

**CAPE Executive Committee**  
**Minutes of October 1, 2008 (Part 2 of September 24, 2008)**  
**CAPE National Office**  
**Boardroom**  
**5:45 p.m.**

**Present:** J. Aggrey, (Chair), C. Card, G. Dussault, M. Holyk,  
J. Horvath, M. Korol, C. Lakaski, M. Mascaro,  
A. Picotte, A. Sipos, C. Therrien, M. Zinck (teleconference),  
C. Danik, J. Ouellette, D. Martin.

**Apologies:** J -R. Benoit, R. McVicar, L. Perrin, S. Spak, S. Spano.

**Approval of Agenda**

The agenda was amended to add the following items

Under Items for Approval - as item 1 b) Approval of YMAC member  
Under Matters Arising – as item 2 c) Update on Pension Case  
Under Matters Arising – as item 2 d) Update on Atlantic Forum  
Under Matters Arising – as item 2 e) Update on ESU Investigation  
Under matters Arising - Items 2 b) Johnson Insurance Support and 2 c) Affiliation  
Fees were removed from the agenda.

Motion: It was moved by A. Picotte, seconded by C. Lakaski, that the agenda be approved, as amended. **Carried unanimously.**

**1 a) Audited Financial Statements**

This item was tabled to the regular meeting in October.

**1 b) Approval of YMAC member**

This item was tabled to the regular meeting in October.

**2 a) Invoice for President's management training**

The invoices were reviewed.

**2 b) Dissolution of Governance Review Committee**

**Motion:** It was moved by C. Therrien, seconded by A. Sipos, that the GRC be dissolved.

C. Card requested a **point of order**.

The Chair can make a unique ruling to defer this item as L. Perrin was absent and is not able to speak on this item or give the reasoning as to why the Committee should be dissolved.

C. Therrien stated that he could speak to this issue.

J. Aggrey mentioned that when the member who requested an item to be added to the agenda and they are not in attendance when the item is up for discussion then the item is tabled.

Therefore, the item is **tabled**.

J. Aggrey asked C. Lakaski to take over as Chair.

### **2 c) Update on Pension Case**

This item was tabled.

### **2 d) Update on Atlantic Forum**

This item was tabled as there were technical difficulties with the teleconference system and M. Zinck was no longer available.

M. Mascaro asked the following questions in regards to the forum;

Why the event was proceeding when the budget had not yet been approved by the membership?

Why was a non-unionized hotel selected?

Why limit the number of attendance?

### **2 e) ESU Investigation**

It was moved by J. Horvath, seconded by A. Sipos, that staff and legal counsel provide a summary of what NEC can discuss with the members on this issue.

There was a **consensus** to withdraw to the motion.

### **3 a) Hiring a legal advisor**

This item was tabled.

### **3 b) Future President's Employment Contract**

There was discussion on whether there should be a separate employment contract for the President's position or should it be incorporated in the Constitution.

C. Therrien mentioned that the Constitution and By-Laws Committee is currently incorporating the Terms and Condition of office for the future President into the Constitution, as recommended by legal counsel and the Finance Committee is currently working on the criteria for establishing the salary of the President.

J. Horvath asked for an update on the motion from the July 9, 2008 meeting and asked whether there has been any action taken on this motion. It was mentioned that the motion specified that significant penalties be adduced and that those penalties were not decided upon. Therefore,

**Motion:** It was moved by J. Horvath, seconded by C. Therrien, that the NEC censure the President and deprive him of 6 weeks period of pay and exclude him from the office for that period of time.

G. Dussault proposed a friendly amendment that J. Aggrey be suspended with pay for 6 weeks.

Amendment was not accepted.

A. Sipos proposed a friendly amendment to add that J. Aggrey pay any legal fees for consultations with legal counsel in regards to amending the President's employment contract.

In favour= 3, Opposed = 5, Abstention = 2. **Motion defeated.**

**Motion:** It was moved by A. Sipos, seconded by C. Therrien, that NEC send a letter of its displeasure to J. Aggrey and that the letter is incorporated ([see Appendix A](#)) into the minutes of this meeting.

M. Holyk proposed a friendly amendment to refer back to the July 9, 2008 minutes of the NEC.

Friendly amendment was accepted.

A. Sipos requested a recorded vote on the above.

C. Lakaski = In favour, M. Holyk = In favour, A. Picotte = In favour,  
C. Card = Opposed, C. Therrien = In favour, M. Mascaro = In favour,  
G. Dussault = In favour, A. Sipos = In favour, J. Horvath = In favour,  
M. Korol = Opposed.

In favour = 8, Opposed = 2, Abstention = 0. **Motion carried as amended.**

The procedural steps were discussed and the item was tabled.

#### **4 a) President's Report**

NIL

#### **4 b) Professional Services Report**

##### EC Conversion

- No report.
- The conversion is waiting for the completion of the collective bargaining process.

##### TR collective bargaining

- Difficulties have arisen at the bargaining table.
- CAPE suggested and the employer accepted that a member of the Public Service Labour Relations Board attend meetings at the bargaining table as an observer.
- Bargaining has improved somewhat with a member of the Board at the table.
- The parties are still quite far apart.
- It is looking less and less likely that an agreement will be possible before the Christmas holidays.
- The next set of meetings is scheduled for October 14, 15 and 16.

##### EC collective bargaining

- The parties met on September 23, 24 and 25.
- CAPE was prepared to make progress and if at all possible sign a tentative agreement.
- The employer was not ready to address the pay issues raised by the EC conversion.
- Therefore, we worked on outstanding matters, listened to the employer's initial response to CAPE's pay proposal, and signed-off modifications to a few clauses.
- CAPE expressed its displeasure with the employer's inability to address pay in a comprehensive fashion.
- CAPE insisted and it was understood that the next time that we would meet at the table, discussion would focus on pay before we would move to completing bargaining of other matters.
- The employer noted that the elections made it impossible to come back to the table with a complete mandate until November at the earliest.
- There is only the very slimmest of chances that a tentative agreement can be reached before the Christmas holidays.

### TR group and the bilingualism bonus

- CAPE published an extensive article on the provision of services in both official languages and on the bilingualism bonus in its most recent Professional Dialogue.
- As a result, many of our TR members have been reviewing their duties and asking management about the language profile of their positions.
- Several members have filed grievances with the support and assistance of CAPE.

### NJC Seminar Report

- I apologies for not having a report. Other matters have taken precedent.

### The new CAPE web site

- We were hoping to launch the new web site in September.
- It will be launched by middle October.
- The new structure is meant to turn the site into a more user friendly instrument to get information and to access services.

## **5 a) Elections and Resolutions Committee**

D. Martin provided an update on the work of the Committee and that they had met at noon today to review the biographies of the candidate. She mentioned that the September 15 deadline in the By-Laws refers to confirming the candidates' eligibility and not the approval of the biographies.

The Elections and Resolutions Committee will be scheduling a consultation meeting with the candidates' to discuss the candidate's debate and security measures for mailing out voting packages and receiving incoming ballots.

It was mentioned that the Annual General Meeting is confirmed for November 27, 2008.

## **5 b) Finance Committee**

C. Card requested information on the costs of the SGM.

M. Mascaro requested information on the costs of the LLC meetings.

It was asked when the 2007 breakdown of the pension surplus costs would be provided.

It was mentioned that the budget will require a footnote or footnotes for any extraordinary spending items.

### **Adjournment**

The meeting adjourned at 10:50 p.m.