

## **CAPE Special Executive Committee**

**Minutes of May 20, 2008**

**CAPE National Office**

**Boardroom**

**5:45 p.m.**

**Present:** J. Aggrey (Chair), C. Card, G. Dussault, M. Holyk, M. Korol, R. McVicar, L. Perrin, A. Picotte, A. Sipos, S. Spak (teleconference) C. Therrien, M. Zinck, C. Danik, J. Ouellette, D. Martin.

**Apologies:** J-R. Benoit, C. Lakaski, S. Spano.

**Guest:** C. Poirier, President, Translation Bureau Local # 900  
J. Horvath, President, Health Canada Local # 512

The meeting was convened in order to deal with the tabled items from the agenda of the April 30, 2008 meeting.

J. Aggrey welcomed the guests and asked for a round table introduction.

J. Aggrey stated that he would like to reorder the agenda so that item 2 (b) would be dealt with as the last item.

**Motion:**

M. Zinck moved, M. Korol seconded, that the agenda be approved, as amended.

In favour = 4, Opposed = 8, Abstention = 1. **Motion defeated.**

J. Aggrey advised Mr. Horvath that he cannot vote as he was an observer.

G. Dussault challenged the Chair on whether Mr. John Horvath has a right to vote as he is now a member of the National Executive Committee.

A. Sipos also challenged the Chair stating that Mr. Horvath should be a voting NEC member effective immediately.

C. Therrien also challenged the Chair and stated that Mr. Horvath has a right to vote as he was elected as a new member at the April 30, 2008 meeting.

A discussion proceeded on the composition of the NEC and the process of Mr. Horvath's election.

Mr. Horvath was subsequently welcomed as a new member of the National Executive Committee.

## **2 a) Legal Opinion on NEC motion of April 4, 2008**

J. Aggrey asked if there were any questions on the legal opinion. No questions were asked.

A. Sipos asked the President to confirm the present status of CAPE's participation in the pension appeal.

### **Motion:**

G. Dussault moved, A. Sipos seconded, that the NEC act on the previous motion of April 4, 2008 so that an in depth study be undertaken on the pension appeal; that the local leadership council across the country, if necessary, be consulted with on the pension issue process and that a sub-committee be established of which one of the Vice-President will be the Chairperson and 3 or 4 other NEC members be included on the sub-committee to do the study.

A. Sipos requested a recorded vote.

M. Zinck = In favour, C. Card = Opposed, M. Korol = Opposed,  
A. Picotte = Opposed, M. Holyk = In favour, A. Sipos = In favour,  
G. Dussault = In favour, L. Perrin = In favour, B. McVicar = Abstention,  
J. Horvath = In favour, C. Therrien = In favour, Stan Spak = Opposed,  
J. Aggrey = Opposed.

In favour = 7, Opposed = 5, Abstention = 1. **Motion Carried.**

J. Aggrey asked if there were any volunteers to form the sub-committee. J. Horvath, L. Perrin, C. Therrien and G. Dussault volunteered.

J. Ouellette volunteered to participate as the staff representative.

It was agreed that J. Ouellette would draft the mandate for the sub-committee and send it via e-mail to the members for their review prior to the May 28, 2008 NEC meeting.

## **2 b) Report by Sub-Committee investigating complaints of A. Sipos and C. Lakaski**

L. Perrin became Chair of the meeting at 8:35 p.m.

It was **agreed** that the report should be received first and then the parties involved in the complaint would be allowed to make a statement and then they will be asked to excuse themselves from the meeting as advised by legal counsel.

**Motion:**

M. Holyk moved, M. Zinck seconded, that the report be received by the National Executive Committee.

In favour = 10, Opposed = 0, Abstention = 3. **Motion Carried.**

It was decided to select who would make their statement first by a coin toss.

The sub-committee members provided background information and answered questions from the other National Executive Committee members.

M. Zinck stated and wished to make it clear that J. Ouellette provided administrative support only and did not try in any way to sway the sub-committee members in any way on these complaints.

It was asked why there was only one set of recommendations for two complaints.

**Motion:**

J. Horvath moved, C. Therrien seconded, that the sub-committee rewrite the report into two different reports.

M. Zinck explained that both complaints were very similar on the issues and the conclusions came up as the same for both complaints. This is why there was only one report written.

J. Horvath **withdrew** his motion above.

The parties involved absented themselves from the meeting at 9:50 p.m.

**Motion:**

C. Therrien moved, G. Dussault seconded, that the report be adopted. **Motion Carried unanimously**

**Motion:**

C. Card moved, A. Picotte seconded, that recommendation # 1 be accepted and reject recommendations # 2 and # 3. **Motion withdrawn.**

**Motion:**

It was moved by J. Horvath, seconded by A. Picotte, that recommendation # 1 be accepted, as is. That recommendation # 2 be amended to contain an element of censure and appropriate discipline. That recommendation # 3 be deleted from

the report.

A recorded vote was taken,

M. Zinck = In favour, C. Card = In favour, M. Korol = In favour,  
A. Picotte = In favour, M. Holyk = In favour, G. Dussault = In favour,  
B. McVicar = In favour, J. Horvath = In favour, C. Therrien = In favour,  
L. Perrin = In favour, S. Spak = In favour.

In favour = 11, Opposed = 0, Abstention = 0 . **Motion Carried Unanimously**

**Motion:**

It was moved by M. Zinck, seconded by J. Horvath, that the NEC write a letter of apology to the complainants, that a letter of censure be written to Mr. J. Aggrey and that Mr. Aggrey be suspended for 5 days without pay commencing on June 2, 2008.

A recorded vote was taken,

M. Zinck = In favour, C. Card = In favour, M. Korol = In favour,  
A. Picotte = In favour, M. Holyk = In favour, G. Dussault = In favour,  
B. McVicar = In favour, J. Horvath = In favour, C. Therrien = In favour,  
L. Perrin = In favour, S. Spak = In favour.

In favour = 11, Opposed = 0, Abstention = 0. **Motion Carried Unanimously**

**Motion:**

It was moved by G. Dussault, seconded by J. Horvath, to thank the sub-committee for all their hard work. **Motion Carried Unanimously.**

**Motion:**

It was moved by A. Picotte, seconded by M. Zinck, to adjourn the meeting at 12:27 a.m. **Motion Carried Unanimously.**