

BYLAWS AMENDMENT - must be completed first

Notice of motion to amend 5.01 (a) to remove "except Chief Shop Steward"

5.01 Election Dates

- Apr 3/18 (a) Board of Directors Members (~~except Chief Shop Steward~~)
- (i) Nominations will take place at the October General Meeting.
 - (ii) The Membership will decide on an election date (or election period in the event of an electronic or mail-in ballot vote) proposed by the Returning Officer, which shall not be less than fourteen (14) days or more than twenty-four (24) days from the nominations.

Rationale: That the Chief Shop Steward is a full member of the Board and therefore should be elected by the full membership of the Union.

CONSTITUTIONAL AMENDMENTS

Notice of Motion to amend Constitution Article 3.07 Good Standing by inserting the word “prescribed” and a statement outlining the process for determination of an initiation fee.

An Active Member is a person who has paid the *prescribed* initiation fee, and is currently paying dues to the Union, or have pre-paid their dues upon approved leave. An Active Member can have their status of Good Standing revoked as per Bylaw Article 7. *The prescribed initiation fee shall be determined annually and brought forward to the October General Meeting and shall be for the twelve (12) month period commencing the following January*

Rationale: **Adding the word “prescribed” permits the application of an initiation fee when and if it is necessary. The membership will be made aware of and vote on the prescribed fee, including a zero dollar fee, when it is brought forward in October.**

Notice of Motion to delete Article 8.0 Representatives and Delegates from the Constitution.

Rationale: Board approved Policy G-7 Representation at Events addresses this.

Notice of Motion to amend Constitution 9.01 (a)(iv) to strike the words “by the Shop Stewards” and amend odd to even. This will only take effect if amendments to section 5.01 of the Bylaws removing the words “except Chief Shop Steward” are approved.

9.01 Terms of Office

- (iv) The Chief Shop Steward shall be elected ~~by the Shop Stewards~~ for a two (2) year term in ~~odd~~ **even** years, commencing 2020.

Notice of Motion to amend Constitution 9.03 to strike the words “or the Chief Shop Steward” and striking (d) completely. This will only take effect if amendments to section 5.01 of the Bylaws removing the words “except Chief Shop Steward” are approved.

- (b) A vacancy on the Board of Directors (other than the President ~~or the Chief Shop Steward~~) and on Committees shall be filled by election at a General Meeting for the duration of the departing member’s term.
- (d) ~~In the event the Chief Shop Steward’s position becomes vacant, the Shop Stewards shall elect, at their next meeting, a Shop Steward to assume the duties of the Chief Shop Steward for the remainder of the term in office.~~

Rationale: That the Chief Shop Steward is a full member of the Board and therefore should be elected by the full membership of the Union.

Notice of Motion to amend Constitution 9.03 to add 9.03 (b) (ii) to include nomination and election procedure for filling vacancies.

9.03 Vacancies

Oct 3/06 (a) A vacancy may occur on the Board of Directors, Shop Stewards Assembly or Committees through death, resignation, suspension or any other cause.

Apr 2/19 (b) A vacancy on the Board of Directors (other than the President or the Chief Shop Steward) and on Committees shall be filled by election at a General Meeting for the duration of the departing member's term.

(i) If there is not a scheduled General Meeting within the next thirty-one (31) days, then a Special Meeting shall be called as an election meeting to elect a Board member to fill the vacant position.

(ii) Nominations for the vacancy must abide by Bylaws 5.02 Nominations (a), (b), (c), (d) and (e) with the timeline adjusted to accommodate the next General meeting date. The voting for this election will use paper ballots and will be counted by the Financial Review committee.

Rationale: The addition of (ii) ensures that the nomination process including qualifications mirrors the existing bylaws, with the exception of a presentation by candidates (f), and outlines how and when the vote will take place.

BYLAW AMENDMENTS

Notice of Motion to amend to 5.0 Elections Procedure for Board of Directors Positions preamble to remove repeated words (housekeeping).

CSU 52 is governed by a Board of Directors elected from within its membership. The ~~election process~~ Election Process may be done by electronic ballot, by mail-in ballot, or in person ballot. The Board of Directors will determine the election process.

Rationale: housekeeping

Notice of Motion to amend 5.01 (a) (ii) and add 5.01 (a) (iii and iv).

5.01 Election Dates

(a) Board of Directors Members (except Chief Shop Steward)

- i) Nominations will take place at the October General Meeting.
- ii) In the event of an in-person election, the Membership will decide on an election date proposed by the Returning Officer, which shall not be less than fourteen (14) days or more than twenty-four (24) days from the nominations, or
- iii) In the event of an online election, the Membership will decide on an election period proposed by the Returning Officer. The period of online voting will be five (5) calendar days commencing on a Monday in October which shall be not less than fourteen (14) days or more than twenty-four (24) days from the nominations.
- iv) Advance Poll Day will be held at the CSU 52 office on a date determined by the Returning Officer, at least one week prior to the opening of online voting period or election day.

Rationale: To accommodate in-person or online voting

Notice of motion to amend 5.01 (c) to change 7 days to 14 days.

(c) Returning Officer

Shall be appointed by the Assistant Returning Officer within **fourteen (14)** ~~seven (7)~~ calendar days of the June General Meeting. A member of the Board of Directors is not eligible for appointment to this position.

Rationale: Allows additional realistic time to hire a RO.

Notice of motion to amend Bylaws 5.02 (d) (v) to remove “Nomination for any resulting vacancy will be held at the next General Meeting at which the election for such position shall occur” and include a reference to Constitution Article 9.03 Vacancies.”

5.02 Nominations

d) Acceptance of Nomination

- v) Any member of the Board of Directors who accepts nomination for another position on the Board of Directors will be deemed to have resigned their former position, effective the date the position nominated to is filled, **being January 1st of the following year**, as per Constitution Article 9, Terms of Office. ~~Nomination for any resulting vacancy will be held at the next General Meeting at which the election for such position shall occur.~~ **Any resulting vacancy will be filled according to Constitution Article 9.03, Vacancies.**

Rationale: Provides clarification of the date and the procedure for filling vacancies, as outlined in Constitution Article 9.03

Notice of Motion to amend 5.03 (a) (iv)(2) to allow for online elections.

2) are not permitted to campaign on Election Day. Should there be an election period, as in the case of an online election, candidates may campaign during that period,

Rationale: An in-person election is focused on one day, while an online election has been established for 5 days and we don't want to restrict candidates campaigning for that long.

Notice of Motion to amend 5.03 (b) (i) to change timeline from 7 to 14 days.

- (i) have a Returning Officer appointed within ~~seven (7)~~ fourteen (14) calendar days of the June General Meeting;

Rationale: Allows additional realistic time to hire a RO.

Notice of Motion to amend 5.03 (d) to include provisions for online voting.

5.03 Duties of Election Officers

(d) Poll Clerks

Poll Clerks will only be required for in-person elections and on Advance Poll Day. Poll Clerks ensure the accurate casting and counting of ballots.

Rationale: To accommodate in-person or online voting

Notice of Motion to amend 5.04 to include provisions for online voting.

5.04 Election Preparation

(c) Notice of Election

The bulletin shall:

- (i) list all the position(s) to be filled and the candidates nominated for the position(s), in alphabetical order according to surname;
- (ii) identify the election date **or election period**;
- (iii) identify the location, dates and times of the Advance Poll(s);
- (iv) indicate that all Active Members in good standing who are on the Voter Eligibility List will be allowed one vote for each position that is open for election, with the exception that only members of the specific Contractual Units may vote for their respective Contractual Unit Director.
- (v) **include the statement to all Members that an online ballot will be sent to their personal email address in the event of an online election. Members are responsible for updating their personal email address with CSU52 no later than one (1) day prior to Advance Poll Day to be on the voter eligibility list.**

f) Voter Eligibility List

- i) **In the event of an in-person election**, a list of eligible voters, by Contractual Unit, shall be provided by the Union Office prior to the Election **to the Returning Officer**. The list shall be printed on the same colour paper as the Union Membership cards for each Contractual Unit **or**,
- ii) **In the event of an online election**, a digital list of eligible voters and their personal email address, by Contractual Unit, shall be provided by the Union Office immediately following the Advance Poll Day to the Returning Officer.

g) Polling Stations List

In the event of an in-person election, a list consisting of the number and locations of polling booths shall be distributed by the October General Meeting.

h) Polling Hours

- i) **In the event of an in-person election**, ~~t~~The Returning Officer shall determine and publish the opening hours of polls, including roving polls.
- ii) On Advance Poll day, the poll will operate between 9:00 a.m. and 6:30 p.m.

Rationale: To accommodate in-person or online voting

Notice of Motion to amend 5.08 to include provisions for online voting.

5.08 Tie Vote

In the event of a tie, which would affect the election results, a secondary election will be held. **The secondary election will not include an Advance Poll and shall be concluded by November 30.** The ballots shall contain the names of the candidates who were tied. The secondary election shall conform to the aforementioned procedures.

Rationale: To accommodate in-person or online voting

Notice of motion to add 5.10 -Election Appeal Procedure

5.10 Election Appeal Procedure

1. Any Member, including a Candidate, the Assistant Returning Officer or Scrutineer may appeal an election decision of the Returning Officer if they have the support of at least ten (10) members.
2. A written notice to appeal shall be provided to the Board of Directors within fourteen (14) calendar days of the announcement of the election results. This notice must:
 - (i) state how the Returning Officer's decision substantially affected the outcome of the election,
 - (ii) state details of the infraction(s), including the Bylaw articles that may have been violated, and
 - (iii) be signed by at least ten (10) active members in good standing.
3. The President shall call a Special Meeting not less than fourteen (14) calendar days and not more than twenty-one (21) calendar days from receipt of the appeal notice. The notice of appeal shall be sent to the Membership with the Call for the Special Meeting.
4. The Returning Officer shall be notified of the notice of appeal and have the option to provide a written justification to be shared with the Membership prior to the Special Meeting.
5. Other members wishing to present information at the Special Meeting may register to do so in advance of the meeting date by providing written notice to the Union office. These members will be given a prescribed time slot at the Special Meeting to present their information to the Membership. The appellate and the Returning Officer will be given the opportunity to present their case at the meeting.
5. The Membership will vote on whether the decision of the Returning Officer was erroneous and affected the election results. The appeal must be supported by sixty-six percent (66%) of those members present and voting at the Special Meeting. Voting will be done by secret ballot. The decision of the Membership shall be final and binding.
6. Should the Membership deem that the decision of the Returning Officer impacted the election, the election results will be overturned and considered null and void and a new election will be called within fourteen days (14) and will be conducted by a newly appointed Returning Officer selected by the Assistant Returning Officer.

Notice of Motion to amend Bylaws Article 6. Honorariums and Expenses, adding 6.04 Compensation for Acting President

6.04 Compensation for filling the role of the President on a part time basis will be at the rate of 5% below the President's current salary for hours worked, or wage replacement whichever is greater. Should the individual earn more than the hourly rate of the President, wage replacement will prevail with no premium.

Compensation for filling the role of the President on a full-time basis will be the current salary of the President according to Constitution Article 9.03 (c). Should the individual filling the role earn more than the hourly rate of the President, they shall receive the salary of the President with no premium.

Rationale: Embeds in the Bylaws the compensation that will be provided for the Acting President. A complimentary and supporting policy has been developed and approved outlining when compensation will be in effect.

Notice of Motion to amend Bylaw Article 9.02 to strike “Any Board of Directors motions which are not presented at the General Meeting shall be deemed to be non-binding and invalid, with the exception of personnel or grievance decisions held “in camera.”” from (a), and strike (c) and to add timelines and procedure surrounding the approval and adoption of motions.

9.02 Board of Directors Motions

- (a) Board of Directors motions duly moved, seconded and voted on shall be recorded in the Board of Directors Meeting Minutes. ~~Any Board of Directors motions which are not presented at the General Meeting shall be deemed to be non-binding and invalid, with the exception of personnel or grievance decisions held “in camera.”~~ *Motions of the Board will be posted to the CSU 52 website within seven (7) calendar days from the board meeting. The membership has thirty (30) days to raise concerns (in writing) about a motion to the Board of Directors with the exception of decisions held “in camera” related to personnel or grievances. The disputed motion will not be considered binding until the next General Meeting or a Special Meeting is called in accordance with Article 4.04 of these bylaws. If there are no concerns raised within thirty (30) days of posting, these motions shall be considered adopted.*
- (b) A record of votes cast shall be maintained by the Recording Secretary.
- (c) ~~Members present at a General Meeting shall have the right, through a majority vote of sixty percent (60%) of the members voting and present, to amend a Board of Directors motion, including but not limited to:~~
- ~~(i) a Board of Directors’ motion pertaining to the hiring and firing of Union employees;~~
 - ~~(ii) non-budgeted expenditures over one thousand dollars (\$1,000.00);~~
 - ~~(iii) capital expenditures over two thousand dollars (\$2,000.00).~~
- (d) (c) A motion to direct the Board of Directors to reconsider a motion requires a simple majority.
- (e) (d) The discussion and any vote shall take place under the agenda item “Business Arising.”

Rationale: Provides timelines and procedures for informing the membership of Board Motions, so that members are aware of the decisions that the Board of Directors is making in a timely basis, ensuring transparency and accountability to the membership, while allowing the Board to carry out the business of the Union.