



**National Executive Committee Meeting
Friday, January 28th, 2022
Via Zoom Videoconference**

MINUTES

In Attendance: G. Phillips (*Chair*), J. Brulotte, A. Butler, C. Awada, M. Collins, S. Crawford, H. Delnick, M. English, P. Ives, J. King, G. Kopytko, J. Lafontaine, C. Lonmo, P. Makrodimitris, K. Mansfield, A. Kurikshuk-Nemec, A. Okladov, A. Picotte, S. Rehman, A. Trau, E. Tremblay

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

Regrets: R. Kossick and D. Monafu

1. Call to Order

The NEC meeting was officially called to order at 9:03 a.m. and Chair G. Phillips confirmed quorum was achieved. A. Butler and P. Makrodimitris were welcomed to the NEC.

** 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 (January 28, 2022)

A request was put forth to add the suspension of a Finance Committee member due to absenteeism. This item will be added under "Decision Items 4.1". E. Tremblay self-declared a conflict of interest pertaining to in-camera agenda item "Status update on all on ongoing litigious files" and therefore will be recusing herself at that time. A concern was raised as to the insufficient time allotment for discussions related to the overall budget under "Decision Items 4.2, 4.3 and 4.5" and therefore a request was made to allocate additional time on the topic. The request will be considered at the time.

Motion to adopt the agenda as amended.

Moved by: A. Picotte

Seconded by: J. Lafontaine

In Favour (15) Opposed (1)

Abstentions (3)

Motion Carried

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

Motion to adopt the November 26, 2021, NEC minutes as amended.

Moved by: C. Awada

Seconded by: C. Lonmo

Discussion: The following amendments were put forth:

- It was noted that proposed changes previously submitted by email through Track Changes were not reflected in the French version of the minutes. The changes will be reflected accordingly. Under item 3.1 “Finance Committee Update” in the 5th paragraph, a request was put forth to remove the sentence ‘requesting to bypass the process’, explaining that was not the intent. The process by which to appoint volunteers to Committees was reiterated. NEC members briefly deliberated on the matter, and it was agreed to strike the sentence accordingly in both sets of minutes.
- Under 3.5 “EDI (*Equity, Diversity & Inclusion*) Subcommittee”, the second paragraph should read “Director of Communication”, instead of Director of Finance.
- The minutes will reflect P. Ives’ attendance via Zoom rather than in-person.

Abstentions (2)

By show of hands: Carried unanimously

2. Reports

2.1 President’s Report: During his tenure as Acting President, A. Picotte reported on files he worked on.

The President stated that while the request for dues increase was rejected by the membership, the budget was successfully approved, which included the addition of 10 new positions towards the improvement of membership services as discussed at the NEC Retreat. The National Office is proceeding with the staffing of the positions, which will be further discussed under the ED’s report.

A meeting with Treasury Board officials is scheduled to discuss the RCMP Deeming Process, concerns regarding the implementation of the MOU placing an end to the Moratorium on the carry-over of excess leave credits, as well concerns over the inability to recognize prescriptions filed by Nurse Practitioners and Mid-Wives under the Health Care Plan.

The President accepted an invitation to attend the 25th SPPA Gala at Carleton University to be held on June 24th, 2022, led by their Public Policy & Administration department. This falls under the EC mandate as future policy writers. A solicitation was made to CAPE for sponsorship ranging from \$25 to \$1000, categorized into tiers. The Chair elicited input from the NEC on the sponsorship level the Association should consider.

Discussion: Concerns arose on the precedent-setting for future requests and the direct correlation with CAPE’s mandate. In addition, it was mentioned that the decision to proceed cannot be predicated on the possibility of members becoming ECs, nor can be used as a strategy to attract candidates to apply to the Public Service. A suggestion was put forth to conduct a straw poll to determine whether the NEC is amenable to a \$1000 contribution.

In response, it was noted that the initial framework developed in previous years states that the maximum allotment for donations is \$500. After deliberation, NEC members requested additional information for the sake of clarity prior to conducting a poll and offering support.

Action Item: Additional information will be provided to the NEC prior to the next meeting.

2.2 ED Report: The September workshop report was finalized and received, with two major takeaways revolving around membership services and support to the Locals by building capacity. An HR subcommittee meeting will be scheduled shortly to further discuss the recommendations outlined in the report, as well as matters around staffing.

The Finance Diagnostic Program by Deloitte is underway. The Program focuses on reducing operational inefficiencies within the Finance Department for greater optimization at a more strategic level.

The Labour Representation Organizational Review was launched last week, and the NEC and the Management Team will also be consulted.

Steward training resumed last week, however not all members who applied could be accommodated. Accordingly, a secondary virtual course will be scheduled in late March for the remaining members and will be provided in English. French training began this morning.

The revised organizational chart highlighting staff job titles was previously circulated to the NEC.

Motion to approve CAPE's organizational chart as presented

Moved by: H. Delnick

Seconded by: C. Awada

Abstention (3)

By show of hands: Carried unanimously

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

2.4 Director of Policy & Negotiations and General Counsel Report: A tentative 4-year agreement for the OPBO Collective Bargaining was signed and ratified by the membership, which includes a 2.1% wage increase annually for a total of 8.4%. Once officially signed, it will be posted online.

A meeting with the EC Collective Bargaining Committee was held yesterday to review the results of the survey sent to the EC membership on November 17th. The Committee has voted and approved the team to represent the ECs at the bargaining table, composed of 6

members and 2 alternates (*all names were read aloud*). Treasury Board informed the Association of a recent change in Chief Negotiators.

Notice of bargain for the TR Bargaining Group was submitted on December 20th, 2021. Discussion with the Employer to set a date for the first meeting is underway.

The survey for the LOP group was launched and is available to be completed by the membership over the next 3 weeks. An update to the NEC will follow.

Employee Staff Union (ESU): The first Committee meeting is schedule to take place in February and the National Office has retained the services of C. Danik to provide assistance in order to support the collective bargaining process. .

The Association extended an offer to a legal counsel who accepted and will be providing support to A. Lizotte.

HEALTH BREAK

2.5 Director of Communications Report: On the Public Affairs front, the Communications Team is working on scheduling a meeting between the President and the Minister of Public Services & Procurement, F. Tassi, to discuss the complaint being filed on behalf of the interpreters for the Translation Bureau's failure to meet its obligation to protect interpreters' health and safety and to agree on urgent solutions.

Lobbying efforts for the RCMP Division C in Montreal continue. The Association is seeking to schedule a meeting with RCMP Commissioner B. Lucki to further scrutinize questionable management practices in that office. More information will follow and RCMP members will be informed on this effort sometime next week.

On the government relations front, Ministers with relevant mandates to the Association and its members will be contacted, including Minister of Diversity, Inclusion & Youth of Canada A. Hussen, to discuss the Government's DEI requirements and objectives to ensure they are met in the workplace and remain at the forefront of issues raised by some of the members.

Two new issue reference pages have been created under the "Issues & Advocacy" section of the website. The RAND registration campaign was launched in mid-December. The next step will consist of working more closely with the Locals for support and ensuring member registration. A promotional flyer outlining the benefits of registering was developed and the link will be forwarded to the NEC.

A new membership portal was launched in December and the Association reached out to registered members to reset their password in December or on the next time they log-in. Technicians are on standby should anyone experience difficulty in accessing the portal.

The CAPE Operational Model slide previously circulated will be included in all future communication products by CAPE. The slide provides a snapshot of the Association and its mandate. NEC members were encouraged to use it as needed.

The Annual Report is scheduled to be released by the end of February 2022 and a review is currently underway.

The NEC Bio page is now finalized, and the design phase is being fine-tuned. The Communications Team is awaiting additional NEC bios/pictures in order to populate the page.

The Communications Advisory Committee's inaugural meeting and call for volunteers have been put on hold until further guidance from the NEC on managing participation is provided.

N. Bois recently joined the Communications Team to fill in the translator/revisor position at the beginning of the month for a 1-year term. He will spearhead the initiative to introduce new translation and revision procedures at CAPE to improve the quality of the content, as well as develop inclusive language guidelines.

2.6 Director of Finance Report: Financial Statements for the months of September to November were reviewed and approved by the Finance Committee. Some of the recommendations put forth by the auditors in the management letter have been implemented, including a new sign-off process for bank and credit card reconciliations that meet internal control requirements as per accounting best practices. In addition, month-end reporting has been revamped and a checklist implemented. Payroll procedures have been documented which ensures cross-training of the Finance team.

The 2022-2023 budget has been finalized by the Finance Committee, during which time the chart of accounts was adjusted to ensure consistency with the accounting system and budget item lines (*actuals vs. budgeted expenditures*). The Association engaged the services of Deloitte who interviewed the Finance Team and reviewed the procurement, payroll and accounts receivable/payable processes to observe current practices and identify ways to make improvements using existing tools such as QuickBooks or ADP to full potential. A report is anticipated for February and findings will be reviewed and discussed among the Finance Committee.

Earlier this week, an amount of \$2.5M was sent to Cumberland investments to be moved to the Defense/Restricted Fund, which is the required amount to deposit as per the 2020-2021 financials.

A Request for Tender for the appointment of independent auditors for the next fiscal year will soon be initiated.

3. Committee Updates

3.1 ERC: The Chair of the ERC Committee provided an update to the NEC. The 2021–2022 ERC was originally comprised of 9 members. As of July 7, 2021, one member had stepped down, followed by an additional member on December 24, 2021, for a total of 7 members. A copy of the ERC report was previously circulated, and a brief overview was presented to the NEC. Observations and key recommendations mainly pertained to achieving quorum at ERC meetings, the use of electronic signatures, the electronic voting system and clarity around the election and voting provisions of the By-laws and Constitution. With respect to the use of electronic signatures, the ERC did not adopt the policy set by the NEC. The ERC allowed emails to serve as signatures to facilitate the process and minimize its workload. Special acknowledgement was imparted to J. Ouellette, P. Kumbakisaka, M. Clarke, along with the rest of the CAPE staff for their invaluable assistance over the past year.

J. Ouellette will follow up with the NEC on recommendations to be implemented. On behalf of the NEC, the Chair extended appreciation to the ERC for its services.

3.2 Finance Committee: During the review of financial expenditures conducted on November 16th, 2021, two concerns arose, one of which pertained to legal expenditures (approximately \$75K) for the months of September and October unaccounted for in the prior fiscal year. The review also indicated that the auditors did not examine expenses paid for in future periods that related to the prior fiscal year. As a result, some expenses such as legal fees, were not accrued in the correct fiscal year and therefore the audited financial statements may be over-stated. While there is no bearing on CRA, this affects the accuracy of the financial statements. As a result, the Finance Director has implemented a system whereby legal expenditures will be reviewed on a monthly basis. In addition, an amount of \$19 880 was paid out to an Investigator related to a complaint made by a NEC member against a member of the Management Team at the National Office. For confidentiality purposes, the names of the individuals and circumstances cannot be divulged.

The other issue relates to the approximately \$40,000 in legal fees spent defending seven unfair labour practice complaints submitted by N. Giannakoulis to the Federal Public Sector Labour Relations and Employment Board. The question was asked whether CAPE should seek to recover these amounts as all seven complaints have been dismissed. In response, it was stated that expenses such as these are part of normal operating costs which includes the defence of claims.

Motion to defer all Finance Committee discussions to a SNEC meeting (*Agenda Items 4.2: Defense Fund, 4.3: CAPE Investments and 4.5: Approval of the 2022/2023 and 2023/2024 budgets, as well as the review of the Defense Fund TORs*)

Moved by: E. Tremblay

Seconded by: M. English

Discussion: A request was put forth for the Chair of the Finance Committee to prepare a written brief with a list of concerns and questions raised by the Finance Committee for each item in order for the NEC to get some contextual background and be well-prepared ahead of time. As a friendly amendment, it was recommended and agreed to restricting the meeting to half a day. The NEC was also requested to review the budget and forward any questions in writing ahead of the SNEC, and the National Office will endeavour to translate the written brief within that timeframe if feasible.

Recorded Vote

In Favour (13): J. Brulotte, A. Butler, M. Collins, G. Kopytko, S. Crawford, P. Ives, M. English, P. Makrodimitris, J. King, K. Mansfield, A. Okladov, S. Rehman, E. Tremblay

Opposed (7): H. Delnick, J. Lafontaine, A. Kurikshuk-Nemec, A. Trau, C. Lonmo, A. Picotte, C. Awada

Abstentions (1): G. Phillips

Motion Carried

LUNCH BREAK

3.3 Constitution and Bylaws: In light of the lack of resources, no meeting was held this month but will be rescheduled for next month.

3.4 HR Subcommittee: S. Rehman was appointed as HR Subcommittee Chair. A meeting was held in December to discuss staffing matters. The next meeting is scheduled to be held the second week of February.

3.5 Digital Disruption and Transformation Subcommittee: The Subcommittee will identify the top 3 priorities over the next 2 months and develop a position paper for the NEC's review. As a relatively new subcommittee, additional members are welcome. NEC members were encouraged to submit their names, and the membership at large will also be extended the opportunity.

3.6 Equity, Diversity & Inclusion Subcommittee: On December 2nd, the EDI Subcommittee met and received an update from the Management Team on the status of the partnership with the Canadian Centre for Diversity and Inclusion (CCDI), a follow up on the meeting with the Federal Black Employee Caucus (FBEC), as well as on the outreach with other existing EDI groups. Co- Chairs J. Lafontaine and G. Kopytko reported on a secondary meeting with the Subcommittee held on January 6 to review the first item of the Action Plan being developed as per the TORs. In addition, both co-Chairs are part of the onboarding training for CCDI, and a CAPE address will be required accordingly.

3.7 Voting Subcommittee: The Subcommittee Chair is seeking 2 additional NEC members to volunteer to sit on the Subcommittee. The main focus revolves around the voting methodology where it was decided to adopt the single ballot simple majority system. The January meeting has been deferred to February, during which time a presentation on

Microsoft Dynamics will be delivered. It was also reminded that the Subcommittee exists for the duration of the mandate rather than the NEC term.

4. Decision Items

4.1 Suspension of Finance Committee Member: The Finance Committee Chair reported that K. Mansfield missed 4 consecutive meetings (5 out of 7). In accordance with the rules and regulations as stipulated in Article 14.4 of the Bylaws, the Finance Committee Chair contacted the President in writing and recommended the minimum suspension of K. Mansfield from the Finance Committee for a period of 3 months. The Chair further elaborated on the matter, reading aloud the section of the Bylaws, and confirmed that notice was sent to K. Mansfield on Tuesday, January 25. In response, K. Mansfield provided a detailed chronological account of her attendance for the past 7 Finance Committee meetings, along with justifications for any absences and indicated that she had attended numerous meetings that were not referred to by the Chair of the Finance Committee.

A debate followed during which a number of members voiced their displeasure with the process. It was observed that Bylaw 16 should be reviewed to provide for discretion prior to bringing the matter forward for decision.

Motion to suspend K. Mansfield for a period of 3 months due to absenteeism pursuant to Bylaw 15.

Recorded Vote:

In Favour (1): H. Delnick

Opposed (15): J. Brulotte, A. Butler, S. Crawford, P. Ives, M. English, P. Makrodimitris, J. King, G. Kopytko, J. Lafontaine, K. Mansfield, A. Kurikshuk-Nemec, A. Okladov, S. Rehman, A. Trau, E. Tremblay

Abstentions (4): G. Phillips, C. Lonmo, A. Picotte, C. Awada

Motion Defeated

4.2 Defense Fund

Discussions deferred to the SNEC meeting.

4.3 CAPE Investments

Discussions deferred to the SNEC meeting.

4.4 Approval of Steward

A Steward application from a member was received and approval from the NEC was sought. J. Ouellette will confirm whether the Local at Infrastructure Canada was dismantled or considered inactive in the absence of a Local Executive. A. Butler offered to provide support to this Steward.

Motion to approve S. Olson as a Steward for Local #526 (Infrastructure Canada)

Moved by: C. Awada

Seconded by: C. Lonmo

Abstention (2)

By show of hands: Carried unanimously

4.5 Approval of the 2022/2023 and 2023/2024 budgets

Discussions deferred to the SNEC meeting.

5. Presentations

a) Update on Health Care Plan Negotiations

D. Cooper provided a presentation to update the NEC on the status of negotiations to the revise the Health Care Plan. The Federal Government's mandate was received in April 2021. Based on surveys conducted, expansion of medical costs, increase in psychological services and vision care were identified as the top 3 priorities by the majority of the membership. Other considerations included co-pay for drug coverage, smoking cessation, electrology for re-assignment surgery etc. Several items have been agreed upon, however certain items have caused delays (e.g.: *high cost of vision and the federal election*). A response is being awaited from the President of Treasury Board on the request for a mandate change for additional funds.

b) Presentation on Case Management System

A presentation was provided by CAPE IM/IT Coordinator F. Raposo on the progress of the development of a case management system. The estimated timeline for the launch of the system is September 2022. The Executive Director commented that he will consider either hiring a developer for a couple of months to focus solely on this initiative, or preferably seek in-house assistance to complete the remainder of the steps needed. A NEC member put forth a recommendation to develop a template/mock-up of a simulated NEC report prior to being finalized, which was agreed upon.

c) CAPE Email Addresses Directive

The presentation outlined instructions and procedures related to ACEP-CAPE email accounts for NEC members. IM/IT Coordinator F. Raposo expanded on the objectives, implementation plan, application, as well as compliance and security measures put in place. NEC members will have access to this account through the MS Teams platform for the duration of their mandate. This will serve as the main tool for sharing documents, joining virtual meetings, and discussions relating to NEC business. This service is on a voluntary basis and members of the NEC may choose to use it or not. The ACEP-CAPE account and data will be backed up and managed by the CAPE National Office. Ownership of records therefore belongs to CAPE and can be accessed at the discretion of the President, Executive Director or designate if the need were to arise.

Comments: As emails can be accessible by the President and the ED once NEC members' terms are over, a privacy-related issue was raised as NEC members are not considered to be CAPE employees and therefore, this poses a concern. In response, it was stated that this platform will not be under constant monitoring, but rather used as a back up should the need arise, and that the system is intended to serve as a communication tool for NEC members to use on an optional basis. A recommendation was put forth to develop a clear framework with guiding principles along with a full legal disclaimer as NEC members have an expectation of privacy. This will be taken under advisement.

6. Discussion Items

- a) *This agenda item was discussed in-camera*
- b) **New Audit Committee Chair:** Tabled until the next NEC meeting
- c) **Culture of “Professionalism:** This item was dropped by its author.
- d) **NEC members attendance on NEC subcommittees:** Tabled until the next NEC meeting
- e) **Supporting Local Leadership Communication:** This initiative has been identified as a priority for 2022 and the next step consists of having consultations with Local Leaders to gain a better understanding of the challenges being faced and resources required while understanding the expectations and legal aspect of it. The objective is to develop a guide as a tool for advising members.
- f) **EC survey-summary of results:** In the interest of time, this item will be tabled for next meeting.

6. Action Items

Below is the status of the action items arising from the last NEC meeting November 26, 2021:

- a) Organize the next HR Subcommittee meeting to discuss staffing needs and administrative review: **Completed**

The NEC meeting adjourned at 5:00 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 28th, 2022.

APPROVED by:

Chairperson

Date