



55th Annual General Meeting December 4th, 2020: 12pm (Noon) WEBEX Meeting

1. Welcome & Call to Order at 12:13 p.m.

5.06 A quorum for the transactions of business at the AGM or at a Special Meeting shall consist of at least thirty (30) Members unless specified otherwise herein.

- 1. If the quorum of thirty (30) Members are not present at the opening of the meeting of the Members at an Annual General Meeting or Special Meeting, the Members may adjourn the meeting to a fixed time and place, but may not transact any other business.*
- 2. In such circumstances, the quorum of thirty (30) Members will be reduced to a quorum of fifteen (15) Members when the meeting reconvenes.*

57 registrations (as of this morning)

39 participants + 1 proxy

Introduction of the Board 2019-2020:

Executives:

Mike Major, President

Karyn Spiegelman, 2nd VP

Trena Cesario, Secretary

Phil Pendleton, 1st VP

Marianne Sirro, Treasurer

The Directors:

Fernado Cruz

Andrew Waters

Ben (Bahman) Marvi

Lorna Zappone

Ranil Mendis

Introduction of COTAPSA Staff:

Acting Executive Director / Senior Human Resources Consultant, Grace Ciardullo

Acting Executive Assistant, Karen Chan

Introduction of the Auditor and CRO:

Auditor – Thomas Kriens of Kriens~LaRose

Chief Returning Officer (CRO) – Rebecca Condon

The Chair informed the members will have an opportunity to ask questions through the Webex chat box or anonymously in Sli.do; and will be using Sli.do to take votes.

The Chair reported that Proxy Forms were emailed to members on November 19th and a reminder was sent on December 4th. Proxy Forms were due Nov 25th, the Office received one (1) proxy to be held by the Chair.

MOTION: To move the Treasurer's report /financial presentation depending on when our treasurer returns. (Rebecca Condon, John Alderdice) Carried.

2. AGM Agenda



Agenda AGM
December 4 2020.doc

MOTION: To Approve the December 4th, 2020 AGM Agenda (Rebecca Condon, John Alderdice) Carried.

3. Declaration of Conflict of Interest

None declared.

4. Nominations/Elections

The Chair stated that the Chief Returning Officer (CRO) - Rebecca Condon has held this position for the association since 2017.

As Chief Returning Officer, I monitored the nominations process in elections and I pleased to report the following 2021 there were 7 open seats on the COTAPSA Board of Directors for the 2021-2022 term, which starts January 1st 2021 and ends December 31st, 2022 call for nominations to the Board of Directors was sent via email to all Members on November 10th with a follow up reminder sent on November 18th. As per COTAPSA policy, all nominations received at the office were checked to ensure nominees were members in good standing. That nomination forms were then copied and submitted to the Chief Returning Officer, myself all nomination forms were noted with the date received. 5 nominations were received at the COTAPSA office prior to nominations closing November, 26 at 5PM on November 27, after reviewing the submitted nominations I discussed with the acting executive director. And as there were fewer than 12 candidates; following by-law 7.08, I declared all candidates elected. Elected nominees are Phil Pendleton, Karyn Spiegelman, Marianne Sirro, Ranil Mendis, Andrew waters. Congratulations. Welcome. COTAPSA Bylaws 7.01 stipulates that there can be up to 12 directors on the board. And as of January, 1st, 2021, the board will have a slate of 10 directors with 2 seats remaining open. The Board of Directors will elect its Executive Officers at the 1st meeting of the new board on January 20, 2021 Board of Directors meeting, thank you.

From 2020 to through 2021 directors, Mike major home Fernando Cruz and Ben larvae are finishing year 1 of a 2 year term ending December 31st.

There were seven (7) open seats on the Board of Directors for the 2021-2022 term, which starts January 1st 2021 and ends December 31st 2022.

5. Approval of the Minutes of the 54th AGM, Dec 4th 2019 AGM



AGM Minutes
2019Dec4 Draft.docx

MOTION: To adopt the minutes of last year's annual general meeting, December 4th, 2019. (Phil Pendleton / Lorna Zappone) Carried.

6. Approval of the Minutes of October 21, 2020 Special Meeting



Minutes of Special
Meeting October 21 2

MOTION: To approve the Special Meeting Minutes of October 21, 2020. (Karyn Spiegelman / Sharon McGuigan) Carried.

7. President's Report

Year in Review

The Chair commented that 2020 has been a tough year for everyone. I'm sure. I hope you and your families been able to stay safe and healthy. It was a tough year just in terms of our workload and working remotely.

I want to focus on is some of the nipping away at some of our benefits change that came into effect in 2020 was changes to the OMERS Pension Plan. A big change there as far as we're probably all concerned is the shared risk indexing. That basically allows The Board of the Sponsors Corporation to reduce future inflation increases on benefits earned after December 31st, 2022. Excuse me so that was a big change that haven't come into effect yet. Probably doesn't affect someone like myself who's got to close to retirement, probably in 2023, but younger members, it could affect their pensions moving forward. So that was a big change.

We all know that city council did not approve of cost of living increase for us in 2020. And they've also eliminated the pay for performance program in 2020.

They're looking at revamping that program and looking at a total rewards type program. Basically comparing again what other municipalities are offering and wage grades. But they're also reviewing the total benefits that are offered to us as well. So that's something we need to keep an eye on moving forward. There was also changed in ill dependent days taken as a sick occurrence. This is not yet in place due to COVID but it could be brought in at any moment. The reason I raise these is

because all these changes threaten longstanding terms of employment that we've had. And I can see more are likely to come. And really, a lot of the chipping away at our benefits stems from the lack of bargaining power. That we have a very loose arrangement with the City of Toronto. Obviously we don't have bargaining rights like the unions do, and we need to take strategic action on that front to put more teeth. Into whatever arrangements we have with the City. We're going to be talking about this a little bit later, but we will be recommending use of the Special Reserve Fund. Which is in place to fund actions that affect us all as opposed to just individual issues. This affects us all. So we want to use the special reserve to retain legal expertise and perhaps other services, whether it's communications expert or a government relations person to develop strategies. To strengthen our bargaining position and to protect our interests. I'm going to take a moment there and see if there's any questions related before we move on. No questions, but full support for this.

Acting ED/SHRC stated COTAPSA continues to represent advocate and promote the interests of our members to promote the high standard of conduct and efficiency in the Toronto public service. And to promote cooperation with senior City staff. COTAPSA effectively communicates with members in a timely manner through phone calls, emails, bulletins and newsletters. Human resources and employee labor relations issues remain the core services that we provide to our members. In addition COTAPSA continues to advocate on issues that affect our members. During this fiscal year, COTAPSA handled over a 100 complaints. The most common issues remain similar to those reported in 2019 pay for performance, letters of expectations suspension, unpaid wages, lieu time, overtime pay and acting assignments. The majority of cases for 2019 and 2020 were human right, workplace investigations followed by terminations. As previously reported, the City may dismiss any employee as long as the City provides the employee with adequate compensation. In this regard, COTAPSA reviews termination packages for members and negotiates more favorable terms, such as positive reference letters and in special circumstances on occasion additional compensation. COTAPSA is happy to report that we successfully negotiated the removal of the 2 year rehire termination provision. The rehire termination provision is now aligned with the duration of the separation payments. For example, if you are terminated and receive a separation package of 12 months, you're eligible to reapply after 12 months. COTAPSA attends human rights workplace investigation meetings to ensure procedural fairness is followed. And according to the human rights policy, as a complainant or a respondent, you have a right to a support person we are here for you. If you are called to attend a meeting, that is disciplinary in nature. Please reach out to us for support. Attach that successfully negotiated to revise letters of expectations disguised as letters of discipline. And COTAPSA also assisted members with return to work accommodations. COTAPSA will continue to monitor and provide updates on a variety of human resources, labor relations issues and initiatives such as the total rewards program, dispute, resolution, procedures, OMERS, and COVID-19. Members with workplace issues and termination of employment are reminded to contact the COTAPSA office at the earliest opportunity.

8. SLI.DO Survey Results and Next Steps

The Chair reported Sli.do results from our Special Meeting, we asked a number of survey questions, the 1st related to the council's decision to eliminate the pay for performance program. So, we asked what their opinion was. And 65% feel that this was unfair to cancel the program, and that they've been working very hard and feel that they deserve a paid performance increase. I just want to touch on this a bit because this came out of the blue. We did not know in advance that this was going forward to council, when we did find out about it. The one thing we did was to reach out to some councillors as well, as the Mayor's Chief of Staff. The one thing that was particularly upsetting to me is by eliminating this program, many members were not able to even move through their pay range. So they're basically not even moving up within the range.

Next survey question was about no cost of living increase by council and again, 69% of our members, we're not happy with this and wanted us to take specific action on it.

Next survey result, we then ask a question about ill dependence, counting towards sick occurrences. A little more varied opinion on this. Some people didn't have ill dependents, so it wasn't really an issue for them. But again, the majority do have a dependents and were not supportive of this change in policy.

So one of the things we discussed at the special meeting was, how do we take action on this? We did ask probably about the most extreme course of action, which would be a class action suit or statement. A claim against the city. Basically, because they're, they've taken away longstanding terms of employment, which is the cost of living and being able to move through your pay range. So, we asked members about whether this type of action, which is pretty strong, taking your employer to court, basically and 80% of the people at that special meeting were supportive of that.

Since that time we've had discussions with some lawyers - law firms to see how best we can fight these actions. And, as I mentioned before getting more leverage, in terms of our bargaining power. Since that time we are ready to move forward with retaining legal advice - Steven Barrett of Goldblatt Partners -- we interviewed 2 or 3 other law firms, and we felt Steven seem the most passionate about taking on our cause. We are moving forward with retaining him. We are recommending that funding for broader action that affects all members that we use the Special Reserve Fund, established for the purpose of "collective defense matters". As you may or may not know this fund was established some time ago. When we fought the elimination of the pay for performance under Mayor Miller's term, there is still this balance in the Special Reserve Fund of \$282,664. We certainly do not anticipate using all of that, but we do want to be able to access those funds. And in order for us to use those funds, we require membership to approve this. So, I'm going to ask for a motion to approve the use of, of the special reserve fund. For the purpose of funding legal services to support and strength. This ability to take strong action to fight issues that impact all of us, including the 0% COLA, pay for performance cancellation and change of ill dependent policy. So, what I'm going to ask is that someone move that and 2nd it and then I think it's worthwhile to open it up for questions at that point.

Thomas McGuinty questioned, how was it in 2007 and the last time this, this strategy was used, what was the outcome of that?

The Chair reported we won the case the City had to reinstate pay for performance.

The Chair commented I put a question on chat and it really relates to the, the differentiation between management and professional within our organization. My comment was that, you know, and tough times every organization that's kind of expected that management will do a bit of belt tightening. I'm inclined to agree that this was somewhat high handed. However, those of us not management and also not in the Union are particularly burdened by this because we don't have the same sense of control same sort of moral imperative to provide that sacrifice. I just wondered if there's been any discussion around that topic.

In that not all of our members are management with the ability to hire and fire; many of them are supervisors, paramedics and shelters, public health nurse, supervisors; so they are on the front lines. So to paint everyone with the same brush is not fair. To your point, and I think that's going to be part of an important communication strategy. Because what I would hate to see is the Sue Levies of the world writing articles about fat cat managers at city of Toronto want a pay raise while others are losing jobs. So, I think we need to get the message across that we are not all fat cat managers. I don't mean to use that in a term, but I can see some journalists using that term and put in fact, a lot of our members are front line workers at shelters at health clinics. And we need to get that message across.

Benedicta Lian questioned the chances of winning this case especially with the City in a financial hole. Impact the validity of our core case.

The Chair responded the cities in finance has financial issues are not should not impact the validity of our core case. In terms of winning this case, what we want is to have the City, the City Manager stand up and take notice if we decide to go down this route, but we just want to have as much leverage as possible to bring the City to the table. The cost of living allowance is very small.

Karyn Spiegelman commented we represent a smaller portion of the City's employees, but the unionized complement is about 20 to 25 thousand people and they all got 1% increase and they still have the ability to go through the step program to get through their range.

SHRC reported in 2007 we won and monies paid went to everybody but COTAPSA members receive a special bonus. An additional \$250 for bringing it forward for each COTAPSA member over and above.

The Chair commented it is not a lot but as we try to get more for members this should be pointed out.

Laura Jane Elkin questioned should a performance plan be completed and on file. Is it an issue if her manager did not complete one?

The Chair responded that a 2019 performance plan should be completed because compensation was paid out.

SHRC reported that many individuals received monies and was processed in July and August. So if you didn't receive your 2019 plan, then that's a concern. A payment in 2020 for 2019 performance.

MOTION: To approve the use of COTAPSA Special Reserve Fund for the purpose of funding legal services to support and strengthen COTAPSA's ability to take strong action to fight issues that impact us all, including 0% COLA, Pay for Performance cancellation, change in Ill dependent policy. (Sharon McGuigan, Phil Pendleton) Carried

9. Treasurer's Report – including Auditor's Report and Audited Financial Statements for the period ending September 30, 2020.



September 30, 2020
Draft Financial Statem

Marianne Sirro presented the draft audit and financial statements as prepared by our auditor Kriens~LaRose to be adopted, as part of, as part of our meeting. I believe Thomas Kriens joined in this meeting. The formal opinion of our auditor is found in the 3rd paragraph and happy to report that we have received a standard unqualified opinion. This means that our financial statements are fairly presented in all material respects and in accordance with accounting standards for non-profit organizations. In other words, the auditors did not find any significant errors in the financial statements. So it's a clean bill of health.

I'll go through our financial position 1st, so a majority of COTAPSA's assets or financial instruments these are that are held with the credit union. So key differences between 2019 and 2020 GIC investments is between our short and long term investments in this year. There were several that came in late 2020 and will come due in 2021. In this fiscal year, they're classified as short term. These terms will be invested from 1 to 5 years, depending on the interest rate. And the ones that came due in November have already been reinvested. So, currently the interest rate that we get on our ranges for 1.25 to 3.4 annually. Moving down to our liabilities are mainly higher due to staff vacation time, but it's been accrued. This is the vacation time that has been banked in 2020, fiscal year, but was not taken as of September 30th to date. So, at the date of our financial statements show, it has shown as a liability. At the bottom is the Net Asset section, COTAPSA holds 2 funds, the General Fund and the Special Fund. Annual surplus or deficit is all allocated to the general fund and we'll talk about our year results as part of the statement of operations. So, as you just voted, the special reserve balance of \$282,664 dollars is for collective defensive matters. So, we've just voted to use this for the legal action associated with to address the motion to address the city's action against on staff that was adopted with last special meeting. So, next I will go over to the statement of operations. Our revenues are relative to be at the same level as 2019. The lower interest rates are reflected and lower membership dues as a result of our increased retirements. Our biggest line items, the salaries of benefits, it's higher this year as a result of cola and progression pay, which is

common across all non-union staff. And in this fiscal year, there was a maternity leave where was required to pay the provincial top up. The remaining costs are standard administrative expenditures and along with legal costs for our member issues as well as our advocacy work. Our revenue exceeds our expenditures by \$42,000 and this amount is added to the General Fund, and you'll see that just at the bottom. So, the next line each year, a portion of the interest accrued on our is also allocated to the special fund. So, this year the interest allocated to the special fund is \$5,791 and that is generally the summary of our 2 financial statements.

MOTION: To adopt the Auditors Report for the year ending September 30, 2020. (Marianne Sirro / Karyn Spiegelman) Carried.

MOTION: To adopt the Audited Financial Statements for the year ending September 30, 2020. (Marianne Sirro / Karyn Spiegelman) Carried.

MOTION: To appoint Kriens~LaRose as the Auditor for the year ending September 30, 2021 (Marianne Sirro / Karyn Spiegelman) Carried.

10. Members' Question Period

11. Adjournment

MOTION: To adjourn the Annual General Meeting of December 4, 2020 (Karyn Spiegelman /Phil Pendleton) Carried.

Meeting adjourned at 1:16 p.m.