



**National Executive Committee Meeting
Friday, February 24, 2023
Hybrid Meeting**

MINUTES

In Person: G. Phillips (*Chair*), C. Awada, S. Crawford, M. English, C. Lonmo, A. Picotte, G. Kopytko, A. Oklado, and A. Trau

Via Zoom: Nazia S, S. Harquail, M. Glenwright, Andreas, P. Makrodimitris, J. King, J. Lafontaine, P. Ives, and K. Mansfield

Observers: R. Bissonnette, and A. Brabant

Staff: C. Habarugira, Y. Radwan, S. Salter, K. Thériault, J. George, S. Brosseau, and J. Ouellette,

Regrets: A. Butler, A. Nemec, H. Delnick, M. Collins, and S. Rehman

1. Call to Order

The NEC meeting was officially called to order at 9:07 a.m. and following a roll call, the Chair confirmed quorum was achieved. Suzelle Brosseau, CAPE's newly appointed Director of Negotiations and Research, was introduced to the NEC. She gave a brief history of her professional experience in labour relations across multiple provincial as well as the federal public sector unions.

**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. For the benefit of new NEC members, the rules of engagement were briefly reiterated.*

a. Approval of Agenda

Be it resolved that the NEC adopt the February 24, 2023, NEC agenda.

Moved by: A. Picotte

Seconded by: C. Awada

Abstentions (1)

By show of hands: Carried unanimously

b. Approval of January 2023 NEC minutes

Be it resolved that the NEC approve the January 27, 2023, NEC Public Minutes, as amended.

Moved by: C. Awada

Seconded by: A. Picotte

Discussion: Under item 6, `Travel Policy Update`, it was requested that the word scenario be added to the last sentence in order to provide more clarity. The amended line would read `with respect to the length of meetings, the Finance Committee will cost out the expenses associated with each travel scenario.”

Abstentions: (1)

By show of hands: Carried unanimously

2. Reports

a. President’s Report

The president was away for a week on bereavement leave this month during which time C. Awada was appointed acting President with the support of A. Picotte.

The president highlighted the continued increase in participation at the local level. As part of the Locals AGM Tour, the president attended the following meetings:

- Local 101: Newfoundland and Labrador AGM
- Local 513: Justice Canada AGM
- Local 201: Nova Scotia AGM
- Local 508: Innovation, Science and Economic Development Canada (ISED)(CAM)
- Local 526: Infrastructure Canada AGM
- Local 529: Correctional Service Canada AGM
- Local 502: CIRNAC AGM
- The Joint Learning Program Steering Committee (JLP) meeting
- The NJC COVID-19 Update meeting
- Joint Learning Program Steering Committee meeting (JLP)
- NJC COVID -19 Update meeting

The president met with Dominic Laporte, the new CEO of the Translation Bureau, and highlighted the Association’s concerns over time such as TR3 level work being done by TR2 level employees, overtime issues, machine learning and the future of translation in the public service. The president noted that he is optimistic about the direction of the Translation Bureau under the new CEO’s direction.

In his capacity as Acting President, C. Awada attended CLC training session and Lobby Day on February 6th and 7th. The training session included discussions around jobs in sustainable economy, investing in care and the anti-scab legislation.

The acting president met with MP and President of the Treasury Board, Mona Fortier. They discussed the issues surrounding “return to office” plans and accommodations for employees. The subject of bargaining was briefly discussed given that negotiations are ongoing. There was positive feedback and they agreed to discuss further in the future.

The acting president also met with MP Ginette Petitpas Taylor and House Speaker Antony Rota. Participants at the meetings discussed the issue surrounding interpreters. CAPE’s concerns were heard. The MP’s assured that they are doing everything they can to ensure interpreters’ safety, including permitting interruptions or exit if the sound quality is unsatisfactory.

b. Executive Director’s Report

From an operational standpoint, there is not much to report given that a more detailed update will soon be shared in the quarterly report. There will be steward training offered in early April. Local Executive training will be offered in mid-April. A new 3-hour course on “How to effectively communicate with management” is in the process of being finalized.

c. Senior Advisor's Report

The position remains vacant since the previous NEC meeting.

d. Director of Communications and Public Affairs' Report

A call for expression of interest was launched in order to engage PR firms that can assist CAPE in implementing the two member resolutions voted on in December 2022, as it is a significant undertaking and requires additional resources for an effective and timely implementation. The Association has received expressions of interest from seven firms with the goal of narrowing it down to three per resolution, as much as feasible, by the end of March. As this is a heavy administrative process the Director of Communications and Public Affairs, with the help of the Director of Finance, will be looking into contracting Deloitte to supply documents needs to carry out the next step of the selection phase: the Request for Proposals.

On January 16th 2023, CAPE published a statement on its position regarding the government's mandate for federal employees to return to the office. The statement provided members with a list of quick actions they can take to advocate themselves. In collaboration with PIPSC, a letter was published in the *Ottawa Citizen* and *Le Devoir* and amplified broadly, as well as sent to various government stakeholders. Between January and February, media coverage was significant, with over twenty articles published regarding the "return to office" mandate and the issues surrounding interpreters.

The Procedure and House Affairs Committee issued a report to Parliament following it is "Future of hybrid proceedings in the House of Commons" study. CAPE was mentioned eleven times in this report, taking into account several of the Association's recommendations.

As part of Black History Month, interviews were conducted with Senator Rosemary Moodie and MP Michael Coteau, to discuss anti-Black racism and discrimination in the federal workplace. CAPE will be a hosting a knowledge event on March 6th 2023 to discuss these matters in the hopes of providing an empowering experience for Black employees and allies.

e. Director of Finance's Report

The December approved financial statements were recently circulated. Due to the change to fiscal year end, the period of May 1st to December 31st 2022 will be audited, with the statements expected to be sent for approval by May 2023. The Association is showing a surplus for that time period.

f. General Counsel and Director of Policy's Report

Bargaining with the internal staff union (ESU-CSN) has been ongoing since the previous NEC meeting. CAPE's negotiation team was successful in negotiating a new agreement with ESU-CSN. Although ratified by the membership, the agreement is not yet signed and detailed updates were given in-camera.

Bargaining with the Library of Parliament is ongoing. Two dates have been set for the end of March to finalize all outstanding items, with negotiations continuing to progress.

g. Director of Negotiations and Research's Report

The newly appointed Director of Negotiations and Research brought to the attention of the NEC the recent Public Interest Commission (PIC) report for the PA Group issued to the Alliance. The director highlighted that although just a report, it offers parties suggestions on how to reasonably return to the bargaining table. Discussions around duration, salary increase, budget allowances are signs of a possible settlement. Inclusion of language on telework remains completely opposed by the Employer. Other PIC reports recently issued to the Alliance can serve as a learning opportunity to focus on priorities during arbitration. The NJC travel policy discussions continue to move at a slow pace.

The EC Group is on route in arbitration for a resolution of impasse. An arbitration date has been set for June 19th 2023.

The TR Group is heading back to mediation on March 14th to 16th .

In collaboration with the Communication and Public Affairs Division, the Director of Negotiations and Research has been working on the draft report on contracting guidelines, focussing on the work and Health & Safety impact on the TR group.

The development of a survey for RCMP members is underway with a specific section addressing members affected by the deeming process. In addition, the survey for the membership-at-large on the 'Return to Office' policy is under development.

In response to a NEC member's inquiry, it was stated that , Canada Life will not be administering the long-term disability, and coverage benefits will not be prorated when taking effect on July 1st, 2023. Status quo will remain and claims incurred prior to July 1st but not submitted until after that date will be reviewed by Canada Life.

Action Item: Clarisse to add the Public Service Health Care Plan to the NEC March agenda.

3. Committee updates (10:25 am to 11:00 am)

a. Finance Committee

The Finance Committee met twice since the January NEC meeting. The committee has reviewed the budget that was not approved in January, and decreased the deficit to a level that would be acceptable to the NEC. The committee also reviewed cheques over 500\$ and discussed the possibility of a dues increase, which will be voted on as part of decision item 5.a along with the proposed budget.

b. Constitution and Bylaws Sub-Committee

The Sub-Committee met on February 14th and discussed resubmitting the Bylaw 14 which is under decision item 5c. Also discussed, was the consideration of a complete review of the Constitution and Bylaws. To that extent, The Executive Director, the General Counsel and Director of Policy, and the Sub-Committee Chair will meet with the aim of creating a concept note outlining the details of what the process would entail. This concept note will be brought to the CBLC in March, and to the NEC for approval at the March meeting.

c. HR Sub-Committee

The Sub-Committee did not meet since the previous NEC meeting.

d. DDT Sub-Committee

The Sub-Committee has deferred their meeting until March 30th 2023, due to incomplete agenda and action items. An update will be provided at the March NEC meeting.

e. Diversity, Equity, and Inclusion Sub-Committee

The Sub-Committee did not meet since the previous NEC meeting. CAPE members and staff will be attending the Canadian Centre for Diversity and Inclusion (CCDI) UnConference.

f. Voting Sub-Committee

The Sub-Committee did not meet in the month of February.

g. Employment and Benefits Defense Sub- Committee

The Sub-Committee held their first meeting. S. Crawford was named co-chair of the Sub-Committee. They discussed a change in the terms of reference, changing the minimum requirement of five NEC members to three. The Sub-Committee will reach out to volunteers to ensure their commitment as interests were expressed a significant amount of time ago. S. Harquail expressed her interest in joining the Sub-Committee.

Motion to add S. Harquail to the EBDS Sub-Committee.

Moved by: A. Picotte

Seconded by: C. Awada

Abstentions: (2)

By show of hands: Carried unanimously

Discussion: The president invited NEC members to express their interest in joining other committees that could use additional volunteers.

Motion to add M. Glenwright to the EBDS Sub-Committee.

Moved by: M. Glenwright

Seconded by: A. Picotte

Abstentions: (2)

By show of hands: Carried unanimously

Action item: Clarisse to add M. Glenwright to EBDS Sub-Committee and provide documentation.

Action item: Clarisse to send K. Mansfield documentation for EBDS Sub-Committee.

h. Lobby day experience

S. Harquail provided an update on her experience at the CLC Lobby Day. Attendance was high and composed of multiple different unions. Attendees were broken out into small groups and assigned MP's of their regions. As part of the Atlantic group, the agenda had one person on schedule, MP Dominic Leblanc. Due to the limited amount of time, CAPE's specific concerns were not raised. However, a detailed information booklet produced by the Communications team was left with the MP's representative and a commitment was given for it to be put on his reading list. It was recommended that CAPE continues to attend this event in the future, as our message is made stronger when echoed by different unions across the country. Suggestions on how to improve the event will be shared with the CLC, including diversifying their streams of lobbying to take into consideration federal public sector unions.

4. Presentation- Investment Update from Cumberland

Cumberland Private Wealth Portfolio Manager Christie Matwee presented an update on CAPE's investments. A review of the U.S and Canadian market in 2022 was presented, providing data surrounding stocks and bonds, unemployment rates, wages, and the housing market. Their position is that although a recession remains a possibility, the signs point towards an end of the hikes in interest rates. The long-term component of CAPE's portfolio, including the defence fund and all but the \$3.3M in cash, is currently valued at \$14M. The defence fund has been rebalanced to \$5M and will be continued to be capped as such on a monthly basis. With the change in market value, the portfolio has earned approximately \$440K since inception.

Although down in the last year, the portfolio has earned 2% on average and 2.7% YTD. Considering the geopolitical and economic climate of the last few years, these results are seen as positive. The portfolio's asset mix is currently allocated at 29% in equity and trusts, 35% in the long-term component with the remainder in fixed income and cash. Investments are geographically split and diversified across sectors by three main funds, all managed by Cumberland's research team. An overview of the yield for equity % was presented for each fund.

Discussion: An was made inquiry about the overall risk level of CAPE’s portfolio as well as the reasoning for not investing in GIC’s. The Portfolio Manger explained that CAPE’s primary mitigant of risk is it is asset mix. Cumberland’s strategy and philosophy focuses on high quality companies, with special attention paid to cash lows and earnings and a stringent criterion requiring strong records and good history.

The Portfolio Manager also explained that GIC’s are best used in specific scenarios, such was the case for CAPE with a specified amount of cash being returned to the government – this was a known cash flow and a shorter time horizon. For a longer-term time horizon and no plans to draw from this fund, a conservative asset mix presents the similar risk mitigation level as GIC’s but with the added possibility of higher returns should rates increase. If locked into GIC’s the difference in risk mitigation levels should rates fall is not significant and therefore recommended for a long-term portfolio when compared to a conservative asset mix. Current Cumberland income fund yield to maturity rate is 5.4% which is higher than what is currently available through GIC’s and have the added benefit of being tradable.

5. Decision Items

a. Revised 2023 Budget and Proposed Dues Increase

A revised 2023 budget was presented to the NEC for approval. The Finance Committee had made efforts to reduce the deficit by identifying cost savings in various areas, such as temporary staff, office supplies, travel, meetings, executive contingency, telecommunication expenditures, professional and consultant fees, and training and development. By applying these measures, the original projected deficit was reduced by approximately \$800k to around \$2.5M (referring to Column M).

In addition, the committee discussed a proposal to increase dues in line with the CPI rates, which would result in a \$10/month increase. The committee noted that the Association had not increased dues since 2014. If approved, the revised budget would be presented to the membership for ratification. A discussion was had over how these cuts would affect the Association’s operations. The committee was informed that should they fail to approve a budget, the NEC would default to operating under the previously approved budget in September.

Discussion: A point was raised by member S. Crawford, expressing disappointment over the cuts made. As one of the largest national unions in the country, it is vital that the president be able to travel and reach members across the county. Temporary staff and consulting free’s up time for staff to properly conduct operations for it is members. These cuts could be detrimental to CAPE’s ability to serve it is members. It was also shared that the proposed dues increase is not sufficient. The president echoed this view and raised the potential issues that may arise in the future if the Association were to lock itself in to the proposed proportional finance structure.

A friendly amendment was put forth, to restore the deficit to the previous amount presented at the January NEC meeting, with the costs restored but with dues increase that balances the budget and an escalator tied to CPI moving forward.

Motion moves that the NEC approve the budget as presented in January, with the cuts in the expenditures line item restored, a modification to the revenue line item to reflect a dues increase that balances the budget, a yearly dues increase escalator tied to CPI.

Recorded Vote

In Favour: (10) C. Awada, C. Lonmo, A. Picotte, S. Crawford, G. Kopytko, J. King, P. Ives, P. Makrodimitris, S. Harquail, A. Okladov

Opposed: (7) M. English, J. Lafontaine, A. Trau, M. Glenwright, J. Brulotte, N. Shaikh, K. Mansfield

Abstentions (1), G. Phillips

Motion Carried

b. Nomination for alternates to the ERC

The NEC previously approved the appointment of four alternates to the ERC. The outgoing committee has recommended four members. All candidates are EC's. and three are from the NCR and one from Nova Scotia. The members would attend the training on March 28th.

Motion to accept the nomination of Pierre-Luc Poisson, Shaun Smith, Scarlett Kelly, and Pat Dooling as alternate members of the ERC.

Moved by: G. Kopytko

Seconded by: C. Lonmo

Abstentions (1)

By show of hands: Carried unanimously

c. By-Law 14 amendments

As a result of a previous exercise on absenteeism process brought forth, the NEC requested the CBLC to provide clarifications on when absenteeism provisions would apply as well as outline the process for members in order for them to better track their respect of the provision. An amendment under section 14.7.1c was put forth whereby it should read "Article 20" of the Constitution rather than Article 19.

Motion to adopt By-Law 14 as presented subject to the proposed amendment.

Moved by: C. Lonmo

Seconded by: A. Picotte

Abstentions (1)

By show of hands: Carried unanimously

Action Item: National Office to create a tracking document for the attendance of committee members

6. Discussion Items

a. N. Shaikh – Civilian Members Issues (The Deeming Agreement)

A NEC member mentioned concerns and legal issues surrounding the deeming process, which affects mainly the human rights and discrimination claims of RCMP civilian members. The absence of a collective bargaining agreement has also led to violations of Charter rights and limited career development opportunities, especially for female employees. The President responded by confirming that although the Association has no control over the deeming process, it is negotiating to protect the rights of civilian members. The Association is also exploring legal options and offering representational services through LROs. A survey is being conducted to obtain a more accurate representation of the majority of the CMs' views regarding the deeming process, which will guide next steps, and to formulate a communication plan prior to the President meeting with the Interim RCMP Commissioner.

Action Item: N. Shaikh was requested to send any data and proposals to the attention of C. Habarugira. This matter will become a standing agenda item.

b. Constitutional Review and Renewal

The NEC discussed the need for an extensive review and renewal of the Constitution and Bylaws to address the growing national union's governance model, highly skilled and diversified members, and national consultations. A motion was put forth to establish a special committee to review and make recommendations, which will be fully and appropriately resourced financially with applicable research

support from the CAPE National Office and presented to the NEC for approval in Fall of 2024 and be eligible for debate, discussion, and adoption by CAPE membership at the 2024 AGM.

Discussion: The NEC members had concerns about the timing and financial constraints of the initiative, including the work involved and associated translation costs. Another friendly amendment was put forth to reflect 'subject to the CBLC Terms of Reference' to ensure it does not contravene with the roles and responsibilities of the committee. It was recommended tabling the motion and deferring further discussions on the matter until next month to provide the NEC with an opportunity to review the CBLC Terms of Reference. **Motion Tabled**

Action Item: Constitutional Review and Renewal item to be added to next month's agenda.

c. Solidarity with PSAC:

The NEC addressed the necessity for a robust strategy to aid other collective bargaining units, particularly given the potential looming strike measures by the Alliance in the current round of negotiations. A proposition was put forth to schedule an online information session within thirty business days, available to all members, providing them with knowledge on how to demonstrate solidarity with their striking colleagues in anticipation of any job action and understand the rights and responsibilities during a strike by another union.

Discussion: NEC members expressed reservations about the timing and potential intervention in internal affairs of another union or influencing its members' vote. It was instead recommended waiting until, at the very least, the results of the PSAC strike vote are announced. Financially, the proposed expenditure is likely to surpass \$5000, necessitating NEC authorization.

Action Item: The Communications Director and the Executive Director, in consultation with M. Glenwright, will draft and submit a proposal/action plan to the NEC for consideration at the March meeting.

7. Action Items

Below is the status of the action items arising from the January 27th, 2023, NEC meeting:

- a) Communications and Public Affairs to post the most recent approved minutes of all committees and subcommittee meetings on the website: **Completed**
- b) National Office to send the Solemn Declaration to new NEC members: **Completed**
- c) The Finance Committee to invite Cumberland to present to the NEC: **Completed**

The NEC meeting adjourned at 3:26 p.m. EDT.

* * * * *

The above minutes are accepted as a true representation of the National Executive Committee meeting held on February 24th, 2023.

APPROVED by: