

**Constitution and By-Laws Committee  
Minutes of February 23, 2011  
CAPE National Office  
Boardroom  
1:30 p.m.**

**Present:** M. Zinck (Chair), S. Mullen, A. Picotte, S. Pichie, P. Rosen, C. Poirier, C. Danik and D. Martin.

**Apologies:** None.

**1. Approval of Agenda**

The following items were added to the agenda

By-Law 5.3 – Discipline  
NEC Policy on filling vacancies  
Full-time Vice-Presidents positions

Decision by consensus: to approve the agenda, as amended.

**2. Approval of Minutes**

Decision by consensus: to approve the minutes of the January 26, 2011 meeting.

**3. Welcome to new members**

The Committee welcomed S. Pichie and P. Rosen.

**4. Policies for Review**

**Suspension due to Absenteeism**

Decision by consensus: incorporate legal counsel's wording and put in the form of a By-Law for transparency.

**Action:** bring back at the March meeting for final review.

**5. By-Law 13 – Constitutional Amendment Process**

Further amendments were made to 13.1 and 13.2. No additional amendments were made 13.3.

**Action:** update 13.1 and 13.2 as amended and submit all amendments to NEC for approval in March.

## **6. Constitutional amendment – 30.1 and 35.1**

There was a discussion on the required number of signatures in order to submit a petition (which invokes the requirement to hold an SGM) and also the required number of signatures to submit an amendment to the Constitution.

Discussed a formula based on a percentage of the membership – this is not feasible as the membership continually changes and members would not know the number of signatures needed to be obtained.

There was a consensus to increase the number of signatures required to 150 in clause 30.1 and to increase the number of signatures required to 200 in clause 35.1.

**Action:** Update as amended and submit to NEC for approval in March.

## **7 a) Constitutional Amendment**

Add new clause

35.4 A member of the NEC is precluded from submitting or sponsoring a petition to amend the Constitution.

**Action:** Submit to NEC for approval in March.

## **7 b) By-Law 5 – Discipline**

Amendments were made to 5.3 in order to incorporate the process and timelines of an investigation when a complaint has been received.

**Action:** Submit to NEC for approval in March.

## **8. Composition of NEC**

This item was tabled.

## **9. Membership on Committees and sub-committees**

There was a discussion on

- the minimum and maximum number of members
- should this be a policy or a By-Law
- what is the optimal number of members as it varies from one to another
- quorum has been an issue on some committees which delays the committee to function effectively

Further discussion required again in March

## **10. Process for NEC to submit resolutions**

There was a discussion on the process for the NEC to submit resolutions to the Elections and Resolutions Committee.

- Does ERC have authority over NEC
- What is ERC's role

Further discussion required again in March

## **11. NEC Policy on filling vacancies**

Decision by consensus: This issue should be discussed at the NEC first.

## **12. Full-time Vice-Presidents positions**

Decision by consensus: This issue should be discussed at the NEC first.

## **13. Findings/recommendations from legal counsel in regards to review of the Constitution and By-Laws**

Tabled. (C Poirier/C Danik)

## **14. Date of next meeting**

The next meeting is scheduled for March 30, 2011.

Items for next agenda

- Policy to review Constitution and By-Laws on a regular cycle.
- Amend clause 15 in the Constitution to exclude Constitution and By-Law amendments
- Membership on Committees and sub-committees
- Process for NEC to submit resolutions

## **15. Adjournment**

The meeting adjourned at 3:30 p.m.