



This is a meeting of the
National Executive Board of
Unifor, held via Zoom
Video Conferencing, on the
29th day of June, 2022, upon
commencing at 12:04 p.m.

NATIONAL SECRETARY-TREASURER LANA PAYNE

The Chairperson

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BOARD MEMBERS PRESENT

LANA PAYNE - National Secretary-Treasurer

RENAUD GAGNÉ - Quebec Director

Regional Directors:

Linda MacNeil
Gavin McGarrigle
Naureen Rizvi

Regional Council Chairpersons:

Matt Blois
Shinade Allder
Guy Desforges
Benoît Lapointe
Leanne Marsh

Industry Council Representatives:

Doug Carter
Gord Currie
John D'Agnolo
Tullio DiPonti
Dana Dunphy
Yves Guérette
Tammy Moore
Jennifer Moreau
Jennifer Murray
Marc Rousseau
Keith Sullivan

Additional Representatives:

Dereck Berry
Dave Cassidy
Les MacDonald

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WEDNESDAY, JUNE 29, 2022

--- Upon commencing at 12:04 p.m.

CALL TO ORDER AND WELCOME

LANA PAYNE: Thanks for making time for today. We've got a heavy agenda, obviously, but I'd like to start, if you don't mind, with welcoming Dereck Berry, our brand-new member of our National Executive Board. Welcome, Dereck. Congratulations on your election at the recent BIWOC conference in Port Elgin.

DERECK BERRY: Thank you. Thank you.

LANA PAYNE: And if you don't mind, we'd like to do a little bit of business with you, and that's to do the oath of office.

DERECK BERRY: Yes.

LANA PAYNE: And perhaps turn things over to you after that, just so you can have a couple of words, if you'd like.

DERECK BERRY: Okay.

OATH OF OFFICE

LANA PAYNE: But first, the most important thing is to make you an official member of

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the National Executive Board by delivering the oath of office. So, I'll read from this and then your -- you just have to say, "I do" at a certain part, and I'm sure you've done these things before.

DERECK BERRY: I have.

LANA PAYNE: Great, okay. So, hang on for a second and we'll work our way through this.

Give attention while I read you this obligation. Do you pledge on your honour to perform the duties of your respective office as required by the Constitution of the union, and to bear true and faithful allegiance to Unifor?

Do you pledge to promote a harassment and discrimination free environment, and work to ensure the human rights of all members are respected?

Do you pledge to support, advance, and carry out all official policies of the union, and to work tirelessly to advance and build the membership of our union?

Do you pledge to deliver all books, papers, and other property of the union that may be in your possession at the end of your turn to your successor in office, and at all times, conduct yourself as becomes a member of this union?

And you respond?

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DERECK BERRY: I do.

LANA PAYNE: Great. That was the hardest part, Dereck. And now, the last part of this, your responsibilities are defined in the bylaws, constitution, and policies of Unifor. Should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interests of the union. I trust you will faithfully perform your duties so that you may gain the esteem of your brothers and sisters and the approval of your conscience.

You will now resume your office as a National Executive Board member. Congratulations.

DERECK BERRY: Thank you so much, Lana. Thank you, and everybody else. This is exciting. It's a culmination of many, many years of being in our union. To actually be able to stick with you folks and be part of the leadership, I guess, of the direction of how and where our union is going in.

The position I hold is not something I take very lightly, and it's something that I think is very relevant and prevalent to what is happening with us today and within our union, and I look forward to meeting you all in person in Toronto. And please

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don't be upset if I try picking your brains about what's going on and how I'm supposed to do what I'm going to do, and I look forward to working with everybody.

LANA PAYNE: That's great. Thank you very much, brother.

DERECK BERRY: Thank you.

LANA PAYNE: So, without further ado, perhaps we can move to our agenda for the day, and I think we have some clapping happening here. Dereck, I hope you see all of that.

Some of the items obviously off the top were, you know, were as a result of the email and the need for a special meeting, so perhaps we can go through those and get through that first. And then others are ones that I would have added in, including some updates on the convention.

We just had our National Executive Board Finance Committee within the last week and a half, and so we will want to look at our audited statements, which are still kind of in draft form, but once they're approved by the Board, they can be finalized by the auditors, but we'll get to that later in the day, and also a draft budget, which we'll try and keep as short and sweet as possible because that will be

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towards the end of the meeting, and I know folks will probably want to get on about their business by that time. Not a complicated budget and very similar to how we did our last one.

So, why don't we start with the discussion around the delegates and voting strength, which was a document that I think was prepared with consultation with Shane and Josephine and Renaud Plante and Anthony around how we work through what we've been doing in terms of past practice as a union, and what the constitution says, and how we would probably carry on with past practice at this convention. Linda, before -- do you want to speak to that or something else before we get started?

LINDA MACNEIL: I'd like to speak to something else before we get started. First off ---

LANA PAYNE: Go ahead.

LINDA MACNEIL: --- the last meeting that I was on, I was using a headset, apparently, it didn't -- it wasn't coming across properly, so I'm going to ask the interpreters if the sound is okay. Thank you, Nicole. Merci.

So, yeah, Lana, I guess first off, I want to say this. Dereck, very welcome aboard, brother. We are -- it's been a pleasure to have you

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with us and we look forward to working with you. And I can -- not that I'm speaking for everybody, but you can ask whatever questions to any of us at any time you'd like, so welcome aboard.

But because -- oh sorry, Dereck. Were you going to say something?

DERECK BERRY: No, I was just going to say thank you.

OPINION CONCERNING CHARGES AGAINST LANA PAYNE MEMO -
JUNE 14, 2022

LINDA MACNEIL: Okay. So, I guess what I would like to do, Lana, because Dereck is new, is to actually read off why this special meeting was requested because I'm not -- he wasn't part of the Board at that time when it was sent to the Board.

So, as Lana stated, Dereck, it's a special NEB meeting that we're holding right now and there's several issues that several NEB members submitted. And the first -- I'll just read it to you. It's not long, so it won't consume much time, but I believe it's important for Dereck to appreciate what we're talking about today.

So, number one, Dereck, was dealing with the advice memo or the opinion memo that Lana had

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instructed Anthony Dale to provide to the NEB, and that was issued on June 16th. So, that's number one.

Second item on the agenda was exactly what Lana just raised, the delegates and voting at conventions, that memo. Oh, okay, so they -- so, Dereck has these then?

LANA PAYNE: I believe -- I believe Brenda would have forwarded these, but go ahead, Linda, and just list them out ---

LINDA MACNEIL: Yeah.

LANA PAYNE: --- as you would, but we -- I did make sure that he did have a list of things, including the memo.

LINDA MACNEIL: Okay. And I'll just continue because it's kind of brief. So, there's that one, and then the third one is that, you know, the understanding I have is that the NEB always approved the agenda for conventions, and we haven't had that yet, so that's another item that was added. So, those are the special items that we wanted to discuss here today that we couldn't leave to the regular meeting, which was August 5th.

So, Lana, if you don't mind, I know you were talking about the voting one first, but if -- can we go by what was listed on the agenda, which is

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dealing with the advice memo or the opinion memo from Anthony?

LANA PAYNE: Sure. Go ahead, Linda.

LINDA MACNEIL: Okay. So, obviously, these items have to be dealt with prior to the additional items, and I'm sure that won't be -- won't be an issue. So, I guess in dealing specifically with -- and I'm not sure, maybe Brenda or Lana or Dereck you can let me know, but if you actually were forwarded that memo as well, that was ---

DERECK BERRY: Yes, I did get all of that.

LINDA MACNEIL: Excellent. Excellent. Great. I just wanted to make sure we didn't want to leave you out of the discussion without having the documents. So, that's great, Dereck. Thank you.

So, given the opinion memo that was done on June 14th and sent to us on the 16th -- and Lana, the complaint, I guess I'll say that you were the accused, and you instructed Anthony to prepare the opinion. So, I guess in what -- and I see Anthony is again part of the NEB meeting here, so -- but I am asking you this, Lana. Is Anthony, like, your advocate or is he working on behalf of the union? Because you instructed him to prepare the opinion and send it out.

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LANA PAYNE: I just sent him all of the emails that we received from locals, Linda, and I didn't see the opinion before it went to the Board.

LINDA MACNEIL: No, but you ---

LANA PAYNE: And no, he isn't my advocate.

LINDA MACNEIL: Oh, okay, all right. Thank you. So, I guess I'm confused as to why the opinion came to the NEB if the NEB itself did not make that request. So, could someone explain that to me, please?

LANA PAYNE: Go ahead, Dave.

DAVE CASSIDY: If I could jump in here?

LANA PAYNE: You're a little hard to hear, so if you could move closer to your microphone, that would be great.

DAVE CASSIDY: I didn't get one of them fancy headsets yet, so I'm still waiting. So, I -- listen, any time that we have something that comes legal, or something comes from anybody, we always send it -- so, to Linda's question, we always send it to our legal people. We send it potentially to Shane Wark from the constitutional, we send it to, you know, others, whoever would, you know, deem it to be.

So, I don't think this is out of the

ordinary to send something to Anthony as far as a legal question that's being asked, and I -- that's the way I saw it when it came across, that there were charges that were being brought forward on several people. There was, you know, breaches, there was all kinds of call it whatever you want, and she sent it to the Legal Department to be reviewed and get an opinion concerning the issue. I don't find that -- I don't find that wrong on what transpired. I think it's a practice that we've always had.

LINDA MACNEIL: Okay, well, maybe you know a lot more than I do, Dave, because I don't know if that's a practice, and I haven't seen it when other issues have come forward, so that -- therefore, that's the purpose for my question, but I appreciate your input there.

So, I guess, that being said, so what purpose does the letter serve? So, Anthony, you did the opinion, it was sent out to the Board, so, like, what purpose? So, there's got to be a reason it was asked for, and then, like, so it was sent out to the NEB, and what do you expect the NEB -- so, before you answer, before you answer, I want to be perfectly clear, and this is Dereck's first meeting, and I apologize, Dereck, but I want to be perfectly clear.

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This is not about one individual; this is about process. I don't give a flying whatever of who anybody in this -- I was going to say in this room, you're not in my office in my house, so. But in this meeting, I don't care who anybody supports. This isn't about an election or anything to that matter. I want to know about process, and I'm just confused.

So, the charges were brought forward, the opinion came out, it got sent out to the NEB, and then there was dead air. So, I want to know about process. So, if you could please answer the question of why it was -- and, like, what do you expect the NEB to do with it? That would be very helpful, thank you.

LANA PAYNE: Do you want me to answer that, or do you want Anthony to respond to the opinion? Linda, what are you asking here?

LINDA MACNEIL: Well, you can answer. You can go ahead.

LANA PAYNE: Right. So, we had a number of issues coming forward, all of the same, and I think it made good sense, not only as Dave said earlier, to figure out what we do with this, what our -- all of it was the same, coming from the same exact positions and, you know, it made good sense to ask the legal department what is it -- what is the next process with

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this? What do we do here? The same as we would do with any kind of complaint or matter that comes forward like this.

LINDA MACNEIL: Do all ---

LANA PAYNE: Linda, go ahead. You can go ahead, Linda.

ANTHONY DALE: Lana, I'm happy to contribute to that.

LANA PAYNE: Go ahead.

TULLIO DIPONTI: Can I -- can I get in there? Because I think I had my hand up there, Anthony, sorry.

LANA PAYNE: Sure, go ahead.

TULLIO DIPONTI: So, Lana, I appreciate that answer, but to Dave's point, should we ask legal opinion, we rely on them, but this is a constitutional matter, and if I read the Constitution right, it goes to the NEB. The NEB decides whether -- what we do with these charges or if there's no charges. I don't understand why Legal has to get in there before the NEB even talks about it. There's a process and that didn't follow -- that didn't happen.

So, at the end of the day, I appreciate Anthony's response and everything like that, but the NEB, it seems to me, that we're being pushed aside

when this is our role to look at that, the charges or the complaints what happened, and the NEB makes a decision what we do with it.

By Anthony putting out that opinion, I can tell you what it did for me, because Anthony is a lawyer, I'm saying, well, maybe -- are they trying to make me believe that whatever Anthony says doesn't have to come to NEB no more? That's the gospel and that's what we're going to do? I still take my role as an NEB member serious, and as far as I'm concerned, I need to -- I -- it should go to the NEB so we can make a decision where we go with this. Nobody else.

I believe it also said we have that right under that Constitution, and we were given that right when the Constitution was written. That's why they wrote it like that. So, I appreciate Anthony's opinion and all that, but at the end of the day, as far as I'm concerned, the NEB makes its decision, and if Anthony weighs in based on our decision, whatever, absolutely, by all means, but the NEB should be the first ones to look at it and make a decision.

LANA PAYNE: Thank you, Tullio. Keith, over to you.

KEITH SULLIVAN: Thank you, and I realize that I don't have a headset. Like I said, I'm

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isolated today so I'll try to talk loud, and clear, and slowly for the interpreters, and I'll be very, very brief.

So, yeah, I think, generally, there's probably been not enough involvement for a number of years, and I've been around this table for a while, and maybe that's been a bit of a trend in the past, no involvement from the NEB. And I think any time there's something really happens, we go to rely on staff in areas of expertise to get some background or opinions so they can make sense as normal, and I only say that it's on the table for the NEB to discuss today. I think that that makes sense. So, I'll kind of leave it there, and I hope we can get on with the agenda today, everyone. Welcome, by the way, Dereck. Thanks.

LANA PAYNE: Anthony, did you want to come in here before I go to Yves, or do you just want to stay out of this right now until Yves speaks and --
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ANTHONY DALE: Well, I -- you know, I think I could assist the conversation just by pointing out that the recipients of the memo were all of the members of the National Executive Board, and all of the members of the National Executive Board received

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the memo at exactly the same time.

No member of the National Executive Board had input into my advice, or reviewed a draft, or approved the content of it. I identified a need to provide advice to all of the members of the Board.

As I said during one of the recent meetings, I think it was in April when we were dealing with the charges concerning Jerry Dias, I started my conversation by telling the Board that my role as counsel to the union is to advise the National Executive Board from time to time as required.

I think it would be impertinent of me to simply provide unsolicited advice, as much as I might sometimes want to do that, and as much as I might reserve the discretion or the prerogative to do that in rare, appropriate circumstances.

But in this occasion, Lana's office did forward the various complaints to me for consideration, and I participated in discussions with Josephine Petcher and Shane Wark about procedurally how they should be dealt with. And then I identified a need to provide advice about how the complaints might be dealt with by the Board, and there were some obvious issues that presented themselves, which I indicated should be addressed, and that was the basis

on which the advice memo that was then prepared.

And just in the event that any clarification is required, I do notice that there's an incorrect date on it. The date on which it was delivered was June the 16th, and the front page of it says June the 14th. It just didn't get updated during the drafting process.

So, that's the context in which that was delivered. So, it's advice to the Board, it's not in any sense, and I think this was clear from the tone of it, it wasn't in any sense an attempt to usurp any function of the Board. Rather, it was to provide you with advice that you would either accept or reject during your deliberations about this subject.

LANA PAYNE: Thanks, Anthony. Yves, over to you and then Naureen.

YVES GUERETTE: Okay. [Translation not captured].

LANA PAYNE: Okay, so the question is read the preamble and the resolution together. Is everyone okay with that or do you just want the resolution? All in favour of both? Okay. I think that means you can do both, Yves. Go ahead.

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MOTION: TO DISMISS THE CHARGES AGAINST LANA PAYNE

YVES GUERETTE: Okay. [Translation not captured] following this decision, letters were sent to the (indiscernible) with accusations against the National Secretary Treasurer and other NEB members for violation of the Constitution. The letters were sent saying that these letters had been sent on behalf of the local, Nathan Kraemer, 5954; Beth Couchman, 5555; Don Rheume; Kari Jefford, Local 229; Jodi Nesbitt, Local 240; Jennifer from another local; Mark Sciberras, 707; Wayne Beaumont from another local; Stephanie Krucas from another local; James Tauvette, Andrew from 875; (indiscernible) 160; Kirk Watson, 41; Emile Nabboutt, 195; Dick Storman, 707A and another local.

These were similar letters that were sent by Tammy Moore, John D'Agnolo, Doug Carter, Tullio DiPonti. Letters were sent from locals putting into doubt the process that was followed in order to adopt the resolution about accusations against an elected officer.

There were four letters with the following allegations, that NEB board and National Secretary-Treasurer manipulated the NEB by omitting to have a -- to hold a special convention, that the

secretary-treasurer was in conflict as a candidate for the post of president, that she had not divulged her intention of making her candidacy public, and made some decisions to profit her campaign, that the National Secretary-Treasurer had not followed Article 10 -- 4.10 and 4.11.

INTERPRETER: And on the 8th of '22 -- I'm sorry, could Yves please slow down? I can't follow. And Yves, please slow down, please? He's reading something that I don't have.

LANA PAYNE: Yves, hang on. Hang on, Yves? Yves, can you read slower for the interpreters because they -- merci.

YVES GUERETTE: Okay. I apologize. So, on the 8th of June 2022 before the NEB met in order to talk about these present allegations, Doug Carter, NEB Board member, sent a letter to the NEB members alleging that he was speaking on behalf of his local and other NEB members that had been sent the letters.

This letter and a letter from a lawyer was then shared on social media by some people who had sent letters and by Doug Carter on the 13th of June, 2022. Many staff members also shared this information on their own social media, and also shared inappropriate and negative comments about the National

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Secretary-Treasurer from Unifor.

Later on, Josephine Petcher, member of the committee, following a consultation with the Unifor local leader said that all of these questions would be examined by the NE Board. Article 18(d)(1) says that an accusation needs to be appropriate. It needs to be deposited 30 days after the allegation of what happened.

Following reception of these letters, the NEB sent a -- received a letter from Anthony Dale about the measures that could be required following these accusations. This advice letter indicated that despite that the allegations were of a general nature, that the accusations, essentially, dealt only with the National Secretary-Treasurer. And according to the Constitution, accusations can be made only when made by five people.

None of the five people who attempted to make complaints on behalf of the locals indicated that these accusations had been authorized by their locals following a democratic meeting of the membership of the local. Only three NEB members, Tammy Moore, John D'Agnolo and Doug Carter attempted to make accusations within the 30-day period after the 6th of May, 2022. So, that was less than five. Tullio sent a letter

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following the 30-day period.

On top of that, the accusation about -- went beyond the 30-day period because this was made public on the 20 -- on the 11th of April, and the letters are dated between the 3rd and 6th of January. The motion reads as follows:

On June 29th, 2022, the NEB met to review the letters received from June 3 to 6, 2022, attempting to lay charges against Unifor Secretary Treasurer, Lana Payne, and the advice from its Legal Department, and reached the following conclusion.

Therefore, the Unifor National Executive Board will confirm that the letters received from the various locals and NEB members from June 3 to June 6, 2022 asserting that the National Secretary-Treasurer and members of the National Executive Board breached the Constitution by manipulating the NEB and failing to hold a special convention do not make specific

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charges against any member of the NEB other than Lana Payne, and that the NEB has therefore decided to dismiss any alleged charges against all other NEB members alleged to have been charged with these (indiscernible) confirm the decision of the NEB that a charge under Article 18.D cannot be brought or supported by a local union officer without evidence of minutes confirming the decision to allege charges from a local union executive board meeting, and a general membership meeting.

Confirm that the decision that there will not be a special contention was a decision of the whole NEB with only one vote in opposition, that it was not a decision made by Lana Payne, and that she did not participate in the vote on a special convention while chairing the meeting on May 6th, 2022.

And confirms that where decisions of

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the NEB are made by a majority vote, allegations of manipulation against an officer or the other NEB members requires, at the very least, specific factual allegations and evidence that the person used fraud or dishonesty to cause other NEB members to act or decide in a particular way, and that there are no specific allegations or evidence of that kind in this case.

Confirm that the NEB has decided to dismiss the letters received from June 3 to 6, 2022, claiming to alleged charges against the Unifor Secretary-Treasurer for the following additional reasons:

under the Unifor Constitution, the Secretary-Treasurer can only be charged if proper timely and specific allegations are raised by five NEB members, or 11 or more local unions.

The alleged charges do not meet this threshold, and in addition, are not

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specific, as required, and therefore must be dismissed. The complete lack of specific allegations with sufficient facts or information is contrary to the Constitution and to the procedure policy on constitutional matters, and therefore, the alleged charges are not proper and must be dismissed. To the extent that the charges are about an alleged requirement by Lana Payne to disclose before April 11th, 2022, an intention to be a candidate for National President, none of the letters and emails was sent within 30 days after April 11th, 2022 and are also not timely and all such charges therefore must also be dismissed.

Confirm that the requests contained within the letters received from June 3 to 6, 2022 calling for an independent review by the Public Review Board will be treated as a request for review of the NEB

decision on May 6th, 2022 to rescind the motion to hold a special contention, and the request will be sent to the Public Review Board and will not be dealt with by the committee on constitutional matters. Immediately send this motion and decision of the NEB, including the preamble, to all union members, using all official communication tools.

So, that is the resolution that I'm making in order to resolve these complaints.

LANA PAYNE: Thank you, Yves. I'm going to ask for a seconder and then I'm going to remove myself from the chair while this is being discussed and ask Daniel to chair this discussion, given it's about me. I don't think it's appropriate that I'm chairing this portion of the meeting.

LINDA MACNEIL: Lana? Lana, before you do that, I have to ask, is this, like, the hearing? I don't understand what's going on here. A motion was brought forward, obviously. Is this the actual hearing that's supposed to be held at the regular next meeting? I'm ---

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LANA PAYNE: Linda ---

LINDA MACNEIL: Can someone please explain this?

LANA PAYNE: --- there's a motion on the floor, we're going to get a seconder, and then you can all discuss it, and I'm going to remove myself from the chair while that happens.

GUY DESFORGES: And I will second that.

LANA PAYNE: Thank you, Guy. Moved by Yves Guerette; seconded by Guy Desforges. Daniel, can you please take the chair?

DANIEL CLOUTIER: Can you hear me? Okay, so I'll start. I'll start over. Thank you, Lana. There's a proposal that was filed duly by a member of the NEB. Somebody would like to speak? Linda, you were already speaking, would you like to continue?

LINDA MACNEIL: Thank you, Daniel. Yes, I would. So, at this point, I have one question for somebody. I don't know who is going to answer it, whether it's yourself, Daniel, or since we have legal counsel at the NEB, perhaps Anthony can answer it. Is this the hearing? This is not what this was supposed to be. Obviously, you can bring a motion forward, but it sounds like we're either dismissing the charges or

not.

This should be done at the hearing which is supposed to be at the next regular scheduled meeting, which this is not. This is the special meeting. We were here just to discuss the intent of it. What was the intent of the letter? All of a sudden, now we're into a motion. Like, are we having a hearing? Can someone answer that?

DANIEL CLOUTIER: As far as I am concerned, Linda, I don't know what was supposed to take place or not to take place. This is the first time that I'm faced with a situation, but my understanding of the rules of the executive committee, if there's a proposal, we have to debate it. It can be accepted, it can be modified, or it can be rejected. This proposal has an effect to deal with complaints, but I think if we dealt with it, we might be able to solve the complaint.

LINDA MACNEIL: So -- and no offence, with all due respect, Daniel, I appreciate that. I just want a yes or a no. Is this a hearing or is it not? That's all I'm asking at this point.

DANIEL CLOUTIER: What I can see is that we are doing an executive committee, National Executive Board meeting. There's a proposal that was

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filed, it was seconded, we'll debate it, and we'll see what comes out of it for the resolution.

LANA PAYNE: Daniel, can you see who has hands up? I'm not sure how you're viewing the screen, but there are multiple hands up here.

DANIEL CLOUTIER: Yeah.

LANA PAYNE: I don't know if you can see that.

DANIEL CLOUTIER: Let me log onto my computer and I'll be able to see all the hands at that time.

LANA PAYNE: Great, thank you.

DANIEL CLOUTIER: Now, Olivier, can you see the hands? Who is the next one?

OLIVIER CARRIERE: I have Shinade, then Keith, then Naureen.

DANIEL CLOUTIER: Shinade, the floor is yours.

SHINADE ALLDER: Hi, okay. So, I'm a little confused as to what is going on here because Linda had the floor, she was talking, and then the preamble and that motion was put forward. Isn't that completely out of order? Like, is there not somebody that's going to jump in and say that's out of order?

Linda had the floor, she was talking,

and now we've gone completely off track. And to Linda's question as well, is this a hearing? What are -- where are we with this right now, and if somebody can please answer if this is out of order?

DANIEL CLOUTIER: Personally, I don't think we're out of order. Yves asked for permission to read the preamble, it was authorized, and then he was authorized to read the resolution. The candidate has a proposal which has been seconded, and we have to debate it. Do you have a comment on the resolution itself?

SHINADE ALLDER: No, I don't.

DANIEL CLOUTIER: Okay, Keith? The floor is yours.

KEITH SULLIVAN: Yeah, thank you. And I guess that was just generally my point there. I mean, obviously, there's a motion on the floor and it requires -- it's appropriate we speak to that. That's the point I was going to say. I know there was a couple of kind of interruptions, make sure people speak in turn. I'd suggest that we discuss the motion that's on the floor. (Indiscernible) off track. Thanks.

DANIEL CLOUTIER: Thank you, Keith.

Naureen?

NAUREEN RIZVI: Thanks. So, I guess in speaking to this motion, you know, it's asking for the Board to dismiss charges that 20-plus locals put forward to the Board for consideration. The Constitution says that if you get more than 11 locals, it goes straight to a hearing. And so, it doesn't say that the Board has the ability to make a decision to not allow it go to a hearing. And I mean, I guess Shane can answer that from the Constitution Department, but that's not what the Constitution says.

And I'll say this, you know, there's enough people on this, obviously, to toss this right out, and that's obvious, but I don't -- as a Board, we've got 20-plus locals that represent over 40,000 employees and 40,000 members who have questions and concerns, and if we think that it's going to simply go away because we said, you know, you filed it on Day 31 or, you know, the technicality is that you didn't prove this allegation or whatever, I mean, for maybe, you know, one local, but for 20-plus locals, if we think that dismissing it today, which your motion likely will do, if we think that it's going to go away, it's not. And I don't know why we want this to continue to dog us. I don't understand why we don't simply answer the questions.

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And, you know, I don't believe there's a single -- and I don't remember, somebody can tell me -- a single person on this elected group of national officers who has tossed out concerns that the members have that have, you know, gone to the National Executive Board who represent their voices, and tossed it out based on a technicality and not answered it.

I think very early on this should have been something that, you know, you want to actually bring them in and give an answer and make sure that members know where you stand, what your position is. This is what this is really about.

This question -- these questions have been going on for a very long time. Dismissing them today, as the Board can do, I don't believe that you can do that without a hearing, and I think that's going to generate exactly what it -- what we have right now with the special convention where we have locals who have filed complaints under the PRB to review the decision.

At the end of the day, however you want to do this, the Constitution says it goes to a hearing. If you as a Board decide we're not going to afford them a hearing, I guess the question to everybody here that has been put in place by their

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sectors or their regions are, do you really think these questions will simply go away because they were dismissed on technicality or whatever? If there's no merit, explain how there's none. But to say you're a day off so we're not going to answer it, I'm pretty sure that it's not going to stick.

And so, I, you know, being part of the National Executive Board, I think that, you know, the response, if you want it, to the local who is late is to say, you know, in terms of the charges, you're late, but we know that you have a concern, we want to answer it, here's the response. And I mean, this is not one local or two locals, it's 20 locals and it's a lot of members.

And so, you know, I'm going to urge the Board not to dismiss the charges without a discussion on it because there has been none. The charges came in, it is an incred -- it's probably the largest group of people that I've ever seen that have filed charges on particular issues. It is around candidacy for president, you know it's going to continue, and, you know, I just don't understand why we would want to just, without any discussion, put a motion forward that there was a legal opinion and therefore, all of this gone. That's all you -- the technicality part,

it's going to stay. These are going to fester and they're going to linger, and none of it is going to away. This is not how you resolve an issue.

Everybody here is a leader in their own locals, in your own sectors, in your own regions, you know this. Concerns like this do not just go away because you're trying to bury them under a technicality.

And so, I'm urging the group to actually have a discussion. Hold the hearing. Hold the hearing, and then after the hearing, make the decision. Then you have the right to make the decision, not prior to that.

DANIEL CLOUTIER: Thank you, Naureen. Gavin McGarrigle next.

GAVIN MCGARRIGLE: Thank you, Daniel, and I disagree with Naureen. I just want to speak, first of all, before the rest of the motion, just to the technicality part of it. I don't think this is a technicality at all. I think it is common practice for this Board to require that complaints are timely, to require that they're specific.

We have a long practice of dismissing complaints on that basis for many of our members and many of our local unions. We often have a screening

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process by the Constitutional Committee, but if there's anything controversial, of course it goes to the Board.

Josephine Petcher sent a memo to all of you, I believe it was June the 9th, saying clearly that the NEB has full authority to deal with all things, including whether or not they meet the standard to be considered charges, and I want to disagree strongly with the notion that they are charges. They're not charges until they're dealt with and deemed proper by this Board.

And what I heard in that motion is, to Naureen's point, explain it, I heard very good explanation, and I'm convinced by the explanation, and I think this motion is about accountability and transparency. And yes, it's a lot of local unions and NEB members who are clearly partisan on behalf of one candidate using allegations of the most serious nature against not only the National Secretary-Treasurer, but an attempt to smear the newly elected Quebec Director and members of the National Executive Board, who voted with only one person against a motion.

And even if those who had the position that abstaining somehow meant anything, even if every one of them had voted, that was two thirds of the

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National Executive Board who was going to vote in favour of rescinding the special convention for reasons that were thoroughly debated and thoroughly reviewed, as they should be.

So, there's nothing untoward at all procedurally about looking at the most frivolous and non-specific, and in certain cases, non-timely allegations and determining at a very first point, does it need to go to a hearing? Are the charges proper? Are they timely? This is what we do. And we've looked at the memos, we've looked at the letters, we've looked at the timing, and we've also looked at advice, as Anthony just explained, and we've had a chance to make some determinations on that. And I understand there's disagreement on that, but at the end of the day, the Constitution is clear, that we'll make decisions by executive board.

I also think, in terms of the National Executive Board and due process, it is not due process for a National Executive Board member to file a complaint -- summarize complaints from everyone else. We've had letters sent in that all of you have received, where some locals have questioned the process. And then it's been shared widely on social media by National Executive Board members before we've

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had a chance to meet and talk about it? And then we've had Unifor staff members, senior staff members, publicly attack the secretary-treasurer and the National Executive Board before we've had a chance to meet on it, and you're telling the people who think that that's wrong that that's okay? Well, that's fine.

What I heard in this motion is what I've been asking for -- many of us have been asking for all along, transparency, accountability to our members. So, we are telling exactly in this motion -- I want to thank Yves for putting it forward and for Guy for seconding it. We're telling people in this motion exactly why we think these charges are serious, exactly why they don't meet our long-established practices, exactly why we are considering this carefully as a National Executive Board, as we're required to do, and we're also defending the integrity of the board's ability to make decisions by majority vote, even if you don't like it.

So, spare me, frankly, the woe is me, we're outvoted. The reality is, I believe strongly that we defend this institution, we defend the National Executive Board, and this motion also includes an immediate sending out of all of these

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details, immediately, to all of our members, and we are going to face them all at convention in a few weeks. And I for one would rather go to convention with our members knowing the full details of why we acted in the report from Jerry of why we debated and ultimately decided to rescind our motion for a special convention, and why we dismissed these allegations against the secretary-treasurer and by extension, some could argue against the rest of the National Executive Board. I want that record to be out there for the membership, I think they deserve no less, and I think at that point, we can talk about healing.

And I also want to address briefly Doug Carter's letter that was sent today, and I did not appreciate, for one, the threat that somehow the union is going to break apart if we have a democratic election that he doesn't agree with. That's not democracy. We love our union, all of us love our union, and at the end of the day, we're going to have a free and fair election, and we're going to get the most important facts, all the facts, in front of our members and they will make a decision.

So, this is procedurally sound. This is in part of our normal practices. There's nothing untoward here, and we're putting it all in front of

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our members and let them decide whether or not we were right or wrong, and I think the National Executive Board members that vote in favour of this are prepared to do the exact same thing. So, thank you.

DANIEL CLOUTIER: Thank you, brother.

Now we have Jennifer Moreau.

JENNIFER MOREAU: Just very briefly, thank you. Just to respond to Naureen's comments, I think the Constitution is pretty clear on what the minimum threshold is for complaints and what constitutes frivolous complaints. And Anthony is, you know, to speak to Linda's earlier questions, he is Director of the Legal Department for the union, not for any individual members. And in his opinion, it's pretty clear this doesn't meet the minimum threshold.

Even if you forgave Tullio being late, you still don't have five people; you've got four. And the local -- all these locals sending it in, we're now getting letters that -- from presidents of locals saying, you know, this person is acting on their own, they don't have consent of the local. Like, to me this doesn't -- like, it's very clear this does not meet the minimum threshold for a hearing. So, that's my comment.

DANIEL CLOUTIER: Thank you, sister.

The floor now goes to Doug Carter. Brother Carter, are you still willing to speak? I can see that he's on mute. I don't see a picture or video.

DOUG CARTER: I can't hear any of you. I've actually tried to come in on the meeting twice. So, I'm lip reading right now. So, from what I can tell, there's been a motion put forward and -- where's the motion?

DANIEL CLOUTIER: You should have received it by email.

DEB TVEIT: He can't hear. So, he probably can't hear you, Daniel.

DANIEL CLOUTIER: Okay. Well, listen.

BENOIT LAPOINTE: Well, we can't accommodate people that don't have the proper equipment.

DANIEL CLOUTIER: Let's go to Keith Sullivan for now, and we'll try to fix the issue with a tech, but Keith, the floor is yours.

KEITH SULLIVAN: Yeah, thank you. So here I guess, I think it's incumbent on everybody here to, you know, deal with this. It's clear that the NEB, you know, really wants to be able to deal with this. Clearly, the authority is there, and I think these are the issues that people wanted to discuss and

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debate, and I think that Yves' motion contemplates their point of view, understanding that maybe someone who has a difference of opinions, but I clearly -- I think most would say that these are frivolous, I'll say, "charges" in quotation marks, and I think that most would see that, you know, this is coming from a -- an opponent's campaign and election, like was said, to smear. I think that's, you know, pretty clear from any measure.

But of course, we deal with it at the NEB and we can certainly make arguments, and now is certainly the time to do that. And like my comments earlier, rather than kind of go around in circles, I think that, you know, the issue was pretty clear of people that, you know, issues, or things to speak to the motion itself. Like, this is clearly the opportunity, and the NEB members should take ownership of these issues.

There was a point brought up earlier, and I think it's slightly -- it may be not directed to this motion, but I think since it was mentioned about issues around senior staff undermining the union, I think that's a very serious -- a serious issue, and I think it's going to require some serious consideration in the days, the weeks to come. But I guess that's

not at the forefront of this discussion right now, but I think it should be flagged for, definitely, future consideration. So, I'll leave that there right now, and certainly leave the floor open to others. Thank you.

DANIEL CLOUTIER: Thank you, I'll give the floor to John D'Agnolo.

JOHN D'AGNOLO: Thank you. I'm a little disappointed why Gavin would say we smeared the Quebec Director. There's no intent of smearing the Quebec Director by any means. And I'm also -- when it comes to transparency, I was clear on that in reading my minutes before Daniel was there, and I talked to Gavin about, at the time, Renaud and a bunch of you got together prior to and made some decisions on who you were going to support.

You weren't too transparent then, by the way, and when you're following the Constitution, it clearly stated outside 120 days, we must, but for some reasons we -- it was okay not to follow that. And if you're saying that because we didn't vote because we're following the language within the Constitution, you're right. I'm following the language, no different than me in front of a table making sure I follow the language.

You clearly had a meeting on that because Jennifer just discussed "we met". So, you all got together and discussed this. Who was part of it, I'm not sure, but Jennifer made that clear, "we met", and how some of the presidents that challenged Lana and the Board, that we were wrong. No different when we make decisions at the hall level, and then we continue on and find out if we were off the bag or not. This is no different.

I really think this should be going forward to the next meeting. It should be going before the PRB. It's hands off. A decision will come down. It might not come down until after our next -- after the convention, but at the end of the day, we really should -- because we do have Anthony's decision, but we have other decisions from lawyers that are saying different, and wouldn't you want to know if we're right or wrong, regardless?

I could be wrong in my decision, I'm okay with that, but I think that should be in the hands of people that deal with that every day, and that's all I'm asking. So, thanks for your time.

DANIEL CLOUTIER: Thank you, brother. I'm just checking in. Brother Carter, are you back online? Can you speak to us seeing as how you were

seeking the floor? No, doesn't look like he's -- I'll continue. Shane Wark, the floor is over to you.

SHANE WARK: Okay, thanks. I just want to take this opportunity to just clarify a couple things from a constitutional standpoint, starting with the fact -- I know Anthony had mentioned, you know, that the memo, he didn't speak -- he does speak with me and Josephine. We meet to discuss things at various times, but we didn't have input into Anthony's letter, clearly, and that's -- Anthony took it upon himself to prepare the document and send it to the Board, and I just want to be clear, that aspect, the Constitutional Department didn't have any involvement with it.

The second thing is they're -- I want to clarify for the Board. There is no charge against Daniel Cloutier. There was never a charge against Daniel Cloutier, and there was never a charge against any other member of the Board, other than Lana. And that is the -- that was the focus of Anthony's opinion, which created this discussion right now.

But the idea that others like Daniel and other members of this National Executive Board were also charged, I'm just saying that's not the case, and if you think that was the case, I want to clarify that

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and go on the record that's not the case. There was a single charge determined to be against Lana.

The second thing I will say is nobody is questioning the authority of the National Executive Board to make decisions about charges against a National Executive Board member. It's clear in the Constitution that is your responsibility. In fact, it's nobody else's responsibility. That's why the Constitutional Committee is not handling the charge because constitutionally, it is not that department's duty to handle the charge.

That's why Anthony's not handling the charge; constitutionally, it's not his responsibility. He provided advice, but at the end of the day, the decision lies with the National Executive Board. And the only distinction that we're talking about here is whether or not -- whatever decision the Board makes, including you have the right to make a determination if you think a charge is simply inadmissible, that is clearly within the available decision making of this National Executive Board. There's a whole range of outcomes that this Board could decide on a charge. They could say simply it's improper and we're done with it, or some other outcome.

But the issue was that in the

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Constitution, it talks about a hearing, and it talks about a decision including admissibility being made at a hearing. And so, I don't think there was an expectation coming into this meeting that this was the hearing, and I don't think there was an expectation coming into this meeting that on bullet point one on the agenda that there was going to be a discussion, other than about the -- getting some clarifications about the memo that Anthony sent to the National Executive Board.

So, just putting out there for the Board from a constitutional perspective, it is your authority to deal with it, it is your decision to make about the charge, including whether or not that charge is even admissible, and nobody's trying to detract from that.

The question is about whether the motion before this Board today is proper, or should this whole issue be dealt with at a hearing as set out in Article 18? But there is a motion on the floor, and I'm not going to say one way or another. As a non-voting member, I'm not going to engage in whether I think it's good or bad to have that out there. You guys can figure that out. I'm just explaining and clarifying a number of points related to these

matters.

And the other thing I want to clarify is a review of decision is completely different constitutionally than a charge. They are handled using different processes. Different accountable bodies are the ones who will decide outcomes on a review versus a charge.

The NEB decision not to hold a special convention is simply under review. There's no charge associated with the decision not to have a special convention, and that review, because this Board is the highest authority in our organization, can only be reviewed by the PRB. That's the only -- that is the only body under our Constitution that can review National Executive Board decisions, and I think you'll see from guidance that came out from Josephine and from Anthony, that is the step before that, and the Board will deal with the charge.

So, I think we're just actually just arguing about when these decisions are going to be made. Is it going to be made today or is it going to be made at a hearing? Nobody's arguing the authority that this Board has to actually deal with it. And maybe we are simply at a place where -- to -- I don't know who raised the point, but unfortunately, maybe we

are simply at a place where everything that gets determined or decided from this point forward, and people's ideas and thoughts and opinions are all going to align with the candidate they support. I hope that's not the case, but it's -- it seems we've reached that inevitable place and I just say let's just stick to the issue at hand, try to figure our way through this.

There's a motion on the floor. I hope that some of the facts that I provided from a constitutional perspective explains some things, in particular, Daniel, I know this is -- continues to be out there about a charge against you and I just want to let you know from the Constitutional Department you were never charged. Never. So, that's all. I'm just going to close off on that for now.

DANIEL CLOUTIER: Thank you, Shane. Doug Carter, no news? Before I give the floor to Gavin and he's already taken the floor, would someone else like to speak, someone who hasn't had an opportunity to speak yet? It would be a first time for Lana. Sister, the floor is yours.

LANA PAYNE: Thanks, Daniel. I'd appreciate an opportunity to be able to comment here, given most of these allegations and accusations are

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targeted towards me.

As you all know, for many weeks now, those of you who participate in social media would know this, my integrity has been called into question, but more importantly, which is something we all need to consider once we get through this, the integrity of the National Executive Board has been called into question, maligned, including by senior staff of our union, and I have to say that when our institutions are denigrated like that, and as they have been in such a public way, our members will lose faith in these decision-making bodies and institutions. They will lose faith in their union.

I have been, for a period of time, systematically trolled on social media, including by staff, including by senior staff. I've been criticized for not responding to Facebook comments, which include trumped-up accusations, allegations and conspiracies. Facebook, the home of fake news as our journalist friends tell us, is not the place to engage in serious debate.

Not once did anyone pick up the phone, email or text me with a question on this topic. Not once. The tactics used are some that we denounce as an organization every single day. Every single day.

These are the tactics used when the truth doesn't matter because no one really wanted the truth. That wasn't the goal here. It's pretty clear by now that the goal was a scorched earth policy.

I've heard any number of things in the last few weeks, including a revisionist history of events of earlier this year. Some of the trumped-up conclusions being made a related were related to the fact that in late January [*sic* - February], my husband registered a domain name in my name. If you wanted to know about the domain name, all you had to do was ask. The conclusion was that I had then decided to run for President of Unifor. This conclusion is ridiculous, and it is completely wrong.

We had many reasons to purchase a domain name, none of them was because I was contemplating running for president. In fact, our internal family discussions were whether I was going to continue at all.

There was a lot happening in our union at that time. I was overseeing a complaint, two candidates had declared their intention to run for president, our staff were being pressured to participate in those elections, to make donations of money. The rumour was that someone might even run

against me as secretary-treasurer.

At that time, I recall a conversation with Shane who said that would be a very unwise move on anyone's part. As I've told the NEB before, I did not decide to run for president until April, which is exactly when I announced it. I had decided to run because I was concerned about the future of the union, that's my right to be concerned.

I'm even more concerned now. Public condemnations of our union's elected leadership, by staff and others, the act of creation of a toxic climate, and the lack of respect for our union's decision-making bodies, none of these things are becoming of trade unionists.

This is no way to encourage anyone to run for office in our union, or to create the culture of respect and democracy that we aspire to have. I know that some people are mad, upset and angry that I decided to run. I get it, but I have made that decision, and nothing is going to change that.

As a candidate, I will continue to discuss with members, with locals, with anyone who wants to listen and speak with me, what we can do to build our union into the future, a union for everyone and with everyone. We must always strive to make our

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union better. That starts with recognizing how and where we can. I believe this union is worth fighting for. I know all of you do, too. In the end, though, it's going to be our members who will decide.

I'm not going to apologize for believing that a better union is possible, and I'm certainly not going to apologize for the actions that I have taken as secretary-treasurer. We are defined not by what we do when things are easy, but what we do when the circumstances are hard.

I did not choose to be dealt with this mess. I did not choose to have \$25,000 in ill-gotten gains dumped on my boardroom table. I did not choose any of this, but as the top officer of this union, I had one job. It was to protect this union, not certain individuals or past practices, the very union itself.

One of our union's founding principles is solidarity. It's perhaps the most important one. Here's how we define it in our founding principles.

Unifor is more than an aggregate of individual members. The union is shaped by our relationships, by how we treat and care for each other.

Our commitment to solidarity speaks

to the significance of the language we use, union sister, union brother and union comrade. It is evident in the day-to-day bonds of fellowship and friendship. It is found in the expressions of respect and mutual support, and it is witnessed in the acts of cooperation, and interdependence, and by our commitment to anti-harassment. Solidarity is how we pay tribute to the fact that an injury to one is indeed an injury to all. It is how we acknowledge that what we want for ourselves, we want for others, and it is how we demonstrate our resolve and our determination to make it so. It is how we build our union.

Thank you.

DANIEL CLOUTIER: Thank you. Thank you, Lana. I see that Doug Carter is back, so before giving the floor to Marc, I will give Doug Carter the floor. Brother Carter, you have the floor. I still think he has a technical issue. Brother Carter? Still technical issue. Marc Rosseau now.

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MARC ROUSSEAU: Thank you, I would like to call the question.

DANIEL CLOUTIER: Thank you, we will test the room, but before doing so, one last chance, Brother Carter. Has your technical issue been resolved? Apparently not. All right, then, so, Marc.

DOUG CARTER: Can you hear me?

DANIEL CLOUTIER: Yes, we can hear you, brother.

DOUG CARTER: Yes? But now I cannot hear you guys, so. I thought I had it. I borrowed a set of ear buds. So, again, I apologize, and I'm hoping that you can hear me.

Lana, I only got in the last little bit of your speech or your campaign, whatever that was that that last little bit was. I don't -- I didn't hear the beginning of it, but I did drop in.

You talked about the allegations as being harassment or something like that, if I can remember. So, I think when it -- when a lot of people ask questions over and over again and they don't get answered, it seems like harassment or it seems like bullying, but it's not, and I believe that yes, if you had answered some of those questions -- you said that no one -- I think you said something about no one

picked up a phone to call me. You received emails, you received questions at meetings, and those questions and those emails did not get answered. So, I can only imagine that maybe people that don't get answers get louder.

So, I don't think it was harassment or bullying. It was just we were not getting answers, and that's -- once again, I apologize whether you guys can hear me or not hear me. I am out of the country, so I don't know whether it's my machine, my computer, I mean, but -- and I did send a letter. I can see in the chat that everyone got it, but I'm asking that the membership please, or the NEB please read my letter and we need to follow the Constitution.

I believe that the Constitution is the way out of this. Let's forget about an election, let's just look at what we have in front of us. We have decisions to be made here, and it's about our processes, and making sure our processes are fair.

We had a lot of locals put names forward and yes, you're right, there was a couple of mistakes, maybe by me when I submitted the letter, not getting the right person lined up with the right local in that letter, but we still had 40,000-some-odd members come forward with a complaint asking questions and just

asking for some answers. And maybe those answers could be -- or those questions couldn't be answered and maybe that would be okay once they're answered, but the fact is that they weren't answered, and that's what the issue is. I apologize, I don't think that anybody is hearing me, so that's it.

DANIEL CLOUTIER: Thank you, Brother Carter. I know that you can't hear us, but we could hear you and I understand that it's somewhat upsetting not feeling being heard, but we heard your message. So, I think that Marc has moved to go to the vote. So, all those in favour of calling the question,

All those in favour?

(favouring votes shown)

Down. Opposed, if any?

(opposing votes shown)

Carried.

CARRIED.

All right, so I think it's clear enough.

I think we'll move to the motion proper.

All those in favour of the motion, please signify by raising your hand, and keep those hands up so that we can count properly.

All those in favour?

(favouring votes shown)

13 votes in favour

Down. Opposed, if any?

(opposing votes shown)

7 votes opposed

Carried.

CARRIED.

So, if I'm right, it's 13 in favour of the motion and seven against, so the motion is carried.

Right, so I have raised hands. Are you still voting? Because I've already counted you, Jennifer and Doug, or do you want to take the floor?

MOTION: RELEASE OF NEB MINUTES

JENNIFER MOREAU: I'm taking the floor. That's why my hand is up. Okay. Thank you everybody for your comments. I have another motion that I would like to table, and it has a preamble as well. Brenda has that, I've sent it to Brenda, it's been translated. Brenda, if you can send it to everyone, please, so that they can see it?

On January 24, 2022, Unifor National Secretary-Treasurer Lana Payne received a verbal complaint that then Unifor National President Jerry Dias engaged in an alleged breach of the Unifor Constitution. A written

complaint followed on January 26, 2022.

Following review of that complaint, Payne promptly initiated an independent external investigation.

On January 29, 2022, the elected leadership team was advised that a complaint had been filed against then Unifor National President Jerry Dias alleging violations of the Code of Ethics contained in Article 4 of the Unifor Constitution.

The elected leadership team agreed unanimously that an external independent investigation was required and that Jerry Dias would be advised to cooperate with the investigation.

The National Executive Board met on March 21 and 22, 2022 to discuss the results of the external independent investigation.

A summary report and a full report of the investigation conducted by the independent external workplace

investigation firm was provided to read to every member of the National Executive Board who was physically present at that time.

The independent external investigator determined on a balance of probabilities that Jerry Dias breached the Code of Ethics and Democratic practices contained in Article 4 of the Unifor Constitution in an interaction with a third-party supplier.

The investigator also determined that there was interference with the investigation in the form of contact with the complainant.

As a result, the NEB determined that Jerry Dias stands charged with breaching Article 4 of the Unifor constitution and that a hearing into the charges will be held in accordance with the Unifor Constitution.

The NEB also met several times over the next few months to discuss these

matters and the matter of a special convention. The NEB also discussed at length the various letters from many different local unions both supporting the decision to cancel a special convention and those who wished to proceed with a special convention.

On May 6, 2022, members of the National Executive Board decided by majority vote to cancel its previous decision to hold a special convention and a copy of that motion is HERE. There was only one vote cast in opposition to that motion.

Following that decision, some local union officials and NEB members attempted to file charges against Lana Payne and the members of the National Executive Board.

These allegations were dismissed in their entirety by the NEB on June 29, 2022 after a review of the matter and after receiving legal

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advice on the allegations.

The NEB as always been committed to transparency and accountability regarding the complaint filed January 26, 2022, and as such, communicated many details to its members and the public.

Still to this day, we understand that in these extraordinary and unprecedented times that we must do more to answer our members' questions.

MOTION - Releasing NEB minutes
Unifor members will attend their regular convention from August 8-11, 2022; and

The Unifor National Executive Board (NEB) believes that Unifor members should have the fullest information possible on the charges against Jerry Dias and subsequent decisions made by the NEB following the January 26, 2022 written complaint. Article 2, paragraph 6 of the Unifor Constitution states:

6. Unifor is committed to good governance, fair representation and clear rules and practices. The principle of accountability will be apparent in all our decision making and actions. And the practice of transparency will be evident in our procedures. Our reporting, financial and otherwise, will be timely and reliable and our decision making will be clear and relevant. Article 7(B)(3) of the Unifor Constitution states:

3. Verbatim transcripts will be taken at National Executive Board meetings. The proceedings will be transcribed immediately and sent to Board members. A record of decisions and actions of the National Executive Board shall be provided to all Local Unions and subordinate bodies in a timely way. Despite the NEB's commitments to transparency and accountability

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regarding the complaint filed January 26, 2022, and in relation to its subsequent decisions as a result, misinformation and speculation have clouded the transparency that our members deserve.

Unifor remains committed to transparency into the investigation of the constitutional breach by Jerry Dias and the subsequent decisions of the NEB.

Therefore, the National Executive Board will:

This motion will include the preamble and the motion, and the preamble will be immediately sent out to all Unifor members along with the following:

Immediately release all verbatim transcript minutes of all Unifor National Executive Board meetings from February 1, 2022 to June 29, 2022.

These minutes shall be translated

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into both official languages and released to all members using all Unifor communication tools. They shall be made available to all members in an easily accessible and digital manner.

All minutes currently available shall be immediately sent out to all Unifor members and any that are not translated and currently available will be completed as soon as possible and sent to all Unifor members immediately upon completion and no later than thirty (30) days prior to the opening of the regular convention on August 8, 2022.

The summary report and the full report of the investigation into former president Jerry Dias shall also be released immediately in order to inform members' ability to understand the discussion and context in those minutes.

Portions of the minutes and reports shall be redacted only as may be

required in the context of a stated
desire by the NEB for transparency.

That's the motion.

DANIEL CLOUTIER: Thank you. Do I have
a seconder? Moved by Jennifer Moreau; seconded by
Marc Rosseau. Are there any interventions on this
motion? Dave Cassidy, the floor is yours.

DAVE CASSIDY: Thank you, brother. So,
the verbatim minutes that we got today, obviously
there's watermarks all over them. I'm not sure why,
and I don't know, Jenn, would the motion ask for this
one how the motion -- I don't know if we could maybe
make a friendly amendment to that about this one going
out at a later date, but if it does pass, which I
support the motion, I planned on putting them out
anyways. I've been very clear about it and that was
one of my questions I was going to ask today.

It's interesting that some of these
motions are coming to fruition. I think that people
have been meeting. Well, there seems to be a few
people that have been meeting. I've been meeting with
the different locals across the country, and I've
missed the boat on a couple, but it's interesting how
some of these motions are coming forward, which is a
little disturbing to me since we're supposed to be

this one big, happy family, dysfunctional happy family right now. I hope we can fix that down the road because we have to.

But as far as the verbatim minutes, Jenn, I support your motion. I would just potentially ask that maybe that this meeting, you know, we could push off later because I'm not sure how -- I was listening to you, I wasn't really reading it, so -- and I don't know if that's what it says, Jenn, but I know it's including this meeting, but I would like to get those meeting minutes out immediately from prior to, from our February -- the first meeting that we had.

JENNIFER MOREAU: That's right. That's what it says.

DAVE CASSIDY: Okay. So, I will be supporting that. Supporting it today.

DANIEL CLOUTIER: Thank you, brother. Les MacDonald.

LES MACDONALD: Can I get those minutes sent through my email, please? I had a hard time bringing that up, the motion. I'd like to see the motion in person, so that's why it -- like, it's pretty hard to vote on it. I can't really read it.

JENNIFER MOREAU: It's in the chat.

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Sorry, Les, it's in the chat. Can you see the chat of this meeting?

LES MACDONALD: Yes.

JENNIFER MOREAU: Do you see those two documents?

LES MACDONALD: Yeah, but I can't seem to open them.

JENNIFER MOREAU: Well ---

LES MACDONALD: I mean, I'm not the tech guy here, so.

JENNIFER MOREAU: Okay, it's also in your email. It should be in an email to you.

DANIEL CLOUTIER: I got it by Brenda. So, most probably, Les, you should have gotten it by email.

LES MACDONALD: Yeah, I just -- it just came in now. Thank you.

DANIEL CLOUTIER: Should we take a brief pause so that people can read? I think someone is proposing a short break so people can read the motion.

GUY DESFORGES: I'm up for a good ten-minute break so that everybody can get their facts together, sure.

DANIEL CLOUTIER: All right, then. Fine. So, we've already been working for an hour and

40 minutes, so that makes sense. So, a ten-minute break. We'll be coming back at 1:50 p.m. I'm on eastern hours, so we'll be back at 1:50 p.m.

--- Whereupon the meeting was in recess
from 1:39 p.m. to 1:52 p.m.

DANIEL CLOUTIER: We still have a few people missing. We'll wait just a couple of minutes.

DAVE CASSIDY: Yes, thank you, brother. Just a follow up to my last comment. Now that I, you know, I listened attentively to Jenn, but I missed a couple pieces in there. So, the one at the bottom, it says about things being redacted. I'm just wondering what are we talking about as far as things being taken out of the minutes? Are we picking and choosing, are we talking about some legal things maybe, are we talking, like, Jenn, your motion -- and I'm just asking specifically. I looked at the 1,500-page verbatim a little bit this morning, but sorry, that's a lot of reading that I didn't get all the way through, but what are we talking about what we're redacting out of these? Can somebody clear that up for me?

JENNIFER MOREAU: Yeah, I can speak to

that. So, anything like communications advice, or anything that could harm a third party is something we might want to redact, just the same way that the minutes we've already received last night had a few redactions in them as well. So, nothing about, you know, politics or any of those decisions. It's just about, you know, comms advice or third parties, or if there's anything, you know, that would identify someone's family, those kinds of things.

DAVE CASSIDY: So, who would have made those -- so, I see that there's things that is blacked out in the minutes today that we got. Maybe somebody can answer that because I don't think you can answer that, Jenn, why it would be blacked out today. Maybe Lana could touch on that or Anthony, somebody. I mean, there's some things missing in those minutes that I was looking specifically for.

LANA PAYNE: Can I just mention here that some of the things that were redacted were what was redacted anyway, like the mention of employers, those names are not in the minutes. If there was a reference to a family member, that was all redacted because that shouldn't be -- you know, it's not necessary to the discussion, and I think the only other thing was the communications advice. Everything

else is in there.

But you will recall during the debate that there were mentions of family members names and discussions, and I didn't feel it was appropriate that that would be highlighted. They were not a party to the discussion or the debate.

DAVE CASSIDY: Yeah. Okay, great. Yeah. Thank you. That's it, brother chair. Thank you.

DANIEL CLOUTIER: Thank you, Dave. So, let's start where we left before. There's a motion that was seconded. Is there anyone who would like to speak on the motion? I assume you took the time to read it during the break. I don't see anyone. Les MacDonald? Go ahead, Les. The floor is yours.

LES MACDONALD: Sorry, about that. I was on mute. We haven't reached a decision on Jerry yet, have we? Like, he has the right to appeal or come before the NEB, so we're not done with that yet. Am I right in assuming that? So, I don't know, when I'm reading this here, it says about the full report. We're not done with that yet, so unless I missed something. Did I miss a meeting?

JENNIFER MOREAU: No, it's referring to the full investigation report done by the third-party

external investigator.

LES MACDONALD: But are we not required to -- the charges were brought forward. What are we going to tell the membership at the convention? Because they've been waiting for an answer, what are we going to say?

JENNIFER MOREAU: We're still waiting for Jerry to show up.

LES MACDONALD: So, we haven't really called a meeting for the NEB in order to deal with that situation and we can wrap that up prior to our convention. That's all I'm saying, like, people are going to ask questions. I don't know if I can -- I can't answer them honestly, so I'm still getting people asking me, you know, what's going on? What's going on?

So, are we or are we not going to finish that? That's my question. Like, we have to come forward, we have to report the thing or are we going to just hope that we sweep it under the rug like a lot of people are saying? Is that what you guys are doing, just putting it under the rug, sweeping it away? That's my concern.

JENNIFER MOREAU: No, no, no, no, no. I think from -- this is what I understand and if anyone

else wants to answer. So, last I heard, Jerry was in rehab and not available to participate. He's welcome to. I don't know where he's at on that. No one's sweeping anything under the rug. In fact, the intent of this motion is exactly the opposite; it's to put all the information out there so people can make an informed decision about who they're going to elect as president of this union moving forward coming out of a major scandal. If Jerry wants to participate in a hearing, absolutely, he's more than welcome to. I have not heard any indication that he is willing or able, so if someone has any other information about that, you know, let me know.

LES MACDONALD: My question would be, he has the right to appeal that. Maybe Anthony could correct that or Shane. It would have to be a scheduled NEB meeting that he has the right to come before and answer those charges. I could be wrong, but maybe Anthony or Shane could ---

DANIEL CLOUTIER: I just want to make one thing clear. The debate must deal with the motion, unless you're bringing up another topic which is not included in the motion.

So, the complaint process with Jerry which we will need to be dealing with the NEB to know

which -- what will be the penalties against Jerry, it has nothing to do with the motion that is in front of us. One doesn't prevent the other one, otherwise -- in other words, it's not because a vote is made on a motion that it will have an impact on this investigation that is still to come regarding the complaint against Jerry.

Now, I don't know whether Anthony or Shane would have additional information to add to what I've just said, but the debate in front of us is, are we publishing the minutes to our members, including the report we received so far regarding Jerry's investigation? It doesn't have to do anything to do with -- I don't know what is the status of this. I don't know why it hasn't taken place, when it is planned for.

As Jennifer, I have been told that he was in rehab on a medical leave, that he was unable to be physically there at the hearing. I don't know whether we'll get an update on this eventually, but it has nothing to do with the motion in front of us.

LES MACDONALD: Well, Daniel, no disrespect, and I know that you weren't there when we were going through all this, but I'm just reading the second last paragraph and it says the summary report,

full report of investigation and the full report, so we're not full. We're not done of that whole report, so how can we send it out, release it to inform members' ability to understand the discussion in context of those minutes? That's all my question is. Thanks.

JENNIFER MOREAU: If I can answer that, the report you're talking about, Les, doesn't exist yet because we haven't finished the hearing because Jerry hasn't shown up. The report in this motion is the one that we reviewed as the NEB, the full one, the investigation done by the independent third party. That's what we're releasing, and that's what I said from day one, we should have put out there so people can have a full picture. It's about rebuilding credibility with our members and being transparent about what's happened. So, the report you're talking about doesn't exist yet because he hasn't come here in front of our -- in front of the NEB to answer these charges.

LES MACDONALD: Okay, thank you.

DANIEL CLOUTIER: Okay, I think Tullio now. The floor is yours, Tullio DiPonti.

TULLIO DIPONTI: Thank you, brother. My question is to Lana because I believe she's still the

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chair of this meeting, is in regards to that motion, it says charges dismissed. Are we going to put the vote in there too?

LANA PAYNE: Sorry, Tullio, to which question are ---

TULLIO DIPONTI: The motion that Jenn put out, Jennifer put out there, it says that the charges were dismissed, but it doesn't say that there was a vote taken and the vote numbers, just like we did the last one where six people abstained, and one was against, and the rest voted for it. I just want to make sure that vote is reflected, whatever we send out to the membership.

LANA PAYNE: Oh.

TULLIO DIPONTI: That's what -- and I believe you're still the chair and I think you should be chairing the meeting.

LANA PAYNE: Well, the earlier topic was about me, so I didn't think it was appropriate to chair the meeting, Tullio, at that point.

TULLIO DIPONTI: But we're done with that, right?

LANA PAYNE: Yeah.

TULLIO DIPONTI: Thank you.

JENNIFER MOREAU: Just to answer that,

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if the motion includes releasing the minutes up to and including this meeting, so the vote will be included.

TULLIO DIPONTI: Thank you, Jenn, and I think it should be. I think we've got to be as transparent as we can to all the members because they want to know who voted and who voted against it, and who abstained and all that, just like we did the last time. Thank you.

Can I ask one more question? Why aren't these minutes going to be part of that, what gets sent out? I know what -- Dave doesn't -- he says that we shouldn't have them, but I believe that we have enough time to release these minutes to all the members, including today.

JENNIFER MOREAU: That's what the motion is for.

DAVE CASSIDY: That's what I'm saying.

JENNIFER MOREAU: Sorry.

TULLIO DIPONTI: Yeah, all right.

JENNIFER MOREAU: That's what the motion is for, including this meeting, right? So, obviously, we can't release the minutes of the meeting we're in once this minute is over -- or sorry, once this meeting is over, then those minutes can go get translated just like the minutes that we received last

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night, and then they can go out. But the motion is, send the minutes we've got now to all the members, and the minutes from this meeting as well will be included in a subsequent follow-up email to all the members.

TULLIO DIPONTI: Perfect, thank you.

DANIEL CLOUTIER: Okay. The floor now goes to Shane.

SHANE WARK: Thanks, Daniel. I'm going to kind of respond or try to respond to Les' comments and give you kind of maybe a different perspective on the minutes as they relate to -- or the investigation report as it relates to Jerry.

I think the Board needs to consider the fact that that process is still ongoing. That process has not concluded, and I would remind the Board that our union has already put out a communication on this matter to our members that said the next step, as outlined in the Unifor Constitution, will be a hearing before the National Executive Board. In advance of the hearing, Unifor is not releasing additional information. The day has not been set for the hearing. During the hearing, Dias will have the opportunity to fully present information and arguments concerning the charge.

So, you know, the decision is for the

Board to make when it comes to this motion for sure, but I think you need to think about the fact that there is still a hearing that has to take place, and if that hearing doesn't take place for whatever reason, that's kind of a separate matter that the Board is going to have to determine, but I think it is relevant, Daniel, to the discussion that we're having related to the motion, is just the fact that there's already been a communication to Unifor members on that specific issue. And, you know, that process is not complete, that's all I'm -- that's -- I'll just leave it at that.

DANIEL CLOUTIER: Thank you, Shane.

Gavin.

GAVIN MCGARRIGLE: Yeah, I think the motion is very clear and it's not just about the release of Jerry's report, it's about the release of all of the information, including the subsequent decisions that we had to take, which involve everything from the special convention, no special convention, what would be the hearing process, you know, why do we release the report without having Jerry's input in the first place because he didn't show up.

All of these things are out there and

none of that takes away any ability for Jerry to show up for there to be a hearing, and at the hearing, I'm sure the minutes will be a matter of record; the report will be a matter of record. What him and his advocate chooses to put forward or what other evidence they can bring, that's fine, and obviously, we would have a result at that point to publish the results of the hearing, or at least discuss it as a Board and decide what to do with it. I would imagine we would have to publish it.

So, I do think it is -- the motion is very clear. It talks about the need for transparency. We're not pre-judging the outcome of the hearing. Obviously, a hearing should be set and then Jerry can come and make his case and we'll report on what we need to report on after that.

But right now, because of the misinformation, as is stated in the motion, because of the speculation, because of despite our best efforts since we put out that communication, as Shane mentioned, to be as transparent as possible, it was very clear that our members want more.

Many of us have received letters from locals and others that have said they want the full minutes; they want the full report. This is not

something that is new; this has been going on for months and has been building.

So, I think what we're doing here is moving forward to answer that call of the members, say, look, we tried to give you summaries and synopses and all of these things and it wasn't enough, and you're heading into a convention where we know these questions are going to be asked anyway, so better to give everyone some time to digest and see where everybody stood and what positions they took and all of that. And then, you know, I think that will put us in a better stead to answer any questions, not only about the report, but why everything happened and why people felt the way they did and voted the way they did.

So, thank you, Jenn, for bringing forth the motion and I fully support it.

DANIEL CLOUTIER: Thank you, Gavin.

Katha.

KATHA FORTIER: Thank you. Thank you, brother. I would just like to raise that I did put it in the chat, but I have not received the copy -- the minutes from the meetings that were sent out to the Board members. And I just also want to raise as a note, there has been other correspondence that's been

sent to the Board that I believe the assistants have not been copied on. I've been sent it by other board members, but just wanted to raise that. Hopefully, we can fix that going forward. Thanks.

DANIEL CLOUTIER: Thank you for your comment. I hadn't even noticed, but I see I have Olivier here telling me that he's not received the minutes either. So, I think that what you're saying is quite true, the assistants have not received the minutes. I have personally no problem. I'm quite willing to share with both Olivier and John. This is something that can be resolved rather quickly. Would there be any further speakers on the motion? Shane Wark.

SHANE WARK: Thanks, Daniel. Very quickly. Are the folks that are named in the investigation report, have they received a copy of the report before it goes out to the members? Because there's going to be a vote here. I just need to know -- if anybody was named or cited in the investigation report, have they already received a copy of the report?

JENNIFER MOREAU: I think we all received it just in the NEB meeting.

SHANE WARK: No, but I'm talking about -

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- the motion is to send a verbatim minute copy of the investigation report, and I'm asking, before members get that in their hand, if they get it in their hand it would seem to me to be appropriate for folks that are named in the investigation report to have received a copy. I'm asking if they have. It's just ---

JENNIFER MOREAU: Well ---

SHANE WARK: --- a straight yes or no.

And I don't believe ---

JENNIFER MOREAU: I would say -- sorry.

I would say no, and ---

SCOTT DOHERTY: Is Jenn now chairing the meeting? There's people with their hands up.

JENNIFER MOREAU: No, I'm not chairing, but I'm answering a question. I would say no.

SHANE WARK: Daniel, my question was answered. I'll turn it back to you.

LANA PAYNE: So, I think Daniel is on mute though, everyone.

DANIEL CLOUTIER: Yeah, okay. I don't know, Shane, the answer to your question, and I provide to you as soon as we can. I believe not, but I'm not sure of that aspect. So, as soon as we're going to get the answer, we're going to provide it. Scott?

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SCOTT DOHERTY: Thanks, Daniel. No, I have not received any copy of the report. I didn't receive it prior to it going to the NEB and I didn't - - I never received a copy of it since it went to the NEB. So, no. That answers -- I don't think anybody has that was named in it.

DANIEL CLOUTIER: Thank you, Scott. That certainly answers the question. Apparently, people who have been identified in the report or named in the report have not received copy of the report. Katha.

KATHA FORTIER: Thank you, brother. I would just also like to raise, and I think I've raised this at one of the Board meetings when we went through the investigation, though I haven't seen the minutes, that I am named. I believe I've corrected that the information, certainly the date and the method of my correspondence was incorrect and, you know, I just also want to say for the record that I was never questioned by the investigator on -- I was named in the investigation, but I was never once questioned by the investigator.

DANIEL CLOUTIER: Thank you for that information, Katha. Gavin, over to you.

GAVIN MCGARRIGLE: Yeah, thanks. I want

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to slightly disagree because from my recollection of the summary report and the full report, we all got to read it, including Scott, including Chris, including the assistants, including Katha, including Deb, and they also spoke to it on the record in the minutes that we're now releasing.

So, there were some third party suppliers that were redacted, the name of the employers were redacted, but I don't recall seeing anyone else. And so, if the question is, did someone receive a physical copy of it? None of us did. But is the question, did we all see it? The answer that I can see is, yes, we did. And I would also submit it's completely irrelevant to the motion because what we're saying is the information that we all received needs to go out to the members.

DANIEL CLOUTIER: Thank you, Gavin.

Deb.

DEB TVEIT: Yes, I also would like to put on record that I was named in it, and I corrected it at the meeting, and I did not receive a copy of the complaint, nor have I received the minutes that were compiled.

DANIEL CLOUTIER: Thank you, Deb.

Shane.

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DEB TVEIT: And sorry, if I could also add, I was never interviewed by the investigator.

DANIEL CLOUTIER: Okay, Deb, thank you. Shane.

SHANE WARK: Yes, thanks, Daniel. So, I just want to come back to Gavin's comments. So, I was very clear by agreeing everybody read the report. I'm not arguing that. My question was specific to whether or not they got a copy, an actual hard copy, or an electronic copy, and the answer I got is they'll look into it, but nobody believes they have.

Scott hasn't, I doubt Chris has, and the point I was trying to make is just that I think it would be appropriate, including Jerry, that the complainant, the respondent and folks that were brought in as witnesses or named in the report should get a copy of it before you release it to the members. That was the only point I was making. I think from a process standpoint, we would do that in any circumstance where we're releasing an investigation report.

DANIEL CLOUTIER: Thank you, Shane. I continue to say that I don't think that's a problem. I don't see why those who have been named in the report wouldn't get a copy of the report. I believe

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personally it makes sense to me. That said, I'll give the floor to Tullio DiPonti.

TULLIO DIPONTI: Thank you, brother. I think we should all get a copy of it. It's been a long time. Some of us are getting older like myself. I'd like to read that report again. If we're sending it out to all the membership, why don't we get a copy as an NEB?

JENNIFER MOREAU: Can I answer the question or ---

TULLIO DIPONTI: Jenn, can we have the chair answer the question, please? Thank you.

JENNIFER MOREAU: Okay, I thought it was directed at me.

DANIEL CLOUTIER: Tullio, once again, I don't see why that would be a problem. The resolution is that we make it public. If it's going to be public, then it will be public for everyone, and that would mean the NEB members as well, and people named in the report, and all members of Unifor should get a copy. That's what the resolution says. So, the answer to your question is yes. Dave Cassidy.

DAVE CASSIDY: Did I misread the report I got today? I read the report, the report that I received today that's watermarked. Am I correct,

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Lana? The report is in that. You sent the 1,500-page report that we received today. The investigative report is in there.

LANA PAYNE: I think what was read into the minutes is what you would have received, Dave, which I believe was the summary report. As well, I mean, there were only two parties that were subject to the investigation. That was Jerry and Chris, just to clarify, and Jerry has received a copy, and we will have to make sure, I don't know if Chris has received a copy outside of the boardroom or the board meeting, but we'll make sure that that's rectified as well. But definitely Jerry received a copy through his lawyers. All of that information was sent to him, as well as, I think, at least two letters right now regarding all of this. But Dave, to your point, it was -- what you received was what was read into the minutes.

DAVE CASSIDY: Okay, thanks. It was pretty long. I just thought it was the full report because I just skimmed through it today.

DANIEL CLOUTIER: Thank you. Just to be clear, if the resolution is carried, that would be the minutes and the full report, and that would be made public, and of course, any person that has been named,

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all of us members of NEB, all members of Unifor, are entitled to a copy, just to be clear. Dave, you want the floor?

DAVE CASSIDY: Yeah, I'll support that motion. Thank you, brother.

DANIEL CLOUTIER: Thank you, Dave. Would anyone else want to speak to the motion at this time? I'm not seeing any raised hands, so then we're going to vote on this. Who is in favour of the motion? Please raise your hands and keep it raised.

DANIEL CLOUTIER: Thank you, 18 for. Anyone against, please raise your hands.

I think people have voted for and against all at once. Okay, we'll start over again. Please bring down your hands. Gavin and Naureen as well. Okay, one more time. Those of you who are against the resolution, please raise your hand.

All those in favour?

(favouring votes shown)

18 votes in favour

Down. Opposed, if any?

(opposing votes shown)

Abstentions?

5 abstentions

Carried.

CARRIED.

DANIEL CLOUTIER: And so, the motion is carried.

I think we've dealt with item one on our agenda, and I will hand over the chair to Lana. Linda, you wanted the floor?

LINDA MACNEIL: Yes, I do. Thank you. So, actually, number one is not complete. There was one issue in the memo from Anthony regarding the independent review to the Public Review Board. That was not discussed in the memo, so I think I have a question and it actually is for Anthony or for Lana, whomever. Has that been sent? Has anything been sent to the Public Review Board for review?

CONSTITUTIONAL BREACHES - REVIEW OF THE NEB DECISION
AT THE PUBLIC REVIEW BOARD

LANA PAYNE: Linda, I'm going to turn this over to Anthony and Shane. Shane did a follow up email. I'm not sure if the entirety of his email was sent to the Board last evening, I think it was, but I think that there's been a discussion of the process that needs to happen right now with the Public Review Board. So, I'm just going to turn it over to them to finish with that topic. And you're correct, that is the third item under the first block of items in the

agenda.

So, Anthony and Shane, did you want to come in here on this item which concerns the special convention, reviewing that decision to the Public Review Board?

ANTHONY DALE: I think Shane is saying that I was off mute first. So, we did discuss this yesterday. I'm just checking the documents that the Board has to see whether -- sorry, I don't have that folder handy at the moment.

So, let me just say that we share the view that the letters that asked for an independent review of the NEB decision is a matter that properly goes to the PRB, and that they properly go to the PRB as a review of decision. And I think the process is for the NEB to direct that Unifor staff -- and our suggestion is that you should direct me to forward the relevant material to the PRB to advise them that this issue is before them for a hearing and decision.

And so, I think a motion to that effect would be required. A motion directing me to forward the request for review and the relevant underlying materials to the PRB as a new matter for their consideration.

LANA PAYNE: Great. Thanks, Anthony.

Shane, did you want to come in on this?

SHANE WARK: Just to say that that's exactly what we talked about, which is just essentially who was going to, for the National Union, send the materials to process the issue to the PRB, whether it would be the Constitutional Department or Anthony. Given that it was an NEB decision, the Constitutional Department, Josephine, myself, and Anthony, all agreed it would be most -- he's the person that should be doing this.

LANA PAYNE: Great, so is the motion clear to the Board? We need a mover and a seconder. Linda, are you moving that?

LINDA MACNEIL: Yeah, I didn't realize it had to be in the form of a motion because we're -- the letters that were sent in requested the review, correct?

ANTHONY DALE: Yes, if I could assist with that?

LINDA MACNEIL: Please.

ANTHONY DALE: You know, certainly, for my part, I don't take letters like that and forward them on to the PRB. I think that the union needs to make a decision to do that, and for present purposes, the NEB is the union.

So, it's the NEB, by adopting a motion to do this, is recognizing that the constitutional procedure is that the decision of the NEB is reviewable by the PRB, by the Public Review Board, and that the -- its decision then is forwarded onto the Public Review Board for hearing and decision.

LINDA MACNEIL: So, could you point me, Anthony -- I don't want to belabour the issue, trust me, I really don't, but where -- what article and what -- where would you be saying that it has to be in the form of a motion to bring it forward? Because I assume when locals bring something forward that that's what's done. So, I -- pardon me for my confusion, but I am confused.

ANTHONY DALE: This may be something that Shane is better equipped to address than I am, but this is another area in which the language of the Constitution in Article 18.B, which deals with reviews of decision, is not explicit about how a decision of the NEB is put before the PRB for review. And similarly, if I remember correctly, and I hope I do, the procedural policy on constitutional matters similarly does not explicitly deal with this kind of decision.

I think the only precedent for a

decision of the NEB being reviewed going directly to the PRB for a review that we can recall is that decision in 2018, I think it was, to disaffiliate from the Canadian Labour Congress. And in that case, there was a member request that the PRB review that decision, and the PRB did consider it and issued a decision in that case. And so, this is a similar kind of process. And just to put the matter before the PRB, our recommendation is that a motion is what is required to cause me to do that.

LANA PAYNE: Gavin, and then Shane.

GAVIN MCGARRIGLE: Yeah, I don't think there's a need for a motion because if we look at the language that's put forward under the motion that Yves moved, and I'm just going to read from it, the last -- second last bullet point says,

Confirm that the requests contained within the letters received from June 3rd to 6th calling for an independent review by the Public Review Board will be treated as a request for review of the NEB decision on May 6th, 2022, to rescind the motion to hold a special convention, and the requests will be

sent to the Public Review Board and will not be dealt with by the committee on constitutional matters.

So, that has passed. I'm not sure if we need more than that, but I just want to say that that seems to answer kind of what Anthony is saying in terms of treating it as a request for review and putting it on.

So, the motion on one hand dismissed the allegations, but on the other hand, clearly confirmed what the (indiscernible) have already received. So, I just would say that I think that covers it.

ANTHONY DALE: I agree, Gavin. I think that's sufficient.

LANA PAYNE: Shane Wark, over to you.

SHANE WARK: Yes, he actually beat me to it. I was going to say it was already confirmed in the first motion going to the PRB. This is just a direction of who, it's not a matter of whether it is or isn't going, that's already been addressed. This was a matter of who would actually send the materials, and the discussion was that Anthony would do that, and that was it. Whether or not you need a motion, we just direct Anthony. Lana could just direct Anthony, I think, or -- but that's where we're at. It was just

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who begins to send the materials to the PRB.

LANA PAYNE: Okay, that's great. Linda, is that clear for you? You good?

LINDA MACNEIL: That's great. So, I assume Anthony will be directed to do that. So ---

LANA PAYNE: Yes. Done. Anthony, you are directed to do that.

LINDA MACNEIL: Excellent, thanks.

LANA PAYNE: Okay, great. Shane, you've still got your hand up. Did you want to come in here on something else? No? Good? Okay.

Do we need a five-minute break, or can we move to the next item in the first block? Can we get one more thing done before we take a break? I'm looking at the interpreters. Are you okay for us to continue for a few minutes?

DAVE CASSIDY: And Lana, what is Anthony going to send to the PRB, specifically, that Linda was asking about for the PRB, the one we missed? Linda, maybe you could answer it.

LINDA MACNEIL: Sure, that would be the decision not to hold the special convention. So, that would be the minutes, I'm assuming, and what have you, so.

LANA PAYNE: I'm assuming all matters

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concerning that discussion.

ANTHONY DALE: Yes, if I may? I think what I have in mind that's appropriate is the letters themselves. The minutes of the meeting on -- was it May 6th? And I think the earlier or written resolution, which reflects the original decision, which was then rescinded or varied at that NEB meeting.

DAVE CASSIDY: Can I -- can I -- Lana, continue there?

LANA PAYNE: Go ahead, brother.

DAVE CASSIDY: So -- and so, our resolve to this would be, I take it, Linda, the resolve to the PRB would be they have the independent discussion if we were right in what we decided to not have a special convention. That's what we're trying to get to the bottom of, right, on a principle, right? That's it, right?

LINDA MACNEIL: Correct.

DAVE CASSIDY: That's it though, right?

LINDA MACNEIL: That's my view.

DAVE CASSIDY: Okay, I just ---

LINDA MACNEIL: I could be wrong, but that's my view. I feel it wasn't, so that's why I want to confirm is that I was right.

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DAVE CASSIDY: Okay. Okay, that's -- I just wanted to make sure that that's -- we just want to -- yeah. I have these discussions with my wife once in a while, you're right dear, so.

LANA PAYNE: Good.

DAVE CASSIDY: We'll figure that out. The PRB will figure that out. Right on. Thank you.

LANA PAYNE: Yes, great. Any other commentary on this item? Okay. So, can we move on then? By ---

SHANE WARK: I've had my hand up.

LANA PAYNE: Oh, sorry, Shane. I wasn't sure if it was still up from the last time. Go ahead.

SHANE WARK: I just wanted to quickly respond to Dave and say that this seems similar, and Anthony already touched on it, to the CLC disaffiliation decision where that was -- a review of that decision was requested, it went before the PRB, and the PRB was just making a decision. Did the NEB interpret the disaffiliation language in the constitution correctly? And then it made a ruling.

This is similar. I mean, there was a decision not to hold a special convention, and it's likely the PRB is just going to simply review whether or not that decision was consistent with the

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Constitution, yes or no. And so, I expect it will probably look the same way as the previous CLC decision.

DAVE CASSIDY: Thank you.

LANA PAYNE: Okay, wonderful. Now, do you need a five-minute break to stretch your legs before we go into talking about voting and delegate strength, and I think that was the third item, Linda, that you had in your list?

LINDA MACNEIL: I don't think the voting should take long, so I think I'd like to get through that. I don't think it will take long.

LANA PAYNE: Okay, and then we'll take a break. Does that make sense? Okay.

NEB STATEMENT REGARDING DELEGATES AND VOTING STRENGTH

LINDA MACNEIL: So, the second bullet, and again, this came, I believe, from Anthony, from paper on behalf of Anthony, and at the end of the memo, it says, "if adopted by the National Executive Board" and then what to do with the statement.

So, the NEB statement regarding delegates and voting at constitutional convention is just something I think that we need to have a discussion and have a vote on since convention is

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coming up soon.

LANA PAYNE: Okay. Is there anything else about that, Linda?

LINDA MACNEIL: No, it's just actually a follow up from what Anthony had sent the email on, so it's the follow up of his advice of -- that the NEB has to approve them.

LANA PAYNE: Yes, so are there any questions in here, though, for discussion or are people okay with what's laid out here? People had a chance to go through it. Are there any additions, are there any problems? That's where we are.

LINDA MACNEIL: And I just want to be clear that it is regarding the constitutional convention, not his opinion of the special convention. So, it's that separate document that was in his email that I'm looking to get discussed and hopefully passed at this meeting.

LANA PAYNE: Right, it's -- so, for everybody's attention, it would be the document that's headed "NEB Statement Regarding Delegates and Voting at Constitutional Convention." A two-page document starting with "purpose", and there are 14 items discussed there or laid out. I do believe, Anthony, that you also met with Shane and Josephine on this as

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well before this document came to the Board? Is that accurate, that there was a discussion with the Constitutional Department on these matters?

ANTHONY DALE: Yes, that's correct.

LANA PAYNE: Okay. Daniel, over to you, brother. Oh, Linda, are you done?

DANIEL CLOUTIER: Linda?

LANA PAYNE: Yeah, okay. Daniel, over to you.

DANIEL CLOUTIER: Well, if we need to adopt this, no problem. I agree with the document that we're talking about, the document that was prepared by Anthony. So, I so move that we adopt this statement, and this will give us the guidelines for the upcoming convention. So, I don't know if it's seconded, but I will so move.

LANA PAYNE: Benoit, are you seconding the motion?

BENOIT LAPOINTE: I second the motion, yes.

LANA PAYNE: Moved by Daniel Cloutier; seconded by Benoit Lapointe. Great, is there any discussion now? Les MacDonald, over to you.

LES MACDONALD: I guess number four, the local union or subordinate body may have fewer

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delegates in their entitlement. I know I was talking to a few locals, and they were questioning why they didn't get more delegates, and I believe it's based on the dues paid from the following year. Is that what the -- am I right in that?

LANA PAYNE: That's correct. The way the delegate entitlement is determined is based on the previous year's dues. You might recall Shane and I gave a little report on this previously to the Board. We did have a discussion with Julie Poirier on this to see if there would have been a massive kind of difference between 2019, and should we be looking at doing something different for this constitutional convention, but our recommendation was that we would do as normal, and it would be the previous year's dues, the same way that we do delegate entitlements all the time. Shane, did you want to add to that?

SHANE WARK: Sorry, I'm on mute. No, I think, yeah, you explained how the per capita works.

LANA PAYNE: Les?

LES MACDONALD: Okay, thank -- no, no, that's good. I was ---

LANA PAYNE: Okay.

LES MACDONALD: --- there was a question asked and it was probably because a lot of them were

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laid off due to COVID, their dues weren't coming in on a regular basis, so that's probably why they had less delegates than the numbers of the local determined.

LANA PAYNE: Yeah. And may I suggest, Les, if there's a particular local that's having a question, or they've got a problem, they can always be in touch with our dues department around this. We feel that some of these calls where locals felt that they should have had a delegate difference, and once we go through it with them, there's a better understanding why it is the way it is, basically.

LES MACDONALD: Yeah, okay, thank you.

LANA PAYNE: So, encourage them to call if they want clarification.

LES MACDONALD: Okay, thanks.

LANA PAYNE: Jennifer, over to you.

JENNIFER MOREAU: Just a sort of question and comment that I don't know if I really agree with point number 14 because I thought Anthony's previous legal opinion was that past practice that we've always done of reassigning the weighted votes to remaining delegates, like if someone leaves for example, even though we've done that always, it's not really in line with the intent of the language of the Constitution because the whole point was to have a

diversity of opinions with the delegates that you're electing.

And in a situation like this where the union is divided, I think that diversity opinion is even more important. So, in order to keep it so that those weighted votes don't get reassigned. So, I'm not sure if I -- I'm just -- yeah, I don't know. Like, I know that it's a past practice, but I'm not sure that I agree with that.

Like, let's just say hypothetically, for example, a local sending three delegates, each one wants to vote for a separate candidate because the local themselves is split. One person leaves and that weighted vote gets assigned to somebody else, it changes the vote. So, that's why I don't really like that, and I don't think I agree with it. So, if someone wants to argue?

LANA PAYNE: I think this is one of those cases, Jenn, where we have -- we practiced something a little different than was in the Constitution, and the attempt here was to try and come up with a set of rules that we could actually agree with going into this constitutional convention based on the way things were previously done, but in future, this may be something that we need to be looking at.

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If it's the practice, then it should be put in the Constitution. Shane, over to you.

SHANE WARK: Well, my only comment would be this is why we encourage local unions to make sure they have their -- a full list of alternate delegates as well, so that they can send an alternate to step in, in those circumstances. And one of the conversations that we had as a Constitutional Department, along with Anthony, is we have to keep in mind that the local, it's all -- the voting is all based on per capita dues made in calendar year 2021. That's what establishes the total voting rights of the local union, and if you didn't redistribute, then you'd actually be reducing the number of voting rights out of a local union based on their per capita.

So, I mean, you could argue it a couple of ways. I know we did, and we had some discussions back and forth, but at the end of the day, that's why, again, we just strongly encourage locals to make sure that they have as full a list of delegates as they can send and make sure that they're backed up by a good list of alternates who could step in, in the event a regular delegate, for reasons beyond their control, cannot participate in the convention.

LANA PAYNE: That's correct. And as a

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reminder to everybody, in addition to the alternates, there is an ability for locals also to send, as a change in the 2019 -- a result of a constitutional amendment in 2019, locals can also send a woman or an equity delegate. You don't get an increased weight in vote, but you can get an extra delegate with voice and vote in that regard, Jenn, which helps to that point that you're talking about in terms of spreading out -- in terms of spreading that out, and some locals have written to ask to make sure that they can have these additional delegates within their union.

And then there's also the provision to send special delegates but, of course, that is a voice but no vote. So, just a reminder to everybody here, there is that opportunity to send at least an additional vote in your locals, not changing the weight. Anthony.

ANTHONY DALE: Yes, if I may, Lana, and this may have been stated in the email that went out from my office with the draft statement, but I just wanted to make the point that the statement is not intended to be a comprehensive set of every possible rule, but it was intended to address that issue that came up during the board meeting in April.

And I think I may be blamed for making

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this an issue when I observed that what appeared to be the practice at conventions didn't line up precisely with the language of the Constitution, which talked about the voting strength being exercised by elected delegates.

And I did say at that time, you know, whenever a set of rules is to be applied, it should just be clearly stated. So, personally, I'm agnostic about whether it's the strict language of the Constitution, or whether it's this more flexible approach, but my only recommendation back in April was to put down on paper, to provide some clarity about what set of rules would be followed.

The purpose of the statement is to persuade all of the convention participants that these are the rules that are going to be followed. It doesn't guarantee that somebody wouldn't argue with those rules or argue that the Constitution requires something else, but I think a clear NEB statement certainly reduces the possibility that somebody else will -- that somebody will make an issue of the way in which these rules are being applied and that's the purpose.

LANA PAYNE: Thank you, Anthony.

Brother Marc, over to you.

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MARC ROUSSEAU: Thank you. Perhaps it's because I'm tired and I have a lot of things on my mind, but to answer Jenn's question, I think that point 14 answers that question. If a delegate leaves, the weighting is not given to just one person, it will be equally redistributed to the remaining delegates. So, that doesn't really change, you know, if you go from three to four, everyone will essentially get the same weighting. So, I think that point 14 answers Jennifer's question.

LANA PAYNE: Thank you, Marc. Anyone else on this? Okay, can we have a motion to approve this?

All those in favour?

(favouring votes shown)

Down. Opposed, if any?

(opposing votes shown)

Carried.

CARRIED.

Now, shall we take a 15-minute break.

Does that make sense, so people can stretch their legs, or 10 minutes? I'm in your hands here. Fifteen minutes? Yes, everyone needs a coffee and a snack or something. Okay, 15 minutes, we'll see you back here.

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--- Whereupon the meeting was in recess
from 2:51 p.m. to 3:15 p.m.

CONSTITUTIONAL CONVENTION UPDATE

AGENDA

LANA PAYNE: So, we've got a few agenda items left, and I just want to remind folks that out of all of this, it might be good if we can at least get the financial statements approved. The NEB Finance Committee has done that already, but I think it's important that our Board does it because that's a requirement for our auditors, so I'll just remind everyone that that's something we want to do.

But in the meantime, we'll move to the next item, which is the constitutional convention, and you should have a couple of documents on that, and to Linda's point earlier, we did have a discussion in April about the agenda for the constitutional convention. We had a PowerPoint that was accepted in terms of what blocks of items we would try to deal with each day, but in any case, as a Board, we can always revisit those things, but I just wanted to remind you that we did have a detailed discussion about the agenda at our April -- at our April meeting. And I think that there was -- we tried to summarize

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all of that now in terms of day-by-day time slots for these things, not just, you know, the discussion, constitutional committees, all of that stuff. So, you should have received this in your kits. Has everyone got it? Did anyone get anything on the agenda?

LINDA MACNEIL: I don't recall, Lana receiving -- was it recent?

LANA PAYNE: I think it went out last night or this morning. You would have had the other item -- the other PowerPoint presentation in April. Just let me check. Brenda, did the document with the list of agenda items go out from Roxanne to the group?

DAVE CASSIDY: Yeah, we got it.

BRENDA MACKAY: Yes.

LANA PAYNE: Yeah, okay.

BRENDA MACKAY: There was a document in the -- that was attached to the invite for the meeting today.

LANA PAYNE: Yes. It should be in your kit, Linda. I would just add one thing that isn't here, we have sent an invite to convention to Nelson Mandela's grandson, who some of us got an opportunity to meet in 2019 at the National Office here, and he does a lot of work with the Journalism for Human Rights; he's actually a coordinator with them in

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Africa. He's quite an amazing speaker, so if he's able -- yes, it's in the zip file. That's correct, Scott. If he's able to come, then I think we should make some time on our agenda for him to be able to speak. Okay, we want to wait until you get that, Linda, before we discuss the agenda.

LINDA MACNEIL: No, go ahead, and hopefully Brenda will be able to send it to me again. I can't seem to find it. So, yeah, just start, hopefully I'll get it when Brenda sends it.

LANA PAYNE: I think she just posted it in the chat. Can you pull it up? You want it by email?

LINDA MACNEIL: Please.

LANA PAYNE: Yeah.

LINDA MACNEIL: Email, please.

LANA PAYNE: Okay, great. Go ahead, sister Katha.

KATHA FORTIER: Thanks, Lana. Just in follow up to our last discussion, will the assistants be receiving the verbatim minutes, and when will we receive? I don't know if everybody's had the written report, but when will we be receiving those?

LANA PAYNE: As quickly as we can get them together, yeah, but -- if Laura can get it done

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before the end of the day, Katha. Okay, agenda. Any discussion on the agenda? Linda, you asked for this to be put here.

LINDA MACNEIL: Well, it was -- I guess it was -- sorry, and I apologize, I don't know where this went on mine, but I didn't get to see it, so my understanding ---

LANA PAYNE: Do you want to move on -- you want to move on to another item and then we can come back to this?

LINDA MACNEIL: No, no, that's fine. I guess what -- the only reason I raised it is because it's normally -- and this is my understanding, so somebody can correct me if I'm wrong -- that the agenda, like what goes on per day and the speakers and what have you, gets discussed, not just outside this committee, outside the NEB, but when it's discussed, it's all brought back to the NEB, and there's discussion on it, and maybe ideas for speakers, and what have you. I could be wrong but that was my impression.

So, I was just a little confused on the agenda piece, like, what's happening when, what speakers, all that stuff. So, if this is the agenda, I guess I'll leave it for others to discuss while I

read.

LANA PAYNE: Yeah. Well, we've had -- Linda, we've had multiple committees putting things together, whether it's the program items, whether it's recommendations on around guest speakers. There's been a content committee doing this work for months now. That's what's -- you know, that's -- and then the availability of when the people -- the speakers are available is the days we've kind of slotted them in.

So, yeah, this is kind of a -- and we gave a summary, as I said, at the April meeting. It was pretty detailed at that time and what I asked the team to do was block it out as best we could in a prelim with time allocations done with it as well and where we would fit in our caucuses, et cetera, regional directors' reports, all of those things.

And there is a pattern that usually gets followed with this, and then there's a couple of updates that I would say that we need to, I guess, decide on today with the agenda that haven't been done yet, and I would give you an update too in terms of what you're going to receive. I think either Thursday or Friday of this week from Angelo, who has been working on kind of like the policy program that the

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content committee was looking at with respect to what the Research Department has been doing.

And I know that most of you have received at least one document already from Angelo that talked about one of the policy papers, but he's going to send out the entire package so that you have that by Thursday or Friday, so that the Board could have some input into that, the policy part. And then if there's any changes needed, we can -- we'll still have time to do that.

LINDA MACNEIL: So, just a quick question, and I'm sorry there's other speakers and I won't belabour it any longer. But so, am I correct in saying that though? Because, you know, again I'm fairly new on the Board, but these sub-committees that were formed, they go out, they discuss what content and, you know, they have ideas of what speakers, and then it comes back to the NEB for approval? Am I correct in that or am I wrong in that?

LANA PAYNE: I don't know that it's ever fully been done like this, Linda. In the past, agendas get changed on the fly, we have guest speakers that come in at the last minute, but we do our best to, I think in the past, make sure that there's an agenda that the Board sees. This is the first time

I've had to help develop one with a committee, so, you know, I don't know if previously how much the Board reviewed. I don't recall seeing much about -- of agendas until we actually got to that August meeting prior to our convention, except for a few guest speakers that we would have, you know, looked at in that case, and would have been mentioned maybe to the Board, but not approvals or anything like that, not that I recall anyway. Dave and then sister Tammy.

DAVE CASSIDY: Thanks, Lana. And on the agenda, I just want to bring up a couple things relative to the election, obviously. There's no spot here for selecting an election committee. I know it's electronic, but I think that there needs to be some type of a chair, some type of an election committee, you know, an opportunity for scrutineers, people to report to.

Like, this is an election, it's a big election. I mean, people have invested a lot of time and money in this, and I think that, you know, we're missing that somewhere on the agenda on Tuesday, potentially, but that bullet point needs to be in there, something around this. And what it looks like, I don't know if we're going to have an election chair; I'd like the NEB to discuss this because I think it's

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important, you know?

We've kind of went through the voting and the, you know, the delegates and the voting and all that in our paper we just went through, but we haven't really gone through the fact of, you know, who's going to oversee the election? Because, you know, whether it's simply voting or whoever, they're not the keepers of what we put in and so on and so forth. So, I'd like to know who those people are with that, that's the first thing.

And I just want to just touch on Linda's point on the agenda. You know, I think it's because we're a little dysfunctional, Linda. You know, I really think it used to be the department heads, the RDs, assistants, a lot of people came together and really developed an agenda. They brought it back to the rank and file NEB, you know, the officers, the top officers, they all got together and, you know, and I think that we're just maybe a little dysfunctional, you know, at this time and, hopefully, one day we're going to get over this.

But I think that might be the answer to your question because, you know, I mean the reality is I heard you say this a couple times now, and I just think that it's maybe some of the top leadership

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haven't had the input that they thought maybe they should have had, and maybe there's something that they wanted to add into the agenda accordingly, and that might be an issue, so.

And I don't know if that is specific, but I think it might be because we're just in a little disarray right now in our leadership, and that potentially could be the reason that we -- you know, I like the layout that it is here now, but I don't like the fact of how we're doing the voting, or the committee, or the chair, or any of that kind of stuff, so I think that needs to be addressed big time, Lana.

LANA PAYNE: Great. Thanks, Dave, a good point. I'm pretty sure under Monday with meeting business that that would be part of what we have to do there, is have an election committee. That is determined I think every single time at convention.

Shane, get -- maybe you can come in here, but I'm pretty sure we do a I think a draw of names out of delegates to make sure that we have an election committee. And then, of course, we need someone to either chair or run the elections. I have a list there, or a bullet there, election officer, but an election chair basically is what you're referencing, Dave.

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So, yes, I agree, and we've always had one. Maybe, Shane, you can come in on that point in terms of the election committee is elected at convention?

SHANE WARK: Yeah, unless, Tammy, you're on the same subject, because I see your hand up before me. Do you want me to go ahead? Okay.

Yes, to answer Dave's questions, there is a requirement to have an election committee at this convention, and it gets determined at convention. They'll draw the names.

I believe that's -- and the second thing is that committee should determine who is the chair of that committee. The other constitutional committee we have is the credentials committee, and that is the group that is -- meets before convention, and they're the ones that are tasked with dealing with any kind of disputes around delegates, essentially, disputes about credentials. So, we have those two committees that are captured by the Constitution.

And I guess the last comment I want to make, Dave, is on the agenda. Yeah, from past conventions, the process normally has been that we put together various sub-committees that are populated by officers, assistants, regional directors, designated

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staff, and members of the National Executive Board, and then we normally would go through various drafts of a convention agenda through the National Executive Board until we get to the time where the final draft is adopted. So, just making the comment that yes, you're -- I have the same view as you as how the agenda process works.

DAVE CASSIDY: Yeah. Can I just comment on the one thing with Shane, Lana?

LANA PAYNE: Go ahead, brother.

DAVE CASSIDY: So, the one thing, Shane. So, in the past, you know, maybe it was the secretary-treasurer, the past secretary-treasurer, who would chair the, you know, the nomination process, et cetera. I just think that we need to bring something -- somebody or something independent in this time because I just think that with this election, you know, there's been endorsements, et cetera, with people, and I think that it should be somebody that is just -- you know, I know we've always tried to bring the secretary-treasurer who was here before.

So, what I'm trying to say is I don't want Peter Kennedy running an election if he's at the convention. I mean, to be blunt, you know, something like that, and I think that maybe we should have

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somebody that is, you know, not part of us maybe. If we had some type of third-party election person that would run it, I think that we should look at something like that. Because I've never really been in any and not too many people on here have been in too many elections. Maybe from CEP, some of the CEP have, but I know the CAW, we really haven't gone through this process, we're not really, you know, key on how it works, right, to be truthful.

LANA PAYNE: I agree with those comments, Dave. We need an independent person to chair. I'm not opposed to that (indiscernible) hire a parliamentarian. There's, you know, any number of suggestions that we could do here in terms of who can chair. Perhaps what we can do is have a small committee of the Board look at some suggestions for names and we can send them to the Board and come up with somebody. Does that make good sense?

DAVE CASSIDY: Yeah, thank you.

LANA PAYNE: Of some possibilities here, okay? That's good. Thank you, Dave. Tammy, over to you unless there's any more discussion on that point? Okay.

KATHA FORTIER: I have ---

LANA PAYNE: Okay.

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KATHA FORTIER: --- some discussion on that point. Just -- I would just suggest that none of the candidates be on that committee, and just so the Board is aware, I've withdrawn from the credentials committee because I am a candidate -- declared a candidate.

LANA PAYNE: We all agree with that, Katha. Okay, Tammy, to you and then Tullio.

TAMMY MOORE: Thanks, Lana. I think this is a pretty easy question. I looked through the agenda, the only points that I was not completely clear on were on the Monday, the first day. Unifor National report and State of the Union report. Are -- what are the differences between the two of those? What information is in each, and who is it that's reporting it? That's my question.

LANA PAYNE: Yeah, so normally we would have a report, obviously, in the morning from the president which, you know, is not going to happen. So, we should report on the activities of the union, and I could see that involving any number of people, not just one person. So, either it's the elected leadership, either it's members of the Board, but that we have about an hour where we report out on the activity piece of the union in the last couple of

years. So, I think that that's probably a fair process to do.

And the state of the union report is just basically you will recall that we've passed a motion to have a task force, and so, if there's any need to have an update on any of the kind of current crises in the union, we'll have space to do that. If it's not required, then we'll just fill it in with constitutional amendments or resolutions or whatever is needed at that time.

But yeah, instead of, you know, a full-on kind of president's report, it would be an activities report and I see multiple people kind of participating in that, and not just one person, if that's helpful to you. Yeah, thanks. Tullio, over to you, brother.

TULLIO DIPONTI: Yeah, it's not a question, it's a comment. I'm just taken aback, what Dave's saying. I hope when this is over that we can start trusting each other. I can't believe where we're at, where we have to bring a politician or somebody to run our election. We're Unifor. We're a lot better than this, and it sickens me to see that we have to do that, how divided we are. Just my comments.

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LANA PAYNE: Thanks, Tullio. Just to respond to that, I do know that in many other national unions, they do go outside to have their election chair. Lots of times I know Nancy Riche used to fill this job for a lot of other unions when she was CLC Secretary-Treasurer and such. So, many unions do go outside, even just in the normal course of things, Tullio, but your point is well taken.

TULLIO DIPONTI: Yeah. I agree with you, Lana, but we're not like any other union. We're Unifor. That's the main thing, that's what I'm trying to say, and it sickens me that we can't trust the past Secretary Treasurer, we can't trust past president? It's pretty bad. But anyways, thank you.

LANA PAYNE: Thank you, brother. Keith, over to you.

KEITH SULLIVAN: Yeah, just quickly. Same as Tullio's point. I think, you know, it's a -- I guess it's a little bit of sign of the times that we're into, but what I think it's reactant to what some people see as the reality is, you know, wanted to be seen as people in a position like be as impartial as possible.

So, you know, I think it makes sense. It's a good idea and I think most people seem to agree

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on whether it's something we continue or not, you know, hopefully it won't be as scrutinized as much in the past, but so I think it's definitely a good idea for now.

LANA PAYNE: Great, thanks. Any other discussion up to this point on the agenda? Again, obviously, we'll be having more agenda meetings between now and the first part of August, and we'll have more discussion then too. Any other thoughts at the moment? Okay.

I did mention about the big program, policy program materials you're going to be getting from Angelo. So, I know the Research Department has put a lot of work into these policy papers and, you know, forward thinking around some of these things. So, if the Board can find some time to review them and respond back to Angelo, that would be great, because we do want to be able to get them translated and, you know, or at least updated with any possible suggestions or recommendations from all of you, and be able to get that done in a timely manner.

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FINANCIAL UPDATE

DRAFT UNIFOR FINANCIAL STATEMENTS - DECEMBER 2021

LANA PAYNE: Okay. So, let's move on then to our next agenda item. Let me find that first. Financial update. Do we have Fred on the line here? I know, Anthony, you have to go soon, so you probably don't have to worry about looking at these audited statements.

FRED RAIDL: Yeah, I'm here.

LANA PAYNE: Thank you, Fred. Now I just need to find them myself. I will try and make this as painless as possible. I'm not sure if everybody got a chance to print the audited statements, so maybe, Fred, it makes some sense to put them up even though it's tiny.

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What does the Board think here? Have you printed them? Can you see them? Would you like to have the document on the screen, even if it is very small? No one has a preference. Perhaps we'll put the document on the screen, Fred, starting with page 4.

FRED RAIDL: I've got to get the right screen. I thought I had the right screen. It says it's supposed to be screen one.

LANA PAYNE: It needs to be in landscape as well, doesn't it?

FRED RAIDL: No, it should be okay. I'm just trying to get to the right screen here. Okay, does everybody see the financials on the screen

LANA PAYNE: No, we got nothing on the screen now.

FRED RAIDL: I thought I had them up there at the right -- for a second.

LANA PAYNE: Technical difficulties. While you're doing this, I'm going to -- oh, there we go.

FRED RAIDL: Can you see it? Yeah, I don't know what happened. All of a sudden, they were gone.

LANA PAYNE: So, page 4. Okay, great.

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I know, it's like very, very tiny, but if you sit very close to your screen, you'll be able to see this or look at them printed out.

Basically, what you're seeing here, a couple of things which would be different than our normal audited statements. The auditors actually wanted us to include a line on the Family Education Centre in our regular reporting out and not just in the notes. So, from now on, you'll see a column on the Family Education Centre throughout the main document. That's a new addition to the audited statements this year.

A couple of points about this page, which I would draw your attention to that I think are worthy of mention is, obviously, the overall health of the union has improved in totality from 2020 to 2021. Our net assets, both capital and investment and cash have increased from \$285,698,945 to \$301,648,064.

You will notice this line, and I'm going to give this to Fred to explain because it's one of these kinds of technical terms of restricted and unrestricted kind of assets that we had, but if you look at the kind of deficit at the bottom there, where we had \$18,163,753 leading into 2020, as we led into 2021, we had reduced that to \$5,971,273, but we also

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have, you know, some of our assets, which are obviously tied up into what we call internally restricted funds, and Fred, if you don't mind explaining internally restricted to the team? Because this is also, I think, the first time we've kind of had this in our statements as well.

FRED RAIDL: Yeah, the -- essentially, what they're talking about is our fund balances that we always have on our internal statements that you're used to seeing in Excel is the \$48,619,644 line going across.

What the auditors like to do, and this is just somebody in an ivory tower saying hey, this is what you guys need to know, while we have \$48 million in the General Fund, we have, of that \$48 million, \$54.5 million tied up in capital items, building, land, where we can't actually use them.

So, the words "internally restricted" are a little strange but, essentially, what this means is that we have more value in buildings than what the General Fund actually has as a surplus, which then means we don't actually have that money to use. So, we need to get into where the other funds are, where they have a positive balance and not a deficit.

So, again, this is just an auditing

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thing. It's just a presentation thing that somebody upstairs thinks is a good idea. It really doesn't make any sense to most readers, so when you're just looking at it, what it does tell us is that we need more in the fund balance than we do in capital assets.

LANA PAYNE: Yes.

FRED RAIDL: Because when you have items tied up in capital assets, they're not liquid. You can't use them for anything. You can't just all of a sudden turn around and say hey, I'm going to sell a building and think it happens overnight like you can with cash and investments and things like that. So, we have to try to make sure that we always go forward not having a deficit in what they concern as internally restricted.

LANA PAYNE: The other issue with this is one of resolutions that we have going forward at convention where we're asking to shift some of the equity in the Organizing Fund into the General Fund. The Organizing Fund equity is in investments and not buildings. So, in case we ever run into a massive economic downturn again, we will have an ability to use some of that equity, should we require it. Right now, the only way we can use that equity is if it's related to organizing expenses.

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So, that's the challenge, but we have a resolution to address that, to shift some of that equity into the General Fund. And by doing that, it will change that deficit number as well. Okay, that was page 4 and 5, the French was on page 5. My apologies to our Quebec colleagues. I'm only with the English version up here.

Yes, so this is really the main picture of what was occurring in the union in 2021 and, obviously, you have the 2020 numbers. Some of the big challenges here that I will point out to you, obviously, our dues income continues to be a lot less than it was in 2019.

So, your per capita tax income at the top, you'll notice that we're pretty much around the same in 2020 as we were in 2021. That's compared to about \$113.4 million in 2019. So, overall, a \$9 million loss in dues in both of those years, so for a combination of about an \$18-something-million less in dues over a two-year period.

In terms of investment income, what you'll notice is, obviously, a lot less investment -- return on investment income in 2021 compared to 2020. A lot of that has to do with where our investments are, a little different than some of our other funds

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like ORC and others have a different investment mix. We did really, really well in 2020, thank God, with a \$10 million, almost \$11 million return in investment, and even with that, we had a bit of a deficit, I think, a \$3 million deficit at that time.

We had projected or budgeted for about a \$6 million return on investments in 2021, we didn't reach that 6 per cent number, so we are actually, when you see our budget a little later, we're going to be even more prudent on investment income.

This has been a topsy-turvy year. The first quarter was not bad for us as a union, second quarter not, you know, just kind of levelled out, and if we're listening to the business news every day, it sounds like the second six months of 2022 are going to be very problematic. So, we just want to make sure we're erring on the side of caution when it comes to what we're budgeting with investment income.

We also had a gain in 2021, that was a one-time gain of \$2.5 million. That was from the sale of the Kitchener property, and basically, the \$2.5 million is the difference between the value of that building on our books and what we actually got for it when we sold -- when we sold the building.

Secondly, you will see that we are now

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also including the Family Education Centre income in this line. Again, this is not something that we ever did before, it was always a note in our books, but now as I mentioned, the auditors want us to include it in all of our main lines.

We had \$3,707,737 in income for the Family Education Centre in 2021 compared to \$2,903,928 in 2020, but when we get down with respect to general expenses, you'll find that we had more expenses at the Centre than we had income. Generally, we run a deficit at the Centre on an annual basis. It was obviously much larger in 2020 than it was in 2021.

So, overall, if you look at, you know, our revenue, nowhere near where we were in 2019 when our total revenue was in the \$131 million range, and of course we are less in 2021 than we were in 2020, mostly because of a loss or not a same return in investment income. That's where the big change is there.

With respect to expenses, you'll see that was pretty much on target. 2020 to 2021, you can see there where our costs were with respect to staff. We had actually budgeted a lot more in staff expenses, so when we get to the budget document, you'll see a bit of a difference there.

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In a normal year, for example, in 2019, staff expenses were in the \$9 million range. We had said at that time that we wanted to try to get that around \$7 million. We're much lower than that, but that's mostly because no one was travelling, and we didn't have conventions on council meetings or conferences, and a lot of bargaining was taking place on Zoom. So, that's really why you're seeing that massive reduction in staff expenses.

We do expect to see, obviously, a return to around, you know, \$6 to \$7 million in future, around those numbers, which is why it's really important that when we get to the end here, you'll see that in 2021, we actually had quite a healthy surplus, but that surplus we don't expect to be anywhere near that this year given a return to normal operating business for the union.

Our office expenses are something that we continue to kind of strive to keep under control. You'll notice that we had fewer expenses in 2021 than 2020. Some of these things are attributed to the fact that we are now all in the one National Office, and we're not in two different buildings. We're not paying out a lease back amount for Placer Court so that's attributable there, and we've tried to curve

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other expenditures there as well, but I don't really see these office expenses going down much more. You know, property taxes and things like insurance are not things that are getting reduced over time. In fact, insurance companies are always looking for more money. So, not expecting to see a huge savings on any expenditures around office and premise costs going forward.

With respect to general expenses, which we'll get into more detail upon later in this presentation, you'll notice that we had quite a significant reduction in 2021 over 2020. General expenses include any number of things from Strike and Defence Fund payments, to special campaigns, to professional fees, to lost wages for members when we have them doing mobilization for us; all kinds of things go into the general expense category, and we'll look at that in a little more detail in a little bit.

Just for your reference, in 2019, our general expenses were in the \$46 million range, which I think was close to one of the highest years ever, I think, Fred, in terms of general expenses in 2019. And then, obviously, in 2020, \$40,108,879, and now at \$22,544,625. We will be budgeting for general expenses to be much higher than that, obviously, in

2022.

As I mentioned again, the Family Education Centre is now being included on our books, and the full cost for the Education Centre in 2021 was \$4,927,026. So, when you take the difference of \$3.7 million in income and \$4.9 million in costs, you can see that the deficit around the Family Education Centre is about \$1.2 million, I think it is, and that tends to be where we are generally. There's always a bit of a deficit there at the Centre.

Overall, though, because of the measures that we've undertaken in the union, and because of less expenses overall in 2021, we will post an \$18,240,134 surplus for 2021, which is a bit of a feat considering where we were way back in 2019 and 2018 when we had quite large deficits. But as I say, if we didn't have a surplus in 2021, we would have a real problem in 2022 as we get back to a more normal operating year with conventions, conferences, meetings, and a return to regular travel.

What it does also mean, though, is that we have some flexibility here to improve some staffing gaps that we have across the country, and I think that that's a good discussion that we could have when we get to this in terms of the future of the union.

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There are any number of places where we can make some improvements around our servicing gaps. I know a lot of our staff out there at the moment are doing a lot of bargaining when you consider some leftover collective agreements from the pandemic, which didn't get settled for all kinds of reasons, and now all of the regular bargaining that they're having to do with respect to about 400 collective agreements that we have coming up in the next six months of the year.

Any questions on this? Okay, all clear as mud? That's great. Now, let's turn to page 8. Fred, if I missed something here of importance, you can just scream. This just basically gives us a sense of the balance at the beginning of the year and at the end of the year in all of our funds. And again, it divides them into restricted and unrestricted funds, which is what Fred talked about at the beginning of this.

And as you can see, obviously, we had an improvement overall in the union, we should have an improvement here too, and we obviously have had one. So, we've gone from \$229,926,283 here to \$248,166,417 in terms of what -- overall health of the union. Any questions on this part? All the restricted, non-restricted stuff is clear? Okay, great.

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Fred, where are we to next that's of importance here? Page 10 I think is of importance. This just really shows one area that we had to improve on from our auditors was our cash flow situation. We had moments in 2019, and I think even in early 2020, and perhaps before that, but I'm not aware of it, when we really literally had no cash flow in the union and we were cashing in investments to make payroll, to make Strike and Defence Fund payments just to pay the bills of the union, and you really don't want to be in that situation. You want to have a healthy cash flow because we can't just be depending on dues coming in on time to be able to pay our bills.

As a result, our auditors, you know, basically said we should be looking at having a cash flow of, you know, somewhere between three and six months of operating costs in the union. And as you can see, we've improved our cash flow situation from \$17,101,963 to \$35,541,978 over from 2020 to 2021. So, this is a good place for us to be in now, and just something we have to watch going forward in making sure we have enough cash on hand.

The other thing the Board will know, certainly those who have been around for a period of time is as well during the pandemic, we did get a

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large line of credit for the union. We have never had to use that line of credit, but we have it as a just in case measure so that we're not in a situation where we're cashing in investments, because once they're cashed in, they're not earning any income for the union, and you really don't want to be in that spot. So, good news on that front.

Okay, any questions about cash flow? No? I know this is really exciting. It's exciting for me. Fred and I are all over this. What page am I going to, Fred?

FRED RAIDL: The rest of this stuff is like accounting policies ---

LANA PAYNE: Yes, we don't need any of that. That's right.

FRED RAIDL: If you look at our accounts receivable, the main -- the main item here is that ---

LANA PAYNE: Page 19, everybody, and ---

FRED RAIDL: Oh, sorry, yes, page 19. The main thing you want to see here is that our accounts receivable is down, which just means we've collected more, which is always a good sign. And then when you compare that, our per capita tax receivable is flat, and we always expect it to be about two months because as we all know, we don't receive our

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dues up to anywhere between 45 and 60 days after they've actually been received, it's just the way we've set our formulas up and how we receive it. So, it's always good to see that balanced out.

If you start seeing large increases in that, it only means two things: either our dues have gone way up or now locals are starting to be delinquent in submitting their dues. So, we never want it to be the second case, we always want it to be the first case. So, this is a good situation that we have right now.

LANA PAYNE: Yes.

FRED RAIDL: Loans and mortgages, I don't know if you wanted to go into that. It's -- as someone who ---

LANA PAYNE: I think we'll just mention here, these are loans and mortgages that we have with locals; these are not our specific loans and mortgages for the National Union. These are funds that we've helped local unions with. That's my understanding, Fred.

FRED RAIDL: Yes. The \$1,623,446 that we have is local -- locally held mortgages that we have with them. The \$3,345,668 and the \$188,820 is actually properties that we loaned money to the

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(indiscernible) to purchase a building; however, we do own two of those floors. Once the 25-year grant that we gave them expires, we do get to take those over. So, once that happens in 2027, those mortgages come off the books, and then we get access to the property.

We rent it back from them currently, but that'll then come onto our books as an asset, and I'm understanding that they are worth a lot more than the \$3.5 million that we show on our books.

LANA PAYNE: Yes, great. And the next one is a summary of our investments, which would be page 21. And for this, you can kind of see that we've had an improvement in our investments over time I think is the real story here, in terms of fair market value. So, moving in the right direction is what we're saying.

FRED RAIDL: Yes, we're not going down by cashing them in anymore, we're going up ---

LANA PAYNE: Yes.

FRED RAIDL: --- by keeping them on our books.

LANA PAYNE: Yeah, which is great.

FRED RAIDL: So, while you see it's only a small increase, it's actually because we cashed in a lot of investments in 2020, and this is actually

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making it better for us. So, it's always important to know why we got to where we were, and we need to make sure that we are staying fiscally responsible because we don't want this to go in an opposite direction because we cashed it in. If it goes down because of market forces, we can't control that.

LANA PAYNE: Yes, that's correct. And next is our capital assets. So, basically, the things that we own, property, and where it's held. With respect to that, some of it is in our Strike and Defence fund, some of it is in the General Fund, but spread across those two funds specifically.

FRED RAIDL: Yes. You'll see a big jump in what we consider buildings, and a huge decrease for buildings work in progress. That is the Gordon Baker building that we brought onto our books at the end of 2020, being the first day of 2021. So, that's why you see such a disparaging gap in between the two numbers.

And then the buildings in the General Fund that were there for 2020 and not in 2021, that's the Wabanaki building that we sold in Kitchener.

LANA PAYNE: Exactly.

FRED RAIDL: That's why you don't see anything in there anymore.

LANA PAYNE: And then I think, Fred,

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it's important to go to page 24, which is yes, future -- there we go. So, this is one that we haven't been able to address in the last couple of years, although we've had some improvement here, which is respect to post-employment benefits for our staff.

We are carrying a lot of liability, but most organizations are, and most corporations don't even carry -- don't even show this on their books, but, you know, auditors expect us to have it in our report.

In any case, what you'll see here are two, kind of, important numbers to keep in mind. That is particularly our pension plans have been doing very well. We have done some -- you know, basically realignment, restructuring of our investments around our pension plans because as they were improving in terms of funding ratios, we didn't want to risk those funding ratios dropping. So, we've been doing a bit of de-risking of our staff pension plans, and you can see that our plan assets are greater than our obligation, which is really good.

The other area which is not so great is we haven't been setting aside cash for future employment benefits. I don't think there's ever an expectation that we would set aside all of this money,

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obviously, but if we were just showing that we were doing a little bit of this, it would be helpful. Every single year we do get a note from the auditors saying, excuse us, a little rap on the wrist, you haven't done anything on your post-employment benefits, and you're carrying these liabilities on your books.

But we did see some improvement overall in terms of those liabilities, and that's mostly related, I think, to interest rates, is that the summary of that, Fred?

FRED RAIDL: We've had better investments.

LANA PAYNE: And better investments.

FRED RAIDL: Yes.

LANA PAYNE: Okay.

FRED RAIDL: And there's nothing we can do. The auditors are usually really concerned when your future benefit valuation is greater than what you have in your surplus of funds, that's what they start calling a going concern, and would be an issue if we didn't have enough assets in Unifor to actually be able to meet our obligations. That's where the problems start to come in, so we have to make sure that we never get down to levels like that.

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LANA PAYNE: Yes. Next, the -- what page is it? Twenty-five. This is the demand loan. This is basically the loan for Gordon Baker, and you'll notice at the top that part of doing this is we put \$10 million in investments in CIBC to help with the demand loan. And one of the good things about this as well is that there's a covenant on this loan and because we haven't run a deficit this year, there's no additional penalties. So, we're in a pretty good place on this loan as well.

Okay, have I got everything in here that's important yet? No, I think I want to mention the Education Centre, that is the other page that's kind of important here.

FRED RAIDL: We're going to go to Schedule A to talk about the general expenses.

LANA PAYNE: Oh yes, okay, general expenses. What page is that, Fred?

FRED RAIDL: That would be 32.

LANA PAYNE: Yes, thanks for keeping me on track. So, these are basically all of the things that make up the general expenses, and they have been considerably down in 2021 over 2020, and obviously, down from 2019 when I mentioned all of these totalled \$46 million. We will be budgeting a lot more than \$22

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million, obviously going into 2022 because we're going to have a full-on operating year. So, meetings and functions are going to be much higher, promotional materials, special campaigns, these things, you know, we have to take into account.

Our Strike Fund payments, we were actually pretty much on budget with the Strike Fund payments, interestingly enough, and given the fact that we've had 11 strikes so far this year, and probably going to be another busy six months in front of us, the idea is that we'll be budgeting around the same amount for 2022.

It's tough to budget strike and defence payments. We never know in advance, obviously, how many disputes we're going to have. What we have taken to doing is just looking at the history of Unifor in terms of strikes, the moment that we're in, in terms of where we are right now, a tightening labour market, you know, coming out of a pandemic, there's a lot of anxiety and an opportunity for workers to really make gains right now at the bargaining table.

So, that means, you know, that information has to kind of factor into where we make a budget around Strike and Defence. But it is a challenge to do, I will just say that to you.

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With respect to donations, we've been really trying to keep these as well under control. Looking at, I think at one point, we were well over \$1.2 million in donations, so we've been careful there. We actually had more donations than what we see here, but some of it was attributable to additional funds that we get, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

And our affiliation and membership dues is pretty much our global union affiliation dues, the QFL, but that's pretty much the total there. And as you can note, you know, we had a bit of an improvement or an increase in per capita dues to global unions. In 2021, some of their per capita rates changed, even though our membership in some of those global unions might have been reduced based on our own members being out of work. So, that's where we are with those costs in 2021.

FRED RAIDL: Yeah, Lana, just one housekeeping. After our meeting with the sub Finance Committee, I noticed that there was an error by the auditors in putting numbers in. All of the Defence Fund payments split between the Defence Fund payment

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and the Strike Mobilizing was all in the Defence Funds payments for \$24 million. So, everybody on the NEB has the amount that says \$24 million. It's actually \$16.2 million in the Defence Fund and \$8.5 million in the Strike Mobilizing on the printout ones, which I got it and I sent it to Brenda, but it was too late to send out to everybody. So, if anybody wants a new Schedule A, we can always send out a new Schedule A. That's the only difference and it's just a comparative number. They did not do a split.

LANA PAYNE: Right. The total was the same.

FRED RAIDL: The total is exactly the same.

LANA PAYNE: Yes, okay. The next page, this is basically the expenses. Tullio might be interested in this one. These are basically the expenses that we had at the Family Education Centre outside of our staffing costs, right, Fred? It would be everything but -- oh, no. These are the revenues.

FRED RAIDL: This is everything for the FEC for revenues, yes.

LANA PAYNE: For revenues. Correct. And at the end, you'll see where the deficit is coming up. And this is now going to be carried in our

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audited statements from here on out.

FRED RAIDL: Yes. Just the one line.

LANA PAYNE: Yes, exactly. The next page is just a breakdown of all of those things. So, that's the total of the Family Education Centre, and basically, we pay for the deficit in the Family Education Centre out of the General Fund. That's where those funds come from.

FRED RAIDL: Correct.

LANA PAYNE: Okay, any questions? Any concerns? I think we're through all of those now. Marc Rousseau, go ahead, brother.

MARC ROUSSEAU: Just a little heads up. As you know, we had a historical vote at the Bell office, and we have a strike mandate. So, the 4,200 employees will be on strike, so it's good to have a healthy Strike Fund.

LANA PAYNE: Yes, the Strike and Defence Fund is at \$148 million now, which is a good place to be, and I think it's a little healthier at the moment than even these books for 2021 reflect. So, that's great.

Can we have a motion to approve the audited statements? Moved by Tullio; seconded by Marc Rousseau. Do we have any questions on the audited

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statements or any comments before we vote? You can take this one down now, Fred.

Awesome. Our auditors will be very pleased with all of you for approving these statements.

All those in favour?

(favouring votes shown)

Down. Opposed, if any?

(opposing votes shown)

Carried.

CARRIED.

Thank you everybody. Wonderful.

2022 BUDGET

LANA PAYNE: One more item from me, and that's our budget for this year, which is a little late, but we're doing our best here to try and get it all done. So, maybe we can put this on the screen and go through it rather quickly, and hope we come in line with all of these things. Okay, here we are.

So, what I've asked, actually, Fred to do -- you have this document in your kit as well -- is to be able to show you 2019 as kind of our starting point, because that was the last kind of regular year we had. Tullio, do you have this? Do you need it emailed to you? It was in the -- it was included in

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the kit with the audited statements. It should be in that same folder. It's just a one pager.

TULLIO DIPONTI: I think I got it, Lana. I've just got to find it.

LANA PAYNE: Okay. All right, brother. So, what we have done here, because I think it's important for comparison's sake, is we put in the actual year of 2019, which was kind of the last normal year we had, the actual cost expenditures and revenues for 2020, the actual for 2021, our budget for 2021 and our budget for 2022.

So, you will see that all of those are there, and you can compare how we're doing budget wise with actuals, and where we think we're going to head after this year based on all of the analysis that would have been done by our dues department, looking at all of our expenditures over the last number of years, and also, what we had on our books in terms of the number of activities that we would have this year in terms of conferences and councils, and looking at where our travel costs would be, et cetera.

We've also, in this, budgeted as well for a cushion for staffing in that case for 2022, just in case we get to a point where, you know, obviously in the fall we need to be looking at some of these

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servicing gaps that we have.

So, let's start at the top. Our budget for 2022 around our per capita is we're looking at around the same as we had actually budgeted for that came in actually in 2021. We've gone through every sector of the union to kind of get a sense of where we ended 2021. I'm really hopeful that this will be a little bit higher, but we're just erring a little on the side of caution, because it's still not -- we've still got some unknowns out there and, you know, some of our sectors are still struggling to get back to full capacity.

So, we're looking at about \$105 million in dues income. And you'll notice that that's still substantially less than where we were in 2019.

With respect to investment income, again, we're not budgeting the full amount that we did for 2021. We're looking at a little bit less, trying to find the sweet spot of where these investments are going to come out. You can see that they're all over the place. 2020, we had \$10,833,734 million in investments; 2021, \$3,850,437 million. We actually budgeted \$6,687,533 million. So, this year, we're going to budget \$5,635,419 million and try and look at about a 5 to 6 per cent return on investments. But

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given where the markets are, it's anybody's guess right now.

Some of the larger unions here are probably facing the same thing in terms of trying to predict their investment income. I was talking to Tammy's treasurer during the break. He's saying the same thing. It's just like a dog's breakfast out there.

The other income, obviously, is going to be around the same -- a lot of this other income, just to give you a sense of what that is, it's funds that we get to pay for auto coordinators and what else is in that amount? I keep forgetting, Fred. What else is in other income? Sorry, I'm brain fried.

FRED RAIDL: Contributions from the penny funds ---

LANA PAYNE: Right.

FRED RAIDL: --- towards the building costs at Port Elgin.

LANA PAYNE: Yes, exactly. So, most of it is all out of auto, these other incomes. So, the penny funds help pay for Port Elgin, but they also -- this is money in and money out. So, they pay for coordinators that we have, and obviously, this comes out on the expense side as well.

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And then gain or loss in terms of assets, we're not predicting or forecasting any of that for 2022. And as I mentioned before, what we had in 2021 was the result of the sale of the Kitchener building, and that was the real difference between the value on our books and what we actually received for that property. So, overall, we're budgeting income in the \$115 million range in 2022, which is still \$15 million to \$16 million less than where we were in 2021 -- or in 2019.

I will point out about 2019, though, is that was an exceptional year for investments. \$12,329,757 in investments was a very good year, as was 2020. These are not normal investment years for us. So, in that regard, the income in 2019 is not really a parameter of where we normally would be with respect to investment income particularly.

On the expenditure side, when it comes to staffing, these are all numbers that are pretty actual based on who we have right now, but also, even if we put a few additional staff into the system, we've allocated for some of that.

One of the things that we will have to obviously take into account is we do go into bargaining, I think this fall, with our CNRU staff.

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So, going forward in 2023, these numbers are going to grow. So, you just have to be aware of that.

You know, we have a number of things Katha and I have identified as well in the collective agreement that we know need to be changed and improved upon. So, we've just got to be -- you've just got to realize that the staffing portion, the personnel portion of the budget is going to grow in 2023, and we've just got to be prepared for that.

One of the things that you will notice here, the reason we're seeing some big differences from, obviously, 2019 until now and what we're budgeting is around the cost of staff expenses and travel. As I mentioned, in 2019, we were at the highest level ever in terms of that number at \$9,483,268. It was a convention year. So, convention year, this number always goes up, obviously, with staff travelling to convention.

We were at \$3,972,145 in 2020 and \$2,688,938 in 2021, but we had actually budgeted \$4,935,170 for 2021, and the reason it was less is, obviously, we didn't return to a normal operating year as quickly as we thought we would. The pandemic carried on, and we had more variants, and people were stuck at home more, and we did fewer in person

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meetings. So, that impacted on that number.

But this year, we're going to have a convention. We've already had any number of councils and conferences. So, it's clear that the staff expense number will grow, and there's a lot more bargaining happening across the union. So, that means that's contributing to that as well.

So, overall, we're budgeting \$64,686,542 in personnel costs for 2022. About the same, you'll notice, in our employee benefits, but I will say to you that that actually represents a tiny bit of an increase from the -- oh, no, it's around the same. Sorry about that. Forget I said that. That's pretty consistent with where we were in 2021.

On office expenses, we are budgeting a little bit more for 2022 than we had actually spent in 2021, and some of that is, you know, the obvious reason. Our offices are open again, so utilities are going to climb. We will have more office kind of equipment that we'll need, use and all of that. So, we just had to budget a little bit more in our office costs.

And then when we get to kind of the bigger category of general expenses, which is the one, I suppose, we have the least and the most amount of

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control over, and that's regarding -- some things are pretty static here. Affiliation fees, we know what they're going to be generally in the range from year to year.

Communications, we're budgeting about \$800,000 just to make sure that we have enough in there to do the work of the union, whether it's improvements to our website, whether it's advertising, whether it's films. You know, this is a busy year. We're going to have more disputes, which means we need to do more communication. So, we want to make sure that we're budgeting quite enough for that.

Donations, the same thing. You'll notice in 2021, we budgeted about \$600,000. The actual was a little bit higher, but some of those funds would have been paid for, as I mentioned, by CCF and not directly out of the General Fund.

We are looking at about \$825,000 for donations this year. The majority of that -- some of that are things that we had, for example, long-term commitments to, Ryerson University. There are some items that we have there that go over multiple years. So, some of these are costs that are already there.

And then, of course, looking at what we would normally budget around donations in any case.

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But you can notice that we're far down from where we were in 2019 when we were at \$1.3 million. It was an area that obviously we need to take into account going forward.

Same thing, Defence Fund payments, I've already mentioned that. We're budgeting around \$8 million and another \$500,000 in Strike Mobilizing, but you should all be prepared that these numbers may go up. It depends on what the year brings us. It depends if we have a dispute by our clerical members in Bell.

Some of these are unknown factors. What we're basically doing is looking at the experience of the union over nine years and trying to come up with a legitimate number here to be able to budget, but it's tough to do, as I say.

We have budgeted, obviously, \$1.6 million for our Family Education Program. We get to do this for the first time in three years this year. We will have three programs, two in English and one in French, and we obviously did not have that in our budget or as an expenditure since 2019, was the last time. So, this is an exciting expense to have for the union.

Lost wages, some of this is obviously

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lost wages when we put people on organizing drives. It can be lost wages if we have people working on election campaigns. So, it's really looking at, you know, what elections we've got coming this year, and giving a sense of what we spent in the past, and really trying to give ourselves a sense of where things would go. So, that's what you're seeing there.

Meetings and functions, I will just say to you, obviously, 2019, those were \$6,200,012. We are budgeting close to that, about \$1.2 million less in 2022, but considerably more, as you will note, than we budgeted or actually had in either 2021 or 2020.

This is where you'll see our actual conferences and things come under meetings and functions. Sometimes there are bargaining expenses for us as well. They come under meetings and functions. So, there are any number of things that come in there, and if the Board at any time wants to see a breakdown of some of these areas in terms of how we come up with the total number, then I'm totally good to send out a more detailed budget document, if you're interested.

Professional fees have been pretty static over time. It's something that, you know, can be challenging to predict because if we use outside

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lawyers, sometimes if we need additional work from our actuaries. We had to do that last year, for example, when we purchased Gordon Baker and were considering doing some leasing here. There were additional kind of actuarial costs to look into things, to make sure that we were not jeopardizing our non-profit status if we were having income from leases. So, all of that work obviously costs a little bit of money.

And again, we're budgeting about \$3.3 million in special campaigns, and some of that will potentially come out of the Strike and Defence Fund. So, while you'll see that we've got mobilizing in the budget under the Strike and Defence Fund, we are also aware that there may be campaigns that need to be paid for out of the Strike and Defence Fund, and you will recall that we've already had a discussion about this at the Board when Tullio and Katha brought forward the recommendation around supporting our sisters and brothers in the healthcare sector.

So, we just have a cushion to that a little bit, because there may be other things that we need to do here, particularly around Bill 124 as that continues to be a massive problem for our members in healthcare, but there are other issues as well that we want to plan for in advance.

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So, overall, obviously, when you look at the General Fund, we're looking at an operating deficit, not a place we want to be, but most of that operating deficit will be attributed to the actual deficit in the Family Education Centre. We are looking at basically having a bit of a surplus overall and, you know, not a bad place for the union to be in, but still having to watch and track, and we're in a much better place, obviously, than we were in 2019, and a bit of a cushion here in case we get hit with a tsunami later this year.

So, I don't know if there are any questions about the budget, any concerns, anywhere where you consider we might need to be budgeting more, but this is our second budget to the Board. So, happy to have a discussion with all of you.

Fred, maybe we can take -- no, we'll leave it down in case there are -- take it down in case there are questions. We can put it back up if someone has a specific question, because I can't see people's faces. That's great. Okay. Shane Wark, go ahead, brother.

SHANE WARK: Fred, I have a question for you about the national coordinators. Lana had mentioned them coming out of the penny fund, which is

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not entirely correct, because the majority of them are paid for out of a separate letter on direct reimbursement from the Detroit Three. The vast majority of the coordinators are paid by direct reimbursement rather than out of the penny fund, but my question, Fred, is do you include that direct reimbursement amount in the penny fund line of your -- the chart that you put up?

FRED RAIDL: Okay, yes, so what gets included there is the coordinator's office and secretarial costs that are billed towards our overall costs that comes in. So, that's what we actually included in our books, in our revenues, is just those two items. The rest of it will go into Zoran's penny funds.

LANA PAYNE: And Shane, also to that point, in that line, there are some monies from the penny funds, so I might have misspoke, but it's coordinator funding plus some money from the penny funds that they give to the union to help support Port Elgin, but also, to pay for some of our staff.

So, for example, the Skilled Trades Fund actually pays for a staff member at Unifor, and the Health and Safety Fund, I think, also pays for a staff member. So, that's seen as other income, and that's

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why some of it is coordinator's direct money, from what you're talking about, but some of it is also out of the penny funds. Is that clear, Shane?

SHANE WARK: Yes. I just wanted to make it clear that the coordinator dollars are negotiated not just through penny funds, that there is penny fund money and then over and above that for the majority of our coordinators, there's also reimbursement money, and I just needed to understand where that fit on the balance sheet, basically, but Fred clarified that. So, I am good.

LANA PAYNE: Great. Thank you, Shane. Jennifer.

JENNIFER MOREAU: Thank you for the presentation. I'm just wondering for investment income, we're predicting \$5,635,419? Shouldn't that be lower? Because, I mean, I'm hearing we're in recession territory, or we're leading towards a recession, and that risk of recession is elevated this year and in coming years. I just feel like -- I don't know. Maybe I'm a pessimist, but that seems kind of high.

And I'm wondering also what -- in our investments, what are the allocations of what we're invested in that we would be getting that? Because

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I'm actually expecting negative returns on ours, and we have a very conservative portfolio. So, I'm just curious about that one.

LANA PAYNE: Fred, do you want to come in on this?

FRED RAIDL: Yeah. It's basically in discussions with Clarity, our first quarter was extremely strong, and we had something similar to that last year. But when you're looking at this, we were having discussions in March, and anyone trying to predict where things are going, we've had subsequent increases in investments, interest rates, and such like that. And in talking with Clarity, they still don't feel that we're going to have that bad of a year, because we are having most of our assets that we've put in are principal protected.

LANA PAYNE: Yes.

FRED RAIDL: So, we are protected in a downturn, and it just completely depends on your portfolio mix. So, if you look at 2020 and 2021, you would see that the markets were going amazingly great, but you know what? It was the top 10 companies that drove everything. Now, today, you're looking at all the markets are way down, but because we have principally protected investments, we're protecting

ourselves against that.

So, we've protected ourselves against the cliff which seemingly is starting to go towards it, and yes, we are, in terms, heading towards a recession. I don't understand that we're actually in one. That all starts going about how people are doing all their spending, and yes, there are massive fears, but we've built against that.

So, when we were having the conversations, everything was still going strong. Now, if we wanted to decide that, you know what, we don't want to budget that much, we want to go 3 per cent, then we're also looking at something that is three months old.

So, if the Board feels that, yes, 5 per cent is too high and they want to go with the more conservative 3 per cent, then that is what we will have to end up putting in, is whatever the Board is going to want to decide in the end.

But this was just coming from conversations with Clarity, and again, our first quarter was extremely good. Nobody knows what the markets are going to do in a long-term process, but they were feeling a 5 per cent return is easily attainable, but they don't know, and nobody does,

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because if we all did, we'd all be millionaires. So, it's hard. We're going with the guidance that Clarity gives us.

LANA PAYNE: That's our investment company, Jenn. And we talk to them regularly, because this was also a concern that I had, but we have -- these structured notes that Fred is talking about, in 2019, we shifted -- because we had a massive loss in investment income in 2018 of \$18 million, I think it was, we really felt that we had to do something with our investment portfolio so that we were not being exposed like we were. And as a result, we did a bit of de-risking in our investment portfolio, and we ended up, you know, basically investing in these kinds of structured notes which meant that the principal was guaranteed, but in the first structured note we got, we were actually also guaranteed a return. Even if that return doesn't materialize, we get something back from it.

The other thing we did is we purchased gold, which is a thing that often gets done if you're heading into a recession, which by the way, in 2019 when we did purchase it, it looked like we were headed for a recession at that point, because we had a number of bubbles happening from a housing bubble to a tech

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bubble to everything, and that really got delayed because of the pandemic, and that's what we're kind of seeing again right now.

So, their best guesstimate in terms of discussing this with us is why we're at the 5 per cent, based on where our money is invested as a union. I hope that's helpful.

FRED RAIDL: We were also talking with Clarity yesterday. We are going to be well ahead of what the benchmarks are earning on returns because we have principal guarantees, and because we have these things built in.

Lana, I'm just wondering if it would be advisable at some point to have the NEB actually meeting with Craig and Larry so they can get into the more technical aspects of how everything works and how the asset protection programs that we're in -- and we're guaranteed returns for them at the end of the time -- the terms of our investments.

It's not like going into stocks where we see what the markets are doing and how badly they're down. We are protecting ourselves against the cliff, and the cliff got stopped because of COVID. COVID is disappearing, per se, and that cliff is coming again. So, the recession basically got pushed back by a

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couple of years. So, maybe it's good for Clarity to come in and do a discussion.

LANA PAYNE: We can absolutely do that, and we have done it with them before, so maybe our next meeting that might be -- well, not our Board meeting before convention, but certainly after that we can totally do it, or we can set up a Zoom with them as well. They also report to our pension fund meetings and have been doing a good job for us there in addition to what we call our discretionary accounts. Yves and then Katha.

STAFF TRAVEL - LEADERSHIP 2018 - 2021

YVES GUERETTE: Thank you, Lana. I was pleased with the results, our financial results for the past year. Congratulations, and to Accounting as well. But at the last meeting of the Finance Committee, we talked about travel costs for our staff. And so, I asked that we get a document, it's in the agenda, for expenditures by staff, because some people were challenging what I was saying, whereby some were spending \$300,000.

So, I did put the question, how can you spend more than \$300,000 per year as part of your expense account? You would have to work 350 days per

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year. And so, if you worked 250, that's some \$1,250 per day. So, that seems a bit much, so I asked that these expenditures be justified, and I certainly hope that in future, we will be following these accounts more closely. It doesn't make sense to me that people would spend \$300,000 in expenses. That's twice their wages.

Shane, don't worry, you're not under attack here. I talked to you the other day, but when I saw this last week, I wanted it to be in the minutes that -- and I want all members to see the expense accounts of all officers and staff, so that they know who is spending what, because people have heard about it, but they can see what was spent. I believe it is important that it be part of the verbatim of today's board meeting that everyone see these expense accounts, how people are spending money, and if there are questions at convention, that's fine. We'll answer those questions.

Honestly, I really feel that it's just too much. I said a regional director who spends four times less than someone who is staff. So, that didn't make any sense to me. So, I was floored when I saw the numbers. I had seen the numbers back in 2019, but when I saw the most recent data when we received it

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last week, in fact, I asked whether we could go back in time to 2015, but I was told it would be very hard to do, because it would be a great deal work. But we have the figures for 2018 to 2021. So, I wanted to make that comment.

When we are a member of a Finance Committee, of course we put questions. I'm pretty good with figures, and really, I found unfortunate that we had such high expenses. Thank you.

LANA PAYNE: Thank you, Yves. Katha.

KATHA FORTIER: Shane, were you going to respond to that, if you want to go ahead? I was just raising something different. That's all.

SHANE WARK: No, you go ahead, and then I'll respond.

KATHA FORTIER: Okay. I guess I just had a question. I don't know, Lana, if you can answer this, or Fred, but I'm just curious. I know we, in the 2020 collective bargaining with COPE and CNRU, we had the staff contributing a percentage -- it's actually a fixed amount but based on a percentage for their benefits. I just wondered what that has generated in any savings and where that's indicated? I'm just curious as we'll be going into bargaining this year.

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LANA PAYNE: I think, Katha, we can get you the breakout of all of that, how much of the total is being contributed by staff to the pension plan, but also to the health plan. So, we can get that and we can send it around to the Board and the assistants, so everybody has it. I just don't have it on this document. Go ahead, Shane.

SHANE WARK: Yeah, I just wanted to weigh into Yves comments about me not being under attack, and I just want to say, I don't think anybody individually should be under attack, whether it be me or anybody else in the leadership team or our staff.

We're covered by a policy that is applied right across the Board, whether it's for a national service rep, an assistant, an officer, and we've talked about expenses for a long time in this organization, and I think some folks have talked about that this is an organizational issue and not an individual issue, and I hope the Board doesn't make it about individuals.

We have talked about this for quite some time and, you know, I've always said when people make comments about checks and balances, that's something I fully support, and I think I speak for the other assistants when I say that.

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You know, getting organizational expenses, having a closer look at that and seeing if there are ways that we can reduce those, those are things that we can and should be doing, and again, I think I would get support from the other assistants on that as well. But, you know, I don't want individuals to come under attack for expenses when they have to be put into context, and I'll give you an example.

Like, if somebody looked at my gas expense, it may be higher than normal because I'm fortunate to -- I have a very large assignment, but geographically, most of auto is contained within a four-hour corridor in southern Ontario. So, where I may have low hotel costs or plane costs, airfare costs, I probably have higher than normal gas costs.

There's other things that occur as well where, you know, when I book things that are not directly related to my individual expense, I go through what we call the master account, where maybe somebody like Brenda or Lana's office directly is -- it's coming off of a different kind of credit card than my own individual card, and that's reflected in my expenses where others, actually, there are items going on their credit card that are not going through the master account, and probably is giving the sense

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that, you know, if somebody is paying for a bargaining conference, or paying for vehicle rentals, or paying for other hotel expenses for a bargaining committee, or conducting a council, that's going to balloon the expenses for the individual, but they are actually organizational expenses.

So, I won't go through this too much other than to say I think we've all talked about this. I know I've been supporting this Board since the founding of Unifor. This is a subject that's been talked about repeatedly, and I just say to the Board members that I think we have to approach expenses from an organizational standpoint, not an individual standpoint, because I think that may send us down the wrong path, and it won't help us achieve what we want to achieve as an organization. Thanks, Lana. Back to you.

LANA PAYNE: Thanks, Shane. Daniel, back to you.

DANIEL CLOUTIER: Thank you, Lana. On that point, I examined the document, including staff expenses for officers and assistants.

I'd like for us to be able to deal with the representation expenses. We're not sure what we mean often by representation expenses and to follow

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what Shane just said, I think we should have a better way of showing these expenses. For example, if I have to assume the expenses of the bargaining committee, it shouldn't go under my name. It should go under an organization rubric. My expenses should be my personal expenses for work that is restaurant receipts, taxi receipts, per diems, et cetera.

Now, if I'm renting a hall, if I'm getting photocopies made, I'm not talking about a restaurant for a local, but if I pay for hotel rooms for a local, it shouldn't be going under my expenses. We should be able to put that in another rubric, because these are not personal expenses for an individual. They're organizational expenses.

So, it may skew what we see. If I have, say, \$80,000 in plane expenses because I paid other people's plane tickets, it shouldn't appear under my name, you know? Maybe \$20,000 is for my plane expenses, but maybe the rest was for expenses for a bargaining committee.

So, I think we should probably try to break it down differently, and I also believe that we should always audit all of this, especially, you know, if it's an account where we put all sorts of expenses. If I'm paying hotel rooms, how can I control that?

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Have we paid too many hotel rooms? You know, you lose control when you put it in just one account, so we should have better control.

And the other thing is we should have an annual audit or triennial audit at the convention. You know, we should use neutral members, and instead of sending our expense report in detail to everyone, perhaps that committee could examine officers and assistants' expenses, just to make sure that it follows our criterion, and if yes, fine. If not, we can make corrections as we go along, because presently, it might skew our perspective.

So, those are my comments, but I'm sure that we will be able to come back to this in the coming months and years, but I think that we need to be more transparent when we're dealing with staff expenses. Thank you.

LANA PAYNE: I can do a more fulsome report at some point on this to the Board, but I know that the accounting staff really do try to pluck out what we would call organizational costs. Like, for example -- I don't know. I'm just trying to think of one that might have ended up on my card. I booked a meeting room at a hotel. When my expenses are done and they go into Concur, then that would be plucked

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out as -- what I mark on that is that was bargaining, that was whatever. It is plucked out of my expenses, my understanding is, and attributed to something else.

Whether this is always done, then that is something we need to look at and analyze on each one. So, if we want a more detailed report of this stuff, we can be doing that. Is it across the board that it's not always plucked out? I don't know. But it is something that we can look at. I do know the accounting staff do try to make sure that things are attributed to the proper areas within our budget lines and within their accounting system, and they have any number of these that they have to do.

So, you know, it's a lot, but we can sort through all of that and, you know, do checks and balances, whatever is required, but it's not always like that, Shane. I'm just telling you. There might be one or two items where that may end up being stuck in an expense report, that it is an organizational expense, but generally, what the Accounting Department tries to do is make sure they're taking those things into consideration. Do things slip through the cracks? For sure.

FRED RAIDL: Yes, and I just want to bring up, there's a terminology that we have, garbage

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in, garbage out. So, if you're providing an expense report and it doesn't provide us the information that we need, we try to reach back out. We don't always get answers. We do try to look at when there's hotels booked, and they're for meetings.

[REDACTED]

So, if we get good information, we can provide good information. Back in the day when everything was on paper and we didn't get receipts from people, it wasn't very easy. If everybody is Concur, we can have all the information, because everything that goes through Diner's goes onto Concur, and if you give us the right information, we can report the right information.

So, while everyone wants to look at accounting, is it where it's going, where it's supposed to, this is a whole team that needs to take ownership of let us know. We can't guess where things go. We try to have educated guesses, but the only people who know where they belong are the card

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holders. So, if you give us good information, we can do good information back, and again, it's all garbage in, garbage out. That includes getting things timely, getting us the proper explanations.

Sometimes we get a big meal receipt, and they don't tell us what it's for, or they don't tell us who is at the meeting. So, those costs go to the individual whose card it was. But again, we don't want to make it a guessing game, and it's not usually -- usually, when the leadership team goes out or there's a bargaining committee, just let us know. We won't put it against the card, because it has to get coded somewhere.

So, we want as much help from everybody, all the card holders, to make our job so that we can report it out to the NEB. Yes, in the past, you would have to think things are sliding through the cracks. It's almost impossible to catch everything, but again, it's coming to "let us know".

So, I don't know, Daniel, if that helps at all?

DANIEL CLOUTIER: Yes. Yes, quite. All I was saying is, yes, we need a better breakdown, but the other thing is that, perhaps, as a national executive, we should perhaps develop guidelines,

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limits. I have a group that's negotiating, say. We signed an agreement. You know, I could treat them to lunch, but is there a limit? [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

So, as an NEB, we should develop these reasonable limits, because if there are no limits, it could lead to abuse. What is reasonable when we're talking about lunch in Montreal, there will be a big difference if I bring them to The Keg or if I go to the Queue de Cheval, which is three times as expensive, but is it reasonable to bring them to a three-star restaurant?

So, I was somewhat surprised when I became Quebec Director to find out that there were no guidelines. So, theoretically, I could do whatever I want, and I don't think that's normal. So, this is a question of leadership. I believe that the NEB needs to set limits, because that is lacking at the present time, and I then come to, who is authorizing all of these expenses? Who audits all these expenses? So, this also could be leading to abuse without any such goings on. Thank you.

LANA PAYNE: Sorry, go ahead, Shane. I

was just putting some answers in the chat box there around...

SHANE WARK: Yeah, I didn't see those, but yeah, so I guess just coming back full circle here a little bit, it sounds, in listening to Fred and Daniel, that in my mind, we're kind of -- it seems like we're on the same page in my original message, which is, yeah, if we look at this from an organizational standpoint, from an NEB policy standpoint, I'm pretty sure that there's things that can be done around expenses.

I just caution people approaching this on an individual basis. That's not going to get us, as an organization, to where I think everybody wants us to be, and if that means the NEB changes the policy or the administration of the policy, I'm just going to follow whatever policy the NEB puts in place.

And by the way, I mentioned this to Yves at our last NEB meeting, expenses get approved. Like, I don't get an unapproved expense, and if something is not, it raises a flag. I've had one time when I got a call back on an expense, and it was because the receipt actually had an Ontario business number, and Fred might know what I'm talking about. It didn't actually have the name on the receipt. It just had

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Ontario, a six-digit number, incorporated, and Accounting didn't know what that expense was for. So, once I clarified what that was, then the expense got approved.

I do agree with Fred on the Concur. That's a good tool, and it actually is very helpful in tracking, you know, the expenses, the credit card expenses, because it sends us reminders to make sure that we properly fill out the expenses.

Coming back to the last point, and Daniel, I agree with you on the idea that kind of -- it's not always what it seems when it comes to the expenses, and I'll give you a specific example. When I was talking about my card versus the master account, is normally, let's say, the National Union, the assistant, calls a meeting of a bargaining committee, okay? So, we're going to expense that. And then I get somebody to book a meeting room at a hotel in order to conduct that meeting, that doesn't go on my personal card. It's on a different expense card in the National Union; however, there have been times where due to things arising at the last minute, I call a meeting and I have no choice but to put it on my -- I expense it directly on my card, and those things then, which would normally go in a different account,

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are actually on my individual expenses, and that's what I'm saying. You can't just look at the expenses without having all of the context.

So, I'm good to have -- continue to be part of this discussion, but there are things that go on that we talked about, and Lana, I agree. I never said always, right? They don't always happen this way, but there are times when they do happen, when I know myself or others have to expense something that normally would be expensed through a different process, and it ends up on my expenses.

LANA PAYNE: Yes, and mine too.

SHANE WARK: Back to you, Lana.

LANA PAYNE: But generally, I'm with Fred. It's garbage in, garbage out. I usually try to clarify that when I'm putting in expenses. Katha, over to you, and then I want to clarify some things with the Board here.

KATHA FORTIER: Okay. Yeah, so I just wanted to make a couple of comments, and obviously, you know, interestingly enough, we have a staff expense policy that does -- Daniel, you're right, it does -- I think it was last reviewed in 2017, and it contemplates that, yes, a service rep could treat a bargaining committee to a dinner, but it doesn't

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specify any limits.

I do agree that Concur obviously forces us, and I can tell you in all honesty, I just started Concur earlier this year at the prodding of the Accounting Department, and I still struggle with it at some moments but, you know, it is going to be, obviously, very much easier for tracking.

But, you know, again, there's also things to consider around -- you know, that are just part of our assignment as assistants, right? I mean, you know, Shane described geographically where most of his assignment is, whereas if you have, you know, cross-country travel really involved in your assignment, that could make a huge difference as well.

And I think just on a final point, you know, this is always something that we can do better on, and we certainly should. The pandemic has taught us that we can do things differently, and while we're going to go back to in-person meetings because we have to, you know, sometimes we can accomplish the same thing with Zoom, and I think we can all be, you know, more constructive on our expenses.

By the way, I would also just add that, you know, while we've pointed out assistants' expenses, you know, we have an entire staff that have

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expenses as well that we should be looking at as well, and I know that I've seen figures in the past that there are certain staff, because of their assignments, may have higher expenses than what the assistants do.

So, you know, I'm just saying that this will all need a really deep dive at some point, and that's my remarks. Thanks.

LANA PAYNE: Thanks, Katha. Just some clarification here. So, to be clear, I don't oversee the assistants' expenses. I've never done that as secretary-treasurer, and I'm not sure Bob was doing it as secretary-treasurer. And to be clear, the former president said that they were his assistants, and we've just basically done an honour system on these things, and that's the reality of it. It's been that way as long as I've been with the union.

With respect to checks and balances within our system for the accounting staff, they will sometimes get alerts if something is odd in an expense claim. So, if it's outside of a normal thing like a hotel or a flight or gas, then they get an alert, and as a result, the accounting staff will do a follow up.

So, for example, too many hotel rooms on  bill, he gets a call about that. I drove my car to another province when I was regional director,

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and I got an alert on my gas card and got a phone call about it. So, there are certain things that we can check up upon.

The staff are supposed to request -- not all do, but we're getting better controls on that, and I think Katha would relay into that. We have, you know, quarterly reports on our gas cards, for example, and we had some staff who were using premium gas. And so, we would send out notices to them to say the requirement of the policy is you're only allowed to use regular gas. So, we would follow up with them.

So, we have some checks and balances when it comes to that. Staff are also supposed to ask for overnight hotel stays. They can do that through their assistants. Sometimes they come directly to me.

All travel in terms of flights are supposed -- all of that stuff is supposed to come to the secretary-treasurer's office for approval, and we do spot checks as best we can to make sure that this is happening.

We have talked about and are trying to develop what is a template for staff, the same way that when our staff are putting in a form to let everybody know that there's a strike deadline, for example, or that we had a strike vote, that we would

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just have a template and it would go for approval for travel. The assistant would get it and the secretary-treasurer would get it. This was something we had planned prior to the pandemic. It didn't happen, so basically, I'm dealing with every approval as they come in through my email.

I do not ask the assistants to send me, and nor was this expected of me to do. I had this discussion with Jerry early on in my term. He had this discussion with Richard Vann many times, that these were things that were in his purview. And so, I want to be very clear here at the Board, I did not sit down at my desk and approve expenses for assistants or regional directors or any of the leadership team. That is not how we have operated. You know, Naureen does her job and that's it. So, this is the way it's been.

If I was doing any -- something out of the ordinary when I was regional director, I would send it to Peter Kennedy or Bob Orr and get an approval that way. So, just, you know, if we're going to be looking at how we do this in future, you need to fully understand what we've been doing right now and what has been the historical context of this.

So, obviously, if we're looking at

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putting in place a different system around expenses, you need to know what's been done now and what's not been done.

Anyone else on this issue? We have to approve the budget. I think what we're hearing is you want a different process, and to Katha's point, we do have some staff who have cross-country travel all the time because their assignments are from Vancouver to Newfoundland, and that's very true as well. So, if it's, you know, all of those expenses that the Board wants to see for every single staff member in the interest of transparency, we can be doing that, every single one of them, and we can do better breakdowns.

DEB TVEIT: Lana, it's Deb. I'm in my car, sorry. I just want to add that the international travel is approved through your office. All of that is.

LANA PAYNE: Yes, that is true.

DEB TVEIT: I know we haven't done much but yeah.

LANA PAYNE: All international flights, no matter -- well, I didn't approve some international flights, obviously, but for Katha and Deb and those who went on conferences, that would be approved out of my office, for sure.

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Okay, can we have a -- you're all looking as tired as I feel. Can we have a motion to approve the budget? Moved by Guy Desforges; seconded by Gord Currie.

All those in favour?

(favouring votes shown)

Down. Opposed, if any?

(opposing votes shown)

Carried.

CARRIED.

Okay, I think we have got through our agenda. Are there any other items to be raised today?

LES MACDONALD: You've got a merger.

LANA PAYNE: Oh, we do have a merger.

LES MACDONALD: Did I miss the merger?

LANA PAYNE: You're absolutely right.

While you're searching for that, I just want to welcome Len Poirier to our National Executive Board. Thank you, Len, and thank you for taking on these additional duties for the union. Welcome to the National Executive Board. I should have done that at the start of the meeting. Would you like to say hi to everybody?

LEN POIRIER: Yes. Good afternoon, everyone. Thanks, Lana, for that, and it's been a busy day, absolutely. So, thanks for the recognition.

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MERGER: UNIFOR LOCAL 553 INTO UNIFOR LOCAL 504

LANA PAYNE: Thank you, Len. Okay, I have a straightforward motion here for a merger, and this came, I think, through from Bill Murnighan, but it is pretty straightforward. All of the work has been done. Have you had a chance to review this motion? Basically, it's a merger between Local 553 into Local 504.

The Executive and members of Unifor Local 553 voted in favour of merging with Unifor Local 504 on April 12, 2022, in accordance with the agreement reached between the local unions.

The Executive and members of Unifor Local 504 voted in favour of merging with Unifor Local 553 on April 18, 2022, in accordance with the agreement reached between the local unions.

Do we have a mover for this? Moved by Les MacDonald; seconded by Tullio DiPonti.

All those in favour?

(favouring votes shown)

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Down. Opposed, if any?

(opposing votes shown)

Carried.

CARRIED.

Approved unanimously. Thanks very much.

I think we're through today's business, and a couple of things, again, around the convention will be coming your way in terms of the agenda, and a few other things in terms of the program and policy documents. So, keep an eye open for those things as well, and have a lovely evening everybody. Take good care of yourselves out there.

--- Whereupon the meeting was adjourned at 5:11 p.m.

CERTIFIED CORRECT:



Shirley Chang,

Court Reporter