



SSMU BOARD OF DIRECTORS PUBLIC MINUTES

September 9, 2021

The Board of Directors meeting of the Students' Society of McGill University (SSMU) will be held by teleconference on Thursday, September 9, 2021 at 18:00.

Present: Eric Sader (Officer), Claire Downie (Officer), Karla Heisele Cubilla (Officer), Darshan Daryanani (Officer, non-voting), Sarah Paulin (Officer, non-voting), Sacha Delouvrier (Officer, non-voting), Paige Collins (Legislative Councillor), Alex Karasick (Legislative Councillor), Benson Wan (Legislative Councillor), Beatrice Mackie (Member-at-Large), Addy Parsons (International Student Representative, non-voting), Governance Manager (non-voting)

Absent: Daniel Dufour (General Manager, non-voting)

1. Call to Order: **18:17**

The Chair calls the meeting to order at 18:17.

2. Land Acknowledgement

The Chair presents the Land Acknowledgement.

The SSMU acknowledges that McGill University is situated on the traditional and unceded territory of the Anishinaabeg and Haudenosaunee nations. The SSMU recognizes and respects these nations as the true and constant custodians of the lands and waters on which we meet today. Further, the SSMU commits to and respects the traditional laws and customs of these territories.

3. Attendance

The Chair notes the absence of the General Manager.

4. Adoption of the Agenda --**ADOPTED**

Director Mackie adds a discussion item to the Agenda titled "New Directors" as item 6.b.

Officer Daryanani inquires about the nature of the item "Workplace vaccination mandate" and asks if it includes sensitive information for this public session.



Director Downie explains that this item is to discuss the legality of possible workplace vaccination mandates within SSMU and notes that if the Board believes it should be moved to a confidential session, she can do so. Director Downie further states that this topic has been circulating in the news and media in the past few days and that is why she would like to discuss it with the Board.

Officer Delouvrier presents a quote for furniture for the SSMU Office and inquires if this item can be added to the agenda, as it is over \$10,000 and needs to be approved at the Board level.

The Agenda is adopted as amended, moved by Director Mackie, seconded by Director Downie.

5. Executive Committee Public Report -- **APPROVED**

Officer Daryanani presents the Executive Committee Public Report. The meeting of August 19, 2021 was cancelled due to the Board meeting on the same day. There were numerous hirings for services and Gerts' operations, passed a few minutes of the Executive Committee and approved the Community Affairs Budget.

There are no questions on the report of the Executive Committee.

6. For Discussion:

a. Workplace vaccination mandate

Director Downie presents this discussion item, and notes that certain workplaces and companies require a vaccine proof. She notes that based on previous discussions, most Board members are in favour of such a policy and this is why she is presenting the discussion today.

Director Wan mentions that he is in favour of such a mandate. He explains that if an employee is not comfortable to share their vaccination status, they would be subjected to two (2) or three (3) mandatory COVID-19 testing and provide negative test results to access the SSMU premises. He inquires if the Board should consult SSMU's legal counsel on this matter.

Director Karasick agrees with Director Wan's comments. Director Karasick explains that many faculties at McGill University have signed onto the Open Letter [regarding Vaccine Mandates] at McGill University and inquires if the SSMU can reach out to the Faculty of Law to collaborate with them on this.

Director Downie echoes Director Wan's comments and notes that the Board should prepare specific questions for SSMU's legal counsel. To respond to Director Karasick's question, Director Downie explains that the Faculty of Law indicated that it is legal for McGill University to adopt such a mandate as a higher education institution, but she is not certain if it would be appropriate to apply the same for



the SSMU. She notes that if SSMU takes a position on vaccination mandates, then it would be appropriate for SSMU to adopt such a policy in the workplace.

Director Sader expresses his concerns with regards to this possible workplace mandate, noting that based on his own research on this matter, it does not appear to be legal for SSMU to proceed with this, as we would first need to review how it is covered in the *Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)*. From his understanding, if an employee has a medical reason or a religious belief, SSMU could not 'force' or mandate the employee to get vaccinated, and the only path would result in a termination for religious discrimination. He is in agreement to contact SSMU's legal counsel in regards to this, but reiterates that based on conversations in the past few months, this was not the direction that SSMU was heading towards.

Question:

Director Collins asks how much SSMU has spent on professional fees thus far.

Answer:

Director Sader explains that last year's amount spent for professional fees was around \$250,000.

Director Wan clarifies that he is in favour of exemptions, with testing requirements, if vaccinations are not possible for an employee. He believes the Board and SSMU should have a concrete plan moving forward and will be presenting a motion to that effect shortly.

Officer Daryanani explains that for Fall 2021, the SSMU employees are working remotely, but up to 7 employees can work from the office at the same time. At this time, the University Centre (UC) is open but there have been questions about whether the UC is an essential service or not. He further notes that the SSMU office is also open by appointment-only and inquires how this possible mandate would work for students or guests who enter the SSMU spaces.

Director Downie clarifies that access to the SSMU Office is a different situation than the students or guests who enter SSMU spaces. Further, SSMU Executives are able to hold virtual office hours. She explains that this workplace vaccination mandate would only pertain to SSMU employees.

- i. Motion to mandate the VP University Affairs to consult Legal regarding the feasibility of the following workplace Covid-19 vaccination mandate and to mandate the VP UA to report back to the Board of Directors at the next scheduled meeting: **--APPROVED UNANIMOUSLY**



1. SSMU employees who must be physically present to perform their work duties must either provide proof of Covid-19 vaccination or undergo twice weekly Covid-19 testing to be administered by the SSMU, or opt to work remotely when possible.

Director Wan presents the above motion, seconded by Director Downie.

Director Wan mentions that the tests should be provided by the SSMU.

Director Downie adds an amendment to include a specification that this mandate would only pertain to SSMU employees who must access the SSMU Office or UC for their work responsibilities.

Question:

Officer Paulin asks what is meant by “other places”, than the SSMU office or UC.

Answer:

Director Downie responds that if a SSMU employee from the External Affairs department is going to a public protest on behalf of the SSMU as an employee; the employee is not going to be on SSMU premises, but would need to provide proof of vaccination for their responsibilities.

Director Wan adds a specification stating that the SSMU would administer the COVID-19 testing services for employees.

Director Downie is in favour of this motion and clarifies that this is an additional safety measure to make campus safer for individuals who have underlying health conditions and it would be a positive step for SSMU. All those who cannot be vaccinated will be accommodated accordingly.

Director Wan is in favour of this motion. He also explains that employees of the Faculty of Medicine are able to work remotely or undergo twice a week testing. This would provide an appropriate middle ground for employees who do not want to get fired from not being vaccinated in the workplace.

Director Mackie is in favour of this motion. She explains that we have been advocating for a vaccine mandate at McGill University, so it is a good step forward for the SSMU.

Question:



Director Sader asks if this motion would mandate Director Downie to consult with SSMU's legal counsel and then report back to the Board on the opinion or if the mandate would automatically apply based on the consultation.

Answer:

Director Wan thanks Director Sader for his point of clarification and adds a specification that states that Director Downie would report back the information to the next Board meeting of September 23, 2021.

Question:

Director Downie asks if she could invite SSMU's legal counsel to the next meeting to discuss this item.

Answer:

Director Sader responds that this would need to be approved by the Executive Committee or by the Board of Directors, as it is an additional expense.

Director Sader states that one important aspect of this motion that should be detailed is the administration of COVID-19 testing at SSMU; who will be responsible for administering the tests? How and where do we obtain the tests? This could be an additional expense and hire an additional employee to administer these tests. If the Board will be voting on this matter, all the details need to be established beforehand.

Director Downie is interested to work on this, if that is something that is feasible, pending SSMU's legal counsel's opinion.

The motion is unanimously approved.

b. New Directors

Director Mackie indicates that there have been a few resignations over the summer months and she is concerned that there are not many members at large remaining on the Board. She is concerned that the current set of Board members will be overworked with the committee work and other commitments on the Board. She inquires if it would be possible to start recruitment for Directors at this time.

Director Downie echoes Director Mackie's comments on this matter.



The Governance Manager notes that the Nominating Committee has released applications for Nominating Committee Members at Large, once the committee has convened, they would start the application process for Board Members at Large.

Question:

Director Mackie asks if there is a timeline for the nomination of Members at Large to the Board of Directors.

Answer:

The Governance Manager responds that there should be 4 nominations to the Board by the Legislative Council and 4 additional nominations of Members at Large in the next few weeks.

Question:

Director Sader states that the minimum of seven (7) Board members is required to meet quorum on the Board. However, only 50%+1 of Board members need to be present to pass resolutions. Director Sader also asks if the Board needs to pass a resolution to appoint members of Council or Members at Large, and with the timeframe under article 6.10, and if any processes can be amended by the Board to appoint members as soon as possible.

Answer:

The Governance Manager responds that at this time, there are seven (7) Board members. However, as of next week, 3 additional Board members will be appointed by the Legislative Council to replace the vacancies.

Director Mackie thanks everyone for the answers. Director Mackie reiterates that if any Board members wish to create additional ad hoc committees, to be mindful of the number of Directors and availability.

There is no further discussion on this item.

c. Furniture

Officer Delouvrier presents this motion, as moved by Director Sader, and explains that the Building Director and General Manager have been working together on the SSMU office furniture replacement. The Building Director has received a quote from our supplier for furniture replacement, which was budgeted for this year, amounting to over \$20,000. Officer Delouvrier notes that the current status of certain furniture items in the SSMU office is not in an acceptable condition, old, and needs to be replaced.



Question:

Director Wan asks what is defined as an “unacceptable condition”.

Answer:

Officer Delouvrier clarifies that it is time for an update in the furniture for the SSMU office. It is also from a health and safety perspective, to replace the furniture in the cubicle section. He clarifies that he did not intend to use the word “unacceptable”.

The Building Director clarifies that the furniture had not been replaced for many years and the set up was for a few employees. He is now working to maximize the working areas and to set up certain areas such as “Gilligan’s Island” in the office, which should be optimized to put in a coffee station and rotating working stations, including having lunch or an ad hoc meeting. The Building Director clarifies that some of the furniture in the office at this time will not be able to support a hybrid working model in the near future. He further notes that this change is in line with the 5 Year Plan.

Question:

Director Wan asks if any staff members have been consulted on the furniture updates.

Answer:

The Building Director responds that he has consulted as many departments and staff as possible for this project, notably the Communications and Accounting departments, as well as a few Executives.

Director Downie notes that there were numerous staff consultations in the 5 Year Plan in regards to this matter.

Director Sader explains that this was previously budgeted for last year. He further states that this will not negatively impact SSMU’s financial wellbeing.

- i. Motion to approve \$19,860 + taxes for furniture and fixtures [GL Account 1425] under the general administration budget [Dept. Number 3021] for purchase of office furniture as listed by the quotes received by the Building Director --

APPROVED UNANIMOUSLY



Director Sader introduces the motion 6.c.i, seconded by Director Wan.

Director Wan thanks all those involved in this project, notably the Building Director.

The motion is unanimously approved.

7. Confidential Session: **19:14**

The Board of Directors enters into a Confidential Session at 19:14.

8. Adjournment: **12:14**

The Board of Directors meeting is adjourned at 12:14.

A handwritten signature in black ink that reads 'Eric S'.

Éric Sader, Vice-President (Finance)

APPROVED