

**RESOLUTION:
Committee Terms of Reference**

September 12 – 14, 2024

<p>CB-1</p>	<p>We believe that committees are at their most responsible when they have clear guidelines that govern them. By requiring all committees to have Terms and References each committee will be held accountable for their actions during their terms both to the committee and the union. We believe this will create better engagement and make sure all committees are functioning to their full potential.</p> <p><u>Bylaws:</u> Art. 1 Definition and Duties of Standing Committees.</p> <p>OLD LANGUAGE</p> <p>Standing committees should be balanced, comprising members from different Vice-Presidents’ components and reflect the variety of workers MoveUP represents.</p> <p>NEW LANGUAGE</p> <p>Standing committees should be balanced, comprising members from different Vice-Presidents’ components and reflect the variety of workers MoveUP represents. Each Standing Committee will create Terms and References that help govern their committees. Each committee will review their Terms and References at the start of each term, at minimum. Terms and References should include the process of acquiring chair(s) as well as the goals of the committee.</p> <p>Submitted by the Youth Action Committee (<i>Dimitri Ossinsky, Alysha Morris, Rasha Abuyeres, Michelle Baillet, Harpinder Bassi, Kamila Bennett, Jasmine Bhinder, Bilal Butt, Hanna Calayan, Sabrina Chang, Winston Chau, Dylan Chenatte, Zach Chipman, Brienna Condie, Clementine de Batz, Laura DeGrande, Alex Durham, Ahmad Ehsani, Alexander Engels, Jonathan Espena, Grimmsley Feng, Kent Gray, Alycia Guile, Alberto Guzman, Justin Hayer, Ajay Heer, Nathaniel Hilton, Emily Huang, Lexi Jabbour, Lillian Joseph, Jacquile Kambo, Anissa Kokot, Dorota Kusmierek, Kalya Laherstorfer, Heidi Leung, Jasmine Lindquist, Kyle MacDonald, Kelsea Nadeau-Brisard, Pritpal Nagra, Avery Nishida, Jacob Parnell, Aadila Patel, Joshua Pazcoguin, Frances Quesada, Keerat Randhawa, Isabel Rowe-Codner, Brahmjit Sandhu, Jaime Scott, Mayanka Sharma, Vanessa Sharma, Andrew Sheh, Navjot Singh, Raminder Singh, Angelie Suarez, Gurbarn Sull, Trina Tam, Fraser Thorburn, Sharmaine Valentin, Tyler Walters, Eriq Wong, Frederick Wong, Claudia Wong, Felix Yan</i>)</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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**RESOLUTIONS:
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<p>CB-2</p>	<p>4.43 Election of Vice-Presidents</p> <p>A Executive Board Member shall be elected Vice-President shall be by secret ballot by delegates at the Convention elected at-large by and from the general membership of their respective component at MoveUP. There shall be 3 Vice-Presidents elected and each shall represent at least 20% of the total membership. There shall be no more than one Vice-President from any single bargaining unit. The Constituencies shall be recommended by the Electoral Committee subject to the approval of the Executive Council. Only Executive Board Members, Councillors and Stewards for the Constituencies to be represented can vote for a Vice-President.</p> <p>Notwithstanding the above, if one unit <u>component</u> has more than 60% of the members, there shall only be 2 Vice-Presidents, one from the largest unit <u>component</u> and one from the remaining combined <u>components</u>.</p> <p><u>The incoming Vice-Presidents shall be installed and assume office immediately after being declared elected.</u></p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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CB-3	<p><u>4.34</u> Election of Executive Board</p> <p>Executive Board Members shall be elected by and from the membership in each Employer Bargaining Unit <u>component</u> and the electorate shall vote for the required number of Executive Board Members, as follows: The Executive Board shall consist of no more than 12 seats, as determined by the Electoral Committee in accordance with Bylaw 1E.</p> <p><u>A proportional representative system will be used. The number of Executive Board seats will be determined by the rounded percentage of membership held by each component.</u></p> <p><u>For example, using 2024 membership numbers, ICBC had 5201 members (40.37%), Utilities had 3784 members (29.37%), and Combined had 3897 (30.25%). Using rounding, ICBC would have 4 seats, Utilities would have 3 seats, and Combined would have 3 seats.</u></p> <p><u>The total membership numbers used will reflect a twelve (12) month period, ending six (6) months prior to the first day nominations open.</u></p> <p><u>The composition of the Executive Board will remain the same until the next general election.</u></p> <p>a) Each Employer Bargaining Unit whose monthly membership average for the 12-month period ending 6 months prior to the last day the ballots are to be received for election confirmed at 501 or more Members will elect Executive Board Members from among their respective unit as per subsection (b).</p> <p>b) Monthly membership average entitlement: 1—500 Members—0 Executive Board Member(s) 501—1000 Members—1 Executive Board Member(s) 1001—1500 Members—2 Executive Board Member(s) 1501—2500 Members—3 Executive Board Member(s) 2501—3500 Members—4 Executive Board Member(s) 3501—4500 Members—5 Executive Board Member(s) And so forth.</p> <p>c) Employer Bargaining Units whose monthly membership average for the 12-month period ending 6 months prior to the last day the ballots are to be received for election is less than 501 Members each, will have their membership combined into one or more component groups and will elect Executive Board Members from among their combined memberships as per subsection (b), except that if the combined total is less than a monthly membership</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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	<p>average of 501, but not less than 401, the combined membership shall nevertheless be entitled to one (1) Executive Board Member.</p>	
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CB-4	<p>5.1 c) In the event of the inability <u>unavailability</u> of the President to fulfill the duties of office, the Secretary-Treasurer, a Vice-President, or other an <u>an Executive Board Member, Councillor or Job Stewards</u> in that order, shall act on the President’s behalf <u>for any absence expected to be less than 90 days.</u></p> <p>New - addition:</p> <p>5.1 c) <u>In the event of an absence expected to be greater than ninety (90) days the Executive Council may elect an interim President, from Executive Board and Council members, at the next Executive Council meeting. The interim President will fulfill the duties of office until the President returns. The Executive Board will recommend to Executive Council if an election should be held.</u></p> <p>New - addition:</p> <p>5.2 i) <u>In the event of the unavailability of the Secretary-Treasurer to fulfill the duties of office, a Vice-President, or an Executive Board member, in that order, shall be appointed by the Executive Board to act on the Secretary-Treasurer’s behalf for any absence expected to be greater than thirty (30) days but less than ninety (90) days.</u></p> <p><u>In the event of an absence expected to be greater than ninety (90) days, the Executive Council may elect an interim Secretary-Treasurer, from Executive Board and Council members, at the next Executive Council meeting. The interim Secretary-Treasurer will fulfill the duties of office until the Secretary-Treasurer returns. The Executive Board will recommend to Executive Council if an election should be held.</u></p> <p>5.3 j) <u>In the event of the unavailability of the Vice-President to fulfill the duties of office, an Executive Board member from the same unit component may act on the Vice-President’s behalf for any absence expected to be greater than thirty (30) days but less than ninety (90) days. The interim Vice-President selection process will be determined by the Executive Board.</u></p> <p><u>In the event of an absence expected to be greater than ninety (90) days, the Executive Council members for the affected unit-component may elect an interim Vice-President from Executive Board and Council members for the affected unit, at the next Executive Council meeting. The interim Vice-President will fulfill the duties of office until the Vice-President returns. The Executive Board will recommend to Executive Council if an election should be held.</u></p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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<p>CB-5</p>	<p>9.11 Petty Cash Fund</p> <p>MoveUP shall establish a Petty Cash Fund in the amount of five hundred dollars (\$500.00) in order to pay necessary and immediate expenses.</p> <p>Renumber remainder of article.</p> <p>9.12 Signatories</p> <p>All cheques issued against the funds of MoveUP, other than for petty cash, shall be signed by the Secretary-Treasurer and President or if either is unavailable a Vice-President may be substituted for the signature of the President or the Secretary-Treasurer. All persons exercising signing authority may be covered by a suitable bond provided by MoveUP. Payment may also be made electronically as long as it is secured and approved as if it were a cheque.</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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**RESOLUTIONS:
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<p>CB-6</p>	<p>10.1 General Elections</p> <p>a) There shall be a general election of officers: President, Secretary-Treasurer, Executive Board, and Executive Council every three <u>(3)</u> years. <u>For reference, 2021 was an election year.</u></p> <p>b) Executive Council elections, referred to as the Executive Council Election, shall be counted and announced on or before May 1st of the election year. In conjunction with the Executive Council Election, Job Stewards shall be required to reaffirm their desire to remain a Job Steward. <u>For reference, 2022 was an election year.</u></p> <p>c) Executive Board Voting will begin twenty one (21) <u>fourteen (14)</u> days after the closing of nominations.</p> <p>a) Voting shall remain open for twenty one (21) <u>fourteen (14) days</u>. Should the 21st <u>14th</u> day fall on a non-business day, the next business day shall be used.</p> <p>b) <u>Votes shall be counted on the next business day immediately after voting closes.</u></p> <p>i) Nominations for Executive Board will be called one hundred and twenty two (122) days prior to Convention. Should the 122nd day fall on a non-work day, the last business day will be used. Nominations shall remain open for 21 days.</p> <p>ii) Voting for Executive Board will begin twenty one (21) days after the closing of nominations.</p> <p>iii) Voting shall remain open for twenty one (21) days. Should the 21st day fall on a non-business day, the next business day shall be used. Votes shall be counted on the next business day after voting closes.</p> <p>d) For reference, 2005 is an election year.</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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<p>CB-7</p>	<p>10.5 Nominations</p> <p>a) In a year where Elections are to be held for Executive Officers, nominations shall be conducted as outlined in Article 10.5 b) through g f) below.</p> <p>b) Nominations of those Executive Officers who are elected at large shall be made by a minimum of five (5) Members in good standing of MoveUP who shall sign the nomination form and attach it to the written consent of the nominees. <u>President, Secretary-Treasurer and Vice-Presidents.</u></p> <p style="padding-left: 40px;">i) <u>Nominations for President, Secretary-Treasurer and Vice-Presidents will be called one-hundred and twenty-two days prior to Convention. Should the 122nd day fall on a non-workday, the last business day will be used. Nominations shall remain open for twenty one (21) fourteen (14) days.</u></p> <p style="padding-left: 40px;">ii) <u>Nominations shall be made by a minimum of five (5) members, in good standing of MoveUP, who shall sign the nomination form and attach it to the written consent of the nominee.</u></p> <p>c) Nominations for Executive Board Members shall be made by a minimum of five (5) Members in good standing, of the Employer Bargaining Unit(s) from which the Executive Board Member is to be elected, who shall sign the nomination form and attach it to the written consent of the nominee. <u>Executive Board</u></p> <p style="padding-left: 40px;">i) <u>Nominations for Executive Board will be called one-hundred and twenty-two (122) days prior to Convention. Should the 122nd day fall on a non-workday, the last business day will be used. Nominations shall remain open for twenty one (21) fourteen (14) days.</u></p> <p style="padding-left: 40px;">ii) <u>Nominations for Executive Board Members shall be made by a minimum of five (5) members, in good standing of MoveUP and of the Employer Bargaining Unit(s) from which the Executive Board Member is to be elected, who shall sign the nomination form and attach it to the written consent of the nominee.</u></p> <p>d) Nominations for Vice President shall be open for two weeks starting from one month from the start of Convention and shall be made by a minimum of two Job Stewards, Executive</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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	<p>Councillors, or Board Members from the relevant Vice-Presidential area. <u>Executive Council</u></p> <p>i) <u>Nominations for Executive Council will be called forty-two (42) days prior to the Executive Council Election as stated in Article 10.1 b). Should the 42nd day fall on a non-workday, the last business day will be used. Nominations shall remain open for twenty-one (21) days.</u></p> <p>ii) <u>Nominations for Executive Councillors shall be made by a minimum of two (2) members, in good standing of MoveUP and within the Executive Council area from which the Executive Councillor is to be elected, who shall sign the nomination form and attach it to the written consent of the nominee.</u></p> <p>e) Nominations for the Councillors shall be by a minimum of two (2) Members in good standing, within the Councillor area of the Employer Bargaining Unit(s) from which the Councillor is to be elected, who shall sign the nomination form and attach it to the written consent of the nominee. <u>Nomination forms must be received by the Returning Officer at the MoveUP office not later than 4:30pm three (3) two (2) weeks prior to the date determined for the conduction of the election. In the event this date falls on a weekend, it shall be the Friday preceding the weekend that all nominations are closed.</u></p> <p>f) Nomination forms for the Councillors must be received by the Returning Officer at the MoveUP office not later than 4:30pm six (6) weeks prior to the date determined for the conduction of the election. In the event this date falls on a weekend it shall be the Friday preceding the weekend that all nominations are closed. <u>No member may be nominated for more than one (1) elected position. No member shall hold more than one (1) elected position at any one time except that a member of the Executive Board shall nevertheless be a member of the Executive Council and as per the provisions in Article 5.</u></p> <p>g) No member may be nominated for more than one elected position. No Member shall hold more than (1) elected position at any one time except that a Member of the Executive Board shall nevertheless be a Member of the Executive Council.</p>	
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<p>CB-8</p>	<p>10.7 Vacancies</p> <p>d) Secretary-Treasurer</p> <p>A Vice-President shall be appointed by the Executive Board as an acting Secretary-Treasurer until a replacement is elected.</p> <p>i) If the next election is more than 12 months away, a replacement shall be elected as per Article 4.</p> <p>ii) If the next election is 6-12 months away, at the next meeting of the Executive Council, a Secretary-Treasurer shall be elected from amongst the Executive Council to serve out the term. <u>At the next meeting of the Executive Council, a notice of election shall be provided and nominations from the Executive Council shall take place. Nominations shall close at that meeting and the election process, including access to contact information of voters, shall commence at the adjournment of the Executive Council meeting. A special Executive Council meeting shall be called within 10 business days of the adjournment of the Executive Council meeting with the only agenda item to be the execution of the election. The special Executive Council meeting will be the forum for candidate speeches, a question-and-answer session if requested by the Executive Council, and voting. This meeting could be done online or in-person and will be at the discretion of the chair of the meeting. If there is only one candidate nominated at the Executive Council meeting, the acclamation of the candidate can be declared, and no special Executive Council meeting shall be required.</u></p> <p>iii) If there are less than six months left in the term, the Vice-President appointed by the Executive Board shall serve out the term.</p> <p>e) President</p> <p>A Vice-President shall be appointed by the Executive Board as an acting President.</p> <p>i) If the next election is more than 12 months away, a replacement shall be elected as per Article 4.</p> <p>ii) If the next election is 6-12 months away, at the next meeting of the Executive Council, a President shall be elected from amongst the Executive Council to serve out</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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	<p>the term. <u>At the next meeting of the Executive Council, a notice of election shall be provided and nominations from the Executive Council shall take place. Nominations shall close at that meeting and the election process, including access to contact information of voters, shall commence at the adjournment of the Executive Council meeting. A special Executive Council meeting shall be called within 10 business days of the adjournment of the Executive Council meeting with the only agenda item to be the execution of the election. The special Executive Council meeting will be the forum for candidate speeches, a question-and-answer session if requested by the Executive Council, and voting. This meeting could be done online or in-person and will be at the discretion of the chair of the meeting. If there is only one candidate nominated at the Executive Council meeting, the acclamation of the candidate can be declared, and no special Executive Council meeting shall be required.</u></p> <p>iii) If there are less than six months left in the term, the Vice-President appointed by the Executive Board shall serve out the term.</p>	
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<p>CB-9</p>	<p>14.1 Standing Committees</p> <p>Following the Executive Council election Convention, standing committees shall be constituted as required by the bylaws of MoveUP. The members and chair of each standing committee shall be appointed by the president in consultation and with the approval of the executive board and with the approval of the executive council. The duties of standing committees shall be as defined by the bylaws and as assigned by the executive board and executive council.</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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**RESOLUTIONS:
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<p>CB-10</p>	<p>16.3 Disposition of Complaint</p> <p><u>Reasonable notice by MoveUP shall include, but not be limited to, email (with a delivered and read receipt notification) and/or registered mail.</u></p> <p>b) The Respondent shall have the right to contest such complaint in writing by transmitting their statement to the President within fifteen (15) working days of the <u>Respondent being notified of the complaint being mailed to the Respondent.</u> The President shall transmit such statement to the Executive Board <u>and the complainant.</u></p> <p>c) It is within the power of the Executive Board to decide, at its next meeting, to:</p> <ul style="list-style-type: none"> i) Pursue the filed complaint by appointing a Trial Committee; or ii) Appoint an Investigator(s) to investigate the complaint and to recommend to the Executive Board whether or not to pursue the complaint; or iii) <u>Designate a mediator to try to settle the complaint;</u> iv) <u>Dismiss the complaint as unwarranted; or</u> v) <u>Any combination of these 4 options.</u> 	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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<p>CB-11</p>	<p>16.4 Trial</p> <p><u>Reasonable notice by MoveUP shall include, but not be limited to, email (with a delivered and read receipt notification) and/or registered mail.</u></p> <p>b) Members and persons bringing the complaint will have the right to call evidence, introduce documents, cross-examine witnesses and make submission;</p> <p><i>Renumber remainder of article accordingly.</i></p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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**RESOLUTIONS:
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<p>CB-12</p>	<p>16.5 Decision</p> <p><u>Reasonable notice by MoveUP shall include, but not be limited to, email (with a delivered and read receipt notification) and/or registered mail.</u></p> <p><i>Remainder of sub-article remains the same.</i></p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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**RESOLUTIONS:
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<p>CB-13</p>	<p>16.6 Appeals</p> <p>b) Appeal of the Trial Committee’s Decision</p> <p>i) Within fifteen (15) working days of the date the decision is received, either party may appeal to the Executive Board in writing to the President setting forth the grounds for appeal, with copy to the other party. The opposing party has fifteen (15) working days, <u>from receipt of the appeal</u> to present their views in writing to the President, with copy to the appealing party.</p>	<p>Carried <input type="checkbox"/></p> <p>Defeated <input type="checkbox"/></p>
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CB-14	16 Prohibited Activities In any case involving disciplinary action, there shall be no resort to a court of law until such recourse within MoveUP under its Constitution and within the National Union under its Constitution has been exhausted. The following procedures are inapplicable to any matter involving delinquency or failure to pay dues. MoveUP may provide in its Bylaws for automatic suspension of any Member who is delinquent a minimum of one (1) month in their dues, but in any event any Member of MoveUP who becomes three (3) months delinquent in their dues shall be automatically suspended. If a member has witnessed or been in receipt of actions that are deemed to be <u>they believe are</u> in relation to bullying and/or harassment, MoveUP's Bullying and Harassment policy shall be followed.	Carried <input type="checkbox"/> Defeated <input type="checkbox"/>
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