fund. The December financial statements were approved, and the January/February financial statements will be presented to the NEC at the next meeting. A minor budget-related item will be amended prior to its final approval. The recommendation to consider a change in the fiscal year has been put forward to the CBLC for consideration.

3.2 Constitution and Bylaws Committee: The CBLC Chair reported on discussion points raised at the last Committee meeting, which revolved around Bylaw 14 (*Meeting Absences*), Bylaw 5 complaints and costs incurred by CAPE, a recommendation for an informal resolution process, providing guidance on timelines for the fiscal period with milestones that examine budget processes for the year-end and AGM, CAPE, NEC committees and the review of the Donation Policy. Recommendations for each subject matter will be reported to the NEC at future meetings.

LUNCH BREAK

3.3 HR Subcommittee: At the last meeting, HR Subcommittee members discussed the HR Officer's departure along with emerging needs for the IM/IT department. The goal is to retain professional assistance on a 3-month basis to alleviate the workload related to the Case Management System, Intranet and other IT functions. With Mercer's assistance, the Administrative Assistants org review has been completed and the drafting of job description is underway.

3.4 Digital Disruption and Transformation Subcommittee: The Subcommittee met yesterday to begin discussions on identifying the top 3 digital-related priorities over the next year. Focus will be placed on the development of policy papers, training by way of info-sessions, guest speakers and more. A meeting with CAPE staff will be scheduled to explore options and recommendations by the consultant. In light of the shortage of volunteers, additional NEC members are welcome.

3.5 Equity, Diversity & Inclusion Subcommittee: The Subcommittee discussed the 3 main objectives of its action plan: undertake a labour representation review, recruitment, promotion and retention of staff and explore strategies for member involvement and participation on activities of the Association.

3.6 Voting Subcommittee: The Subcommittee Chair reported on the last meeting held whereby the final step of the mandate on voting methodologies and the delegation for certain types of votes are underway. The goal is to contact membership to assess interest in the endorsement of these vote types. The Subcommittee will review questions related to sufficient vote rounds through the establishment of a voting threshold at the March Voting Subcommittee meeting.

4. Decision Items

4.1 Proposed new Policy regarding membership lists: The Policy defines the process by which Locals are able to use and access the membership list. The approval process of the Policy Document was reiterated and will proceed at the next NEC meeting. A curtailed sectional review of the Policy document was presented. Following the presentation, NEC members held a Q&A to seek clarity on the Policy document and shared concerns related to the privacy, security measures, adherence with the Policy and consistent communication, which were addressed accordingly. It was stated that the approved Bylaws framework for Locals outlines the mandate and responsibilities of Locals which has been reflected in the development of the proposed Policy. NEC members were encouraged to review the document and forward any feedback for consideration.

4.2 Proposed new Policy regarding NEC email addresses

Following the presentation during the previous NEC meeting, concerns related to reasonable expectation of privacy were considered and an additional clause under section 5 was included to reflect the following sentence: *"Members of the NEC have a reasonable expectation of privacy while provided their CAPE email account. Access to their data shall be*

limited to exceptional circumstances only. Examples of exceptional circumstances include accessing information to comply with an investigation, or if required to defend CAPE in a legal proceeding. Information may also be accessed after the end of a members' term in order to ensure continuity on a matter if the information is otherwise unavailable".

A recommendation was put forth to reflect that CAPE will inform the NEC member of the intent to access their email account prior to doing so. The comment was noted and will be taken under consideration and readdressed at a future NEC meeting.

4.3 Approval of a member to NEC Subcommittees

The approval process was reiterated. Given that due process was not followed, this item was tabled as a general call for volunteers must be issued prior to seeking approval from the NEC.

4.4 Appointment to the EC Collective Bargaining Committee

In accordance with the Constitutions and Bylaws, a maximum of 18 members shall sit on the EC Collective Bargaining Committee. With one of the members stepping down, a vacancy has arisen. Both alternates, S. Rehman and K. Mansfield, have expressed interest in sitting as a member. The NEC conducted a secret ballot vote to determine the designated NEC member as the replacement.

Vote Results: S. Rehman (7 votes), K. Mansfield (6 votes), and 2 abstentions. S. Rehman was appointed to the EC Collective Bargaining Committee.

4.5 Approval of new NEC subcommittee (Work Force Adjustment)

In an effort to address membership concerns related to potential layoffs post-pandemic given the economic deficit, the President recommended proactive measures be taken and to consider striking a subcommittee of the NEC for WFA (Work Force Adjustment). The general premise is to strategize and consider post-pandemic economic recovery measures in the event dismissals are on the horizon to ensure Locals are supported and the membership is protected. The subcommittee's official name/title, mandate and TORs will be defined accordingly. The National Office will reach out to Local leaders and members-at-large and issue a call for volunteers.

The recommendation was widely endorsed by the NEC. P. Makrodimitris, C. Awada, A. Trau and S. Crawford volunteered to sit on the subcommittee.

Motion to approve the creation of a WFA subcommittee

Moved by: G. Phillips

Seconded by: C. Awada

Abstentions (2)

By show of hands: Carried unanimously

The inaugural meeting will be scheduled soon and chaired by the President. Additional interested NEC members were requested to forward their names to the attention of J.

Courty. After the ToR are approved by the NEC, a call to the membership for their participation may be issued.

Action Item: The National Office will send out an email as a reminder

5. Discussion Items

a) **EC Survey Presentation:** *This item was discussed in-camera*

b) **Local Leadership Engagement Strategy:** CAPE's 2022 Strategy document to Develop & Empower Local Leadership was previously circulated. As aspirations revolve around engagement and empowerment of Locals as the main priority for 2022, several initiatives have been identified by the National Office as priority items to undertake and roll out, including:

- Governance and local Bylaws in order to assist Locals in establishing proper governance structures and to ensure congruence with the National Constitutions and Bylaws
- Further review the status of inactive Locals and the establishment of non-existing Locals
- The authorized use of local rebates; a Policy will be issued to provide greater clarity
- Policy on membership lists to enable Locals to obtain access to up-to-date membership lists while ensuring the use and distribution are understood and protected
- General consultations (UMCCs) through the development of various aids and tools to better prepare when meeting with the Employer to ensure consistent messaging with the National Office and be better informed
- Stewards Training and Local Executive's training to ensure roles are clearly understood
- The National Office is rolling out an extensive RAND campaign aimed at increasing the enrollment level of members, including welcome kits to be distributed to all new CAPE members at the time of hire
- In an effort to provide dedicated services to Locals, the National Office is proposing the creation of a new 'Locals Mobilization Coordinator' position (title TBD) that will oversee the engagement of Locals. A list of duties has been developed and will be put forth to the NEC for approval at a future meeting

The President will be holding consultations with the Locals on all of the above initiatives to ensure the National Office is responsive to the needs. The NEC held a fulsome discussion and the following comments were raised:

- As a National Committee, it is incumbent to ensure words and actions are aligned. A recommendation was put forth that the National Office considers offering Locals CAPE email addresses and access to MS Teams platform to allow for collaboration and support amongst themselves.
- A comment was raised about the strategy seemingly geared towards larger and more engaged departments; hence the need to consider sharing best practices in order to help facilitate Locals operating within departments experiencing challenges
- Consistency and greater clarity on defining a Local is warranted: are they geographically-based or departmental-based? The recommendation was noted and will be closely examined once recommendations from Deloitte on the bud list are provided and a review of the matter by the CBC is undertaken.

Action Item: J. Ouellette to forward the document on members' assignment to Locals

- c) **NEC members attendance on NEC subcommittees:** A list of all the Chairs of the various committees and subcommittees was compiled. As a first step, a message to all the Chairs will be forwarded to assess the needs, available vacancies etc. Next, NEC members will be informed of available committees/subcommittees to volunteer for, followed by an outreach to the membership. Timeline for completion is targeted for late March/April time permitting. A request was put forth to add the Collective Bargaining Committee to the list.
- d) **Vaccination Policy-CAPE's position:** Following a request submitted by Treasury Board to provide feedback on the current Mandatory Vaccine Policy, a response was recently provided. Given the short timeline to answer, the National Office responded with representations consistent with the policy position taken last year whereby feedback on the overall policy itself was provided, as well as privacy-related issues. The Association reiterated its stance that, while supportive of the mandate, it is incumbent upon the Employer to accommodate employees who are unable or unwilling to be vaccinated. In addition, while in agreement with the principle that all employees be fully vaccinated prior to entering the workplace, the mandatory suspension of employees failing to provide proof of vaccination should cease immediately. All unvaccinated employees should be provided with accommodation measures such as the use of daily testing, ability to continue working remotely, the use of personal protective protection etc. The Association believe that the Policy must be adapted to the evolving pandemic status and therefore proposes that milestones be established clearly outlining when the Policy will no longer be required.

On the privacy aspect, the Association sought assurances that information collected is managed in accordance with the Privacy Act. As it stands, the access to proof of vaccination provided by employees is visible to all individuals on the basis of hierarchy, rather than the need to know. The Policy must clarify that this information remains private and confidential and that it be accessible strictly to

those clearly identified and authorised to obtain and verify this information, as well as specifying when the information will be disposed of when it is no longer required. A response remains pending.

- e) **New Audit Committee Chair:** A meeting of the Audit Committee will be called to select an Audit Committee Chair. The NEC will be subsequently informed.

6. Action Items

Below is the status of the action items arising from the last NEC meeting January 28, 2022:

- a) Provide additional information to the NEC on the 25th SPPA Gala For Carleton University: ***Given the constricted timeline, the initiative was abandoned.***
- b) Develop a template/mock-up of a simulated NEC report prior to being finalized: ***Completed***

7. **Other Business (Draft Budget Approval)** The draft budget was approved during the SNEC meeting, subject to a verification regarding the President's travel being re-classified. A discussion ensued regarding whether inflationary pressures needed to be recalculated into estimates of expenditures and travel expenses. For the purpose of the Local Leadership Council, a request was put forth to consider providing a basis for calculation currently not reflected on the Excel spreadsheet. The President put forth a recommendation that during consultations with Local Leaders, inflationary pressures be given consideration in accordance with concerns raised by the NEC. Accordingly, the Finance Committee was instructed to discuss the matter of inflationary pressures on travel expenses at the next Finance Committee meeting to determine whether a revision to the Budget is recommended or not, accompanied by a rationale, and report to the NEC at the March meeting.

The NEC meeting adjourned at 4:33 p.m. EDT.

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The above minutes are accepted as a true representation of the National Executive Committee meeting held on February 25th, 2022.

APPROVED by:

Chairperson

Date