

**CAPE Executive Committee
Minutes of June 25, 2009
CAPE National Office
Boardroom
5:45 p.m.**

Present: C. Poirier (Chair), M. Mascaro, A. Picotte, G. Thibault-Gosselin, M.-A. Pigeon, S. Maguire, D. Londynski, S. Spak (via teleconference), B. Gauvin (via teleconference), I. Dawson (via teleconference), C. Lakaski, C. Danik, A. Bangiricenge (in the absence of D. Martin)

Apologies: L. Whitmore, J. Ouellette and D. Martin

C. Poirier chaired the meeting and welcomed two new executive committee members: Geneviève Thibault-Gosselin, representing the TR members and Marc-André Pigeon, representing the LoP members. He also indicated that, in this particular instance, the meeting would be recorded in the absence of D. Martin.

1 a) Approval of agenda

Motion: It was moved by A. Picotte, seconded by M.-A. Pigeon, that the agenda be approved. **Motion carried.**

1 b) May 12, 2009 Minutes

S. Maguire mentioned that it would be important to indicate in the minutes the start and end times for the items discussed In Camera to justify the length of the meetings.

Motion: It was moved by A. Picotte, seconded by S. Spak, that the May 12, 2009 minutes be approved. **Motion carried.**

1 c) May 12, 2009 In Camera Minutes

This item was discussed In Camera.

1 d) May 27, 2009 In Camera Minutes

This item was discussed In Camera.

1 e) May 27, 2009 Minutes

3 b) File management: D. Londynski amended this item.

In the third paragraph, replace the end of the first sentence, "... that would allow

other unions" with "used by the NEC".

In the third sentence, replace "technology" with "technologies" and replace "also" with "as well".

Add: The Association should examine the possibility of sharing the costs with other unions, including the A.C.F.O.

Motion: It was moved by A. Picotte, seconded by C. Lakaski, that the May 27, 2009 minutes be approved, as amended. **Motion carried.**

1 f) Budget approval meeting

C. Poirier suggested that this item be the subject of a special meeting that would take place on Wednesday evening, July 8, 2009 with the participation of CAPE's finance officer, Sandra Wensink. D. Londynski reminded those in attendance that he had sent several questions via email to the NEC members. C. Poirier assured him that all budget-related questions could be raised and answered at that time.

The finance committee's list of recommendations was also distributed and will be examined at the budget meeting.

C. Poirier agreed to send an email to executive committee members to determine their availability and thus prepare for the meeting.

1 g) NJC colloquium

C. Poirier informed the executive committee members that there are six open slots for the NJC colloquium that will take place September 21-25, 2009 in Whitehorse. He mentioned that three of the six slots are generally reserved for CAPE's executive director, its director of labour relations, and its research officer and that the three remaining slots will be filled by CAPE's president and two volunteers from the executive committee.

C. Poirier indicated that anyone interested in participating should send him an email.

C. Danik mentioned to the executive committee members that the NJC colloquium is a great opportunity to become familiar with this important Council.

1 h) Terms and conditions of the office of president

C. Poirier indicated to the executive committee members that he is not comfortable with the current terms and conditions of the office that he has. He requested that the NEC work to settle the issue as quickly as possible.

M. Mascaro indicated that she is on the In-depth Review Committee for this issue and that she has worked hard on it, along with Lionel Perrin, TR Vice President, who just resigned from the committee on June 24, 2009. She mentioned that they had just drawn up a report that they then sent to D. Martin for translation before sending it to the rest of the committee.

After lengthy discussion, the executive committee decided to vote on two motions.

Motion: It was moved by S. Maguire, seconded by A. Picotte,

‘Whereas in 2008, the National Executive Committee mandated the Vice-Presidents to negotiate with the President the Terms of Conditions of the office of CAPE President, be it resolved that the law firm of S.G.M. be requested to express an opinion on whether the fact that the Vice-Presidents have worked on the development of Terms and Conditions of the office of President constitutes a conflict of interest under the CAPE Constitution, and this by July 3, 2009.’

In favour: S. Spak, B. Gauvin, I. Dawson, C.Poirier, A. Picotte, M.-A. Pigeon, C.Lakaski, G. Thibault-Gosselin, S. Maguire.

Opposed: 0

Abstentions: M. Mascaro and D. Londynski.

In favour = 9, Opposed = 0, Abstentions = 2. **Motion carried.**

Motion: It was moved by D. Londynski, seconded by C. Lakaski, that, once the legal opinion is received, the following motion be carried:

‘Be it resolved that if the legal opinion is that there is no conflict of interest, the National Executive agrees that there is no conflict of interest’

In favour: D. Londynski, C. Lakaski, A. Picotte, C. Poirier, S. Spak, I. Dawson, B. Gauvin.

Opposed: 0

Abstentions: M. Mascaro, S. Maguire and G. Thibault-Gosselin.

The motion carried by majority.

A meeting of the executive committee will take place as soon as the legal opinion is received at the national office to settle the point.

2 a) President's report

This item was tabled.

2 b) Professional services report

This item was tabled.

3 a) In-house legal counsel

C. Danik reported to the executive committee members that the only information on costs related to the in-house legal counsel project are budget items and invoices. Each invoice contains a number of invoiced activities. Over the period that was examined, there were thus hundreds and hundreds of pieces of information to examine and reorganize. It will therefore be impossible to present the information as requested by one of the NEC directors.

D. Londynski explained that he had rather requested more information about the note that explained the tasks that had been excluded from the work of an in-house counsel. He also wanted an explanation of the salaries that had been used to do the cost analysis.

C. Danik promised to provide this information at the next meeting.

G. Thibault-Gosselin and M-A. Pigeon will receive a copy of the analysis that the other members already have.

A. Picotte mentioned that with the current deficit and the lack of space at the national office, it is not a priority to hire a legal counsel for the moment.

3 b) Insurance for the directors of the NEC and the local unions

This item was tabled.

3 c) Questions about the former president (In Camera)

This item was discussed In Camera.

4 a) Posting of agendas and support documents

This item is tabled.

5 a) Report from the 2008 Elections and Resolutions Committee

This item was tabled.

6 a) April 29, 2009 In Camera minutes (management excluded)

This item was tabled.

7) Adjournment of the meeting

Motion: It was moved by A. Picotte, seconded by C. Lakaski, that the meeting be adjourned at 11:05 p.m. **Motion carried unanimously.**