

MINUTES

EXECUTIVE BOARD MEETING

OCTOBER 17-18, 2007

DELTA AIRPORT WEST, HAWTHORNE A ROOM

OCTOBER 17, 2007

The Executive Board was called to order at 9:35 a.m. President Smokey Thomas was in the Chair. All members were present except Brenda Clapp. The reason for absence was acceptable to the Chair. Evelyn Anger, Executive Assistant to the President was also in attendance.

AGENDA

The agenda was amended to add:

- Lawsuit -In-Camera
- Update on Trusteeship of Local 446
- Update-Live and Let Live Fund and Social Justice Board
- Local 204/270
- Reconsideration of motion for disclosure from September 2007 meeting
- OFL Elections
- Poll confirmation
- OPSEU signs and new logo
- OFL resolutions
- Update-CAAT Part-time Campaign

The Agenda as amended was carried.

MINUTES OF PREVIOUS MEETING

Moved by Thomas/Jackson

THEREFORE BE IT RESOLVED THAT the Executive Board adopt the minutes of September 19-20, 2007.

Moved by Thomas/Almeida - defer minutes to Thursday-**CARRIED**

BUSINESS ARISING

Past President Severance

At the June 2007 board meeting the following motion carried:

THEREFORE BE IT RESOLVED THAT the issue of the past president and the current president's severance package be referred to the First Vice-President/Treasurer's Office to seek a legal opinion on OPSEU's liability; and

BE IT FURTHER RESOLVED THAT this opinion be from outside legal counsel with respect to non-payment of the vacation entitlements as indicated on the previous motion.

This issue was brought to the September board meeting but did not get dealt with.

Moved by Rout/Montgomery

THEREFORE BE IT RESOLVED THAT the past president be paid the remaining vacation entitlement of \$61,258.78.

This motion was ruled Out of Order by the Chair.

Moved by Montgomery

The Chair is challenged.

President Thomas in the Chair for the Challenge.

First Vice-President/Treasurer Rout in the Chair.

The question was called on the Challenge and the Chair was not upheld.

Moved by Elliot/Franche

Postpone this item until 9:30 Thursday morning.

Moved by Pridham/Eaton - Closure - **CARRIED**

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

COMMITTEE REPORTS

Executive Board Committee Elections

Board Report Committee

Dave Lundy was nominated and acclaimed to the Board Report Committee. Laurie Brown and Jay Jackson declined the nomination.

Environmental Committee

Sandra Snider was nominated and acclaimed to the Environmental Committee. Laurie Brown and Bob Eaton declined the nomination.

OPSEUCAAT Campaign Update

Brother Ted Montgomery gave an update on the campaign.

LEGAL ISSUE - LAWSUIT

President Smokey Thomas declared a conflict of interest and removed himself from the room.

Moved by Eaton/Almeida - In-Camera - **CARRIED**

AFTERNOON

1st Vice-President/Treasurer in the Chair.

LEGAL ISSUE - LAWSUIT

Moved by Eaton/Lundy

<p>THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board direct the First Vice-President/Treasurer to attempt to mediate a settlement in the lawsuit within the financial parameters as indicated by the First Vice-President/Treasurer.</p>

LEGAL ISSUE - LAWSUIT

President Thomas, Brother Elliot and Sister Pridham declared a conflict of interest and did not vote on the motion.

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

JONES HEWARD PRESENTATION

Geoff Waters, CFA, Jones Heward, made a presentation to the Executive Board.

Moved by Eaton/Almeida

THEREFORE BE IT RESOLVED THAT that a letter be sent from OPSEU to companies, that were screened out by Jantzi, indicating that due to failures under environment, employment issues and/or human rights, that OPSEU did not invest in their corporation.

CARRIED

President Thomas in the Chair.

LOCAL CAPACITY BUILDING PROJECT PRESENTATION

At the September Executive Board meeting the following motion carried:

WHEREAS the Local Capacity Building Project Plan sets out that support measures are to be directed at a limited number of partnering locals;

THEREFORE BE IT RESOLVED THAT the Executive Board approve the implementation of the Project based on a survey conducted with staff and Executive Board members and,

BE IT FURTHER RESOLVED THAT the locals to be included in the project will be identified and be drawn from consultation process with the Executive Board members in the regions involved and,

BE IT FURTHER RESOLVED THAT one local be included from each of Region 6 and 7; two locals be included from each of Region 1, 2, 3 and 4; and three Locals be included from Region 5; and

BE IT FURTHER RESOLVED THAT the Executive Board be provided with a project plan and budget at the October meeting as well as regular progress reports on measures implemented in such locals.

LOCAL CAPACITY BUILDING PROJECT PRESENTATION

Heino Nielsen, Administrator, Policy Planning and Program Division, Terry Moore, Sector Supervisor and Scott Kennedy, Staff Representative made a presentation to the Executive Board.

Moved by Walker/Elliot – Closure on question period - **CARRIED**

Moved by Thomas/Wall

THEREFORE BE IT RESOLVED THAT the Executive Board approve the locals, designated through the survey with Executive Board members, to participate in the Local Capacity Building Project, and

BE IT FURTHER RESOLVED THAT the Executive Board be presented with the work plans and supporting budgets for each local, once such plans/budgets have first been reviewed and approved by project staff and the applicable Regional Vice President, and

BE IT FURTHER RESOLVED THAT budgets for the thirteen designated locals together will not exceed \$115,000, or about \$9,000 per local, recognizing that travel costs and participating LEC members may vary, depending on the numerical and geographic size of the Local, and

BE IT FURTHER RESOLVED THAT the Executive Board approve the central budget of \$110,000 for activities related to project development and meetings, as set out in this report.

2nd Vice-President David Rapaport in the Chair

Moved by Middleton/Pridham– Closure - **CARRIED**

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

A Notice of Minority Report was served by Eddy Almeida, Ron Elliot, Jay Jackson, Mike Grimaldi, Laurie Brown and Gino Franche.

President Thomas in the Chair.

First Vice-President/Treasurer in the Chair.

PRESIDENTS REPORT

INTERNAL ISSUES

2008 Proposed Schedule of Meetings for the Executive Board and Committee

Moved by Rout/Tocker

<p>THEREFORE BE IT RESOLVED THAT the OPSEU Executive Board approve the 2008 meeting dates.</p>

Moved by Tocker/Rout - amendment

<p>Schedule a three day budget board meeting on November 18, 19 & 20, 2008</p>
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President Thomas in the Chair.

This motion was ruled Out of Order by the Chair.

Moved by Gino Franche

The Chair is Challenged.

President Thomas in the Chair for the Challenge.

First Vice-President/Treasurer Rout in the Chair.

The question was called on the Challenge and the Chair was not upheld.

Moved by Grimaldi/Elliot - amendment

<p>November 5-6, meeting is to be changed to a one day meeting to be held on November 6, 2008.</p>
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CARRIED

PRESIDENTS REPORT

INTERNAL ISSUES

2008 Proposed Schedule of Meetings for the Executive Board and Committee

The question was called on the motion:

Schedule a three day budget board meeting on November 18, 19 & 20, 2008.

CARRIED

Moved by Franche/Elliot

THEREFORE BE IT RESOLVED THAT if there is an equity planning day in 2008 that the equity unit be directed to hold the meeting on September 16 and that such meeting be held in the same hotel as the Executive Board meeting.

Moved by Almeida/Elliot - amendment to amendment

Change the hotel venue to the Delta East.

Moved by Franche/Eaton - Closure - **CARRIED**

The question was called on the amendment to the amendment **CARRIED**

Moved by Brown L/Elliot - Closure - **CARRIED**

The question was called on the motion as amended:

THEREFORE BE IT RESOLVED THAT if there is equity planning day in 2008 that the equity unit be directed to hold the meeting on September 16 and that such meeting be held in the same hotel as the Executive Board meeting and that the hotel be changed to the Delta East.

DEFEATED

Moved by Elliot/Eaton - Closure - **DEFEATED**

Moved by Montgomery/Rapaport - amendment

Change the start time to 9:00 am.

PRESIDENTS REPORT

INTERNAL ISSUES

2008 Proposed Schedule of Meetings for the Executive Board and Committee

Moved by Eaton/Elliot – amendment to the amendment

That the change in start time be for the 2nd day of the Executive Board meeting only.

Moved by Almeida/Pridham – Closure - **CARRIED**

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

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

Moved by Dumais/Eaton

Change the September 17-18 Executive Board meeting from the Delta Chelsea to the Delta East.

Moved by Grimaldi/Almeida – Closure - **CARRIED**

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

Moved by Almeida/Middleton - amendment

THAT the September 17-18 and December 10-11 location is to be determined.

Moved by Elliot/Jackson – Closure - **CARRIED**

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

Moved by Elliot/Eaton – Closure - **CARRIED**.

PRESIDENTS REPORT

INTERNAL ISSUES

2008 Proposed Schedule of Meetings for the Executive Board and Committee

The question was called on the dates scheduled as amended:

**Executive Board and Committee
2008 Schedule of Meetings**

Executive Committee Held on Thursday unless otherwise noted Start Time - 10:00 am	Location
January 10	TBD
February 14	TBD
April 15 (prior to Convention) 1:00 pm start	Sheraton Centre Toronto
May 8	TBD
June 5	TBD
August 21	TBD
October 2	TBD
November 6 (Budget Discussion Only)	TBD

Executive Board Start Time Wednesday 9:30 am Start Time Thursday 9:00 am	Location
January 23-24	TBD
March 5-6	TBD
April 16 (prior to Convention) 9:00 am start	Sheraton Centre Toronto
May 14-15	TBD
June 9-10 - EBM/Staff Retreat June 11-12 - Board Meeting	TBD
September 17-18	TBD
October 15-16	TBD
November 18-20 (budget discussion only)	TBD
December 10-11	TBD

OPSEU Convention - April 17-19 - Sheraton Centre Toronto
CLC Convention - May 26-30 - Toronto

NEW BUSINESS

Telephone Poll Confirmation re: the November board meeting.

The Executive Board confirmed the decision made on October 11, 2007.

Moved by Pridham/Thomas

THEREFORE BE IT RESOLVED THAT reconsideration of the September 19-20 motion to schedule a board meeting for November 13-15

Roll Call#1 Vote:	Almeida, Eddy	for
	Brown, Laurie	for
	Brown, Sue	for
	Clapp, Brenda	for
	Dumais, Mandy	for
	Eaton, Bob	for
	Elliot, Ron	against
	Franche, Gino	against
	Grimaldi, Mike	against
	Jackson, Jay	against
	Lundy, Dave	for
	Middleton, Doris	against
	Montgomery, Ted	against
	Pridham, Nancy	for
	Rapaport, David	for
	Rout, Patty	for
	Rowett, Claire	against
	Snider, Sandra	for
	Thomas, Warren	for
	Tocker, James	for
	Wall, Peter	for

CARRIED FOR - 14 AGAINST - 7

NEW BUSINESS

Telephone Poll Confirmation re: the November board meeting.

Motion #2

Moved by Thomas/Pridham

THEREFORE BE IT RESOLVED THAT the Executive Board meeting scheduled for November 13-15 be changed to November 20-22.

Roll Call#2 Vote:	Almeida, Eddy	for
	Brown, Laurie	for
	Brown, Sue	for
	Clapp, Brenda	for
	Dumais, Mandy	for
	Eaton, Bob	for
	Elliot, Ron	against
	Franché, Gino	against
	Grimaldi, Mike	against
	Jackson, Jay	against
	Lundy, Dave	for
	Middleton, Doris	against
	Montgomery, Ted	abstain
	Pridham, Nancy	for
	Rapaport, David	for
	Rout, Patty	for
	Rowett, Claire	against
	Snider, Sandra	for
	Thomas, Warren	for
	Tocker, James	for
	Wall, Peter	for

CARRIED FOR - 14 AGAINST - 6

A Notice of Minority Report was served by Mike Grimaldi.

TREASURER'S REPORT

First Vice-President/Treasurer Patty Rout presented her report, which addressed the following topics:

Financial Report

Bank Position - September 2007

Financial Projections - August 2007 General; Strike; Education Fund
and Defence Funds

Balance Sheets Summary - August 2007

Executive Board/Officers Approvals - General Fund

Executive Board/Officers Approvals - Defence Fund

LOCAL 204/270

Sister Patty Rout gave the Executive Board an update on this issue.

RECESS

The Executive Board recessed at 5:00 pm. All members were present except for Brenda Clapp.

OCTOBER 18, 2007

The Executive Board was called to order at 9:40 a.m. President Smokey Thomas was in the Chair. All members were present. Evelyn Anger, Executive Assistant to the President was also in attendance.

MINUTES OF PREVIOUS MEETING

Moved by Thomas/Jackson

<p>THEREFORE BE IT RESOLVED THAT the Executive Board adopt the Executive Board Minutes of September 19-20, 2007.</p>

CARRIED

BUSINESS ARISING

PAST PRESIDENTS SEVERANCE

Moved by Eaton/Rapaport

<p>THEREFORE BE IT RESOLVED THAT this issued be deferred pending further information.</p>
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CARRIED

COMMITTEE REPORT

Bargaining Unit Integrity Project

David Rapaport, RVP Region 5, Laurie Chapman, Inclusions Officer and Eric Morin, CERC Chair made a presentation to the Executive Board.

Moved by Rapaport/Eaton

<p>THEREFORE BE IT RESOLVED THAT the Executive Board accepts the report of the BUI Project Committee and allocate \$10,000 from the Contingency for the remainder of 2007.</p>

Moved by Almeida/Pridham - Closure - **CARRIED**

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

COMMITTEE REPORT

Bargaining Unit Integrity Project

Moved by Middleton/Rowett

THEREFORE BE IT RESOLVED THAT the 2008 budget includes a line item for the Bargaining Unit Integrity Project for an amount to be determined.

CARRIED UNANIMOUSLY

PRESENTATION

CERC Presentation made by Eric Morin, CERC Chair to the Executive Board regarding the disclosure process in the OPS.

Moved by Lundy/Wall

Reconsideration of the motion of September 20 Executive Board Meeting:

WHEREAS OPS disclosure comes to the MERC, Job Security Officers and Executive Board, and

WHEREAS OPS disclosure is almost always confidential and therefore members cannot be told what is in the disclosure, and

WHEREAS this lack of information going to the membership leads to distrust between OPSEU central and the membership,

THEREFORE BE IT RESOLVED that all disclosures involving members be shared with them through their Local President, including but not limited to surplusing, moves and changes of Ministry.

First Vice-President/Treasurer Rout in the Chair.

Moved by - Dumais/Eaton - Closure - **CARRIED**

The question was called on reconsideration and it **CARRIED**.

Moved by Elliot/Eaton

THEREFORE BE IT RESOLVED THAT all disclosures involving members be shared with them through their local President, including but not limited to surplusing, moves and changes of Ministry.

PRESENTATION

Moved by Elliot/Eaton - Closure - **CARRIED**

Roll Call Vote:	Almeida, Eddy	for
	Brown, Laurie	for
	Brown, Sue	against
	Clapp, Brenda	against
	Dumais, Mandy	against
	Eaton, Bob	against
	Elliot, Ron	for
	Franche, Gino	for
	Grimaldi, Mike	for
	Jackson, Jay	for
	Lundy, Dave	against
	Middleton, Doris	against
	Montgomery, Ted	against
	Pridham, Nancy	for
	Rapaport, David	against
	Rout, Patty	against
	Rowett, Claire	against
	Snider, Sandra	against
	Thomas, Warren	against
	Tocker, James	against
	Wall, Peter	against

DEFEATED FOR - 7 AGAINST - 14

A Notice of Minority Report was served by Gino Franche and Mike Grimaldi.

President Thomas in the chair.

UNFINISHED BUSINESS

OFL ELECTION

Moved by Thomas/Wall

<p>THEREFORE BE IT RESOLVED THAT OPSEU Executive Board endorse Yvonne Bobb for the position of Vice President of the OFL.</p>
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UNFINISHED BUSINESS

OFL ELECTION

Moved by Eaton/Lundy - extend the board until this issue is finished-
CARRIED

Moved by Elliot/Pridham - Closure - **CARRIED**

Roll Call Vote:	Almeida, Eddy	against
	Brown, Laurie	against
	Brown, Sue	against
	Clapp, Brenda	for
	Dumais, Mandy	for
	Eaton, Bob	for
	Elliot, Ron	against
	Franche, Gino	against
	Grimaldi, Mike	against
	Jackson, Jay	against
	Lundy, Dave	for
	Middleton, Doris	against
	Montgomery, Ted	for
	Pridham, Nancy	against
	Rapaport, David	for
	Rout, Patty	for
	Rowett, Claire	against
	Snider, Sandra	for
	Thomas, Warren	for
	Tocker, James	for
	Wall, Peter	for

CARRIED FOR - 11 AGAINST - 10

A Notice of Minority Report was served by Eddy Almeida, Laurie Brown, Sue Brown, Ron Elliot, Gino Franche, Mike Grimaldi, Jay Jackson, Doris Middleton, Nancy Pridham, Claire Rowett.

AFTERNOON

PRESIDENT'S REPORT

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

Internal Issues

2008 Proposed Schedule of Meetings for the Executive Committee and the Executive Board

Coca-Cola - Campaign to Stop Killer Coke

Funding Request to send delegates to OHC, OFL Health Care Workshops/Meeting

Heads up re potential litigation

Donations/ Appeals

Stephen Lewis - Thought for Food Gala

Staffing Issues - In-camera

Central labour updates (OFL/NUPGE/CLC)

INTERNAL ISSUES - In-Camera

Moved by Smokey/Elliot - In-Camera - **CARRIED**

Rise and Report

The following issues were dealt with In-Camera

Solidarity Reserve Fund (2)

Organizational Chart

RISE AND REPORT

CONTINGENCY FUND REQUEST

CCAC - Employee Pension Credit Lawsuit

Moved by Smokey/Rout

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

CARRIED

Moved by Smokey/Rout

THEREFORE BE IT RESOLVED THAT the Union commit additional funding out of the Contingency Fund of up to \$75,000 for the completion of all litigation processes up to trial in the lawsuit against the provincial government concerning the pension entitlements of CCAC employees.

CARRIED

Civil Action against P3s

Moved by Rout/Jackson

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

CARRIED

THEREFORE BE IT RESOLVED THAT OPSEU commit further funding from the Contingency Fund to a maximum of \$45,000 for the purpose of paying legal fees incurred during the course of the disclosure motion in the P3 litigation.

CARRIED

RISE AND REPORT

ORGANIZATIONAL CHART

The issue was discussed.

A Notice of Minority Report was served by Eddy Almeida, Laurie Brown, Sue Brown, Mike Grimaldi.

Moved by Tocker

The Chair is Challenged.

President Thomas in the Chair for the Challenge.

First Vice-President/Treasurer Rout in the Chair.

The question was called on the Challenge and the Chair was upheld.

President Thomas in the Chair.

CHARTER LOCAL 253

Moved by Jackson/Thomas

<p>THEREFORE BE IT RESOLVED that the Executive Board approve a charter for local 253 - Elmira District Association for Community Living which has 143 full-time and part-time members in the social services sector (2A).</p>
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CARRIED

Moved by Dumais/Thomas

<p>Extend the board meeting until necessary agenda items are finished.</p>
--

CARRIED

LOCAL 446

Brother Eaton gave an update on this local.

PRESIDENTS REPORT

INTERNAL ISSUES

Heads Up re Potential Litigation

A broad-based legal challenge has been filed by the Canadian Constitution Foundation, a right-wing advocacy group from Alberta, challenging the validity of much of Ontario's present health care regulatory scheme, including sections of the Commitment to the Future of Medicare Act (2004) and the Independent Health Facilities Act (1990).

A request for funding a share in such an intervention will be brought to the Executive Board once we have a better idea of timelines and potential costs.

Coca-Cola - Campaign to Stop Killer Coke

Information was given to the Executive Board.

ADJOURNMENT

The Executive Board adjourned at 4:45 pm. All members were present with the exception of Brenda Clapp who left at 12:00 noon.

Smokey Thomas, President

Cynthia Forsyth, A/Corporate Secretary

/cf