

**CONSTITUTIONAL AMENDMENTS  
TO THE 23<sup>RD</sup> BIENNIAL CONVENTION  
OCTOBER 24, 25 & 26, 2019**

**Constitutional Amendment Number 1:** (Board of Directors)

WHEREAS Article V - Convention, A. Biennial, #3, states:

The President of each Local, or in his/her absence, the Vice-President shall be a delegate to the Biennial Convention if he/she so desires; additional delegates ,if permitted by the following formula, will be elected in the manner outlined as per Article XII, 7.:

Locals with greater than one hundred (100) members shall be entitled to one (1) additional delegate for each one hundred (100) or fraction thereof. The membership in a Local shall be based on an average of members at June 30 and December 31 census, otherwise the highest census for the year should apply, and whose dues have been paid and whose application cards have been received by Headquarters in the year preceding the Biennial Convention.

BE IT RESOLVED Article V - Convention, A. Biennial, #3, to be amended to read:

The President of each Local, or in his/her absence, the Vice-President shall be a delegate to the Biennial Convention if he/she so desires; additional delegates ,if permitted by the following formula, will be elected in the manner outlined as per Article XII, 7.:

Locals with greater than one hundred (100) members shall be entitled to one (1) additional delegate for each one hundred (100) or fraction thereof. The membership in a Local shall be based **on the highest census in the preceding twelve (12) months of the Biennial Convention**, and whose dues have been paid and whose application cards have been received by Headquarters **ninety (90) days** preceding the Biennial Convention.

**Constitutional Amendment Number 2:** (Board of Directors)

WHEREAS Article VI - Officers, A. Board of Directors, #2. (b), First Paragraph, states:

Notice of the election for the offices of the President and Secretary/Treasurer, along with a summary of all rules and procedures for such an election, shall be forwarded to each member not less than twelve (12) weeks prior to the end of term.

BE IT RESOLVED Article VI - Officers, A. Board of Directors, #2 (b), First Paragraph, be amended to read:

Members shall be notified through appropriate means as to the Notice of Election for the offices of the President and Secretary/Treasurer, along with access to a

summary of the Rules and Procedures for such an election, twelve (12) weeks prior to the end of the term of office(s).

**Constitutional Amendment Number 3:** (Board of Directors)

WHEREAS the heading of Article VI - Officers, B., states "Officers";

BE IT RESOLVED the heading of Article VI - Officers, B., be amended to read "Full Time Officers - President and Secretary/Treasurer".

**Constitutional Amendment Number 4:** (Board of Directors)

WHEREAS Article VI - Officers, B. Officers, #4. (b), states:

In the event of a vacancy in the office of the President, as a result of the President's death, resignation or removal from office, the Secretary/Treasurer shall assume the Office of the President. Within fifteen (15) days of the date of his/her becoming aware of the vacancy, shall call a meeting of the Board of Directors upon ten (10) days' notice for the purpose of filling the vacancy in accordance with Article VI. A. 10 (a) (ii).

BE IT RESOLVED Article VI - Officers, B. Officers, #4 (b), be amended to read:

In the event of a vacancy in the office of the President, as a result of the President's death, **written confirmation of** resignation or removal from office, the Secretary/Treasurer shall assume the Office of the President. Within fifteen (15) days of the date of his/her becoming aware of the vacancy, shall call a meeting of the Board of Directors upon ten (10) days' notice for the purpose of filling the vacancy in accordance with Article VI. A. 10 (a) (ii).

**Constitutional Amendment Number 5:** (Board of Directors)

WHEREAS Article VI - Officers, B. Officers, #5. (b), states:

In the event of a vacancy in the office of Secretary/Treasurer as a result of the Secretary/Treasurer's death, resignation or removal from Office, the President and Board shall follow the procedure outlined in 4. (b) above.

BE IT RESOLVED Article VI - Officers, B. Officers, #5 (b) be amended to read:

In the event of a vacancy in the office of Secretary/Treasurer as a result of the Secretary/Treasurer's death, **written confirmation of** resignation or removal from Office, the President and Board shall follow the procedure outlined in 4. (b) above.

**Constitutional Amendment Number 6:** (Board of Directors)

WHEREAS Article VI - Officers, A. Board of Directors, #1. (e) states:

The President of the Union, Secretary/Treasurer of the Union shall be elected at large by the total membership. The General Vice President shall be elected at large by the delegates at the Biennial Convention. The order of precedence of the Executive Members shall be determined by the Board of Directors at its first meeting after Convention.

BE IT RESOLVED Article VI - Officers, A. Board of Directors, #1 (e) be amended to read:

The order of precedence of the Executive Vice Presidents, inclusive of the General Vice President, Eastern Vice President, Central Vice President, and Western Vice President, shall be determined by the Board of Directors at its first meeting following the Biennial Convention.

**Constitutional Amendment Number 7:** (Board of Directors)

WHEREAS Article VI - Officers, A. Board of Directors, #2. (a) (i) and (ii), states:

- (i) For the election of President and Secretary/Treasurer of NAPE, the candidate who receives a simple majority shall be the candidate deemed elected.
- (ii) All other rules and procedures for conducting the election of President and Secretary/Treasurer of the Union shall be determined by the Board of Directors.

BE IT RESOLVED Article VI - Officers, A. Board of Directors, #2 (a) be amended to read:

The President of the Union and the Secretary/Treasurer of the Union shall be elected at large by the total active membership.

- (i) Current language - (i).
- (ii) Current language - (ii).

**Constitutional Amendment Number 8:** (Board of Directors)

WHEREAS Article VI - Officers, A. Board of Directors, #2 (b), Second Paragraph, states:

The election process will be conducted as follows: Two (2) weeks for nominations; two (2) weeks to get ballots prepared and mailed, and one (1) month for return of ballots. The deadline for return of ballots will be two (2) months from the call for nominations.

BE IT RESOLVED Article VI - Officers, A. Board of Directors, #2 (b), Second Paragraph, be amended to read:

The election process determined by the Board of Directors shall allow sufficient time for the nomination of candidates, preparation of and the notification of voting by

members. The total time for the nomination and election process shall not exceed sixty (60) days and shall be completed no later than thirty (30) days prior to the term of office concluding as per Article VI. 3. (a).

**Constitutional Amendment Number 9:** (Local 7104)

WHEREAS NAPE's Constitution does not contain an election process and election rules;

THEREFORE, BE IT RESOLVED that NAPE add a new Article to its Constitution that outlines election rules and election process for all elected positions in NAPE.

**Constitutional Amendment Number 10:** (Local 7104)

WHEREAS the NAPE Constitution doesn't full outline Local Executive Minutes or Local Minute process;

THEREFORE, BE IT RESOLVED that NAPE Constitution, Article XII, Section 12, be changed to:

The Local and the Executive of a Local shall keep a record of the meetings and actions thereof and a copy of the Minutes of every meeting shall be sent to each Local Board Member and to the Office of the President of the Union, and report submitted to the next Local Board of Directors' meeting.

**Constitutional Amendment Number 11:** (Local 7104)

WHEREAS the NAPE Constitution doesn't indicate a retention period for the Local Minutes required by NAPE Constitution to be submitted to the Office of the President of the Union;

THEREFORE, BE IT RESOLVED that NAPE Constitution, Article XII, Section 12, have added Article XII, Section 12 (b) that states:

Local and Local Executive Minutes submitted under NAPE Constitution, Article XII, Section 12, be retained by NAPE for a minimum period of twenty (20) years and be provided to a NAPE member upon request.

**Constitutional Amendment Number 12:** (Local 7104)

WHEREAS NAPE's Constitution does not specify that reports submitted at a Local meeting is considered part of the Local meeting minutes;

THEREFORE, BE IT RESOLVED that Article XII, Section 12, be changed to Article XII, Section 12 (a) and have added a sub-section 12 (b) to read as follows:

All reports and other correspondence submitted at a Local meeting shall be deemed to be part of the meeting Minutes referred to in Section XII, sub-section (a).

**Constitutional Amendment Number 13:** (Local 7104)

WHEREAS NAPE's Constitution provides that Shop Stewards of a Local shall be elected

at the Biennial General Meeting of a Local but doesn't provide for needed election of Shop Stewards between Biennial General Meetings;

THEREFORE, BE IT RESOLVED that a new section be created numbered Article XII, 16, be added and to read:

A Local may elect needed Shop Stewards between Local Biennial General Meetings at General Meetings of the Local.

**Constitutional Amendment Number 14:** (Local 7104)

WHEREAS Shop Stewards are needed between Local Biennial General Meetings for various reasons such as Shop Stewards resignation or creation of a new shop by the Employer;

THEREFORE, BE IT RESOLVED that NAPE's Constitution have added a new Article XII, Number 17, to read as follows:

Between Local Biennial General Meetings Locals may appoint Shop Stewards as needed. Such appointment is subject to the Local having conducted a Local General Meeting election for the needed Shop Stewards without success.

**Constitutional Amendment Number 15:** (Local 7104)

**Article VI - Officers - Section 11**

WHEREAS Article VI, 11. (b) currently gives the President sole authority to hire, promote and dismiss staff subject to the terms and conditions of the Collective Agreement between NAPE and its Staff; and

WHEREAS provisions should be in place to ensure hiring and promotion practices are transparent, based on merit and consequently fair;

THEREFORE, BE IT RESOLVED to change Article VI, 11. (b) to read:

Once authority has been given, hiring and promotion of staff shall be carried out through a third party impartial HR firm in conjunction with the office of the President, subject to the terms and conditions of the Collective Agreement between NAPE and its Staff. The HR firm is to be selected and approved by the NAPE Board of Directors.

BE IT FURTHER RESOLVED to add Article VI, 11. (c) to read:

Notwithstanding Article VI, 11. (b), the President shall retain the authority to dismiss staff, subject to the terms and conditions of the Collective Agreement between NAPE and its Staff.