

January 13, 2016

Lee McLeod
Regional Director
Manitoba Regional Office

By e-mail

Dear Brother McLeod:

CUPE LOCAL 998 ELECTION COMPLAINTS

Thank you for all of the documentation provided to my office through Brother Burke with respect to the above-captioned subject matter.

I have reviewed the report of Sister Paula Raposo, Brother Wally Skomoroh, the interview notes of Brother Chris Mravinec, the bylaw provisions and the numerous e-mails between staff and members of Local 998 and between members of Local 998.

After this review, I am directing that Local 998 re-do the election for the Executive Member-at-Large position. The election will be limited to the original eight nominees. I am directing that when the ballot is mailed out that the corrected biographies for each candidate be mailed as well. I am also directing that corrected biographies that are easily linked to be posted on the website of Local 998.

Lee, I would ask that you assign a Servicing Representative other than Brother Skomoroh and Sister Raposa to assist the Nominating Committee with their role in this election.

The re-do of the election is based on the fact that:

1. The Local omitted the name of one candidate on the first ballot;
2. On the second ballot that was sent out the Local failed to send the biographies of all candidates. Had they done so they would have corrected the controversy over the mix-up of the biographies of Brother Hiebert and Sister Schlag;
3. The instructions on the ballot itself were not explicit enough. The instruction for this position should have clearly stated that voters must vote for six candidates otherwise the ballot would be spoiled.

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Despite other irregularities, most notably a candidate and a candidate's scrutineer picking up ballots from two workplaces, I am not prepared to order the re-do of the President election or that of any other position. I normally would direct a re-do, however, the evidence shows that all scrutineers were aware this occurred yet no scrutineer raised an issue the day of the vote. In fact it was never formally raised except during the interview phase of your investigation.

I am however going to require the Local at the conclusion of elections to strike a Committee of three rank and file members with a liaison from the Executive Board to review the election process in Local 998 and make recommendations to the Executive Board and to the members on bylaw amendments with respect to the nomination and election process. The committee will be assisted by Brother Skomoroh and you or your designate.

While reviewing this matter it became abundantly clear that the bylaws do not contain the necessary provisions to ensure neutrality, fairness and equity for all candidates. My office can assist in this regard.

One last issue that I must comment on is the Nominating Committee. The Nominating Committee is to be made up of members who are neither executive board members or running for office. I found it very inappropriate that a member of the Nominating Committee would resign on the day before nominations close only to put their name forward and be acclaimed. While the bylaws do not explicitly state a member of the Nominating Committee cannot do this I think we would all agree that it is implicit in the spirit of transparency that this does not occur.

I would ask that you work with the Servicing Representative and the Local to ensure these directives are carried out.

In solidarity,



MARK HANCOCK
National President

cc: C. Mravinec President, CUPE Local 998; Recording Secretary, CUPE Local 998;
W. Skomoroh; P. Raposo