



CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 374

Oak Bay, North Saanich, Sidney, Colwood, Metchosin Esquimalt, Sooke Municipal Employees, Abilities Community Services & Together Against Poverty Society

GENERAL MEMBERSHIP MEETING MINUTES

June 17, 2020

Electronic Meeting via Zoom

In accordance with CUPE National Directive of March 19, 2020 and April 8, 2020.

Call to Order

The meeting was called to order at 7:00 pm by President Shireen Clark in the chair.

Roll Call of Officers

Present:	
President	Shireen Clark
Treasurer	Carol McNichol
Recording Secretary	Amanda Irving
Vice President – Abilities Community Services	VACANT
Vice President - Colwood	Gord Beauvillier
Vice President – Metchosin	Melissa Kirk
Vice President/EVP – Oak Bay	Gary Flynn
Vice President – Sidney	Ron Green
Vice President - Esquimalt	Steve Migliarese
Vice President - Sooke	Paul Butterfield
Vice President – North Saanich	Sarah Fairbrass
Vice President – Together Against Poverty Society	Isabelle Dehler-Hyde
Guest:	Colin Gusikoski, Labour Lawyer, Victory Law
CUPE Members:	19

Recognition of Territory

Shireen Clark, President, acknowledged the land on which we gathered that is within the traditional territories of the Lkwungen, Esquimalt, and Songhees, Malahat, Pacheedaht, Scia’new, T’Sou-ke and W̱SÁNEĆ peoples.

Reading of the Equality Statement

The Equality Statement was read by members present.

Voting on New Members

No new members to vote on.

Reading of the Minutes

The minutes of the March 12, 2020 General Membership Meeting were reviewed.

MOTION: To adopt the General Membership Meeting minutes from March 12, 2020.

M/S/C

Matters Arising from Minutes

None

Treasurer's Report

Carol McNichol, Treasurer, presented the treasurer's report to the membership as well as a chart showing the breakdown in percent of where the budget money is allocated.

There were no questions from the membership.

MOTION: To receive the Treasurer's Report as presented.

M/S/C

Correspondence

Two items of correspondence from CUPE National regarding Conducting Local Business During the COVID-19 Pandemic and, Fix Long Term Care Campaign were reviewed.

There were no questions from the membership.

MOTION: To receive the general correspondence as presented.

M/S/C

Executive Committee Report

Shireen Clark, President, advised that since our last general meeting, the world has changed drastically. It has been a very busy few months having constant meetings with employers and the executive board as we determine the ever-evolving guidelines in the workplace.

The Local Executive Board has met weekly since the week of March 23rd via Zoom. Not only has this kept our spirits up but it has enabled us to compare what is going on in each workplace from day to day, week to week. Allowing us to stay on top of potential issues.

I have had routine calls with the majority of employers on a weekly to bi-weekly basis. The first 5 weeks is was constant as we all found ways to implement the mandatory changes coming down from both provincial and federal levels. We have provided support and resources to the Employers to assist as best as possible where requested and required.

In April, CUPE BC held an all presidents meeting via Zoom. All the local presidents from BC met online to discuss issues at hand and offer support to one another. CUPE BC offered financial support to all locals to improve technology during this time.

As you can imagine, this pandemic has made us all aware of how we need to improve our technological devices. In the past few months, we have acquired the following services to improve our communication with members:

- Simply Voting to conduct elections
- Zoom account to hold meetings online
- Membership subscribe section to the website
- Created the ability to mass send information to members

During the first 2 months, we sent out notices to all employers to suspend timelines of active and new grievances while we all dealt with the pandemic. Now that work is starting to resume in the offices again, we have started dealing with outstanding issues. Below is a chart listing our current grievance status to date.

GRIEVANCES	1st QTR	CURRENT	TOTAL
ACTIVE	11	3	14
RESOLVED		3	3
TOTAL	11	6	17

Finally, as this pandemic has cancelled many events and the inability to plan for any conferences, conventions and education in group settings, we have amended the 2020 Budget. It has been a work in progress with estimations to how the remainder of the year will play out.

MOTION: To receive the Executive Committee Report

M/S/C

Reports of Committees and Delegates

a) Vancouver Island District Council

Sarah Fairbrass, North Saanich Unit Vice President, reported that the Vancouver Island District Council (VIDC) have been meeting bi-weekly since COVID hit. The joint conference with CUPE BC that was planned for June in Nanaimo has been cancelled. The VIDC General Meeting took place June 13, 2020 via Zoom and held elections. CUPE BC Secretary Treasurer and President attended and it went very smoothly.

b) Victoria Labour Council

Isabelle Dehler-Hyde, Together Against Poverty Society Unit Vice President, advised that the first general meeting since COVID hit took place in May and they are trying to adjust. Tonight, is the second general meeting and the Victoria Labour Council (VLC) is focusing on some sort of mechanism to hold council members who they have endorsed, accountable for the promises they have made. VLC is also discussing a request from CUPE Local 50 asking that the VLC pressure on United Way to try to rectify a labour dispute they have regarding members who were laid off unfairly. She noted that it appears that the VLC will be withdrawing their typical donation amount and instead will offer the same amount in book off time for a VLC member provided they hire back the three laid off employees.

Unfinished Business

Shireen Clark, President, addressed the item of a dues increase that was discussed at the last general meeting. She indicated that it has been put aside for now due to COVID.

New Business

a) 2020/21 CUPE374 Local Scholarship Draw

There were 12 scholarship applications received. A random draw was conducted live during the electronic meeting and the following four applicants were drawn:

1. Julie Lamb (Graham Lamb – Oak Bay)
2. Olivia Carello (Nick Carello – Metchosin)
3. Glen Harrison (Maira Harrison – Oak Bay)
4. Andre Rodriguez (Aglade Vizcarra – North Saanich)

b) Colin Gusikoski, Labour Lawyer, Victory Law Employment Rights During COVID-19

Colin Gusikoski, Labour Lawyer, from Victory Law provided the members with information regarding the employer's responsibilities and employee rights during COVID-19. He advised that it is the employers right to provide a safe work place in accordance with the instructions coming from the Provincial Health Officer.

Colin noted that the collective agreement is paramount and the language in the collective agreements should not be affected by COVID. The union has been working with employers to address deviations to the collective agreement due to COVID.

Severance

The amount of severance is governed by the Employment Standards Act, the BC Labour Code and the Collective Agreement. Under the BC Labour Code there are provisions of severance for a group layoff. If a layoff is temporary and the call back requirements have not expired, then severance does not apply. Severance provisions under the collective agreement are triggered when there is a loss of seniority.

Returning to Work and Employer Responsibility

The employer is responsible to ensure unnecessary exposure and that the recommendations from WorkSafe and the Provincial Health Officer are implemented.

WorkSafe requires all employers to have a return to work policy that deals with COVID and other aspects that will affect the process and procedures of the workplace.

WorkSafe has accepted COVID related claims and the Human Rights Code is likely to recognize COVID as well. If there is discrimination based on an employee's status due to COVID the employer still has the obligation to accommodate to undue hardship. If an employee is living with a family member who has a compromised immune system which prevents the employee from returning to work, this would fall under the Human Rights Code.

Right to Refuse Unsafe Work

There is an underlying right to refuse unsafe work. If the employer is following the direction from WorkSafe and the Provincial Health Officer, then the right to refuse unsafe work would not apply.

If you or a member of your household is immune compromised, this may fall under the Human Rights Code as it would put them in an unsafe position.

Privacy

There have been privacy concerns in other sectors where employers are temperature testing employees coming to work. When employers are implementing policies, privacy impacts need to be addressed.

A question was raised from a member regarding when a vaccine is available, if the employer has the right to require the employee to disclose if they have received one. Colin indicated that arbitrators look at the balance between keeping the workplace safe and the employee's rights. Currently we don't know if the government is going to make a vaccine mandatory but if it is not mandatory, there will no longer be a risk for the employer. In the case of health care workers, it may be found that is reasonable to require a vaccine.

Good of the Union

There was nothing put forward.

Next Meeting Date

At the direction of the Chair.

ADJOURNMENT

Meeting was adjourned at 7:59 pm.

Shireen Clark, President

Amanda Irving, Recording Secretary