

# Board Meeting Package

Association of Part-Time Undergraduate Students

April 20, 2015 | 6:00 pm

APUS North Borden Office

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## Meeting Package – Joint Board Meeting

Dear Directors of the Board,

The following package includes all the relevant documents in anticipation of the APUS Joint Board of Directors' Meeting to be held on April 20, 2015 at 6:00 PM in the APUS Board Room, at the North Borden Building.

*Please note that the 2014-2015 directors' portion of the meeting will begin at 6:00 pm, and the 2015-2016 directors' portion will begin at 6:30 pm.*

Included in this package:

- I. Agenda
- II. Minutes Package

Please feel free to forward any question or concerns via email to me at [president.apus@gmail.com](mailto:president.apus@gmail.com).

Sincerely,

Kriya Siewrattan  
President  
Association of Part-Time Undergraduate Students

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## **I. AGENDA - 2014-2015 BOARD OF DIRECTORS' MEETING #10**

### **1. Call to order**

### **2. Approval of Minutes**

MOTION

Moved: Siewrattan

Seconded: Ebifegha

Be it resolved that the April 17, 2015 Board of Directors' Meeting Minutes be approved as presented.

### **3. APUS Membership Survey**

### **4. Feedback on APUS Executive Honoraria Structure**

### **5. Adjournment**

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## **II. AGENDA - 2015-2016 BOARD OF DIRECTORS' MEETING #1**

- 1. Call to order**
- 2. Election of APUS Officers**
- 3. Adjournment**

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## Board of Directors Meeting Minutes - April 17, 2015

In attendance: Margaret Ebifegha, Corey Scott, Maina Rambali, Bryan Murray, Susan Murray, Mala Kashyap, Richie Pyne, Susan Froom, Kriya Siewrattan, Asad Jamal, Ericka Delgado Flores  
UTMSU Designate: Amir Moazzami  
Chair: Ashkon Hashemi  
Staff: Danielle  
Guests: Riley McCullough, Chris McNab

### 1. CALL TO ORDER

The meeting was called to order at 5:55 pm.

### 2. APPROVAL OF THE AGENDA

MOTION            Moved: Siewrattan            Seconded: Jamal

*Be it resolved that the Agenda for the April 17, 2015 Board of Directors' meeting #9 be approved as presented.*

#### DISCUSSION

##### **Motion to amend**

Moved Froom    Seconded: S. Murray

Froom asks if we can amend the agenda to put removal of directors ahead of the rest of the agenda.

Scott asks if either director is planning to attend the meeting

Sandhu states Delgado Flores has indicated she will attend.

Froom withdraws.

##### **Main motion**

*Vote carries.*

### 3. APPROVAL OF THE MINUTES

MOTION            Moved: Ebifegha            Seconded: S. Murray

*Be it resolved that the Minutes Package be approved as presented.*

- a. Board of Directors' Meeting – April 29, 2014
- b. Board of Directors' Meeting – February 24, 2015

#### DISCUSSION

Kashyap states that in the minutes it says she had noted there was a dynamic at the last meeting amongst people in the room to which she was not privy. She states that she

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wants to ensure that everyone is free to go for whichever positions they want when it comes to elections.

*Vote carries.*

## **4. EXECUTIVE UPDATE**

### DISCUSSION

Siewrattan states that there was an executive update given on April 6, 2015 and there is not too much to report since that time. She states that we are working to expand on the mental wellness campaign by doing exam destressors. She states that we are partnering with SCSU, UTSU, and UTMSU in the coming week and welcomes board members to assist with the late-night exam de-stress sessions. She states that she is working on a mental health survey to take into account stressors such as the cost of education. She states that this might not be ready before May 1 but will come out soon. She states that she met with BikeChain to discuss the possibilities of making BikeChain and APUS levy group. She states that there are no plans to move forward at this time, but we are looking into what may be possible. She states that discussions included consideration for outreach, workshops, and initiatives at all three campuses.

S. Murray states that we are also hosting an exam destressor event of our own on April 22 at Robarts. She states we are looking to hand out fruit and snacks. She further states we will be hosting a masseuse in the Sid Smith office. She encourages board members to assist with the event.

Froom states that new board members will get an email inviting them to attend CFS Skills. She states that in terms of the upcoming CFS national meeting, APUS will be serving two motions, one on non-citizen students being able to sit on Governing Council and another on student union autonomy. She states if anyone else has ideas that they can be shared and put forward.

## **5. MANAGEMENT UPDATE**

### DISCUSSION

Sandhu states that an outstanding report-back to the Board, since the Board appointed her Executive Director in 2013, was that her employment contract was successfully renegotiated. She states that APUS has also hired Hadia Khan, who folks met at the last Assembly meeting as Campaigns and Outreach Coordinator, who has been a big support to the Executive Committee. She further states we are currently still in the midst of Collective Bargaining with our unionized staff, and hopes to be able to report-back to the incoming board on the close of negotiations and the final agreement reached. She states that she has an update on the Toronto School of Theology referendum. She states that in having met with representatives from the Advanced Degree Student Association, it became clear that there was a great deal of complexity to the membership and more research would need to be done. She states that therefore there will not be a referendum at this time and the earliest one could take place is October.

Moazzami asks if this was a referendum to join.

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Sandhu confirms yes.

Rambali states that bylaws say the Board approves all contracts. She asks if this means all contracts come forward to the Board.

Sandhu states that the Board appointed her, and members of the Executive Committee negotiated her contract. She states that it is not the case that all contracts will come forward to the Board.

From states that she and Sandhu are currently in the middle of negotiating a contract with our bargaining unit members. She states that the Executive has established a bargaining team that is negotiating with CUPE for a new contract with the unionized staff. She states that we have one non-unionized staff person who is the Executive Director who was originally appointed as Interim Executive Coordinator and then appointed as Executive Director.

Hashemi states that employment contracts, collective agreements, etc. are different types of agreements. He states that folks should not conflate employment contracts with other contractual agreements such as building leases.

From states that in terms of the Collective agreement, the responsibility was designated to the Bargaining Committee for the Employer, which has been herself and Sandhu.

B. Murray asks when we hire the ED or other staff, if the Board has any part to play in that process.

Hashemi states that the Board can determine the position, in addition to the Executive Committee. He states that a hiring committee is struck, and those folks deal with the hiring process. He states that further to that, the unionized staff have a collective agreement, which designates the process and representatives to participate in that process. He states any changes to staffing would need to take place in bargaining.

B. Murray asks if once hiring process is done and a name comes to the board, if the board can reject a recommendation or could send back the recommendation for another name for example.

Hashemi states that for the most part, that's not the case. He states that hiring committees have designated representatives from the board who are given authority for that hiring. He states that at the point the name comes forward, it is usual for there to have been a final hiring and the Board would be in a difficult situation if the job had already been offered and accepted. He states for positions that are unionized, this would absolutely not be the case.

From states that Board members can review the terms of agreement. She states that the Collective Agreement is available on the Ministry of Labour website.

Sandhu states that current Collective Agreement can be shared and reviewed, and a copy was provided to Board members at the Board retreat. She states that she was referring to new terms of the Collective Agreement, which has not yet been accepted and therefore it would not be prudent to share prematurely. She states that there may be

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changes in the structure of the staff complement and if so, she will report in full to the Board at a later date.

Rambali states that Board members can take on the responsibility of Directors.

## **6. HEALTH AND DENTAL FEES**

MOTION

Moved: Siewrattan

Seconded: Froom

*Whereas the current APUS health plan fee is \$44.83; and  
Whereas the current APUS dental plan fee is \$37.40; and  
Whereas the APUS health and dental plans' renewal requires a fee increase of each by 10%; therefore*

Be it resolved that the APUS Health plan fee be increased to \$49.31.

Be it further resolved that the APUS dental plan fee be increased to \$41.14.

## DISCUSSION

Siewrattan states due to an increase in claims and usage, we will need to increase our membership premium. She states that this is a good thing because it shows that our members are using the plan.

Sandhu states that our health and dental plans' renewal came up high. She states that this is due to an increase in claims from members who are using the plan, which is likely the result of increased communication to members. She states that to place it into context, there was a 10% increase last year, but prior to that we had two years of no increases to the plan. She states that moving forward, we have restructured the administration of our health and dental plans such that we will no longer have a separate broker and insurance provider. She states that both types of services will be provided by Green Shield Canada, our current insurance provider.

Rambali states that it would be good to see the data.

Froom states that she has not seen the data, but we added a new benefit last year, which may account for the change.

Kashyap asks for the frequency of the payments.

Sandhu states that the claims have gone up and the administrative reserve of \$100,000 that we use to operate the plan has been effectively depleted. She states that is the purpose of the reserve, in terms of buffering for spikes in claims. She states this will replenish the reserve.

Moazzami asks for survey results and supporting documentation.

Sandhu states that she can email the membership survey results to the board. She states Board members can meet with her to see the data. She states in terms of the membership survey, students want more dental coverage and to reduce the blackout period in the fall when the administration is finalizing membership lists due to academic status.

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B. Murray asks what the administrative reserve is.

Sandhu states that there is a difference between the amount of funds collected from students in the form of health and dental fees, and the premiums remitted to the health insurance provider. She states this difference of funds, is the administrative reserve, which is kept as a buffer to accommodate for any year-to-year increases in claims. She states that this buffer is used to absorb smaller spikes in claims and in this case, the spike was high enough that it effectively depletes the reserve.

Froom states that in terms of increasing dental coverage, we should promote the discount network. She states she would not want to increase the co-pay.

Scott states he is in favour of the motion. He states that we see businesses capitalizing on student plans such as College Street Dental. He states that previously at another students' union, they had a high renewal and spike in plan use as a result of students using College Street Dental.

Rambali states that she would not go with more dental coverage, but increase the coverage of individual services.

Moazzami states that he understands the discussion but without seeing documents he does not think Board members should vote in favour or against the motion.

Murray states she is not in favour of the 10% increase but in favour of 8% increases.

Sandhu states that the supporting information is confidential to a certain extent, in terms of the nature of claims that are being made by individual members. She states that she and Lee, the Health Plan Administrator, are the only two individuals at APUS entrusted with this confidential information. She states that at best, only an aggregate of the total number of claims made, or categories of services where the most claims were made, could be shared. She states that however, this information does not change the fact that the renewal came up high, and that in order for APUS to continue to provide the same quality of health and dental plans to our members, this fee increase is absolutely required. She states that she would be concerned if this fee increase is voted down, because this could compromise a significant service to the thousands of students that rely on it.

Kashyap states that she would like to know what she can tell students if asked about the rationale for the fee increase.

Siewrattan states that it would be good to know when the fee request is due because she is aware that the deadline is fast approaching. She further states that the fee increase is supposed to be higher if possible and 10% is the maximum allowed.

Sandhu states that the fee increase is slated to be approved at the University Affairs Board meeting on April 28, 2015. She states that the fee documentation will move forward today pending the result of this vote. Sandhu states that Siewrattan is correct in stating that the renewal was above the 10% level, but that this is the maximum allowable increase under inflation as per the referendum conducted by the APUS membership.



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Scott states he encourages folks to support the fee increase because this will support students who use the plan.

Ebifegha states that the cost is 10 percent and when looked as a percentage is high, but absolutely it's a relatively small cost.

*Vote carries.*

## 6. HONORARIUM

MOTION

Moved: Froom

Seconded: Ebifegha

Be it resolved that Asad Jamal receive an honorarium of \$1000.00.

## DISCUSSION

Froom states that as folks are aware Jamal was away for medical leave and Scott was appointed VP Internal from November to February. She states the Executive Committee has reviewed the issue and is making a recommendation.

Scott states that the Board discussed this at a previous meeting, and he appreciates that the Executive Committee has done this work and supports the recommendation.

Sandhu states that the Board previously tasked the Executive Committee with reviewing the honorarium for Jamal. She states that the Executive Committee met to discuss the honorarium, allowed Jamal the opportunity to speak, asked him some questions, and then discussed the matter after he left the room. She states that this is the recommendation coming out of the discussion.

Moazzami asks what period of time this covers.

Sandhu states this was not just a logistical discussion, in terms of which months Jamal was away, and when there was or was not another VP Internal in place, but a merit-based discussion based on Jamal's contributions and the time he put in.

Froom reiterates Sandhu's point and states that two variables were considered and happily these two considerations yielded a similar result, which forms the recommendation.

*Vote carries.*

B. Murray asks if it is always the Executive Committee that would review something like this, or whether it could be a hiring committee.

Hashemi states that the Board could have established a different set of terms of reference for this issue.

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B. Murray states that he feels that often a lot of work seems to be taken up by the Executive alone. He states that he wonders if there could be more done to make the entire board more participatory in the governance of APUS.

## 7. REMOVAL OF UTSC DIRECTOR

MOTION Moved: Froom Seconded: S. Murray

Be it resolved that Constanza Farias be removed as per 6.08 of the Bylaws.

### DISCUSSION

Froom states that as per bylaw 6.08 any director may be removed from their position on the board. She states that it is the opinion of the Executive Committee that Farias can be removed as per that bylaw.

Rambali asks if there is only one meeting left in the session why is this being brought up now.

Froom states that this will affect quorum for the next meeting.

Rambali asks if this about convenience or policy.

Hashemi states that quorum is not a convenience item. He states that if someone who is not participating, is counted towards quorum, this artificially inflates quorum upward. He states that it is good for quorum to reflect the actual number of people active on the Board.

### Motion to go in camera

Moved: Froom Seconded: Siewrattan

The meeting went into camera at 7:02 pm.

### Motion to go out of camera

Moved: Froom Seconded: Murray

The meeting went out of camera at 7:25 pm.

### Main motion

*Vote carries.*

## 8. REMOVAL OF WDW DIRECTOR

MOTION Moved: Froom Seconded: S. Murray

Be it resolved that Ericka Delgado Flores be removed as per 6.08 of the By-laws.

### DISCUSSION

Froom states that this pertains to not having attended meetings of the Board. She states that if we go by our board minutes, that the Woodsworth director in question has not

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attended any board meetings, aside from one board social, and thus it would be prudent to remove them from the board.

B. Murray asks if the Executive Committee meets with Board members in between meetings or catch them up on what they missed.

Delgado Flores states that she is part-time, on OSAP, and is the mother of three. She states that she has had some health challenges, a near-death experience with one of her daughters, and that it happens to be the case that each time there was a Board meeting, she has been unable to attend. She states that she cares a lot for APUS and the opportunity to be involved.

Siewrattan states that she has been communicating with Delgado Flores in between meetings to keep her informed. She states that she has three children under 10, and this can make it challenging to attend meetings which are set at certain times. She states another board member has also missed three meetings and has not been removed. She states that simply not attending meetings is not enough and it is about your involvement in between meetings, and in general.

Scott states he is against the motion. He states that Delgado Flores has been a big advocate for TYP in the past, and looking at the past work she has done, she is committed to social justice work. He states that the bylaws say we may do this, not that we are required to remove her.

Moazzami states that he agrees that it's not just the responsibilities to attend, but also to participate, and also to be compassionate with each other. He states that it was honorable for Delgado Flores to come and attend and to speak to why she has been away.

Rambali states that as board members we all have some responsibilities. She states that it should be incumbent upon us if we are unable to perform those responsibilities we should resign.

Ebifegha states that she agrees with what has been said by others. She asks if there is a way to change what is there which is concretely written in terms of the conditions and the requirement to remove a director?

Hashemi reviews the bylaw 6.08 and states that the Board may choose to remove a director, and is not required by what is written to remove her.

Ebifegha states that it would seem then that the Board is not bound to remove her.

B. Murray states that it would be good to keep the Board informed if there was additional information received. He states he's not sure why this motion was brought forward.

Kashyap questions the timing of this motion. She states that the roles of Executive and Board members should not intervene in being able to provide support to a Board member if they fall off the ship, and team support can assist that Board member.

## **Motion to amend**

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Moved: Froom

Froom states she would like to add a clause to thank Delgado Flores for her contributions to the APUS Board.

Chair states that this is out of order.

## **Motion to appeal ruling of chair**

Moved: Froom

Hashemi provides an overview of the appeal process. He further outlines how the amendment exceeds the scope of the main motion and does not pass the test for germaneness to the motion. He states that the motion requires notice as it is a removal motion. He further states that the amendment is also a stand-alone clause, meaning the motion can separately be served. He states that as an example, if there is a motion to purchase a table, and there is an amendment to add in the purchase of a chair, that would constitute a separate motion because it is not germane to buying a table. He further states that if there was interest in having an oak table then that would be an amendment that would be germane.

Froom states that she believes that her motion is within the spirit and letter of the bylaws. She states that this motion requires a  $\frac{2}{3}$  majority and that is the same threshold required for voting on a motion served without notice.

## DISCUSSION

Kashyap asks for a summary of the points being made by Froom.

Hashemi states that the threshold of introducing a new motion on the agenda requires  $\frac{2}{3}$  vote, and the removal of a director also requires a  $\frac{2}{3}$  vote.

Kashyap asks what the significance of that is.

Scott states that he is speaking in favour of upholding the ruling of the chair. He states that this really just softens the motion and that is a disservice to the motion.

Siewrattan states she is speaking in favour of upholding the ruling of the chair, because the amendment does nothing beyond the intention of the original motion.

Pyne states that he would like to speak in favour of the ruling of the chair for what Siewrattan and Scott have said.

B. Murray states that he is in favour of the ruling of the chair.

Hashemi states that while it is a creative idea to equate the two thresholds for voting, it's a majority approval for an amendment and a  $\frac{2}{3}$  for removal. He states nonetheless the amendment is beyond the scope and fails the test for germaneness.

*Vote carries.*

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## Main motion

Scott states that we are now at the end of the year, and we didn't remove others from the Board when they failed to attend three meetings. He states that this is a slap in the face to members to implement this now, who have contributed to social justice student activism, and who are here today to speak to their challenges. He encourages board members to vote this down.

Rambali states that she understands that this Board member has not attended a single meeting, just a social event. She states that the Board member should have elevated themselves above the circumstances they were facing.

Froom states that she is aware that there are other ways for Board members to contribute, but attending and participating in board meetings is one of those ways. She states that this motion speaks solely to the fact that this member could not attend meetings, and has nothing to do with the fact that this member has not contributed anything to APUS.

Siewrattan states that we should not be thinking about the  $\frac{2}{3}$  vote for Monday's meeting to approve the meeting agenda when making a decision on this motion. She states that it is difficult to get part-time students involved. She states that it does not make sense to cut ties with an active member who is involved because it is difficult to get students involved generally.

Kashyap states that she is not in favour of this motion and the timing of this is not encouraging her to vote in favour.

Sandhu states that Delgado Flores did attempt to attend a previous board meeting in the fall, and was only able to reach in time for the social that followed that meeting, and is also in attendance for today's meeting. She states that a  $\frac{2}{3}$  voting majority and quorum are two different concepts. She states that it would be good practice to give a warning to members of the Board as they approach missing three consecutive meetings, to inform them they may face a motion for removal.

S. Murray states that we are trying to do what's best for APUS, and there is no offense towards the director in question, but we have not seen this director at APUS meetings or events. She states that everyone has health challenges, including executive members who have not missed board meetings or weekly meetings.

Pyne states that he thinks the bylaws say that we may elect to remove the director, that we have had ample discussion and that we should move forward.

Ebifegha states that this seems to be motivated by Monday's meeting. She states that in the interest of APUS bylaws, we should move forward.

Kashyap states that she does not want to be motivated by next week's meeting. She states that she wants to know if APUS as an organization has done its due diligence with regards to this matter.

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Hashemi states that Kashyap will need to determine the answer to this based on the discussion in the room.

Siewrattan states that we should not be concerned about quorum given we have never failed to reach quorum. She states Jamal missed three meetings and we did not remove him. She states bylaws state we may remove, but are not required to remove.

B. Murray states that he supports what has been said. He states he would encourage due diligence and communication.

Moazzami states that we should consider the motion at hand and not what is happening at the next meeting.

Rambali states that the Board has experienced a loss.

Delgado Flores states that she finds it insulting that it is being asserted that she did not try to elevate herself above her circumstances. She states that she chose not to disclose details about her circumstances, in particular the health challenges she has faced, because she does not wish to share them as they are personal, but she does find it insulting that it is being suggested she did not try to overcome them.

*Vote fails.*

## **9. SUPPORT FOR RAMSEY ORTA**

MOTION

Moved: B.Murray

Seconded: Siewrattan

*Whereas Eric Garner was killed by NYPD officer Daniel Pantaleo as a result of being placed in a chokehold during arrest on July 17, 2014; and*

*Whereas Ramsey Orta caught the violent and unjustified death of Eric Garner on film; and*

*Whereas Orta and his family have since been targeted by the NYPD; and*

*Whereas Orta was separately arrested and bail was set at \$100,000; and*

*Whereas such targeting is designed to discourage others from coming forward to reveal other acts of state and anti-black violence; and*

*Whereas Orta's family began a community fundraising effort to support Orta's bail amount and legal fees; therefore*

Be it resolved that APUS support Ramsey Orta with a financial contribution of \$250.00 for legal and other fees.

## DISCUSSION

B. Murray states that Orta filmed the arrest and death of Eric Garner. He states that he may have been arrested but now his whole family has been targeted by the police and at this point they have gone into relocation. He states that there was a crowdfunding platform created which was to support Orta's bail money. He states that since this motion was served, he has learned that Orta is currently out on bail but still requires funds for legal costs. He states that we should support this and show our support for courageous individuals, and hopefully this will encourage others to be similarly courageous in similar

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circumstances. He also states that it would be good to send a letter to the Staten Island police.

Siewrattan states that it's important to support this and oppose anti-black violence. She states that being neutral is consenting to the voice of power. She states it would be good to send a letter. She states that this motion could also be served to CFS.

Scott states that this motion will serve to support anti-black racism activism. He states this also speaks to a surveillance culture, seen in G20 also. He states that this surveillance applies to activists and lower-income communities, and less white collar crime.

Froom states that it would be good to support this motion and to help alleviate the legal and other burdens faced by Orta.

Kashyap states that it would be good to consider creating a fund, which could go to support other circumstances similar to this one. She states that she is wondering if there is a cap on such funds.

Hashemi states that most organizations have a line item for donations and folks could consider that.

Kashyap asks when this could be considered.

Sandhu states that APUS will develop a summer budget for August, so it could be raised in the early part of summer.

*Vote carries.*

## **10. ADJOURNMENT**

Moved: Scott

Seconded: Siewrattan

The meeting adjourned at 8:30 pm.