

POLICY RESOLUTION RE: CAPE'S DONATION POLICY

WHEREAS the NEC revised CAPE's Donation Policy at their August 2, 2024 meeting, two days after receiving a petition for a Special General Meeting to review this policy;

WHEREAS the revised policy suppresses the requirement that donations be consistent with the interest of CAPE members by providing that "the NEC can determine members' interests" (p. 8);

WHEREAS CAPE's Constitution provides that "all members of the NEC are elected and represent the Association at large and not a segregated constituency" (Art. 11.7);

WHEREAS the revised policy no longer requires donations "to align with CAPE's principles and objectives as identified through CAPE strategic planning documents" (p. 9);

WHEREAS the revised policy quadruples the President's discretionary donation budget (p. 14);

WHEREAS the revised policy continues to lack language concerning an organization's eligibility to receive a donation, for example, being a legal entity under Canadian federal and/or provincial laws;

WHEREAS the revised policy also lacks a mechanism to avoid conflicts of interest between the NEC, the National President, and recipient organizations;

WHEREAS any donation made by CAPE inherently redirects members' union dues away from CAPE's core mandate of protecting members' workplace rights and advocacy towards the employer;

WHEREAS without further revisions, the donation policy remains vulnerable to misuse, harm and waste;

BE IT RESOLVED THAT the NEC shall further revise CAPE's donation policy to provide for, at minimum, the following conditions on donations:

- a. that a recipient organization be a registered Canadian charity in good standing with the Canada Revenue Agency, and provide their charitable registration number in their donation request, a not-for-profit entity duly registered as such under relevant federal and/or provincial/territorial legislation, or a federal public service bargaining agent member of the National Joint Council;
- b. that a recipient be at an arm's length distance (with the same meaning as in Section 251 of the *Income Tax Act*) from the NEC and the National President;
- c. that written donation requests be published on CAPE's website within 5 days of receipt, and that at least 10 days elapse between the request's publication and the NEC's decision;
- d. that donations are non-renewable and cannot be used to support a recurring initiative;
- e. that unused donated funds be returned to CAPE upon the conclusion of the donation's purpose.

Submitted by Justin Margolis, GAC, Local 516 and by Granda Kopytko, AAFC, Local 507.