

**May 20, 2014**  
**TEAM Board Meeting**  
**Executive Director's Report**

Bob Linsdell  
May 19, 2014

**Motion and Direction Updates**

1. **Directors' and Officers' and Entity Liability Insurance:** Insurance application documents, audited accounts and financial statements are being provided to our insurance broker.
2. **Fundraising Contribution:** TEAM's \$100 sponsorship donation has been mailed.
3. **CLC Kids Camp:** A Board Policy has been drafted in accordance with the motion to subsidize the cost of the CLC Kids Camp by 50% for children of TEAM members.
4. **D'Arcy and Deacon 2014 Labour Relations Retainer:** The retainer agreement has been signed and returned to D&D.
5. **Special Market Adjustments:** Following a review by legal counsel, a Memorandum of Agreement for the subject position was mutually agreed and signed.
6. **Training Opportunities for Members:** The 2014 budget has been amended per the approved funds, and training events are being scheduled, including further leadership seminars, and Health and Safety training.
7. **Vision Care:** Staff members were advised of the eye test benefit improvement.

**General Matters**

1. **Pension Award Implementation:** The implementation process is progressing well. Our legal team and MTS are working as fast as possible, with the goal of presenting an agreed implementation plan before Justice Bryk in November. A [joint memo](#) was sent to plan members on May 9<sup>th</sup>. MTS has fully reimbursed the unions and TRAM (the retirees) for their lawsuit legal and expert costs. Implementation costs have yet to be finalized.

IBEW and Unifor have each engaged their own lawyer for the implementation process. TEAM and TRAM continue to use the services of D'Arcy and Deacon. I believe their extensive knowledge and understanding of the case and Pension Plan is critical to achieving a quick resolution. With the other unions engaging separate lawyers, TEAM faces increased costs as we work through the implementation, with no guarantee of cost recovery.

On May 7<sup>th</sup> I met with TRAM's Board to discuss the funding. TRAM agreed to increase their contribution towards the D&D legal fees. Even with the increased TRAM contribution, which is appreciated, TEAM will still be paying the most in legal fees in addition to one-third of the actuary's fees.

2. **New Collective Agreement:** The books have been distributed to all TEAM members along with the [Compressed Work Week](#) guide. Any member needing a second or replacement book can contact the office. The online and pdf versions of the Collective Agreement are available [here](#).

### **Ongoing Matters**

1. **Canadian Human Rights Tribunal - Disability:** The final determination of the amount of the pension award was in favour of the TEAM member. We were successful in arguing that MTS should pay our member \$98,863 in missed pension contributions vs. MTS's position that they should only pay \$17,789. This is in addition to the previously awarded "\$10,000 for the pain and suffering she experienced as a result of the discrimination, and a further \$10,000 for the Company engaging in the discriminatory practice wilfully or recklessly" ([TEAM memo of May 10<sup>th</sup> 2012](#)).
2. **Canadian Human Rights Tribunal - Harassment:** Hearing dates are set for June 17 to June 30, 2014.
3. **Arbitration - Overtime:** Three days of hearings were held January 8-10, 2014. Additional dates are set for August 6, 7, and 18-22, 2014.
4. **Grievances and Complaints:** See separate [report](#).

### **Events Attended**

- Mar 25 - Board Meeting
- Apr 8 - Corydon and Osborne collective agreement distribution
- Apr 9 - New member meeting
- Apr 10 - Downtown Winnipeg collective agreement distribution
- Apr 14 - Brandon collective agreement distribution
- Apr 15 - Finance Committee meeting
- Apr 16 - McGillivray collective agreement distribution
- May 3 - Board Chairperson training seminar
- May 7 - Guest at TRAM Board meeting
- May 13 - MTS AGM
- May 15 - Joint Benefits Committee
- May 16 - Finance Committee meeting

## **Board Direction and Requests**

- 1. Pension Award Implementation:** As explained, TEAM is faced with paying a higher legal bill than the other unions, with no guarantee of recovery. I am seeking Board approval to proceed with the plan outlined under General Matters.

**Motion Suggestion:** To approve funding for D'Arcy & Deacon and one-third of the actuary fees as required to complete the implementation process in an expedited manner, minus TRAM's contributions toward the legal bills.

- 2. Thank You Dinner for [Harry Restall](#) and Larry Trach:** From the outset of the transition from the old Pension Plan to the new Plan on January 1, 1997, Harry and Larry have been relentless in the pursuit for the return of the initial surplus to plan members. Harry was our principle witness during the 13-week pension lawsuit trial. Thanks in large part to Harry and Larry, thousands of former and current MTS employees will be financially better off.

**Motion Suggestion:** As a token of our appreciation for their dedication and hard work on the pension lawsuit, invite Harry Restall, Larry Trach and their partners to a celebratory dinner with the Board.

- 3. Downtown Take-a-Break Hot Dog Day:** The proposed date of the downtown event is June 24<sup>th</sup>. The Ball Park is available and it will be on the same day as a scheduled Board meeting so Board members will be able to attend and meet the members. The dates of the smaller venues, Corydon, Brandon etc. are more flexible.

**Motion Suggestion:** To hold the downtown Winnipeg Take-a-Break Hot Dog Day event on June 24<sup>th</sup>.

- 4. Annual General Meeting:** From the Constitution:

6.13 A General Meeting shall be held by November 15<sup>th</sup> of each calendar year, except under special circumstances and as agreed to by a two-thirds (2/3) majority of the Board.

**Motion Suggestion:** To hold Annual General Meetings November 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup>.

- 5. Staff Contract:** Negotiation of a new contract will commence shortly. The Board needs to establish a negotiating committee.

**Motion Suggestion:** To appoint <name> and <name> to negotiate the TEAM staff contract.

- 6. Policy re. Unsigned Employees:** The office requests a policy regarding providing materials, invites, emails and other communications and training opportunities to employees in TEAM's jurisdiction who choose not to sign a membership form.

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