



**Minutes of the
OPSEU Convention 2009
April 23 - 25, 2009
Sheraton Centre Hotel, Toronto**

Thursday, April 23, 2009 – Morning Session

Sharon Riley and the Faith Chorale opened the convention singing the song “Keep Your Eyes on the Prize”, the theme for Convention 2009. The Choir led the delegates in the singing of O Canada.

President, Warren (Smokey) Thomas, called the Convention to order at 9:30 a.m.

The President welcomed all delegates, alternates, observers and guests to the 34th 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 identified the Advisors and Investigators under the Harassment and Discrimination Policy.

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.

Moment of Silence

A Minute of Silence was observed in memory of all those who have passed away since our last Convention, including the members of our Canadian Armed Forces who have paid the ultimate sacrifice overseas.

Reverend Nancy Bettridge and Henry Clarke, layperson with an M.A. in Pastoral Studies, are both chaplains at Providence Care – Mental Health Services and are both OPSEU members, welcomed the delegates to Convention and delivered the invocation.

President Thomas welcomed Toronto Mayor David Miller to the convention. Mayor Miller welcomed the OPSEU Convention on behalf of the city of Toronto and brought greetings from City Council.

Andrea Horwath, Leader of Ontario's New Democratic Party brought greetings from the great city of Toronto. Andrea Horwath is a guest speaker on Friday, April 24, 2009.

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 Thomas introduced the head table:

- Patty Rout, First Vice-President/Treasurer
- Maria Wysocki, Supervisor Staff Relations Division, Procedural Advisor
- Grant MacGillivray, Constitution and Rules of Order Advisor
- Tracy Danbrook, Recording Secretary
- Kathryn Francis, Backup/Corporate Secretary

Credentials Committee Report

The members of the Committee are:

Region 1	-	David Kerr, Local 115
Region 2	-	Sue Walker, Local 249
Region 3	-	Peter Wright, Local 368
Region 4	-	Janet Heyman, Local 443
Region 5	-	Anthony Marinucci, Chair, Local 549
Region 6	-	Pamela Newell, Local 646
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: S. Walker, Cred. Ctte.,L.249

► Adoption of Credentials Committee Report as of 9:20 a.m.

Delegates	809
Alternates	393
Observers	166
Retirees	7
EBMs	21
Committees	36
Solidarity Guests	11
Guests	55
Total	1,498

Vote on Adoption of Credentials Report

CARRIED

Section A – Convention Agenda

Moved: W. Thomas, President

Seconded: P. Rout, First Vice-President/Treasurer

► Adoption of the Convention Agenda as printed in Section A with the following amendment from the Executive Board. The convention will break at 11:30 a.m. on Thursday, April 23, 2009 to attend the Canadian Auto Workers Union (CAW) rally for Pension Protection at Queen's Park.

Moved: J. Johnson, L.644

Seconded: B. Cree, L.351

Amend the Agenda:

► On Thursday, April 23, 2009 at 11:30 a.m. the Convention will break to attend the Canadian Auto Workers Union (CAW) Pension Protection Rally at Queen's Park.

Vote on Adoption of Agenda as amended

CARRIED

Section B – Minutes of Last Convention 2008

Moved: W. Thomas, President

Seconded: P. Rout, First Vice-President/Treasurer

► Adoption of the Minutes of Convention 2008 as printed in Section B.

Vote on Adoption of Minutes of Convention 2008

CARRIED

Presidents Address

President (Smokey) Thomas began by recognizing the record-breaking attendance at this year's Convention and said, "This speaks to the growth in the union, the interest in the union, new people coming forward and observers and guests being interested in what we do. The theme of this year's convention "Keep Your Eyes on the Prize" can mean different things to different people. "For us, the prize is making lives better for members, for their families and for the world around us. Sometimes, in the heat of battle, we can lose focus on our objectives ", said Smokey.

He spoke about the past, present and future outlook of OPSEU. Smokey looked back on what OPSEU achieved over the past year. He spoke about a new pension plan for the Broader Public Sector and the fight against layoffs, cutbacks in hospitals, and the huge pay equity settlements for many of the members. Smokey was proud to report that in the last year, OPSEU organized more than 2,000 new members, including 700 at the Children's Hospital of Eastern Ontario.

"We continue to work hard defending our contracts and our members from vicious attacks by the employer", he stated. He spoke about the attacks on the work performed by members at the Art Gallery of Ontario (AGO), Niagara Parks Commission, Ministry of Finance and others across the province. Smokey said, "One of the biggest obstacles for us right now is the economy. Tens of thousands are losing their jobs and it's hard to see where it's all going to stop. OPSEU will hold community forums this spring to bring people together and talk about ideas for restarting the economy. I don't want to leave a legacy to our children where they get a University education with no job at the end."

Smokey said that the "Prize" we keep our eyes on is good jobs, quality public services and a future that our children and grandchildren will thrive and prosper in. "He said that "With every contract we bargain, every agreement we sign, every forum we hold, every rally we attend, and every commitment we make to a sustainable future, we move that much closer on our journey to the Prize."

He concluded by saying, "As your President, I am humbled and proud to join you on that journey, in solidarity, one step at a time."

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

Patty Rout, First Vice-President/Treasurer, introduced Frank DelZotto, Bishara Rizek and Daniel Wilson our external auditors from BDO Dunwoody and Maurice Gabay, OPSEU Accountant. Frank DelZotto referred the delegates to Section C and gave a brief overview of the financial statements.

(Financial Report continued on Page 6)

New OPSEU Flag

New delegates to the Convention unveiled the new OPSEU flag and presented the flags to their Regional Vice-Presidents.

ORDERS OF THE DAY

As per orders of the day, Convention will break to attend the CAW Pension Protection rally at Queen's Park.

LUNCH RECESS

Thursday, April 23, 2009 – Afternoon Session

President Thomas called the meeting to order at 1:50 p.m.

Ken Georgetti, President, Canadian Labour Congress addressed the convention.

(Financial Report continued from page 4)

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

Frank DelZotto, BDO Dunwoody, Engagement Partner, continued with his brief overview of the financial statements.

Questions were entertained and discussion ensued.

President Thomas thanked Frank DelZotto, Bishara Rizek and Daniel Wilson on behalf of the Convention.

Resolutions Committee

Craig Nesbitt, Resolutions Committee Acting 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	-	Anne Jennings, Local 468
Region 5	-	Donald Wright, Local 557
Region 6	-	Craig Nesbitt, Local 636
Region 7	-	Kyle Pearson, Local 740
EBM	-	Jay Jackson, EBM Region 2
Staff Advisor	-	Pam Doig
Secretary	-	Rita Ashley

Credentials Committee Report

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

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

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

Delegates	857
Alternates	442
Observers	182
Retirees	7
EBMs	21
Committees	38
Solidarity Guests	14
Guests	58
Total	1,619

Vote on Adoption of Credentials Report

CARRIED

Resolutions Committee

Statutory Resolution A1 – Financial Statements

Submitted by: Executive Board

Resolutions Committee's Recommendation: FOR

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

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

► **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 2008, 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

Resolutions Committee

Statutory Resolution – A2 – Section E - Executive Board Report

Submitted by: Executive Board

Resolutions Committee's Recommendation: FOR

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

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

► **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.

Vote on Statutory Resolution A2 – Section E – Executive Board Report CARRIED**Resolutions Committee****Statutory Resolution – A3 – Appointment of Auditors**

Submitted by: Executive Board

Resolutions Committee's Recommendation: FOR

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

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

► **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, 2009 through to December 31, 2009 and the Executive Board fix the Auditors' remuneration.

Vote on Statutory Resolution A3 – Appointment of Auditors CARRIED**Resolutions Committee****ER1 – Support to end criminalization of undocumented/temporary foreign workers**

Submitted by: Provincial Youth Committee

Resolutions Committee's Recommendation: FOR

Moved: K. Pearson, Res. Ctte.,L.740

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

WHEREAS on April 2, 2009, a series of immigration raids occurred across south-western Ontario arresting hundreds of temporary foreign workers and undocumented workers; and

WHEREAS Canadian immigration laws are being used to serve the needs of employers at the expense of workers and employers are using the Temporary Foreign Worker Program to create a class of "disposable workers" who are denied access to basic services such as Health, Education and Social Services as well as denied basic protections under provincial and federal laws; and

WHEREAS migrant workers, who are often racialized and come from the Global South, often experience racism and exploitation at work and run the risk of deportation if they challenge the abuses they suffer;

► **THEREFORE BE IT RESOLVED THAT** OPSEU will financially contribute \$10,000 to each of the following organizations: Migrante, No One is Illegal and Justicia for Migrant Workers for their ongoing efforts in support of the struggle of undocumented and temporary foreign workers; and

BE IT FURTHER RESOLVED THAT OPSEU will work with community groups to develop educational materials, workshops and presentations for its membership on solidarity with migrant workers; and

BE IT FURTHER RESOLVED THAT OPSEU will join with grassroots organizations in demanding the regularization of immigration status in respect to undocumented and temporary foreign workers and that OPSEU will lobby the National Union of Public and General Employees (NUPGE) to undertake a similar position; and

BE IT FURTHER RESOLVED THAT OPSEU supports an end to the criminalization of undocumented workers and temporary foreign workers through condemning recent immigration raids, OPSEU calls for an inquiry into immigrant raids in Ontario; and

BE IT FURTHER RESOLVED THAT OPSEU demands that the Province of Ontario enact legislation and regulations with respect to recruitment agencies and their partners that ban all fees for work, and provide for Joint and Several Liability on both Canadian employers and Governments if violations in recruitment process occur; and

BE IT FURTHER RESOLVED THAT OPSEU will lobby the provincial government to expand services for communities living with precarious immigration status.

Moved: J. Sheehan, Cred.Ctte.,L.278
Closure

Seconded: D. Love, L.227
CARRIED

**Vote on ER1 – Support to end criminalization of undocumented/
Temporary foreign workers**

CARRIED

Resolutions Committee

B4 – BUDGET – Section G

Submitted by: Local 526 and Greater Toronto Area Council

Resolutions Committee's Recommendation: FOR

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

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

WHEREAS meeting the membership's needs and maintaining strong, direct, personal communications with our membership at the local level are important objectives of this union; and

WHEREAS OPSEU has in place a policy to provide full-time release from work duties for local presidents for the purpose of building solidarity and strength; and

WHEREAS multi-unit and composite locals demand much more time to administer; and

WHEREAS equitable treatment does not mean identical treatment, particularly where circumstances are different;

► **THEREFORE BE IT RESOLVED THAT** the OPSEU policy regarding full-time off for large locals be amended so that composite and multi-unit locals have full-time off for one officer of the local when it has 650 or more members.

Moved: R. Bemister, L.561

Seconded: T. MacMaster, L.561

Referral Motion:

◄◄ Referral back to the Resolutions Committee with instructions to be brought back immediately as follows: Strike the words “composite and multi-unit” from the motion.

(B4 – Budget – Sec. G, Referral continued on Page 11)

ORDERS OF THE DAY

Nominations for the Office of President and First Vice-President/Treasurer

As per orders of the day, the Nominations for Office of President and First Vice-President/Treasurer commenced.

The chair was turned over to Larry Brown, National Secretary-Treasurer of the National Union of Public and General Employees, (NUPGE) who explained the nomination procedures to be followed.

Nominations for the office of President

Larry Brown, National Secretary-Treasurer, NUPGE, chaired the election process. One written nomination properly signed by the nominee and nominators was filed with the Chair of the Credentials Committee.

Nominees

Nominators

Warren (Smokey) Thomas

Brenda McCullagh

There being no further nominations, nominations for the Office of President closed

Brenda McCullagh was given up to two minutes to introduce Smokey Thomas as her nominee for the Office of President of OPSEU.

Warren (Smokey) Thomas was acclaimed as President of the Ontario Public Service Employees Union.

Nominations for the Office of First Vice-President/Treasurer

Larry Brown, stated that the same rules and procedures apply to the nomination process for the Office of the First Vice-President/Treasurer.

Nominees

Patty Rout

Nominators

Ted Montgomery

There being no further nominations, nominations for the Office of First Vice-President/Secretary closed.

Ted Montgomery was given up to two minutes to introduce Patty Rout as his nominee for the Office of First Vice-President/Treasurer of OPSEU.

Patty Rout was acclaimed as First Vice-President/Treasurer of the Ontario Public Service Employees Union.

President Thomas resumed the Chair.

(Referral - B4 – Budget –Sec. G., continued from Page 10)

Resolutions Committee B4 – BUDGET – Section G

Referral Motion:

◀◀Referral back to the Resolutions Committee with instructions to be brought back immediately as follows: Strike the words “composite and multi-unit” from the motion.

Vote on Referral B4 – Budget - Section G – strike words “composite & multi-unit”

DEFEATED

Resolutions Committee
B4 – BUDGET – Section G

► **THEREFORE BE IT RESOLVED THAT** the OPSEU policy regarding full-time off for large locals be amended so that composite and multi-unit locals have full-time off for one officer of the local when it has 650 or more members.

Moved: G. Franche, EBM., Reg. 1

Seconded: R. Elliot, EBM., Reg 1

Referral Motion:

◄◄ Referral back to the Resolutions Committee with instructions to be brought back immediately as follows: On the second line following the word “have” insert “the equivalent of”. Will now read **THEREFORE BE IT RESOLVED THAT** the OPSEU policy regarding full-time off for large locals be amended so that composite and multi-unit locals have **the equivalent of** full-time off for one officer of the local when it has 650 or more members.

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

Vote on Referral B4 – Budget – Section G - add - “the equivalent of” **CARRIED**

(B4 – Budget – Sec. G, as Amended continued on Page 14)

President Thomas resumes the Chair.

ORDERS OF THE DAY
Award Presentation**Health and Safety Award - Local**

Recipient: Local 521 – Mimico Correctional Centre

The local persistently pursued the asbestos crisis in the facility against a very determined, rigid and insensitive employer. In the end the local won compensation for all members exposed to the asbestos back to 1980. The local also got compensation for a member who died of lung cancer in 2005. Part of the settlement established a Health and Safety Scholarship in the name of Curt Bishop for \$20,000.

The courage of Local 521 members to stand up for the health and safety of all employees is deserving of recognition.

This award was presented to Greg McVeigh, David Graves and Alistair Riley.

Health and Safety Award - Individual

Recipient: Curt Bishop (posthumously)

Curt was a long-time activist in the Corrections Division. He was instrumental in helping settle many landmark cases, including the Mimico Centre asbestos fiasco.

As a member of Local 678, Brother Bishop worked at the Algoma Treatment and Remand Centre in Sault Ste. Marie. Curt also was a fierce advocate for health and safety improvements for his members. Curt passed away in June 2008.

This award was presented to Curt's wife Patti and daughters Sarah and Alaina.

Leah Casselman Award – Locals

Recipient: Local 674 – Timiskaming Health Unit

This quiet local went on strike on September 11, 2008. Never having faced a strike, these members walked the picket line, unsure of the decision they had made. With the guidance and expertise of the staff, they realized what a strike really is: leverage. As the days went on the unity and solidarity continued to build. After three weeks the local accomplished their goal.

On behalf of Local 674 Carol Colhane accepts the Leah Casselman Award.

(Award Presentations continued on Page 26)

ORDERS OF THE DAY

Bear Pit Session

President Thomas tested the house to determine whether to proceed with the Bear Pit session. The house agreed not to hold the Bear Pit session and that the Convention will continue with the business of the day.

(B4 – Budget – Sec. G, as Amended continued from page 12)

Resolutions Committee

B4 – BUDGET – Section G

► **THEREFORE BE IT RESOLVED THAT** the OPSEU policy regarding full-time off for large locals be amended so that composite and multi-unit locals have the equivalent of full-time off for one officer of the local when it has 650 or more members.

The Committee met on the referral and returned with B4-Budget as amended. The Committee recommends the delegates vote FOR.

Moved: B. Belanger, L.420
Closure

Seconded: M. White, L.417
CARRIED

Vote on B4 – Budget - Section G as Amended

CARRIED

Resolutions Committee

E4 – EDUCATION – Section G

Submitted by: Local 110

Resolutions Committee's Recommendation: FOR

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

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

WHEREAS the Law Society of Upper Canada has changed its regulations to allow union activists to advocate on behalf of the membership at Small Claims Court; and

WHEREAS this change came about from a campaign within the CAAT(A) Division; and

WHEREAS most locals with the exception of those in the OPS are barred from using the grievance procedure to secure benefit coverage that has been rejected by the insurance company;

► **THEREFORE BE IT RESOLVED THAT** the Union develop a campaign to provide the activists with the training and support to attend Small Claims Court with members who have been denied benefit rights.

Vote on E4 – Education – Section G

CARRIED

Resolutions Committee

L9 – LOBBY CAMPAIGNS

Submitted by Sudbury Area Council and also submitted by Local 165

Resolutions Committee's Recommendation: FOR

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

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

WHEREAS the Universal Declaration of Human Rights 23(2) reads "everyone without any discrimination has the right to equal pay for equal work"; and

WHEREAS the Charter of Rights and Freedoms guarantees employees the freedom from discrimination; and

WHEREAS OPSEU supports and promotes the principle of equity and equality; and

WHEREAS OPSEU is responsible for approximately 500 collective agreements representing more than 130,000 members; and

WHEREAS often workers regardless of employment status perform the same duties and carry the same responsibilities as full-time workers in the same workplace;

► **THEREFORE BE IT RESOLVED THAT** OPSEU write a letter to all levels of government reminding them of the obligation to compensate workers equitably, regardless of employment status; and

BE IT FURTHER RESOLVED THAT OPSEU commit to eliminating wage discrimination based on employment status for workers performing the same work as full-time workers employed by the same employer.

Vote on L9 – Lobby Campaign – Section G

CARRIED UNANIMOUSLY

Resolutions Committee**G1- GRIEVANCE – Section G**

Submitted by Local 557

Resolutions Committee's Recommendation: FOR

Moved: K. Pearson, Res. Ctte.,L.740

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

WHEREAS the environment is an important cause of the Union and its members; and**WHEREAS** OPSEU has committed to creating programs that would reduce its negative impacts on the environment; and**WHEREAS** OPSEU and its members should be a leader in this struggle; and**WHEREAS** OPSEU requires submission of all Local grievance documentation to be submitted either by mail or fax which creates another copy of documents; and**WHEREAS** Locals could better manage all grievance files in an electronic format;**► THEREFORE BE IT RESOLVED THAT** within 6 months, OPSEU will take direction from each Local indicating whether they prefer to submit a paper copy or electronic version of all grievance documentation; and**BE IT FURTHER RESOLVED THAT** OPSEU will provide to the Locals that request an electronic version, the grievance documents such as grievance form, grievance checklist form, etc., in a version that can be filled in and submitted electronically.

Moved: A. Cohen, L.586

Seconded: R. Donchev, L.559

Closure

CARRIED

Vote on G1 – Grievances - Section G**CARRIED****Resolutions Committee****L17 – LOBBY CAMPAIGNS – Section G**

Submitted by Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), London & District Area Council, Sudbury Area Council, Greater Toronto Area Council, Niagara Area Council, Sault Ste. Marie Area Council, Local 102, Local 601, Local 605 Local 607, and Local 678

Resolutions Committee's Recommendation: FOR

Moved: K. Pearson, Res. Ctte.,L.740

Seconded: A. Jennings, Res. Ctte.,L.468

WHEREAS one in four women per month are murdered by abusive partners, and ex-partners in Ontario, and women of OPSEU have not been immune; and

WHEREAS different kinds of systemic oppression, primarily racism, sexism and poverty perpetuate gender based violence and keep women in situations of increased exposure to violence; and

WHEREAS indigenous women are five times more likely to die than other women as a result of such violence; and

WHEREAS 80% of women with disabilities are physically and sexually assaulted; and

WHEREAS violence against women must be prioritized at all levels by the exercising of leadership and political will to give this the importance to enable significant change;

► **THEREFORE BE IT RESOLVED THAT** OPSEU vigorously lobby both federal and provincial governments, to ensure significant funding for women's organizations that give voice to the issue of violence against women, is reinstated; and

BE IT FURTHER RESOLVED THAT OPSEU lobby via National Union of Public and General Employees (NUPGE) to place pressure on the United Nations to form a women's agency within its organization

Moved: M. White, L.417
Closure

Seconded: B. Belanger, L.420
CARRIED

Vote on L17 – Lobby Campaigns – Section G

CARRIED UNANIMOUSLY

Resolutions Committee

EB 2 – NEGOTIATING PROCEDURES – ONTARIO AGENCY FOR HEALTH PROTECTION AND PROMOTION (OAHPP)

Submitted by Executive Officers (Addendum to 2009 Annual Convention Minutes)
Resolution Committee's Recommendation: FOR

Moved: K. Pearson, Res. Ctte.,L.740

Seconded: A. Jennings, Res. Ctte.,L.468

WHEREAS the Ontario Agency for Health Protection and Promotion (OAHPP) is a new agency, effective December 15, 2008, established from amongst our divested OPS Health Laboratory members; and

WHEREAS this new agency will have a head office in Toronto with several satellite laboratory operations around the province;

► **THEREFORE BE IT RESOLVED THAT** the Executive Board propose adoption to the convention of the OAHPP Negotiation procedures which were adopted by member delegates at their first bargaining conference held in Toronto on February 6, 2009.

Vote on EB2 – Negotiating Procedures - OAHPP

CARRIED

Resolutions Committee

EB 3 – NEGOTIATING PROCEDURES – CANADIAN BLOOD SERVICES (CBS) & DIAGNOSTICS DIVISION

Submitted by Executive Officers (Addendum to 2009 Annual Convention Minutes)

Resolution Committee's Recommendation: FOR

Moved: K. Pearson, Res. Ctte.,L.740

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

WHEREAS the Canadian Blood Services & Diagnostics Division Negotiation procedures have been slightly revised at the 2007 Bargaining Conference, and adopted by the membership, the Executive Board and Convention will need to approve the change; and

WHEREAS Article 2.1 has been adjusted to allow the Canadian Blood Services and Diagnostic division, in consultation with staff, to select a date for the Provincial Bargaining meeting and previous procedures limited the meeting to weekends only; and

WHEREAS the members felt it should be open to the Division to select dates that suit everyone's best interests; and

► **THEREFORE BE IT RESOLVED THAT** the Executive Board propose adoption of the Canadian Blood Services and Diagnostics Division Negotiation procedures as amended.

Vote on EB3 – Negotiating Procedures – CBS & Diagnostics

CARRIED

Resolutions Committee

E1 – EDUCATION – Section G

Submitted by Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), London & District Area Council, Local 137, Sudbury Area Council, Niagara Area Council and Local 102

Resolution Committee's Recommendation: FOR

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

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

WHEREAS Attendance Review Programs are becoming an increasing issue for OPSEU member workplaces; and

WHEREAS local stewards need more information and tools to represent their fellow members;

► **THEREFORE BE IT RESOLVED THAT** OPSEU develop materials, tools and educational materials to empower OPSEU stewards to better deal with the issue of Attendance Review Programs; and

BE IT FURTHER RESOLVED THAT this be done in consultation with the Disability Rights Caucus.

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

Moved: A. Cohen, L.586
Closure

Seconded: C. Kraakman, L.586
CARRIED

Vote on E1 – Education – Section G

CARRIED

Resolutions Committee

B3 – BUDGET – Section G

Submitted by Provincial Women's Committee (PWC), Provincial Human Rights Committee (PHRC), Sudbury Area Council, Greater Toronto Area Council
Resolution Committee's Recommendation: AGAINST

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

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

WHEREAS the Live and Let Live Fund is broken up by 80% to Stephen Lewis Foundation and 15% Ontario Aids Network; and

WHEREAS the Stephen Lewis Foundation is a well functioning, well supported organization and the Ontario Aids Network is a struggling organization; and

WHEREAS incidences of HIV/AIDS is on the rise in Ontario and we are suffering hard economic times;

► **THEREFORE BE IT RESOLVED THAT** the percentages distributed from the Live and Let Live Fund be changed to 60% to the Stephen Lewis Foundation and 35% Ontario Aids Network with the other 5% to administrative needs.

Moved: J. Robertson, L.214

Seconded: J. Sheehan, L.278

Referral Motion:

◀◀ Referral back to the Resolutions Committee with instructions to be brought back immediately as follows: After the **THEREFORE BE IT RESOLVED THAT**, insert the words “the Convention floor recommends that...”

Vote on Referral - B3 – Budget – Section G – add “the Convention floor recommends that”

CARRIED

The Committee met on the referral and returned with B3 - Budget – Section G, as amended. The Committee recommends the delegates vote FOR.

► **THEREFORE BE IT RESOLVED THAT** the Convention floor recommends that percentages distributed from the Live and Let Live Fund be changed to 60% to the Stephen Lewis Foundation and 35% Ontario Aids Network with the other 5% to administrative needs.

Debate suspended

(debate on B3 was suspended)

The Convention recessed at 5:00 p.m.

R E C E S S

Friday, April 24, 2008 – Morning Session

President Thomas called the meeting to order at 9:13 a.m.

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.

Donations – Live and Let Live Fund

The amount raised at the Blue Jays baseball game for the Live and Let Live fund was \$2,100.

Elections for the Office of President and First Vice-President/Treasurer

The Elections for Office of President and First Vice-President/Treasurer commenced.

The chair was turned over to Larry Brown, National Secretary-Treasurer of the National Union of Public and General Employees, (NUPGE) who explained the election procedures to be followed for the acclaimed Office of the President and First Vice-President/Treasurer.

Warren (Smokey) Thomas accepts his nomination for the Office of President.

Patty Rout accepts her nomination for the Office of the First-Vice-President/Treasurer.

The casting of one ballot took place for the office of the President and the First Vice-President/Treasurer.

Warren (Smokey) Thomas was acclaimed as the President of the Ontario Public Service Employees Union.

President Warren (Smokey) Thomas addressed the Convention.

Patty Rout was acclaimed as the First Vice-President/Treasurer of the Ontario Public Service Employees Union.

First Vice-President/Treasurer Patty Rout addressed the Convention.

Election of the Ranking Order of Regional Vice Presidents

Larry Brown, National Secretary-Treasurer NUPGE in the chair. He explained the rules and procedures for casting the ballots. The Regional Vice-Presidents were introduced in order of their regions and each addressed the Convention for up to two minutes.

Region 1	Gino Franche
Region 2	Michael Grimaldi
Region 3	Clarie Rowett
Region 4	David Lundy
Region 5	Nancy Pridham
Region 6	Sue Brown
Region 7	James Tocker

Credentials Committee Report

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

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

►Adoption of Credentials Committee Report as of 9:30 a.m.

Delegates	873
Alternates	463
Observers	197
Retirees	7
EBMs	21
Committees	38
Solidarity Guests	22
Guests	73
<u>Total</u>	<u>1,694</u>

Vote on Adoption of Credentials Report

CARRIED

Election of the Ranking Order of Regional Vice Presidents

Doors were tiled. Scrutineers appointed. Ballots were distributed and cast. Doors untiled.

(Results Election of the Ranking Order of RVPs continued on Page 23)

President Thomas resumes the Chair.

Section D – Budget 2009

Patty Rout, First Vice-President/Treasurer, presented the budget on behalf of the Executive Board.

(Section D – Budget 2009 - continues below)

(Results of the Election of the Ranking Order of RVPs cont'd from Page 22)

Results of the Election of the Ranking Order of Regional Vice Presidents

Larry Brown, National Secretary-Treasurer NUPGE in the chair, announced the ranking of the Regional Vice Presidents.

<u>Vice President Rank</u>	<u>Vice-President</u>	<u>Region</u>
2 nd V.P.	Gino Franche	Region 1
3 rd V.P.	Nancy Pridham	Region 5
4 th V.P.	Michael Grimaldi	Region 2
5 th V.P.	David Lundy	Region 4
6 th V.P.	Claire Rowett	Region 3
7 th V.P.	Jamie Tocker	Region 7
8 th V.P.	Sue Brown	Region 6

The Chair was turned over to President Thomas.

President Thomas thanked Larry Brown and congratulated the Officers.

Section D – Budget 2009

Patty Rout, First Vice-President/Treasurer, continued with the Budget discussion.

A proposed motion was ruled out of order.

Another motion was proposed and ruled out of order.

Moved: S. Guyee, L.119

Seconded: D. Wilson, L.101

Challenge the Chair's ruling

►► Challenge the Chair with the following position of the challenger: he believes his proposed motion is budget related and that it addresses a line in the budget.

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

President Thomas explains that the proposed motion is the development of a plan and should be put forward as a resolution not as an amendment to the budget. This motion does not add or change any dollar amount in this budget and as such is out of order.

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

Moved: S. Guylee, L.119

Seconded: D. Wilson, L.101

Amendment Motion:

WHEREAS there is no plan to address the unfunded liability in the 2009 budget;

► **THEREFORE BE IT RESOLVED THAT** the budget allocate \$500,000 in this budget to said line.

Moved: F. Zroback, L.712
Closure on the amendment

Seconded: J. Ortlieb, L.702
CARRIED

Vote to add \$500,000 to pension budget line - Section D – Budget 2009 DEFEATED

LUNCH RECESS

Friday, April 24, 2009 – Afternoon Session

President Thomas called the meeting to order at 1:57 p.m.

(Award Presentations continued from page 13)

ORDERS OF THE DAY

Award Presentation

Honourary Life Member

Recipient: Gary Fordyce

Gary Fordyce was Chief Steward of Local 110 from 1984 until his retirement in 2007. He provided support to members and was known as the “guy to call” if there was a difficult case.

Brother Fordyce’s grievance success rate is reputed to match those of labour lawyers handling similar cases. Brother Fordyce was an advocate for many members. He was the chair of two provincial subcommittees and a member of two provincial bargaining teams

This award was presented to Gary Fordyce.

(Award Presentations continued on Page 28)

Credentials Committee Report

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

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

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

Delegates	874
Alternates	464
Observers	205
Retirees	7
EBMs	21
Committees	38
Solidarity Guests	23
Guests	75
Total	1,707

Vote on Adoption of Credentials Report

CARRIED

Solidarity Guests

President Thomas welcomed all solidarity guests at the convention.

Janet Sauve	Administrative Staff Union
Darryl Walker	President, B.C. Government and Service Employees' Union
Ken Georgetti	President, Canadian Labour Congress
Hassan Youseff	Secretary-Treasurer, Canadian Labour Congress
Sid (Patrick) Ryan	President, Canadian Union of Public Employees – Ontario
Fred Hahn	Secretary-Treasurer, Canadian Union of Public Employees – Ontario
John Cartwright	President, Labour Council of Metro Toronto and York Region
Reg Pearson	Director, Labour Management Services, Ministry of Labour
Andrea Horwath	Leader, Provincial New Democratic Party
Larry Brown	National Secretary-Treasurer, NUPGE
Wayne Samuelson	President, Ontario Federation of Labour
Irene Harris	Secretary-Treasurer, Ontario Federation of Labour
Terry Downey	Executive Vice President, Ontario Federation of Labour
Bill Craig	OPSEU
Val Thomas	OPSEU
Danny Thomas	OPSEU
Shelley Thomas	OPSEU
Bill Kuehnbaum	OPSEU
Roger Haley	President, Ontario Public Service Staff Union
Mary Ellen Cassey	1 st Vice-President, Ontario Public Service Staff Union
Eileen LeClair	2 nd Vice-President, PEI Union of Public Sector Employees
Wayne Fraser	Director, District 6, United Steelworkers
Marie Kelly	Assistant Director of District 6, United Steelworkers
Dave Killham	Executive Director, Workers Health & Safety Centre

GUEST SPEAKER – ANDREA HORWATH

Andrea Horwath, Leader of Ontario's New Democratic Party addressed the convention. She spoke about the current economic crisis and the role of public services.

Award Presentation

Stanley H. Knowles Humanitarian Award

Recipient: Lieutenant General Romeo Dallaire

For 100 days in 1994, Rwanda, Africa was gripped by the brutal genocide of Tutsi, pro-peace Hutu and foreigners. More than 800,000 Rwanda civilians and others died, often by machete-wielding Hutu extremists. Lieutenant (LT) General Romeo Dallaire was assigned as the Force Commander for the United Nations (UN) peacekeeping mission in Rwanda in 1993.

His mission was to oversee a peace accord between the government of Rwanda and the Rwandan Patriotic Front (RPF) after three years of civil war. The General was the first Canadian to be assigned a commanding position of a UN peacekeeping mission.

Within months of the assignment, racial tensions erupted with the assassination of the Rwandan President Juvenal Habyariman, a Hutu, on April 6, 1994. The subsequent Tutsi genocide marked the end of the peace agreement. Within days of the first Tutsi murders, the UN and other Western nations withdrew their peacekeepers from the country, which was under siege by extremists. The General, from his headquarters in Rwanda, begged the UN for 5,000 additional troops, believing this could stop the violence from escalating. His pleas were dismissed.

Seriously ill equipped, LT General Dallaire ignored orders to abandon the Rwandan people as he felt a responsibility to the more than 20,000 refugees in UN controlled areas. Only a small contingent of 450 troops stayed with him. There is no telling the countless number of lives he saved or the hope he gave to the people he served and protected.

For health reasons, Lieutenant General Dallaire could not accept the award in person.

On behalf of Lieutenant General Dallaire, Larry Brown, National Secretary-Treasurer accepts the award.

Human Rights Award - Individual

Recipient: Wade Stevenson

Wade has taken the responsibility of challenging heteronormative practices. Heteronormative practices are the marginalization of non-heterosexual lifestyles and the view that heterosexuality is the normal sexual orientation. In the work environment this negatively impacts the lives of lesbian, gay, bisexual, transgender and transsexual people.

In the workplace, Wade has stepped forward as a gender variant person. Wade has gone further by creating a workshop to share expertise with other individuals and union activists. The courage taken by Wade in ensuring basic human rights and educating others is a perfect fit for the OPSEU Human Rights Award.

The award was presented to Wade Stevenson.

(Award Presentation continues on Page 42)

Economic Development

Larry Brown, National Secretary-Treasurer, NUPGE speaks about the state of the economy and presents the Executive Board Resolution, EB4 (below), addressing economic development.

Resolutions Committee

EB4 – Economic Development

Submitted by Executive Board

Resolution Committee's Recommendation: FOR

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

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

WHEREAS the global recession has hit Ontario hardest among Canadian provinces, with tens of thousands losing their jobs, primarily in manufacturing, construction and resource-based sectors; families and communities suffering, yet only about 30 per cent of unemployed Ontarians qualifying for Employment Insurance; and pension plans and retirement savings under attack; and

WHEREAS more than ever, Ontarians rely on a social safety net and public services provided by the nearly one in five Ontarians working in the public sector, a key provider of jobs and spending power; and

WHEREAS the Broader Public sector, the colleges and the Ontario Public Service, chronically underfunded for years, are further threatened by cuts and layoffs as budgets are flat-lined and the Ontario government moves to reduce its provincial deficit; and

WHEREAS the Ontario government has so far failed to take a leading role in encouraging the growth of high-wage, high-skill, green jobs, and a more sustainable future where economic growth is harnessed for the benefit of all; and

WHEREAS the Ontario government will invest \$32 billion in physical infrastructure but not in services and programs and training that will help people through the recession; and

WHEREAS a corporate income tax cut will further reduce the province's ability to fund public services by \$4.5 billion over three year; and curtail its ability to expand social assistance to the jobless, fund 22,000 endangered day-care spaces, or strengthen public services and education; and

WHEREAS that confronting the current crisis offers a clear opportunity for increased solidarity among public and private sector workers in our communities; and

WHEREAS the provincial election of October 2011 will give Ontarians the opportunity to judge the McGuinty government on its handling of the economic crisis;

► **THEREFORE BE IT RESOLVED THAT** OPSEU work with its allies to fight back against service cuts and layoffs and help develop a plan for a sustainable economy and fair society;

BE IT FURTHER RESOLVED THAT to lead this campaign, OPSEU will:

- Organize community forums where people are invited to talk about their economic reality, develop ideas for restarting the local or regional economy and mobilize for community action.
- Promote the coming together of labour, business and government to develop a strategy for revitalizing the Ontario economy, in which the province takes a lead role in planning and promoting the economic recovery and designing a green economy;
- Develop an education program to empower OPSEU members to be knowledgeable workplace and community leaders on the political economy of public services, progressive taxation, privatization and quality jobs;
- Energize provincial and local coalitions or campaigns formed in response to the economic crisis and fighting against cuts and layoffs;
- Use the political energy generated in the aforementioned campaigns to initiate a "2011" campaign – a grass-roots mobilizing effort for the next provincial election build on countering an increasingly right-ward tilt in Ontario politics.

Moved: P. Brunet, L.362
Closure

Seconded: A. Shirk, L.362
CARRIED

Vote on EB4 – Economic Development

CARRIED UNANIMOUSLY

DONATIONS

President Thomas tested the house and the house agreed that the collection of donations scheduled for Friday, April 24, 2009 at 1:30 p.m. would be done in the morning of Saturday, April 25, 2009.

(Sec. D, Budget 2009 continued from Page 24)

Section D – Budget 2009

Moved: P. Rout, First Vice-President/Treasurer

Seconded: W. Thomas, President

► Adoption of the 2009 Budget as printed in Section D.

A proposed motion was ruled out of order.

Moved: G. Hope, L.225

Seconded: J. Mitchell, L.247

Challenge the Chair's Ruling

►► Challenge the Chair with the following position of the challenger: the proposed motion is to address the deficit in the General Revenue Fund budget and should therefore be ruled in order.

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

President Thomas explains that there is not a deficit in the General Revenue Fund and as such this proposed motion is out of order.

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

Vote on Adoption of Section D - Budget 2009

CARRIED

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.1, Section H

Submitted by: Sudbury Area Council

Constitutional Committee Recommendation: DEFEAT

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

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

Add at the end of new Article 14.8.1 as follows:

...except that no person shall be entitled to be a candidate for or elected to one of these two offices who has held the office for an immediately preceding period of four (4) consecutive terms.

Moved: J. Healy, L.571

Seconded: R. Dawe, L.596

Closure

CARRIED

President Thomas explained to the delegates that to pass a Constitutional amendment that 2/3 of the delegates must vote in favour.

Vote on Const. Amendment A.1, Article 14, C.1, Section H DEFEATED

Constitution Committee

Constitutional Amendment A.2, Article 14, 16, C.2, Section H

Submitted by: Sudbury Area Council

Constitutional Committee Recommendation: DEFEAT

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

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

► Amend Article 14.8.1 by removing the words “from among the 21 Members-elect of the Board.”

Add a new Article 14.8.2 as follows (change in bold):

Any delegate attending the Convention may be nominated by one other delegate. The nomination may be in writing, signed by the candidate, or it may be oral, in which case the candidate will rise and signify acceptance of the nomination.

Re-number subsequent articles.

Amend Article 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 Members-at-large **elected at Regional Meetings in accordance with Article 14 or Article 15**

Moved: Y. Damani, L.504

Seconded: J. Reid, L.105

Closure

CARRIED

President Thomas reminded the delegates that to pass a Constitutional amendment that 2/3 of the delegates must vote in favour

Vote on Const. Amendment A.2, Article 14,16 C.2, Section H DEFEATED

Constitution Committee

Constitutional Amendment A.3, Article 14, 15, 16, C3 and C4, Section H

Submitted by: Greater Toronto Area Council, Provincial Human Rights Committees, Sudbury Council, Local 601, Local 607 and Provincial Women's Committee

Constitutional Committee Recommendation: NO RECOMMENDATION

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

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

► Amend Articles 14.1 1 as follows (change in bold):

14.1.1 Effective in 2011, 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 Article 14.1.2 as follows:

Two members of the Executive Board, at least one of whom shall be a woman, 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 2011.

Re-number Article 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 Article 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 Article 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 Article 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 Article 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 Article 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 Article 15.4 as Article 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 Article 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 Article 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.

(Const. Amendment A.3, Article 14,15 & 16, C3 & C4, Sec. H continued on Page 37)

The Convention recessed at 4:58 p.m.

R E C E S S

Saturday, April 25, 2008 – Morning Session

President Thomas called the meeting to order at 9:12 a.m.

President Thomas read the Harassment and Discrimination Policy and asked Benoit Dupuis of Local 470 to present the statement in French. He identified the Advisors and Investigators under the Harassment and Discrimination Policy.

(Const. Amendment A.3, Article 14,15 & 16, C3 & C4, Sec. H continued from Page 36)

Constitution Committee

Constitutional Amendment A.3, Article 14, 15, 16, C3 and C4, Section H

Submitted by: Greater Toronto Area Council, Provincial Human Rights Committees, Sudbury Council, Local 601, Local 607 and Provincial Women's Committee
 Constitutional Committee Recommendation: NO RECOMMENDATION

Moved: J. Arbus, L.613
 Closure

Seconded: S. Max, L.618
 CARRIED

President Thomas reminded the delegates that to pass a Constitutional amendment that 2/3 of the delegates must vote in favour.

Vote on Const. Amendment A.3, Article 14,15 & 16, C3 & C4, Section H DEFEATED

Constitution Committee

Constitutional Amendment A.3, Article 14 and 16, C5, Section H

Submitted by: Locals 520, 526, 536, 542, 548, 557, 561,568, Greater Toronto Area Council)

Constitutional Committee Recommendation: ACCEPTANCE

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

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

► **Amend Article 14.6.1 as follows (changes in bold):**

14.6.1 At Regional election meetings in Regions 1, 2, 3, 4, 6, and 7 in an election year, the delegates shall elect three persons to be members of the Executive Board and one person to be their alternate. **At the Regional election meeting in Toronto (Region 5), the delegates shall elect four persons to be members of the Executive Board and**

one person as their alternate. Following the election of the three **or four** Board Members, there will be a subsequent election, in which the delegates will nominate from among the three **or four** elected Board Members a Regional Vice-President. Following election of the Regional Vice-President, there will be a subsequent election, in which the delegates will elect from among the remaining **two or three** Board Members an alternate Regional Vice-President. No person may hold more than one office on the Executive Board.

Amend Article 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 **22** Members-elect of the Board.

Amend Article 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 **13** Members-at-large.

Moved: A. Cohen, L586

Seconded: L. Simmons, L503

Referral Motion:

◀◀ Referral back to the Constitution Committee with the following instructions: Increase the Executive Board members to four per region.

Moved: K. Bates, L241

Point of Privilege

▶▶ The referral motion changes the intent of the original motion and should be ruled out of order.

The President ruled that the motion was in order.

(Const. Amendment A.3, Article 14,15 & 16, C3 & C4, Sec. H Referral cont'd on Page 39)

Credentials Committee Report

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

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

► Adoption of Credentials Committee Report as of 9:30 a.m.

Delegates	875
Alternates	468
Observers	212
Retirees	7
EBMs	21
Committees	38
Solidarity Guests	26
Guests	86
Total	1,733

Vote on Adoption of Credentials Report

CARRIED

(Const. Amendment A.3, Art. 14,15 & 16, C3 & C4, Sec. H Referral cont'd from Page 38)

Constitution Committee

Constitutional Amendment A.3, Article 14 and 16, C5, Section H

Submitted by: Locals 520, 526, 536, 542, 548, 557, 561, 568, Greater Toronto Area Council)

Constitutional Committee Recommendation: ACCEPTANCE

◄◄Referral back to the Constitution Committee with the following instructions: Increase the Executive Board members to four per region.

Moved: K. Bates, L241

Seconded: R. Houston, L224

Challenge the Chair's Ruling

►►Challenge the Chair with the following position of the challenger: the referral motion should be ruled out of order as it changes the intent of the original motion.

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

President Thomas explains that this motion does not change the original intent of adding an additional Board Member and as such this amendment is in order.

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 WAS NOT UPHELD

Referral motion ruled out of order.

President Thomas resumes the Chair.

Moved: F. Blais, L.447
Closure

Seconded: A. Visneskie, L.447
CARRIED

President Thomas once again, reminds the delegates that to pass a Constitutional amendment that 2/3 of the delegates must vote in favour.

Vote on Const. Amendment A.3, Article 14,16, C5, Section H

DEFEATED

Constitution Committee

Constitutional Amendment A.5, Article 20, C6, Section H

Submitted by: Local 234

Constitutional Committee Recommendation: DEFEAT

Moved: D. Murphy, Const.Ctte.,L.368
► **Delete Article 20.1.1**

Seconded: B. Belanger,L.420

Re-number subsequent articles.

Moved: B. Dupuis, L.470
Closure

Seconded: M. White, L.417
CARRIED

President Thomas once again, reminds the delegates that to pass a Constitutional amendment that 2/3 of the delegates must vote in favour.

Vote on Const. Amendment A.5, Article 20, C6, Section H

DEFEATED

Donation – Live & Let Live Fund

Moved: D. Middleton, EBM, Reg.3

Seconded: L. Nancekivell, EBM, Reg. 1

Motion from the floor.

► That OPSEU will match all dollars raised from the Silent Auction and donate these matched dollars to the Live & Let Live Fund.

Vote on OPSEU matching dollars of Silent Auction - Live & Let Live Fund CARRIED

Oath of Office – Executive Board

John Cartwright, President of the Toronto and York Region Labour Council administered the Oath of Office to the newly elected Executive Board.

Constitution 14.7.2

The Member-elect shall take the following oath during the Convention immediately following his/her election:

“I, _____, promise that I will uphold and obey the Constitution and duly-authorized policies of the Ontario Public Service Employees Union, fulfill the obligations and responsibilities of my office to the best of my ability, and promptly deliver to my successor all monies, records, and other property of the Union in my possession at the close of my term in office.”

Region 1	Ron Elliot	Gino Franche	Laurie Nancekivell
Region 2	Eduardo Almeida	Mike Grimaldi	Debbie Tungatt
Region 3	Patty Rout	Claire Rowett	Peter Wright
Region 4	David Lundy	Lynn Orzel	Warren Thomas
Region 5	Derek Miller	Ted Montgomery	Nancy Pridham
Region 6	Sue Brown	Jennifer Giroux	Peter Wall
Region 7	Sandra Snider	Carl Thibodeau	James Tocker

Donation – Social Aid For the Elimination of Rape (SAFER) and Ontario Native Women’s Association

It was announced that the Provincial Women’s Committee raised \$1,075 to be donated to Social Aid For The Elimination of Rape (SAFER) for the women in the Congo and Ontario Native Women’s Association.

Vanda Klumper, Liquor Board Employees Division, Chair spoke about LBED bargaining.

Moved: B. Wilson, L.217

Seconded: J. Robertson, L.214

Motion from the floor

► That OPSEU will match the funds raised by the Provincial Women's Committee

Vote on OPSEU matching dollars - PWC CARRIED UNANIMOUSLY

(Awards continued from Page 29)

Award Presentation

Honourary Life Member

Recipient: Evelyn Anger

As an active member since 1986 Evelyn Anger has shared her boundless energy and commitment to trade unionism within OPSEU and her local labour council.

A proven leader, Sister Anger has given much of her time to OPSEU members and to the labour movement in various roles. She has been a local president and a board member of her local labour council. The Honourary Lifetime Membership Award recognizes her dedication and achievements.

The award was presented to Evelyn Anger.

Honourary Life Member

Recipient: William Playter

Brother Playter is a well-respected OPSEU activist known for his commitment to the members. His selflessness is exemplified by his actions during the 1996 Ontario Public Service (OPS) strike.

After learning of an outbreak of an infectious disease in the geriatric ward at the psychiatric hospital where he worked, he got permission to check on his residents and work colleagues, without considering the possible risks to his own health.

He is known for his many years of fighting for disability rights and accommodation issues. One of his many achievements include signing the first Workplace Accommodation Agreement to be used in the public service. Brother Playter has always assisted whenever necessary.

The award was presented to William Playter.

Departing Board Members

President Thomas presented plaques to the previous Executive Board Members, honouring their service:

Mary Ing	Region 1
Jay Jackson	Region 2
Doris Middleton	Region 3
Bob Eaton	Region 4
David Rapaport	Region 5
Mandy Dumais	Region 6
Brenda Clapp	Region 7

Each Retiring Executive Board Member present addressed the Convention.

LUNCH RECESS

Saturday, April 25, 2009 – Afternoon Session

President Thomas called the meeting to order at 1:40 p.m.

Credentials Committee Report

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

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

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

Delegates	875
Alternates	468
Observers	214
Retirees	7
EBMs	21
Committees	38
Solidarity Guests	26
Guests	87
Total	1,736

Vote on Adoption of Credentials Report

CARRIED

Ken Lewenza, National President Canadian Auto Workers (CAW) addressed the convention. He thanked OPSEU for the solidarity and show of support at the CAW Pension Rally at Queens Park on Thursday, April 23, 2009.

Deceased OPSEU Staff

President Thomas paid tribute to staff members that we have lost this past year:

Serving staff members:

Sister Patricia Felipe

Sister Shannon Roe

Retired Staff members:

Brother Edward Burgess Brother Gerard Layden
Brother Jim Tait

Retiring OPSEU Staff

President Thomas acknowledged the work of staff that have retired since the last Convention and thanked them for their contribution to the Union:

John Ford	Marcia Gillespie	Lillian Kaye
Barry King	Esther MacLean	Sara Manoll
Jill Morgan-Barden	Bernadine Robinson	Garnet Rowe
Allan Stead		

Donations

The total donations raised for the Live and Let Live Fund is \$3,018.56.

Staff collected donations in the amount of \$7,723.79 from the floor. As per OPSEU Policy the Central Union will match the amount up to a maximum of \$5,000.

Moved: D. Pattenaude, L.154

Point of Privilege

►► Could we please have the quorum numbers?

471 voting delegates are required for a quorum and the count was 358 delegates.

Quorum was lost.

There being no quorum, President Smokey Thomas declared the Convention adjourned at 2:11 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.



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



Tracy Danbrook, Recording Secretary
Ontario Public Service Employees Union

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Vote on Adoption of Credentials Report _____	CARRIED _____	3
Vote on Adoption of Agenda as amended _____	CARRIED _____	3
Vote on Adoption of Minutes of Convention 2008 _____	CARRIED _____	3
Vote on Adoption of Credentials Report _____	CARRIED _____	7
Vote on Statutory Resolution A1 – Financial Statements _____	CARRIED _____	7
Vote on Statutory Resolution A2 - Section E - Executive Board Report _____	CARRIED _____	8
Vote on Statutory Resolution A3 – Appointment of Auditors _____	CARRIED _____	8
Vote on ER1 – Support to end criminalization of undocumented/ temporary foreign workers _____	CARRIED _____	9
Vote on Referral - B4 - Budget – Section G - strike words “composite & multi-unit” _____	DEFEATED _____	11
Vote on Referral - B4 – Budget - Section G - add - “the equivalent of” _____	CARRIED _____	12
Vote on B4 – Budget - Section G as Amended _____	CARRIED _____	14
Vote on E4 – Education – Section G _____	CARRIED _____	15
Vote on L9 – Lobby Campaign – Section G _____	CARRIED UNANIMOUSLY _____	15
Vote on G1 – Grievances - Section G _____	CARRIED _____	16
Vote on L17 – Lobby Campaigns – Section G _____	CARRIED UNANIMOUSLY _____	17
Vote on EB2 – Negotiating Procedures - OAHPP _____	CARRIED _____	18
Vote on EB3 – Negotiating Procedures – CBS & Diagnostics _____	CARRIED _____	18
Vote on E1 – Education – Section G _____	CARRIED _____	19
Vote on Referral - B3 – Budget – Section G - add – “the Convention floor recommends that” _____	CARRIED _____	20
Vote on Adoption of Credentials Report _____	CARRIED _____	22
Vote to uphold the Chair _____	CHAIR UPHELD _____	24
Vote to add \$500,000 to pension budget – Section D – Budget 2009 _____	DEFEATED _____	24
Vote on Adoption of Credentials Report _____	CARRIED _____	26
Vote on EB4 – Economic Development _____	CARRIED UNANIMOUSLY _____	30
Vote to uphold the Chair _____	CHAIR UPHELD _____	31
Vote on Adoption of Section D - Budget 2009 _____	CARRIED _____	31
Vote on Const. Amendment A.1, Article 14, C.1, Section H _____	DEFEATED _____	33
Vote on Const. Amendment A.2, Article 14,16 C.2, Section H _____	DEFEATED _____	33
Vote on Const. Amendment A.3, Article 14,15 & 16, C3 & C4, Section H _____	DEFEATED _____	37
Vote on Adoption of Credentials Report _____	CARRIED _____	39
Vote to uphold the Chair _____	CHAIR WAS NOT UPHELD _____	40
Vote on Const. Amendment A.3, Article 14,16, C5, Section H _____	DEFEATED _____	40

Vote on Const. Amendment A.5, Article 20, C6, Section H _____	DEFEATED	___	40
Vote on OPSEU matching dollars of silent auction for L & LL Fund___	CARRIED	_____	41
Vote on OPSEU matching dollars - PWC _____	CARRIED UNANIMOUSLY	___	42
Vote on Adoption of Credentials Report _____	CARRIED	_____	44
The total donations raised for the Live and Let Live Fund is \$3,018.56._____			45
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