



R E P O R T O F C U P E ' S

TASK FORCE ON GOVERNANCE

CUPE

At the 2017 National Convention, delegates adopted Resolution 36, which called for the creation of “a Task Force on Governance to conduct a comprehensive review of the governance and structure of our National Union, as laid out in the National Constitution” and “report, with recommendations, to the National Executive Board no later than March 2019”.

This report will summarize our work, provide you with some insight into our deliberations, and provide our recommended changes to CUPE’s governance and structure.

TASK FORCE MEMBERS

In March 2018, CUPE’s National Executive Board (NEB) confirmed the 16 members of the Task Force. Eight are members of the NEB and eight are CUPE activists who serve in elected positions at other levels of the union.

MEMBERS OF THE TASK FORCE ON GOVERNANCE:

- Mark Hancock, National President
- Daniel Légère, General Vice-President (GVP), New Brunswick
- Denis Bolduc, GVP, Québec
- Fred Hahn, GVP, Ontario
- Judy Henley, GVP, Saskatchewan
- Marle Roberts, GVP, Alberta
- Yolanda McClean, Diversity Vice-President (DVP), Ontario
- Nan McFadgen, Regional Vice-President (RVP), Nova Scotia
- Dawn Lahey, Local 2329, Newfoundland and Labrador
- Ann Ramsay, Local 1770, Prince Edward Island
- Émilie White, Local 1244, Quebec
- Janice Folk-Dawson, Local 1334, Ontario
- Tricia Merritt, Local 204, Manitoba
- Trevor Davies, CUPE BC, British Columbia
- Aman Cheema, Local 402, British Columbia
- Julie Roberts, Airline Division

Staff support provided by Tania Jarzebiak, Michael Butler, and Robert Ramsay

CONSULTATIONS

As part of the review undertaken by the Task Force, the National President held consultations with CUPE's leadership over a period of 10 months at division conventions, division executive board meetings, and national committee meetings. While most of these meetings occurred in person, a number were conducted by telephone or video conference. The consultation meetings are listed in Appendix B.

The Task Force also undertook consultations by way of a discussion guide and survey, distributed to all CUPE chartered bodies through electronic and regular mail, posted on cupe.ca, and promoted via social media. The discussion guide and survey are attached as Appendix C and Appendix D. They will be helpful for those wanting additional background on our governance history and the work of the Task Force.

We received 515 complete survey responses. One hundred and forty-eight of these surveys were submitted on behalf of CUPE locals or other chartered organizations, and the remaining 367 were submitted by individual members. Because participation was voluntary, this was not a scientific survey, and the results did not provide us with a statistically accurate representation of opinions held among our members. However, the survey results provided a good starting point to our discussions, and the additional information provided as part of the survey responses gave us a window into the very diverse opinions held by CUPE members on our governance and structure.

TASK FORCE MEETINGS

The Task Force met four times at the CUPE National Office in Ottawa – on June 5, 2018, December 10, 2018, January 9, 2019, and February 11, 2019.

Over the course of these meetings, we discussed our mandate, developed a workplan, and examined a wide range of issues related to the history of our union, its governance and structures, how the union operates at the national and provincial levels, and how our structure compares to other national unions in Canada.

DELIBERATIONS AND RECOMMENDATIONS

Our discussions were wide-ranging, as diverse as the feedback we received through our consultations. What is captured here are the matters we chose to include in our survey and any related recommendations. Unless otherwise noted, the recommendations were reached by consensus with the support of all Task Force members.

NATIONAL EXECUTIVE BOARD

REPRESENTATION

When CUPE was created in 1963, we had 57,000 members. Today, we are 680,000 members strong. And while our operations have changed significantly to ensure our Local Unions and members are supported, and our provincial divisions have also changed and adapted substantially to this growth, the structure of our National Executive Board (NEB) has remained largely the same.

The NEB is the governing body of our union between national conventions. It is made up of two full-time Officers (the National President and National Secretary-Treasurer), five General Vice-Presidents (GVPs), 14 Regional Vice-Presidents (RVPs), and two Diversity Vice-Presidents (DVPs).

Our union has had many debates over the years about adding representation on the NEB, including more full-time Officers, specific regional and diversity representation, and positions designed to ensure women's representation on the NEB. However, the NEB has grown by only seven positions since 1963: five RVPs were added over the years, and the two DVPs were created in 1999.

During our consultations, it became apparent that there was interest in adding an additional full-time Officer to our NEB. There is a sense that our National Officers are too busy, and a third Officer would help ensure better interaction between our members and their national leadership. We also acknowledge that an additional position is an opportunity to ensure that our leadership table is a better reflection of the members we represent.

RECOMMENDATION 1 (BY MAJORITY):

Create a new Executive Vice-President position as a third full-time Officer of our union. One of the three Officers will identify as a woman and one will identify as a racialized worker.

Historically, our five GVPs have been elected to ensure geographic representation among the positions, with caucuses held to endorse GVP candidates and those individuals being nominated as the "caucus choice". But there is nothing in the National Constitution that specifies this, and it is left for experienced delegates and leaders to explain the process to new delegates.

From a governance perspective, there is nothing transparent about these "unwritten rules", and it is our recommendation that we formalize this representation.

RECOMMENDATION 2:

The five General Vice-Presidents shall each represent, and be required to work and live in, a specific geographic area: BC/Alberta; Saskatchewan/Manitoba; Ontario; Quebec; Atlantic/Maritimes.

Our two Diversity Vice-Presidents have been in place since 1999. While convention debated around the creation of these two positions, and the guidelines that have been adopted since, identify the positions as representation workers of colour and Aboriginal workers, there is nothing in the National Constitution that stipulates this. There should be.

RECOMMENDATION 3:

Define the two existing Diversity Vice-Presidents as representing Indigenous and Racialized workers.

Because the NEB is largely based on regional representation, and the make-up of the NEB is essentially determined by who hold leadership positions at the provincial level, there is a lack of diversity on the NEB. This means that important perspectives and experiences are missing from our union's deliberations. In order to ensure the best representation of all our members in decisions taken by our union, we recommend that we add DVP positions to the NEB.

RECOMMENDATION 4 (BY MAJORITY):

Add Diversity Vice-President positions to the National Executive Board representing:

- a) Workers with Disabilities;
- b) LGBTQ2+ Workers;
- c) Young Workers;
- d) Women;
- e) Francophones outside of Quebec.

The roles of our existing National Officers are well-defined in the National Constitution. However, the roles of other positions on the National Executive Board are defined in vague terms or not at all.

These positions are well-established, and their roles are as well. They are just not written down.

General Vice-Presidents serve on the National Executive Committee which meets more frequently than the NEB, chair at conventions in the absence of the National President, and support the work of the Officers as assigned.

Regional Vice-Presidents represent the issues and concerns of CUPE members in their respective regions at the NEB, and are also responsible to ensure the priorities and programs of the National Union are known and implemented in their regions.

Diversity Vice-Presidents bring a perspective that is missing from our governance table. It is their responsibility to represent the issues and concerns of their respective constituencies to the discussions and decisions at the NEB – because just as a member from BC cannot speak with firsthand knowledge about the concerns of a member from PEI, nor can a member who is able-bodied speak with experience about the issues facing a member living with disabilities.

From a transparency and accountability perspective, we believe it is important that these roles and responsibilities are enshrined in the National Constitution.

RECOMMENDATION 5:

The role and responsibilities of General Vice-Presidents should be better defined in the National Constitution. The roles and responsibilities of Regional Vice-Presidents and Diversity Vice-Presidents should also be defined in the National Constitution.

We had good discussions about regional and sectoral representation on the National Executive Board. Our provincial divisions are organized differently, with some favouring sectoral over regional representation. Perhaps not surprisingly, our survey reflected that each region felt underrepresented in some way. After much deliberation, there was consensus that other additions to the National Executive Board, including sectoral representation, was not the most pressing governance issue of our union.

RECOMMENDATION 6:

We do not recommend the addition of General Vice-Presidents, Regional Vice-Presidents, or sectoral representation to the NEB at this time.

ELECTIONS

How we elect members of the National Executive Board was a hot topic throughout our consultations. Indeed, one of the reasons for the creation of this Task Force was a desire to modernize our National Constitution by putting into writing the many long-standing practices and “unwritten rules” – many of which relate directly to elections.

Currently, all positions on the NEB are formally elected on the floor of convention.

But practically, candidates for the RVP and DVP positions have already been selected in a caucus of the delegates they are meant to represent, and we believe it is appropriate that these positions are formally elected in their respective caucuses.

Given we are recommending formalizing the geographic distribution of the GVPs (see Recommendation 2), we would also recommend the election of GVPs by an appropriate geographic caucus.

This would leave the National Officers to be elected by all convention delegates.

RECOMMENDATION 7:

The National Officers should continue to be elected by convention as a whole.

RECOMMENDATION 8 (BY MAJORITY):

General Vice-Presidents should be formally elected in their respective geographic caucus, rather than by convention as a whole.

RECOMMENDATION 9:

Regional Vice-Presidents should be formally elected in their respective regional caucus, rather than by convention as a whole.

RECOMMENDATION 10:

Diversity Vice-Presidents should be formally elected in their respective caucus, rather than by convention as a whole.

NATIONAL TRUSTEES

First recommended in 1977, our three National Trustee positions were not established until 1991. One is elected at every convention for a six-year term.

Although any delegate is entitled to seek election to the position of National Trustee, these three positions have been held by members from only three provinces: Ontario, Quebec, and BC. This has created significant frustration by members from other provinces.

In order to allow equal opportunity for delegates from all regions of our union to serve as National Trustee, a majority of the Task Force recommends the addition of two National Trustee positions and a geographic assignment for all National Trustee positions. With five National Trustees, we are also recommending a reduction in the term of election from six years to four years.

RECOMMENDATION 11 (BY MAJORITY):

Article 10 of the National Constitution should be amended to require five National Trustees.

RECOMMENDATION 12 (BY MAJORITY):

These five National Trustee positions should be defined as representing the same specific geographic areas as the General Vice-Presidents: BC/Alberta; Saskatchewan/Manitoba; Ontario; Quebec; New Brunswick/PEI/Nova Scotia/Newfoundland and Labrador.

RECOMMENDATION 13 (BY MAJORITY):

National Trustees should be formally elected in their geographic caucus, rather than by convention as a whole.

RECOMMENDATION 14 (BY MAJORITY):

The term for National Trustees should be reduced from six years to four years.

NATIONAL CONVENTION

FREQUENCY

National Convention requires substantial resources, including significant expenditures by Local Unions. Conventions also have a significant environmental footprint. For these reasons, we have heard calls over the years to hold our national conventions every three years, rather than two.

But convention is our governing body, and therefore there is significant reluctance to decrease the frequency of conventions. It was also noted during our consultations that it is an important opportunity for CUPE members to better understand and appreciate the shared struggles we face across the country, and the vast power of our National Union.

On balance, we feel there is good reason to continue with biennial conventions.

RECOMMENDATION 15:

We do not recommend a change to the frequency of national conventions.

DELEGATE ENTITLEMENT

Representation at our national convention has remained largely unchanged since our inception in 1963.

Participation has not changed substantially either. There are still many Local Unions who choose not to send their full delegation to convention, or do not participate at all. Others have a strong tradition of full participation.

Delegates to convention still do not reflect the full diversity of our membership. There is no doubt that this is, in part, because of the representation formula. It is not enough to simply encourage chartered bodies to ensure their convention delegates are diverse, and we are recommending an incentive to increase the diversity on our convention floor.

It was also noted that, no matter the size of your local's delegation, you are restricted to one alternate delegate. This could leave a local without full representation and should be addressed.

We did not have the opportunity to delve further into the question of delegate entitlement, which would require a review of historical data of convention delegations, and qualitative research to understand the decisions Local Unions make in relation to participating in national conventions.

RECOMMENDATION 16:

Every chartered body should be entitled to one additional delegate who identifies as a member of an equity-seeking group: women, racialized, indigenous, LGBTQ2+, living with a disability, or young workers.

RECOMMENDATION 17:

Alternate delegate entitlement should be changed to ensure larger Local Unions can send more than one, based on membership, as follows:

Up to 500 members	1
501 to 2,500 members	2
Over 2,500 members	3

RECOMMENDATION 18:

A deeper review of delegate entitlement should be undertaken separately, with a focus on addressing barriers to participation at convention.

QUORUM

There have been calls in the past to reduce quorum, in part because of frustrations with the occasional loss of quorum during convention, and on the final day.

However, convention is our parliament and our highest governing body, and from that perspective, we believe that quorum should remain at one-half of the registered delegates.

RECOMMENDATION 19:

We do not recommend a change to quorum requirements for national conventions.

ELECTRONIC VOTING

During our consultations, we heard from delegates about the frustration of losing convention time to voting, when technology exists that would allow for an accurate and almost immediate result.

We acknowledge that electronic voting is being used at some of our division conventions, and by other organizations, and think it is time that our National Union adopt this practice as well. But we also note that our Rules of Order do not allow for secret ballot voting, and we do not recommend we go down that road.

Using electronic voting for elections is an easy recommendation. But its use outside of balloting cannot replace the usual show of hands. Instead, it should be used at the discretion of the convention chair, when the intention of the delegates is not clear.

RECOMMENDATION 20:

Electronic voting be used for all elections. Electronic voting may also be used at the call of the chair or a delegate, when the results of a vote are unclear.

RECOMMENDATION 21:

Guidelines should be created for the implementation and use of electronic voting.

RULES OF ORDER

While rules of order are largely consistent across our union, there are some minor variations. There are also some differences in our organizational cultures. These combine to create, on occasion, misunderstandings and frustrations that impact the flow of debate at national convention.

Without insulting our convention chairs, we would suggest some work be undertaken to ensure they are properly supported in their role.

We also suggest that we formalize in our Rules of Order the flexibility we already show with respect to the participation in convention of delegates with a functional disability. For example, we would allow a non-delegate interpreter to speak on behalf of a deaf delegate who is not able to vocalize, but that is not captured in our current rules.

RECOMMENDATION 22:

Chairing at national convention should be consistent and supported by a parliamentarian at all times.

RECOMMENDATION 23:

Rules of Order should be amended to allow the chair to suspend the rules to accommodate a functional disability.

A F F I L I A T I O N S

In both consultation meetings and the survey, we sought feedback from members on the nature of our relationships both inside of CUPE and with the broader labour movement.

PROVINCIAL DIVISIONS

We discussed the important work done by our 10 provincial divisions, who play a significant role in the labour movement and the political discourse in each province. This work benefits all Local Unions and members within their jurisdiction. We have seen affiliation and participation rates grow substantially in recent years. We believe it is time that we formalize the role of provincial divisions within our structure by making affiliation mandatory.

RECOMMENDATION 24:

All Local Unions and District Councils should be required to affiliate to their provincial division.

DISTRICT COUNCILS

While District Councils may be created anywhere in the country, there are active councils in only three provinces. However, we recognize that where they exist, they play a unique and valuable role in the work of our union, and with increased affiliation and participation can become even more vibrant and effective. As we have with provincial divisions, we think affiliation to District Councils should be required.

To accompany this change, we think that the requirement to charter a District Council needs to be more substantial than the participation of five Local Unions in the area of jurisdiction.

RECOMMENDATION 25:

All Local Unions should be required to affiliate to District Councils, where they exist.

RECOMMENDATION 26:

A request for a new District Council to be chartered should be amended to require at least 75% of Local Unions, representing a majority of members in the area.

FEDERATIONS OF LABOUR AND LABOUR COUNCILS

We recognize that CUPE's participation in the Canadian Labour Congress (CLC) and its regional bodies is the right thing to do – for our members, for our union, and for the labour movement.

We know that our National Union already affiliates all of our locals to the CLC, but we were unable to reach consensus on significant change to our locals' relationship with Federations of Labour and Labour Councils.

Some members felt that we needed to get our own internal affiliations, to our divisions and councils, in order first. Others suggested there was an overlap in the work done by our District Councils and the CLC's Labour Councils, and that this required further examination.

In light of recent challenges within the labour movement, our National Officers have been encouraging locals to affiliate and participate in these bodies. We believe this should continue.

RECOMMENDATION 27:

The National Union will continue to actively encourage Local Unions to affiliate to, and participate, in Federations of Labour and Labour Councils.

APPENDICES

APPENDIX A

Recommendations

APPENDIX B

Consultation meetings

APPENDIX C

[Discussion Guide](#)

APPENDIX D

[Survey](#)

APPENDIX A

RECOMMENDATIONS

The Task Force on Governance makes the following recommendations.

Note that these are consensus recommendations, unless otherwise noted.

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RECOMMENDATION 2:

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RECOMMENDATION 27:

The National Union will continue to actively encourage Local Unions to affiliate to, and participate in, Federations of Labour and Labour Councils.

APPENDIX B

CONSULTATION MEETINGS

CUPE SK division convention breakfast	March 8, 2018
CUPE AB division convention breakfast	March 15, 2018
CUPE BC division convention breakfast	April 20, 2018
CUPE NB division convention breakfast	April 26, 2018
CUPE NL division convention lunch	April 30, 2018
CUPE MB division convention breakfast	May 3, 2018
CUPE PEI division convention breakfast	May 25, 2018
CUPE NS division convention breakfast	May 29, 2018
CUPE ON division convention breakfast	June 1, 2018
CUPE BC Think Tank	July 25, 2018
CUPE SK Executive	September 7, 2018
CUPE NL Executive	September 8, 2018
CUPE MB Executive	September 24, 2018
CUPE NB Executive	October 1, 2018
Four National Committees	October 4, 2018
National Persons with Disabilities Committee	
National Women's Committee	
National Rainbow Committee	
National Aboriginal Council	
CUPE QC (SCFP) General Council	October 11, 2018

RESPONSE BY LETTER

CUPE NS Executive and Committee Chairs	October 18, 2018
National Pink Triangle Committee	October 24, 2018
CUPE PEI All Presidents' Meeting	November 30, 2018
CUPE AB Executive	December 1, 2018
CUPE ON Executive	January 24, 2019

