

National Executive Committee meeting
Wednesday, June 28th, 2017
National Office (Boardroom 1967) 4th floor
100 Queen St., Ottawa, Ontario

Present: S. Maguire (*Acting Chair*), N. Burron, A. Butler, C. DesRochers, G. Phillips, A. Picotte, N. Pothier, S. Powell, P. Scholey and E. Tremblay

Via Teleconference: I. Borré (*Mgt staff*), M. Collins, M. Dyck, N. Giannakoulis, J. Hove, A. Nemec, J. Porter, J. Squires and C. Vézina (*Mgt staff*)

Guests: Legal Counsels Peter Engelmann (Goldblatt Partners) and Karen Jensen (Norton Rose Fulbright) (*both in attendance during earlier in-camera portion only*)

Call to Order / Opening Remarks

The meeting was officially called to order around 4:15 p.m. by Acting Chair Sean Maguire. It was confirmed quorum was achieved. In the interest of time, P. Engelmann was first to take the floor, followed by K. Jensen to provide an update deriving from her discussion and the letter from Deborah Jelly of Charron Human Resources Inc.

Motion to go in camera

Moved by: A. Picotte

Seconded by: N. Pothier

By show of hands: Motion carried unanimously

1. Adoption of the June 28th, 2017 NEC agenda

The agenda was reviewed for prioritization. In addition, “parking lot items” (*i.e.: issues that could or should be dealt with by the NEC before the summer break*) were identified and will be addressed in the following order: items from the President’s report yet to be addressed, update on forensic audit, legal issues (*e.g.: litigation update on ex-auditor suing CAPE, lawyer fees for E. Tremblay etc.*), audit committee, election readiness, adoption of previous minutes and monthly VPs’ reports moving forward. All outstanding agenda items will be addressed potentially during SNEC meetings to be scheduled in the summer months.

Moved by: G. Phillips

Seconded by: A. Picotte

By show of hands: Motion carried unanimously

2. Adoption of minutes from past NEC meetings

The March 29th, April 26th, May 4th and May 31st, 2017 NEC minutes were brought forward for review and approval. NEC members were reminded that the review of the minutes requires a major commitment from all in order to have a speedy approval process and the importance of submitting comments or making amendments to the minutes well ahead of the meeting was reiterated.

HEALTH BREAK

(G. Phillips departed the meeting at 8:18pm)

Motion to approve all 4 sets of the NEC minutes, dated March 29th, April 26th, May 4th and May 31st, 2017

Moved by: A. Butler

Seconded by: M. Collins

NEC members went through each set of minutes individually and raised the following comments:

March 29th NEC minutes: With respect to Motion 20170329 – 07: Acknowledgement of S. Mullen's years of volunteering with CAPE, it was acknowledged that the NEC was unable to meet the deadline as no general meeting was held. It was confirmed he will be presented with the certificate at the next AGM.

May 4th NEC minutes: With respect to Motion 20170504 – 01: Approval of signatures of complaints under bylaw 5, it should be reflected that it will have to be officially included at the next AGM as it is currently enforced.

Other amendments were identified, noted and will be changed accordingly.

(J. Hove rejoined the meeting via conference call at 8:28pm)

(G. Phillips rejoined the meeting via conference call at 8:31pm)

The results on the adoption of each set of minutes were as followed:

March 29th NEC minutes: All in favour with **3 abstentions** (G. Phillips, P. Scholey, J. Hove)

April 26th NEC minutes: All in favour with **3 abstentions** (G. Phillips, P. Scholey, J. Hove)

May 4th NEC minutes: All in favour with **4 abstentions:** (A. Nemec, G. Phillips, J. Hove, S. Powell)

May 31st NEC minutes: All in favour with **3 abstentions:** (G. Phillips, J. Hove, S. Powell)

3. Committee Reports

3.1 President's Report

- E. Tremblay suggested setting a date to schedule the MBM meeting either during the week of September 11th or 18th in order that it coincides with the French training and English training planned during those weeks. This will also provide an opportunity for reviewing and discussing time sensitive budget documents.
- CAPE has been active in the new Inclusion and Diversity Taskforce who met today to discuss recommendations going forward, ways for broadening the employment equity, having more dimensions of diversity etc. CAPE is actively participating in different events ahead of the launch of the progress report.
- CAPE has also been active on a Technical Committee and another Steering Committee for the MOA of the EC Collective Agreement in conjunction with PSAC. This work is ongoing and a meeting with the Steering Committee pertaining to the PIPSC Memorandum of Agreement that has been adopted by TRs will be forthcoming.
- RCMP: a meeting was held last week with interlocutors at TB. They confirmed a process to deem civilian members mapped to ECs or TRs was underway. Yet if the deeming were to come into effect, their conditions of employment would change from one day to the next. In order to protect some of their current benefits, TB suggested for CAPE to consider entering into an MOU regarding a freeze on their conditions of employment until such time the ECs and TRs complete their next round of bargaining. Hence rather than going through a certification application through the Board, another avenue called "Section 58 application", which is a mutual consent of the parties is the general inclination. Progress is being made.
- E. Tremblay has been conducting tours of regional locals, which were overall well attended. Communication challenges were encountered on PSPC and TB's part with respect the rollout of Phoenix as adjustments were expected to be addressed during this pay period; however TB clarified that in fact this was slated for the next pay cycle.

Action Item: In light of this miscommunication, it was recommended forwarding another communiqué to the membership to inform them accordingly.

C. Vézina further expanded on dedicated resources related to Phoenix grievances: the portfolios of the LROs have been re-organized over a month ago and it was decided only assigning one LRO (*i.e.: Jake Baizana*). Mr. Baizana gathered all the files and met with the LROs. As it stands, there are around 170 informal cases and officially approximately 31 formal grievances that have been filed. Some departments are able to resolve the issues more expeditiously than others. General feedback indicates reluctance from members to file formal grievances. A Phoenix survey intended to identify a summary of Phoenix related issues was submitted to members and a select number of those who have responded will be contacted by Mr. Bizana tomorrow or next week to determine where the issues might stem from.

As a member, A. Butler briefly touched on the Technical Subcommittee's work related to the Phoenix matter. A 22-page report was prepared and subsequently submitted to the

Cabinet Committee. The report will eventually be shared with the NEC, however it contains materials classified confidential at this time. In essence the report greatly critiqued and challenged PSPS's plan to what they refer to as the "steady" state. Considerable pressure has been placed on the HR side of operations. It was strongly recommended having a NEC broad outreach to the locals to that effect and urging the membership to put that pressure as it goes, beyond the Phoenix concern. As a larger systemic issue, greater emphasis must be put on getting control of the upstream data quality at an individual department level.

Recommendations: It was recommended and agreed adding A. Butler's update from the Phoenix Technical Subcommittee on forward agendas as a standing item.

In addition, seeing that more problems with the economic increases and retro pay can be anticipated, it was recommended obtaining some training on this, and potentially organizing an LLC with leaders of LROs on Phoenix issues, getting some step by step instructions on how to advise members at the local level, as well as having a coherent approach to this matter. Through the intermediary, it was suggested the President direct staff to organize an entity of this type with A. Butler in attendance.

3.2 Professional Services Report

C. Vézina is in the process of gathering data and preparing a summary of outstanding cases and intends on presenting a report to the NEC in the coming weeks.

3.3 Operations Report

- I. Borré has been working on the Absenteeism Policy, which was reviewed by the HR subcommittee
- I. Borré is currently negotiating with PwC on reducing the final invoice
- Ongoing discussions with InSite have taken place to develop a tool (*such as a specific NEC portal*) that will assist with governance documents and increased ease of access to them
- I. Borré has also been working with the insurance company and the auditors
- E. Tremblay alluded to issues around the roles and responsibilities of operations staff (*i.e.: admin personnel*) and the acute impact on overall operations as there is very little capacity to expedite matters in light of the teleworking arrangements

There are currently 2 temporarily vacant positions and as indicated by the union, they must be filled in the interim. With one of the employee expected back on July 31st, E. Tremblay believed it may not be worth filling this position given the short timeframe. As per the Collective Bargaining, a potential option could involve hiring students as summer casuals or interns. Another alternative suggested, which was apparently rejected by the union, was for the intermediary to provisionally assume various administrative functions and offering her a term position. This avenue may be revisited following further clarification on this by the union.

3.4 Other Committee Reports

- E. Tremblay briefly read the Young Members Committee report, requesting a meeting with the NEC sometime in July to exchange ideas and discuss potential resolutions under a mutually supportive environment. The event would be preceded by a short update on their committee.
- The Mobilization Committee report and Education Committee report will be posted on the website. When submitting amendments to the Mobilization Committee, it was reminded adding a link for the emerging Indigenous voices.
- The HR Subcommittee has also submitted a report, which is on Dropbox and ready to be posted online.
- With respect to the Audit Committee, Audit Committee Chair Sami Rehman intended to be in attendance tonight however he expressed a change of outlook given some of the ongoing exchanges that have occurred. He had previously provided an update via email to the entire NEC and requested it be considered as the Committee's report to the NEC.

NEC members were reminded to submit all reports to Sarah's attention and to identify who is submitting those reports in question.

4. Matters Arising (NEC Summer meetings)

It was suggested scheduling a few evening meetings in the summer (July and August) to address outstanding items. In the absence of a summer break last year, there was some reluctance to this idea. However inconvenient, it was reminded this is the nature of the responsibility and is necessary. In addition, for subsequent meetings it was strongly suggested aiming to adjourn no later than 10pm.

5. Items for approval

Library of Parliament Bargaining Committee: The following motion was brought forward:

Be it resolved that Alex Smith, Maxime Charron-Tousignant, Holly Porteous and Nathalie Pothier be appointed under Bylaw 7.1.1 as members of the Library of Parliament Bargaining Committee

Moved by: E. Tremblay

Seconded by: M. Collins

Abstention: (1) N. Pothier

By show of hand: Motion carried unanimously

Constitutional and bylaw amendments: The recommendations for changes were previously circulated for review. The number of multiples proposals will be reflected

accordingly. It was recommended referring all of the proposals to the CBC who will then report back to the NEC. A debate by the NEC as per Article 13.2.5 on the rationale behind the changes being put forth will take place in the near future.

Motion to refer all of the bylaws and constitutional amendments together as a package, not separately to the CBC

Moved by: M. Collins

Seconded by: J. Porter

Discussion: Some clarification on the motion was provided in which NEC members discussed the pros and cons of separating the amendments and considered whether they should be voted on individually.

The motion was withdrawn

Following further discussion, it was suggested and agreed to hold another meeting one week from tonight to address this matter as a priority item.

(G. Phillips departed the meeting at 10:26pm)

It was decided to schedule a meeting on Tuesday July 4 at 6pm to address some of the proposed amendments and other items from the parking lot to be reviewed (*i.e.: discussions on the separation measures and Bylaw 5*). A secondary meeting to review M. Collins and A. Nemec's amendments will be scheduled the following week on July 13 at 6pm. The CBC will be immediately informed to anticipate materials via bundled format.

Motion to adjourn

Moved by: M. Dyck

The NEC meeting officially adjourned at 10:53 p.m. EDT

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The above minutes are accepted as a true representation of the National Executive Committee meeting held on June 28th, 2017

APPROVED by:

Chairperson

Date