

Fulcrum Publishing Society Board of Directors Agenda

Sunday, February 21st, 2010 at 6:00 pm

Location: Fulcrum Boardroom, 631 King Edward

1. Opening of the Meeting

- a. Meeting called to order: 6:10 pm
- b. Approval of Agenda

Added: TAYLOR-VAISEY: AGM Date

PASSED

- c. WING moves, HASINOFF seconds to approve the agenda

PASSED

2. [Discussion] Role of Ombudsman

TAYLOR-VAISEY:

- There is a complaint filed against the FPS and the Investigation committee was struck, we put forward our member from the uni and he couldn't do it.
- Selected Nina Hann, committee started working. Set hearing dates and then an issue came up on Friday. Received an email from Nina, wasn't prepared to continue work because she felt that our Ombudsman was not doing his job, it was the investigation committee's belief that he isn't involved in their work, he believes he is. A couple of issues came up. Steve and Nina are in a relationship and he assumed it was common law. Mahdi said that he thought either of them need to resign.
- They confirmed that they are not married or in a common law relationship. The communication b/n the two isn't healthy, until we come back with our information on what is the Ombudsman role they aren't going to communicate.
- They see his role as being someone who strikes the committee and lets the committee come together. The bylaws aren't necessarily clear but they interpreted them. The committee is going to continue their work. At some point on Friday Mahdi decided to dissolve the committee. He also CCed the complainant. Nina sent one saying please disregard the committee, and his role is only advisory and he can't dissolve the committee.
- Nick replied, and said the committee is not dissolved. Mahdi then emailed them back saying that Nick is violating the FPS bylaws. HE called Mahdi and they talked and told him that Steve and Nina are not in a common law relationship and the assumption was false and that Steve has volunteered to abstain on anything that the committee makes. Mahdi sent an email Nina and Steve and said that one of them would need to step down. Nina emailed Nick and said she is not ready to reply to that email until we have a discussion at the board that
- As far as he is concerned the committee can do its work. He said that he will abstain so its fine. The other issue is the ombudsman should be involved in the investigation. Mahdi thinks he should work with the investigation committee and if the board sees that he doesn't agree that he

should be separate. WE need to come up with a job description, an interpretation of our policy, what is the power of the ombudsman during the committee.

Ben: it is mahdi's opinion that he should be a de-facto

Nick: he believes that it is a committee

Steve: why is he including Rancourt

Nick: he said that he had a right to know

Travis; is that a breach at all

Frank: description is too thin

Nick: it isn't HR. The reason that Rancourt thinks its appropriate is that it is transparency. He is trying to be transparent.

He does know he isn't a member of the committee

Andrew: like a judge with a jury.

Maureen: My interpretation is that the ombudsman will be there in an advisory role--not as somebody who is involved in the process. Something about cookies. I think that he's there as someone who if the committee needs help, he's there to help them--not to tell them what to do or dissolve the committee.

Travis: What is the understanding of his responsibility. There was a general understanding

Frank: It would be ross that would know. HE was the one who talked to the most.

Nick: he said that is trying to be fair by providing comments. The most in-depth discussion was when the complaint was filed. The did pour over all of section 12/13 of bylaw 2.

Travis: what is the first step

Nick: Tell them either your work is independent or the ombudsman

Maureen: we need to write a motion from the board.

Steve: powers of the ombudsman 12.04,

Ben: his recommendation is that we should dissolve the committee

Matt: the Ombudsperson

Nick: when he dissolved the committee saying he didn't have the power "this email is to say it wasn't dissolved" i don't think we did based on section 12.04.

WIng: we haven't said anything that is out of place. He stated fact.

Nick: Is he right?

WIng: the BOD does not form the investigation committee

Nick: he calls the committee to be struck

IWing: it is his recommendation?

Nick: she feels the complaint isn't frivolous, his understanding is that he

Wing: power under the board direction, i.e. failure of the audit.

Nick: the board would strike if these four situations would occur. 13.05 procedures the ombudsman isn't mentioned.

Steve: in the committee, who votes of the chair. The committee votes for the chair.

Frank: the chair would speak on the committees behalf

Matt: 12.04 and issue. the point is the limitations, lets say that there 12.05 saying you can't wear green, it just means they can't work together.

WIng: 13.05, the committee reporting back on its staff. Agrees with Maureen, serve as an advisory role, we can't be involved as a BOD.

Nick: in 12.02 it doesn't say IC and Ombudsman it says that the committee shall investigate the complaint. The investigation is complete

Steve: when we get the report who is going to give us the report.

Nick: we would see the chair.

Ben: how do we do this?

Maureen: we need to have a policy

What is the role of the ombudsman with regards to the investigation committee

WIng: take a ten minuets recess, seconded by Steve.

Reconvene at 7:04

Maureen moves travis seconded extending recess by ten minuets

Motion:

Steve: on the forming of the comm , once struck the committee

Do we need to address dissolution even though his role is advisory, he has no role to demand anything of the board

Ben: does it address everything

Frank: yes

Nick: yes

Maureen moves, Matt seconds Motion 1: Whereas the Board of Direction has been asked for clarification of sections 12 and 13 of Bylaw 2 regarding the role of the ombudsman relating to the Investigation COmmittee

WHEREAS according Bylaw 2 section 12.02 the investigation committee shall be solely responsible for the investigation of complaints

WHEREAS According bylaw 2 section 12.02 the ombudsman shall only receive complaints; convene the investigation committee when she feels the complaint is not frivolous and has not already been addressed by the fulcrum; and provide the complaint to the Investigation Committee

BIRT the Board interprets that upon the election of the Chair of the Investigation committee the Ombudsman shall not participate in the work of the committee unless requested by the members of the committee and then only in an advisory capacity.

One abstention: Noted Steve

PASSED

Move Maureen Travis seconds Motion 2:

Whereas there is no provision within the FPS Bylaws allowing the Ombudsman to dissolve or suspend the Investigation Committee

BIRT the Board interprets that only the members of the Investigation Committee have the power to suspend or dissolve their work

Steve Abstains

3. [Discussion in camera] Ombudsman Performance
Wing moves, travis Seconds to go in camera

4. [Discussion in camera] Human Resources

Steve moves travis seconds

Move to accept the recommendations of the staff committee

BEN moves Steve seconds

PASSED

Wing moves to have an email discussion on AGM Maureen Seconds

5. Any Other Business

6. Adjournment

7. Moves to adjourn 8:37pm