

Memorandum



President's Office

*Ontario Public Service Employees Union
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To: Delegates to the 2008 Convention
All Local Presidents
Executive Board Members

From: Warren (Smokey) Thomas
President

Date: May 23, 2008

Re: Minutes of the 2008 OPSEU Convention

For you information and reference, attached are the Minutes of the 2008 OPSEU Convention.

In solidarity,

A handwritten signature in black ink, appearing to read "Warren Thomas", written in a cursive style.

WT:ted

Attachment

c: Regional Offices
Senior Staff
Convention Secretary
Administrative Secretaries
Library



**Minutes of the
OPSEU Convention 2008
April 17 - 19, 2008
Sheraton Centre Hotel, Toronto**

Thursday, April 17, 2008 – Morning Session

Sharon Riley and the Faith Chorale opened the convention singing the song “A New Day” the theme for Convention 2008. The Choir led the delegates in the singing of O Canada.

Reverend Michael Blair, Executive Minister for the Ethnic Ministries Unit at the United Church of Canada, whose life has been dedicated to helping people welcomed OPSEU delegates to Convention and, delivered the invocation.

Paula Fletcher, Toronto city councillor, brought greetings on behalf of Mayor David Miller and welcomed the delegates on behalf of the city of Toronto and City Council.

John Cartwright, President of the Toronto and York Region Labour Council was introduced. John Cartwright welcomed the delegates to Toronto.

President Thomas welcomed UNITE HERE, workers representing the hotel workers at the Sheraton Centre. Habtom Ogbamichael, UNITE HERE, Local 75, addressed the convention regarding their work at the hotel and thanked OPSEU members for all their support.

President, Warren (Smokey) Thomas, called the Convention to order at 10:05 a.m.

The President welcomed all delegates, alternates, observers and guests to the 33rd Annual Convention, the highest decision-making body of OPSEU.

President Thomas read the Harassment and Discrimination Policy and asked Fernand Begin of Local 470 to present the statement in French. He asked the Advisors and Investigators under the Harassment and Discrimination Policy to stand to be identified. He asked the Provincial Human Rights Committee and the Provincial Women’s Committee to stand. He thanked the sign language interpreters and the translators in advance for their work throughout

the three days. General announcements were made on events and services available at Convention.

Credentials Committee Report

The members of the Committee are:

Region 1	-	David Kerr, Local 115
Region 2	-	Sue Walker, Local 249
Region 3	-	William Playter, Local 329
Region 4	-	Anne Jennings, Local 468
Region 5	-	Anthony F. Marinucci, Chair, Local 549
Region 6	-	Curt Bishop, Local 678
Region 7	-	Mark Polson, Local 715
EBM	-	Brenda Clapp, EBM Region 7
Staff Advisor	-	Agatha McPhee

Credentials Committee Report

Moved: A. Marinucci, Cred. Ctte.,L.549

Seconded: W. Playter, Cred. Ctte.,L.329

►Adoption of Credentials Committee Report as of 9:00 a.m.

Delegates	776
Alternates	353
Observers	135
Retirees	6
EBMs	21
Committees	42
Solidarity Guests	13
Guests	10
Total	1,356

Vote on Adoption of Credentials Report

CARRIED

Moment of Silence

A Minute of Silence was observed in memory of the brothers and sisters who passed away in the past year and also for the Canadian Armed Forces that have paid the ultimate sacrifice for doing what their country has called upon them to do.

Union's intention is to ensure that there are good jobs being made available for those losing their jobs, ensuring the labour movement continues to move forward and that we make Ontario a better place to live for everyone.

He concluded by saying, "Last year, I made the promise that I will do what needs to be done. I have, I am and I will continue to do what needs to be done. There is real power in our union."

First Vice-President/Treasurers Address

Patty Rout, First Vice-President/Treasurer, began by identifying the successes OPSEU experienced in 2007 and future goals in 2008.

Patty said, "We are a powerful group of people and it is good for Ontario to be a member of OPSEU and make the change that we are so successful at doing". Patty talked about the "Perfect Storm, Perfect Opportunity" bargaining situation and referring to all members within OPSEU stated, "You are the perfect solution".

Patty Rout, First Vice-President/Treasurer in the chair.

Section C – Audited Financial Statements and Notes Section F – Report on Remuneration

Patty Rout, First Vice-President/Treasurer, introduced Frank DelZotto and Melanie Joseph our external auditor from BDO Dunwoody and Maurice Gabay, OPSEU Accountant.

Frank gave a brief overview of the financial statements.

Questions were entertained and discussion ensued.

Smokey Thomas, President in the chair.

Moved: K Ouchas, L.340
Closure

Seconded: A. Slade, L.340
CARRIED

President Thomas thanked Frank DelZotto and Melanie Joseph on behalf of the Convention.

LUNCH RECESS

Thursday, April 17, 2008 – Afternoon Session

President Thomas called the meeting to order at 1:45 p.m.

Resolutions Committee

Roxanne Barnes, Resolutions Committee Chair, introduced members of the Resolutions Committee.

Region 1	-	Ross Langill, Local 137
Region 2	-	Robert Houston, Local 224
Region 3	-	Roxanne Barnes, Chair, Local 308
Region 4	-	Brian Lowry, Local 414
Region 5	-	Donald Wright, Local 557
Region 6	-	Craig Nesbitt, Local 636
Region 7	-	John Watson, Local 701
EBM	-	Jay Jackson, EBM Region 2
Staff Advisor	-	Pam Doig
Secretary	-	Rita Ashley

Statutory Resolution A1 – Financial Statements

Submitted by: Executive Board

Resolutions Committee's Recommendation: FOR

Moved: R. Barnes, Res. Ctte.,L.308

Seconded: J. Watson, Res. Ctte.,L.701

► **BE IT RESOLVED THAT** in compliance with Article 26.2 of the Constitution and Section 97 of the Corporations Act, the Financial Statements for the 12-month period ending December 2007, including the Statement of Financial Position, the Statement of Revenue and Expenditure and Fund Balances and the Statement of Cash Flows, together with the Auditors' report thereon, and all transactions reflected thereby be approved and that the President and First Vice-President/Treasurer be authorized to sign the financial statements on behalf of the Executive Board.

Vote on Statutory Resolution A1 – Financial Statements

CARRIED

Credentials Committee Report

Moved: C. Bishop, Cred. Ctte.,L.678

Seconded: A. Marinucci, Cred. Ctte.,L.549

►Adoption of Credentials Committee Report as of 1:30 p.m.

Delegates	841
Alternates	421
Observers	176
Retirees	6
EBMs	21
Committees	42
Solidarity Guests	15
Guests	17
Total	1,539

Vote on Adoption of Credentials Report

CARRIED

Statutory Resolution – A3 – Appointment of Auditors

Submitted by: Executive Board

Resolutions Committee's Recommendation: FOR

Moved: R. Barnes, Res. Ctte.,L.308

Seconded: J. Watson, Res. Ctte.,L.701

► **BE IT RESOLVED THAT** in compliance with Articles 26.2 and 28.4 of the Constitution and Section 94 of the Corporations Act, BDO Dunwoody LLP, be Auditors of OPSEU for the fiscal year January 1, 2008 through to December 31, 2008 and the Executive Board fix the Auditors' remuneration.

Vote on Statutory Resolution A3 – Appointment of Auditors

CARRIED

Statutory Resolution – A2 – Section E - Executive Board Report

Submitted by: Executive Board

Resolutions Committee's Recommendation: FOR

Moved: R. Barnes, Res. Ctte.,L.308

Seconded: J. Watson, Res. Ctte.,L.701

► **BE IT RESOLVED THAT** in compliance with Section 129 of the Corporations Act, the Convention endorse the actions of the Executive Board from the closing of the last Convention until the closing of this Convention.

Resolutions Committee

EB2 – CAAT (Support) Negotiations and Divisional Procedures

Submitted by: Executive Board (Addendum to 2008 Annual Convention Minutes)

Resolutions Committee's Recommendation: FOR

Moved: B. Lowry, Res. Ctte.,L.414

Seconded: J. Watson, Res. Ctte.,L.701

WHEREAS the CAAT (Support) bargaining procedures have been amended and approved by the CAAT (Support) Division; and

WHEREAS Article 24.1.1 of the OPSEU Constitution requires the Executive Board and Convention to approve bargaining procedures;

► **THEREFORE BE IT RESOLVED THAT** CAAT (Support) Negotiations and Divisional Procedures as approved by the Executive Board be approved by Convention 2008.

Vote EB2 –CAAT(Support) Negotiations & Divisional Procedures CARRIED UNANIMOUSLY

Resolutions Committee

E1 – Education – Section G

Submitted by: Local 112

Resolutions Committee's Recommendation: FOR

Moved: J. Watson, Res. Ctte.,L.701

Seconded: C. Nesbitt, Res. Ctte.,L.636

WHEREAS the Ontario Human Rights Tribunal recently (December 2007) upheld the rights of persons with mental health disability to be appropriately accommodated in the workplace under the Ontario Human Rights Code; and

WHEREAS stigma still exists for members with mental health disabilities;

► **THEREFORE BE IT RESOLVED THAT** OPSEU create education materials to inform and educate activists and employers of mental health accommodations. In Barbara Hall's words: "The duty to accommodate is a reality."

Moved: S. Schmidt, L.432

Seconded: B. Weaver, L.444

Closure

CARRIED

Vote on E1 – Education

CARRIED UNANIMOUSLY

Resolutions Committee

O2 – Organizing – Section G

Submitted by: Local 106

Resolutions Committee's Recommendation: FOR

Moved: J. Watson, Res. Ctte.,L.701

Seconded: B. Lowry, Res. Ctte.,L.414

WHEREAS Hospitals are transferring services away from communities to larger centres; and

WHEREAS Local Health Integration Networks (LHINs) are setting up internal markets and competitive bidding models for the provision of services; and

WHEREAS this will result in worker bidding against worker to drive down the wages and benefits of all hospital workers;

► **THEREFORE BE IT RESOLVED THAT** OPSEU shall make available all necessary resources to organize all unorganized hospital professionals.

Vote on O2 – Organizing

CARRIED UNANIMOUSLY

Resolutions Committee

K2 – Equity – Section G

Submitted by Local 112 also submitted by Local 262, Local 605, Sudbury Area Council, South West Area Council, Greater Toronto Area Council, Niagara Area Council, London & District Area Council, Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC)

Resolutions Committee's Recommendation: FOR

Moved: R. Langill, Res. Ctte.,L.137

Seconded: D. Wright, Res. Ctte.,L.557

WHEREAS OPSEU has a diverse membership base; and

WHEREAS OPSEU is responsible for reflecting this diversity in its workplaces and services in compliance with the Ontario Human Rights Code;

► **THEREFORE BE IT RESOLVED THAT** OPSEU completes a social map and survey of the membership to ensure that the Union's policies, programs and services are inclusive and barrier free; and

BE IT FURTHER RESOLVED THAT OPSEU implement a plan that reflects a more representative workforce.

Debate was suspended

(Resolution K2 continued on page 12)

Orders of the Day

OPSEU Provincial Committee/Equity Caucuses video

As per orders of the day a presentation of the OPSEU Provincial Committees and Equity Caucuses commenced. A brief video was presented to the Convention.

Award Presentations

Human Rights Award - Individual

Recipient: Joe Daniel

Brother Joe Daniel has a strong record of activism and as an advocate for change. He single-handedly took on the Ministry of Transportation on equity issues.

As president of OPSEU Local 506, Joe became one of the voices of the MTO Enforcement Officers across Ontario. Joe defended the rights of members at grievance meetings, LERC meetings, mediation, arbitration, and disciplinary hearings. Joe also was a strong advocate for members facing issues with the Attendance Improvement Program, Illness, Injury and Return to Work Program and WDHP Investigations.

Joe challenged the Ministry on its programs, questioned some managers on their exercise of arbitrary authority, and defended the rights of female employees subject to workplace harassment and discrimination. He forced MTO to change its policy on the use of equipment and the uniforms for pregnant employees. Brother Joe also worked hard to challenge and change the hiring practices in the OPS. He fought hard for human rights in employment practices in the OPS, and for opportunities for racialized people.

Management realized that they have a formidable opponent in Joe. Even when he was subjected to constant intimidation and harassment, he continued to work hard on behalf of the members. Brother Joe Daniel's tireless efforts have made a positive impact on the working environment of all of his members.

Joe is contemplating a well deserved retirement at the end of 2008, and truly deserves this award for his efforts and outstanding contributions.

Live and Let Live Award

Recipient: Kevin O'Shea

Brother O'Shea has worked with MTO on the Kingston Ferry for the last 20 years.

Kevin commits his time to "running the bar" at hospitality suites to raise money for the Live and Let Live fund. Kevin has an uncanny knack in enlisting help from others around him to further his mission. Kevin is a modest and easy-going guy. He will be the first to tell you that what he does is "really nothing," despite all the planning, running around and time he spends away from home.

Kevin is a dedicated activist that can always be counted upon to help out. Kevin and his troop have raised approximately \$10,000 over the last few years towards the Live and Let Live fund.

(Continued from page 10)

Resolutions Committee K2 – Equity – Section G

Submitted by Local 112 also submitted by Local 262, Local 605, Sudbury Area Council, South West Area Council, Greater Toronto Area Council, Niagara Area Council, London & District Area Council, Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC)

Resolutions Committee's Recommendation: FOR

► **THEREFORE BE IT RESOLVED THAT** OPSEU completes a social map and survey of the membership to ensure that the Union's policies, programs and services are inclusive and barrier free; and

BE IT FURTHER RESOLVED THAT OPSEU implement a plan that reflects a more representative workforce.

Moved: J. MacDonald, L.623
Closure

Seconded: L. Sedore, L.623
CARRIED

1st Vote – Resolution K2

2nd Vote – Resolution K2

Vote on K2 – Equity

CARRIED

Resolutions Committee

D1 – Dues Rebate – Section G

Submitted by Local 270

Resolutions Committee's Recommendation: AGAINST

Moved: R. Langill, Res. Ctte.,L.137

Seconded: D. Wright, Res. Ctte.,L.557

WHEREAS OPSEU holds Local dues rebates in Trust for those Locals who do not do audits for more than 18 months; and

WHEREAS OPSEU's Constitution requires that a prorated share of Local assets are to be distributed to the receiving Local(s) when a Local is dissolved or merged; and

WHEREAS there is a potential conflict of interest for OPSEU Head Office as the Trustee for these funds as monies held in trust can be absorbed;

► **THEREFORE BE IT RESOLVED THAT** all current and future Local rebates held in Trust be transferred to an arms-length Trust Company as soon as possible following Convention 2008. All future distributions of Local assets to receiving Locals should be done by a professional Trust Company in accordance with OPSEU's Constitution. Establishing this arms-length Trust should eliminate the potential for conflict of interest.

Moved: J. Healy, L.571

Seconded: G. Lawrence, L.504

Closure

CARRIED

Vote on D1 – Dues Rebate

DEFEATED

Guest Speaker - Tom Potter, International Fundraiser, UVHAA

Guest Speaker Tom Potter, fundraiser for the Umduni and Vulamehio HIV Aids Association (UVHAA), gave a presentation. He spoke of the urgent need for assistance in rural Africa as more and more children are dying of HIV/AIDS on a daily basis.

Moved by L. Brown,EBM, Chair Live&LetLive,L.116

Seconded: J. Sheehan, PHRC,L.278

Privilege Motion:

WHEREAS OPSEU President Smokey Thomas visited (UVHAA) in Natal, South Africa, in March 2008; and

WHEREAS our locals and OPSEU have been contributing to the Stephen Lewis Foundation in the amount of approximately \$100,000 per year specifically to combat HIV/AIDS in Southern Africa; and

WHEREAS the UVHAA is engaged in prevention, treatment, education and services to AIDS orphans and vulnerable children and the organization is chronically under-funded to be able to do this work effectively; and

WHEREAS OPSEU set up the Live and Let Live Fund to support HIV/AIDS projects in both Southern Africa and Canada;

► **THEREFORE BE IT RESOLVED THAT** locals at this convention commit to an ongoing relationship with UVHAA through the Live and Let Live Fund and that we begin today by raising as much as is humanly possible from this floor, and that the amount raised be matched by OPSEU.

President Smokey Thomas tested the house to determine whether they would allow this motion to be brought forward and the house agreed that they would accept this motion.

Vote on UVHAA Support

CARRIED

Donations for UVHAA totally \$52,061 were pledged from the floor on behalf of Locals, Regions, EBM's and Delegates.

The Convention recessed at 4:52 p.m.

R E C E S S

Friday, April 18, 2008 – Morning Session

President Thomas called the meeting to order at 9:14 a.m.

Patty Rout, First Vice-President/Treasurer announced that at the Provincial Women's Committee Convention Breakfast the annual Bread and Roses award recipient honoured this year is Cindy Haynes, Chair of the Provincial Women's Committee.

President Thomas gave an update on the status of the CAAT part-timers organizing campaign and the representation vote. The Ontario Labour Relations Board has refused to order a vote and the issue will go to further hearings.

Constitution Committee

Daniel Murphy, Constitution Committee Chair, introduced the committee members:

Region 1	-	Paddy Musson, Local 110
Region 2	-	Paul Johnstone, Local 224
Region 3	-	Dan Murphy, Chair, Local 368
Region 4	-	Bernard Bélanger, Local 420
Region 5	-	Gary Shaul, Local 520
Region 6	-	Eric Morin, Local 635
Region 7	-	Carl Thibodeau, Local 737
EBM	-	Edward Montgomery, EBM Region 5
Staff Advisor	-	Frank Rooney
Secretary	-	Sherry Bader

Article 27.1 The Constitution may be amended only by a two-thirds vote of those delegates present and voting at any Convention.

Constitution Committee

Constitutional Amendment A.1, Article 14, C.2, Section H

Submitted by: Local 613

Constitutional Committee Recommendation: DEFEAT

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: P. Johnstone, Const.Ctte.,L.224

Add a new Article 14.8.2 as follows:

All candidates for the offices of President or First Vice-President/Treasurer shall disclose the total amount spent on their campaign and source of any donation larger than \$100, not later than six (6) months following the election.

Re-number subsequent articles.

Moved: R. Langill, Resol.Ctte.,L.137

Seconded: L. Amaral,L.105

Referral Motion:

◀◀Referral back to the Constitution Committee with the following instructions:

To change the amount to **\$500**.

Vote on Referral to Const. Amendment A.1, Article 14, C.2

DEFEATED

Moved: B. Palmieri, L.206

Seconded: S. McGowan,L.206

Closure

CARRIED

Vote on Const. Amendment A.1, Article 14, C.2

DEFEATED

Credentials Committee Report

Moved: D. Kerr, Cred.Ctte.,L.115

Seconded: A. Marinucci, Cred.Ctte.,L.549

► Adoption of Credentials Committee Report as of 9:00 a.m.

Delegates	851
Alternates	432
Observers	187
Retirees	6
EBMs	21
Committees	42
Solidarity Guests	20
Guests	25
Total	1,584

Vote on Adoption of Credentials Report**CARRIED****Constitution Committee****Constitutional Amendment A.7, Article 7 and 13, EB1**

Submitted by: Executive Board

Constitutional Committee Recommendation: ACCEPTANCE

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: P. Musson, Const.Ctte.,L.110

► Amend Articles 7 and 13 as follows (**additions in bold**):

7.1.1 Every Member in good standing is entitled.....

- (e) To participate in the Union's business at the Local level, participate in the election of delegates and alternate **delegates** to Conventions, and vote on the ratification of collective agreements affecting such Member, except where the collective agreement is the result of binding arbitration;

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 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.

Vote on Const. Amendment A.7, Article 7 & 13, EB1**CARRIED UNANIMOUSLY****Constitution Committee****Constitutional Amendment A.2, Article 14,15,16, C.5, Section H**

Submitted by: Provincial Women's Committee (PWC), Southwest Area Council, London and District Area Council, Local 601

Constitutional Committee Recommendation: NO RECOMMENDATION

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: P. Musson, Const.Ctte.,L.110

► Amend Article 14.1.1 as follows (**change in bold**):

14.1.1 **Effective in 2009, Regionally-elected** members of the Executive Board shall be elected by majority vote of all delegates casting valid ballots at Regional meetings held prior to every second regular Convention.

Add a new Art. 14.1.2 as follows:

Two members of the Executive Board shall be elected by a caucus meeting of Convention delegates held on the first day of Convention in an election year, with the first such meeting to take place in 2009.

Re-number Art. 14.1.2 and amend as follows (change in bold):

14.1.2 A Regional Member of the Board may be removed from the Board only by a properly convened meeting of the delegates in his/her Region. The additional members of the board may be removed from the Board only by a properly convened meeting of the caucus of Convention delegates.

Amend Art. 14.3 (change in bold):

The Notice of the Convening of Regional meetings and the Notice of Convening of the Convention Caucus shall be included with the Convention call required under Article 13.2 and shall be issued in both official languages.

Add a new Art. 14.4.1, as follows:

Convention delegates who are members of the Provincial Women's Committee, the Provincial Human Rights Committee, the Provincial Young Workers Committee, and delegates who have registered for the caucus who are women; workers of colour; native persons; persons with a disability; francophones; lesbian, gay, bisexual or transgendered; or under age 30, shall be entitled to attend and cast ballots at the Convention Caucus.

Add new articles after Art. 14.5.2, as follows:

Any Member who is a member of the Provincial Women's Committee, the Provincial Human Rights Committee, the Provincial Young Workers Committee, or who is a woman; worker of colour; native person; person with a disability; francophone; lesbian, gay, bisexual or transgendered; or under age 30 may be a candidate for election by the caucus to be a member of the Executive Board even if s/he is not a delegate to the Convention provided, however, that his/her nomination is signed, supported by at least two Members and submitted to the President at least one week before the scheduled opening of the Convention.

Any delegate who is entitled to attend the Convention Caucus may be nominated by one other delegate. The nomination may be in writing, signed by the candidate, or it may be oral, at the Caucus meeting, in which case the candidate will signify acceptance of the nomination.

Renumber subsequent articles.

Add a new article after Art. 14.5.4, as follows:

Delegates to the Convention Caucus shall be provided with a financial statement showing the expenses incurred during the previous fiscal year by Board Members elected by the Caucus.

Add a new article after 14.6.1, as follows:

At the Convention Caucus meeting in an election year, the delegates shall elect two persons to be Members of the Executive Board, at least one of whom shall be a woman, and shall elect and rank two persons to be their alternates, at least one of whom shall be a woman.

Amend Art. 14.8.1 as follows (change in bold):

14.8.1 On the second last day of the Convention in an election year the President and First Vice-President/Treasurer shall be elected separately, and in the order stated, by the delegates from among the **23** Members-elect of the Board.

Re-number Art. 15.4 as Art. 15.4.1 and amend it as follows (change in bold):

15.4 If any **regionally-elected member** should cease to be a Member of the Executive Board for any reason, the alternate elected from their region shall take their place....

Add a new Art. 15.4.2 as follows:

If one of the non-regionally-elected members of the Board should cease to be a member of the Board for any reason, the alternate elected from the Convention Caucus shall take their place in ranked order, provided that one of the members of the Board elected from the Caucus shall be a woman. However, if the alternate has already taken a seat on the Board, the President shall convene a Caucus in conjunction with the next Convention, as far as possible in accordance with Article 14 for the purpose of electing another member of the Board.

Amend Art. 16.1 as follows (change in bold):

16.1 The Members of the Board shall be the President, First Vice-President/Treasurer, seven Regional Vice-Presidents and **14** Members-at-large.

Moved: C. Lund, L.729
Closure

Seconded: G. Swire, L.718
CARRIED

1st Vote – Const. Amendment A.2

2nd Vote - Const. Amendment A.2

President Thomas reminded the delegates that to pass a Constitutional Amendment that 2/3 of the delegates must vote in favour and tested the house to see if a standing vote count was desired. The house did not require a standing vote.

Vote on Const. Amendment A.2, Article 14,15,16, C.5

DEFEATED

Patty Rout First Vice-President/Treasurer in the Chair.

Constitution Committee**Constitutional Amendment A.3, Article 13, C.1, Section H**

Submitted by: Retired Members' Division Executive, Niagara Area Council

Constitutional Committee Recommendation: DEFEAT

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: B. Bélanger, Const.Ctte.,L.420

► Add a new Article 13.5.3, as follows:

The Chair of the Retired Members' Division may designate a member of the Retired Members' Division, who is already in attendance at Convention, as an alternate for a delegate from the Executive Committee of the Division.

Vote on Const. Amendment A.3, Article 13, C.1**DEFEATED****Constitution Committee****Constitutional Amendment A.4, Article 21, C.6, Section H**

Submitted by: Local 110

Constitutional Committee Recommendation: ACCEPTANCE

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: G. Shaul, Const.Ctte.,L.520

► Amend as follows (**change in bold**):

21.2.3 A Ministry or Sector Division shall have an administrative, technical and negotiating function. It shall have a political function only to the extent that it may formulate positions and policies, and promote them within the Union, on matters of concern only to its particular members. **Where a Ministry or Sector Division has an executive, that executive shall be empowered to carry out these functions of the Division between meetings of the Division.** A Ministry or Sector Division may adopt and promote any policy not inconsistent with this Constitution or established policy of the Union. A Ministry or Sector Division shall be entitled to submit resolutions and constitutional amendments to Conventions.

Vote on Const. Amendment A.4, Article 21, C.6**CARRIED****Constitution Committee****Constitutional Amendment A.5, Article 29, C.7,C8, Section H**

Submitted by: Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC), Greater Toronto Area Council, Local 605, Southwest Area Council, Niagara Area Council

Constitutional Committee Recommendation: DEFEAT

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: E. Morin, Const.Ctte.,L.635

► Amend Article 29.2.1 as follows (**additions in bold**, deleted provision struck through):

29.2.1 The Officers of the Local, together with the remaining Shop Stewards (in a Single-Unit Local) or Unit Stewards (in a Multi-Unit or Composite Local) shall constitute the Local Executive Committee. Every Local shall have a President, **an Equity Liaison Officer** and at least two of the following Officers: Vice-President; Secretary; Treasurer or Secretary-Treasurer; such other Officer(s) as it may, by by-law, decide to have. In addition, a Single-Unit Local shall have a Chief Steward as an Officer of the Local Executive Committee. On the invitation of a Local, the immediate past President of the Local may serve on the LEC as an ex-officio Member with voice but no vote. ~~Each Local may designate one of its Local Executive Committee members as responsible for equity issues.~~ **A Local may choose to assign the duties of Equity Liaison officer to another member of the Local Executive Committee.**

Add a new article after Art. 29.5.5 as follows:

The Equity Liaison Officer shall be a liaison with the local executive and stewards and also with the regional members of the Provincial Committees.

Vote on Const. Amendment A.5, Article 29, C.7, C8

DEFEATED

Constitution Committee

Constitutional Amendment A.6, Article 29, C.9, Section H

Submitted by: Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC), Greater Toronto Area Council, Local 605, Southwest Area Council, Niagara Area Council

Constitutional Committee Recommendation: DEFEAT

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: C. Thibodeau.Ctte.,L.737

► Amend Article 29.2.1 as follows (**change in bold**):

29.2.1 The Officers of the Local, together with the remaining Shop Stewards (in a Single-Unit Local) or Unit Stewards (in a Multi-Unit or Composite Local) shall constitute the Local Executive Committee. Every Local shall have a President and at least two of the following Officers: Vice-President; Secretary; Treasurer or Secretary-Treasurer; **Health and Safety Officer**; such other Officer(s) as it may, by by-law, decide to have. In addition, a Single-Unit Local shall have a Chief Steward as an Officer of the Local Executive Committee. On the invitation of a Local, the immediate past President of the Local may serve on the LEC as an ex-officio Member with voice but no vote. Each Local may designate one of its Local Executive Committee members as responsible for equity issues.

Add a new article after Art. 29.5.5 as follows:

Health and Safety Officer

The Health and Safety Officer shall be responsible for coordination and administration of the health and safety responsibilities of the local.

Moved: S. Max,L.618

Seconded: R. Lavoie,L.617

Closure

CARRIED

Vote on Const. Amendment A.6, Article 29, C.9**DEFEATED****Constitution Committee****Constitutional Amendment A.8, Article 29, EB2**

Submitted by: Executive Board

Constitutional Committee Recommendation: ACCEPTANCE

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: T. Montgomery.,L.560

► Amend as follows (**change in bold**):**29.5.5 Chief Steward**

The Chief Steward shall, like the Unit Stewards in Multi-Unit or Composite Locals, **coordinate** and assist the Shop Stewards.

Vote on Const. Amendment A.8, Article 29, EB2**CARRIED****Constitution Committee****Constitutional Amendment A.9, Article 29, EB3**

Submitted by: Executive Board

Constitutional Committee Recommendation: ACCEPTANCE

Moved: D. Murphy, Const.Ctte.,L.368

Seconded: T. Montgomery.,L.560

► Amend as follows (**change in bold**):

29.7.5 Attendance and participation at Local meetings shall be exclusive to the members of that Local, except that others may attend at the invitation of the **President or** Executive of that Local or by assignment by the President of OPSEU.

Vote on Const. Amendment A.9, Article 29, EB3**CARRIED****Solidarity Guests**

President Thomas welcomed all solidarity guests at the Convention.

Frances Chung

Ken Georgetti

Mark Langer

Paul Clifford

John Cartwright

Stephen Roznowsky

Administrative Staff Union

President Canadian Labour Congress

Director of External Relations Carleton University

President, Local 75 Hotel Employees and Restaurant

Employees International

President Labour Council of Metro Toronto and York Region

2nd Vice President Manitoba Government and General

Employees Union

Larry Brown	National Secretary-Treasurer NUPGE
Pat Dillon	Ontario Building Trade Union
Elaine MacNeil	President Ontario English Catholic Teachers Association
Wayne Samuelson	President Ontario Federation of Labour
Irene Harris	Secretary Treasurer Ontario Federation of Labour
Terry Downey	Executive Vice President Ontario Federation of Labour
Linda Haslam-Stroud	President Ontario Nurses' Association
Roger Haley	President Ontario Public Service Staff Union
Mary Ellen Cassey	First Vice-President Ontario Public Service Staff Union
Roger Couvrette	President OPSECAAT
Lindsay Candy	Vice President OPSECAAT
Geoff Hudson	Northern Ontario School of Medicine
Ethel Birkett-LaValley	OPSEU
Greg Smith	OPSEU
Bill Kuehnbaum	OPSEU
Reg Pearson	Dispute Resolution Services, Ministry of Labour

Guest Speaker – Larry Brown, NUPGE

Guest Speaker Larry Brown, Secretary Treasurer of the National Union of Public and General Employees (NUPGE) addressed the Convention. Larry spoke about the proposed legislation of Trade Investment Labour Mobility Agreement (TILMA) and the devastating effect it could have. Larry also addressed the issues with the Canadian Labour Congress (CLC).

LUNCH RECESS

Friday, April 18, 2008 – Afternoon Session

Smokey Thomas, President called the meeting to order at 1:45 p.m.

Award Presentation

Leah Casselman Award - Locals

Recipients:	Dennis Sands,	Local 144
	Annie Robert	Local 151
	Wayne Easterbrook	Local 148
	Rhonda Gibson	Local 144
	Nancy John	Local 161
	Mary Kelly	Local 235
	Patty Markland	Local 448

The Leah Casselman Award is new for Convention 2008. Leah Casselman was President of OPSEU from 1995 to 2007, during a time in which mobilization became the union's watchword. Mobilizing equals visibility. Or, to put it another way, "Mobilizing is the only news."

OPSEU became, and remains, the number one mobilizing union in the province. So, fittingly, this award is for individuals and locals that exemplify the "spirit and intent of mobilizing to win." And also fittingly, the first-ever recipients of this award are a group that were prepared, were on message, and made headlines daily throughout the summer of 2007.

They inspired all their members to do the same and as a result made huge wage gains not only for their bargaining units, but for all the bargaining units in their sector. With a lot of staff support from the Regional Offices and Head Office, 2007 is the year this sector came alive and made huge and historic gains. These members had the courage to say enough is enough, and convinced their members it was time to hit the picket lines!

They mobilized their members. They stood strong. And they won big. And when they won, they insisted that their gains be passed on to everyone who works in developmental services.

The Leah Casselman award was presented to:

- **Local 144 president Denise Sands**, along with Nancy Schembri and the team from **Community Living London**
- **Local 151 president Annie Robert** and the team from **Elgin Association for Community Living**

- **Local 148 president Wayne Easterbrook** and the team from **Community Living Chatham-Kent**
- **Local 144 unit steward Rhonda Gibson** and the team from **Middlesex Community Living**
- **Local 235 president Mary Kelly** and the team from **Community Living Meaford**
- **Local 161 president Nancy John** and the team from **Community Living Tillsonburg**
- **Local 448 president Patti Markland** and the team from **Community Living Prince Edward**

Credentials Committee Report

Moved: A. Marinucci, Cred.Ctte.,L.549

Seconded: M. Polson, Cred.Ctte.,L.715

►Adoption of Credentials Committee Report as of 1:00 p.m.

Delegates	851
Alternates	434
Observers	195
Retirees	6
EBMs	21
Committees	42
Solidarity Guests	22
Guests	28
Total	1,599

Vote on Adoption of Credentials Report

CARRIED

Award Presentation

Stanley H. Knowles Humanitarian Award

Recipient: Dr. Phillip Berger

Guest Presenter: Stephen Lewis

Stephen Lewis was the recipient of the Stanley Knowles Award in 2001, the same year we launched the Live and Let Live Fund. Formerly the Special Envoy to UN Secretary-General Kofi Annan, Stephen Lewis is the chair of the board of the Stephen Lewis Foundation in Canada. Stephen Lewis' work with the United Nations spanned more than two decades. He was the UN Secretary-General's Special Envoy for HIV/AIDS in Africa from June 2001 until the end of 2006. From 1995 to 1999, Mr. Lewis was Deputy Executive Director of UNICEF at the

organization's global headquarters in New York. And from 1984 through 1988, Stephen Lewis was Canada's Ambassador to the United Nations.

Stephen Lewis presented the Stanley Knowles Award to Dr. Phillip Berger.

Dr. Phillip Berger

Dr. Berger is dedicated to raising awareness about social causes worldwide. Early in his career, Dr. Berger, researched and wrote about the psychological effects of torture and is the founder of the Canadian Medical Network-Amnesty International. He also founded the Canadian Centre for Victims of Torture.

Dr. Berger Stands in opposition of the privatization of health care and has spoken out in public meetings and issued many papers on the subject since the 1970s. He is a member of the Medical Reform Group, a group of physicians dedicated to the preservation of a national health care system in Canada. Dr. Berger has been assisting those with HIV/AIDS since the onset of the epidemic in the 1980s. In 1992, he founded the Ontario HIV Project Centre Primary Care Mentoring Program, which assists inexperienced physicians treating patients with the disease.

His community involvement has included speaking about the treatment of heroin addicts, co-founding the Maggie's Safe Sex Project for Prostitutes and volunteering to speak for the Toronto Jail Health Program for Inmates. In 2000, Dr. Berger was presented with the "Hero Award," sponsored by the Metropolitan Community Church of Toronto, for his support and activism of gay rights. In 2005, Dr. Berger spent 7 ½ months as the Team Leader of the Ontario Hospital Association's AIDS initiative – the OHAfrica Project. Currently, Dr. Berger is a member of the Ontario Advisory Committee on HIV/AIDS.

Without a doubt, Dr. Berger is committed to fighting social injustice, where it may happen, and promotes education and change to better the lives of those who need our help the most. He shares this passion in common with OPSEU ideals and is a true example of what the Stanley Knowles Award represents.

Health & Safety Award - Local

Recipient: Local 411, Ottawa Carleton Detention Centre, Ministry of Community, Safety and Correctional Services

Each and every OPSEU member has a right to a safe and healthy work environment. This year, numerous locals have been very active in health and safety initiatives. For 2008, our award for the Outstanding Local in Health and Safety goes to Local 411 at the Ottawa Carleton Detention Centre, Ministry of Community, Safety and Correctional Services.

Since their election to the Health and Safety Committee in 2006, the present worker members of the Joint Health and Safety Committee at the Ottawa Carleton Detention Centre have been striving to form an effective committee for their members. Prior to this, many issues in the workplace were not being addressed by the employer, and legislation requirements were not being met.

Over the last year and a half, Local 411 has worked relentlessly on behalf of their members. Some of their actions include educating their members on health and safety, posting information in the workplace, challenging the employer on air quality problems, increasing security in the jail and holding the employer accountable for proper search protocols.

Correctional facilities present unique problems when it comes to health and safety. We are proud of this local for the many accomplishments and progress they have made, and Local 411 remains committed to health and safety as they continue the battle each working day.

The Health and Safety Award for Outstanding Local in Health and Safety is presented to Ronnie Pilon, Local 411.

Resolutions Committee

ER4

Submitted by: W. Thomas, President, P. Rout, First VP/Treasurer

Resolution Committee's Recommendation: FOR

Moved: R. Barnes, Res.Ctte.,L.308

Seconded: J. Watson, Res.Ctte.,L.701

WHEREAS the part-time college workers have been waiting for 30 years for bargaining rights; and

WHEREAS 7,000 part-time college workers have signed OPSEU cards, and the Ontario Labour Relations Board has not ordered a vote; and

WHEREAS the Ontario Government must immediately make good on its promise to extend bargaining rights to part-timers;

► **THEREFORE BE IT RESOLVED THAT** all of OPSEU immediately engage in an intensive lobby campaign to force the McGuinty Government to table legislation legalizing the rights of college part-timers to organize, and direct the colleges to recognize OPSEU as the bargaining agent for part-time college workers.

Moved: R. Elliot, EBM, L.101
Closure

Seconded: L. Elliott, L.101

CARRIED

Vote on ER4

CARRIED UNANIMOUSLY

Resolutions Committee

ER1

Submitted by: G. Snider, L714, S. Snider, EBM, L736

Resolution Committee's Recommendation: FOR

Moved: R. Houston, Res.Ctte.,L.224

Seconded: R. Barnes, Res.Ctte.,L.308

WHEREAS human rights are union rights; and

WHEREAS the Ontario government has held secret public hearings on Bill 107's changes to the Ontario Human Rights Commission; and

WHEREAS the Ontario Government has only recently released their proposed rules which go far beyond the worst expectations of OPSEU, the OFL and most social activists;

► **BE IT RESOLVED THAT** OPSEU lobby vigorously the Provincial Government and Opposition Parties to ensure that a substantial fund is available to assist all victims of discrimination with legal representation from the moment they begin the process.

Moved: M. Martin,L.557

Seconded: C. Legault,L.557

Referral Motion:

◄◄ Referral back to the Resolutions Committee with the following addition to the recommendation:

BE IT FURTHER RESOLVED THAT OPSEU immediately denounce the government's plans to lay off hundreds of OPSEU members who are Human Rights Investigators and Mediators and further denounce the new Tribunal which will provide a lesser protection of rights to the citizens of this province.

Vote on referral

CARRIED

Vote on ER1 as amended

CARRIED UNANIMOUSLY

Resolutions Committee

L1 – Lobby/Campaign – Section G

Submitted by: Local 110

Resolution Committee's Recommendation: FOR

Moved: C. Nesbitt, Res.Ctte.,L.636

Seconded: R. Barnes, Res.Ctte.,L.308

WHEREAS Ontario Colleges have closed child care centres; and

WHEREAS these centres were used as lab schools for Early Childhood Education programs in the colleges; and

WHEREAS there are a number of provincial and local initiatives such as the Best Start Program which promote quality child care and youth services;

► **THEREFORE BE IT RESOLVED THAT** OPSEU will work with the Ontario Federation of Labour and the Ontario Coalition for Better Childcare to lobby the Minister of Training, Colleges and Universities to promote quality education for college students by reopening college child care centres.

Vote on L1 – Lobby/Campaign

CARRIED UNANIMOUSLY

Patty Rout, First Vice-President/Treasurer in the Chair.

Resolutions Committee

J3 – Expenses – Section G

Submitted by: Local 112, Local 262, Greater Toronto Area Council, South West Area Council, Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC)

Resolution Committee's Recommendation: AGAINST

Moved: C. Nesbitt, Res.Ctte./L.636

Seconded: R. Barnes, Res.Ctte./L.308

WHEREAS OPSEU is a Union striving for inclusiveness for all its members and yet some members are not able to attend events that take place in the evening because of family responsibilities and safety concerns that arise with night travel;

► **THEREFORE BE IT RESOLVED THAT** OPSEU allow all members to stay overnight when OPSEU functions take place in the evening; and

BE IT FURTHER RESOLVED THAT members in the Greater Toronto Area (GTA) who live outside the downtown core may stay overnight and members who live inside the downtown core be allowed to expense the cost of appropriate safe transportation home.

1st Vote – Resolution J3

Patty Rout, First Vice-President/Treasurer, tested the house and the house agreed that there should be a 2nd vote.

2nd Vote – Resolution J3

Vote on J3 – Expenses

DEFEATED

Resolutions Committee

K1 – Equity – Section G

Submitted by: Local 112, Local 262, London & District Area Council, Niagara Area Council, Greater Toronto area Council, South West Area Council, Sudbury Area Council, Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC)

Resolution Committee's Recommendation: FOR

Moved: B. Lowry, Res.Ctte.,L.414

Seconded: R. Langill, Res.Ctte.,L.137

WHEREAS the Ontario Government has enacted the Accessibility for Ontarians with Disabilities Act; and

WHEREAS OPSEU is required under the Act to ensure that all OPSEU offices and functions are fully accessible;

► **THEREFORE BE IT RESOLVED THAT** OPSEU examine all buildings which the Union owns and/or leases to ensure that they are accessible and compile a list of necessary improvements and renovations; and

BE IT FURTHER RESOLVED THAT a report be made at every Convention, beginning in 2009, of the progress made to make OPSEU fully accessible.

Moved: N. Binck,L.137

Seconded: R. Reath,L.163

Closure

CARRIED

Vote on K1 – Equity

CARRIED

Resolutions Committee

L14 – Lobby/Campaign – Section G

Submitted by: Local 138

Resolution Committee's Recommendation: FOR

Moved: B. Lowry, Res.Ctte.,L.414

Seconded: R. Langill, Res.Ctte.,L.137

WHEREAS a universal early learning and child care system that offers full day learning for children aged 0-6 years must be part of Ontario's strategy to end poverty; and

WHEREAS one of the difficulties in maintaining a quality child care program, is high levels of turnover as a result of low salaries and a lack of basic benefits, including pension and health benefits; and

WHEREAS the low wages and poor benefits of the child care workforce are important factors in the sector's ongoing recruitment problems;

► **THEREFORE BE IT RESOLVED THAT** OPSEU call on the Province of Ontario to support an increase to the Universal Wage Enhancement Grant to all child care workers and early childhood educators in order to attract and retain a well-trained professional workforce. This grant would be an established stream of funding that recognizes the need to improve wages to staff without impacting parent fees.

Vote on L14 – Lobby/Campaign

CARRIED

Resolutions Committee

M8 – Membership Activities & Services – Section G

Submitted by: Greater Toronto Area Council

Resolution Committee's Recommendation: AGAINST

Moved: R. Houston, Res.Ctte.,L.224

Seconded: D. Wright, Res.Ctte.,L.557

WHEREAS Area Councils are given responsibility for political action under the Constitution, and in reality much of the political action is determined by the central Political Action Committee (PAC), from which Area Councils have no authority or voice; and

WHEREAS Area Councils have no ability to caucus;

► **THEREFORE BE IT RESOLVED THAT** Area Councils be consulted in the formation of political action policy/action plans, that such consultations be done in conjunction with Convention; and

BE IT FURTHER RESOLVED THAT prior to the consultation, Area Councils have a caucus similar to other caucuses for Convention and it be included in the pre-mailing with the agenda.

Vote on M8 – Membership Activities & Services

DEFEATED

Resolutions Committee

L5 – Lobby/Campaign – Section G

Submitted by: Local 110, CAAT Academic Divisional Executive

Resolution Committee's Recommendation: FOR

Moved: R. Houston, Res.Ctte.,L.224

Seconded: D. Wright, Res.Ctte.,L.557

WHEREAS the Harper Government recently passed a budget that contained no provision for ongoing funding to the First Nations Technical Institute, an on-reserve institution located in Ontario; and

WHEREAS the Federal Government made cuts of 25% in 2006/07 and 66% in 2007/08; and

WHEREAS the Federal Government takes the position that Aboriginal education in Ontario should be funded by fund-raising and/or the Province of Ontario despite treaties that make Aboriginal post-secondary education a federal obligation; and

WHEREAS the Harper Government has imposed these destructive actions while claiming that they have as a priority addressing of the economic and educational disparity of Aboriginal people; and

WHEREAS there is fear that the lack of secure funding will result in the closure of this College which can boast impressive employment rates and an astounding 90% retention rate;

► **THEREFORE BE IT RESOLVED THAT** OPSEU work with the First Nations Technical Institute and the Ontario Provincial Government to pressure the Federal Government to live up to its treaty obligations to the students in the First Nations Technical Institute.

Vote on L5 – Lobby/Campaign

CARRIED UNANIMOUSLY

Resolutions Committee

H1 – Health and Safety – Section G

Submitted by: Local 110

Resolution Committee's Recommendation: FOR

Moved: D. Wright, Res.Ctte.,L.557

Seconded: J. Watson, Res.Ctte.,L.701

WHEREAS the Ministry of Labour has been directed to only address violence in the workplace that includes physical damage or domestic violence; and

WHEREAS workers are exposed to psychological violence from such behaviour as bullying, cyber-bullying and mobbing;

► **THEREFORE BE IT RESOLVED THAT** the definition of workplace violence be expanded to include psychological violence and include the intentional or negligent infliction of emotional harm.

Moved: A. Cohen, L.586

Seconded: P. Myers, L.526

Closure

CARRIED

Vote on H1 – Health and Safety

CARRIED UNANIMOUSLY

President Thomas in the Chair

Resolutions Committee

P3 – Pension – Section G

Submitted by: Executive of the Retirees Division

Resolution Committee's Recommendation: NO RECOMMENDATIONS

Moved: D. Wright, Res.Ctte.,L.557

Seconded: R. Langill, Res.Ctte.,L.137

WHEREAS many Private Sector pensions are being reduced by employers because these plans are 'non-contributory' by the employee; and

WHEREAS Public Sector Pension Plans all require employee contributions;

► **THEREFORE BE IT RESOLVED THAT** OPSEU take all the necessary steps to pressure the Federal and Provincial Governments, through OPSEU's affiliates, to ensure that all Public Pension Plans are protected.

Debate Suspended

(Resolution P3 - continued on page 34)

Donations

Staff collected donations from the floor. The Central Union will match the amount up to \$5,000. The total donations collected was \$8,355.00.

The Convention recessed at 4:57 p.m.

R E C E S S

Saturday, April 19, 2008 – Morning Session

President Thomas announced the sad news that a delegate at this Convention, Steve Timmins, Vice President of Local 369, Central North Correctional Centre, passed away the previous evening.

All delegates from Corrections, wearing black armbands gathered on the main stage as tributes were made to Steve Timmins. The remainder of the Convention was dedicated in his memory.

President Thomas called the meeting to order at 9:25 a.m.

Moment of Silence

A Minute of Silence was observed in memory of Steve Timmins who passed away Friday, April 18, 2008.

(Continued from page 33)

Resolutions Committee P3 – Pension – Section G

Submitted by: Executive of the Retirees Division
Resolution Committee's Recommendation: FOR

► **THEREFORE BE IT RESOLVED THAT** OPSEU take all the necessary steps to pressure the Federal and Provincial Governments, through OPSEU's affiliates, to ensure that all Public Pension Plans are protected.

Moved: J. Tocker, EBM, L.706

Seconded: K. Kangas, L.706

Referral Motion:

◄◄ Referral back to the Resolutions Committee with the following recommendation:

In the resolve delete the words "all the necessary".

Moved: J. Gates, L.331
Closure

Seconded: P. Sarginson, L.331
CARRIED

Vote on referral

DEFEATED

Moved: B. Prus, L.715
Closure

Seconded: D. Gibbons, L.715
CARRIED

Vote on P3 – Pension

CARRIED

Resolutions Committee

ER2

Submitted by: N. Ross-Laguna, Local 499, E. Ha, Local 154
Resolution Committee's Recommendation: FOR

Moved: J. Watson, Res.Ctte./L.701

Seconded: C. Nesbitt, Res.Ctte./L.636

WHEREAS the Kitchenuhnaykoosib Inninuwug (KI) First Nation is an Aboriginal Community located approximately 600 km north of Thunder Bay; and

WHEREAS the Ontario Government allowed Platinex to stake claims and begin exploratory drilling on KI's traditional lands without any consultation despite the Supreme Court of Canada's ruling requiring consultation with First Nations prior to making decisions that affect their lands; and

WHEREAS KI First Nations responded with a peaceful protest to oppose Platinex's mineral exploration activities. Platinex sued the KI for 10 billion dollars for denying access to the mining claims; and

WHEREAS KI First Nations has gone bankrupt defending their traditional lands and six of their leaders were sentenced to six months in jail after ignoring an injunction which allowed Platinex to start drilling on traditional aboriginal territory; and

WHEREAS the case is presently being considered by a U.N. Sub-committee;

► **THEREFORE BE IT RESOLVED THAT** OPSEU add its voice in support of the K1 First Nation and the six community leaders jailed for fulfilling their sacred responsibility to the land; and

BE IT FURTHER RESOLVED THAT OPSEU make a donation to the legal defence fund "In Trust for the Kitchenuhnaykoosib Inninuwug (KI) First Nation".

(Resolution ER2 continued on page 36)

Credentials Committee Report

Moved: A. Marinucci, Cred.Ctte.,L.549

Seconded: M. Polson, Cred.Ctte.,L.715

►Adoption of Credentials Committee Report as of 9:00 a.m.

Delegates	853
Alternates	433
Observers	206
Retirees	6
EBMs	21
Committees	42
Solidarity Guests	22
Guests	<u>32</u>
Total	1,615

Vote on Adoption of Credentials Report

CARRIED

(Continued from page 35)

Resolutions Committee

ER2

Submitted by: N. Ross-Laguna, Local 499, E. Ha, Local 154

Resolution Committee's Recommendation: FOR

► **THEREFORE BE IT RESOLVED THAT** OPSEU add its voice in support of the K1 First Nation and the six community leaders jailed for fulfilling their sacred responsibility to the land.

BE IT FURTHER RESOLVED THAT OPSEU make a donation to the legal defence fund "In Trust for the Kitchenuhnyakoosib Inninuwug (KI) First Nation".

Moved: B. Stewart, L.411

Seconded: P. MacDonald, L.433

Closure

DEFEATED

Moved: J. Gates, L.331

Seconded: P. Sarginson, L.331

Closure

CARRIED

Vote on ER2

CARRIED

The President ruled a motion out of order.

Moved: E. Ha, PYWC, L.154

Seconded: N. Ross Laguna, L.499

Privilege Motion:

► Amend the agenda to allow Brother Yhony Munoz to make a presentation to the 2008 convention and move Resolution L16, which deals with the Killer Coke campaign to follow his presentation.

A proposed motion was ruled out of order.

Moved: K. McDowell, PWC, L.152

Seconded: D. Tungatt, PWC, L.262

Closure

CARRIED

Vote on Privilege Motion to Amend the Agenda

CARRIED

Timed Presentation

Brother Yhony Munoz, a paramedic worker from Local 256, originally from Colombia, made a presentation to the convention about social justice and the labour movement. In his presentation he detailed labour conditions and workers rights in Colombia.

Resolutions Committee

L16 – Lobby/Campaign – Section G

Submitted by: Local 479, Local 262, South West Area Council, Greater Toronto Area Council, Sudbury Area Council, Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC)

Resolution Committee's Recommendation: AGAINST

Moved: B. Lowry, Res.Ctte.,L.414

Seconded: R. Barnes, Res.Ctte.,L.308

WHEREAS SINALTRAINAL, the union of workers employed in the food industry in Colombia, filed a lawsuit under the Alien Tort Claims Act against Coca-Cola Co. and its Colombian bottlers in 2001; and

WHEREAS the case sues Coca-Cola and their bottling plants for the murder of Isidro Segundo Gil, and for having "contracted with or otherwise directed paramilitary security forces to utilize extreme violence and murdered, tortured, unlawfully detained or otherwise silenced trade union leaders"; and

WHEREAS New York City Council member, Hiram Montserrate, led a delegation of labour, student and academic representatives on a 10-day fact finding mission in Colombia and concluded that "Coca-Cola is complicit in human rights abuses of its workers in Colombia" and

its "complicity is deepened by its repeated pattern of bringing criminal charges against union activists who have spoken out about the company's collusion with paramilitaries;" and

WHEREAS SINALTRAINAL has started a campaign and passed a resolution calling for the boycott of all Coca-Cola products; and finally

WHEREAS no organization or public institution concerned with labour and human rights should lend its name and credibility to Coca-Cola by serving as a marketplace or venue for its sales and advertising;

► **THEREFORE BE IT RESOLVED THAT** OPSEU will support the petition campaign against Coca-Cola's board of directors and will ban all Coke products from all OPSEU offices and functions; and

BE IT FURTHER RESOLVED THAT OPSEU ask all its locals and other unions to similarly end the provision and sale of all Coca-Cola products including Dasani and Nestle water, Fanta, Minute Maid, Nestea, Odwalla, Powerade and Sprite; and

BE IT FURTHER RESOLVED THAT OPSEU, through NUPGE, lobby the Harper Government to end negotiations of a free trade agreement with Colombia that fails to pressure the Colombian Government to sanction Coca-Cola for its anti-union activities and violence; and finally

BE IT FURTHER RESOLVED THAT OPSEU communicate to Coca-Cola that until the situation involving SINALTRAINAL is resolved and the safety and rights of workers in the Coca-Cola Colombian bottling plants are protected, OPSEU will continue the boycott and information campaign against Coca-Cola.

Moved: K. Ouchas, L.340

Seconded: A. Slade, L.340

Referral Motion:

◄◄ Referral back to the Resolutions Committee with the following recommendation:

Remove "**BE IT FURTHER RESOLVED THAT** OPSEU ask all its locals and other unions to similarly end the provision and sale of all Coca-Cola products including Dasani and Nestle water, Fanta, Minute Maid, Nestea, Odwalla, Powerade and Sprite;"

Moved: M. Grimaldi, EBM, L.211
Closure

Seconded: E. Almeida, EBM, L.248
CARRIED

Vote on referral

DEFEATED

Moved: K. Kangas, L.706
Closure

Seconded: C. Lund, L.729
CARRIED

Vote on L16 – Lobby/Campaign**CARRIED**

ORDERS OF THE DAY

Award Presentation

Honourary Life Member Award

**Recipient: Jerry Chaykowsky
 Pauline Tapping
 Art Lane**

- **Jerry Chaykowsky**

Jerry is Past President of Local 497, Liquor Control Board of Ontario.

Brother Jerry has been a tireless worker on behalf of his members for decades as a member of OPSEU's Liquor Board Employees Division, and previously, as a member of OLBEU.

Jerry has been Secretary/Treasurer, Zone Steward, Zone Representative, Employee Representative, Board of Director Central Region Member and he has chaired multiple committees. He has done all this with energy, commitment, and a positive, cheerful can-do attitude.

- **Pauline Tapping**

Pauline Tapping, Local 310, Newmarket courts

Pauline Tapping is one of those members who, for many in her workplace and in Region 3, symbolized OPSEU. Pauline is now retired, but as a Civil Litigation Clerk at the Newmarket Court House, Pauline stood up for her members throughout her career.

She served with distinction on the OPSEU Executive Board for nine years, attending countless rallies and picket lines, including two of the toughest and longest strikes that any union ever faced. She is, and remains, an advocate for fairness and justice and always put her members first.

- **Art Lane**

Brother Art first joined the Civil Service Association of Ontario (CSAO) in March 1966 as a member of three different locals, Local 439 – Brockville Psych, Local 441 – St. Lawrence Regional Centre and Local 436 – Rideau Regional Centre.

During the 1980s he served both on staff and on the Executive Board, working under Presidents O’Flynn and Clancy. He also ran for President in 1984 and, in 1990, ran for the New Democratic Party in Leeds-Grenville.

On staff, he has been a Grievance Officer, Staff Rep, Executive Assistant, Supervisor of Staff Reps, Co-Coordinator of Staff Reps, Administrator of Local Services, Administrator of Field Services, Senior Negotiator, and Administrator of Staff Relations. He also served one term as President of the OPSEU’s Administrative Staff Union, worked for NUPGE, and worked for the Prince Edward Island Union of Public Sector Employees. Art Lane has been an integral part of our great union from its very beginnings.

Moved: J. Healy, L.571

Seconded: G. Longhi, L.271

Referral Motion:

◀◀That the Resolution Committee immediately bring forward Resolution L11 for discussion and debate at this Convention.

Debate was suspended.

(Referral continued on page 41)

LUNCH RECESS

Saturday, April 19, 2008 – Afternoon Session

President Thomas called the meeting to order at 1:43 p.m.

(Continued from page 40)

Moved: J. Healy, L.571

Seconded: G. Longhi, L.271

Referral Motion:

◀◀That the Resolution Committee immediately bring forward Resolution L11 for discussion and debate at this Convention.

(Continued below)

Credentials Committee Report

Moved: D. Kerr, Cred.Ctte.,L.115

Seconded: A. Marinucci, Cred.Ctte.,L.549

Adoption of Credentials Committee Report as of 1:00 p.m.

Delegates	853
Alternates	433
Observers	207
Retirees	6
EBMs	21
Committees	42
Solidarity Guests	22
Guests	<u>32</u>
Total	1,616

Vote on Adoption of Credentials Report

CARRIED

Moved: J. Healy, L.571

Seconded: G. Longhi, L.271

Referral Motion:

◀◀That the Resolution Committee immediately bring forward Resolution L11 for discussion and debate at this Convention.

Moved: J. Hopkins, L.122

Seconded: S. Guylee,L.119

Closure

CARRIED

Vote on Referral Motion to bring forward Resolution L11**CARRIED****Resolutions Committee****L11 – Lobby/Campaign – Section G**

Submitted by: Local 112, Local 262, Local 605, Greater Toronto Area Council, South West Area Council, Sudbury Area Council, Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Provincial Young Workers Committee (PYWC)
Resolution Committee's Recommendation: FOR

Moved: B. Lowry, Res.Ctte.,L.414

Seconded: R. Langill, Res.Ctte.,L.137

WHEREAS OPSEU strives to ensure that its members' workplaces are free of racial discrimination; and

WHEREAS OPSEU members in Corrections have been subjected to hate crimes, including death threats and the Ministry's delays in rectifying this deplorable situation are unacceptable;

THEREFORE BE IT RESOLVED THAT OPSEU launch a campaign to lobby the Government of Ontario to conduct a full public inquiry into the hate crimes and death threats in our jails that occurred nearly three years ago, and are still continuing today.

Moved: F. Zroback,L.712

Seconded: W. Harris, L.702

Closure

DEFEATED

President Thomas tested the house to determine whether they would allow a member of the Workers of Colour Caucus from the Observer section to speak on this resolution and the house agreed.

Moved: J. Witvoet, L.468

Seconded: M. Garsch, L.482

Closure

DEFEATED

Vote on L11 – Lobby/Campaign**CARRIED****Resolutions Committee****ER3**

Submitted by: C. Bishop, Local 678, M. Rae, Local 109
Resolution Committee's Recommendation: FOR

Moved: J. Watson, Res.Ctte.,L.701

Seconded: C. Nesbitt, Res.Ctte.,L.636

WHEREAS OPSEU is comprised of approximately 120,000 members; and

WHEREAS the diversity of this membership and its occupations are in some instances unique and varied and inherently dangerous; and

WHEREAS we are currently supported by two sisters to assist, represent and provide guidance for those 120,000 members;

► **THEREFORE BE IT RESOLVED THAT** this Union hire one additional individual to assist and perform the responsibilities of OPSEU Health and Safety Officer.

Moved: M. Grimaldi, EBM,L.211

►► **Point of Order:** This motion is out of order as it will require the budget to be opened for reconsideration.

The Chair ruled that the motion is in order and can be considered without opening the budget.

Moved: M. Grimaldi, EBM,L.211

Seconded: E. Almeida, EBM,L.248

►► Challenge to the Chair’s Ruling.

Smokey Thomas, President, turned the Chair over to Sister Patty Rout, First Vice-President/Treasurer.

Patty Rout, First Vice-President/Treasurer asked Smokey Thomas to defend the challenge.

Patty Rout, First Vice-President/Treasurer clarified to the floor that a yes vote upholds the Chair, a no vote overrules the Chair.

Vote to uphold the Chair

CHAIR UPHELD

Smokey Thomas, President resumes the Chair.

Patty Rout, First Vice-President/Treasurer in the Chair.

Resolutions Committee

ER3

► **THEREFORE BE IT RESOLVED THAT** this Union hire one additional individual to assist and perform the responsibilities of OPSEU Health and Safety Officer.

Moved: M. White,L.417

Seconded: G. Aubert,L.417

Closure

CARRIED

1st Vote – Resolution ER3
2nd Vote – Resolution ER3

Patty Rout, First Vice-President/Treasurer asked that the doors be tiled.
A Standing Count is taken.

Quorum was lost.

461 voting delegates are required for a quorum and the count was 310.
Doors untiled.

There being no quorum, First Vice-President/Treasurer, Patty Rout, declared the Convention adjourned at 3:05 p.m.

President Thomas thanked everyone for coming to Convention and bid them a safe trip home.

As per OPSEU policy, in the event there are resolutions outstanding from Convention, the Resolutions Committee shall be reconvened to make recommendations on the disposition of these; and the Chair of the Committee shall present these to the Executive Board for action at the second meeting of the Board following Convention.

Deceased OPSEU Staff

Serving Staff members lost this past year:

Joan Dearling Gloria Heath Kathleen Lawrence

These three friends and colleagues will be greatly missed and remembered by everyone at OPSEU.

Retiring OPSEU Staff

Staff retired since the last Convention

Barry Doyle Rehan Shahabun Terry Baxter
Barbara Linds, Mary Bellissimo Jan Pilley
Dennis Duquette Dona Jayasinghe Daryle McCullough

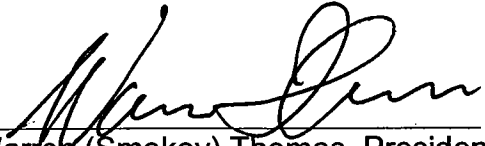


OPSEU Convention 2008

Vote on Adoption of Credentials Report	CARRIED	2
Vote on Adoption of Agenda	CARRIED	3
Vote on Adoption of Minutes of Convention 2007	CARRIED	3
Vote on Statutory Resolution A1	CARRIED	6
Vote on Adoption of Credentials Report	CARRIED	7
Vote on Statutory Resolution A3	CARRIED	7
Vote on Statutory Resolution A2 Section E-Exec Board Report	CARRIED	8
Vote on Adoption of Section D, Budget 2008	CARRIED UNANIMOUSLY	8
Vote on EB1 – LBED Bargaining Procedures	CARRIED UNANIMOUSLY	8
Vote EB2 – CAAT(Support) Negotiations & Divisional Procedures	CARRIED UNANIMOUSLY	9
Vote on E1 – Education	CARRIED UNANIMOUSLY	9
Vote on O2 – Organizing	CARRIED UNANIMOUSLY	10
Vote on K2 – Equity	CARRIED	12
Vote on D1 – Dues Rebate	DEFEATED	13
Vote on UVHAA Support	CARRIED	14
Vote on Referral to Const. Amendment A.1, Article 14, C.2	DEFEATED	16
Vote on Const. Amendment A.1, Article 14, C.2	DEFEATED	16
Vote on Adoption of Credentials Report	CARRIED	17
Vote on Const. Amendment A.7, Article 7 & 13,	CARRIED UNANIMOUSLY	17
Vote on Const. Amendment A.2, Article 14,15,16, C.5	DEFEATED	19
Vote on Const. Amendment A.3, Article 13, C.1	DEFEATED	20
Vote on Const. Amendment A.4, Article 21, C.6	CARRIED	20
Vote on Const. Amendment A.5, Article 29, C.7,C8	DEFEATED	21
Vote on Const. Amendment A.6, Article 29, C.9	DEFEATED	22
Vote on Const. Amendment A.8, Article 29, EB2	CARRIED	22
Vote on Const. Amendment A.9, Article 29, EB3	CARRIED	22
Vote on Adoption of Credentials Report	CARRIED	25
Vote on ER4	CARRIED UNANIMOUSLY	27
Vote on referral	CARRIED	28
Vote on ER1	CARRIED UNANIMOUSLY	28
Vote on L1 – Lobby/Campaign	CARRIED UNANIMOUSLY	29
Vote on J3 – Expenses	DEFEATED	29
Vote on K1 – Equity	CARRIED	30
Vote on L14 – Lobby/Campaign	CARRIED	31
Vote on M8 – Membership Activities & Services	DEFEATED	31
Vote on L5 – Lobby/Campaign	CARRIED UNANIMOUSLY	32

Vote on H1 – Heath and Safety	CARRIED UNANIMOUSLY	32
Vote on referral	DEFEATED	35
Vote on P3 – Pension	CARRIED	35
Vote on Adoption of Credentials Report	CARRIED	36
Vote on ER2	CARRIED	36
Vote on Privilege Motion to amend agenda	CARRIED	37
Vote on referral	DEFEATED	38
Vote on L16 – Lobby/Campaign	CARRIED	39
Vote on Adoption of Credentials Report	CARRIED	41
Vote on Referral Motion to bring forward L11	CARRIED	42
Vote on L11 – Lobby/Campaign	CARRIED	42
Vote to uphold the Chair	CHAIR UPHELD	43
ER3 - No vote - Lost Quorum		43





Warren (Smokey) Thomas, President
Ontario Public Service Employees Union



Tracy Danbrook, Recording Secretary
Ontario Public Service Employees Union

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