FITNESS CLUB AGM 2023

Minutes of Fitness club AGM  27 March 2023

**Introduction:**

All presentations can be found on the [INDICO website](#).

Attendees were informed and asked to consent that the meeting was being recorded, but the recording would be deleted once the minutes were written and approved.

For participation refer to table at the end of the minutes. 4 members of the CCC participated as observers. No one from the Staff Association took part in the AGM.

Voting procedure was agreed on: raising of hands either in person or via zoom . The number of proxy votes was declared.

It was agreed that Rachel Bray (RB) should be session chair and that Helen Dixon-Altaber (HD) would take minutes.

RB confirmed that the club has 340 members in 2022 so 10% quorum was respected.

RB began by stating that one member had asked for a full list of members with contact details (email addresses), but after checking with the CERN Data Privacy Office, the committee was advised that it was not proportionate or necessary in order to check quorum. The Office for Data Privacy advised that attendance and the fact that quorum is respected be checked by the president and secretary of the meeting. This was voted on and agreed upon, in total 88 votes.

RB informed the attendees that minutes from last year were published online (as every year). An complaint was received concerning the minutes which snowballed into a more complex complaint targeting the club and in particular its committee members.

RB asked if anyone else had any comments about the previous year’s AGM minutes. None were given.

**Introduction of agenda.** See relevant slide.

**Presentation of proxy votes:** See relevant slide.

**President’s report.**

The club was founded in 2007: primarily to provide facilities and classes suited to women at lunchtimes, the idea was to start out small and develop over time to be more inclusive. At the time few clubs organised activities at lunchtime and many of the activities were focused on men’s sports (rugby, football, basketball etc., with a majority of male participants and more importantly no showering or changing facilities for women). The goal was to stay in shape, have fun, make connections with colleagues and local people.

The club is run by volunteers in their spare time in addition to jobs.

The complaint received was the first one ever since the creation of the club.

Free classes were offered to the CERN community during lockdown. Some issues occurred during this time: a whatsapp group was created by some members, of which the Committee was not aware. This caused problems as some members were excluded. Loris (the instructor) started communicating via
the group not via the committee which resulted in the committee not being able to update class timetables and inform all registered members of potential class changes or cancellations. For a period of time (during lockdown) classes were free, but as soon as restrictions were lifted, members were asked to pay their fees for classes. Unfortunately, the online class zoom links were shared via whatsapp, with individuals who were not paying members of the club, and of whom the Fitness club committee had no idea of their existence. This resulted in the club missing out on registrations as people were taking the classes without paying. This was a contributing factor to a lower number of registrants in 2020 and 2021.

When in person classes resumed, taking into consideration the COVID constraints applied by the Organization, the committee also asked instructors for the max no. class participants for safety and comfort and together took the decision to limit class size. Before the pandemic there was already an ongoing discussion about using a software to manage classes and subscriptions. Using external software is potentially complicated and costly due to CERN's OC11, the need to respect data privacy and data processing rules. At the time, it was also unknown how the covid situation would evolve. As Indico complies with rules and is a CERN tool, the committee opted to use Indico for registration. Furthermore, as it is a CERN tool we have the possibility to request new functionality. From March 2022, all general fitness club members were required to register for each class in which they wanted to participate, via Indico. The Fitness Club website was updated to reflect this and all members were informed of the new registration rules.

As one of the Fitness Club instructors explained that he did not feel comfortable informing individuals who come to classes without being registered, two fitness club members (BC and BL) who take part in his classes volunteered to support the instructor at the AGM 2022. Both fitness club members agreed they would support the instructor, help regulate HIIT class sizes as well as Indico management and creation of registration slots.

There was a fundamental misunderstanding of the role one of the individuals thought he had been given one that he had volunteered for. At the AGM meeting in 2022, there were 17 participating members: 11 present and 6 proxies.

RB gave a brief timeline of events to help AGM participants understand the context of the complaint.

9 May 2022: both people (BC and BL) were given access to CERN fitness club egroups for HIIT and management rights for Indico.

June 2022: a number of complaints re overcrowding were received by the Fitness Club committee, more people than had registered were taking part (against club rules as had been decided by the committee and instructors)

The Committee contacted BC and BL to inform them that complaints of overcrowding and disregard of the rules had been reported by multiple members. BL responded via email that in his opinion it wasn’t an issue (despite the fact that the rule of 20 participants max had been established from March 2022.

BL requested the organisation of an EGM to clarify their role following the publication of a special offer for General Fitness activities announced by the committee (as every September) where members have the opportunity to register for 6 months, but pay only 5. BL did not approve of this offer and proposed, buy one class, get one free.

The committee asked BL to meet face to face to try to resolve the issue. This meeting happened on 16th September. After clarification of his role (not a committee role) BL confirmed he was not
interested in the tasks for which they had volunteered and he confirmed he wanted to step down from the role for which he had volunteered. Following this meeting, access to egroups and indico was removed.

28th September, a complaint was then made to president of Staff Association and RB was invited to a meeting on 5th October. The CCC was informed by RB that there was an issue within the Fitness Club that they should resolve as stipulated in the document CLUBS SOUS L’EGIDE DE L’ASSOCIATION DU PERSONNEL DU CERN Principes et modalités d’application. RB stepped back from her function as president of the CCC to avoid any conflict of interest.

BL asked for a meeting with the CCC: 2 fitness club members, 5 members of CCC and a Staff Assoc observer met, then BL met 6 CCC members and a staff association observer in December 2022.

In January 2023 the CCC issued their findings and recommendations. They said the minutes from the AGM were ambiguous and so couldn’t reach consensus as to whether BL was a committee member. The Fitness Club committee accepted this statement.

There were other findings from the CCC regarding alleged problems with functioning of the club. The committee asked for concrete examples but no response to this date.

The CCC recommendations were as follows: “Organise an AGM, the new committee, following the recommendations of CCC, should make sure the statutes be modified. The rules should respect French or Swiss rules and SA rules for clubs. Multiple clubs use template provided by SA including the Fitness club. The club adheres to all SA rules and compliant with CERN OC11.”

The CCC recommended the club should improve communication about prices etc. However, since the creation of the CERN Fitness Club, all information related to prices, schedule etc has been available on its website –. CCC were given this information and also the templates of emails sent to new members outlining the duration of their subscription.

A suggestion was also put forward that every section of club should have committee member as a representative.

At least two emails were sent by BL to individuals entered in the BCC field in the run up to the AGM. In particular an email was sent by BL on 20th March to an unknown distribution list, making serious allegations about the Fitness Club (not including the committee) which RB points out is not in the spirit of the club.

Fitness Club member SI raised her concerns about the email she received. She stated that the tone of email was shocking and inappropriate. As a fitness club member she would not expect to receive such an email. She was very surprised that the Committee was not in copy as they are referred to in the message and deserve the right to reply, she expressed her disappointment of such behaviour within a Club.

BL responded that he simply sent a synthesized version of what the CCC had stated in its finding and told people to come and vote. It was sent to the email addresses he managed to gather. He insists that he should have been given access to a mailing list for the club. The message was factual according to BL, everything in the message is in the CCC report.

SI explains that it is the tone that is shocking. The content should be discussed here at the AGM.

RB goes through the content of email. See slide for details of discrepancies.
BL also requested access to the pump room.

RB explains that this is only granted to the instructors in order for them to set up in time for the class. It gives them sense of responsibility and ensures they are there on time.

RB adds that equipment has been stolen from the 216 and the room has been misused (unauthorized uses such as personal/child parties etc.).

Request from BL for list of CERN Fitness Club members and contact details. RB responds that, in conjunction with the Office for Data Protection, a Data privacy notice was created for the Fitness Club: people must state they have acknowledged the data privacy notice before joining the club, along with a disclaimer. The office for data protection confirms that the data privacy notice does not make provision for the sharing of club members names and contact details with other club members.

BL wanted to know number of HIIT members and states it wasn’t provided to him. He accuses the committee of withholding information.

RB informs him that he had access when he agreed to take responsibility of HIIT activity, but it was revoked when he stepped down from the HIIT volunteer responsibilities.

A comment was made by BL about the decision-making process in the Fitness Club. RB reminded all present that the current Fitness Club statues are from a template provided by the SA, furthermore the statutes states that committee decisions are valid if 3 committee members are present. All decisions within the club have been taken in a democratic manner conforming with the club’s statutes.

Regarding the membership fee: the fitness club complies with the SA rules which state that clubs must ‘charge’ at least 10 chf for membership fees, additional fees can be charged for activities. Since its creation in 2007, the membership fee has always been 10chf, it has always been included in the additional activity fees.

RB expresses that there are many inaccuracies in the email message from BL; for instance that charity donations are made without consultation with the members. Charity donations have been raised and approved at AGMs since 2016 e.g. those made in memory of Andrey Loginov.

BL claims no emails are sent about subscription payments. The Fitness club sent mails after covid to explain procedures/ about fees. Also, emails are sent about offers and subscription reminders.

Regarding the WhatsApp group BL accuses the Committee of trying to prevent members from using the group. RB states this is inaccurate; Loris was asked by the committee not to use WhatsApp to communicate about official Club activities. This is because WhatsApp is not an ‘officially recognised’ CERN tool (confirmed by the Head of Computing Security) and email is the official way to communicate about CERN Fitness club activities.

BL claims that nobody knows how many members are in the Fitness Club and as the SA is paying for insurance, they should be aware of number of people.

RB reminds the AGM participants that every year in the Fitness Club President’s report there is one slide dedicated to the number of members for each section and the number from the previous year. In addition, the CCC collects information from all clubs every year including # members. This information is sent to SA and then shared with the insurance company for the RC insurance.
BL insists everything he has written is factual and that he should have known the number of members before the meeting and argues that he wanted to know the number of members just to know if it was worth standing for election.

RB wraps up by saying that she hopes this toxic and unpleasant experience won’t happen again.

Despite being the initiator of the email and not including the fitness club committee in the distribution list, BL insists on having a ‘right to reply’. RB invites him to take the floor.

He asks to see the slides responding to the list of accusations he made in his email to other club members. He explains that he volunteered and was voted to be HIIT representative.

BL says the quote in the presentation from his email regarding the overcrowded circuit training class is not the full sentence and he will send it. He claims it was one of first sessions and he was not comfortable to kick people out on their first class and for circuit training it could have been tolerated has asked people to leave in the past. He thinks it’s good to have someone able to open door if instructor is late and it’s not because he wants to steal material. RB confirms that Fitness Club classes resumed in March and the class in question took place in June, three months after classes resumed.

He denies stepping back from the volunteer HIIT position, however two witnesses at the meeting in question confirm that he clearly stated he was not interested in the role for which he had volunteered and affirmed he wanted to step down from the role.

Fitness club member SA supports BL in his right to reply.

BL insists that he has never lied. RB states that his email to multiple CERN Fitness Club members contains several inaccuracies, furthermore accusations were pitched at the Fitness Club Committee without including them in the emails, thus denying them with a right to reply.

RB says that the Fitness club committee received multiple complaints about the emails BL sent.

SI asks if the CCC can express a view on the recommendations but the members of the CCC say they are just observing and can’t comment.

Moving on with the meeting, RB showed the slide with the no. of members and explained possible reasons for the changes/drop in membership since pre-pandemic times.

A comment was made regarding the low number of Fitboxing members (only 3).

JN (in charge of Fitboxing) commented on no. of members for fitboxing being low because of the activity was stopped due to covid and only resumed in autumn 2022.

No more questions about the number of members.

RB presented information about instructors, equipment and charity donations: Laos orphanage (vote was made for continued donation in Andrey’s name) and sponsorship of Foulet de Crozet last year – can make a decision later for this year if they ask us. Email will be sent to members.

Yoyo has proposed to offer massages, for fitness club members, the individual will pay. (vote)

Approval of Presidents report: vote

Treasurers report given by Marzena Lapka (ML): Swiss Francs account, teachers’ reimbursement/compensation and Euro account: see slides for details.

ML made the point that the 10 CHF membership fee has been given more prominence on the website.
Proposal to close the Euro account as there is a fee to keep it and it generates additional emails.

Approval of accounts from Dorothee Duret.

Closure of Euro account vote. Approval of accounts vote.

Committee members: For 2022, see slide. Anita Bens was replaced by Marzena Lapka as treasurer and Dorothee Duret was the account auditor. RB expressed thanks to them.

RB asked if any members present want to put themselves forward as a committee member. BL volunteered.

Committee members 2023 were proposed see slide.

Vote re: BL joining committee. See table at the end.

Vote re proposed committee: See table at the end.

President: Mariane Dissing
Vice-president: Rachel Bray
Treasurer: Marzena Lapka
Secretary: María Pérez Ornedo
Communication: Helen Dixon-Altaber
Powerlifting responsible: Misha Borodin and Matthew Dodelson
Fit-boxing responsible: Jacopo Nardulli
General Fitness responsible: Mariane Dissing
Pilates responsible: Rachel Bray

Vote re proposed account auditor (non-committee member): See table at the end.

Natasha Lavy-Upsdale.

RB presented list of instructors and thanked them. Reimbursement has been harmonized so instructors receive the same amount.

2023 committee tasks: Statutes need to be reviewed (taking into consideration recommendations from CCC for which the Fitness Club Committee is still awaiting clarification) and general rules need to be worked on and will be presented at next AGM or EGM. See slide for proposal. On a general note, multiple clubs employ the same statue template, therefore, they should be subject to exactly the same scrutiny by the CCC as the Fitness Club.

Some requests for modification of the statues were received and raised at the AGM:

Someone responsible for each sector. RB states that this is already the case.
Collective responsibility: BL asks for members to be consulted and have opportunity for feedback by email, so committee members don’t make all decisions BL suggests introducing in statues the decision scheme and improve communication.

Mark asks question regarding subscription period not being extended if a member misses a class(es) due to meetings/holiday/other. Mariane Dissing (MD) explains that holiday cannot be taken into account as it would become unmanageable. Private clubs do not take holiday into account. Perhaps for sick leave committee can make an exception but there is a lot of work for the volunteers to keep
track and reminded members that all club committee members are volunteers, running the club in addition to their jobs.

Mark suggested that there could be improvements. MD says it could open the door to people abusing the system and extending without reason so prefers that the fitness club becomes strict on this policy. Mark suggests having some rules which offer more flexibility for the length of subscriptions. MD reminds that members can make up the classes during their subscription period.

Comment from Conrad: The Fitness Club should use the same rules as a private club but could consider individual cases depending on circumstances.

Presidents’ role: vote on whether it should be discussed.

Proposal to discuss Communication role: BL says he does not receive messages regarding subscription coming to an end and communication officer is not required. RB suggests he does not receive messages as he is up to date with his payments.

RB explains fitness club involvement in Connecting the Dots event.

Maria explains about email policy for subscription reminders.

RB explains regarding the cut-off point for registrations in indico. The participants have up to 2 hours before the class to register. The committee needs time to communicate participants to the instructors in advance. They then inform the committee if the people have attended the class and to check that everyone there has registered.

BL suggests using a dynamic egroup. BC explains it could be done but would require some work.

BL expresses his opinion that he wants the flexibility to register after the cut-off time for maximum flexibility. RB explains people can register or unsubscribe by email at last minute as note on Indico explains. There is flexibility, but a need to control the number of people and communicate the information to the instructors.

RB responds regarding access to room, since restricting it to those organising activities, fewer misuses of the room and thefts have taken place, therefore the committee will keep the same policy.

Charity and offers should be voted by the committee, as is done today.

Organization of the storage room. Instructors are informed to put equipment away, but it is not always respected. A clean up is proposed and the instructors can give their advice on how best to organise the equipment.

BL alleges the metal structures used to store the body pump equipment are dangerous and getting equipment is time consuming as the participants go one at a time to collect equipment. He will share some drawings on how to organise the storage. RB responds that the body pump racks are on wheels and are intended to be rolled out of the cupboard. Unfortunately participants do not store equipment correctly, which makes rolling the racks out problematic.

Pawel made some comments about BL and suggests that the committee accepts BL’s help. MD explains that help is always welcome, but it extends beyond one activity and includes providing help for all activities in general fitness.

Connie Potter (president of Aid for All humanitarian association) expressed her thanks to the fitness club for the donation to the orphanage. As a member of a CERN crisis team, she expressed her thanks.
to the club for the classes offered during the pandemic which were invaluable to the CERN community and offered support during that difficult time when people were isolated.

Meeting closed at 2 p.m.
## ANNEX 1

### VOTES

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<th>.</th>
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<th>Against</th>
<th>Abstention</th>
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<td>1</td>
<td>Bertrand against</td>
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## ANNEX 2
### ATTENDANCE

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