



GENERAL MEMBERSHIP MEETING

THURSDAY, FEBRUARY 26th, 1987

IRC2

12:30 p.m. to 2:30 p.m.

PLEASE MAKE EVERY EFFORT TO ATTEND

A G E N D A:

1. Roll-call of Officers.
2. Adoption of Agenda.
3. Adoption of Minutes of January 15th, 1987 meeting.
4. Results of Day Care Referendum Ballot.
5. Discussion of the CUPE Merger -- Notice of Referendum
 - i) Presentation by Joe Denofreo
 - ii) Open Discussion -- Questions and Answers
6. Other Business.

In accordance with Section 6.A of the CUE Constitution, the Executive serves notice that a referendum ballot on affiliation with the Canadian Union of Public Employees (CUPE) will be sent to the membership on March 6, 1987.

CUE GENERAL MEMBERSHIP MEETING MINUTES
FEBRUARY 26, 1987

Chair: Adrien Kiernan called the meeting to order at 12:40 p.m.

Roll call of Officers: Adrien Kiernan, President, Chair Contract Committee
Alannah Anderson, V-President, Chair Grievance Cmte
Diana Ellis, Treasurer, Education Committee
Sandy Lundy, Recording Secretary
Gloria Sveistrup)
Suzan Zagar) Trustees
Edmund Kam)
Elizabeth Zook, Communications Committee (Absent)
Estelle Lebitschnig, Health & Safety Officer
Joe Denofreo, National Rep., CUPE
Barry Thorsteinson, Asst. Director of Organizing,
CUPE

1. Motion to Adopt Agenda

S. Eekhout suggested there be a time limit on presentations and questions and then CUPE representatives be asked to leave so that we can have an open discussion:

MOTION: THAT we set time limits for presentations and then Joe Denofreo and Barry Thorsteinson will leave the meeting.

MOVED: S. Eekhout
2nd: S. Irvine

DEFEATED

MOTION: to adopt Agenda

MOVED: C. Erickson
2nd: Cheryl Adams

CARRIED

2. Adoption of Minutes

The chair asked for a motion to adopt the minutes of the January 15, 1987 membership meeting. Kitty Byrne spoke to amend the minutes:

MOTION: (1) THAT "Landmark" be removed from the part of the minutes in which Kitty reported on the Financial Services decision;

(2) THAT the part of the minutes dealing with Doris Hanson's report be amended to read "The report was distributed to the members so that they could take it away to read and bring it back for discussion later."

MOVED: Kitty Byrne
2ND: Shirley Irvine

DISCUSSION: Kitty stated that her reasons for bringing the motion was not be needlessly concerned with procedure--she did bring inaccuracies in the minutes to the Executive's attention prior to their distribution, so that they could be corrected. She then pointed out some problems with the Executive Minutes.

Kitty Byrne was ruled out of order and told that she could bring Executive Minutes up under "Other Business".

MOTION TO AMEND MINUTES CARRIED

MOTION TO ADOPT AMENDED MINUTES

MOVED: Chuck Erickson
2ND: Carol Abbott

CARRIED

In interest of allowing everyone to speak, a three minute time limit was imposed by Chair. The topic was limited to affiliation: Executive had passed a motion to recommend affiliation to C.U.P.E.

Edmund Kam, Trustee, announced the result of referendum ballot on daycare contribution. Members voted 389 against to 384 in favour: ballot failed.

MOTION: THAT we destroy daycare referendum ballots.

MOVED: Suzan Zagar
2ND: Cheryl Adams

CARRIED

Address where voluntary contributions could be sent had been circulated before meeting.

CUPE MERGER

Chair informed meeting that referendum on merger would be sent out March 6, 1987. Anyone who wants to put a statement (pro or con) in with the ballot mailout package should do so by March 4, 1987.

Ann Hutchison: On the question of the notice that there is going to be a referendum, I take it that the Executive has given itself the power to hold a referendum--it's not something that the members will have a right to decide today. In your reference to the constitution, you're citing a document that does not exist. The membership should decide...(to hold referendum ballot)...I think you've gone beyond your power.

CUE
CONSTITUTION

Adrien Kiernan: This is the Constitution that was passed on to us from the previous Executive.

Ann H.: This has not been the practice in the past. The membership should decide at this meeting--it's not something you should shove down our throats.

Adrien: Unless you're willing to challenge the chair--the agreement with CUPE was that we would hold a referendum ballot at the end of the service contract.

Ann H.: Then I'm going to have to challenge the chair. We have to have enough time to consider the CUPE merger...(rationale) March 6 is coming very quickly and based on what we hear today and whatever other information--including other possible options that may be open to us--(we are going to have to vote). What I'm saying in my challenge is that we be given sufficient time to consider the CUPE proposal.

Adrien: (rationale) I felt that the Executive have the right to take the question of affiliation to referendum in order that the whole membership have their democratic right to vote and not have that right restricted by a few hundred members at a membership meeting. Also there will be another package coming out on March 6, 1987. We have allowed three weeks to look over the information and have that discussion at your work place. If we decide not to merge with CUPE then we can look at other options, but otherwise we are acting in bad faith.

CHAIR WAS SUSTAINED

Joe Denofreo was to make a presentation on CUPE/CUE merger and members could ask questions later.

Joe: I wanted to go over the past two years' history and talk a little about the service we have to offer and some of the things we have to offer. Jeff Rose was here in June two years ago and had a long discussion about the service contract, whether your autonomy would be protected and so on. Jeff suggested the service contract at the end of which you can make a decision. You have enjoyed all of the rights of any CUPE local, you have attended the annual convention and division convention and all the resources. In addition, you have had a \$3,000 per month grant because of financial difficulties.

One of the first areas is the staff representative, who works with local unions to assist in everything from collective bargaining and grievances and is a general resource person. Wherever we can provide services we are there to ensure that the local gets service. One of the areas the local has made use of is the research department. CUPE Facts is one of the two publications that CUPE puts out. We find them helpful to staff and health and safety. They come out on a regular basis. Our research department has done a number of things on your behalf.

Don Gutstein was hired to trace Ritchie and Associates from California. CUPE also does salary analysis across the province and across the country. In the last set of negotiations CUPE costed your agreement. Also, you have had a lot of contact with our education department which is based in B.C. and provides grievance handling courses at weekend or week-long schools. Also, last year we did a two-day shop steward training session. We have had a request from the Executive for another such course as well as an executive training course which will probably work out to be some time in the summer.

We have participated in the C.L.C. Convention and sent delegates to the winter school at Harrison. Fairleigh Wettig went to arbitration school at Harrison and we also sent a rep. to Naramata.

Another major department we had contact with is the legal department which has three lawyers on staff. Our lawyers handle precedent-setting cases (those which would have an effect on the labour movement or a large group of employees) as well as Supreme Court cases. They also give verbal advice. CUE has used this department extensively over the past two years. Prior to the service contract, you used to spend \$50,000 in legal fees. You have spent only a couple of thousand in the past two years.

Also, we have a P.R. department which handles press conferences; in the paper, T.V. and radio, we have run commercials when it looks like we are getting into a major dispute at the bargaining table and we want to apply pressure. A couple of years ago we did a T.V. ad about the services our members provide so that if we ended up in a dispute we could make ourselves heard publicly, which is difficult to do through the media which has a pronounced employer slant. Jeff Rose has been at two press conferences on campus and in both cases it was an attempt to get media coverage--the last time was at the release of the Gutstein report. Also, we prepared a document that was sent to all University Unions and Presidents across the country.

10% of all per capita payments goes into a defense fund which is now in excess of \$20 million. It's not just for strikes but for any time CUPE thinks a local union is under attack, ie. if the employer decides to take 15 cases to arbitration in order to bankrupt the union. The idea is supposed to be to go to arbitration on the merits of the case.

Another
We also contributed to ~~part of~~ the campaign against Ritchie & Associates--we provided buttons.

Unions
Groups on campus are meeting more often and talking a lot more. We are trying to get a common date for contract bargaining.

The President's Committee is now established and functioning.

These are the highlights of the past two years. I think we do have something to offer you and I think you have something to offer us. I hope you join us.

The meeting then heard a presentation from Barry Thorsteinson, who sent greetings from Jeff Rose and gave a brief talk about the growth of CUPE over the past years: CUPE now had 331,000 members. He said that more and more groups are turning to CUPE because of its structure and gave the airline attendants as one example. He also mentioned the University of Western Ontario which has had a staff association for years, and whose Executive has recently sought to get union status with CUPE "We must be doing something right. There is the freedom to leave the trade union if they choose to do so...but it doesn't happen very often." He made the point that it is only through the structure of a large organization that you can provide services of full time research and PR people.

QUESTIONS:

- If there was a strike in the city would we be involved?

Joe: Each bargaining unit has its own certification under the law. The only way this would happen is if one of the unions on campus has a legal picket line, then you could end up getting locked out--but that's the same situation you have now. First there has to be a breakdown in negotiations and then a supervised strike vote.

- Kitty Byrne: the first thing that comes to mind is the absence of accurate information--there are only vague indications that a CUPE campus rep. would be seriously considered. Cam Masse was supposed to have made us an offer. What was it? There are serious errors in the financial material that has been sent out. I question the figures listed under 1986 Courses and Conferences: we sent delegates to the C.L.C., Naramata, and four delegates to the Library Conference. There were also legal expenses in 1986--and legal expenses are always "extra-ordinary". I have spoken with a CUPE rep. at another local who told me they spent \$15,000 on lawyers' fees last year. We haven't gone to arbitration in 1986--but that's another question. The projected budget shows that if we don't affiliate we will have a deficit...what if we don't continue to get the grant in 1988: we will have a deficit of \$36,000. It has been suggested that there will be no dues increase--then where will the money come from? There are glaring errors here: I suggest that a corrected package go out to the membership with the complete CUPE offer so that we will be able to make an informed decision.

- Adrien: We may continue to get the grant for the rest of 1987--and this was couched very carefully--because we are in an extraordinary situation. The mechanism of having a full time CUPE rep. (on campus) depends on the budget, but they will look into it. We are not the only local on campus--it would have to be agreeable to CUPE 116. We were only guaranteed the continuation of the grant for 1987 and getting a CUPE rep.

There were vast amounts of money spent on wages, booking off and overtime last year. Once we become fiscally responsible, we won't have the same financial problems.

- Diana: I respect your point on the 1988 budget and we would like to have a 1988 and 1989 budget for you. I will be sending out year end statements.

- Joan Sorenson: Do you have in writing the terms of the agreement?

- Adrien: We have a letter from Jeff Rose saying the terms of the service contract will continue until we have a vote.

- Joan S.: (...we will have to increase dues...)

- Diana: We have a percentage dues structure which will hopefully cover any increases in our expenses.

- Adrien: We are not supposed to have a continuing right to the grant anyway. That was never agreed to by CUPE when the Service Contract was signed.

- Judy Forsythe: What will be our obligation to CUPE National in practical terms? Is there a certain percent that all unions pay to the national? What kind of local Executive would we be obliged to follow?

- Barry: The National would only interfere in the local if there is outright abuse or the local membership wanted us to investigate. We have a whole slate of progressive policies but we can't come to any local and make you negotiate on the basis of these policies.

- Judy F.: Suppose the membership was having trouble with the Executive. Can CUPE National protect the local's interests? What would be the function of the staff rep. in our office?

- Joe D.: If it comes out to the membership that the Executive has conspired to steal a whole lot of money, if the membership took a vote to have us come in and investigate then we would--otherwise, no.

- Adrien: To the extent that we ask for advise, we get it. We are in an extra-ordinary situation right now. Joe Denofreo is working in the office for this month because we have no one else. Alannah Anderson and myself will work in the office next month.

- : Suppose there is a convention that raises per capita or wants to take national action. Does the convention rule for everyone?

- Barry: It is two years until this issue is raised at the National Convention. There has been a motion to put the dues on a percentage basis. At the last convention, we passed a formula to last four years, so hopefully (the issue) won't come up again until then. Delegates to the convention, and not staff, vote on these issues and they are people with the same concerns as you have. Locals are urged to conform to those other policies besides per capita, but we can't order any local to do so.

- Ann H.: Once we become a local of CUPE, then half of our income will go to CUPE in per capita tax and we will have a primary obligation to them. We have been told that the grant will come to an end at the end of the year. I want to hear from the present Executive--I want to see budget projections that pare expenses down by \$3,000 per month. What do you mean by being fiscally responsible? Do you cut the cost of printing the newsletter before you cut the cost of office supplies?

- Adrien: The newsletter and bulletins to the membership are critical, as you can see from recent publications. In the second week of every month, we want to have the previous month's minutes published. This is not something I would cut. The types of things (we would look at) would be overtime expenses and committee expenses.

- Ann: I want to know if you will come to the membership when you decide to set priorities regarding expenses?

- Adrien: We have a responsibility to be open and to act in the most democratic way.

- Shirley Irvine: I am on the grievance committee and have been the past Vice President. I support Kitty's points. I am surprised at the lack of concrete information and the number of errors in the package. We know there have been several arbitrations that were deferred until 1987. We do pay for services over and above what we pay for from CUPE.

- Adrien: Where do you see those expenses?

- Shirley: We would have to pay for arbitrators--we share the cost with the University. If we want to use Joe Denofreo it would be free, but if we decide to have a lawyer rather than the staff rep., then we would have to pay. We would have assistance from CUPE's lawyer only when there is a precedent setting case.

- Barry: You have access to legal advice and particularly to the staff rep. Some cases could become the responsibility of the local. There is also a defence fund for precedent setting cases. Also, that criteria is liberally applied. Access to legal assistance doesn't mean you will get a blank cheque.

- Shirley: Access to the defence fund is not automatic, you still have to apply for it. Kitty Byrne has shown that other locals have had to fork out considerable amounts of money.

- Joe: You pay per capita tax for services. If you choose not to use those services then you pay the bill. I service seven locals in the lower mainland and I do their arbitrations. If any local says to me that they don't want me to present their case, then they hire a lawyer. I don't anticipate there would be a lot of cases that I wouldn't present for you.
- Shirley: The choice wouldn't be there to go elsewhere because the money wouldn't be there. There isn't enough information in the package that was sent out. I'm also concerned about the dues for 1988.
- Adrien: I don't see why we would pay a high per capita and then not use their services.
- Luba Kaipainen: I'm new at the University. What would be our alternatives if we didn't join CUPE. AJoining has been put in a very positive light by the Executivle, but I want to know more about other choices.
- Sandy: There were a number of grievances that appeared to be heading for arbitration when Joe took over. Over the last few weeks, from what we have been hearing, the Universilty has been trying to break us by taking grievances to arbitration.
- Luba: I would like to know more about what our alternatives are.
- Sarah E.: I'm really disappointed in the information package that has gone out. Will there be specifics of what the agreement to affiliate is? Will we also be getting copies of the original service contract? I find it hard to make well-informed judgements--I need a lot more information and a lot more specifics. Then we need an opportunity for another open forum for discussion.
- Adrien: We could circulate it if you need to see it. I want to make information available to the membership.
- Alannah: We would still be the same organization.
- Sarah: I'm not asking that. I want to see the words of the agreement before I'm forced to make a vote.
- Adrien: (to Joe) Is there a specific charter that we sign?
- Joe: We issue you a charter to become one of the locals. The only other issue would be the continuation of the grant to the end of 1987.
- Sarah: We were told at the last membership meeting that we would get as many meetings as we would like to decide this issue and we are not getting them and I'm angry.

- Adrien: We have had two years to consider this issue...
- Sandy: We have to be fair about what the membership votes on.
- Joanne Zeigler: I'm new to the union and I just want to make an informed choice and I don't feel I've had two years to decide. My concern is that I know you are all pro joining CUPE but I want more information. What are the arguments against joining CUPE? With everything that has been said today, I have not heard one concrete reason why we should not join CUPE.
- Adrien: If people have contrary views, please send them to the Union Office in writing before March 4, 1987 and they will be included in the mail out package with the ballots.
- Suzan: (reminded people to have statements in the union office before March 4, 1987)

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- Adrien: Diana's point is well taken. Previous Executives knew that the service contract was coming to an end. They should have organized a meeting. The previous Executive has to bear some of the responsibility.
- David Savory: I think there has been too much blame place on the previous Executive. They had to deal with it at the end of their term, when there were a lot of other things they were trying to deal with then. Can we get an extension?
- Barry: That was the agreement--that the two year period would be all you would get, and we have already given you an extension so that the vote could be taken.
- Sharon: (works in finance) There have been a lot of problems there (where Joe has assisted). I am for joining. Where has everyone been for the last two years?
- Kitty: The salary grant and the campus staff rep. have always been negotiable. Now I find we are selling ourselves cheap.

Other Business

Kitty Byrne: There are reasons for not circulating Executive minutes. In this set:

- 1) minutes name names and the reasons for a persons health problems were circulated.
- 2) Also, Helen Glavina's performance evaluation was circulated to all the membership.