

Constitution and By-Laws Committee Minutes
September 4, 2013
CAPE National Office
Boardroom
5:30 p.m.

Present: S. Mullen (Chair), N. Giannakoulis, L. Haméon, A. Kurikshuk-Nemec, A. Picotte,
C. Poirier, D. Martin.

Apologies: T. Bujaczek, S. Gagnon, C. Danik.

1. Approval of Agenda

Motion: It was moved by S. Mullen, seconded by L. Haméon, that the agenda be approved. **Motion carried unanimously.**

2. Approval of minutes from previous meeting

Motion: It was moved by S. Mullen, seconded by A. Picotte, that the minutes be approved. **Motion carried unanimously.**

3. Constitutional amendments proposed by R. Brockington

6. Powers of the National Executive Committee (NEC)

Add new 6.11

Approve all expenditures above \$10,000

- Concerned about stating an exact amount
- Should this be in the constitution or a policy (policy would be easier to amend if required)
- Maybe it could be a By-Law

Recommendation: Approve all extraordinary non-budgeted expenditures and this should be a By-Law.

Add new 6.12

Provide feedback, advice and if needed, direction to the Collective Bargaining Committees

Recommendation: delete the word "direction"

8. Composition of the NEC

Amend 8.1

Current: The NEC includes voting members and non-voting members.

Proposed: The NEC includes voting members (elected by the membership) and non-voting members (CAPE senior staff).

Recommendation: delete senior and change to management

Delete 8.6

The Association's management, exclusive of the President, are non-voting members of the NEC.

Recommendation: move as 8.3 and renumber as required.

11. Duties and responsibilities of members of the National Executive Committee

Delete 11.7

When attending a meeting where a Head Table or other seating arrangements for NEC members is provided, NEC members will sit at the Head Table or in the designated seating area.

Recommendation: maintain

- Amend 11.8:

Current: All members of the NEC are elected at large and as represent the Association at large and not a segregated constituency.

Remove "as" from sentence, or, following "as", add "such".

Recommendation: only the President is elected at large – VPs and directors are elected by the respective bargaining unit

12. Sub-committees of the National Executive Committee

- Add New 12.3.2

Members of the Elections and Resolutions Committee and Audit Committee shall be elected by the membership for a three year term. Vacancies during the term shall be filled during an election process at the following AGM.

Recommendation: amend section 15 instead - also need a section for the Audit Committee

13. Finance Committee

- Add new 13.3.6

Review the budget process every three years, or sooner, if warranted.

Recommendation: decision to be made by NEC on the timing of the review perhaps “periodically” instead of a specified time.

15. Elections and Resolutions Committee

- Delete 15.1

The NEC shall appoint an Elections and Resolutions Committee, with at least one Regular or Pending member from each bargaining unit.

Recommendation: Maintain and amend – concern that members will not volunteer if they need to be elected and also the length of the term.

- Amend 15.2

Add a new sentence at the end. “Committee members retain their right to vote”.

Recommendation: agree

18. Elections and Terms of Office

- Delete 18.5

In order to make the transition from two to three year terms with the elections scheduled for the fall of 2008, National Executive Committee members whose terms end on December 31, 2007 will have their mandates extended to the end of 2008.

Recommendation: agree

20. Local Leadership Council

- Amend 22.1

Current: The Local Leadership Council shall consist of the members of the Executive Committees of Locals and all Stewards.

Proposed: The Local Leadership Council shall consist of the President, Vice-Presidents and members of the Executive Committees of Locals and all Stewards.

Recommendation: insert “National” in front of President and Vice-Presidents

- Amend 22.5

Current: The Finance Committee shall consult with the Local Leadership Council in preparing the annual budget normally in the month of January.

Proposed: The Finance Committee shall consult with the Local Leadership Council in preparing the annual budget.

Recommendation: agreed

- Amend 22.6

Current: The NEC shall consult with the Local Leadership Council in developing and amending By-Laws or Constitutional amendments normally in the month of June.

Proposed: The NEC shall consult with the Local Leadership Council in developing and amending By-Laws or Constitutional amendments.

Recommendation: agreed

25. Rights of Regular Members and Pending Members

Amend 25.6

Current Vote by mail or by other means as specified in the By-Laws.

Proposed Vote by electronic ballot or by other means as specified in the By-Laws.

Recommendation: agreed

Amend 25.10

Current Receive an Annual Report on the affairs of the Association by mail or by other means as specified in the By-Laws.

Proposed Receive an electronic link to the Annual Report on the affairs of the Association **or** by other means as specified in the By-Laws.

Recommendation: agreed

28. Voting

Amend 28.2

Current All voting shall be by a mail-in ballot or other similar means, as specified in the By-Laws.

Proposed All voting shall be by electronic ballot or **by** other means, as specified in the By-Laws.

Recommendation: agreed

29. Annual General Meeting (AGM)

Add New 29.4.1

Summarize the main issues from the past year

Amend Current 29.4.1

Current: discuss issues of concern and interest

Proposed: discuss issues of concerns and the ~~objectives~~ strategic vision of the Association for the coming year(s).

Recommendation #1: amend as above

Recommendation #2: do you want to have a set agenda as below and also include the above?

The agenda shall

Hear reports from the National Office
Hear from candidates for a position on the NEC
Discuss proposed resolutions

Add New 29.4.5

Be minuted and made available for all members

The minutes shall contain, but not limited to, number of members in attendance, names of NEC members in attendance, main issues as reviewed by the President, a summary of questions and comments from members received and answers provided.

Recommendation: minutes can be recorded but need costs of having them transcribed. Could be other solutions with newer technology – need further research

34. Financial Controls

Amend 34.8

Current The fiscal year of the Association shall end on April 30th.

Proposed The fiscal year of the Association shall commence on May 1 and end on April 30th of the following year.

Recommendation: agreed

Adjournment

The meeting adjourned at 7:30 p.m.