

2023 NEC RESOLUTION
FOR APPROVAL BY THE MEMBERSHIP AT THE 2023 AGM
November 8, 2023

Resolution #1 – Amendments to By-law 14 (Suspension Due to Absenteeism)

Overview:

These are proposed amendments to By-law 14 (*Suspension Due to Absenteeism*) which provide clarification on when the absenteeism provisions would apply and outline the process to be followed in greater detail. In addition, the amendment to By-law 14.7.1(c) seeks to correct a cross-referencing error in the text.

Date adopted by the NEC: February 24, 2023

Comparison or proposed amendments to existing text:

EXISTING TEXT	PROPOSED AMENDMENTS	REASON FOR THE CHANGES
BY-LAW # 14 – SUSPENSION DUE TO ABSENTEEISM	BY-LAW # 14 – SUSPENSION DUE TO ABSENTEEISM	
B 14.2.1. Suspension means to deprive an elected or appointed member of the NEC or of a NEC Subcommittee of their right to attend meetings or receive information for a specified period of time.	B 14.2.1. Suspension means to deprive an elected or appointed member of the NEC or of a NEC sub-committee of their right to attend meetings or receive information for a specified period of time.	The following amendments provide greater clarification with respect to when the absenteeism provisions would apply, ensure transparency and provide a more detailed outline of the process to be followed under this By-Law.

<p>B 14.2.3. Habitual occurrence of absence for the purpose of this By-Law means:</p> <ul style="list-style-type: none"> xi. The NEC Member has missed 3 consecutive regular NEC meetings; or xii. The NEC Member has missed 3 of the last 4 regular NEC meetings. xiii. The Member of the NEC sub-committee has missed 3 consecutive regular meetings; or xiv. The Member of the NEC sub-committee has missed 3 of the last 4 regular NEC sub-committee meetings. 	<p>B 14.2.3. Habitual occurrence of absence for the purpose of this By-Law means:</p> <ul style="list-style-type: none"> a) The NEC member has missed 3 consecutive regular NEC meetings; or b) The NEC member has missed 3 of the last 4 regular NEC meetings. c) The Member of the NEC sub-committee has missed 3 consecutive regular NEC sub-committee meetings; or d) The Member of the NEC sub-committee has missed 3 of the last 4 regular NEC sub-committee meetings. <p>B 14.2.4. NEC members are responsible for informing the President of any long-term absence from the NEC or NEC sub-committee of greater than 30 calendar days. Such periods of extended leave shall not count for the purpose of By-Law 14.2.3 provided the member has obtained authorization from their Employer for this same period of leave.</p>	
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<p>B 14.3.1. The President, on their own motion or as identified by a NEC member, will place the matter of absenteeism on the agenda of the next monthly NEC meeting.</p> <p>B 14.3.2. The President will forthwith advise the NEC member in question that the issue of his or her absenteeism has been identified, that it will be addressed at the next monthly NEC meeting, and invite the NEC member to provide a justification for his or her absences in writing and/or in person at the NEC monthly meeting.</p>	<p>B 14.3.1. The President , shall raise the matter of the absenteeism from NEC meetings with the member in question to understand the reasons for the absences and find a solution to rectify the situation. If the absences continue to occur, the President, on their own motion or as identified by a NEC member, will place the matter of absenteeism on the agenda of the next monthly NEC meeting.</p> <p>B 14.3.2. The President will forthwith advise the NEC member in question that the issue of his or her continued absenteeism will be addressed at the next monthly NEC meeting, and invite the NEC member to provide a justification for his or her absences in writing and/or in person at the NEC monthly meeting.</p>	
<p>B 14.4.1. The Chair of the NEC Sub-Committee will provide a written recommendation to the President of CAPE for the suspension of a NEC sub-committee member. The recommendation will include the rationale for and the recommended period of suspension. The President will</p>	<p>B 14.4.1. The Chair of a NEC sub-committee shall raise the matter of the absenteeism with the member in question to understand the reasons for the absences and find a solution to rectify the situation. If the absences continue to occur, the Chair of the sub-</p>	

<p>then pursue the suspension process, set out in 14.3 of this By-Law, at the next monthly meeting of the NEC.</p>	<p>committee shall inform the President who, in turn, will attempt to resolve the situation. If the absences still continue to occur thereafter, the Chair of the NEC sub-committee will provide a written recommendation to the President of CAPE for the suspension of the NEC sub-committee member. The recommendation will include the rationale for and the recommended period of suspension. The President will then pursue the suspension process, set out in 14.3.2 to 14.3.7 of this By-Law, at the next monthly meeting of the NEC.</p>	
<p>B 14.7.1. A suspension from the NEC itself or one of its subcommittees ends upon the earliest of the following events:</p> <ul style="list-style-type: none"> a) the date of expiry of the imposed suspension; b) the date of expiry of the member's term of office; c) the effective date of the member's removal from office in accordance with Article 19 of the Constitution; or d) the effective date of the member's resignation from the NEC itself or one of its subcommittees. 	<p>B 14.7.1. A suspension from the NEC itself or one of its sub-committees ends upon the earliest of the following events:</p> <ul style="list-style-type: none"> a) the date of expiry of the imposed suspension; b) the date of expiry of the member's term of office; c) the effective date of the member's removal from office in accordance with Article 20 of the Constitution; or 	<p>Amendment required to correct a cross-referencing error.</p>

	d) the effective date of the member's resignation from the NEC itself or one of its sub-committees.	
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