



## **CUPE LOCAL 3906**

**CANADIAN UNION OF PUBLIC EMPLOYEES - MCMASTER ACADEMIC & RESIDENCE WORKERS**

Tel: 905-525-9140 ext. 24003 Fax: 905-525-3837 Email: [staff@cupe3906.org](mailto:staff@cupe3906.org)

McMaster University, Kenneth Taylor Hall B111, 1280 Main St W, Hamilton, ON, L8S 4M4

### **General Membership Meeting Minutes**

**Date: September 16**

**Time: 3:00 pm**

#### **Executive Committee**

|                              |                                           |
|------------------------------|-------------------------------------------|
| Vice President:              | Kusum Bhatta (she/her)                    |
| Vice President External:     | Mira Musallam (she/her)                   |
| Secretary Treasurer:         | Saba Khorasani (she/her)                  |
| Recording Secretary:         | Rishav Jaiswal (he/him)                   |
| Lead Steward, Unit 1:        | Zeinab Vosooghi (she/her)                 |
| Lead Steward, Unit 2:        | Dr. Hamedhossein (Hamed) Afshari (he/him) |
| Lead Steward, Unit 3:        | Dr. Bitia Pourbahari (she/her) (Interim)  |
| Lead Steward, Unit 4:        | Mazen Afify (he/him)                      |
| Health and Safety Officer:   | Mahnaz Tajik (she/her)                    |
| Benefits & Advocacy Officer: | Shabnam Fadaei Chatroudi (she/her)        |
| Equity Officer:              | Korede Ologun (he/him)                    |
| International Officer:       | Samuel Ikueze (he/him)                    |
| Undergraduate Officer        | Elissa Cunningham (she/her)               |

#### **Committee & Working Group Chairs**

|                                    |                                 |
|------------------------------------|---------------------------------|
| PAC Chair:                         | Vacant                          |
| Contract Action Committee:         | Mitch Lupa and Caleb Smolenaars |
| Women and Gender Rights Committee: | Kusum Bhatta                    |
| Indigenous Solidarity:             | Emily Howse-Hackl & Ayra Thomas |
| Communications Committee:          | Vacant                          |
| Prisoners Solidarity:              | Sonia Hill and Patricia Mills   |
| OUWCC:                             | Kyle Morrison                   |

#### **Trustees**

exp. Fall 2025 audit: Zahra Tootonsab (she/her)  
exp. Fall 2026 audit: Camden Church  
exp. Fall 2027 audit: Vacant

#### **Staff**

Staff Representative: Brad Walchuk (he/him); and Mary Ellen Campbell (she/her)  
Administrator Coordinator: Francesca Brugnano (she/her)



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### **Agenda**

- 1. Roll Call of Officers**
- 2. Land Acknowledgement Reading of the Equity Statement**
- 3. Approval of the Agenda**

*Mitchell moves to approve the agenda*

*Rishav seconds it*

*Agenda passes*

- 4. Reading & Approval of Previous Minutes**

Brad quickly goes through the minutes shared on the website sharing the screen

*Kyle moves to approve previous minutes*

*Mitchell seconds*

*Previous minutes approved*

- 5. Matters Arising from Previous Minutes**

- 6. Secretary-Treasurer's Report (Saba)**

Saba: "I am pleased to present the Secretary-Treasurer's report. We began August with an opening balance of \$243,000 and closed the month with \$756,000 in our operating account. Total assets stand at approximately \$3.58 million, with reserves of \$853,000 in the strike fund and \$2.66 million in the benefits fund. Operating savings and checking together hold nearly \$2.6 million. The largest August transaction was a \$14,000 per capita remittance to CUPE National. Overall, the Local concludes the year in a stronger financial position than anticipated, operating within budget across key areas."

Ori: "What caused the balance to rise by nearly \$500,000?"

Saba: "We usually receive employer remittances in August for benefits and related items. That explains the increase."

Ori: "Where can I see committee expenses line by line?"

Saba: "Committee chairs report on activities and expenditures at GMMs. The President is also an ex-officio member of each committee and can provide details. If further financial breakdowns are needed, I can provide them."

Dams: "Do you want to move approval of your report?"

*Saba move to approve the August 2025 Treasurer's report.*

*Sam seconds*

*Motion carries.*



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7. **Communications and Bills**
8. **Executive Committee Report** : can be found on GMM website, addressed in GMM only if necessary: <https://cupe3906.org/gmm-materials/>
9. **Reports of committees and delegates - if applicable**
  - a. Steward Networks (**Chaired by: Zeinab Vosooghi, Hamed Afshari, and Bitia Pourbahari, Mazen**)

Kyle: “During our strike, CUPW and postal workers refused to cross our line. So when we order swag, it matters. Buying from places like Union Proud means we’re supporting union jobs, not corporations like Amazon. I checked—Union Proud sells the same mugs we ordered elsewhere. Maybe the issue was cost, but I’d rather pay more if it supports fair wages. Our Local isn’t hurting for funds, as Saba just said. We shouldn’t use cost as an excuse to take jobs away from workers.”

Dams: “Thank you, Kyle. You’re correct, we normally support union-made products. For this particular item, I believe Brad shared the contact. Zeinab can give more context, because a lot of work went into researching options.”

Zeinab: “Thanks. We received a list of links from staff. I compiled more than ten items, including mugs, and exec and staff voted collectively. We got a good deal on the mug chosen. It wasn’t just my decision. But Kyle’s point is valid—if there’s concern about sourcing, I’d prefer to know earlier, before the final order. We can adjust next year.”

Kyle: “I appreciate the clarification. Union Proud, for example, is always clear about Canadian-made, union-made products. Going forward, it would be great if we check sourcing more carefully. Even the koozie I have here says ‘Union Proud’ on it.”

Dams: “Thank you, Kyle. We’ll keep that in mind.”

Zeinab: “For Unit 1, orientations started on August 27 and are ongoing. We’ve covered 31 so far, reaching over 1,500 new members. We distributed mugs at sessions, and members seemed to appreciate them.”

Dams: “Thank you, Zeinab. Hamed’s report has been shared already on the website. Bitia, do you have updates?”

Bitia: “Yes. I joined a recent graduate fair and spoke to many postdocs about benefits. There’s now an updated \$750 support fund for postdocs. The application process is streamlined—members can just fill out a Google Form with receipts, no more detailed financial information required. The committee will review submissions directly.”

Dams: “Thank you, Bitia. Mazen is absent, so no report from Unit 4 today.”



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Kyle: "I've noticed that, again we didn't have a couple reports from some of the execs Including VP External, President, Benefits A significant change was approved at the last Benefits Committee-creation of Gender Affirmation and Reproductive Health Funds for Unit 2. Could we share that so U2 members on this call are aware as soon as ProSure finalizes the paperwork?"

Dams: "My report is uploaded; the Benefits Officer hasn't sent an update yet. We'll aim to have something concrete by the next GMM."

b. Labour-Management Committee (LMC)

Dams: "We had an LMC meeting yesterday and discussed a couple of stuffs related."

c. Committee Updates - *if applicable*

i. Bylaws **Committee (Chaired by: Vacant)**

Dams: "The Bylaws chair recently resigned; the position is currently vacant."

Kyle: "For clarity-Korede (Equity Officer) was serving ex-officio. Is the committee itself vacant, or just the chair?"

Dams: "Just the chair is vacant. The committee will elect a new chair soon; no general election required."

ii. Equity Action Committee (**Chaired by: Korede**)

Dams: "Korede sent regrets."

Rishav: "Update from Korede: the book-review event is Oct 15 at 4:30 pm. A flyer will be on socials this week or next; members can pick up the book at the office next week."

iii. International Committee (**Chaired by: Samuel Ikueze**)

Samuel: "Outreach to international members has been strong. We held an event on Fri Sept 12—over 40 attended. Speakers included Anthony Marco and Jade/Eryn (youth/union leaders). Feedback was very positive; we'll keep engaging international members regularly."

iv. Communications Committee (**Chair Vacant**)

v. Women and Gender Rights Committee (**Chaired by: Kusum**)

Dams: "Kusum is not here; report uploaded. Upcoming **Women & Gender** event is **Sept 26**—flyer and registration link are on socials. Please register and show support."



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vi. **Indigenous Solidarity Working Group (ISWG) (Chaired by: Emily Howse-Hackl)**

Emily: "First September meeting is Thursday. All are welcome, allies included. We're focusing on recruitment."

Ayra: "We're considering transforming 'Land as Kin' from an annual event into a more informal conference: MAC students could submit research/artwork; we'd invite First Nations speakers (themes TBD)."

Dams: "Please also send your meeting notices to exec/staff (not only socials) so folks who aren't on social media can attend."

Ayra: "Noted. ISWG has a large digital footprint (website + Instagram) where meetings are posted well in advance, but we'll also email dates ~1.5 weeks ahead. We're planning a motion to publish monthly minutes so the Local can follow our work."

Ori: "Who manages the official account?"

Ayra: "Our social media coordinator, Kaylee, on the ISWG exec."

- vii. **Health and Safety committee (Chaired by: Mahnaz Tajik)**
- viii. **Political Action Committee (PAC) (Chair Vacant)**
- ix. **Prisoners Solidarity Working Group (Chaired by: Sonia Hill and Patricia Mills)**
- x. **Contract Action Committee (Chaired by: Mitch Lupa and Caleb Smolenaars)**

Mitch: "Busy since last GMM: door-knocking for CAs; Welcome Week outreach with parents; launched the Unit 4 Strike Committee. Always recruiting—next Strike Committee meeting: Thursday, 6 pm, CUPE office (KTH basement). Planning a Unit 4 social at the Phoenix in the next 2–3 weeks; weekly mobilizing continues. Talk to me/Caleb to get involved."

Caleb: "Shout-out to our newly elected Strike Committee co-chairs: Anna and Addie."

Mitch: "Let's please add 'Strike Committee' as a standing agenda item going forward."

xi. **Unit 4 Bargaining Committee**

Caleb: "Since the last meeting, we held a strike vote—90% 'yes' to authorize strike action if needed. No table date since then, but we have sessions Sept 24 & 25."

Brad (staff): "We have filed for conciliation (Ministry conciliator pending). We'll still bargain on the



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24th/25th even if a conciliator isn't appointed by then. Major issue: compensation. Currently, compensation includes housing at no cost (~\$10,000 value). Employer wants to move away from housing; proposed wages are nowhere near replacing that cost, effectively pushing members backward. We're pushing for a settlement that doesn't leave members worse off."

### xii. Hamilton & District Labour Council (HDLC)

Dams: "Meeting was last Thursday. Discussed the OPSEU strike and other ongoing updates—nothing unusual to report."

### xiii. Ontario University Workers Coordinating Committee (OUWCC) (Campus Rep: Kyle)

Kyle M: "OUWCC meets tomorrow. I'll update the sector and seek support for Unit 4. Also continuing to push executive strategic-planning training; once Diana (national rep) returns, we'll get that moving."

### xiv. CUPE Council

Rand: "Labour Day went very well. Brought the McMaster band, which the crowd loved. CUPE Council met last night to discuss stances on issues likely to arise at CUPE National Convention. Reminder: while we have up to 4 voting delegates, anyone can attend and speak. We meet every other month; contact me/the exec to stay in the loop. Also extra HDCC shirts are available. I hope CUPE Council stays in the budget; with upcoming provincial moves, sector-to-sector solidarity (post-secondary, education, healthcare, etc.) will be crucial."

## **10. Trial Committee Decision [See Appendix A]**

Dams: "The next item on the agenda is the Trial Committee decision. This concerns a complaint between a member, Ori, and Rand, a former Vice-President Internal. The incident occurred during the July 2024 online GMM."

Dams: "The complaint alleges the exchange was harassing and discriminatory, specifically based on place of origin and creed—as the complainant is a member of the Jewish faith, Israeli, and a Zionist. The claim is that the words used during that meeting rose to the level of harassment and discrimination under Appendix F of the CUPE Constitution, section F1M, and also constituted wrongful interference with the duties of an officer under section F1J."

Dams: "The complaint states the exchange left the member feeling isolated from the union, caused emotional distress and anxiety, and created a fear for their safety."

Dams: "The respondent does not dispute that the exchange happened, or that the language used was disrespectful. But they maintain that their comments were not directed at the complainant's creed or place of origin. They say the remarks came in the heat of a long and tense meeting, and they regret that the



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discussion became disrespectful. The respondent emphasized they hold no issue with Jewish or Israeli people.”

Dams: “The full written decision and findings of the Trial Committee are available in Appendix A of the agenda for anyone who wishes to review the details.”

*(later clarification)*

Dams: “I want to correct my earlier summary. I had read the allegations, but I should have read the remedy. The Trial Committee orders the respondent to complete CUPE’s Parliamentary Procedure workshop within six months of the decision. The purpose is to strengthen awareness of respectful conduct at meetings. The workshop, which is short and available online or in person, covers rules of order, proper meeting practice, and handling difficult situations. There is space in the September session, so the expectation is that Rand Clayton will attend.”

### **11. Nomination, elections, or installations**

a. Elect a U4 alternate bargaining member [Brad]

Brad (chairing election): “Confirming quorum: at least five Unit 4 members present (names read). One vacancy for Unit 4 Alternate Bargaining Committee member. The Alternate has voice in caucus (typically consensus, votes rare); vote only if replacing an absent voting member at the table. Honorarium ~\$360/month; role continues until a new CA is ratified. Candidates must be Unit 4 members. Nomination opens”

Mitchell: “I nominate Anna Potter.”

Brad: “We also received an advance nomination from Mazin (not present).”

Anna Potter: Works as a Project Assistant (Residence Life); active on the Strike Committee (canvassing/meetings); helped with the original Unit 4 union drive. Notes Unit 4 composition (~80% CAs / 20% other ResLife roles such as PAs/GRAs/ROAs) and argues it’s important to have representation from the 20% as well. Commits to availability.

Kyle M.: “Can you commit to being at the table even if bargaining runs late?”

Anna: “Yes, I can consistently show up, including late notice.”

Kyle Y.: “Hours and deliverables in your current role, and thoughts on fair compensation?”

Anna: “Part-time up to 15 hrs/week (full-time in summer); supports CA affinity programming and ROA Welcome Week work. Agrees members should be fairly compensated.”

Brad: “An online ballot will be sent tomorrow to eligible Unit 4 members who attended. The vote will be open for 72 hours, per bylaws. A scrutineer may be present for the count if candidates wish. Results will be announced after close.”

### **12. Unfinished (old) business**



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- a. Bylaw Amendments (See Appendix **B** and details on <https://cupe3906.org/about-us/by-laws/>)

Dams: “The next item is old business, our bylaw amendments. Last time this came up, we had to go back to our mandate. We now have revised language in Appendix B. Do people want me to read it out, or just take a moment to review it?”

Brad : “For ease, I can put it up on the screen.”

Emily: “Could it also be read aloud for accessibility?”

Dams: “Yes, that’s fine. The proposal is to add a new Communications Officer position with duties including: developing a communication strategy, managing newsletters, bulletins, social media, coordinating with other committees, producing promotional materials, and ensuring accessibility. It would also chair a Communications Committee, work with equity and political action committees, update the website, and so on. The article numbering would shift accordingly.”

Dams: “So that’s the text. We’ll need a motion. Kyle?”

Kyle Y: “I move the motion.”

Rishav : “I’ll second.”

Kyle M: “Point of order. There needs to be discussion before we vote.”

Dams: “You’re right. Thank you. Let’s open discussion.”

Kyle M: “I want to thank the Bylaws Committee for this work—it’s really needed. But I’m actually going to rise against it in its current form. My concern isn’t the duties; those are good. But instead of creating a new officer, I think we should rename the current VP External to be the Communications Officer, since their duties are already similar. We’ve struggled to define VP External’s role, and this would avoid adding another position, which I worry is too many cooks in the kitchen.”

Dams: “Thank you. Rand?”

Rand: “Yes, thank you. Having been on exec, I really support having a Communications Officer. It was difficult last year to figure out who was responsible for posts and messaging. I disagree with merging it into VP External. Communications and external relations are both heavy workloads—social media, graphics, and online outreach are full jobs on their own. I think it needs to be a separate position. And I think it would be unfair to the current VP External to redefine their role mid-term.”

Dams: “So just to clarify-you’re against merging?”



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Rand: "Correct. I think it should be a new, separate position."

Brad: "Just to clarify the process: bylaws are different from motions. You can't amend them on the floor. It's basically a take-it-or-leave-it vote. If members want changes, the option is to refer it back to the Bylaws Committee. They can revise it and bring it back—or not. But no changes can be made here today."

Mitchell: "Thanks. Just to confirm, if I move to refer it back to the committee, I can't speak for or against the content, right?"

Dams: "That's correct."

*Mitchell move to refer this back to the Bylaws Committee*

*Kyle seconds*

*Motion carries-The bylaw amendment is referred back to the committee for further work.*

- b. Motion to send up to four delegates for 2025 Injured Workers & Health and Safety Conference. [Kyle]

Dams: "Next item: motion to send up to four delegates to the 2025 Injured Workers and Health and Safety Conference in Ottawa. Kyle, this was your motion?"

Kyle M: "Yes. This is a really important conference, and historically our sector hasn't attended. Given the loss of our member Walter last year, I think it's especially important we be there to discuss workplace hazards. I put forward four delegates, but honestly, even sending one would be worthwhile."

Dams: "Would you like to move the motion formally?"

*Kyle M move to send up to four delegates, as written on the agenda.*

*Kusum seconds*

*Motion passess*

- c. Election of delegate(s) to attend the 2025 Injured Workers & Health and Safety Conference

*Brad chairs*

Brad : "Now we need to elect delegates. The conference runs October 20–24 in Ottawa at the Delta Hotel. The local covers registration, travel, hotel, and per diem. Delegates are expected to bring back a report to the next GMM. If four or fewer people are nominated, they're acclaimed. If more, we'll run an election."



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Brad: “First call for nominations. You can nominate yourself or someone else.”

Kusum : “I nominate myself.”

Brad: “Great, Kusum is nominated. Any others? I know our Health & Safety Officer, Mahnaz, had expressed interest.”

Kusum: “Just to note, Mahnaz already let us know she won’t be able to attend.”

Mahnaz: “Yes, that’s right, I have another conference that week, so I withdraw.”

Brad: “Thanks, Mahnaz. Third and final call—any further nominations? Going once, going twice. Nominations closed. Kusum is acclaimed as delegate. We still have three open spots; if anyone else is interested later, reach out to the Executive, who can appoint.”

*Dams takes on chair*

### **13. New business**

#### **a. 2025–2026 budget**

Dams: We’ll move on to new business. First is the 2025–2026 budget. Saba?

Saba: Thank you. As Treasurer, I’m pleased to present the proposed budget for 2025–26. This has already been reviewed and approved by the Budget Committee. The local is entering the new fiscal year in a stable financial position.

Projected income is about \$1.45 million, with projected expenses around \$1.48 million. That means a modest deficit, but it’s been reduced by more than 70% compared to last year through careful adjustments. Our reserves remain strong, so we can still meet member needs and maintain stability.

Most income continues to come from Unit 1, 2, and 3 dues, reflecting small wage adjustments. Other sources like interest and cost-sharing agreements are also included. On the expense side, efficiency improvements and reductions were made where past spending was underused, while maintaining support for member services, strike and benefit funds, and core operations. Overall, expenses are down about \$50,000 from last year.

Mitchell: Just to clarify-the left column is actual spending, right?

Saba: Yes, that’s correct.

Rand: Is our participation dues for the Hamilton District CUPE Council included?



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Saba: Yes, it's included this year at about \$2,000.

Kusum: That's good to see. Thank you.

Kyle M: For Working Group funds—have separate lines been collapsed into one column?

Saba: Yes, on this screen it looks merged for simplicity, but the budget does allocate separately for each committee.

Ori: Can members see the full breakdown of committees and working groups?

Saba: Yes, members can request details. Some adjustments were made—for example, Equity Action reduced to \$3,000 (from \$5,000), International Committee remains at \$7,500, Undergraduate Committee at \$1,000, and Indigenous Solidarity Working Group at \$15,000. Inactive groups weren't allocated funds, but they can bring requests to a GMM if needed.

Ayra: Thanks. As co-chair of ISWG, I'd like to note that we started two years ago with \$50,000, and now it's \$15,000. I'm not disputing the budget, but for transparency, can members see the Budget Committee minutes?

Saba: The budget was discussed in Budget Committee meetings, not Exec meetings. There are minutes, yes, and they can be accessed.

Dams: Just a clarification—members can access committee minutes by booking an appointment with myself and the Recording Secretary. We don't send them electronically, but they can be viewed in person or by Zoom for accessibility.

Ayra: Understood. My point is simply that transparency matters, especially when funding cuts affect key groups like Indigenous Solidarity.

Kyle M: I agree—members have a right to see minutes, since it's our dues.

Mitchell Lupa: And just to add—there's no bylaw preventing distribution of Budget Committee minutes. Only Executive Committee minutes are restricted.

Emily H-H: For accessibility, it would really help if these were online. Some of us use voice-to-text or screen readers.

Dams: We can arrange a Zoom meeting where minutes are read or displayed, so accessibility is respected.

Kyle Y: Can general members also see the underlying materials that support the budget table?

Saba: The base is financial records kept by the Treasurer. They're not confidential, and members can request details if needed.



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Kyle M: Also, I want to note that every year we've budgeted for a deficit, but in practice we've always ended with a surplus. So, no need to panic about a modest deficit.

Samuel: I just want to thank Saba and the Budget Committee for their hard work.

Kusum: I echo that—this budget balances restraint with continued support for committees.

Dams: Thank you, everyone. Saba, would you like to move the motion?

*Saba moves that CUPE 3906 accept the proposed 2025–26 budget as presented, authorize standing committees and working groups to spend funds allocated to them, and authorize delegate attendance at conventions and conferences as budgeted.*

*Kusum seconds.*

*Budget passes*

- b. Donate 1000 to OPSUE Strike Fund in support of the college workers on strike  
[Kyle]

*Kyle M move that CUPE 3906 donate \$1,000 to their strike fund.*

*Kusum seconds*

*Motion passes*

### **14. Other business**

- a. CUPE 3906 to publish a statement on our website and socials in solidarity with 2SLGBTQIA+ members

Caleb: I'd like to move that CUPE 3906 publish a statement on our website and socials in solidarity with 2SLGBTQIA+ members, opposing McMaster's partnership with SEG-M (an anti-trans hate group).  
*[Motion text pasted to chat]*

Kyle M.: Seconded.

Chair: Poll launched... *[vote held]*

Results are in: *motion carries* (≈67% in favour; a few opposed; a few abstentions).

- b. Budget Committee minutes for the 2025–26 budget

Mitchell: Motion from the floor: that Budget Committee minutes for the 2025–26 budget be shared with



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any member who requests them via email from the Treasurer.

Ayra: Seconded.

Chair: Any questions?

Ori: To confirm, this is minutes only, not line-by-line expense records?

Mitchell: Correct-minutes only.

Brad: Poll launched... *[vote held]*

Result: *motion carries* ( $\approx 63\%$  in favour; a couple opposed; one abstention).

## **15. Good of the Union**

## **16. Adjournment**

*Kusum move to adjourn.*

*Mitchell seconds*

*Meeting adjourned at 5:27 pm*

*Rishav Jaiswal*

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**Rishav Jaiswal**  
**Recording Secretary**



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McMaster University, Kenneth Taylor Hall B111, 1280 Main St W, Hamilton, ON, L8S 4M4

### **Appendix A**

**(Complete decision report attached as PDF along with this agenda/minutes)**

#### **Summary**

This section summarizes the complaint as submitted in writing or summarizes what the case is about.

During a Local General Membership Meeting (GMM) online, there was a heated verbal exchange between the Complainant and Respondent.

The Complainant alleges that the exchange was both harassing and discriminatory based on their place of origin and creed, as a member of the Jewish faith, being Israeli, and being Zionist. The Complainant alleges the verbal exchange during a Local 3906 General Membership Meeting in July of 2024 rose to the level of harassment and discrimination pursuant to F.1(m) as well as wrongful interference with the performance of duties by an officer or employee of the National Union, pursuant to the CUPE Constitution pursuant to F.1(j). He alleges the conduct left him feeling isolated from his union, caused emotional distress, increased anxiety and put him in fear for his safety.

The Respondent does not dispute the verbal exchange, or the language used. The Respondent maintains that while the exchange was heated, their words did not reference the Complainant's creed or place of origin. They regret that the exchange became disrespectful in the heat of the moment after a very tense and long General Membership Meeting. The Respondent holds no hatred towards Jewish or Israeli people.



**CUPE LOCAL 3906**

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## **Appendix B**

Proposed Bylaws Change/Addition

**\*\*new\*\*** Article 5 (L)

5(L) The COMMUNICATIONS OFFICER Shall:

- i. Develop and implement a communications strategy that ensures members are informed, engaged, and empowered.
- ii. Promote union meetings, campaigns, bargaining updates, job actions, and social events through accessible and inclusive communication.
- iii. Draft and disseminate regular newsletters, bulletins, and member updates.
- iv. Ensure timely and accurate communication between the Executive Committee and the membership, especially during bargaining periods, strikes, or mobilization.
- v. Manage the union's official social media accounts in alignment with union values and political positions.
- vi. Create engaging and educational content that promotes worker solidarity, collective action, and awareness of workers' rights.
- vii. Monitor and report on reach, engagement, and member feedback.
- viii. Design communication materials (posters, flyers, graphics, email blasts) for coordinated campaigns, organizing, mobilizing grassroots activism, political actions, and coalition events.
- ix. Assist all officers and committees in drafting promotional materials, communicating with members and developing, producing and commissioning external communications (e.g., media releases, advertisements, etc).
- x. Chair the Communications Committee.
- xi. Collaborate with other committees (e.g., Equity, Political Action) to support campaigns that center the voices of marginalized workers.
- xii. Update the union's website with accurate and current information, including bylaws, benefits, event details, and campaign updates.
- xiii. Ensure all communications meet accessibility standards (e.g., alt-text, plain language, multilingual content where applicable).

\*current article 5(L) becomes 5(M), language stays the same

All executive officers are jointly responsible for the effective operation of the Executive Committee and shall perform any additional duties deemed necessary by the Executive Committee.

and current article 5(M) becomes 5(N), language stays the same

All Executive Officers are expected to make a written or verbal report on their respective portfolios at each GMM and contribute an end-of year report to the Executive Report to be presented at the Annual General Meeting (AGM) which includes a summary of their activities over the course of the year as well as recommendations for the year to come.

## **DECISION OF THE TRIAL COMMITTEE**

|                                 |                                                            |
|---------------------------------|------------------------------------------------------------|
| Chair:                          | Blake Corkill, Local 4153                                  |
| Members of the Trial Committee: | Pauleena Pindera, Local 1065<br>Carleen Blissett, Local 79 |

| <b>Complainant</b> | <b>Respondent</b>      |
|--------------------|------------------------|
| Dr. Ori Freiman    | Miranda “Rand” Clayton |

|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Staff Advisor:                         | Laura Ross                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Date of complaint:                     | August 28, 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Dates of pre-hearing conference calls: | <p>March 31 and April 1, 2025 – The Trial Committee met with the Complainant and Respondent separately to discuss a proposed hearing process, work to find hearing dates and answer procedural questions.</p> <p>March 31 - May 26, 2025 – The Trial Committee worked with the parties to set a hearing process that accommodated their availabilities as well as those of the Committee. The Committee received accommodation requests by e-mail excluding several dates based on religious, work and personal reasons. On May 8 – Committee member Carleen Blissett was appointed to replace Sandra Bell. The re-established Committee conferred on process.</p> <p>On May 26, the Trial Committee wrote to the parties to communicate that despite the Committee’s scheduling efforts, it was not possible to start the hearing within CUPE’s revised deadline of April 19 while accepting the accommodation requests. Through pre-hearing discussions, the Complainant also asked to limit the length of in-person interactions with the Respondent, and the Respondent did not object.</p> <p>In response to challenges in availability and limits on in-person interactions, the Committee proposed a hybrid hearing taking place in June 2025 composed of written submissions and virtual oral cross-examination and closing arguments to the parties.</p> <p>This hearing mode would prevent further delays in starting the hearing while offering the parties an opportunity to be heard fairly.</p> |

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   | <p>May 7, 2025 – Both parties accepted the hybrid hearing mode by e-mail, stating that it would accommodate their desire for hearing expediency and/or limit the ongoing contact between the parties.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Dates of hearing: | <p>May 26, 2025 – In advance of the hearing, the Trial Committee delivered, by e-mail, a 14-day Notice of Hearing and updated hearing procedure.</p> <p>June 9, 2025 – Complainant submitted written submissions with the Trial Committee, and these were submitted to the Respondent on June 16, 2025.</p> <p>June 17, 2025 – The Trial Committee issued an update to the parties regarding hearing process. The Committee communicated that it noticed on June 13 that the Respondent had not received the Complainant's submissions on June 9, as requested in the May 26 hearing procedure.</p> <p>To ensure the Respondent received equitable time to participate in written submissions, the Committee extended the time to participate by asking them to submit to the Committee and Complainant by June 23 at noon.</p> <p>Parties were also asked to identify witnesses to each other and the Committee by June 23 at noon.</p> <p>The parties and Committee would maintain the June 24 oral hearing date for optional cross examination, questions from the Committee and closing statements.</p> <p>The Committee communicated that the updated dates leading to June 24 were proposed in consideration of the difficulty in finding a time to offer a virtual optional cross examination and closing statements and the difficulty in cancelling union book off time at work.</p> <p>June 23, 2025 – Respondent submitted written submissions and witness statements to the Trial Committee and Complainant. The parties declined cross-examination.</p> <p>June 24, 2025 – Parties participated in an oral hearing, with the option of cross-examinations and closing submissions available to them. The parties, again, declined cross-examination.</p> <p>The Trial Committee asked clarification questions of the parties based on their submissions.</p> |

## **Summary**

This section summarizes the complaint as submitted in writing or summarizes what the case is about.

During a Local General Membership Meeting (GMM) online, there was a heated verbal exchange between the Complainant and Respondent.

The Complainant alleges that the exchange was both harassing and discriminatory based on their place of origin and creed, as a member of the Jewish faith, being Israeli, and being Zionist. The Complainant alleges the verbal exchange during a Local 3906 General Membership Meeting in July of 2024 rose to the level of harassment and discrimination pursuant to F.1(m) as well as wrongful interference with the performance of duties by an officer or employee of the National Union, pursuant to the CUPE Constitution pursuant to F.1(j). He alleges the conduct left him feeling isolated from his union, caused emotional distress, increased anxiety and put him in fear for his safety.

The Respondent does not dispute the verbal exchange, or the language used. The Respondent maintains that while the exchange was heated, their words did not reference the Complainant's creed or place of origin. They regret that the exchange became disrespectful in the heat of the moment after a very tense and long General Membership Meeting. The Respondent holds no hatred towards Jewish or Israeli people.

## **Facts**

*In this section, the Trial Committee summarizes the evidence submitted by the parties through their written and oral submissions, witness statements and/or documents.*

Ori Freiman (hereinafter "the Complainant"), is a member in good standing of CUPE Local 3906 and employee at McMaster University. The Complainant identified himself as a union steward during the meeting in which the alleged conduct occurred. Meeting minutes provided by the Complainant establish that the Complainant made interventions in his personal capacity.

Rand Clayton (hereinafter "the Respondent") identified themselves as a member in good standing of CUPE Local 3906. They did not hold any executive position with CUPE 3906 at the time of the incident.

CUPE Local 3906 held a virtual General Membership Meeting (GMM) on July 15th, 2024.

The Respondent and Complainant shared in oral evidence at the hearing that they were not familiar with each other at the time of the membership meeting. They did meet each other during a pro-Palestinian encampment at McMaster University but it wasn't until after the meeting was concluded that they realized they had met previously. There was a disagreement and exchange of words during the meeting at the encampment but neither party indicated that it was offensive in any way at the time.

The Complainant shared that he had previous and ongoing disagreements with Local 3906 about his belief that the Local was engaging in antisemitism and harassment towards Jewish members based on their decision to support Palestinians.

The Complainant shared that he attempted to introduce motions at the meeting that were ruled out of order, failed to be seconded, failed to pass. The Complainant further shared that he found the negative reception to these motions at the GMM, coupled with previous negative interactions with Local 3906 dating back to October 2023 due to their support for the pro-Palestinian encampment at McMaster University (which prompted some of his 2024 motions), to be very frustrating and harmful. There were multiple times during the online July 15 meeting where the Complainant voiced his opposition to Local 3906's spending on and support of Palestinians.

The Trial Committee heard evidence from both the Complainant and Respondent that at the end of the meeting the GMM's Chairperson lost control of the meeting when a verbal exchange occurred between the Complainant and Respondent in which:

The Respondent interrupted the Complainant's intervention and told the Complainant to, "shut up."

The Complainant responded with, "Speak with respect please."

The Respondent stated, "Ori, this has nothing do with anything."

The Complainant followed up with, "This is how we speak here to members of CUPE?"

The Respondent stated, "You are not my comrade with the opinions you fucking expressed here."

The Complainant responded with, "This is exactly the perpetuation of hate and harassment and intolerance for others."

At that point, microphones for participants on the virtual GMM were muted and the meeting was adjourned.

After the meeting, the Complainant shared with the Committee, that he reached out to the Local leadership between July 15th and July 25th, 2024, and was not satisfied with their responses to his allegations of harassment and discrimination during the meeting. The Complainant submitted that due to the Local's lack of attention to the matter and the Respondent's lack of offer of an apology, he felt the need to escalate this matter formally and follow the CUPE Trial Procedure.

In response, the Respondent shared that they only learned about such a request for apology or communications with the Local after reading the Complainant's submission. The Respondent stated that during the entire process they were supportive of mediation attempts.

## **Submissions of the parties**

*In this section, the Trial Committee briefly summarizes each party's arguments (received in writing and orally) in favour and against upholding the complaint.*

The Complainant submitted his version of the events that transpired during the membership meeting of Local 3906 on July 15th, 2024. This included background on how he was left feeling afterwards and went back to describe his feelings of isolation and frustration with his Local after the events of October 2023. The Complainant detailed his feelings, which included feeling isolated after the GMM and that impacted his personal and professional life in negative ways. He alleged that these events constituted an offence per in Article F.1(m) as it was targeted to him while he was speaking about the harm he experienced relating to his creed, place of origin, and the associated views he held. The Complainant articulated he felt the Respondent's conduct was intrinsically linked to the aspects of his identity and constitution antisemitic harassment and discrimination. The Complainant did not make submissions regarding F.1(j) during the hearing process.

The Respondent provided their own account of the July 15th interaction during the membership meeting and provided personal statements from members of Local 3906 who attended the meeting in support of them and some negative interactions they had personally with the Complainant before and during the membership meeting. The Respondent accepted that that they told the Complainant to "shut up" and expressed that he was "not their comrade" because of their difference in opinion regarding the state of Israel's actions towards Palestinians. The Respondent explained that the way they acted at the GMM was a one-time slip-up in their composure brought on by frustration with the Complainant because of his actions towards them and others in the Local related to their support of Palestinians. Among other things, they were frustrated by the insulation by the Complainant earlier in the meeting that the Local participated in terrorism by supporting a peaceful encampment protest supporting Palestinians.

## **Decision**

*The Trial Committee states if the respondent is found guilty of an offence or not, and which offence.*

In the original letter of complaint to CUPE National the Complainant alleges the following:

- Article F.1(j): Wrongfully interferes with the performance of duties by any officer or employee of the National Union.
- Article F.1(m): Acts in a way that is harassment or discrimination on the basis of sex, sexual orientation, gender identity, gender expression, language, age, race, ethnicity, ancestry, colour, place of origin, creed, disability, family status, marital status or record of offences.

It is the decision of this Trial Committee that the allegations of a breach of F.1(j) have not been substantiated.

It is the decision of this Trial Committee that the allegations of a breach of F.1(m) have met the threshold for harassment but not for discrimination.

## **Reasons**

*In this section, the Trial Committee gives its reasons for upholding or dismissing the complaint.*

In this matter, the Trial Committee considered the following in arriving at their decisions.

As it relates to F.1(j) - neither the Complainant or Respondent were an officer or employee of the National Union at the time the events in question occurred. The Complainant failed to lead any evidence suggesting they were acting in an official local capacity during the July 15th GMM. Rather, the meeting Minutes submitted by the Complainant show that his representations made on issues during the GMM were made in a personal capacity.

As it relates to F.1(m) - we find the Respondent knew or ought to have known that their statements interrupting the Complainant were unwelcome and disrespectful. We find the statements met the threshold of harassment but not of discrimination.

In arriving at our findings, we have considered and accepted the following as submitted by the parties:

- The Respondent and Complainant were not familiar with each other at the time of the membership meeting. They did meet each other during the pro-Palestinian encampment at McMaster University but it wasn't until after the General Membership meeting was concluded that they realized they had met previously.
- The Complainant had previous and ongoing disagreements with Local 3906 about his belief that the Local was engaging in antisemitism and harassment towards Jewish members based on their decision to support Palestinians.
- The Respondent acknowledged that the July 15th verbal exchange between them and the Complainant took place.
- The Respondent acknowledged that their interruptions of the Complainant, telling them to "shut up" and "You are not my comrade with the opinions you fucking expressed here today" were a one-time slip-up in their composure.
- This exchange between the Complainant and Respondent was a one-time event. Neither party suggested or acknowledged that any further verbal or physical interactions happened between them.

As defined in section 4.2 of the CUPE Trial Procedure Handbook, discrimination is an action, attitude, stereotype or decision that treats a person or group negatively for personal characteristics such as race, ethnicity, gender, sexual orientation, disability or age. Discrimination can take place without an intent to do harm. The Complainant alleges the Respondent's conduct was discriminatory on the basis of their creed and place of origin. Creed refers to one's religion or faith and place of origin refers to the place a person resided in before living in Canada.

Pursuant to section 4.2 of CUPE Trial Procedure Handbook, to establish discrimination, it must be established that:

- (1) the complainant had one or more characteristics protect by the Constitution,
- (2) the complainant was treated negatively or disadvantaged in the course of union-related activities, not the workplace
- (3) the protected characteristic played a role in the negative treatment or disadvantage.

The Complainant has identified, and this Committee accepts, his explanation of characteristics protected by the Constitution as being their creed as a member of the Jewish faith and their place of origin as being from Israel. The Complainant has asserted he was treated negatively by the Respondent's conduct during the General Member's Meeting. However, at no time during the exchange was there any language used by the Respondent that would directly or indirectly infer that there was animosity towards the Complainant about their creed or place of origin. As a result, the Trial Committee was unable to find that the Complainant's creed or place of origin played a role in the statements made by the Respondent.

Rather, the Trial Committee accepts the Respondent's submission that they were frustrated by the insinuation by the Complainant earlier in the meeting that the Local participated in terrorism by supporting a peaceful encampment protest. The Committee also accepts the Respondent's submission that the comments were made due to a difference in opinion regarding the state of Israel's actions towards Palestinians. The Trial Committee accepts that the content of the facts provided show that the Respondent's comments were based on political differences rather than prohibited characteristics.

Therefore, the conduct did not constitute an offence of discrimination under F.1(m) of the Constitution as not all the factors are demonstrated.

As defined by section 4.2 of the CUPE Trial Procedure Handbook, harassment is repeated objectionable behaviour which may include actions, language, gestures and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. What matters is the effect of the behaviour on the target, not the intent of the harasser. A single serious incidence of such behaviour may constitute harassment if it has a lasting harmful effect on the target.

Pursuant to section 4.2 of CUPE Trial Procedure Handbook, to establish harassment, the following criteria must be demonstrated:

- (1) a member behaved in an offensive way towards the complainant,
- (2) the behaviour arose in the course of union-related activities, not the workplace
- (3) a reasonable person would consider the behaviour to be unwelcome, and
- (4) the behaviour was repeated over a period of time or, if a single incident occurred, the incident had a severe impact on the target.

The Complainant has asserted, and this Committee accepts, that the Complainant found the comments made by the Respondent on July 15, 2024 to be offensive. This conduct occurred during the course of union-related activities as it during a General Membership Meeting. It is the firm belief of the Trial Committee that the Respondent knew or ought to have known that their statements were unwelcome as the Complainant immediately objected to the statements, questioning their place in a union meeting. As a single incident, the Trial Committee accepts that the Respondent's conduct at the GMM impacted the Complainant in a manner that was publicly isolating, silencing, and alienating. The comments created an environment during the meeting that was unruly and stifled the ability of the Complainant to participate.

Therefore, the conduct constituted an offence of harassment under F.1(m) of the Constitution.

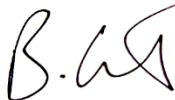
### **Remedy**

*In this section, the Trial Committee states what penalty or remedy is imposed.*

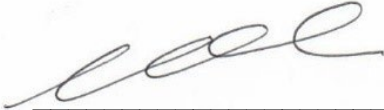
As remedy, the Trial Committee orders the Respondent to follow CUPE Union Education's workshop on Parliamentary Procedure within the next 6 months of this decision with the goal of improving their awareness of respectful conduct at membership meetings.

CUPE's Parliamentary Procedure is a short online or in-person workshop that provides education on proper meeting and chairing, principles of rules of order, proper use of rules, using CUPE's parliamentary procedures resources, and dealing with difficult situations. There is space for the Respondent to attend a Parliamentary Procedure workshop in September 2025 at the workshop held in Hamilton, Ontario.

Date: August 13, 2025



Chair: Blake Corkill, Local 4153



Pauleena Pindera, Local 1065



Carleen Blissett, Local 79

:njp/cope491