

## **Synopsis - Executive Board Minutes**

**March 7-8, 2007**

**All the below motions have CARRIED unless otherwise noted.**

**1. Privilege motion**

THAT Sister Kathy Smith be allowed to address the board meeting today.

**2. Minutes of previous meeting**

**THEREFORE BE IT RESOLVED THAT** the Executive Board adopt the Executive Board Minutes of January 24-25, 2007.

**3. 5757 Coopers Avenue - Report on cost of exterior building repairs - 2 motions**

**Motion #1:**

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

**Motion #2:**

**THEREFORE BE IT RESOLVED THAT** a capital expenditure of up to \$30,000 be approved for the exterior repairs needed to be completed on 5757 Coopers Avenue, which funds are to be drawn from the Strike Fund.

**4. Constitutional Amendment re: budget year**

The First Vice-President/Treasure will bring forward to the 2007 April board meeting a constitutional amendment regarding the OPSEU budget year.

**5. Audit Committee - Code of Conduct**

The Audit Committee reviewed OPSEU legal counsel and the constitutional advisor's joint letter and will bring this issue back to the board based on their recommendations.

**6. Resolution Q2 - Encouraging participation of part-time employees**

Proposed language for this issue will be brought to the April Executive Board meeting.

**7. Successor rights update - timed presentation**

OPSEU General Counsel Roman Stoykewych and Supervisor Frank Rooney presented a report on the implications of the change in the law.

## **8. Negotiations Debriefing**

**THEREFORE BE IT RESOLVED THAT** upon completion of any Central Bargaining (BPS, OPS, CAAT/Academic/Support, MPAC, LBED, HPD) and upon the ratification of a new collective agreement, that OPSEU organize a "debriefing meeting" within four (4) months of the ratification of the new collective agreement, and;

**BE IT FURTHER RESOLVED THAT** such a debriefing meeting include the participation from bargaining team members, mobilizers, and staff.

## **9. Financial Settlements**

**THEREFORE BE IT RESOLVED THAT** the Executive Board Audit Committee examine all financial settlements and legal costs entered into by OPSEU resulting from grievances, litigation, mediation, human rights complaints or any other court, board or tribunal award from April 1, 1995 to the present.

**BE IT FURTHER RESOLVED THAT** the Executive Board Audit committee prepare a full report on these expenses for the April, 2007 Executive Board meeting;

**BE IT FURTHER RESOLVED THAT** the First Vice-President Treasurer provide full assistance to the Audit Committee in completing this report;

**BE IT FURTHER RESOLVED THAT** in accordance with accepted Corporate Board practices that all future similar expenses be examined, debated and approved by the Executive Board prior to disbursement.

**DEFEATED**

## **10. Strategic Planning - Committee Terms of Reference**

**THAT** the Terms of Reference discussion be postponed to the June retreat.

## **11. Strategic Plan Final Report**

Brother Franche and Sister Rout withdrew this motion. The Executive Board did not object to this issue being withdrawn.

## **12. 1982 Gordon et al (3 motions)**

**Motion #1:**

Moved by Casselman/Eaton - In-camera

**Motion #2:**

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

**Motion #3:**

**THEREFORE BE IT RESOLVED THAT** funding be granted from the Contingency Fund in the amount of \$25,000 to cover the legal and related expenses of an Unfair Labour Practice Complaint to be filed by OPSEU on behalf of six members who have been subjected to allegations that their employer knew to be false; and that further funding be reviewed upon receipt of a report by the office of the president who are handling the matter.

**13. 2007 Budget**

The First Vice-President/Treasurer indicated to the Executive Board that the revenue may be overstated by \$200,000 and departmentals may be understated by up to \$800,000 but that both lines are manageable. The Board asked him to bring the budget back for discussion on March 8<sup>th</sup>.

**14. Strike Fund Investment**

**THEREFORE BE IT RESOLVED THAT** the OPSEU strike fund be invested using the following socially responsible investment principles; employee relations, environment and human rights.

**15. OPSEU Convention 2011-2012**

This issue was discussed.

**16.** Sister Kathy Smith addressed the Executive Board.

**17. PWC breakfast**

**THEREFORE BE IT RESOLVED THAT** the Executive Board approve the expenditure of up to \$10,000 for the PWC breakfast at the 2007 Convention, funds to be drawn from the Contingency Fund.

**18. 2007 Budget**

Brother Thomas reported that staff would not be available today due to other commitments and therefore we would deal with the budget on April 18<sup>th</sup>, the day before convention.

**19. Live and Let Live fund education proposal**

**THEREFORE BE IT RESOLVED THAT** the Executive Board authorize the expenditure of \$5,000 to fund the proposal from the Workers of Colour Caucus to promote HIV/AIDS education and the Live and Let Live Fund, the amount to be drawn from the Contingency Fund.

**20. Local 278 trusteeship**

President Casselman withdrew this issue from the President's Agenda.

**21. Systemic and Anti-Racism Organizational Change in Corrections (2 motions)****Motion #1:**

**THEREFORE BE IT RESOLVED THAT** the Executive Board waive the 30-day notice requirement for expenditures over \$20,000.

**Motion #2:**

**THEREFORE BE IT RESOLVED THAT** \$115,000 be drawn from the Contingency Fund to ensure that the work of the union in Systemic and Anti-Racism Organizational Change efforts is properly carried out in 2007.

**22. "Ontario Can do Better" advertising launch**

The Executive Board was given an update on the ad campaigns.

**23. Bell Walks for Kids Help Phone - Local 515**

The board was informed that Sunday, May 6, 2007 is the date for this year's Bell Walk for Kids Help Phone. Kits with the contact names for the walks were distributed to Board members, and a link will be placed on the OPSEU website and locals will be notified via email.

**24. Ontario Conservation Officers Association/Ottawa Boys and Girls Club donation request**

The board was informed that the OPSEU Executive Committee passed a motion to donate funds to this special project.

**25. Convention 2007 - Special needs**

The board was informed that the Sheraton Centre no longer offers rooms with refrigerators. In order to ensure that refrigerators are available to all those who need them for medical reasons, Executive Board Members were asked to remind all members attending Convention to complete the "Personal Assistance Request Form."

**26. Fairly-traded coffee**

The board was informed that further to the resolution passed at Convention 2005, the Convention Planning Committee has arranged with the Sheraton Centre that only fairly-traded coffee will be served at meetings during Convention. OPSEU Administrators have been advised to insist on fairly-traded coffee in contracts with all hotels hosting OPSEU meetings.

**27. Louise Arbour update**

President Casselman informed the executive board that Justice Arbour is unable to attend convention to receive the Stanley Knowles Award in person.

**28. Constitutional Amendment – LBED retirees**

**WHEREAS** the constitution provides for retired OPSEU members to continue participating in the union; and

**WHEREAS** retired OLBEU members do not have access to this right;

**THEREFORE BE IT RESOLVED** that Article 6.11 of the constitution be amended to allow retirees from the former OLBEU to join the retirees of OPSEU; and

**BE IT FURTHER RESOLVED THAT** the Executive Board of OPSEU be given the powers in any future merger to include retirees' division membership.

**29. Constitutional Amendment – Ministry and Sector Division bylaws**

**WHEREAS** the OPSEU constitution does not currently contain a requirement that Ministry or Sector Divisions have bylaws; and

**WHEREAS** most Ministry or Sector Divisions have bylaws, but some have not been approved by the president, and others have not been updated for some time; and

**WHEREAS** the constitution does require other divisions to have bylaws,

**THEREFORE BE IT RESOLVED THAT** the constitution be amended to provide for a new article as follows:

A Ministry or Sector Division shall adopt by-laws similar in spirit to those found in this constitution to govern Locals. The by-laws shall not take effect until they have been approved by the OPSEU Executive Board, which approval shall not be unreasonably withheld or unduly delayed.

**30. Constitutional Amendment – Oaths**

**WHEREAS** eliminating harassment and discrimination in the workplace is central to the work of our union at every level,

**THEREFORE BE IT RESOLVED THAT** the stewards' oath contained in Article 29.9.2 of the Constitution be amended as follows:

"I, \_\_\_\_\_, promise that I will uphold and obey the Constitution and policies of the Ontario Public Service Employees Union and the by-laws of my Local, work with the Officers of the Local to represent the members, and work to ensure a workplace free of harassment and discrimination as well as fulfill the obligations and responsibilities of my elected position as Steward to the best of my ability."

**31. Resolution - \$10 Minimum Wage campaign**

**WHEREAS** over one million people in Ontario earn less than \$10 per hour, working in jobs where they are underpaid and undervalued; and

**WHEREAS** if minimum wage had kept up with inflation, it would be \$10 per hour today; and

**WHEREAS** the single most effective step to improve incomes would be for the Government of Ontario to raise the minimum wage; and

**WHEREAS** only 29 per cent of low-wage jobs are in small businesses and most low-wage jobs are with fast food chains, retail giants and or temp agencies; and

**WHEREAS** corporate profits in Canada skyrocketed to \$200 billion in 2006, and are at the highest share of the economy ever in Canada's history; and

**WHEREAS** the average top CEO earned as much by the afternoon of January 2 as a full-time minimum wage worker will earn in the entire year (\$16,640);

**THEREFORE BE IT RESOLVED THAT** OPSEU support the \$10 minimum wage bill; and

**BE IT FURTHER RESOLVED THAT** OPSEU encourage other unions through the Ontario Federation of Labour to support the campaign and to organize the unorganized.

**32. Resolution - Global Warming**

**WHEREAS** global warming is the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades and its projected continuation; and

**WHEREAS** the Intergovernmental Panel on Climate Change predicts that global temperatures are likely to increase by 1.1 to 6.4 degrees Celsius between 1990 and 2100; and

**WHEREAS** an increase in global temperatures can in turn cause other changes including rising sea levels, changes in the amount and patterns of precipitation, extreme weather events such as floods, droughts, heat waves, hurricanes and tornados;

**THEREFORE BE IT RESOLVED THAT** OPSEU call upon the Government of Canada to meet Canada's Kyoto targets for pollution reduction to reduce greenhouse gas emissions by 6 per cent below their 1990 level by 2012; and

**BE IT FURTHER RESOLVED THAT** OPSEU through NUPGE encourage other affiliates to ensure Canada meets its targets; and

**BE IT FURTHER RESOLVED THAT** our green stewards educate our membership about global warming and its dangers.

**33. Resolution – Chocolate, Child Labour and Fair Trade**

**WHEREAS** chocolate is synonymous with pleasures both simple and indulgent but in reality chocolate production is often far from sweet; and

**WHEREAS** a 2001 report from the International Labour Organization found thousands of children working on cocoa farms in Cote d'Ivoire (Ivory Coast), labouring with sharp instruments, heavy loads, agricultural chemicals, and fires; and

**WHEREAS** the International Institute of Tropical Agriculture states that currently, more than 600,000 children are employed on Ivorian cocoa farms and 200,000 of them are thought to be working under the worst forms of child labour, including as slaves; and

**WHEREAS** Save the Children Canada is calling for a tracking system which would allow Canadian consumers to trace where the beans in their chocolate bars originate and whether child labour was used in processing; and

**WHEREAS** "Fair Trade Certified" chocolate is more widely available all the time; and

**WHEREAS** "Fair Trade Certified" guarantees farmers and workers a fair price for their product, enabling them to feed their families and allow their children to go to school instead of working in the fields;

**THEREFORE BE IT RESOLVED THAT** OPSEU work with the National Union to call on the Government of Canada to propose legislation that would require all chocolate sold in Canada to be labelled with its country of origin and a "free from child labour" label; and

**BE IT FURTHER RESOLVED THAT** OPSEU will not participate in fundraising efforts of any kind that involve the sale or purchase of chocolate products that are not Fair Trade Certified.

**34. Notice of Motion - Bargaining priorities**

**WHEREAS** the international solidarity fund was founded at the OPSEU 2003 Convention; and

**WHEREAS** since that time this fund has been renamed the Social Justice Fund and is operating in cooperation with the Live and Let Live Fund; and

**WHEREAS** in the spirit of trade unionism many other unions have successfully bargained for employer contributions to similar funds;

**THEREFORE BE IT RESOLVED THAT** OPSEU include in their list of bargaining priorities employer contributions to the OPSEU registered charitable funds being the Live and Let Live Fund and/or the Social Justice Fund at all OPSEU collective bargaining tables.

**35. Notice of Motion - Leah Casselman Award**

**THEREFORE BE IT RESOLVED THAT** the Executive Board create an award in recognition of the contributions made by Leah Casselman; and

**BE IT FURTHER RESOLVED THAT** the award be named the Leah Casselman Award for Mobilization awarded to the Local and individual who exemplifies the spirit and intent of mobilizing to win; and

**BE IT FURTHER RESOLVED THAT** this annual award be given out commencing at the 2008 convention and additionally the recipients' names be displayed on a large plaque hung at OPSEU head office.

**36. Privilege -** The OPSEU staff's hard work regarding the Kennedy House strike was recognized. The strike was settled as of February 27, 2007.

**37. CLC Anti-scab legislation**

This issue was discussed.

**38. NUPGE elections**

This issue was postponed to the May Executive Board meeting.

**39. Committee Reports - Audit Committee**

**THEREFORE BE IT RESOLVED THAT** the Audit Committee be directed to report to the Executive Board in the same fashion as they deal with the management letter from our external auditors regarding comments and recommendations from our internal auditor.

**40. Committee Reports - Audit Committee - Internal Auditor Position**

**THEREFORE BE IT RESOLVED THAT** the Executive Board extend the Internal Auditor position until September 2007 as approved in the 2007 Budget.

**41. Management letter from BDO Dunwoody**

**THEREFORE BE IT RESOLVED THAT** the Executive Board receive the report from the Audit Committee and management letter dated December 31, 2005.

**42. PA DAYS APPEAL**

**THEREFORE BE IT RESOLVED THAT** the Executive Board reverse the president's decision to cancel my pa days on December 18, 19, 22 and January 16.

**43. Joint Systems Sub-committee (JSSC) (2 motions)****Motion #1:**

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

**Motion #2:**

**THEREFORE BE IT RESOLVED THAT** the Executive Board adopt the proposal for a campaign to change CECBA as per the Officers' recommendation of Feb. 15, 2007; and

**BE IT FURTHER RESOLVED THAT** the Executive Board authorize an expenditure of \$45,200, to be drawn from the Contingency Fund.

**44. BPS Pension Plan (2 motions)****Motion #1:**

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

**Motion #2:**

**THEREFORE BE IT RESOLVED THAT** the BPS Pension Working Group be allocated an additional \$62,500 from the Contingency Fund for the development of the BPS Pension Plan.

**45. CAAT Trustee Appointments (7 motions)****Motion #1:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Brother Phil Cunnington, Local 558, to serve as a Trustee for the CAAT Pension Plan, for a term beginning January 1, 2007 to December 31, 2009 provided Brother Cunnington signs the Trustee Letter of Commitment, as per the OPSEU Policy.

**Motion #2:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Sister Sherri Rosen, Local 242, to serve as a Trustee for the CAAT Pension Plan, for a term beginning January 1, 2007 to December 31, 2009, provided Sister Rosen sign the Trustee Letter of Commitment, as per the OPSEU Policy.

**Motion #3:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Brother Ted Montgomery, Local 560, as the first alternate Trustee for the CAAT Pension Plan, for a term beginning January 1, 2007 to December 31, 2009, provided Brother Montgomery sign the Trustee Letter of Commitment, as per the OPSEU Policy.

**Motion #4:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Brother Bernard Belanger, Local 420, as the second alternate Trustee to the CAAT Pension Plan, for a term beginning January 1, 2007 to December 31, 2009, provided Brother Belanger sign the Trustee Letter of Commitment, as per the OPSEU Policy.

**Motion #5:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Brother Fred Deys, Local 240, to the CAAT Sponsors committee of the CAAT Pension Plan, for a term beginning January 1, 2007 to December 31, 2009, provided Brother Deys sign the OPSEU Pension Appointees Letter, as per OPSEU Policy.

**Motion #6:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Sister Shirley McVittie, Staff representative to the CAAT Sponsors committee of the CAAT Pension Plan for a term beginning January 1, 2007 to December 31, 2009, provided Sister McVittie sign the OPSEU Pension Appointees Letter, as per OPSEU Policy.

**Motion #7:**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Brother Damien Wiechula, Local 556, as the alternate member to the CAAT Sponsors committee of the CAAT Pension Plan for a term beginning January 1, 2007 to December 31, 2009, provided Brother Wiechula sign the OPSEU Appointees Letter, as per OPSEU Policy.

**46. HOOPP Pension Plan Appointment**

**THEREFORE BE IT RESOLVED** the OPSEU Executive Board appoint Brother James Sanders, Local 142, as the Trustee for the HOOPP Pension Plan for a term beginning January 1, 2007 to December 31, 2009, provided Brother Sanders signs the Trustee Letter of Commitment, as per the OPSEU Policy.

**47. OPSEU Pension Appointee Letter of Agreement**

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board approve the changes made to the OPSEU Pension Appointee Letter of Agreement.

**48. New Local 422**

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board approve the creation of a new local, Local 422, Lennox & Addington for the members in the newly organized ambulance service; and

**BE IT FURTHER RESOLVED THAT** the OPSEU Executive Board approve the release of the members from the ambulance unit of Local 457 and that the members be amalgamated with the newly unionized ambulance services; Local 422, Lennox & Addington.

**49. Transfer of Local 305 into Local 366 and creation of Local 380**

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board approve the members of Local 305 from the Muskoka-Algonquin Health Care office and clerical and paramedical units be transferred into Local 366, and

**BE IT FURTHER RESOLVED THAT** all members of Local 366 be transferred to a new Local 380; and that Local 366 be dissolved.

**50. Division of Local 597 – New Local 573**

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board approve the separation of Muki Baum Association from Montage Support Services, and

**BE IT FURTHER RESOLVED THAT** the OPSEU Executive Board approve the division of funding for both units, in accordance with the Policy of OPSEU, and

**BE IT FURTHER RESOLVED THAT** the OPSEU Executive Board approve a new local, Local 573 for Muki Baum Association, in accordance with the OPSEU policy.

**51. Regional Education Budgets**

**THEREFORE BE IT RESOLVED THAT** the OPSEU Executive Board approve that the respective regional education budgets be adjusted down to reflect any overage that occurred in the previous year beginning in 2008.

**52. Teleconferencing Technology**

This issue was referred to the next elected executive board of OPSEU.

**53. Supporting women in third world countries**

**THEREFORE BE IT RESOLVED THAT** that the OPSEU Executive Board show support for an international theme for the 2007 provincial women's conference by allowing the OPSEU women's committee to approve, on a one-time only basis within the guidelines of the existing budget for the conference, the purchase of materials from organizations supporting the work of women in Third World countries.

**54. Equity scan of 2007 Convention constitutional amendments and resolutions**

The Equity Unit performed a scan of constitutional amendments and resolutions being submitted to the 2007 Convention. None required the boards consideration.

**55. Youth Activism in OPSEU**

**THEREFORE BE IT RESOLVED THAT** each region offer one “youth only” educational course at their regional educational by the end of 2007.

**DEFEATED**

**56. Section 16.4 policy amendment**

The policy will read as follows:

Elections: List of Regional Delegates and Alternates

The list of regional delegates and alternates, for his/her own region, will be made available to any member nominated to the Board, the Provincial Women’s Committee, the Provincial Human Rights Committee and the Provincial Young Workers Committee.

Adjournment

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