

August 21 & 22, 1981

Friday, August 21, the meeting was held at the AUCE Provincial Office.

Lid Strand called the meeting to order at 8:10 p.m. when quorum was reached

Attending: Lid Strand, President
 Sheila Perret, Secretary-Treasurer
 Sheila Blace, Trustee
 Sheila Rowswell, Local 1 Rep
 Elizabeth Brock, Local 1 Rep
 Dianne Kauffman, Local 5 Rep
 Jack Gegenberg, Local 6 Rep
 Lauma Avens, Provincial Co-ordinator arr. @ 8:40 p.m.

Notice of Inability to attend: Star Rosenthal, Local 2 Rep
 Tom Hedekar, Local 5 Rep

No notice: Roger Perkins, Local 2 Rep
 Sheila Browne, Local 4 Rep
 Rosemarie Reid, Local 4 Rep

1. AGENDA

Sheila Perret Moved Jack Gegenberg Seconded
 That the agenda be adopted as circulated.
 CARRIED

2. MINUTES

Jack Gegenberg Moved Sheila Blace Seconded
 That the minutes of June 28, 1981, be adopted.
 CARRIED

Sheila Rowswell Moved Sheila Blace Seconded
 That the minutes of July 14, 1981 be adopted.
 CARRIED

Jack Gegenberg Moved Sheila Rowswell Seconded
 That the minutes of July 17th, 1981, be adopted.
 CARRIED

Sheila Perret gave notice that all outstanding minutes from the May and June 1981 meetings, and the 1981 Annual Convention Minutes, will be presented to the September meeting of the AUCE Executive, for adoption.

3. Local Reports

Liz Brock had prepared a report which she read, and the report was supplemented by further news from Liz & Sheila Rowswell. See Appendix 'A' for the written report. In addition, at the recent meeting of the Local membership, a voted was passed that approved the expenditure of \$3900 to supplement a \$900 grant from Labour Canada, in order to conduct research into the impact of micro-technology (word-processors, video display terminals, etc.) at the UBC campus. The major concern with the increasing use of micro-electronics at UBC is the uncertainty about possible related health & safety factors.

3. Local Reports - continued

No representative from Local 2 was present, so there was not an official report read, but Jack Gegenberg mentioned that he was aware that another referendum to consider a union dues increase, was defeated (the third in the past year).

No representative from Local 4 was present, so there was not an official report from that Local. Sheila Perret, a member of Local 4 mentioned that the 2 reps from Local 4, Sheila Browne, and Rosemarie Reid, had recently been instructed by the Executive of that Local to not vote on issues at Provincial meetings until further direction from the Local 4 Executive. The membership has not considered this direction yet. Also, it was reported that the President of the Local, Janet Morris, tendered her resignation, effective Thursday, August 20, because she was considering an administrative position with the College. Negotiations have been going on, and have recessed for 3 weeks following a solid 3 1/2 week, all day, every day, set of meetings.

It was asked of the meeting what the status of Local 4's per capita tax payments were, as at the non-quorate 'gathering' in July, and at the June meeting, it was reported that Local 4 continues to be consistently in arrears, in excess of the 90 day proviso stipulated in the Constitution. The Secretary-Treasurer reported that Local 4 was 90 days in arrears on July 28th, and that Local has not contacted the Provincial Office to report any hardship or difficulty connected with paying the per capita tax; (the Provincial wrote to the Local membership, in care of the Local Executive, in March, asking that they tell us if and when there is any difficulty with paying the amounts owing & there has not yet been a reply). Contact, by phone, with the Local Treasurer, has not resolved the problem of late payment. Members of the Provincial Executive were worried that the per capita, which has been collected from the membership and is really in trust for the Provincial, is not being forwarded & the idea of contacting the membership directly was rejected for the time being. It was agreed that some action must be taken on this issue. A total of approximately \$1600 is estimated in arrears.

MOTION

Jack Gegenberg Moved Dianne Kauffman Seconded
That the Provincial Executive contact the AUCE Local 4 Treasurer tonight or Saturday morning, to find out if the Local intends to pay any portion of their outstanding per capita tax.
DEFEATED UNANIMOUSLY

The President directed that any further discussion on the matter of Local per capita tax was to be dealt with under item 6(f) of the Secretary-Treasurer's report on Saturday morning.

Local 5 report: Dianne Kauffman submitted a written report, (see Appendix 'B'), and she and Lauma Avens, Provincial Co-ordinator, who is also a member of AUCE #5, added some news about grievances. Victory! A wrongful dismissal was settled with payment of back wages. The employee has been fired for not paying for items taken from the cafeteria after hours, she had made arrangements with another co-worker who agreed to leave the 35¢ on the cash desk, and forgot to do so. The employee was fired for theft. 3/...

3. Local Reports - continued

the union grieved the dismissal, followed the grievance to Step 3 and then decided that the case should be dropped. In the meantime the Executive of the Local changed with annual elections, the new Executive was handed a Section 7 complaint (filed under the B.C. Labour Code) by the employee's lawyer on behalf of the member. The new Executive of AUCE 5 considered that the member had been wrongly dismissed and tried to re-open the grievance procedure. The College refused to hear the grievance and so the Local supported the member's Section 7 complaint in an effort to have the matter heard before the Labour Board and perhaps referred to arbitration. The Board hearing took nearly a week (back in March) and it has taken until this month for a resolution to the complaint. The Board found the case arbitrable. The union accepted responsibility for reimbursing the member's lost wages for the three week delay in properly representing the member at the grievance procedure and appealed to management to pay the lost wages since that 3 week mark, as a settlement. As of this week it has been announced that management has agreed that the dismissal was unjust and has agreed to pay the employee the approximately \$3000 in lost wages - the union will be paying nearly \$1000 - so the member will receive all back pay and the union was successful in having a just resolution to a wrongful dismissal. The member will not be returning to work at the College, having found a job elsewhere in the 6 month interim. The victory is that the union was successful in this case because they accepted responsibility for the Section 7 complaint - they agreed that they had not fairly represented the member AND because they supported the Section 7 they were able to argue successfully that there was a wrongful dismissal and that the college had a responsibility to re-open the case and either reimburse the employee's lost wages and/or re-instate her into the same job or one at the same rate of pay.

The other grievance news is that Local 5 is grieving a contracting out of bargaining unit work incident in that some employees in one area of the campus were laid off from their maintenance jobs and subsequent to that the college contracted out cleaning work in a newly built section of the campus - without hiring first the laid off employees with the experience and the seniority. The college has stated that all new services will be contracted out in the new wing. It would appear that the college is attempting to break the union financially by breaching the contract, refusing to settle at the grievance level and forcing the union to take clear issues to arbitration - a costly procedure.

MOTION

Sheila Blace Moved Jack Gegenberg Seconded
To accept Local Reports as presented.
CARRIED

MOTION

Sheila Rowswell Moved Elizabeth Brock Seconded
That we adjourn for the evening and resume the meeting at 9:30
tomorrow morning.
CARRIED UNANIMOUSLY

Re-convened Saturday, 10:10 a.m. at Britannia Centre:

Page 4

4. Hearing: re Local 1 charges against Local 5 as per Section 19 of the AUCE Provincial Constitution
- review of the issue(s) - re alleged violation of AUCE Constitution in that Local 5 contravened AUCE policy by affiliating to the Confederation in spite of referendum, convention decisions to affiliate to the CLC. Local 5 is arguing constitutionality of allowing the charges to be heard, stating that Section 19 was added to the Constitution after the local affiliated to the CCU
 - procedure: as agreed to at the July 4/81 meeting (see minutes page 3) - as follows:
 - a) Local 1 shall present their case
 - b) Local 5 will present their case and will respond
 - c) Discussion and questions from the floor
 - d) Local 5 will be asked to summarise their position
 - e) Local 1 will be asked to summarise their position
 - f) voting if necessary

Lid Strand, Provincial President, will chair the hearing.

5. President's Report - Lid Strand reported that he had done next to nothing in the past month, 'bugger-all' in other words, having very much enjoyed his well earned holiday in Kitsilano, Vancouver.
6. Secretary-Treasurer's Report - Sheila Perret, another holiday-maker of the Provincial Executive who had a glorious 2 weeks recharging ...

- a) Correspondence: highlighted -

from the Canadian Farmworkers Union re seeking support for their demands that the BC Labour Code be amended to provide minimum wage protection for farmworkers, and that the Workers' Compensation Act be amended to provide protection for farm workers who are injured on the job. The union asked that letters of support be sent to the Minister of Labour.

MOTION

Sheila Perret Moved Elizabeth Brock Seconded
That the Provincial Executive endorses the Canadian Farmworkers Union's demands for the BC Labour Code and Workers' Compensation Act amendments and that a letter be sent to the Minister of Labour, with copies to the CFU, stating our support for the amendments.
CARRIED UNANIMOUSLY

from the Concerned Aboriginal Women seeking support for the Native Indian Womens' occupation of the Department of Indian Affairs offices in Vancouver, an action they defend as political and not criminal. The women were charged with Public Mischief and on summary conviction carries a manimum penalty of six months in prison or a \$2000 fine, or both. The

6. Continued -

Secretary-Treasurer's Report, item a) Correspondence, con't

a) Correspondence

from the Concerned Aboriginal Women ...

women charge the Department of Indian Affairs with mismanagement of Indian Affairs as well as poor housing conditions, high infant illness and mortality rates, loss of access to natural resources to maintain hunting, trapping and fishing rights, apprehension of native children and adoption of their children into non-native homes, 90% unemployment, high welfare rates, and lack of solid economic base free from government interference. The CAW ask for support for their 7-day occupation in the following ways:

- a) that we support their demand for a meeting with John Munro
- b) the resignation of Fred Walchli, head of the Vancouver office of the DIA
- c) a full and independent public inquiry into the activities of the Department of Indian Affairs in the BC region

MOTION

Jack Gegenberg Moved Elizabeth Brock Seconded
That AUCE Provincial supports the demands of the Concerned Aboriginal Women, including their demands for the meeting with John Munro, the resignation of Fred Walchli, and the public inquiry into the BC regional DIA, and further that letters in support of these demands be sent to John Munro, Minister of Indian Affairs, local M.P.'s, and Fred Walchli's local DIA office in Vancouver.

CARRIED

from Capilano College Labour Studies programme, brochures advertising Fall LSP courses, including a new one on arbitration, and asking the Provincial to include an item about the courses in the next issue of AUCE Provincial News.

MOTION

Sheila Perret Moved Elizabeth Brock Seconded
That any member of AUCE who wishes to take a Capilano College Labour Studies course this Fall, have their entire course fee reimbursed by AUCE Provincial.

CARRIED

b) announcements - none, or rather the events come up under other business, e.g. Concerned Citizens for Choice on Abortion Rally September 12, 1981 at Queen Elizabeth Theatre Plaza

c) Financial Statements, and d) review of Convention budget
Two sets of statements were circulated, one listing month by month expenditures and income for April through July, and one for a 'to-date' comparison with the Convention budget, and an estimate of budget allocation left over for the remaining 8 months.

Credit Union balances are on page 6 ...

(6) ...

6. Secretary-Treasurer's Report - con't

c) financial statements, continued -
Credit Union Balances

	April	May	June	July
Chequing	6858.03	866.38	1639.18	
Plan 24 Strike Fund	11879.01	12206.75	13377.54	13656.22
Term Deposit	5000.00	5000.00	5000.00	5000.00
Shares Accounts	61.38	61.38	61.38	61.38
S/Savings Trust for #1	4386.82	4386.82	5009.80	5009.80
Labour Education Acct.	1042.69	967.49	967.49	967.49

Mention was made of outstanding bills, most of which have accrued as a result of Convention, and the 2nd session of convention - approx. accounts payable = \$3800, part of which is \$1000 for the purchase of a new typewriter for the union office, an expense approved last Fall. The audit which was estimated by the accountant to be approx. \$1200 has been billed to us for \$1750, and this amount will be disputed with the firm by Sheila Perret, Sec-Treas. Two particular instances of misdirected billings from a courier firm, Loomis, on behalf of Local 5 were discussed and it was decided that the bills, since they are the result of Local 5 sending materials to Provincial, and sent without Provincial's knowledge, would be re-directed to Local 5 for their attention. The situation of Locals incurring expenses in AUCE Provincial's name was discussed briefly, and it was noted that Local 5 is not the only Local responsible for similar situations - a bill was recently redirected back to Local 1 for the same reason.

MOTION

Jack Gegenberg Moved Sheila Perret Seconded
That the current courier bills be re-directed to the Locals and that in future Locals shall not make use of Provincial accounts without prior discussion with the Secretary-Treasurer.
CARRIED

Provincial also received a repair bill for the typewriter which was lent to Local 5 during their negotiations and strike, and was returned to the Provincial in damaged condition. The amount of the bill was \$110.90.

MOTION

Sheila Perret Moved Jack Gegenberg Seconded
That the Provincial pay 1/2 of the \$110.90 repair bill for the typewriter lent to Local 5 and that Local 5 be asked to pay the remainder of the bill.
CARRIED

MOTION

Sheila Perret Moved Sheila Rowswell Seconded
That the Friday night portion of the September Executive meeting deal with the budget, and that the Local Reports be dealt with on the Saturday,
CARRIED

6. Secretary-Treasurer's Report - con't

- d) Review of Convention budget - dealt with above.
- e) Secretary-Treasurer's Overtime - authorisation for future O/T:

Sheila Perret reported that her overtime had been kept to a minimum of 6-10 hours per week since the Convention & that during some weeks, no overtime was necessary. The 6-10 hour figure was OK'd by the previous meeting, to be the limit. Peter Lane and Sheila Blace are working part-time in the office assisting with various duties, including the work running the referendum ballot. The hope was expressed that the referendum would approve the addition of a second paid officer, the Provincial Co-Ordinator on the Provincial Executive, and that would eliminate most or all of the overtime, and the need for part-time help.

MOTION

Jack Gegenberg Moved Sheila Rowsell Seconded
That the Secretary-Treasurer be authorised to work a maximum of 6-10 hours of overtime per week until the next Provincial Executive meeting.

CARRIED

- f) Per Capita Tax status report: Sheila Perret

Local 1 is up-to-date and has been remitting on or before the 20th of each month - which is great.

Local 2 is behind and owes for July - approx. \$2650

Local 4 is nearly 4 months in arrears & owes for May June & July which is approx. \$1200+; the last time pct was received was on July 13 - the April remittance.

Local 5 is up-to-date

TOTAL ARREARS PORTION - approx. \$4000

After considerable discussion on the continuing lateness of Local 4's remittances, various suggestions were made as to a) get the Provincial dues b) inform the Local 4 Executive of their responsibilities and reminding them that we have been over this problem many times in the past year, and c) how to inform the Local 4 membership that the portion of dues that is being deducted from their pay is not being sent to the Provincial, and perhaps suggesting that we have some concern over the fact that monies basically collected in trust by the Local for the Provincial, are not being handed over. Also of the discussion centred around whether or not another letter should be written to the Local Executive before directing correspondence to individual members. We were concerned that suspension of membership in good standing would mean that Local 4 people would lose their voting rights which is a crucial issue to consider at this time, since Provincial Elections and the referendum on the second paid officer are underway - it would also be unfair to suspend voting rights when the ballots were sent out (8) ...

6. Secretary-Treasurer's Report - con't

f) per capita tax status report - continued

MOTION

Jack Gegenberg Moved Sheila Rowswell Seconded
That a letter be sent to the Local 4 Executive informing them that it is our understanding that Local 4 members have paid their per capita tax in good faith but we have not received it from the Local, and Further that if we have not received the entire amount of per capita tax arrears by Tuesday, September 1st, then we will inform the Local 4 membership of what their voting rights are to be.

CARRIED

MOTION

Jack Gegenberg Moved Sheila Blace Seconded
That in the event that the full per capita tax isn't received by September 1st, 1981, then a letter shall be sent to the Local 4 membership informing them of the situation with the per capita tax and informing them that their voting rights may be suspended.

CARRIED

MOTION

Jack Gegenberg Moved Dianne Kaufmann Seconded
That we seek legal advice in the matter of Local 4's per capita tax arrears.

CARRIED

g) Other Financial Business

re funding for Vancouver Women's Health Collective:

MOTION

Sheila Perret Moved Jack Gegenberg Seconded
That we donate forty (\$40) dollars to the Vancouver Women's Health Collective to assist them with the publication of an information booklet on Pelvic Inflammatory Disease.

CARRIED

7. Co-ordinator's Report

Lauma Avens was not present for her report and there was no report forwarded - so there was only a general discussion about Newsletter functions - and people are looking forward to the next issue. Sheila Perret is preparing a 'synopsis' of the Convention for inclusion in the next issue. People were reminded to get written reports in for the paper.

MOTION

Sheila Perret Moved Jack Gegenberg Seconded
That the Sunday of the September meeting of the Provincial Executive be reserved for newsletter production.
CARRIED

More on the Co-ordinator's responsibilities will be discussed when the co-ordinator attends, or after the Hearing this aft.

8. Referendum Ballot - Sheila Blace, Chairperson of the Trustees reported that the ballots went out on the 27th of July and that voting will continue until Friday, September 4th @ 4:30 pm. She thanked everyone who assisted with the printing, stuffing and sticking and reminded the meeting that the tabulation of the ballots will take place on Tuesday, September 8th in the Provincial Office. Results will be published on September 9th. The 2 week appeals period expires on September 23rd. Supper will be provided for those who wish to eat on tabulation night. Notices of deadlines & dates to remember will be sent out to the 'hit list'.

9. New Executive for 1981-82

- a) date of office

MOTION

Jack Gegenberg Moved Sheila Rowsell Seconded
That the 1980-81 Provincial Executive shall remain in office until the conclusion of the appeals period and any hearing thereof.

CARRIED

- b) Transition of the Secretary-Treasurer

n.b. the next Provincial Executive meeting will be a change-over meeting, and both sets of 'old' and 'new' executives will meet together.

Lid Strand, if elected, will give his notice for a request for Union Leave on September 9th, to take effect on October 12/13, 1981. Although he will not be able to work in the office right away he will be the Secretary-Treasurer upon expiry of the appeals period - and will start paid work on or about the 12th of October.

9. New Executive for 1981-82

b) Transition of the Secretary-Treasurer - con't ...

The new Executive takes office on the 23rd of September as long as there is no protest. If there is a protest to the results, the meeting of September 18th, in the evening, will consider the protest.

MOTION

Sheila Blace Moved Elizabeth Brock Seconded

That the current Secretary-Treasurer be asked to continue staffing the Provincial Office after September 23rd and until approximately October 9th, when Lid Strand, if elected, will be able to start paid work as the Provincial Secretary-Treasurer.

CARRIED

* SP agreed and will staff the office from September 23rd until October 9th, inclusive.

Re the matter of orientation for the incoming Sec-Treasurer, this is referred to the next meeting of the Provincial Executive.

No formal decision was made to continue the part-time help in the office after August 31, 1981.

c) general change-over arrangements, as above

d) Business related to status of co-ordinatorship - no formal decisions on this item; Lauma Avens, who is running for the position was not at this portion of the meeting; two things were generally agreed upon:

i) that if the referendum does approve the addition of a second paid officer then the Provincial Executive will be reviewing the budget to allow for the increase salary expenditures.

ii) no other decisions should be made until Lauma arrives at the meeting, so the item was referred indefinitely and when it does come up for discussion we should consider what arrangements need to be made for Lauma's move to Vancouver from Prince George if she is elected.

10. Education Committee- seminar plans

MOTION

Jack Gegenberg Moved Elizabeth Brock Seconded

That the Education Committee have a cross-local seminar on bargaining strategies for November.

CARRIED

Sheila Perret, who is running for the position of Union Organiser, the Executive member responsible for chairing the Education Committee, mentioned suggestions for Shop Steward seminars, a campus work-shops on Sexual Harassment. More concrete proposals will be made at the next meeting. We haven't heard from Labour Canada about our grant application for \$2600 - if approved, the funding will finance the seminars.

11. Business Arising from Convention -

- a) Minutes should be ready for the next meeting
- b) Up-dated Constitution - Trustees responsibility

MOTION

Sheila Perret Moved Sheila Rowswell Seconded

That the revised Constitution shall be printed and ready for distribution by the first week of November.

CARRIED

- c) activities related to endorsations, groups supported, etc.
People were reminded of on-going activities in aid of the Concerned Citizens for Choice on Abortion, the Democratic Revolutionary Front (FDR) in El Salvador and the Vancouver Branch of the Central America Support Committee. It was generally agreed that our prime concern should be servicing the locals, attending to local and cross-local matters as needed, and working on the affiliation lobby - and that time and energy will determine the extent of our involvement with groups and organisations supported by AUCE.

12. Local Reps to the Provincial Executive

- a) Responsibilities - reports, etc. - reps were reminded that they are responsible for submitting written reports to each meeting of the Provincial Executive, and the report should be suitable for publication in the Provincial Newsletter. Reports are to be typed and the facilities at the Provincial Office are available for this purpose.
- b) Rights: to attend, voting privileges - there was a general discussion on this point, with reps being reminded that all members of the Provincial Executive have voting responsibilities as representatives of their Local memberships. It was noted that the Local 4 Executive, a few months ago, directed that their 2 representatives not vote in any decisions of the Provincial Executive until further direction from the Local Executive. As noted in the Local 4 report, the Local 4 members have not considered this directive from the Executive. Provincial Representatives are also members of the Local Executives as a result of by-law amendments at all locals. The discussion on voting rights noted that if a Local representative is prevented from voting then they are prevented from participating and as they are responsible to their local memberships, it was questioned as to whether or not local executives could place restraints on members' rights in this fashion. There is nothing in the Constitution or the by-laws which allows the Local Executives to restrain their representatives on the Provincial Executive. The only way a Provincial Representative could be restricted from voting is through re-call procedures or through election of another rep at the end of a member's term of office.

12. Local Reps to the Provincial Executive - con't

c) status of current reps on the Provincial Executive

Local 1 reps - on until October 1981

currently have 2 representatives: Sheila Rowswell, Elizabeth Brock

Local 2 reps - on until October or November 1981

currently have 2 reps: Star Rosenthal, Roger Perkins

Local 4 reps - on until March or April 1982

currently have 1 rep: Rosemarie Reid; Alternate: Sheila Browne

Local 5 Reps - open nominations in September, elections in October
currently have 2 reps: Dianne Kauffman, Tom Hedekar

Local 6 Reps - elections in February, take office in March 1982
currently have 1 rep: Jack Gegenberg; Alternate: Mary Mabin

Jack will no longer be the Local 6 rep if he is elected Provincial
Vice-President - so that office may be vacant on September 23/81

13. Old Business

a) status reports:

- i) CUPW settled their contract nation-wide, only by a narrow margin of 52% in Vancouver; they achieved 92% paid maternity leave, modelled on the AUCE example at Local 1(UBC) & 2 (SFU)

MOTION

Sheila Perret Moved Jack Gegenberg Seconded

That we send a letter of congratulations to the Canadian Union of Postal Workers and that we should mention in the letter our interest and willingness to meet with them to discuss union strategies on paid maternity leave.

CARRIED

- ii) NABET/National Association of Broadcast and Entertainment Technicians - settled their negotiations with the CBC after a four month strike. Letter received from Loc.83 re support.

MOTION

Sheila Perret Moved Sheila Blace Seconded

That a strike fund donation of \$60 be made to NABET.

CARRIED

- iii) Canadian Farmworkers Union - Jensen Farms and Country Farms still being picketed; picketing at the Naam restaurant on West 4th has stopped (Country Farms owns the Naam) and the matter of secondary picketing has been brought before the LRB by the Naam owners. See item 6.a) of these minutes for support on labour legislation demands by farmworkers.

- iv) Democratic Revolutionary Front (FDR) - the Convention donation of \$250 will be sent. Sheila Perret attended a rally at Robson Square in support of the FDR, August 15th, and expressed AUCE's support for the people of El Salvador.

13. Old Business - continued

- a) v) PPWC/Pulp Paper & Woodworkers of Canada - Wood industry strike is still on for PPWC; IWA and CPU have settled; PPWC is arguing that issues of local concern must be settled before the contract will be signed - this affects the locals in the north of the province in particular.
- vi) CALFAA (Wardair) - still locked out; letter of support has gone to them as directed by unanimous consent by phone poll to do so last week.
- vii) OTEU (ICBC) have settled to return to work, BUT have agreed to send the issues of wages and holidays to arbitration.
- viii) ATU/Amalgamated Transit Union - Locked out on the first day of the Pacific National Exhibition; their mechanics walked off the job for one day during the week to protest the contract tentative settlement in that it does not provide parity with the wood industry workers.

MOTION

Jack Gegenberg Moved Sheila Perret Seconded

That a telegramme of support be sent to ATU in sympathy with their contract/lock-out situation.

CARRIED

- b) \$5.00 Assessment - November 1980 re Local 1 strike assistance
Over \$4000 sits in the credit union earning interest, receipts for assessment paid by Local 2, Local 5 and Local 6 in aid of Local 1 - the hold-up is because Local 4 has not submitted their portion of the assessment, although they have received 3 notices and reminders since the referendum took place last November. Approximately \$15.00 is still owing from Local 5, recently a letter was sent to Local 5 Treasurer, R.Zoernack, informing them of the shortfall of remittances for a number of members according to the November 1980 membership lists, November being the effective month of the referendum and the assessment.

MOTION

Jack Gegenberg Moved Sheila Blace Seconded

That Provincial shall send all money so far collected in the Special Savings Trust Fund for Local 1, to Local 1, and we are to inform them that we will send the money from Local 4 when it has been collected.

CARRIED

MOTION

Jack Gegenberg Moved Sheila Blace Seconded

That the Provincial Executive send a letter to Local 4 asking them to remit their portion of the \$5 assessment that was due last November.

CARRIED

13. Old Business - continued

- c) Affiliation Lobby - agreed to refer this item to the next meeting for the new Executive to consider. n.b. the CLC Convention takes place in May 1982.

14. New Business

a) Local Negotiations Assistance

Local 1 contract expires March 31, 1982
Local 2 " " March 31, 1982
Local 4 contract expires September 30, 1981
Local 5 contract expires October 31, 1982
Local 6 contract expires April 30, 1982

MOTION

Sheila Perret Moved Elizabeth Brock Seconded

That a letter of support for their successful negotiations be sent to Local 4 and outlining the support available and suggesting that they make use of Provincial resources for their research and that Provincial can refer them to other members in other locals with recent negotiations experience who can help them out.

CARRIED

- b) Campus cutbacks - Lid spoke of his interest in this subject. Hopefully we can set up cross-local cutbacks opposition and support. This item is referred to the new Executive.
- c) Canadian Human Rights Commission - invitation for submissions for November hearing in Vancouver. We considered making a brief on maternity benefits.

MOTION

Elizabeth Brock Moved Sheila Perret Seconded

That we make a submission to the November hearing of the Canadian Human Rights Commission on the subject of maternity leave benefits at least.

CARRIED

Sheila Perret offered to inform the CHRC of our interest & to research for the submission with the objective of making a submission of behalf of AUCE Provincial.

- d) Concerned Citizens for Choice on Abortion - Sept. 12/81 Rally at Queen Elizabeth Plaza and march to Robson Square.

MOTION

Sheila Perret Moved Dianne Kauffman Seconded

That we re-endorse the Concerned Citizens for Choice on Abortion, we endorse the Rally of September 12, 1981, and we shall encourage members to participate in hospital board elections and CCCA functions.

CARRIED

Sheila Perret will be arranging for a delegation from AUCE to carry the AUCE banner in the CCCA rally.

14. New Business

e) Air Traffic Controllers Strike - USA

A phone poll of the Executive earlier this week, unanimously endorsed the sending of a letter to PATCO, to offer them support for their strike, and our opposition to the Reagan firings of striking air traffic controllers who did not return to work after a US government (straight from Mr. Prez...) order forced them to return to their jobs in the middle of an illegal strike, or face dismissal. PATCO is demanding improved working conditions, more controllers to be trained to help with the work-load, and improved rest periods and benefits. The AFL-CIO has not been supportive of PATCO.

MOTION

Jack Gegenberg Moved Sheila Perret Seconded

That we send a 'tactful' letter to the AFL-CIO (American Federation of Labour), stating that as a 'public sector union' we support the right to strike, that the PATCO experience is a precedent in US labour history and that our union supports PATCO in their demands.

CARRIED

* There is some mystery as to the support PATCO may/may not be receiving from their Canadian counterparts, the Canadian Air Traffic Control Association. Apparently CATCA had decided to boycott US planes travel from or to the US, and not offer their services, in support of PATCO. That now seems to have changed & Sheila P. will contact the CATCA to find out their official position.

f) No other new business (f).

15. Future meetings schedule

September 25, 26 & the 27 for the newsletter

MOTION

Sheila Perret Moved Sheila Rowswell Seconded

That the October meeting shall take place on October 16 (evening) and October 17 (day), tentatively.

CARRIED

The next meeting of the Executive, September, will be a joint meeting between the 'old' and 'new' officers.

16. Other Business - none

17. Adjourn

MOTION Sheila Perret Moved Jack Gegenberg Seconded

That we adjourn with the exception of the business concerning the Co-ordinatorship status. (L.Avens still not present at the end of the meeting, having offered notice of inability to attend.)

CARRIED

Meeting ended at 1:30 p.m. Saturday.

Next item of business was the Hearing re the Charges laid against Local 5 by Local 1 (under S.19 F. of the Constitution) re #5 CCU affiliation. See following pages for those minutes.

M I N U T E S

August 22, 1981

Of the Hearing held pursuant to Section 19 of the AUCE Provincial Constitution, Part F. The purpose of the Hearing was to hear the charges laid by AUCE Local 1 against AUCE Local 5.

The Hearing was conducted on Saturday, August 22, 1981, at Britannia Community Centre, in Vancouver, B.C.

The AUCE Provincial Executive conducted the Hearing, as per the Constitution.

The charges were filed with the AUCE Provincial Office, by letter, as follows:

June 18, 1981

This is to inform you that the following motion was passed at AUCE Local 1's membership meeting today:

"AUCE Local One hereby charges AUCE Local Five under Section 19 (f) of the Provincial Constitution in that it affiliated to the Canadian Confederation of Unions in contravention of AUCE's policy decision to affiliate intact to the Canadian Labour Congress. Further, it is the position of AUCE Local 1 that a reprimand is totally inadequate given the severity of the situation, we urge that a hearing be held on the matter as soon as possible."

Signed, Wendy Lymer, Secretary-Treasurer, for Suzan Zagar, Vice President, AUCE Local One

Local 1 was represented by Nancy Wiggs, with the assistance of Don Chang, a UBC Law Student. Other Local 1 members present for the hearing included Suzan Zagar, and the Provincial Reps. Elizabeth Brock, and Sheila Rowswell. Irene McIntyre, another member of Local 1 also attended.

Local 5 was represented by Peter Burton, a UBC Law Student. Local 5 members present for the hearing included Lauma Avens, Local Trustee, and Provincial Co-ordinator; Judy Attewell, Local President; Kyra Guest; Isabel Bagg; and Dianne Kauffman, Provincial Representative. Local 5 was also attended by John Hartloff.

The proceedings were underway after Lid Strand, Provincial President, outlined the format for the day. Local 1 was to have gone first on outlining their charges, but Local 5 took issue with the Constitutionality of the charges, so Peter Burton, speaking for AUCE Local 5, argued that the Local 5 position that they considered the charges to be retroactive. This argument was based on Local 5's concern that since Section 19 (F) of the Constitution did not exist at the time the Local affiliated to the CCU, then the charges were being applied and heard after the alleged violation took place. Local 1 argued that the charges were Constitutional, stating that Section 19 of the Constitution, part (F), was the vehicle for the laying of the charges, and that Local 5 was being charged with violating other sections of the Constitution regarding abiding by AUCE policy. Local 1 emphasised that they were not charging Local 5 with violating Section 19 (F) but were using that section in order to deal with violations of other sections of the contract. Local 5 strongly objected to this interpretation of the Discipline section, and defended their action as being in line with Locals' rights to autonomous action.

** A copy of Section 19 (F) of the AUCE Provincial Constitution, is attached.

After both sides presented their arguments on the constitutionality of the laying of the charges, there was open discussion and a question period. Any formal decision making was the responsibility of the Provincial Executive, as per the Constitution. Decisions were made, motions were discussed and voted on, and a record of the motions considered is as outlined:

1. MOTION

Jack Gegenberg (#6 Rep) Moved Elizabeth Brock (#1 Rep) Seconded
That we rescind any previous motions regarding the constitutionality of the
laying of the charges brought by Local 1 against Local 5 being in order.
CARRIED

- therefore it was understood that there are no motions on the floor dealing with
the Constitutionality of the charges.

The Chair noted that there are now two points to be considered:

- i) whether or not Local 5 is in violation of the Constitution, and
- ii) whether it is appropriate to deal with this issue under Section 19 (F)

It was questioned whether or not there would be a conflict of interest if the
Local reps that were participating voted on the issue, as this would include
members from Local 1 and Local 5. The Chair ruled that all Local reps on the
Provincial Executive were entitled to vote and to participate in the decision-
making, and further, that under the Constitution, since the Provincial Executive
has the responsibility of dealing with the matter, and since Section 7 of the
Constitution defines the Provincial Executive as including the Provincial Reps
then they shall have the right to participate.

2. MOTION

Elizabeth Brock (#1 Rep) Moved Jack Gegenberg (#6 Rep) Seconded
That Section 19 (F) may not be interpreted to apply to finite acts that occurred
before the adoption of Section 19 (F) of the Constitution.
CARRIED

3. MOTION

Jack Gegenberg Moved Elizabeth Brock Seconded
That the Provincial Executive interprets Section 19 (F) as applicable to acts that
are initiated prior to the implementation of Section 19 (F), and are still
continuing.
CARRIED

4. MOTION

Sheila Rowswell (#1 Rep) Moved Elizabeth Brock (#1 Rep) Seconded
That the Provincial Executive finds that the charges laid by Local 1 against
Local 5 regarding affiliation to the Confederation of Canadian Unions are
constitutional.
CARRIED

5. MOTION

Jack Gegenberg (#6 Rep) Moved Lauma Avens (Prov. Co-ord.) Seconded
That in view of the seriousness of the fine situation that we are dealing with, the
entire matter shall be referred to a Special Convention to be heard within ninety
(90) days and the entire Provincial Convention shall decide on the matter.
DEFEATED

6. Local 5 members and other Local 5 representatives left the hearing after reporting
that their membership had directed that they would not entertain participating in
a hearing that decided the charges to be constitutional.

7. The hearing continued with Nancy Wiggs presenting the case for the actual charges, on behalf of Local 1. She cited Section 4 (e), 5(c), and 21 (d) as being those sections of the Constitution that her Local considered Local 5 had breached by their affiliation to the CCU.
8. There was no rebuttal from Local 5, as they had left.
9. The Chairperson asked for questions from the floor; there were brief remarks made about the charges.
10. MOTION
Mary Mabin (#6 Rep) Moved
Sheila Blace (Chairperson of the Provincial Trustees) Seconded
That the AUCE Provincial Executive finds that in affiliating with the Confederation of Canadian Unions, Local 5 has violated the AUCE policy decision to affiliate to the Canadian Labour Congress by lobbying the Canadian Labour Congress.
CARRIED (Unanimously)
11. The proceedings continued with some suggestions and discussion on what the recommendations could be in view of the motion carried, and suggestions were as follows: (not necessarily in this order)
- a) suspend the local indefinitely
 - b) suspend the local for 2 or 3 months
 - c) expell the local outright
 - d) reprimand the local without penalty
 - e) suspend for a certain length of time, i.e. 3 months, and if after 3 months Local 5 is still a CCU affiliate, then that local shall be expelled.
 - f) neither reprimand nor suspend nor expell the local, i.e. do nothing about their affiliation
 - g) call a Special Convention to consider the entire matter
12. MOTION
Mary Mabin (#6 Rep) Moved
Jack Gegenberg (#6 Rep) Seconded
That the AUCE Provincial Executive reprimands AUCE Local 5 for joining the Confederation of Canadian Unions (CCU) in violation of a policy of AUCE and hereby calls a Special Convention to consider the matter and what further discipline would be appropriate.
CARRIED
13. MOTION
Jack Gegenberg Moved
Sheila Rowswell (#1 Rep) Seconded
That the Special Convention shall be held on Sunday October 4th, 1981, from 10:00 am to 5:00 pm at Britannia Community Centre in Vancouver.
CARRIED
14. MOTION
Sheila Perret Moved (Sec-Treas)
Jack Gegenberg (#6 Rep) Seconded
That the hearing be adjourned. (7:00 p.m.)
CARRIED

In essence, the Provincial Executive conveyed its reprimand by letter, and has decided that if, and only if, there is to be any discipline levied against AUCE Local 5, then the Convention shall decide the matter.

attach. (1) Section 19 (F) of the AUCE Provincial Constitution, App. 'A'

:snlp

81/09/02

Sheila N.L. Perret
Secretary-Treasurer

Lid Strand
President

Date of the meeting that approved the minutes of the HEARING: _____, 1981.