

MINUTES
EXECUTIVE BOARD MEETING
SEPTEMBER 16-17, 2009
TORONTO RADISON HOTEL EAST, TORONTO ROOM

SEPTEMBER 16, 2009

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

AGENDA

The agenda was amended to add:

- OPSEU Census/Social Mapping Campaign
- MDT/SDT Program
- Student Wage Camp
- Provincial Young Workers Committee
- Update on Correctional Facility Closures
- Update on Delta Chelsea Complaint
- Update on SAROC

OPSEU CENSUS/SOCIAL MAPPING CAMPAIGN

Moved by Tocker/Wall

THEREFORE BE IT RESOLVED THAT one extra mobilizer be added for Region 6 & 7 to help on the Census Social Mapping Campaign.

CARRIED

MINUTES OF PREVIOUS MEETING

Moved by Rout/Tocker

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board adopt the OPSEU Executive Board Minutes of June 17-18, 2009.

CARRIED

BUSINESS ARISING

Emergency Resolutions from 2009 Convention

At the June 2009 board meeting this issue was referred to the September meeting in order to find out from the Resolutions Committee who can submit an Emergency Resolution at Convention.

A letter from Pam Doig, Advisor to the Resolutions Committee was submitted to the Executive Board stating that the Constitution places no limit on who can submit emergency resolutions.

Moved by Tocker/Rout

Move debate on the resolutions

CARRIED

ER3 - Submitted by Joe Healy, Local 571 & Rod Sawyer, Local 527

WHEREAS organized labour in general and OPSEU in particular have been at the forefront of the struggle for Human Rights; and

WHEREAS 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

WHEREAS 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;

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.

The Committee recommends that the Delegates vote FOR

Moved by Snider/Pridham

Refer this motion to the President's Office for further information.
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CARRIED

BUSINESS ARISING

Emergency Resolutions from 2009 Convention (cont.)

ER5 - Submitted by Provincial Women's Committee

WHEREAS the Ontario Human Rights Legal Support Centre has identified an alarming increase in pregnant women being laid off or fired across Ontario; and

WHEREAS the Ontario Human Rights Legal Support Centre is receiving 10-15 calls per week from pregnant women impacted by the discriminatory practice; and

WHEREAS the Centre is also fielding calls from injured workers and people with disabilities who are also being targeted by this appalling and shameful discriminatory practice; and

WHEREAS this is a blatant violation of their Human Rights based on their membership in designated groups, specifically family status, sex and disability;

THEREFORE BE IT RESOLVED THAT OPSEU immediately initiate an MPP postcard campaign demanding that the provincial government apply pressure to the Ontario Human Rights Commission to file a systemic complaint about the alarming increase in pregnant women being laid off or fired across Ontario and make an application to the Tribunal under Section 35 of the code in regards to this practice; and

BE IT FURTHER RESOLVED THAT OPSEU contact every MPP and ask them to raise the issue during Question Period; and

BE IT FURTHER RESOLVED THAT OPSEU use its website to educate members on how and why their Human Rights may have been violated, their right to use the grievance procedure and their right to contact the Ontario Human Rights Legal Support Centre with contact information provided, and finally that OPSEU report back to the Provincial Women's Committee on the status of this resolution.

Moved by Tungatt/Snider

FOR

Moved by Elliot/Grimaldi

Refer this issue to the President's Office to come back to the October Board with a detailed proposal on the postcard campaign.

CARRIED

ER6 - Submitted by Lorne Woodhouse, Local 546 & Art Slade, Local 340

WHEREAS the Province of Ontario through its budget announcement on March 26, 2009 proposed introducing a harmonized sales tax; and

WHEREAS this will increase the taxes paid by the working class people of Ontario; and

BUSINESS ARISING

Emergency Resolutions from 2009 Convention (cont.)

ER6 - Submitted by Lorne Woodhouse, Local 546 & Art Slade, Local 340

WHEREAS this will negatively impact on the economy of Ontario resulting in job losses to OPSEU members; and

WHEREAS the Ministry of Finance has made no effort to disclose or consult with the public and OPSEU on the issue of harmonization of taxation; and

WHEREAS there was no general knowledge of the Harmonized Sales Tax being introduced in the budget;

THEREFORE BE IT RESOLVED THAT OPSEU petition the government of Ontario and the MPP's to reject this proposal and cancel the Harmonized Sales Tax; and

BE IT FURTHER RESOLVED THAT OPSEU assign a Campaigns Officer to facilitate this tandem with the Ministry of Finance/Ministry of Revenue MERC.

The Committee recommends that the Delegates vote FOR

Moved by Pridham/Rowett

THEREFORE BE IT RESOLVED THAT the Executive Board vote "FOR".
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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
- Delta Chelsea Update
- 2010 Board Meeting Location

Delta Chelsea Update

First Vice-President/Treasurer Rout gave an update.
Moved by Grimaldi/Rowett - In Camera - **CARRIED**
Rise & Report - progress.

2010 Board Meeting Location

First Vice-President/Treasurer Rout will bring information to the October Board.

COMMITTEE REPORTS

Liaison Reports

Report to the Board re NAPE Convention June 24-26

Sister Snider gave the Executive Board a written report regarding her attendance at the 18th Bi-annual Convention of NAPE (Newfoundland and Labrador Association of Public and Private Employees) as OPSEU's representative.

Provincial Young Workers Committee

Sister Rowett gave an update on the Committee.

Moved by Brown/Rowett

THEREFORE BE IT RESOLVED THAT the Young Workers Committee be invited to a board meeting for a ½ day and that it be in conjunction with one of their scheduled meetings; and

BE IT FURTHER RESOLVED THAT OPSEU cover that extra cost out of the Contingency Fund.

2nd Vice-President Franche in the Chair.

3rd Vice-President Pridham in the Chair.

Moved by Tocker/Elliot - Closure - **CARRIED.**

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

First Vice-President/Treasurer Rout in the Chair.

Audit Committee

Derek Miller, Jamie Tocker and Peter Wall gave the Executive Board a verbal report.

A motion was made and Rule Out of Order.

Moved by Elliot - Objection to Consideration - **DEFEATED.**

Moved by Franche/Rowett

THEREFORE BE IT RESOLVED THAT the Executive Board participate in the pilot project, on a voluntary basis, regarding direct deposit of expense claims.

CARRIED

NEW BUSINESS

Notice of Motion – Section 10.2

Moved by Elliot/Franche

THEREFORE BE IT RESOLVED THAT section 10.2 of the policy manual be amended by removing the following section marked in quotation marks.

Expenses Associated with Children Attending Union Events.

Members who bring children to union events will be entitled to single accommodation. The meal allowance for children under 13 years of age should be 50% of OPSEU's standard meal allowance. "If a spouse accompanies the member and the child(ren) to an OPSEU function, the member should bear the cost of the private room and no expenses (travel or meals) should be paid for the children or the spouse."

CARRIED

AFTERNOON

The Executive Board was called to order at 1:30 pm, 2nd Vice-President Franche in the Chair. First Vice-President/Treasurer Rout in the Chair.

PRESIDENT'S REPORT

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

Internal Issues

Remembering Fallen Peace Officers – Private Members Bill 51

CPAC Recommendation – Support for Ontario NDP

International Solidarity

AMAPCEO

College part-Timers Vote

Columbia Solidarity Trip

Central Labour Updates (OFL/NUPGE/CLC)

Resolution for the OFL Convention

Staffing Issues

Temporary Assignment Report

Waiver for External Postings

PRESIDENT'S REPORT

INTERNAL ISSUES

AMAPCEO

Brother Ron Elliot gave a verbal report to the board.

PRESIDENT'S REPORT

CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)

First Vice-President/Treasurer Rout gave an update on labour issues.

Resolution for the OFL Convention

Moved by Rout/Montgomery

WHEREAS Part-time college workers have been denied the basic human right to join a union; and

WHEREAS these workers weren't covered by basic labour legislation; and

WHEREAS McGuinty promised these workers the right to unionize; and

WHEREAS Royal Assent allowed unionization resulting in the Ministry of Labour holding a certification vote in Feb. '08; and

WHEREAS the MOL has allowed the ballot boxes to gather dust and have failed to count and announce the result of the vote for more than 8 months,

THEREFORE BE IT RESOLVED THAT the OFL direct the MOL to immediately count the votes and announce the results; and

BE IT FURTHER RESOLVED THAT the OFL launch a campaign should the MOL not order the count.

Moved by Montgomery/Elliot - amendment

In the 1st resolve replace "direct" with "demand that" ...the MOL.

CARRIED

The question was called on the resolution as amended:

WHEREAS Part-time college workers have been denied the basic human right to join a union; and

WHEREAS these workers weren't covered by basic labour legislation; and

WHEREAS McGuinty promised these workers the right to unionize; and

WHEREAS Royal Assent allowed unionization resulting in the Ministry of Labour holding a certification vote in Feb. '08; and

WHEREAS the MOL has allowed the ballot boxes to gather dust and have failed to count and announce the result of the vote for more than 8 months,

THEREFORE BE IT RESOLVED THAT the OFL demand that the MOL to immediately count the votes and announce the results; and

BE IT FURTHER RESOLVED THAT the OFL launch a campaign should the MOL not order the count.

CARRIED

PRESIDENT'S REPORT

CENTRAL LABOUR UPDATES (OFL/NUPGE/CLC)

Updates on the NUPGE Slice Campaign were given.

President Thomas in the Chair.

BUSINESS ARISING

Board Member/Staff Relations

Moved by Thomas/Montgomery - In Camera - **CARRIED.**

Rise & Report - progress.

PRESIDENT'S REPORT

INTERNAL ISSUES

Remembering Fallen Peace Officers - Private Members Bill 51

The Executive Board was updated on this issue.

CPAC Recommendation - Support for Ontario NDP

Earlier this year the Ontario New Democratic Party (ONDP) elected a new leader and started to pay down the costs of an expensive convention and campaigning year during which four candidates toured the province.

The OPSEU CPAC believes that it is both timely and prudent, in the defense of our membership, to augment OPSEU's support of the ONDP.

Moved by Thomas/Lundy

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

CARRIED

Moved by Lundy/Almeida

<p>THEREFORE BE IT RESOLVED THAT the Executive Board authorize a contribution of \$9,300 to the Ontario NDP. Funds to be drawn from the Contingency Fund.</p>
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<p>BE IT FURTHER RESOLVED THAT the Executive Board authorize a donation of \$20,000 to the Andrea Horwath leadership campaign with funds to be drawn from the Contingency Fund.</p>
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PRESIDENT'S REPORT

INTERNAL ISSUES

CPAC Recommendation - Support for Ontario NDP (cont.)

Moved by Montgomery/Miller

Motion to divide.

DEFEATED

A motion was made and Ruled Out of Order.

Moved by Miller/Wall - amendment

Amend the amount from 20,000 to 10,000.

DEFEATED

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

A Minority Report was filed by Ted Montgomery.

International Solidarity

Effectively administering and building our two solidarity funds, the Social Justice Fund and the Live and Let Live Fund, involves fundraising, engaging more members, assessing development programs, developing specific funding criteria, assessing applications, consulting with more NGO agencies, grassroots groups and sister unions and developing consistent follow-up with development projects that OPSEU supports.

Moved by Thomas/Pridham

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board authorize \$19,500 to fund member expenses related to a staffing pilot and ongoing administrative work on OPSEU's International Solidarity Funds. Funds to be drawn from the Contingency Fund.

Moved by Franche/Rowett- amendment

Following "International Solidarity Funds" add "and report back to the Executive Board with progress to the January 2010 board meeting".

CARRIED

The question was called on the motion as amended:

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board authorize \$19,500 to fund member expenses related to a staffing pilot and ongoing administrative work on OPSEU's International Solidarity Funds, and report back to the Executive Board with progress to the January 2010 board meeting". Funds to be drawn from the Contingency Fund.

CARRIED

PRESIDENT'S REPORT

INTERNAL ISSUES

International Solidarity College part-timers vote

On July 23, OPSEU filed an application for certification covering part-time workers at Ontario community colleges and asked the Ontario Labour Relations Board to order a certification vote. On Sept. 2, the OLRB announced that the supervised vote would take place in October.

OPSEU published a new edition of the *Part-Time Times* on Sept. 3 to notify members and part-timers of the upcoming vote. Working together will ensure the successful completion of this historic organizing drive.

Columbia Solidarity Trip

This is a request for funding to cover the costs of the recent Solidarity Trip to Colombia. Due to the urgency of the timing for the trip resulting from the schedules of participants from OPSEU and contacts from Colombia a pre trip approval could not be secured in a timely manner from the Board. On an interim basis the costs for the trip were absorbed by the Policy, Planning and Programs Division. To relieve that Division of these charges this specific funding request was presented to the Executive Board.

Moved by Thomas/Miller

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

CARRIED

Moved by Thomas/Pridham

<p>THEREFORE BE IT RESOLVED THAT the Executive Board approve payments to \$30,348 to cover costs associate with the OPSEU Solidarity Trip to Colombia, with such funds to be drawn from the Contingency Fund.</p>
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A motion was made and Ruled Out of Order.

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

STAFFING ISSUES

Temporary Assignment Report

Material for this discussion is available under separate cover.

CENTRAL LABOUR UPDATES (cont)

President Thomas gave a verbal report.

PRESIDENT'S REPORT

INTERNAL ISSUES

Student Wage Campaign

The Executive Board was updated on this issue.

RECESS

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

SEPTEMBER 17, 2009

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

PRESENTATION - 1185 EGLINTON AVENUE

Maurice Gabay, Accountant, made a presentation to the Executive Board.

Moved by Rout/Thomas

<p>THEREFORE BE IT RESOLVED THAT the Executive Board of OPSEU not accept the conditional offer for the purchase of 1185 Eglinton Avenue dated September 16, 2009.</p>
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CARRIED

PRESIDENT'S REPORT

INTERNAL ISSUES

Waiver for an External Posting: Equity Officer (#08.053), Benefits Counsellor (#08.062) and Benefits Counsellor (#09.004)

Three permanent positions within the Policy, Planning and Programs Division are vacant, notwithstanding attempts to find qualified candidates through the normal OPSSU collective agreement posting process and through web postings to OPSEU

In accordance with OPSEU policy, the consent of the Executive Board is required before applications from non-members can be considered for a position.

PRESIDENT'S REPORT

INTERNAL ISSUES

Position 1: (08.053) Equity Officer

Moved by Thomas/Pridham

THEREFORE BE IT RESOLVED THAT the Executive Board approve the request to have external applicants considered for the Equity Officer (08.053) vacancy.

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

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

Position 2: (08.062) Benefits Counsellor

THEREFORE BE IT RESOLVED THAT the Executive Board approve the request to have external applicants considered for the Benefits Counsellor (08.062) vacancy.

President Thomas withdrew this motion.

Position 3: (09.004) Benefits Counsellor

THEREFORE BE IT RESOLVED THAT the Executive Board approve the request to have external applicants considered for the Benefits Counsellor (09.004) vacancy provided only if there are no qualified internal or member applicants, as determined through normal procedures and standards.

President Thomas withdrew this motion.

MDT/SDT PROGRAM

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

UPDATE ON CORRECTIONAL FACILITY CLOSURES

No update was given at this time.

UPDATE ON SAROC

Moved by Thomas/Pridham - In Camera - **CARRIED.**

Rise and Report - progress.

COMMITTEE REPORTS

Recommendations from the September 16, 2009 Executive Committee Meeting

Leaves of Absence for Local Union Business/Local Time Off Fund

Policy Manual Section 17.1

Moved by Thomas/Rout

THEREFORE BE IT RESOLVED THAT the Executive Board approval the amended policies under section 17.1; Leaves of Absence for Local Union Business and Local Time Off Fund.

CARRIED

Merger of Local 509 into Local 502

Moved by Thomas/Pridham

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board approve the merger of Local 509 into Local 502; and

BE IT FURTHER RESOLVED THAT the Charter of Local 509 be dissolved.

CARRIED

Region 6 Membership Centre Request

Moved by Brown/Tocker

THEREFORE BE IT RESOLVED THAT the Executive Committee recommend to the Executive Board that the building at 11 Whitewood Ave East in New Liskeard be rented as a Membership Centre for Region 6, for a period of up to 13 months, then review use.

CARRIED

Merger of Local 126 into Local 130

Moved by Franche/Rowett

THEREFORE BE IT RESOLVED THAT the Executive Board approve the merger of the remaining Local 126 members (Southwest Regional Centre) into Local 130 (OPS Composite).

BE IT FURTHER RESOLVED THAT the Charter of Local 126 be dissolved.

CARRIED

COMMITTEE REPORTS

Recommendations from the September 16, 2009 Executive Committee Meeting

Charter of CMHA Lambton

Moved by Franche/Rout

THEREFORE BE IT RESOLVED THAT the Executive Board approve the Charter of Local 133 – Canadian Mental Health Association, Lambton.

CARRIED

Merger of Local 152 into Local 133

Moved by Franche/Pridham

THEREFORE BE IT RESOLVED THAT the Executive Board approve that the members of Local 152 Oxford CMHA be merged into Local 133.

CARRIED

Pension Liaison Committee

Moved by Pridham/Grimaldi

WHEREAS the Pension Liaison Committee has received the resignation of the recently appointed OPTrust Union Trustee and retiree, Brother Jim Peterson,

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board accept the resignation of Brother Peterson.

CARRIED

Moved by Pridham/Grimaldi

WHEREAS there is currently a vacant position for a Union Trustee at the OPTrust, and;

WHEREAS the former PLC was able to build a small cadre of potential Trustees,

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board appoint Brother Ron Langer to the position of Union Trustee for a 2 year term, provided Brother Langer sign the OPSEU letter of undertaking. This term is to commence on October 1, 2009.

CARRIED

COMMITTEE REPORTS

Pension Liaison Committee (cont.)

Moved by Pridham/Grimaldi

WHEREAS the OPSEU Executive Board appointed Brother Gabay for a period of 18 months following a review, and;

WHEREAS Brother Gabay's OPT Trustee position will end on September 6th;

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board reappoint Brother Gabay, for a two year period commencing September 18th, for a two year term, provided he sign the OPSEU letter of undertaking.

CARRIED

Moved by Grimaldi/Pridham

WHEREAS the OPSEU Executive board approved the development of the TOPPS Pension fund for the Broader Public Sector, and;

WHEREAS the TOPPS Plan has now been registered with FSCO, and;

WHEREAS it has always been the intention to have a member be a founding Trustee;

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board appoint Sister Deb Gordon to the position of Union Trustee, for a term of three years, commencing January 1, 2010, provided that Sister Gordon sign the OPSEU letter of undertaking.

CARRIED

AFTERNOON

The Executive Board was called to order at 1:30 pm, 2nd Vice-President Franche in the Chair.

COMMITTEE REPORTS

Pension Liaison Committee (cont.)

Heather Gavin, Chief Administrative Officer and Plan Manager, Clare Pitcher, and Bill Foster from the OPTrust made a presentation to the Executive Board.

First Vice-President/Treasurer Rout in the Chair.

Moved by Elliot - Object to Consideration - **DEFEATED**.

COMMITTEE REPORTS

Pension Liaison Committee (cont.)

Moved by Pridham/Grimaldi

WHEREAS the current economic crisis has placed many pension plans in a financial dilemma, and;

WHEREAS the OPTrust will file a valuation at the end of September, and;

WHEREAS the OPTrust is committed to ensuring the pension promise;

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board approve a contribution increase in the following manner:

January 1, 2010 – 1%

January 1, 2011 – 1%

January 1, 2012 – 1%

6th Vice-President Rowett in the Chair.

A motion was made and Ruled Out of Order.

Moved by Franche/Miller - Closure – **DEFEATED**.

Roll Call Vote:

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

CARRIED 13 - FOR 6 - AGAINST

COMMITTEE REPORTS

Pension Liaison Committee (cont.)

A Minority Report was filed by Ron Elliot, Gino Franche, Derek Miller, Carl Thibodeau.

First Vice-President/Treasurer Rout in the Chair.

Moved by Nancekivell/Orzel

THEREFORE BE IT RESOLVED THAT the Communications Department and the Pension Liaison Committee develop and distribute a detailed message to OPS members and the EBMs regarding the approved contribution rates of the OPTrust.

Moved by Elliot/Pridham

THAT "OPS members" be removed and replaced with "OPTrust active deferred and retired members".

CARRIED

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

The question was called on the main motion as amended:

THEREFORE BE IT RESOLVED THAT the Communications Department and the Pension Liaison Committee develop and distribute a detailed message to "OPTrust active deferred and retired members and the EBMs regarding the approved contribution rates of the OPTrust.

CARRIED

Moved by Almeida/Franche

THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board receive a written report on the total costs of administration and investments and that it include a detailed report on individual senior staff salaries, bonuses, expenses, benefit costs and pension costs, and total staff costs from 1998 to 2008.

BE IT FURTHER RESOLVED THAT it include a detailed report on remuneration, fees, long term incentives and costs for contractors that would include but not limited to lawyers, private equity managers and fund managers.

CARRIED

Moved by Pridham/Grimaldi

Move the OJTBF discussion to the October Executive Board meeting.

CARRIED

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