

CAPE Special Executive Committee

Minutes of April 4, 2008

CAPE National Office

Boardroom

3:00 p.m.

Present: J. Aggrey, (Chair), J-R. Benoit, C. Card, G. Dussault, M. Holyk (teleconference) M. Korol, C. Lakaski, R. McVicar, L. Perrin A. Sipos, C. Therrien (teleconference), C. Danik, J. Ouellette, D. Martin.

Apologies: A. Picotte, S. Spak, S. Spano, M. Zinck.

The meeting was requested by G. Dussault, M. Holyk, C. Lakaski and A. Sipos, in accordance with By-Law 2.5.

J. Aggrey asked G. Dussault to state the agenda for the meeting.

G. Dussault stated that the agenda was as follows;

1. Slow down the legal proceedings on our pension decision
2. Follow-up on how to proceed in the future on the matter of pensions

Motion: A. Sipos moved, M. Holyk seconded, that a recorded vote be taken on all matters. No objections were raised, therefore it was **agreed** to have recorded voting.

There was a lengthy discussion on whether the meeting could proceed in accordance with the Rules of Procedure. It was questioned as to whether or not the first item on the agenda was reconsidering a previous decision made by the NEC on the matter of the pension appeal.

Motion: M. Holyk moved, G. Dussault seconded, that as we have received new additional information on the issues of pension, which gives us pause to reflect, and as we desire to protect our members' interest above all other concerns; that the President instruct legal council to postpone any legal actions in respect of pensions, until such time as the NEC is satisfied that the matter has been fully vetted with the Local Leadership.

J. Aggrey asked G. Dussault to advise him of the first item on the agenda.

G. Dussault explained that he wanted the NEC to postpone or temporarily suspend the instructions to our legal services to withdraw our name from the appeal.

There continued to be discussion on whether or not this item was indeed reconsidering a previous motion from January 30, 2008 NEC meeting.

M. Holyk reminded the Chair that she had a motion on the floor.

Point of Order raised by C. Card. This is a matter to reconsider a previous decision made by the NEC and it requires a 2/3 majority vote in order to reconsider a previous decision made by the NEC in accordance with the Rules of Procedure.

L. Perrin mentioned that he was absent from the meeting when the decision on the pension matter was dealt with and asked if there was a way that the NEC could follow-up on its previous decision.

M. Holyk asked the Chair what was the status of her motion.

J. Aggrey stated that he had ruled it out of order.

M. Holyk said that she did not hear the Chair's ruling and challenged the Chair.

J. Aggrey stated that "if any item here today, pertains to the motion on the pension decision, then we are contravening the rules of procedure."

G. Dussault mentioned that he just wants the NEC to slow down the process that we are engaged in on the pension issue and that the decision of the NEC on the pension issue still remains in place.

M. Holyk also stated that her motion is not to reconsider the NEC decision but to postpone having our name removed from the appeal.

M. Holyk again mentioned that there was a challenge of the Chairs decision and should it not be voted on.

Motion: L. Perrin moved, G. Dussault seconded, that the previous decision having been made hastily that any proceedings be suspended, until such time that the motion of January 30, 2008 be reconsidered after an in depth study has been done.

G. Dussault requested a recorded vote.

In favour: A. Sipos, G. Dussault, C. Lakaksi, L. Perrin, M. Holyk and C. Therrien.

Opposed: C. Card, J-R. Benoit, M. Korol, R. McVicar and J. Aggrey.

Abstention: None

D. Martin read out the recorded vote. Total votes in favour = 6, opposed = 5, abstention = none.

J. Aggrey stated that the motion **defeated** as a 2/3 majority was not obtained.

G. Dussault requested that J. Aggrey obtain a legal opinion on whether or not a 2/3 majority vote was required to defeat the motion above.

A. Sipos requested to see the formulated question prior to it being submitted to legal counsel. J. Aggrey **agreed** to the request.

Meeting adjourned at 4:55 p.m.