

December 4, 2014

Clarification – Motion regarding Transportation Services

At a meeting held December 1, 2014, the Chair of the Board addressed Trustee Babinsky's comments regarding his motion related to transportation services in the media this week.

At a meeting held June 2, 2014, Trustee Babinsky gave the Board of Trustees a verbal Notice of a Motion at the beginning of the meeting requesting that staff be disciplined for the transportation delays last year related to cold weather.

At the same meeting, the previous Board Chair, Suzanne Hrynyk indicated that this motion was out of order in accordance with Procedural By-Law 1203 section 42.7 which clearly outlines that matters dealing with "efficiency, discipline, or retirement of employees" are dealt with In Camera and that legal advice would be obtained on recording this motion in the minutes.

Upon seeking legal advice, on June 16, 2014, the Board of Trustees received a confidential memorandum from the Chief Superintendent In Camera, outlining the opinion provided by legal counsel which included the actual wording of Trustee Babinsky's motion. Trustees did not object to this information.

The minutes clearly state that Trustee Babinsky gave a Notice of Motion which was accurately recorded and reflected in the minutes. Therefore, the minutes dated June 2, 2014, accurately reflect the recording that Trustee Babinsky gave a Notice of a Motion at the meeting. It refers to the content of his motion and that it was to be discussed In Camera.

In fact, the motion could have been easily ruled out of order as it is not the role of trustees to make recommendations for discipline of any staff in accordance with Procedural By-Law 1203.

However, the Board used the opportunity to state that Trustee Babinsky's opinion related to disciplining staff was not valid as the remaining trustees did not agree and defeated the motion in an effort to make it clear that further dialogue on this matter would not be appropriate as the Board only has direct authority over the Chief Superintendent.

Therefore, in fact and contrary to Trustee Babinsky's comments, the minutes dated June 16, 2014, accurately reflect the Board's decision that the motion discussed In Camera in accordance with Procedural Bylaw 1203 was defeated.

Trustee Babinsky had an opportunity to raise his concerns during the approval of the minutes dated June 16, 2014, and not only did he not object to the minutes, he actually voted in favour to receive the minutes as written.

It is important for the public to know that Mike Babinsky has been a trustee for almost 20 years and is aware that issues related to employees are dealt with In Camera as outlined in Procedural By-law 1203. This requirement also meets the Freedom of Information and Protection of Privacy Act requirements regarding the use and disclosure of personal information and publicly providing his own opinion of matters relating to staff. This type of public claim related to the employment of staff is disrespectful and is putting their integrity and reputation at risk and is not an activity this Board condones. Private matters related to employment are dealt with in confidence between the employer and employee.

It is very troubling to both the current and past Board of Trustees that Trustee Babinsky did not express any concern about this issue until he was in the middle of an election and he sought out media to make these allegations.

I am concerned that Trustee Babinsky is alleging that the staff intentionally altered minutes for the purpose of concealing the truth when in fact he knew the reason for the generalization was to protect the WSD from liability by revealing the identity of a staff member that he was criticizing and discussing confidential disciplinary and personal matters publicly.

There are six newly elected trustees who have received information and have no doubt that the facts have been accurately reflected as presented to them by the Chair and corroborated by the other incumbent trustee and the entire administration present at the meetings held on June 2 and 16, 2014.

The members of the Board are deeply concerned about the conduct and false accusations that are being made by Trustee Babinsky.

I am disappointed in his actions. In my view they are disrespectful and unprofessional. As trustees we need to work in collaborative environment and making wholesale allegations against staff without evidence creates a toxic work environment and is a distraction to the important and pressing work of the WSD.

I would encourage Trustee Mike Babinsky to focus his energy on the educational needs of our students.

*On behalf of the Board of Trustees,
Mark Wasyliv, Chair of the Board*