

**MINUTES**  
**EXECUTIVE BOARD MEETING**  
**OCTOBER 14-15, 2009**  
**TORONTO DELTA EAST, HERITAGE ROOM**

**OCTOBER 14, 2009**

The Executive Board was called to order at 9:30 am. President Thomas in the Chair. All members were present. Peggy Maybury, Executive Assistant to the First Vice-President/Treasurer was also in attendance.

**AGENDA**

The agenda was amended to add:

- President report to be presented Wednesday, Treasurer's presented on Thursday
- TILMA
- Harmonized sales tax campaign
- Rabble report
- Liaison report - PHRC
- Liaison report - Retirees
- Educationals

A Moment of Silence was observed for Art Lane who passed away on Thursday, October 8, 2009.

**PRESENTATION - MDT/SDT PROGRAM**

Geraldine Ryan, Supervisor, Training and Development, and Doris Middleton made a presentation to the Executive Board.

Moved by Thomas/ Almeida - In camera

**Rise & Report**

Moved by Grimaldi/Franche

**THEREFORE BE IT RESOLVED THAT** the money budgeted for the 2009 MDT/SDT program be divided by 7 and placed into each Region, Regional Education Fund.

## PRESENTATION - MDT/SDT PROGRAM

Moved by Montgomery/Miller - amendment

For the sole purpose of regionalizing an MDT program in 2009 whereby members be mentored by OPSEU staff persons.

### CARRIED

The Question was called on the motion as amended:

**THEREFORE BE IT RESOLVED THAT** the money budgeted for the 2009 MDT/SDT program be divided by 7 and placed into each Region, Regional Education Fund, for the sole purpose of regionalizing an MDT program in 2009 whereby members be mentored by OPSEU staff persons.

Roll Call Vote:

Almeida, Eddy	for
Brown, Sue	for
Elliot, Ron	for
Franche, Gino	for
Giroux, Jennifer	for
Grimaldi, Mike	for
Lundy, Dave	against
Miller, Derek	for
Montgomery, Ted	against
Nancekivell, Laurie	for
Orzel, Lynn	for
Pridham, Nancy	for
Rout, Patty	for
Rowett, Claire	for
Snider, Sandra	against
Thibodeau, Carl	against
Thomas, Warren	for
Tocker, James	against
Tungatt, Debbie	for
Wall, Peter	for
Wright, Pete	for

**CARRIED** 16 - FOR 5 - AGAINST

A Minority Report was filed by Sandra Snider.

## PRESENTATION - OFL

Wayne Samuelson, President, OFL, and Terry Downey, Treasurer, OFL, gave a presentation to the Executive Board.

## **AFTERNOON**

The Executive Board was called to order at 1:45 pm. President Thomas in the Chair.

Moved by Franche/Pridham – In camera **CARRIED.**

### **Rise & report**

An MDT list for each region will be sent to Regional Vice-President's asap.

## **PRESENTATION - OJTBF TRUST SPONSOR**

Jeanne Theriault, Administrator, Staff Relations, Paul Hornsby, Executive Director, and Francois Poirier, Watson Wyatt, made a presentation to the Executive Board.

Moved by Thomas/Brown

### **Rise and Report**

Progress.

## **MINUTES OF PREVIOUS MEETING**

Moved by Thomas/Brown

<p><b>THEREFORE BE IT RESOLVED THAT</b> the OPSEU Executive Board adopt the OPSEU Executive Board Minutes of September 16-17, 2009 and the Minutes of the September 28, 2009 conference call.</p>
---

**CARRIED**

## **BUSINESS ARISING**

### **Emergency Resolutions from 2009 Convention – ER3**

Moved by Grimaldi/Elliot

<p><b>WHEREAS</b> organized labour in general and OPSEU in particular have been at the forefront of the struggle for Human Rights; and</p>
--

<p><b>WHEREAS</b> Canada is involved in a war supporting the present Government of Afghanistan, to bring about change that supports increasing women's rights from the restrictive laws of the Taliban; and</p>
---

<p><b>WHEREAS</b> the present Government of Afghanistan has recently passed laws, in near total secrecy, that greatly restrict women's rights up to and including allowing marital rape;</p>
--

## **BUSINESS ARISING**

### **Emergency Resolutions from 2009 Convention - ER3 (cont.)**

**THEREFORE BE IT RESOLVED THAT** OPSEU protest, in the strongest possible language, the recently passed laws of the Government of Afghanistan that greatly restrict women's rights up to and including allowing marital rape and have removed basic human rights;

**BE IT FURTHER RESOLVED THAT** OPSEU also brings this to the Ontario Federation of Labour, Canadian Labour Congress, National Union of Public and General Employees to jointly lobby Government of Ontario to pressure the Government of Afghanistan to rescind the laws that remove basic human rights and especially in regard to women with all pressure up to and including the removal of Canadian troops supporting the Government.

**CARRIED**

### **Report on MPP Postcard Campaign - Pressuring the province and OHRC on job security for pregnant women**

#### **Emergency Resolution ER5 - Ontario Human Rights Commission - from 2009 Convention**

Resolution ER5 carried at the September 16-17, 2009 Executive Board Meeting. The Board had asked that a detailed proposal on the postcard campaign be brought back to the October meeting.

The proposal was given to the Executive Board. This issue was not dealt with and will be placed on the December agenda.

### **Resolution K1 - EGALE**

An implementation update was given out to the Executive Board.

Moved by Grimaldi/Elliot

**THEREFORE BE IT RESOLVED THAT** the implementation of Resolution K1 is suspended to the extent that OPSEU will not seek to intervene in the matter, but will instead support EGALE and defend the landmark Heintz v Christian Horizons human rights decision by contributing \$5,000 to legal costs incurred by EGALE in the matter.

**CARRIED**

## **BUSINESS ARISING**

### **2009 Board Strategic Planning Meeting**

First Vice-President/Treasurer Rout in the Chair.

Moved by Elliot/Almeida

**THEREFORE BE IT RESOLVED THAT** the Executive Board direct the elected ad hoc committee to bring forward all applicable resolutions and constitutional amendments to change all OPSEU elected positions to 3 years, by the December 2009 board meeting.

Moved by Rout/Pridham - closure - **CARRIED**.

The question was called on the motion and it **CARRIED**.

President Thomas in the Chair.

### **Capital and Information Technology Management**

This issue will be brought to the December board meeting.

### **Building Purchase Plan**

This issue will be brought to the December board meeting.

## **PRESIDENT'S REPORT**

President Thomas presented the President's Report, which addressed the following items:

#### Internal Issues

- June 2010 Board Meeting

- Consumer protection and public safety campaign

- Fighting zero funding base for hospitals

- Central Labour Updates (OFL/NUPGE/CLC)

- OFL Convention - Convention Committees

- OFL Convention Resolutions

## **INTERNAL ISSUES**

### **June 2010 Board Meeting**

Moved by Thomas/Montgomery

Move reconsideration of the 2010 executive board meeting dates.

**CARRIED**

## **PRESIDENT'S REPORT**

### **INTERNAL ISSUES**

#### **June 2010 Board Meeting**

Moved by Thomas/Rout

**THEREFORE BE IT RESOLVED THAT** the Executive Board approves that the June 7 - 10, 2010 Board meeting is changed to June 8 - 11, 2010.

#### **CARRIED**

A motion was made and Ruled Out of Order.

Moved by Grimaldi - Challenge the Chair.

First Vice-President/Treasurer Rout in the Chair.

The question was called and the Chair was upheld.

President Thomas in the Chair.

#### **Consumer Protection and Public Safety Campaign**

Moved by Thomas/Miller

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board waive the 30-day notice for expenditures in excess of \$20,000.

#### **CARRIED**

Moved by Thomas/Grimaldi

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board support a consumer protection and public safety/DAA campaign at a cost of \$25,000 to be drawn from the Contingency Fund.

Moved by Elliot/Franche - amendment

Amend the amount from \$25,000 to \$5,000.

Moved by Brown/Pridham - Closure - **CARRIED**.

The question was called on the amendment and it **CARRIED**.

The question was called on the motion as amended:

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board support a consumer protection and public safety/DAA campaign at a cost of \$5,000 to be drawn from the Contingency Fund.

#### **CARRIED**

## **PRESIDENT'S REPORT**

### **INTERNAL ISSUES**

#### **Fighting zero funding base for hospitals**

Moved by Thomas/Pridham

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board waive the 30-day notice for expenditures in excess of \$20,000.

#### **CARRIED**

Moved by Thomas/Pridham

**WHEREAS** the government has suggested in their planning guides that hospitals should do their budgeting based on 0% increase next year; and

**WHEREAS** some LHINs have suggested that this freeze may extend to two years; and

**WHEREAS** hospitals across Ontario are facing major cuts to eliminate accumulated deficits, including layoffs and job loss through attrition; and

**WHEREAS** the McGuinty government said they would not cut hospitals during difficult economic times, a promise that now appears to be broken;

**THEREFORE BE IT RESOLVED THAT** OPSEU engage a campaign this fall to pressure the government to keep their promise and fund our hospitals; and

**BE IT FURTHER RESOLVED THAT** \$73,961 be taken from the Defence Fund for such purposes.

Moved by Elliot/Almeida - amendment

Change \$73,961 to \$63,961.

#### **CARRIED**

Moved by Wall/Lundy

Table this motion to Thursday.

#### **CARRIED**

This issue continues on page 17.

## **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

### **OFL Convention - Convention Committees**

This issue was discussed.

## **PRESIDENT'S REPORT**

### **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

#### **OFL Convention Resolutions**

Moved by Thomas/Rowett

#### **Ontario Government Student Workers**

**WHEREAS**, the Employment Standards Act requires employers to follow minimum standards such as paying workers for statutory holidays and vacations; and

**WHEREAS**, the provincial government long ago exempted itself from its own law; and

**WHEREAS**, five thousand provincial student employees were denied holiday and vacation pay this past summer contrary to past practice, and after students had accepted jobs or signed contracts promising them the 8.16 per cent salary top-up; and

**WHEREAS**, 70 per cent of students working for the government in 2009 earned minimum wage; and

**WHEREAS**, denying holiday and vacation pay meant the province paid its student workers less than did Wal-Mart or McDonalds,

**THEREFORE BE IT RESOLVED THAT** the Ontario government should adhere to the same standards it applies to the private sector; and

**BE IT FURTHER RESOLVED THAT** the OFL and its affiliates lobby the Ontario government to amend the Employment Standards Act so the government cannot skirt its own law.

Moved by Montgomery/Grimaldi - amendment

After "adhere" add "at least"

#### **CARRIED**

The question was called on the Resolution as amended:

**WHEREAS**, the Employment Standards Act requires employers to follow minimum standards such as paying workers for statutory holidays and vacations; and

**WHEREAS**, the provincial government long ago exempted itself from its own law; and

**WHEREAS**, five thousand provincial student employees were denied holiday and vacation pay this past summer contrary to past practice, and after students had accepted jobs or signed contracts promising them the 8.16 per cent salary top-up; and

**WHEREAS**, 70 per cent of students working for the government in 2009 earned minimum wage; and

**WHEREAS**, denying holiday and vacation pay meant the province paid its student workers less than did Wal-Mart or McDonalds,

## **PRESIDENT'S REPORT**

### **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

#### **OFL Convention Resolutions**

**THEREFORE BE IT RESOLVED THAT** the Ontario government should adhere at least to the same standards it applies to the private sector; and

**BE IT FURTHER RESOLVED THAT** the OFL and its affiliates lobby the Ontario government to amend the Employment Standards Act so the government cannot skirt its own law.

**CARRIED**

#### **HINI**

Moved by Elliot/Almeida

Refer this resolution back to the President's Office to be re-written.

**CARRIED**

This issue continues on page 17.

#### **Pensions**

Moved by Thomas/Rout

**WHEREAS** all workers have the right to a decent standard of living in retirement; and

**WHEREAS** the trade union movement has lobbied consistently over decades for an expansion of CPP benefits and the CLC is running a cross country pension campaign to double the CPP; and

**WHEREAS** insurance companies are arm-twisting provincial governments across the country to set up defined contribution plans only so they can profit from the highest management fees in the world; and

**WHEREAS** only one in five private sector workers belong to a private pension plan and many of these plans are on shaky financial ground; and

**WHEREAS** most public sector workers face higher contributions to restore stability to their plans,

**THEREFORE BE IT RESOLVED THAT** the OFL work on all fronts to campaign for an improved private pension system and an expanded CPP.

**CARRIED**

## **PRESIDENT'S REPORT**

### **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

#### **OFL Convention Resolutions**

##### **Ontario's Green Energy Act**

This issue continues on page 18.

##### **Reducing Our Carbon Footprint**

Moved by Thomas/Franche

**WHEREAS** the continued burning of fossil fuels is taking the planet to the tipping point of a two degree temperature increase which will cause irreversible, runaway climate change; and

**WHEREAS** the labour movement clearly uses fossil fuels to conduct some of its activities; and

**WHEREAS** affiliates are looking at ways to reduce their greenhouse gas emissions,

**THEREFORE BE IT RESOLVED THAT** the OFL takes concrete measures to track and reduce its environmental footprint by exploring new technologies to reduce travel (including video and webconferencing); and

**BE IT FURTHER RESOLVED THAT** the OFL Executive Board set realistic reduction targets based on an energy audit and provide a progress report to the next Convention; and

**BE IT FURTHER RESOLVED THAT** the OFL share best practices with affiliates to further assist in the reduction of greenhouse gas emissions.

**CARRIED**

##### **Copenhagen**

Moved by Thomas/Franche

**WHEREAS** world leaders will be meeting in Copenhagen in December 2009 to discuss a new global framework for reducing greenhouse gas emissions; and

**WHEREAS** the Harper government has played an obstructionist role in other international meetings; and

**WHEREAS** the oil and tar sand projects in western Canada are responsible for a huge increase in Canada's greenhouse gas production and other environmental degradation,

## **PRESIDENT'S REPORT**

### **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

#### **OFL Convention Resolutions - Copenhagen (cont.)**

**THEREFORE BE IT RESOLVED THAT** the OFL communicate to the Harper government (before Copenhagen) our expectation that Canada participate in a new global framework by agreeing to set medium and long term targets for absolute greenhouse gas reductions.

Moved by Montgomery/Almeida

Refer this resolution to be re-written and presented to the Board on Thursday.

#### **CARRIED**

This issue continues on page 18.

## **COMMITTEE REPORTS**

### **Retired Members Division interpretation**

The Retired Members Division has asked if the division is entitled to send alternates to Convention at their own expense.

#### Constitutional Provisions

The entitlement of the division to send delegates to Convention is dealt with in Art. 13.4:

**13.4** Delegate entitlement to Conventions shall be as follows:

...

(d) The Members of the Executive Committee of the Retired Members' Division, or their alternates, to a maximum of seven (7) persons, shall be entitled to be delegates.

The entitlement of Locals to send alternates to Convention is dealt with in Article 13.5, which provides:

**13.5.1** All delegates and alternate delegates from Locals shall be elected at a general membership meeting on the principle of winning a clear majority, with run-off ballots if necessary, except that the Local President shall be the first delegate automatically.

**13.5.2** A Local may elect alternate delegates up to the number of delegates to which it is entitled. Alternate delegates may not be seated on the floor

## COMMITTEE REPORTS

### Retired Members Division interpretation (cont.)

of the Convention unless in possession of badges of absent delegates of the same Locals. All Convention expenses of alternate delegates shall be borne by the Local.

#### Analysis

Delegate entitlement to Convention is set out in Article 13.4.

Article 13.5 makes it clear that locals are entitled to send alternate delegates. By omitting reference to alternate delegates from other bodies that are delegates (the Executive Board, the Convention Committees and the Provincial Committees), it makes it clear that those bodies are not entitled to send alternate delegates to Convention.

However, the reference to delegate entitlements from the Retired Members' Division in Art. 13.4 (d) is different. Unlike all the other committees, the alternates to the Retirees' Division Executive are entitled to be delegates.

There are two possible ways to understand Art. 13.4 (d):

- That a member of the Retirees' Division Executive may be a delegate, or his/her alternate may be a delegate, but this decision must be made in at some point advance of the Convention; or
- That a member of the Retirees' Division Executive may be a delegate, and his/her alternate should be considered an alternate delegate, who is treated the same way as an alternate delegate elected by a local under the provisions of Art. 13.5

The placement of the main provision for alternate delegates in Art. 13.5 would tend to lead towards the first conclusion. It could be argued that only locals have the authority to send alternate delegates to Convention.

But if we were to adopt this interpretation, it would lead to a practical problem of determining exactly when an alternate to the Retirees' Division Executive is allowed to take the place of the Executive Member. If a Retirees' Division Executive member were to send in his/her credential and then become ill and unable to attend, would that prevent his/her alternate from attending instead? What if a Retirees' Division Executive member were to take his/her seat as a delegate and then become ill and unable to attend? Would his/her alternate be able to attend at that time?

This practical analysis of the situation leads me to prefer the second interpretation. The Constitution contains provisions to accommodate the unique circumstances of the Retired Members' Division – it is the only division whose executive is entitled to be delegates to Convention, and the Constitution was recently amended to make it the only division whose executive is entitled to submit resolutions and amendments.

## COMMITTEE REPORTS

### Retired Members Division interpretation (cont.)

I think that the words “or their alternates, to a maximum of seven (7) persons” have to be understood in this context – as a further recognition of the circumstances of retirees that might affect their ability to attend Convention.

As a result, I have concluded that the elected alternates of members of the Executive Committee of the Retired Members’ Division are entitled to be alternate delegates to Convention. I note that Article 13 also states that

**13.5.2** A Local may elect alternate delegates up to the number of delegates to which it is entitled. Alternate delegates may not be seated on the floor of the Convention unless in possession of badges of absent delegates of the same Locals. All Convention expenses of alternate delegates shall be borne by the Local.

And

**13.7** The Union Headquarters shall make all the necessary arrangements for the holding of a Convention and shall be responsible for all actual and reasonable expenses of the Convention, including the costs such as lost time, travel, and meals and accommodation, of delegates’ attendance.

This would seem to imply that the central union is not required to pay the costs of any alternates, including those from the retired members’ division. However, the only funding for the Division comes from its budget line, which is voted by the Board annually. The division has no dues structure.

However, Art. 21.3.3 gives the Retired Members’ Division “all the rights, privileges and powers of an Occupational Division under Article 21.” And Art. 21.2.2 says: “In accordance with duly-approved by-laws, Occupational Divisions may solicit their members or constituent Locals for sufficient funds to cover reasonable operating expenses. An Occupational Division may also apply to the Executive Board for financial assistance, and the Board shall have full discretion to grant or refuse such requests.”

Therefore, if the Retired Members’ Division wishes to fund its alternates’ attendance at Convention, it may solicit its members (it has no “constituent locals”) providing that its by-laws allow that. It may also request funding from the Board, which has “full discretion” to approve or refuse the request.

In summary:

- a) The elected alternates of members of the Executive Committee of the Retired Members’ Division are entitled to be alternate delegates to Convention.
- b) There is no obligation on the Executive Board to provide funding for the Retired Members’ Division alternate delegates to attend Convention.

## **COMMITTEE REPORTS**

### **Retired Members Division interpretation (cont.)**

- c) If the division adopts an appropriate by-law, the Division can provide funding for its alternate delegates to attend Convention.

The Executive Committee was in agreement.

Moved by Montgomery/Grimaldi

<p><b>THEREFORE BE IT RESOLVED THAT</b> the Executive Board endorses the Constitutional Interpretation.</p>
---

**CARRIED**

## **TREASURER'S REPORT**

First Vice-President/Treasurer Rout presented the Treasurer's Report, which addressed the following items:

Executive Board/Officers Approvals - General Fund  
Executive Board/Officers Approvals - Defence Fund  
Financials  
TARS Report  
2010 Hotels under consideration  
Donation - Verbal

## **RECESS**

The Executive Board recessed at 5:00 pm. All members were present.

## OCTOBER 15, 2009

The Executive Board was called to order at 9:00 am. First Vice-President/Treasurer Rout in the Chair. All members were present except President Thomas and Dave Lundy. The reasons were acceptable to the Chair. Peggy Maybury, Executive Assistant to the First Vice-President/Treasurer was also in attendance.

### TREASURER'S REPORT (cont.)

#### TARS Report

Moved by Rout/Almeida

**WHEREAS** it has been the union's policy that "a local that is three Audit Reports (18 months) in arrears shall have their rebates held in trust by OPSEU and the rebate held in trust will be released without interest upon receipt of all the Local's delinquent Audit Report";

**THEREFORE BE IT RESOLVED THAT** the rebate policy be amended to provide that local rebates held in trust for five (5) years or more shall revert to the general fund and shall not be remitted to locals.

Moved by Franche/Brown - amendment

After "THAT" add "effective upon the close of Convention 2010"

Moved by Brown/Pridham - closure - **CARRIED.**

3<sup>rd</sup> Vice-President Pridham in the Chair.

The question was called on the amendment and it **CARRIED.**

2<sup>nd</sup> Vice-President Franche in the Chair.

Moved by Miller/Pridham - Closure - **CARRIED.**

The question was called on the motion as amended:

**WHEREAS** it has been the union's policy that "a local that is three Audit Reports (18 months) in arrears shall have their rebates held in trust by OPSEU and the rebate held in trust will be released without interest upon receipt of all the Local's delinquent Audit Report";

**THEREFORE BE IT RESOLVED THAT** effective upon the close of Convention 2010 the rebate policy be amended to provide that local rebates held in trust for five (5) years or more shall revert to the general fund and shall not be remitted to locals.

**CARRIED**

First Vice-President Rout in the Chair.

## **TREASURER'S REPORT**

### **2010 Board Meeting Location**

Moved by Rout/Montgomery

**THEREFORE BE IT RESOLVED THAT** the Executive Board and Executive Committee meetings be held at the Holiday Inn, Markham, for the year 2010.

2<sup>ND</sup> Vice-President Franche in the Chair.

The question was called on the motion and it **CARRIED**.

First Vice-President/Treasurer Rout in the Chair.

### **Donations**

Moved by Wall/Pridham

Refer this issue to the Policy Review Committee for review.

Moved by Montgomery/Franche - amendment

Add "and bring back a report to the December Board Meeting"

**CARRIED**

The question was called on the motion as amended:

Refer this issue to the Policy Review Committee for review, and bring back a report to the December Board Meeting.

**CARRIED**

### **Mobilizing Issue**

4<sup>th</sup> Vice-President Grimaldi in the Chair.

6<sup>th</sup> Vice-President Rowett in the Chair.

Moved by Rout/Almeida - closure - **CARRIED**.

Frist Vice-President/Treasure Rout in the Chair.

Moved by Grimaldi/Rowett

Request that Frank Rooney, Administrator, Local Services Division - Head Office, attend the December board meeting to give an explanation regarding the LBED debriefing meeting.

**CARRIED**

## **PRESIDENT'S REPORT**

### **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

#### **OFL Convention Resolutions**

#### **HINI (continued from page 9)**

Moved by Rout/Pridham

**WHEREAS** H1N1 is the first real test of pandemic planning in Ontario since SARS;  
and

**WHEREAS** there is potential for our members to be placed at heightened risk; and

**WHEREAS** lack of capacity is highlighting the need for rationing in the event of a pandemic;

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Labour work with its affiliates and community allies in advocating for effective preparation towards pandemic planning, including H1N1. These precautions would include:

- Tackling hospital overcrowding by highlighting the risks the government is taking with the lack of surge capacity;
- Urging government to take actions that continue to reflect the precautionary principle, and
- To maintain WSIB coverage for workers who can reasonably link their H1N1 and other pandemic exposure to duties in the workplace.

2<sup>nd</sup> Vice-President Franche in the Chair.

The question was called on the Resolution and it **CARRIED**.

## **INTERNAL ISSUES**

### **Fighting Zero Funding Base for Hospitals (cont. from page 7)**

Rout/Pridham

**WHEREAS** the government has suggested in their planning guides that hospitals should do their budgeting based on 0% increase next year; and

**WHEREAS** some LHINs have suggested that this freeze may extend to two years;  
and

**WHEREAS** hospitals across Ontario are facing major cuts to eliminate accumulated deficits, including layoffs and job loss through attrition; and

**WHEREAS** the McGuinty government said they would not cut hospitals during difficult economic times, a promise that now appears to be broken;

**THEREFORE BE IT RESOLVED THAT** OPSEU engage a campaign this fall to pressure the government to keep their promise and fund our hospitals; and

## **PRESIDENT'S REPORT**

### **INTERNAL ISSUES**

#### **Fighting Zero Funding Base for Hospitals (cont.)**

**BE IT FURTHER RESOLVED THAT** \$63,961 be taken from the Defence Fund for such purposes.

**CARRIED**

3<sup>rd</sup> Vice-President Pridham in the Chair.

### **CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)**

#### **OFL Convention Resolutions**

##### **Copenhagen (cont. from page 11)**

Moved by Franche/Rout

**WHEREAS** world leaders will be meeting in Copenhagen in December 2009 to discuss a new global framework for reducing greenhouse gas emissions; and

**WHEREAS** the Harper Conservative government has played an obstructionist role in other international meetings; and

**WHEREAS** the Harper Conservative government does not support the Kyoto Agreement or Canada's obligation to meet this agreement's greenhouse gas emission reductions; and

**WHEREAS** the Ontario Federation of Labour through its affiliates want to see our Federal Government take a proactive leadership role in reducing greenhouse gas emissions;

**THEREFORE BE IT RESOLVED THAT** the OFL communicate to the Harper government before the Copenhagen meeting the Ontario Labour movement's expectation that Canada participate in a new global framework by agreeing to set meaningful medium and long term targets for absolute greenhouse gas emissions.

**CARRIED**

##### **Cap and Trade (cont. from page 10)**

Moved by Franche/Rout

**WHEREAS** the Western Climate Initiative is a multi Canadian Provincial government and multi U.S. State government initiative aimed at reducing greenhouse gas emissions through a process called Cap and Trade; and,

**WHEREAS** the Ontario Liberal government are participants in the Western Climate Initiative; and,

## CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)

### OFL Convention Resolutions

#### Cap and Trade (cont.)

**WHEREAS** the Western Climate Initiative has the potential to lead to thousands of job losses; and,

**WHEREAS** the Ontario Legislation enacted by the McGuinty Liberal government has no clear language other than to say the Province of Ontario is a participating member; and,

**WHEREAS** the Western Climate Initiative can place participating provinces or states at an economic disadvantage,

**THEREFORE BE IT RESOLVED THAT** the OFL will lobby both the Ontario Liberal government and the Federal Conservative government to make the Western Climate Initiative a Federal matter; and,

**BE IT FURTHER RESOLVED THAT** until such time as the Western Climate Initiative becomes a federal matter the OFL will continue to communicate and lobby the Ontario Liberal government to come clean with policies and regulations that must accompany the legislation; and,

**BE IT FURTHER RESOLVED THAT** the Ontario Federation of Labour will work with its affiliates to educate the labour movement membership and the public of a Cap and Trade system.

Moved by Grimaldi/Almeida - amendment

Change "matter" to "priority"

#### **CARRIED**

The question was called on the Resolution as amended:

**WHEREAS** the Western Climate Initiative is a multi Canadian Provincial government and multi U.S. State government initiative aimed at reducing greenhouse gas emissions through a process called Cap and Trade; and,

**WHEREAS** the Ontario Liberal government are participants in the Western Climate Initiative; and,

**WHEREAS** the Western Climate Initiative has the potential to lead to thousands of job losses; and,

**WHEREAS** the Ontario Legislation enacted by the McGuinty Liberal government has no clear language other than to say the Province of Ontario is a participating member; and,

**WHEREAS** the Western Climate Initiative can place participating provinces or states at an economic disadvantage,

## CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)

### OFL Convention Resolutions

#### Cap and Trade (cont.)

**THEREFORE BE IT RESOLVED THAT** the OFL will lobby both the Ontario Liberal government and the Federal Conservative government to make the Western Climate Initiative a Federal priority; and,

**BE IT FURTHER RESOLVED THAT** until such time as the Western Climate Initiative becomes a federal priority the OFL will continue to communicate and lobby the Ontario Liberal government to come clean with policies and regulations that must accompany the legislation; and,

**BE IT FURTHER RESOLVED THAT** the Ontario Federation of Labour will work with its affiliates to educate the labour movement membership and the public of a Cap and Trade system.

**CARRIED**

First Vice President/Treasurer Rout in the Chair.

## COMMITTEE REPORTS

### Pension Liaison Committee

Moved by Grimaldi/Pridham

**WHEREAS** the OPTrust Union Trustees have been working on various plans for increasing revenue into the pension plan, and

**WHEREAS** OPSEU fought a long time for joint control of our hard earned money, and

**WHEREAS** the 3PC initiative would diminish said control,

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board reject the proposal on third party capital.

Moved by Montgomery/Elliot - amendment

Delete the 1<sup>st</sup> whereas; in the 3<sup>rd</sup> whereas after "capital" add "proposed by the Ontario Pension Trust Trustees", in the resolve after "Board" add "in its capacity as a plan sponsor"

**CARRIED**

The question was called on the motion as amended:

**WHEREAS** OPSEU fought a long time for joint control of our hard earned money, and

## COMMITTEE REPORTS

### Pension Liaison Committee

**WHEREAS** the third party capital proposed by the Ontario Pension Trust Trustees initiative would diminish said control,

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board in its capacity as a plan sponsor reject the proposal on third party capital.

#### Roll Call Vote:

Almeida, Eddy	for
Brown, Sue	for
Elliot, Ron	for
Franché, Gino	for
Giroux, Jennifer	for
Grimaldi, Mike	for
Lundy, Dave	absent
Miller, Derek	for
Montgomery, Ted	for
Nancekivell, Laurie	for
Orzel, Lynn	for
Pridham, Nancy	for
Rout, Patty	for
Rowett, Claire	for
Snider, Sandra	for
Thibodeau, Carl	for
Thomas, Warren	absent
Tocker, James	for
Tungatt, Debbie	for
Wall, Peter	for
Wright, Pete	for

**CARRIED** 19 - FOR 0 - AGAINST

Moved by Pridham/Grimaldi

**WHEREAS** the pension liaison committee is the link between the Board as Sponsor and the OPSEU appointed Trustees, and

**WHEREAS** in the past several months the PLC has provided direction and instruction to the current vice chair, regarding Trustee caucus time and OPTrust initiatives, and

**WHEREAS** that direction has been disregarded and ignored, and

**WHEREAS** the OPSEU Sponsor has the right to both appoint and remove Trustees,

## COMMITTEE REPORTS

### Pension Liaison Committee

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board remove the vice chair from the current position at the OPTrust.

Moved by Orzel/Rout

Refer this issue to the President's Office and the Pension Liaison Committee.

2<sup>nd</sup> Vice-President Franche in the Chair.

Moved by Brown/Miller - closure - **DEFEATED**.

The question was called on the referral and it was **DEFEATED**.

Moved by Grimaldi/Pridham - amendment

Remove the 2<sup>nd</sup> 3<sup>rd</sup> and 4<sup>th</sup> WHEREAS and in the resolved after "remove" add "Brother Doug Paolini as a Trustee on the OPSEU Pension Trust."

Moved by Montgomery/Elliot - amendment to amendment

In the 1<sup>st</sup> whereas delete "As sponsor"

### **CARRIED**

The question was called on the amendment and it **CARRIED**.

Moved by Almeida/Elliot - closure - **CARRIED**.

The question was called on the motion as amended:

**WHEREAS** the pension liaison committee is the link between the Board as Sponsor and the OPSEU appointed Trustees;

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board remove Brother Doug Paolini as a Trustee on the OPSEU Pension Trust.

Roll Call Vote:

Almeida, Eddy	for
Brown, Sue	for
Elliot, Ron	for
Franché, Gino	for
Giroux, Jennifer	for
Grimaldi, Mike	for
Lundy, Dave	absent
Miller, Derek	for
Montgomery, Ted	for
Nancekivell, Laurie	for
Orzel, Lynn	for
Pridham, Nancy	for
Rout, Patty	for

## COMMITTEE REPORTS

### Pension Liaison Committee

Roll call vote (cont.)

Rowett, Claire	for
Snider, Sandra	for
Thibodeau, Carl	for
Thomas, Warren	absent
Tocker, James	for
Tungatt, Debbie	for
Wall, Peter	for
Wright, Pete	for

**CARRIED** 19 - FOR 0 - AGAINST

First Vice-President/Treasurer Rout in the Chair.

Moved by Grimaldi/Pridham

**WHEREAS** the Government Sponsor of the OPTrust, has approached the OPSEU Sponsor of the OPTrust for a plan amendment, and;

**WHEREAS** this amendment would change the methodology of deducting pension contributions from plan members, and;

**WHEREAS** this amendment would change pay deductions from the current formula;

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board, as sponsor, accept the Government proposal and move the changes to the plan text as required.

**CARRIED**

Moved by Rout/Pridham

**THEREFORE BE IT RESOLVED THAT** the Executive Board accept the recommendations from the Trustees that the HOOP plan be now called Health Workers of Ontario Pension Plan.

2<sup>nd</sup> Vice-President Franche in the Chair.

The motion was Ruled Out of Order.

Moved by Rout - Challenge the Chair.

3<sup>rd</sup> Vice-President Pridham in the Chair.

The Chair was not upheld, the motion was considered.

The question was called on the motion and it **CARRIED**.

## **COMMITTEE REPORTS**

### **Liaison Reports - PHRC**

Brother Derek Miller gave an update to the executive board.

### **Liaison Reports - Retirees**

Sister Sandra Snider gave an update to the executive board.

### **Liaison Reports - *In Solidarity Committee***

Brother Jamie Tocker gave an update to the executive board.

### **Liaison Reports - Health & Safety**

Sister Lynn Orzel gave an update to the executive board.

### **Liaison Reports - Social Justice Fund**

Sister Nancy Pridham gave an update to the executive board.

### **Liaison Reports - Environment Committee**

Brother Gino Franche gave an update to the executive board.

## **AFTERNOON**

The Executive Board was called to order at 1:30 pm. First Vice-President Rout in the Chair.

## **COMMITTEE REPORTS**

### **Columbian Tour Presentation**

Sister Jennifer Giroux made a presentation to the Executive Board.

## **UNFINISHED BUSINESS**

### **Out of Country Assignments**

This issue was discussed.

## NEW BUSINESS

### Notice of Motion - FM Radio Station

Moved by Pridham/Giroux

**WHEREAS** Canada's national media is the most concentrated in the western world, with just three Corporations owning and controlling virtually all of the daily media, from Newspapers, to Radio to Television.

**WHEREAS** Public discussion and public policy is shaped directly through daily media and

**WHEREAS** the Corporate entities that control what is news and what is not and the tenor of any public discussion naturally and unapologetically use that control to pitch policies that benefit their interests, ie Corporate Tax cuts, deregulation, free trade policies, and massive cuts to social spending of all types.

**WHEREAS** Unions are natural adversaries in most instances to various corporate goals, Union view points, or any view point that differs significantly from the corporate line is often filtered, spun, muzzled or ignored.

**THEREFORE BE IT RESOLVED THAT** OPSEU once again take the lead and investigate the availability and cost of purchasing a top rated established FM Radio Station in the 416, 905 area code with the express interest of daily reaching and influencing a Broad swath of the Public in key provincial and federal ridings.

Moved by Almeida/Brown - amendment

**THAT** the CPAC be charged with the investigation.

Moved by Grimaldi/Pridham - amendment to the amendment

**THAT** it be reported back to the January board.

**CARRIED**

The question was called on the amendment as amended and it **CARRIED**.

Moved by Rowett/Miller

**THAT** it include a legal investigation.

**CARRIED**

Moved by Montgomery/Miller - amendment

After "investigation" add "using OPSEU's in-house lawyers"

**CARRIED**

Moved by Rout/Almeida - closure - **CARRIED**.

## **NEW BUSINESS**

### **Notice of Motion – FM Radio Station (cont.)**

The question was called on the main motion as amended:

**WHEREAS** Canada's national media is the most concentrated in the western world, with just three Corporations owning and controlling virtually all of the daily media, from Newspapers, to Radio to Television.

**WHEREAS** Public discussion and public policy is shaped directly through daily media and

**WHEREAS** the Corporate entities that control what is news and what is not and the tenor of any public discussion naturally and unapologetically use that control to pitch policies that benefit their interests, ie Corporate Tax cuts, deregulation, free trade policies, and massive cuts to social spending of all types.

**WHEREAS** Unions are natural adversaries in most instances to various corporate goals, Union view points, or any view point that differs significantly from the corporate line is often filtered, spun, muzzled or ignored.

**THEREFORE BE IT RESOLVED THAT** OPSEU once again take the lead and investigate the availability and cost of purchasing a top rated established FM Radio Station in the 416, 905 area code with the express interest of daily reaching and influencing a Broad swath of the Public in key provincial and federal ridings.

**BE IT FURTHER RESOLVED THAT** the CPAC be charged with the investigation and that it include a legal opinion using OPSEU's in-house lawyers, to be reported back to the January 2010 Executive Board meeting.

**CARRIED**

### **The Real News Network**

Moved by Giroux/Brown

**WHEREAS** many news outlets have a corporate agenda that results in biased news stories; and

**WHEREAS** many recent labour disputes have attracted negative news coverage resulting in union bashing; and

**WHEREAS** The Real News Network is a not-for-profit media outlet that accepts no funding from advertising, government, or corporations and promotes an agenda of providing truthful and equitable news;

**THEREFORE BE IT RESOLVED THAT** OPSEU endorse The Real News Network as a media outlet of choice and promote The Real News Network by providing a link to the site from the OPSEU website.

## **NEW BUSINESS**

### **The Real News Network (cont.)**

Moved by Elliot/Franche

Defer this issue to the December executive board meeting.

**CARRIED**

### **Notice of Motion - Workers Voice**

Moved by Tungatt/Elliot

**WHEREAS** the Summer 2009 issue of the Workers Voice supported the notion that CLAC is a legitimate union stating, "CLAC is one of this country's largest independent trade unions and has been one of the fastest growing unions in Canada" and further gave voice to one of its representatives (Alex Pannu) in an article about the impact of recessions on unions; and

**WHEREAS** the Fall 2009 issue included an article written by Howard Levitt, "Are Unions Losing their Purpose", in which the author advocates the use of scabs suggesting, "...the governments should contract out work or hire replacement workers". Throughout the article Levitt continues to rail against unions eventually stating, "...unions are no longer a necessary evil in the Canadian workplace";

**THEREFORE BE IT RESOLVED THAT** OPSEU demand that NUPGE no longer provide financial support to the Workers Voice magazine either through advertising or subscriptions.

**CARRIED**

A Pension Liaison Committee timed presentation was scheduled for 2:30 pm. The Pension Liaison Committee reported that they had nothing further to present.

### **TILMA**

Brother Jamie Tocker and Sister Claire Rowett gave a report on this issue.

### **Harmonized Sales Tax Campaign**

Sister Nancy Pridham gave an update on this issue.

### **Rabble Report**

This issue will be placed under Unfinished Business for the December meeting.

## **NEW BUSINESS**

### **Educationals**

Moved by Rout/Tocker – In camera – **CARRIED**.

## **PRESENTATION – CANADIAN FEDERATION OF STUDENTS**

Shelley Melanson, Ontario Chairperson; and Hamid Osman, National Executive Representative; made a presentation to the Executive Board.

Moved by Montgomery/Wall

**THEREFORE BE IT RESOLVED THAT** OPSEU endorse the campaign for a Poverty-Free Ontario launched by the Canadian Federation of Students – Ontario to increase funding for and access to high quality, affordable, public: post-secondary education, housing, childcare, healthcare, and other social programs, and call upon the government of Ontario to:

- support a living wage for all Ontarians;
- protect the rights of undocumented, non-status and status workers;
- reduce tuition fees and ancillary fees for all post-secondary students; and
- encourage the Ontario government to pledge multi-year funding for new poverty reduction measures.

**CARRIED**

Moved by Grimaldi/Tungatt

**THEREFORE BE IT RESOLVED THAT** the Executive Board approve a donation of \$1,000 to the Canadian Federation of Students for their November 5<sup>th</sup> day of action campaign.

**CARRIED**

## **PRIVILEGE MOTION**

Moved by Franche/Elliot

A motion was made and Ruled Out of Order.

Moved by Franche - Challenge the Chair.

3<sup>rd</sup> Vice-President Pridham in the Chair.

The question was called and the Chair was upheld.

First Vice-President/Treasurer Rout in the Chair.

## PRIVILEGE MOTION

Moved by Franche/Rowett

**THEREFORE BE IT RESOLVED THAT** the Executive Board direct the Office of the President to call an emergency meeting of the Executive Board for the evening of November 16, 2009 with the purpose of getting an update and outstanding information regarding the OPT 1, 1 and 1 per cent increase and to discuss and debate the increase of 1, 1 and 1 per cent.

The motion was Ruled Out of Order.

Moved by Franche - Challenge the Chair.

3<sup>rd</sup> Vice-President Pridham in the Chair.

The question was called and the Chair was not upheld. The motion was considered.

Moved by Elliot/Almeida - amendment

Delete the word "emergency" and put a period after the word "increase"

An amendment to the amendment was made and Ruled Out of Order.

Moved by Almeida - Challenge the Chair.

4<sup>th</sup> Vice-President Grimaldi in the Chair.

The question was called and the Chair was upheld. The amendment to the amendment was not considered.

Moved by Franche/Nancekivell

Extend the executive board meeting until this issue is dealt with.

**CARRIED**

The question was called on the amendment and it **CARRIED**.

Moved by Brown/Miller - closure - **CARRIED**.

The question was called on the motion as amended:

**THEREFORE BE IT RESOLVED THAT** the Executive Board direct the Office of the President to call a meeting of the Executive Board for the evening of November 16, 2009 with the purpose of getting an update and outstanding information regarding the OPT 1, 1 and 1 per cent increase.

Roll Call Vote:

Almeida, Eddy	for
Brown, Sue	for
Elliot, Ron	for
Franche, Gino	for

## PRIVILEGE MOTION

### Roll Call Vote (cont):

Giroux, Jennifer	for
Grimaldi, Mike	against
Lundy, Dave	absent
Miller, Derek	for
Montgomery, Ted	against
Nancekivell, Laurie	for
Orzel, Lynn	against
Pridham, Nancy	against
Rout, Patty	against
Rowett, Claire	for
Snider, Sandra	for
Thibodeau, Carl	for
Thomas, Warren	absent
Tocker, James	for
Tungatt, Debbie	for
Wall, Peter	for
Wright, Pete	for

**CARRIED** 14 - FOR 5 - AGAINST

## ADJOURNMENT

The Executive Board adjourned at 4:30 pm. All members were present except Ted Montgomery and President Thomas.

---

Warren (Smokey) Thomas, President

---

Kathryn Kaminski, Corporate Secretary

/kk