

### By-Law # 3 – Elections and Resolutions

Previous version	Proposed amendments
<p>B 3.1 No later than January 15 of each year, the National Executive Committee (NEC) shall issue a call by regular mail to all Regular and Pending members asking for volunteers to set up an Elections Committee. No later than March 15, the NEC shall confirm the composition of the Committee, which shall include at least one member of each bargaining unit represented by the Association. Members of the Elections Committee shall not campaign in support of or against a candidate nor publicly divulge their opinion on a resolution. They shall still be able to exercise their individual right to vote. The Committee shall have the right to revoke the appointment of a Committee member as a result of non-compliance with provisions of these By-Laws pertaining to their responsibilities. Such an action shall require two thirds (2/3) of the votes cast by the Committee’s membership. The NEC replaces the person thus removed with a Regular or Pending member from the same bargaining unit.</p>	<p>B 3.1 No later than <del>January 15</del> <b>March 31</b> of each year, the National Executive Committee (NEC) shall issue a call by regular mail to all Regular and Pending members asking for volunteers to set up an Elections Committee. <del>No later than March 15,</del> <b>t</b> The NEC shall confirm the composition of the Committee <b>at its regular meeting in April</b>, which shall include at least one member of each bargaining unit represented by the Association. Members of the Elections Committee shall not campaign in support of or against a candidate nor publicly divulge their opinion on a resolution. They shall still be able to exercise their individual right to vote. The Committee shall have the right to revoke the appointment of a Committee member as a result of non-compliance with provisions of these By-Laws pertaining to their responsibilities. Such an action shall require two thirds (2/3) of the votes cast by the Committee’s membership. The NEC replaces the person thus removed with a Regular or Pending member from the same bargaining unit.</p>
	<p><b>3.1.1. Notwithstanding any other provision of the CAPE Constitution or any other provision of this By-Law, the 2006 election process is deemed to commence when the National Executive Committee confirms the composition of the Elections Committee.</b></p>
<p>B 3.2 The Elections Committee shall have complete and full jurisdiction over the elections process, in accordance with these By-Laws and Constitution. Only</p>	<p>B 3.2 The Elections Committee shall have complete and full jurisdiction over the election process, in accordance with these By-Laws and Constitution. <del>Only activities organized</del></p>

<p>activities organized by the Committee and documents having been approved for distribution by and the Elections Committee the Committee shall be authorized. Non-compliance with these By-Laws may result in the nomination of a candidate being revoked by the Committee. Except where otherwise noted in these By-Laws, any decisions made by the Committee shall be the result of a majority vote.</p>	<p><del>by the Committee and documents having been approved for distribution by and the Elections Committee the Committee shall be authorized.</del>  Non-compliance with these By-Laws may result in the nomination of a candidate being revoked by the Committee. Except where otherwise noted in these By-Laws, any decisions made by the Committee shall be the result of a majority vote.</p>
<p>B 3.3 In accordance with these By-Laws the Elections Committee shall create a nomination form and, no later than April 15, shall issue a call by regular mail for candidates for positions to be filled in accordance with Article 17 of the Constitution. The nomination form shall accompany this notification.</p>	<p>B 3.3 In accordance with these By-Laws the Elections Committee shall create a nomination form and, no later than <del>April 15</del> <b>June 1</b>, shall issue a call by regular mail <b>and/or other means of communications</b> for candidates for positions to be filled in accordance with Article 17 of the Constitution. The nomination form shall accompany this notification.</p>
<p>B 3.6 The nomination form shall be accompanied by a one page (8 1/2 x 11) text using Arial 12 point font in which the candidate may provide a biography and his/her reason for running. Whenever possible the candidate will provide the National Office an electronic version of this document. The form shall not be accompanied by any document other than the ones required by these By-Laws. If the candidate does not provide the required documents in both official languages, the Association shall have the presentation document translated. Upon request, when submitting his or her nomination, the candidate shall be allowed 5 working days to review the translation produced by the Association.</p>	<p>B 3.6 The nomination form <del>shall</del> <b>may</b> be accompanied by <del>a one two</del> <b>pages</b> (8 1/2 x 11) of text using Arial 12 point font <b>or equivalent</b> in which the candidate may provide a biography, <del>and</del> his/her reason for running, <b>contact information and a website address</b>. Whenever possible the candidate will provide the National Office an electronic version of this document. <del>The form shall not be accompanied by any document other than the ones required by these By-Laws.</del> If the candidate does not provide the required documents in both official languages, the Association shall have the presentation document translated. <del>Upon request, when submitting his or her nomination,</del> The candidate shall be allowed 5 working days to review the translation produced by the Association.</p>
<p>B 3.7 Completed nominations forms shall be sent by regular mail and postmarked no later than June 15. The Elections Committee shall verify all information provided and confirm the candidate's eligibility no later than June</p>	<p>B 3.7 Completed nomination forms <b>in any format with verifiable signatures</b> shall be <del>sent by</del> <b>received at the National Office no later than June 15</b> <del>September 1</del>. The Elections Committee shall verify all information provided and</p>

<p>30. The Committee shall also ensure that the presentation text submitted by the candidate is free of libel and that it contains no inaccuracies, uncalled for remarks or unacceptable elements. If the Committee is of the opinion that certain elements should be modified, the candidate shall be allowed to do so. If the candidate refuses to do so or does not produce the required modifications within 5 working days after being informed of the Committee's concerns, his or her nomination shall be revoked.</p>	<p>confirm the candidate's eligibility no later than <b>June 30. September 15</b>. The Committee shall also ensure that the presentation text submitted by the candidate is free of libel <b>and that it contains no inaccuracies, uncalled for remarks or unacceptable elements, false reports, willful misrepresentations or abusive language</b>. If the Committee is of the opinion that certain elements should be modified, the candidate shall be allowed to do so. If the candidate refuses to do so or does not produce the required modifications within 5 working days after being informed of the Committee's concerns, his or her nomination <b>or text referred to in B 3.6. shall may</b> be revoked.</p>
<p>B 3.8 After consultation with the candidates, the Elections Committee may organize meetings, public debates or other activities or decide to have produced and distributed additional documentation to all members.</p>	<p>B 3.8 After consultation with the candidates, the Elections Committee <b>may shall</b> organize meetings, public debates or other activities or decide to have produced and distribute additional documentation to all members.</p>
<p>B 3.9 Candidates shall have the right to appeal rulings made by the Elections Committee. Appeals shall be heard by the National Executive Committee. To reverse a decision made by the Committee, the NEC shall require two-thirds majority of the votes cast.</p>	<p>B 3.9 <b>Candidates shall have the right to appeal Rulings made by</b> of the Elections Committee <b>may be appealed</b>. Appeals shall be heard by <b>the National Executive Committee a sub-committee of the NEC, composed of members who are not candidates or nominees in the current election. The sub-committee may invite a representative of the Elections Committee to provide advice</b>. To reverse a decision made by the Elections Committee, the <b>NEC sub-committee</b> shall require <b>two-thirds a</b> majority of the votes cast.</p>
<p>B 3.10 The Committee shall establish an elections schedule which allows for electoral activities to be held until October 15, followed by a voting period ending 10 working days at the latest after the Annual General Meeting. The counting of votes will take place on the 11<sup>th</sup> working day after the Annual General Meeting. Results</p>	<p>B 3.10 The Committee shall establish an elections schedule which allows for electoral activities to be held until <b>October 15, the end of the Annual General Meeting</b>, followed by a voting period ending 10 working days <b>at the latest</b> after the Annual General Meeting. The counting of votes will take place on the 11<sup>th</sup> working day after the Annual</p>

<p>shall be announced no later than the fifteenth of December.</p>	<p>General Meeting. Results shall be announced <del>no later than the fifteenth of December.</del> on the <b>12<sup>th</sup> working day after the Annual General Meeting.</b></p>
<p>B 3.11 The vote shall be cast using the system of “double envelopes”. Only ballots inserted in the approved envelopes and accompanied in the external envelope by the completed voter registration card signed by the voting member certifying his or her membership status shall be accepted. Unsigned or unfilled cards or those inserted in the internal envelope with the ballot shall be rejected. Any ballot containing a message or inscription other than the vote shall be rejected.</p>	<p>B 3.11 The vote shall be cast using the system of “double envelopes”. Only <b>ballots envelopes with a ballot</b> inserted in <del>the approved an internal envelopes</del> and accompanied in the external envelope with a completed voter registration card signed by the voting member certifying his or her membership status shall be accepted. <b>Any other envelope shall be considered a rejected envelope. Unsigned or unfilled cards or those inserted with the ballot shall be rejected. Any ballot containing a message or inscription other than the vote shall be rejected</b></p>
<p>B3 .12 Blank ballots or ballots containing more votes than the maximum number of votes possible shall be considered as void. Ballots containing less votes than the maximum number of votes possible shall be considered as valid.</p>	<p>B3 .12 Blank ballots or ballots containing more votes than the maximum number of votes possible or <b>any ballot containing a message or inscription other than the vote</b> shall be considered as <del>void</del> <b>a spoiled ballot</b>. Ballots containing less votes than the maximum number of votes possible shall be considered as valid.</p>
<p>B 3.13 Only valid ballots shall be used to calculate the percentage of votes cast for each candidate. The Elections Committee will report on the number of spoiled and rejected ballots.</p>	<p>B 3.13 Only valid ballots shall be used to calculate the percentage of votes cast for each candidate. The Elections Committee will report on the number of spoiled <b>ballots</b> and rejected <del>ballots envelopes</del>.</p>
<p>B 3.19 All resolutions shall be submitted in writing by two (2) Regular or Pending members. Authors of the resolutions shall clearly indicate their name, their home Department, bargaining Unit and a telephone number where they can be reached during regular working hours, and signed their submission. The resolutions and accompanying remarks shall not exceed a one page (8 1/2 x 11) text using Arial 12 point font. The text shall not refer to any list nor mention individuals or locals who</p>	<p>B 3.19 All resolutions shall be submitted <b>in writing</b> by two (2) Regular or Pending members. Authors of the resolutions shall clearly indicate their name, their home Department, bargaining Unit and a telephone number where they can be reached during regular working hours, and signed their submission. The resolutions and accompanying remarks shall not exceed a one page (8 1/2 x 11) text using Arial 12 point font <b>or equivalent</b>. The text shall not refer to any list nor mention individuals or locals who are in support of the</p>

<p>are in support of the resolution. If the authors of the resolution do not provide the document in both official languages, the Association shall have the document translated. Upon request when submitting the resolution, the authors shall be granted 5 working days to review the translation produced by the Association.</p>	<p>resolution. If the authors of the resolution do not provide the document in both official languages, the Association shall have the document translated. <del>Upon request when submitting the resolution,</del> The authors shall be granted 5 working days to review the translation produced by the Association.</p>
<p>B 3.20 Resolutions shall be submitted and postmarked no later than June 15. Once resolutions have been received and their admissibility confirmed in consultation with the President, the Elections Committee shall organize a mail ballot concurrent with the elections schedule.</p>	<p>B 3.20 Resolutions <b>in any text medium format with verifiable signatures</b> shall be <del>submitted and postmarked no later than June 15.</del> <b>received at the National Office no later than September 1.</b> Once resolutions have been received and their admissibility confirmed in consultation with the President, the Elections Committee shall organize a mail ballot concurrent with the elections schedule.</p>