

THE PROFESSIONAL INSTITUTE OF THE PUBLIC SERVICE OF CANADA

MINUTES OF THE 101st ANNUAL GENERAL MEETING (VIRTUAL)

DECEMBER 5, 2020

AGM Chair, Sean O'Reilly called the 101st Annual General Meeting to order at 11:00 a.m. (Ottawa time) and welcomed all delegates and observers. He introduced Debi Daviau (President), Stéphanie Fréchette (Parliamentarian) and Julie Gagnon (Recording Secretary). Several housekeeping announcements were made.

1. President's Opening Address and Executive Report

President Debi Daviau addressed the delegates, touching on the AGM theme "Here for You".

The floor was then opened to questions from the assembly.

Q - What actions does PIPSC plan to do regarding the public service having to liquidate their annual leave banks before March 31st?

A – The Institute is pushing hard for this and accomplished extensions of provisions for the core public service however, this does not extend to CRA. Some Groups have more issues with Phoenix, which is a challenge. This remains on the radar but members should not have any expectations..

Q - Will PIPSC leverage the telework model to pressure the government to open up areas of selection for traditional "Ottawa jobs"?

A – The Institute has been working on this for a long time and the pandemic has proven that telework is possible from wherever members reside (for most jobs). The Institute will continue to advocate spreading out of jobs outside Ottawa.

Q – What is PIPSC doing around the discrimination with the application of code 699 leave in terms of members' rights?

A – There is progress being made on existing Treasury Board guidelines to make them clearer and members have been advised of those guidelines. The President suggested that individual cases be brought forward so they can be addressed on case by case basis. A lot of authority rests in the hands of managers but the Institute will continue to advocate for members' rights on this front moving forward, and will continue to communicate to members.

Q - What is the next step in making the government accountable for Workplace Modernization, considering the lack of response from the Minister of PSPC? Members are concerned that their workplaces are soon going to be torn apart or have been recently, and are unclear as to how COVID could affect them.

A – The President stated that Bargaining Agents have been meeting to determine what further action was required. Consideration is being given to put a "legal" campaign in place. She reiterated that any specific cases should be brought forward. The matter is being monitored very closely and

PIPSC continues to push decision makers to ensure the safety of members in the context of “open workspace”. She pointed out that Sean O’Reilly was the lead on this file.

Q - DND has used contractors to administer flu shots. Will PIPSC be pushing for SH members to administer COVID vaccines, when available?

A – The Institute continues to push against contracting out in order to protect the work of members. It will do the same for this and will follow up on any concerns arising. This should also be addressed with managers.

Q - In some departments, the work from home “policy language” is now saying that members are teleworking. Clarification was sought on whether or not that required that a formal agreement be put in place with the employer and if OHS inspections should be conducted, as well as security checks. If so, would that be an issue?

A - Telework has been a key issue, especially in recent months, as well as in the context of bargaining. Treasury Board is hesitant to put out rules or guidelines, and some Agencies have made up their own. It is important to ensure that members can work effectively and safely and that their accommodations are met. This is a significant undertaking for government and for the Institute, who is advocating at the departmental level through consultation teams and trying to come up with adequate provisions for telework.

Q – In the context of Workspace 3.0, some raised concern with vaccines rolling out and government pushing to get public servants back to the office. Can members be forced to go back to the office if unsafe to do so?

A – There are too many unanswered questions at this time therefore PIPSC would not be supporting an “en masse” return to work, even if a vaccine is available. Workplaces will need to be safe and all questions answered. Departments don’t seem to be in a hurry to get people back to work as it will take time before the majority of the population gets vaccinated. Any individual circumstances need to be raised and the Institute will address them.

Q – A status update was sought on the “Me Too” clause.

A – The Institute is in an agreement phase with the employer and is working out details on implementation. Some MOUs were negotiated with some Bargaining Agents, covering several elements of the catch up clause. There is a difference between the value of five (5) days of leave and the amount of money PSAC members received. This still needs to be looked into to make sure PIPSC members are not short changed and are properly compensated. Some will be entitled to a supplemental amount depending on their annual salary (lower). This will be communicated to members once all implementation details are sorted out.

Q - What kind of authority do caucuses have and will their recommendations be taken seriously to make a real change at the Institute and in the workplace?

A – Any recommendation will come to the Board through the Human Rights & Diversity Committee (HRDC) and the Board will approve and direct their implementation (if any). Some issues may be handled outside of the Board but that remains to be determined.

Any other questions can be directed directly to the Office of the President at any time.

2. National Anthem and Observance of Moment of Silence

The meeting started with the National Anthem, followed by a minute of silence for members who passed away in 2019.

(There were 448 accredited delegates at this time - 12:10 pm)

3. **Approval of Agenda**

Moved and seconded that the agenda be approved. **Carried**

4. **Approval of Rules of Procedures**

Moved and seconded that the Rules of Procedures for the 2020 PIPSC Annual General Meeting be approved.
Carried

5. **Approval of the Code of Respect**

Moved and seconded that the 2020 AGM Code of Respect be approved. **Carried**

6. **Approval of Minutes**

Moved and seconded that the minutes of the 100th Annual General Meeting be adopted as presented.

The following amendment to the minutes was proposed:

Item 9.5 - B-5 **AMENDED INSTITUTE BY-LAWS AND POLICIES** – Sponsor: Board of Directors

“It was also clarified that this was only applicable to national level BLs, **not to Group or other constituent body BLs.**”

The amendment **carried**.

The motion to approve the minutes as amended, **carried**.

The minutes of the 2019 AGM will reflect their language of origin being English.

Action: Recording Secretary

7. **Matters Arising from the Minutes**

Item 14.4 - B-8 **BY-LAW 7 – RIGHTS OF MEMBERSHIP** – Sponsor: NCR Regional Council

Contractors limited to hold elected office - referred to the BLPC

The BLPC was tasked to bring recommendations back to the 2020 AGM on how to limit contractors in elected offices at PIPSC based on the following instructions:

- Develop a clear definition of contractor
- Seek a legal opinion
- Ensure the Board and AC are implicated
- Report back to the 2020 AGM

The delegate seeking a status update will be contacting the BLPC Chair directly.

8. **Disposition of the 2019 AGM Resolutions**

P-14 Scheduling of Meetings and Training - Sponsor: Kalman Estrin

The report on the disposition of the 2019 AGM resolutions was received by the 2020 AGM.

(There were 471 accredited delegates at this time - 1:00 pm)

9. **Budgetary Resolutions**

F-1 Audited Financial Statements - Sponsor: Board of Directors (English)

Moved and seconded, that the 2020 AGM receive the audited financial statements for the fiscal year ending June 30, 2020.

Resolutions Sub-Committee Comments: No comment

The audited financial statements were presented by the Chair of the Finance Committee, assisted by the Director of Finance & Corporate Services. Several highlights were made and explanations given on some of the variances. The floor was then opened to questions from the assembly.

- Money loaned to the Building Trust to date (June 2019 to July 2020) - \$2.2M
- Actual cost of renovations at the National Office - capitalized (capital assets) - \$1.4M
- How are assets bought by constituent bodies tracked – They are part of the constituent body's annual allowance and are tracked accordingly.
- The expense statements refer to “bonuses” - It was clarified that this refers to the Service*Plus* portfolio, i.e., purchases of insurance programs resulting in bonuses for PIPSC
- How many Retired Members are there at PIPSC and how much are their annual dues? There are 2,653 retired member and their dues are \$69.60 per year

The motion to receive the audited financial statements, **carried**.

F-2 Appointment of Auditors - Sponsor: Board of Directors (English)

Moved and seconded that BDO Canada be appointed as auditors of PIPSC and its related entities, for the 2021-2022 fiscal year.

Resolutions Sub-Committee Comments: BDO Canada has been the PIPSC appointed auditors for four full fiscal year cycles.

It was pointed out that Deloitte was in place from 2011 to 2015 and, as directed by the AGM, and RFP was put in place to find BDO, in place since 2016. Another RFP will be conducted in 2022.

The motion **carried**.

F-3 Budget - Sponsor: Board of Directors (English)

Moved and seconded that the 2020 AGM approve the budget for the period of July 1, 2021 to June 30, 2022.

Resolutions Sub-Committee Comments: No comment

The Chair of the Finance Committee, assisted by the Director of Finance & Corporate Services presented the proposed budget. Several highlights were made and explanations provided. He stated that the Finance Committee worked diligently to present a budget (road map) based on the context in July 2020, and the best projections possible were made, considering the ongoing uncertainty regarding the pandemic. The floor was then opened to questions from the assembly.

The Chair of the Finance Committee also explained that the budget was prepared in June 2020 based on a “return to normal” in July 2020. A Task Force created by the Board was tasked to look at various options/ways of doing business virtually as much as possible. The Task Force will be bringing recommendations back to the Board in due course.

Line 4 (Salaries) – The variance of 10% and 5% between 2019, 2020 and 2021 is due to some retro pay paid out, new labour relations expertise and additional HR support being hired.

CLC Triennial Convention – Those funds are restricted for that event until a decision is made if it is held or not and whether the Institute will take part.

Staff salary increases based on recently ratified collective agreement for regional staff and tentative agreement of national staff - 13% increase and increase in pension - Those additional expenditures are reflected in the budget under fringe benefits (line 5).

Some were of the view that the proposed budget should be tabled until all financial resolutions were addressed, as per usual practice.

The Chair of the assembly noted that once all financial resolutions were dealt with, the budget would be amended accordingly.

The motion to approve the budget **carried**.

10. Proposed By-Law Amendments

B-1 BL 17 – Term of the National Election Committee – Sponsor: BOD (English)

Moved and seconded that,

Whereas the majority of Board Committee members serve a one year term; and

Whereas this one year term has made it difficult for the Elections Committee to properly prepare for the national elections;

Be it resolved that the following bylaw be amended to give the Elections Committee a three year term.

17.3.1 Composition - There shall be a Committee of the Board to be known as the Elections Committee consisting of five (5) to seven (7) members. Officers and Directors of the Institute shall not be members of the Elections Committee. The Board shall appoint members for a ~~one (1) year term which shall take effect January of each year.~~ two (2) year term beginning in January of 2021 and subsequent terms shall be three (3) years beginning in January of 2023.

This will align with the committee being formed the year before the election; the year of the election; and the year after the election.

Resolutions Sub-Committee Comment: No comment.

The mover explained that this was being recommended by the Elections Committee, the intent being to acquire the necessary experience to run national elections that occur every three years and to be in line with that cycle - preparing for the election (year 1), running it (year 2) and dealing with any issues resulting from the election (year 3). Given the steep learning curve for new members of that Committee, this would ensure a thorough transition and some continuity. The Elections Committee is a particular committee with a particular mandate hence the recommendation for a three-year term for this specific standing committee.

The same recommendation was also made by the previous Elections Committee Chair to ensure that members expressing interest to be part of this Committee were aware that this would/could be a multi-year commitment to ensure strong knowledge to run the PIPSC national elections.

Some spoke against this proposed BL amendment as written, as a complete change of membership after year three would not allow for proper transition, whereby a staggered approach would do so and would also ensure continuity. There should be some turnover each year to avoid a possible complete change after three years. As written, the motion would not result in the intended goal.

Although the intent is good, some felt that this may have an impact on other standing committees wanting three-year mandates, resulting in challenges to recruit volunteers to take part in committees. There should be an inclusive approach vs limiting opportunities to be engaged.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**.

B-2 BL Amendments from Policy Review Exercise – Sponsor: BOD (English)

Moved and seconded that,

Whereas the Board approved the new policy suite in 2019; and

Whereas this new policy suite resulted in the consolidation and re-naming of some policies;

Be it resolved that the following bylaws be amended to reflect the new policy name;

12.6.5 Allegations of misconduct, as set out in [By-Law 24](#), made against a steward shall be dealt with in accordance with the ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct.

17.2.3.2 Mandate All proposed resolutions for the Annual General Meeting shall be submitted by the proposer(s) to the Resolutions Sub- Committee for examination. The Sub-Committee may make recommendations as to the validity, legality and clarity of the proposed resolutions to the proposer(s), to the Board and to the Annual General Meeting. The Resolutions Sub-Committee may rewrite, combine, or substitute resolutions, prepare a composite resolution, or prepare a policy paper to cover the question at issue, so long as such modifications do not contradict the intent of the proposer with the consent of the author of the resolution. Such recommendations are not binding on the proposer(s). However, if the Sub-Committee believes a resolution contravenes the ~~Institute Policy on Harassment~~ Policy on Conduct or the Canadian Human Rights Act, the proposer(s) shall be given an opportunity to revise the resolution before recommending to the President that the resolution be rejected and the proposer(s) so informed.

19.6.1 Allegations of misconduct, as set out in [By Law 24](#), made against the President shall be dealt with in accordance with the ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct.

20.6.1 Allegations of misconduct, as set out in [By Law 24](#), made against a Vice-President shall be dealt with in accordance with the ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct.

21.6 Allegations of misconduct, as set out in [By Law 24](#), made against a Director shall be dealt with in accordance with the ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct.

24.1 Any member may be suspended or expelled from membership in the Institute, removed from office where applicable or otherwise disciplined in accordance with the Institute's ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct for misconduct which has been so found.

24.1.1 Any member who engages in the following misconduct may be subject to discipline in accordance with the ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct.

24.2 Appeals A member may appeal any disciplinary decision in which discipline is meted out in accordance with

the Institutes ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct.

24.3 Procedural Fairness Members subject to potential discipline pursuant to the ~~Dispute Resolution and Discipline Policy~~ Policy on Conduct will be accorded procedural fairness in the processing of the allegations against them.

Resolutions Sub-Committee Comment: The proposed resolution contains only administrative changes to the BLs required as a result of the Board of Directors adopting a revised policy suite recommended by the Policy Review Working Group in 2019, which was reported on at the 2019 AGM. As a result of the Policy Review, the Dispute Resolution and Discipline Policy was incorporated into the broader Policy on Conduct. This resolution seeks to make reference to the current policy suite as opposed to the pre-2019 policy suite.

The BLPC Chair stated that there were no changes being made to policies through the proposed amendments - simply changes to reflect the appropriate policies.

It was noted that the AGM approved the Dispute Resolution & Discipline Policy (DRDP) which was subsequently changed resulting in the Policy on Conduct. This Policy was not presented and approved by the AGM and has an impact on some elected officials. Clarification was sought on whether or not the two policies stricken were no longer in effect. Concern was raised with this being considered an administrative change when the Chair stated that most of the content of the two policies were incorporated in the Policy on Conduct.

It was clarified that most of the content stricken out of the two policies were incorporated in the Policy on Conduct. He Chair also explained that the content that was and/or was not transferred over is outlined in the report from the Policy Review Committee, available on the website.

Some were of the opinion that until the BLs are amended, the policies should not be enforced. It was pointed out that the part removed pertained to discipline of Board members. As such, there should have been a thorough review of the Policy on Conduct. Concern was also raised with the Policy on Conduct not approved by the AGM and being codified in the BLs. Some were of the view that this was not a simple name change and that avoiding proper procedure could have an impact on some individuals. As such, the AGM should have a full understanding of the new Policy on Conduct.

Clarification was also sought on whether the previous policies (DRDP and Harassment) were rescinded when the Policy on Conduct was approved. It was clarified that the proposed resolution only contained administrative changes to the BLs required. The Chair also pointed out that the Board of Directors adopted the revised policy suite as recommended by the Policy Review Working Group in 2019, which was reported on at the 2019 AGM. As a result of the policy review, the Dispute Resolution and Discipline Policy was incorporated into the broader Policy on Conduct. This resolution seeks to make reference to the current policy suite, as opposed to the pre-2019 policy suite.

Some questioned whether or not the proposed BL amendment was in order. The Chair stated that it was in order as it was simply cleaning up BL language and was not making any changes to any of those BLs.

The Chair was challenged on his ruling on the resolution being in order as based on past practice, all changes to policy should be brought to the AGM for consideration and approval, which was not the case with the proposed changes presented.

It was pointed out that the two policies (DRDP and Harassment) no longer existed and were replaced by the Policy on Conduct. As such, if the BL language was not amended, the BLs would be misleading and inaccurate as they would be making reference to policies that no

longer exist. It was also pointed out that as per BLs, the AGM does not approve policy.

The AGM sustained the Chair's decision. The resolution was deemed to be **in order** and debate resumed.

Some delegates were of the opinion that this proposed amendment was tied to the fundamental principles of a union of being treated equally whereby the "minor" changes made in the Policy on Conduct resulted in differences between Board members (President and VPs). The same standards should be applied to Board members as for all members.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**.

B-3 Elimination of Part-Time Vice-President Positions – Sponsor: ATL Regional Executive (English) - **WITHDRAWN**

Whereas PIPSC currently has four (4) Vice-President positions and a board of ten (10) directors to assist the President and;

Whereas a number of other National Public Service unions do not have a combination on multiple National Vice Presidents and Regional Directors and;

Whereas the two (2) part time Vice President positions incur considerable expenses for travel and salary for PIPSC duties, in the order of at least \$100 000 a year.

Therefore be it resolved that the two (2) Part Time Vice President positions be eliminated at the end of the current term and;

Be it further resolved that the Institute bylaws be amended as follows:

Executive Committee: The Executive Committee of the Institute consists of the President and the ~~four (4)~~ two (2) Vice-Presidents as described in By-Law 18.2

15.1 Composition The Board of Directors shall consist of the President, the ~~four (4)~~ two (2) Vice-Presidents and ten (10) Directors.

18.1 Elected Officers The President and ~~four (4)~~ two (2) Vice-Presidents shall be the elected Officers of the Institute.

18.2.1 Composition and Mandate There shall be an Executive Committee consisting of the President and the two (2) Vice-Presidents.

20.5 Remuneration and Benefits The salary scale for Vice-Presidents, ~~two (2) of whom shall serve on a full-time basis,~~ shall be determined by the Board and shall be published in the Notice of Elections/Call for Nominations. Vice-Presidents are not entitled to overtime payment or other special compensation for hours worked.

Resolutions Sub-Committee Comment: Since the number of directors set in the Institute's BL 15.1 is also set in the Institute's corporate Articles of Continuance, this resolution is considered a Special Resolution pursuant to para. 197(1)(i) of *the Canada*

Not-for-Profit Corporations Act and, as such, requires a majority of no less than two thirds (2/3) of the votes cast to carry.

N. B.: A vote in favour of this resolution will result in Articles of Amendment being sent to Industry Canada to modify the Institute's Articles of Continuance accordingly.

The estimated savings would be \$249K based on the average cost for the last 7 years.

This motion was **withdrawn**.

(There were 463 accredited delegates at this time - 3:30 pm)

Moved and seconded that resolution L-1 (Part-Time Vice-Presidents Compensation) be dealt with at this time, as an emergency resolution.

The mover explained that this was being requested as an emergency resolution due to time constraints and the possibility of it not being debated. Given its significant impact on the 2021 national elections, the 2020 AGM should have the opportunity to address the matter. It was also noted that the late resolution could not be submitted on time as the Board made this fundamental decision after the deadline. Therefore, it was timely to address this issue at this time.

The ECC Chair pointed out that there were ample opportunities for members to make comments and/or raise concerns. As such, this should not constitute an emergency. It is within the Board's authority to make such a decision and this resolution should not take precedence over proposed BLs amendments that were submitted on time. There is a process in place to deal with AGM resolutions and late resolutions should be dealt with at the appropriate time, once all other matters have been dealt with (time permitting). This request should not make exception to that process. This could only affect two members (PTVPs) whereby other resolutions could affect all members.

Some were of the view that this was not a matter of the number of members but a matter of compensation for future elected officials - an important consideration that should be debated by the AGM. This could also have an impact on who runs in the 2021 election therefore, the matter is important to members and should constitute an emergency and be debated at this time.

The question was called.

The assembly voted in favour of proceeding to the vote, requiring a 2/3 majority.

The motion was **defeated**. The assembly proceeded to the agenda as outlined.

B-4 Re-Appointment of Stewardship – Sponsor: Ontario Regional Executive (English)

Moved and seconded that,

Whereas Stewards are official representatives of the Institute and as such, they are the vital link between the union and the membership in the workplace;

Whereas the term of a Steward is normally three (3) years;

Whereas the non-renewal of a Steward should not be a surprise to a Steward;

Whereas a Steward should be made aware of any negative issues related to his/her Stewardship as soon as such an issue is known so as to afford the Steward an opportunity to discuss and rectify the issue if possible; and

Whereas a Steward should be able to know the case against a non-renewal and be afforded an opportunity to respond to it,

Be it resolved that BL 12.5 (Re-Appointment of Stewardship) be amended as follows:

12.5.3 (New) A Steward shall be informed of any issue that may negatively affect their Steward renewal. Such notification shall be made in writing on a timely basis.

12.5.3.1 (New) If a Branch, Sub-Group, Group or Regional Executive is considering the non-renewal of a Steward, prior to the decision being made, the rationale shall be sent to the steward and the Steward shall be afforded the opportunity to make representations.

12.5.3.2 (New) If the President is considering the non-renewal of a Steward, prior to the decision being made, the rationale shall be sent to the Steward and the steward shall be afforded the opportunity to make representations.

12.5.3.3 (New) A decision of non-renewal of a Steward and the reasons for this decision shall be communicated in writing within ten (10) working days from the time the official decision was made to the Steward.

Resolutions Sub-Committee Comment: Steward renewal is one of four key areas of the ongoing Steward Framework project with respect to which important process change is planned including the development of a positive validation process whereby a Steward's renewal will be based on their demonstration of the application of training principles through actions taken as a Steward to positively impact members and the workplace. Also, the process proposed in the resolution would require some level of oversight without specifying where responsibility for such oversight would lie.

The mover explained that in the case of non-renewal, the Steward should be made aware of the issues and challenges to give them the opportunity to address them. The proposed change to the BLs would address that gap and would ensure procedural fairness - something PIPSC advocates in the workplace.

The resolution was amended as follows:

12.5.3.1 (New) If a Branch, Sub-Group, Group, Consultation Team Presidents or Regional Executive is considering the non-renewal of a Steward, prior to the decision being made, the rationale shall be sent to the Steward and the Steward shall be afforded the opportunity to make representations.

Some Stewards have an important role and impact at the consultation table (third structure of the Institute) therefore Consultation Team Presidents should have a say in the renewal process of Stewards. The role in consultation is different and valuable and could be critical in the decision to renew stewardships, or not. Some Stewards are only involved in consultation but still make a significant contribution to the Institute and the membership, hence the importance of input from that side of the organization.

Some were of the view that having the same Stewards for long periods of time was not conducive to new ideas and new values. There should be some rotation and non-renewals could simply allow new members to engage.

It was clarified that if carried, this would require a change to the Policy on Stewards

(There were 472 accredited delegates at this time - 4:10 pm)

It was noted that a Consultation Team President was up for renewal, it would constitute a conflict of interest. As such, that member would need to recuse themselves from the recommendation process.

Some felt that constituent bodies are groups of members who put forth recommendations after reviewing all information. Since Consultation Team Presidents are not privy to all that information, they should not be in a position to recommend or not.

It was clarified that the proposed amendment would limit the process to Consultation Team Presidents since Consultation Teams do not have the same structure as constituent bodies.

The question was called on the amendment. The assembly was in favour of proceeding to the vote.

The amendment carried.

On the amended motion,

Motion to split the motion into the four distinct articles.

12.5.3 (New) A Steward shall be informed of any issue that may negatively affect their Steward renewal. Such notification shall be made in writing on a timely basis.

Clarification was sought on what was considered a “timely basis”. The Chair clarified that this would be determined by the Board of Directors. It was also clarified that the BLs would be interpreted by the Board and that as per current practice, the President would notify the Steward.

Some were of the view that Stewards should have the opportunity to engage in the same level of dialogue to resolve challenges and/or support their stewardship. As a union, the respect of one another should be modeled and members (Stewards) should be given the opportunity to rectify their behaviour and not be surprised with a non-renewal with no opportunity to defend themselves or give their perspective on things.

Some felt that the current process in policy was clear - renewals and/or non-renewals are decided by the President and appeals are possible. Any changes to this process could open up the possibility of reprisal within the union.

The motion was amended as follows:

12.5.3 (New) A Steward ~~shall~~ should be informed of any issue that may negatively affect their Steward renewal. Such notification ~~shall~~ should be made in writing on a timely basis.

Some were of the view that this specific amendment was not in order as the entire proposed amendment should be considered by the assembly - before the motion was split.

The Chair was of the view that the motion was in order and the mover of the amendment would simply have to amend each article as they are presented for debate.

The BLPC Chair of the view that the proposed amendment changed the intent of the BL and should be ruled out of order. The Chair agreed with that view point and **ruled the amendment out of order**.

The question was called. The assembly voted in favour of proceeding with the vote.

The amendment **carried**.

On the second part of the split,

12.5.3.1 (New) If a Branch, Sub-Group, Group, Consultation Team Presidents or Regional Executive is considering the non-renewal of a Steward, prior to the decision being made, the rationale shall be sent to the Steward and the Steward shall be afforded the opportunity to make representations.

Some were of the view that the motion should be ruled out of order as constituent bodies and Consultation Team Presidents can only recommend and cannot notify the Steward - only the President can do so.

Moved and seconded that BLs 12.5.3.1, 12.5.3.2 and 12.5.3.3 be referred to the Board of Directors.

It was noted that these articles are simply an elaboration of BL 12.5.3.1 and can be addressed by the Board to ensure a fair process for Stewards.

Moved that the 2020 AGM recess at this time.

The Chair ruled the motion out of order. As per the rules of procedure, a motion to recess cannot interrupt a speaker.

It was pointed out that proposed BL amendments cannot be referred to the Board - only the AGM can deal with BLs. The Chair noted that the motion could be referred however the Board could not act on BLs (make them official) and would need to bring proposed amendments to the 2021 AGM.

The question was called on the motion to refer. The assembly was in favour of proceeding with the vote.

The motion to refer **carried**.

Moved and seconded that all remaining resolutions be referred to the Board of Directors.

It was noted that resolution L-1 should not be referred to the Board but to a body that could make a decision prior to the next national election.

It was clarified that if the motion to refer did not pass, all remaining resolutions would die on the order paper.

Moved that the 2020 AGM recess at this time.

The mover explained that the intent to recess would be to allow the AGM to reconvene at a later date to deal with the remaining the business of the AGM.

The Chair did not recognize the motion to recess as it was presented as a point of personal privilege, which was not deemed to be one.

(There were 430 accredited delegates at this time - 5:40 pm)

The Chair was challenged on his ruling not to debate the motion to recess.

Some were of the view that the motion to recess was an important decision to be made by the AGM instead of referring all remaining business to the Board.

The assembly sustained the Chair's decision to resume the debate on the motion to refer.

Some spoke against the motion to refer as the AGM is the only opportunity for delegates to represent their constituents and conduct the business of the Institute. Therefore, the remaining resolutions should not be referred to the Board.

(The AGM recessed for a five minute health break at this time - 5:55 pm.)

(There were 412 accredited delegates at this time - 5:56 pm)

On the motion to refer,

Some were of the view that if the remaining resolutions were referred to the Board, it should be with the exception of L-1 and instructions should be given to the Board before the vote.

Some felt that the remaining BLs should die on the order paper and not be referred, even if they cannot be acted upon by the Board. The Chair noted that this viewpoint would be taken under consideration.

The Chair was challenged on his decision to refuse the original motion to recess, raised as a point of personal privilege.

The Chair explained that the delegate wanting to move recess would have needed to get access to the microphone in order to present the point of personal privilege. Since the wrong key word was entered in the Lumi platform, the motion was not recognized.

It was pointed out that the motion to recess had been submitted three time and was refused at each occasion. As such, the AGM should be allowed to vote on the motion to recess in order to ensure that the remaining business was dealt with at a later date. The matter of recess is more important than to refer and should be considered by the Chair. The assembly was aware of the intent of the mover of the motion to recess and if the meeting would have been held in person, this would not have occurred. Rules of procedure are in place to facilitate debate - not to make it more difficult. Given the new system and the new platform for delegates, the Chair should be more lenient and flexible while still maintaining control of the meeting.

(There were 398 accredited delegates at this time - 6:30 pm)

The question was called on the vote to the challenge to the Chair. The assembly voted in favour to proceed with the vote.

The Chair's decision was not sustained. The AGM proceeded to debate the motion to recess by identifying a seconder to the motion.

Moved and seconded that the 2020 AGM recess at this time and that the remaining resolutions be debated at a later date.

Some were of the view that it may not have been realistic to expect the AGM to complete its agenda in such a short period of time (6 hours). Taking this into account, the AGM should be reconvene at a later date to continue and finish its business. The mover clarified that the Institute can determine the appropriate date to resume the meeting.

Given the importance for members' voices to be heard through the AGM in the spirit of democracy, and given that the Institute was saving money by holding the AGM virtually, a second day should be allowed. The event would still be under budget compared to an in-person meeting.

Some felt that there is no need for a second day as the requirements under the *NFP Act* had already been met.

The motion to recess **carried**. The second day of the 2020 AGM will be determined by the Institute. The Chair clarified that quorum for the second day would be based on the maximum number of delegates logged into the AGM (50% of 472) and the Institute would decide when and how (format) the meeting would be held. He also clarified that since the requirements of the *Act* were met, no new resolutions would be accepted and there would be no new delegate call.

The President made some closing remarks at this time. She thanked the AGM Chair and Parliamentarian, as well as the AGM planning committee.

The AGM recessed at this time - 7:15 pm (Ottawa time).

SATURDAY, JUNE 5, 2021

The 2020 AGM resumed on this day. The AGM Chair Sean O'Reilly called the meeting to order at 10:00 a.m. (Ottawa time).

(There were 325 voting delegates in attendance at this time.)

B-5 10.4 ADVISORY COUNCIL – Sponsor: AFS Group Executive (English) - **WITHDRAWN**

Whereas the Advisory Council exists for Groups and consultation teams to discuss issues and provide advice,

And whereas consultation teams from employers with a single PIPSC bargaining Groups do not have a representative on the Advisory Council,

And whereas large consultation teams represent a diverse number of occupations in their consultations,

And whereas, this change will provide for a consultation representative on the Advisory Council for consultation teams from employers with a single PIPSC bargaining Group so long as they represent at least 1,000 members,

And whereas, this change would confirm long-standing practice and therefore result in no additional costs to PIPSC,

Therefore be it resolved that PIPSC By-Law 10.4.1 be amended as follows:

10.4.1 Composition

The Advisory Council shall consist of representatives of all Groups, Treasury Board National Departmental Consultation Teams; and Consultation Teams from employers with multiple PIPSC bargaining groups; and from Consultation Teams with a single PIPSC bargaining Group representing at least 1,000 members. Normally, the appointed representative is the Group or national Consultation Team President. Each Group and Consultation Team shall have only one (1) vote.

Resolutions Sub-Committee Comment: This would increase the number of participants at the Advisory Council meeting by 1. Therefore, the incremental cost would be approximately \$6K per year.

This motion was withdrawn.

B-6 Renaming of Training & Education Committee (TEC) - Sponsor: Atlantic Regional Executive - English

Moved and seconded that,

Whereas the Training and Education Committee (TEC) is now focused on mentoring in addition to training and education;

And whereas the current acronym, TEC, is phonetically the same as the commonly accepted acronym for a technical committee, Tech;

And whereas the fact that many members refer to the Information Technology Services and Projects Committee as the Tech committee create confusion;

Be it resolved that the TEC committee be renamed to the Training, Education and Mentoring Committee (TEAM committee)

17.8 ~~Training and Education~~ *Training, Education & Mentoring Committee*

17.8.1 Composition There shall be a Committee of the Board to be known as the ~~Training and Education~~ *Training, Education & Mentoring* Committee consisting of five (5) to seven (7) members. The Chair of each Region's Training Committee shall be the designated member to this committee. Each Region shall designate an alternate, should the Chair of the Training Committee be unable to attend.

17.8.2 Mandate The ~~Training and Education~~ *Training, Education & Mentoring* Committee shall be responsible for advising and making recommendations and/or providing advice to the Board on any issue relating to the recruitment, training, *mentoring* and education of Stewards/members and the Institute training program.

Resolutions Sub-Committee Comment: No comment

The motion **carried**.

B-7 Selection Process for CLC Committees – Sponsor: Ontario Regional Executive (English) (AMENDED)

Moved and seconded that,

Whereas, PIPSC sits on a number of Canada Labour of Congress (CLC) Committees

Aboriginal Worker Caucus
Disability Rights
Education
Electoral Reform Working Group
EI Ad Hoc Committee
Environment Committee
Health & Safety Committee
Human Rights
Legal Challenges Coordinating Committee
Pension Advisory
Political Action
Solidarity & Pride
Training & Technology
Tripartite Roundtable on International Labour Issues
Women's Advisory Committee
Workers of Colour
Young Workers Advisory Committee (YWAC)

Whereas, PIPSC has a call letter and a selection process for its own Committees of the Board

Whereas, there is no call letter or defined selection process for the individuals from PIPSC who sit on the CLC Committees

Whereas, a call letter would allow the membership to express their interest and a selection process would create a more robust process

Be it resolved that the new By-Law be implemented as follows:

17.12 – Canada Labour of Congress Committees

17.12.1 – Selection – A call letter shall be sent to the membership to solicit applications to represent PIPSC on CLC Committees.

17.12.2 – Equity Committees - Members who have applied to and identify with a particular equity group, shall be given preference over other members in the selection process.

17.12.23 – Confirmation – The Board of Directors shall make the selections, subject to 17.12.2.

Resolutions Sub-Committee Comment: The cost of one (1) PIPSC member to attend CLC Committees would be \$35K per year. Presently, eight (8) PIPSC members attend CLC Committees.

PIPSC is currently represented on the following CLC committees by staff and/or members:

**Aboriginal Worker Caucus
Disability Rights
Education
Electoral Reform Working Group
EI Ad Hoc Committee
Environment Committee
Health & Safety Committee
Human Rights
Legal Challenges Coordinating Committee
Pension Advisory
Political Action
Solidarity & Pride
Women's Advisory Committee
Workers of Colour
Young Workers Advisory Committee (YWAC)**

The mover explained that the intent of the motion was to ensure a transparent selection process, open to all members. It would also ensure more diversification on CLC committees.

The Chair clarified that different members and staff sit on various CLC committees however in some instances, the same members sit on some committees. It was also clarified that any incremental cost for travel and salary replacement would depend on the location of the member(s) selected.

Concern was raised with BL 17.12.2 in terms of having to self-identify and with the information possibly being made public. A clear selection process should be put in place - not the requirements of BL 17.12.2. Although the intent of this BL is good, as written it would be too prescriptive. It would be more important to ensure the Institute's positions and views are well represented.

It was clarified that some CLC committees are also equity seeking groups and the goal would be to assign members of those equity groups to those committees. The ability to assign members from equity seeking groups would benefit the Institute as it would get more members involved in the broader labour movement. The aim is to broaden the call for interest to get the best representation on those committees.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**.

B-8 The British Columbia Single Transferable Vote (BC-STV) – (Ontario Regional Executive) - English (AMENDED BY SUBSTITUTION)

Whereas, the 2014 PIPSC AGM adopted The British Columbia Single Transferable (BC-STV) process and it was first implemented for the 2015 National election;

22.3.2 Officer and Regional Director positions will use the British Columbia Single Transferable Vote (BC STV), as described in the BC Citizens Council Technical Report of December 2004;

Whereas, The BC STV system can be complex. “The following explanation is provided as an overview. It is what you need to get a basic understanding of how one is deemed elected to office using the BC-STV process. It is important to know that you can refer to the following links if you are interested in much more detail:

- Making Every Vote Count’–The BC-STV Technical Report
- PIPSC National Elections Procedures
- BC-STV Presentation to the 2014 PIPSC AGM (English)
- BC-STV Presentation to the 2014 PIPSC AGM (Bilingual)
- BC-STV –Questions and Answers, plus an example”

Whereas, in cases where there is only one position to be elected, the BC-STV system operates as a ranked ballot voting system, whereby the candidate with the lowest vote total drops off, until a candidate receives majority of the vote;

Whereas, in cases where more than one position is to be elected, the BC-STV system is not well understood and works differently than many people may believe;

Whereas, most members believe that they are voting for two full time and part time VP’s or in the case of the National Capital Region, four Directors;

Whereas, In fact, under the BC-STV process, members are only voting for one full time and part time VP’s or in the case of the National Capital Region, one Director;

Whereas, the BC-STV is not a good model for PIPSC, as the focus of the BC-STV was to ensure that party representation equated with votes for a party, and people do not run as in parties at PIPSC.

“The object (of the BC-STV) is to...(ensure) that each party’s share of seats in the legislature reflects its share of voter support.”
Making Every Vote Count–The BC-STV Technical Report

Whereas, in a referendum on May 12 2009 the BC-STV system was rejected by the voters of British Columbia – 60.91% against and 39.09% in favour,

Be it resolved that the following bylaw.....

22.3.2 Officer and Regional Director positions will use the British Columbia Single Transferable Vote (BC STV), as described in the BC Citizens Council Technical Report of December 2004.

Be replaced with the following By-Laws:

~~22.3.2 Officer and Regional Director positions will use the ranked choice ballot system and a candidate needs a majority of the vote to be elected.~~

~~22.3.3 In cases where there is more than one Officer or Regional Director position, the successful candidate is elected and removed from the process. The ranked choice ballot system is applied again until all the positions are filled.~~

~~22.3.4 Definition – Ranked Choice Ballot System – Voters rank the candidates in order of preference. Ballots are initially counted for each voter's top choice. If a candidate has more than half of the vote based on first choices, that candidate wins. If not, then the candidate with the fewest votes is eliminated. The voters who selected the defeated candidate as a first choice then have their votes added to the totals of their next choice. This process continues until a candidate has more than half of the votes.~~

22.3.2 Officer and Regional Director positions will use the ranked choice ballot system and a candidate needs a majority of the vote to be elected, with run-off of unsuccessful candidates when needed to get a majority.

22.3.3 In cases where there is more than one Officer or Regional Director position in election, each successful candidate is removed from the process when elected, then the ranked choice ballot with run-off system is applied again to all the initial ballots with the elected candidate(s) removed until all the positions are filled.

22.3.4 Definition – Ranked Choice Ballot with Run-off System - Voters rank one or more candidates in order of preference. Ballots are initially counted for each voter's top choice. If a candidate has more than half of the vote based on first top choices, that candidate is elected. If not, then the candidate with the fewest votes is eliminated by run-off. The voters who selected the run-off candidate as their top choice, then have their votes added to the totals of their next choice candidate. When all the choices on a ballot have been run-off, then this ballot is exhausted. This process continues until a candidate has more than half of the remaining votes.

Resolutions Sub-Committee Comment: The current elections platform was designed to facilitate the elections under the BC STV system. Should this amendment be approved by the AGM, our proposed approach would be to adopt a third party platform. The proposed solution could be implemented in time for the 2024 national election, provided it does not impact current strategic objectives.

The budget is based on a Rough Order of Magnitude (ROM) estimate with a -50% to +50% variance. The proposed election platform initial implementation cost is ~\$350K and the ongoing operating expense is ~\$250K per annum.

Moved and seconded that this motion be referred to the Elections Committee.

The mover of the motion to refer pointed out that the new election system could not be implemented for the 2021 election therefore the Elections Committee should have the opportunity to come back to the 2022 AGM with a proposal for a different system for the next election.

Some felt that the AGM should have the chance to debate the motion before referring it to the Elections Committee. This would also allow for clear direction to be given to the Committee.

The question was called on the motion to refer.

The motion to refer was **defeated**. The debate on the amended motion resumed.

As required by the *NFP Act*, the election process should be clear in the BLs for members to be able to vote accurately based on a clear understanding. The BC STV voting system is difficult to understand and some are not always clear on who gets elected. The proposed amendment would eliminate the confusion and would clarify the process.

Those supporting the motion felt that NCR members should be able to vote for four (4) Directors and the current process does not allow for that to happen. All votes should count towards the candidates chosen and votes should not be proportionally distributed to other candidates. With the current system, members lose their full voice.

It was reiterated that if the motion passed, it would not be possible to implement the new system this year. The Board would be tasked with discussing the matter and determining the best way forward.

Some were of the opinion that even though this would be somewhat of an improvement to the current process, it would result in no change to the voting process as there is no explicit mention of the ability to vote for four (4) NCR Directors, which was the intent of the mover. Even though BC STV is difficult to understand, it is a sophisticated voting system with many advantages, one of which allows for more diversity of representation in voting for multiple candidates.

Clarification was sought on whether or not the 2021 elections could be postponed to accommodate the new system, if adopted by the AGM. The Chair noted that this would need to be considered by the Board and by staff.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**.

11. Budgetary Resolutions (Cont'd)

F-4 2020 Dues Refund – Sponsor: NR Group (English) - **WITHDRAWN**

Whereas PIPSC activities were significantly curtail during calendar year 2020 due to the COVID-19 pandemic;

Be it resolved that in March 2021 each PIPSC member (regular and retired) receive a 15% rebate of all dues paid to PIPSC in calendar year 2020.

Resolutions Sub-Committee Comment:

The direct costs associated with this resolution are as follows:

Cost per regular member: $\$72.56 \times 15\% \times 12 = \130.61

Cost per retired member $\$69.60 \times 15\% = \10.44

Total cost for regular members: $63,864 \times \$130.61 = \$8,341,277$

Total cost for retired members $2,621 \times \$10.44 = \$27,363$

Total direct costs: $\$8,341,277 + \$27,363 = \$8,368,640$

The Institute does not have access to all members' banking information and would therefore have to produce and mail close to 60,000 cheques. Based on an average cost of \$17 to order and produce each cheque, the administrative costs associated with this task has been estimated at \$1,020,000

These reimbursements could possibly be treated as taxable income to members, which would require the production and mailing of Tax Forms for all.

The Institute does not currently have the appropriate human resources to undertake such a large project. As a result, it is expected that PIPSC would hire additional casual staff to achieve these tasks. The cost of this additional assistance is estimated at \$65K.

If passed, this resolution would result in an incremental cost of approximately \$9,453,640.

This motion was **withdrawn**.

(There were 325 voting delegates at 11:45 am)

F-5 Funding of Strike Fund – Sponsor: Ontario Regional Executive (English)

Moved and seconded that,

Whereas, PIPSC has a \$12.6 million Strike Fund as at June 30, 2020; and

Whereas, PIPSC had a \$9.9 million surplus for the year ended June 20, 2020; and

Whereas, it reasonable to believe that PIPSC will have a substantial surplus for the year ended June 30, 2021 as a result of the reduction in meetings due to COVID; and

Whereas, PIPSC has \$27.5 million of cash and investments at June 20 2020 and is in a position to put funds in the Strike Fund,

Be it resolved that the Institute make a one-time transfer of \$4M into the Strike Fund in 2020.

Be it further resolved that the transfer of \$4M into the Strike Fund would be a reduction of the \$12,663,925 owed to it by the Operating Fund and not an additional levy.

Resolutions Sub-Committee Comments: The accounting for Strike Fund is already segregated as stated in the audited financial statements. Accordingly, the Institute performs annual transfers to the Strike fund based on the imputed interest earned on our reserves. Over the last 3 years, the following transfers have been performed:

2018: \$407,000

2019: \$494,000

2020: \$653,000

The adoption of this resolution would be in breach of said accounting policy. Since the strike fund is externally restricted, the Institute cannot draw on this fund for any other expenditures but ones related to strike actions.

The Chair of the Finance Committee spoke against the motion, stating that there is money in the strike fund as part of the Institute's investments. The Board could allocate more funds to the strike fund however if the special amount of \$4M was allocated to the strike fund, that money could not be used for anything else, if needed. Irrespective of the intent of the motion, the Institute would use any necessary resources available to support a strike or job action. Allocating a specific amount to the strike fund is not necessary. Other investments besides the National Office building are doing well in the current market. He also clarified that it would take approximately 48 hours of current investments to be converted into cash.

Some were of the view that there should be a dedicated strike fund that could still continue to grow in interest but should not be used for anything else than to support job action. This would be an opportunity to demonstrate that the Institute has the required funds to support any possible job action and is ready to do so, if and when faced with that scenario. Even if funds are allocated, they could still be invested. This would simply be an assurance that sufficient funds are available to support a strike or job action

Some felt that the Finance Committee and its Chair are in place to advise the Board and the AGM on such matters therefore the organization should rely on their knowledge and expertise. If the recommendation is that this is not required, the AGM should follow that recommendation.

The Director of Finance and Corporate Services clarified that if passed, this would not affect the budget.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion was **defeated**.

12. **Policy Resolutions**

P-1 **Resolution on the Location of the PIPSC AGM – Sponsor: Atlantic Regional Executive (English)**

Moved and seconded that,

Whereas the PIPSC AGM has become 50% larger and requires a venue that accommodates that meeting size and have hotel rooms that can accommodate over 600 delegates and;

Whereas the Ottawa venues PIPSC has held the AGM in last decade only has about half the hotel rooms within walking distance to accommodates all delegates and;

Whereas in previous years PIPSC has incurred considerable cost in shuttling delegates to and from the AGM venue and;

Therefore be it resolved that PIPSC hold future AGMs, starting in 2021, in a venue that would accommodate the meeting and have enough hotel rooms within a 2 km radius, and;

Be it further resolved that PIPSC find a cost effective location within the Toronto – Ottawa – Montreal triangle.

Resolutions Sub-Committee Comment: The Corporate Services Section has already undertaken an analysis, comparing the different venues available within the Toronto – Ottawa – Montreal triangle. Only the Hilton Lac Leamy (Ottawa) and the Sheraton (Montreal) are willing to hold space on a non-contractual first option basis. As of now, Toronto does have 2021 options but venues are not holding any space.

Although no decision has been made on the 2021 AGM location yet, the venue will be selected based on location, contract flexibility, and cost-effectiveness.

Notwithstanding the 2012 AGM resolution to stop moving the AGM around the country, the mover explained that the intent was not to restrict the Board to hold the AGM only in the NCR. Since the event is growing in size and complexity in terms of logistics, this would allow the AGM planning committee to have some flexibility in finding appropriate venues in close proximity to accommodate the size of the AGM. It would also enable more networking for all members (keeping delegates together) and would potentially result in cost savings.

It was noted that the planning team would need to continue choosing locations that are unionized and/or union friendly and would also need to consider public transportation limitations within the triangle (as a result of the pandemic).

The motion **carried**.

P-2 In-Person Meetings – Restart in January-September 2021 – Sponsor: ON Regional Executive (English) (AMENDED)

Moved and seconded that,

Whereas, the Board of Directors has suspended all in person meetings until December 31 2020; and

Whereas, COVID-19 has had a varied impact on the country, with some areas being hard hit and other areas not at all; and

Whereas, local health authorities are the experts in the field and are making decisions as to the allowable size of meetings; and

Whereas, members are much better informed about COVID-19 than they were when it hit in early 2020 and about the risks of public gatherings,

Be it resolved that subject to local health regulations, that in-person meetings be allowed effective ~~January~~ **September 1**, 2021; and

Be it further resolved that the participants of the meetings will be responsible to ensure local health protocols are followed.

Resolutions Sub-Committee Comment: The proposed resolution presents a departure from the Board of Directors' authority to govern between AGMs, as set out in BL15.2. While the resolution proposes to allow certain constituent bodies to proceed to meet at will, the logistical reality of the current context is such that the Board will continue be required to consider exceptions to Policy (i.e. Travel Policy).

By adopting this resolution the AGM would be accepting all the liability risks associated with potential failure of constituent bodies to respect local health authorities' guidelines. The proposed resolution engages the potential liability of the Institute, as the sole corporate entity, in the event that local regulations are not respected or that civil liability is otherwise engaged.

Finally, the Institute, as an employer, has a duty to provide a healthy and safe workplace to its employees. Conversely, employees have a right to refuse to work in unsafe conditions. Any staff support for such meetings would be at management's discretion, on a case-by-case basis.

Some felt that local elected officials should be allowed to determine if and when it would be safe to hold in-person meetings, based on their respective locations. PIPSC is a large and complex organization and for some, only working virtually is difficult. Members need/want to get back to business in a more productive way. Based on vaccination rates, September would be the right time to start opening up and allowing in-person meetings, while following provincial health guidelines.

Some were of the opinion that members should trust PIPSC to make the right decisions based on the circumstances to ensure the health and safety of all members. The status of the situation in September is still unknown. PIPSC is a national organization with H&S Committees in the workplace, which currently allow in person meetings on an exceptional basis. This said, allowing in-person meetings of members at this time would be contrary to those directives.

It was also pointed out that consideration also needs to be given to the staff's involvement in member meetings. The AGM should not be making such a determination that would impact staff

The question was called.

The motion **carried**.

P-3 Restriction of Physical Meetings – Sponsored by the Executive of the CS Group (English)

Whereas the safety of all is essential

Whereas physical distancing is motivated by the current health crisis

Whereas there are provincial and federal regulations governing physical distancing

Whereas union activities continue during the health crisis

Whereas the Board of Directors must regulate our practices during the health crisis

Be it resolved that at the request of a constituent body, a committee, or an elected administrator that the Institute may allow physical meetings provided the applicable Federal, Provincial and Municipal rules and restrictions are observed.

Resolutions Sub-Committee Comment: In accordance with BL 15.2, the responsibility to permit physical meetings as proposed in this resolution would rest with the Board of Directors.

In addition, the logistical reality of the current context is such that the Board would likely be required to consider exceptions to Policy (i.e. Travel Policy).

By adopting this resolution the AGM would be accepting all the liability risks associated with potential failure of constituent bodies to respect local health authorities' guidelines. The proposed resolution engages the potential liability of the Institute, as the sole corporate entity, in the event that local regulations are not respected or that civil liability is otherwise engaged.

Finally, the Institute, as an employer, has a duty to provide a healthy and safe workplace to its employees. Conversely, employees have a right to refuse to work in unsafe conditions. Any staff support for such meetings would be at management's discretion, on a case-by-case basis.

This motion was **ruled out of order** as resolution P-2 carried.

P-4 Restriction of Physical Meetings – Sponsor: Québec Region Executive (French)

Whereas everyone's safety is of primary importance

Whereas physical distancing is driven by the current health crisis

Whereas physical distancing is governed by provincial and federal regulations

Whereas union activities continue during the health crisis

Whereas the Board of Directors has a duty to regulate our practices during the health crisis

Be it resolved that, at the request of a Constituent Body, Committee or elected Director and in order to address an exceptional situation, the Institute consider allowing physical meetings provided that applicable provincial and federal health regulations are respected.

Resolutions Sub-Committee Comment: In accordance with BL 15.2, the responsibility to permit physical meetings as proposed in this resolution would rest with the Board of Directors.

In addition, the logistical reality of the current context is such that the Board would likely be required to consider exceptions to Policy (i.e. Travel Policy).

By adopting this resolution the AGM would be accepting all the liability risks associated with potential failure of constituent bodies to respect local health authorities' guidelines. The proposed resolution engages the potential liability of the Institute, as the sole corporate entity, in the event that local regulations are not respected or that civil liability is otherwise engaged.

Finally, the Institute, as an employer, has a duty to provide a healthy and safe workplace to its employees. Conversely, employees have a right to refuse to work in unsafe conditions. Any staff support for such meetings would be at management's discretion, on a case-by-case basis.

This motion was **ruled out of order** as resolution P-2 carried.

P-5 FAMILY CARE POLICY – Sponsor: NCR Region (English)

Moved and seconded that,

Whereas the objective of the policy on Family Care is to remove barriers which prevent members from participating in union activities; and

Whereas family members who are not in a custodial right position but reside with the sole caregiver will not have the cost of their taking care of children of a member covered which could limit participation of a member in authorized PIPSC activities;

Be it resolved that the following change be made to the Family Care Policy:

Eligibility

Where the member is the sole caregiver at the time of the authorized union activity, the Institute will cover costs for care during the day outside normal work/school/daycare hours. Family care costs that would have ordinarily been incurred during work hours had the member been at his/her place of work are not covered.

This policy shall not cover cost for care provided by a spouse/partner, or former spouse/partner with custody rights ~~or a relative residing in the household.~~

Resolutions Sub-Committee Comment: If this resolution passes, additional costs would be incurred however the costs are difficult to estimate.

This matter was referred to the Board by the 2019 AGM. The Board referred the matter to the Finance Committee who felt that the proposed change would make the policy too broad. The current policy wording achieves the intent and exceptions can be submitted for approval.

It was pointed out that a similar situation was corrected by the Treasury Board therefore it should also be done at the Institute. The proposed change would remove restrictions and would provide a condition that would not be viable otherwise. This would be an accommodation for many members who are taking care of aging parents and small children. Some felt that there was also an emotional cost that should be considered and having a sibling caring for younger children could alleviate that burden.

Some were of the view that relatives living in the same household should not be expecting to be paid to care for younger siblings.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**.

(The AGM recessed for lunch at this time - 12:50 p.m.)

(There were 316 voting delegates at 1:30 pm)

P-6 Financial Statements – Fund Accounting – Sponsor: Ontario Region (English)

Moved and seconded that,

Whereas, PIPSC currently has an Operating Fund, Strike Fund and Bargaining Fund combined in one Financial Statement; and

Whereas, it is difficult for the ordinary member to gain an understanding of the position of the individuals Funds and the activity in the year; and

Whereas, it is important that members be able to easily gain an understanding of the true financial picture of PIPSC;

Be it resolved that the Institute Financial Statements show the Operating Fund, Strike Fund and Bargaining Fund separately and show a Combined Total.

NOTE - See supporting document attached.

Resolutions Sub-Committee Comments: This information is presented, and members can have a similar view by looking at the Statement of Changes in Net Assets in the PIPSC audited financial statements. Additionally, members are welcome to ask questions on the financial statements through the portal at any time.

The Chair of the Finance Committee spoke against the motion, stating that any member who have questions or need additional information can contact the finance staff and/or members of the Finance Committee at any time. As it would require significant effort by the finance staff to make this happen, there would be a cost involved. This would not be resolving any problems therefore there would be no need for the extra work to be done.

Resources are available to members to assist them in fully understanding the financial situation of the organization through the financial statements. As such, the AGM should rely on the recommendation of the Finance Committee Chair not to move forward this way. Furthermore, the possibility of exposing too much financial information by making changes to the current format should also be a risk to consider.

Some felt that this is was an issue of transparency for all members and would be more consistent with the way other unions present their financial statements. The information should be presented clearly and should be readily available to members, if and when requested.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**

P-7 Significant PIPSC Expenditures on New Initiatives – Sponsor: Ontario Regional Executive (English)

Moved and seconded that,

Whereas, from time to time, PIPSC makes significant expenditures on new initiatives

Whereas, in the past, the practice has been to come to the AGM for approval of the expenditure and initiative

Whereas, examples of this would be, the purchase of the building, joining the CLC and authorizing the start of Professionals Canada

Whereas, it is a good practice to codify this practice of coming to the AGM for approval

Be it resolved that expenditures of more than \$500K on new initiatives shall be approved by the PIPSC Annual General Meeting.

Resolutions Sub-Committee Comment: The proposed resolution appears to significantly impede the Board of Directors' ability to govern between AGMs, as set out in BL 15.2, by preventing the Board to act nimbly and make timely decisions on expenditures between AGMs (e.g. decision to provide face coverings to members during pandemic). The Board of Directors has a duty to act in the best interests of the organization.

It should also be noted that the amount of \$500K falls short of the \$1,550M materiality threshold established by external auditors.

As worded, some were unclear on what "new initiatives" would entail. Some felt that the AGM should not be tying the Board's hands in making decisions to meet the needs of members. Decisions sometimes need to be made in a timely manner and this would prevent the organization to do so.

It was clarified that the intent was for the AGM to be aware of and approve any new initiatives with significant costs. As the supreme governing body, the AGM should decide how members' dues are spent. This would provide oversight by the AGM and it would not be restricting the Board in any way. To some delegates, the proposed amount of \$500K seemed reasonable and would allow the AGM to be involved in the questioning of some of the initiatives presented to the Board.

The question was called. The assembly voted in favour of proceeding to the vote.

The motion **carried**.

13. Late Resolutions

L-1 Part Time Vice-President's Compensation (E)

Be it resolved that the AGM overturn the Board of Directors' decision of September 2020 that changes the compensation of Part-Time Vice-Presidents.

The Chair stated that Section 143 (1) of the *Canada Not-for-Profit Corporations Act (CNFPCA)* expressly gives the Board of Directors the authority to determine the compensation, if any, that is to be paid to an “officer” of PIPSC. The term “officer” pursuant to s. 2 of the *CNFPCA* includes Vice-Presidents. The Institute’s By-Laws also reaffirms this legislated authority of the Board and By-Law 20.5 grants the Board’s exclusive right and authority to determine the compensation for the Vice-Presidents. As such, Resolution L-1 violates the *Canada Not-for-Profit Corporations Act* to adopt, and for this reason, it was ruled out of order.

The Chair was challenged on his ruling as some felt that the legal opinion provided was incomplete and presented some inconsistencies. Furthermore, it was pointed out that the wording of *Act* was not provided to the AGM and as the supreme authority, the AGM should be privy to all information. Some delegates were confused with the various sections of the *Act* being quoted and asked for full disclosure in order to make an informed decision.

Even though the 1999 AGM gave the Board the authority to set the salary of VPs, some questioned whether or not the Board had the authority to set different salary rates for the four VPs. All VPs should be considered as being in the same “class” or of equal status.

The Institute’s General Counsel stated that the opinion provided took BL 20.5 into account in conjunction to Article 143.1 of the *Act* therefore, there was no doubt that the AGM gave the Board the authority to set the salary of VPs. Doing otherwise, would go against the *Act* and the BLs. Only an amendment to Institute BLs would permit the AGM to undo or overturn the Board’s decision.

A point of order was raised, stating that resolution L-1 was no longer relevant as it was replaced by L-2. The assembly should therefore proceed with the debate on L-2 at this time.

The Chair agreed with this point of order and allowed the assembly to proceed with the debate on L-2

L-2 Changes to the Compensation of the Part-Time Vice-Presidents (E) (AMENDMENT BY SUBSTITUTION)

Moved and seconded that,

Whereas changes to the compensation of Part-Time Vice-Presidents were approved by decision of the PIPSC Board of Directors at its September 2020 meeting; and

Whereas it has been a long-standing practice that Part-Time Vice-Presidents be compensated based on a Vice-President’s job description;

Be it resolved that the AGM directs the Board of Directors’ to review the decision of September 2020 that changes the compensation of Part-Time Vice-Presidents taking into account the consideration of the AGM.

The ECC Chair pointed out that the Board’s decision was based on facts and best practices. He explained that the ECC worked with the Institute on Governance, experts in the field of compensation, and followed an evidence-based approach and an approved compensation philosophy to ensure a fair process for all Board members and to remove all politics from the process.

Some were of the view that comparing the work of PTVPs to the work of RDs was not accurate and was an unfair analysis of both positions. FTVPs and PTVPs have the same authority and responsibilities and all report to the President. RDs are in effect volunteers and receive salary reimbursement whereby VPs represent all members nationally and as such, have more responsibility therefore, the incumbents should be

remunerated accordingly, in some way.

Some felt that one of the basic union principles “equal pay for work of equal value” was not being respected nor followed, and were concerned that this would be creating a human rights issue.

Concern was also raised with the lack of transparency in not providing all the supporting information to delegates to assist in their decision making (table from the RMG). Since the legal opinion was provided as an explanation, the Guild’s analysis should also be provided.

The motion was amended as follows,

Be it resolved that the AGM directs the Board of Directors to review the decision of September 2020 that changes the compensation of Part-Time Vice- Presidents taking into account the consideration of the AGM and ensure that there is equal compensation for equal work.

The core union principles are fundamental and equal work warrants equal pay. As such, all executive positions (President and VPs) should be paid positions. As a union, PIPSC cannot be discriminatory in nature. Ensuring equal pay for VPs would attract members to get involved and seek to serve on the Board and would also help with the recruitment of a diverse pool of members. There is no justification for not treating retired members fairly and equitably.

It was pointed out that as per the *Act* and Policy, terms and conditions of employment cannot be changed in the midst of the term. This would therefore come into effect on January 1, 2022. It was reiterated that governance and compensation experts state that compensation should be based on a fact-based compensation philosophy and that the incumbent should be remunerated only if taken out of the workplace. Going against this philosophy and the Board’s decision would be dismissing years of work done by the ECC, resulting in distrust of that body.

The Chair noted that through this debate and decision, the Board would be taking all the AGM’s comments into account when revisiting this issue.

(There were 319 voting delegates at 3:15 pm)

The question was called.

The amendment was **carried**.

On the amended motion,

Be it resolved that the AGM directs the Board of Directors to review the decision of September 2020 that changes the compensation of Part-Time Vice- Presidents taking into account the consideration of the AGM and ensure that there is equal compensation for equal work.

Reference was made to the *Act* in terms of “reasonable remuneration” and some were of the view that no remuneration was not reasonable. It was noted that this was not an issue of respect or lack thereof for the work of the ECC but about the basic principle of equal pay for equal work which needs to be considered and respected.

The amended motion was further amended as follows

Be it resolved that the AGM directs the Board of Directors to review the decision of September 2020 that changes the compensation of Part-Time Vice- Presidents taking into account the consideration of the AGM.

Be it further resolved that implementation of any changes to remuneration for part-time vice president officers not be implemented for the upcoming election.

The Chair ruled this proposed amendment out of order since the first amendment to L-2 passed and the subsequent amendment changed the intent of the resolution.

It was pointed out that this was not only a matter of retired vs regular members but would completely change the salary philosophy and the basic and fundamental principles of a union. The Board will need to fully understand this when it revisits its September 2020 decision and ensure that those who volunteer at PIPSC are not worse off and are not out of pocket. A strong “team concept” is important and the Board’s decision could be divisive. The Board has to follow the will of the AGM and revisit that decision.

The question was called.

The motion as amended, carried.

The AGM directed the Board to review its decision taking into consideration the AGM’s comments and concerns raised through the debate.

Closing Remarks

President Daviau made brief closing remarks prior to adjournment.

Adjournment

The AGM adjourned at 3:45 p.m.