

## **CAPE Executive Committee**

**Minutes of February 16, 2006  
CAPE National Office  
Boardroom  
5:45 p.m.**

**PRESENT:** J. Aggrey, D. Brackley, R. Oslund, C. Card, M. Holyk, M. Korol, C. Lakaski, R. McVicar, J. Patterson, A. Picotte, P. Rosen, C. Therrien, M. Zinck, C. Danik, D. Martin.

**APOLOGIES:** H. Hao, S. Spak.

### **Acknowledgement**

J. Aggrey acknowledged the work done by T. Nguyen, a member of the Association who passed away in an automobile accident.

### **Approval of Agenda**

D. Brackley requested that "Matters Arising" be a standard agenda item in the future

It was moved by P. Rosen, seconded by A. Picotte, that the agenda be approved, as amended. **Motion Carried.**

### **Minutes of January 26, 2006**

It was noted that under the item "Constitution and By-Laws Committee" that "Bourinot" was misspelled.

It was noted that under the item "Bilingualism in the Public Service" that "if should be replaced with "how" in the last sentence. It was suggested that the question of bilingual training be added to the EC Collective Bargaining Survey.

It was moved by B. McVicar, seconded by M. Korol, that the minutes be approved, as amended. **Motion Carried.**

### **Matters Arising**

#### **Interpretation of By-Law # 3**

J. Aggrey provided an interpretation on By-Law 3.1 in regards to when the elections process begins.

## **Request for interpretation of CAPE By-Law 3.1**

At the last NEC meeting on January 26, 2006, a request was made by C. Therrien that I provide an interpretation of By-Law B 3.1. The question, as I understand it, is “When does the elections process begin ?” This is an important question because once the elections process begins, the NEC can no longer amend By-Law 3. The issue arose at the last NEC meeting because the NEC was considering possible amendments to By-Law 3 and did not have all the information required to complete its deliberations.

After having reflected and considered the relevant provisions of By-Law 3.1, it is my opinion that there are three possible interpretations as to when the elections process begin.

- i. The first interpretation is that the elections process begins on January 1.
- ii. The second possible interpretation is that the elections process begins no later than February 14, the date by which a call for Elections Committee volunteers has to be issued by the NEC.
- iii. The third possible interpretation, the one I adopt for this situation and notwithstanding the first two interpretations, is that for the purposes of a fair and effective elections process and for this year only, it is my view that the elections process begins when the NEC approves the names of the volunteers to the Election Committee.

In the interests of avoiding a similar controversy in the future, I recommend that the NEC adopt a motion to make the necessary amendment(s) to By-Law 3 dealing with the commencement of the elections process.

It was moved by P. Rosen, seconded by M. Korol, that this interpretation be adopted.  
**Motion withdrawn.**

It was moved by P. Rosen, seconded by M. Zinck, that By-Law 3 be amended by adding the following immediately after By-Law 3.1.

3.1.1. Notwithstanding any other provision of the CAPE Constitution or any other provision of this By-Law, the 2006 election process is deemed to commence when the National Executive Committee confirms the composition of the Elections Committee.

In favour = 12, Opposed = 1, Abstention = 0. **Motion Carried.**

### **CAPE Communication Strategy**

M. Korol provided a Draft Communications Strategy table and welcomed any comments or further suggestions from the National Executive Committee.

### **Constitution and By-Laws Committee**

#### **By-Law #3**

Following discussion on the timeframe of proposed changes to the elections calendar provided by management.

It was moved by A. Picotte, seconded by C. Lakaski, that a special meeting be held within 7 days in order to make amendments to By-Law #3. **Motion Carried.**

#### **NEC Retreat**

It was agreed that the NEC strategic planning retreat be held in the National Office on March 24<sup>th</sup> and 25<sup>th</sup>.

#### **President's Report**

J. Aggrey provided updates on the following items:

- ♦ Sub-leasing office space – ongoing negotiations
- ♦ Audit Committee - approve by the NEC
- ♦ February 8<sup>th</sup> interview with Ottawa Citizen – re: move of PS employees out of NCR
- ♦ Sub-Committee on TR complaint – J. Aggrey said that the three-person subcommittee had recommended that no action be taken on the complaint and that both parties had accepted this finding and that the matter is now officially closed.
- ♦ the Pension Surplus Litigation - trial dates to be decided March 1<sup>st</sup>
- ♦ Youth Committee- a second call for volunteers was issued
- ♦ Update on various meetings with government officials

It was noted that the “Sub-Committee on TR Complaint” should have been reported separately and not under the President's Report.

#### **Professional Services Report**

C. Danik provided updates on the following items:

- ♦ LoP Bargaining – members have ratified a new collective agreement
- ♦ TR Bargaining – meetings are scheduled for March 21<sup>st</sup>, 22<sup>nd</sup> and 23<sup>rd</sup>

- ♦ EC Bargaining –C. Danik thanked the Committee for their work on the bargaining survey.
- ♦ Steward's training – will be held the 1<sup>st</sup> two weeks in May
- ♦ Local Leadership information sheets will be ready for NEC retreat
- ♦ NEC committee was provided with an orientation binder
- ♦ J. Ouellette was the successful candidate for the Director of Labour Relations.

It was moved by P. Rosen, seconded by A. Picotte, that the National Executive Committee expresses its appreciation to B. Myre for his 14 months of service as the Senior Labour Relations Officer. **Motion carried unanimously.**

### **Finance Committee**

The Financial statements for November and December 2005 were distributed.

### **Calendar of meetings for 2006**

D. Martin provided an updated calendar on all CAPE Committee meetings scheduled to date.

### **Guidelines on Approval and posting Minutes**

Item was tabled as D. Brackley had to leave the meeting.

### **Adjournment**

It was moved by R. McVicar, seconded by C. Card, that the meeting be adjourned at 9:05 p.m. **Motion Carried.**

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Date

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J. Aggrey  
Chair