



## **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 Agenda**

**Date: September 16**

**Time: 3:00 pm**

#### **Executive Committee**

President:	Oluwadamilola Babatunde (she/her)
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. Bitra Pourbahari (she/her) s(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**
4. **Reading & Approval of Previous Minutes**
5. **Matters Arising from Previous Minutes**
6. **Secretary-Treasurer's Report (Saba)**
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 Bita Pourbahari, Mazen**)
  - b. Labour-Management Committee (LMC)
  - c. Committee Updates - *if applicable*
    - i. Bylaws **Committee (Chaired by: Korede)**
    - ii. Equity Action Committee (**Chaired by: Korede**)
    - iii. International Committee (**Chaired by: Samuel Ikueze**)
    - iv. Communications Committee (**Chair Vacant**)
    - v. Women and Gender Rights Committee (**Chaired by: Kusum**)
    - vi. Indigenous Solidarity Working Group (ISWG) (**Chaired by: Emily Howse-Hackl**)
    - 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**)
    - xi. Unit 4 Bargaining Committee
    - xii. Hamilton & District Labour Council (HDLC)
    - xiii. Ontario University Workers Coordinating Committee (OUWCC) (**Campus Rep: Kyle**)
    - xiv. CUPE Council

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



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

- a. Elect a U4 alternate bargaining member [Brad]

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

- a. Bylaw Amendments (See Appendix **B** and details on <https://cupe3906.org/about-us/by-laws/>)
- b. Motion to send up to four delegates for 2025 Injured Workers & Health and Safety Conference. [Kyle]
- c. Election of delegate(s) to attend the 2025 Injured Workers & Health and Safety Conference

### **13. New business**

- a. 2025–2026 budget
- b. Donate 1000 to OPSUE Strike Fund in support of the college workers on strike [Kyle]

### **14. Other business**

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

### **16. Adjournment**



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### **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.



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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 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.

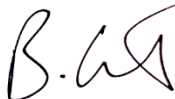
### **Remedy**

*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