

Constitution and By-Laws Committee Minutes
November 7, 2012
CAPE National Office
Boardroom
5:30 p.m.

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

Apologies: C. Danik.

1. Approval of Agenda

There was a **consensus** that the agenda be approved.

2. Approval of Previous Minutes

It was moved by L. Haméon, seconded by A. Picotte, that the minutes be approved.

In favour = 8, Opposed = 0, Abstention = 1. **Motion Carried.**

3. Roles and Responsibilities of Committee members

There was a consensus that the roles and responsibilities be posted on the web site on the Committee page.

4. By-Election process to fill vacant NEC positions

Under the proposed 18.4 change “general” to “regular” in the third last sentence.

- It was requested to find out how much it costs to hold an electronic vote.
- If NEC is to appoint then should there be a policy on the procedure.
- If a By-Election process is chosen then this requires an amendment to clause 20.3

5. a) Update on the review of Local By-Laws

S. Gagnon has reviewed and they are now with S. Mullen. S. Mullen will input his comments and then pass them to N. Giannakoulis.

5. b) Draft provision that Locals with 500 members must have By-Laws

It was asked if there was a timeframe for this work. S. Mullen advised that there was no timeframe. The Committee requested that the framework for Local By-Laws be provided to them.

This item has been **deferred** to the next meeting.

6. Draft By-Laws for electronic voting process

D. Petriu requested that this item be **deferred** to the next meeting.

7. Article 19 – Removal from office

It was requested that C. Poirier request a legal opinion on this Article and to ask about liability and defamation.

- How does a member defend themselves – what is the process/procedure – what about e-voting
- What are the reasons to remove a NEC member – must this be stated in the petition
- What do other unions do – T. Bujaczek volunteered to research this issue for the next meeting.

8. Options for voting by LLC

After consultation with the Local Leadership Council (LLC) it seems that the preference is for Option 2 – One (1) vote per Local.

It was mentioned that the procedure for the LLC to vote and make recommendations to the National Executive Committee (NEC) is already in the Constitution and that there is an administrative issue of having the summary/recommendations recorded or typed so that they are forwarded to the next NEC meeting.

Administrative procedures must be put into effect S. Mullen will ask the NEC whether we need a By-Law or just a written policy.

9. Process for becoming a steward

The NEC has requested that the Constitution and By-Laws Committee draft a procedure on the approval of new stewards where there are no Locals.

Do we need a By-Law or just a written policy? S. Mullen to clarify with the NEC.

10. Issues pending - Review of Constitution and By-Laws by legal counsel

This has been **deferred**.

11. Adjournment

The meeting adjourned at 7:50 p.m.

