

CMG 2021 National Convention

Bylaw Amendment Proposal #1

M/S Julie Gordon/Terry Pedwell

To ensure maximum transparency and accountability in support of informed consent and good governance

Given that submitting resolutions and by-law amendments in advance of a convention allows greater scrutiny by all members.

Given that advance submissions allows the CMG to share the information with all members, thus enhancing transparency, accountability, participation and democracy.

Given most unions require all motions impacting governance to be submitted in advance to allow maximum exposure and thoughtful consideration.

Given that the CMG already requires by-law change submissions to be submitted in advance for these same reasons.

This motion seeks to add the same advance notice period to all resolutions so that all motions that affect CMG governance may be subjected to the same scrutiny by all members in advance of a convention.

Be it resolved that CMG Bylaws be amended by deleting Articles 13.2.d. and 13.2.g.:

13.2 The NEC is responsible for the organization of the convention.

a) It shall strike a Convention Committee no later than six (6) months prior to each convention.

b) No later than ninety (90) days prior to the convention the NEC shall ensure that each Location Unit and Branch is advised in writing of the time and place of the convention, the delegate and observer entitlement and any other relevant information. This notice will include instructions on the proposing of Bylaw amendments and resolutions. Delegates will be elected by secret ballot by members in their respective Location Units or Branch, if it does not have location units.

c) No later than sixty (60) days prior to the convention the NEC shall appoint a Resolutions Committee to receive resolutions to be presented to the convention. The committee shall consist of at least three members and at least one shall be a member of the NEC. The committee shall review all resolutions and bylaw amendments to ensure they are properly moved and seconded and that they comply with the Constitution and Bylaws of CWA|SCA Canada. The committee shall be responsible for the resolutions/bylaw amendments book that groups resolutions according to subject and any other grouping that the committee feels will assist delegates in dealing with resolutions.

~~d) At the convention, the Resolutions Committee shall advise whether resolutions from the floor comply with the by-laws and the Constitutions and Bylaws of CWA|SCA Canada.~~

e) Resolutions and bylaw amendments shall be received at the National Office of the CMG no later than sixty (60) days prior to the convention.

f) Resolutions and bylaw amendments received by the National Office of the CMG or postmarked sixty (60) days prior to the opening of the Convention shall be circulated to all members thirty (30) days prior to the opening of the Convention.

~~g) Resolutions not submitted in advance may be moved from the floor, provided they are not bylaw amendments.~~

Bylaw Amendment Proposal #2

M/S Vish Gajadhar/Jeremy Allingham

The ability for the location president (or designate) to be released for one CMG-paid day each week has made an enormous volunteer task more manageable, and allowed us to better serve our members. We would like it continue.

I move that Article 6.12.c. be amended as follows:

6.12 Unit Financing:

a) Location Units will receive from the CMG an amount equal to three and one-half per cent (3.5%) of the dues remitted by their unit on a quarterly basis. None of this money may be used as a contribution to a political party. A location unit with ongoing circumstances may seek additional funding by submitting an annual budget to its BEC for approval. In no case shall a Location Unit receive less than five hundred dollars (\$500) per quarter.

b) Should a Location Unit wish to undertake a special project or identify a specific need that goes beyond its normal budget it may submit a request to the BEC, which must then be forwarded to the NEC for consideration.

c) In addition, CBC Location Units in Toronto, Ottawa, and Vancouver will have up to one day of work release per week paid by CMG for the Location President, or their designate, to allow them to conduct Location Unit business

d) Location Units will prepare and submit an annual budget and submit semi-annual financial reports to the Branch Executive Council and the NEC. Location Units failing to submit budgets and/or reports will not receive the next quarterly remittance. Location Unit officers failing to submit reports may be subject to discipline including removal from office

Bylaw Amendment Proposal #3

M/S Giordano Ciampini/Thomas Cramer

The current date of December 10 sometimes makes it difficult for the National Election Committee to perform its duties, as work schedules and meeting availability can be impacted by the pending holidays. This could lead to a situation where the final outcome is unclear at the start of the new term on January 1. As well, there are some joint meetings with management that occur on a regular basis during early December and could provide an unfair campaign opportunity for existing committee members.

Further, the Bylaw states that the date should be set by the National Executive Committee rather than the National Election Committee. The National Election Committee views the current rule as a departure from its arm's length operation and believes that this date rightfully should be set by the Election Committee itself.

I move, on behalf of the National Elections Committee, that Article 10.1.a. be amended as follows:

*10.1.a) National and branch officers of the union shall be elected every three (3) years by secret ballot **ending no later than the third Monday in November on a date set by the National Election Committee.** ~~no later than December 10 on a date set by the NEC.~~ With the exception of the Branch representatives, NEC officers shall be elected by an at-large vote of the membership of the CMG. Branch officers shall be elected by and from within the membership of their Branch. The NEC and Branch Executive Councils take office on January 1, following the election.*

Bylaw Amendment Proposal #4

M/S Giordano Ciampini/Thomas Cramer

Current CMG Bylaw 10.1.h conflicts with Current Bylaw 7.4.a. The version in Article 7.4.a. is consistent with a decision made during convention 2016 that placed the responsibility for informing members about elections in our parent unions (above CMG) with the National Executive Committee. The National Election Committee has no authority around any elections above the CMG level and has no mechanism to be informed itself about these elections. Only the National Executive Committee, which is the executive of our CWA Local 30213, has that information within our local union. The National Election Committee proposes that 10.1. be amended as follows for consistency.

For references, here is Article 7.4.a:

7.4.a) Election Committee

At the beginning of its term, the NEC shall appoint a standing committee of three (3) people to oversee international, national and branch elections, by-elections and referenda. At least two (2) members of the Election Committee shall not be members of the NEC.

The Election Committee shall establish and publish procedures for national elections to ensure that members are well informed and campaigns are equitable.

The National Executive Committee shall communicate notice of, and publish procedures for, any election for any national position for which a CMG member in good standing is eligible to run. This includes elections held under the auspices of CWA|SCA Canada, The NewsGuild-CWA, and CWA, including but not limited to the positions of CWA|SCA Canada President, Vice-President, Secretary, Treasurer, Diversity / Equity Member, and Member-at-Large on the executive.

I move, on behalf of the National Elections Committee, that Article 10.1.h. be amended as follows:

10.1.h.

h) The National Election Committee handles and decides all questions concerning the conduct and challenges of elections. Any challenge to the conduct of an election must be filed within ten (10) working days of the tentative certification of the results. The committee must rule on any such challenges and must within twenty (20) working days of the tentative certification of the results make a final determination or certification.

*In the case of elections held under the auspices of CWA|SCA Canada, The NewsGuild CWA, and CWA, including but not limited to the positions of CWA|SCA Canada President, Vice-President, Secretary, Treasurer, Diversity / Equity Member, and Member-at-Large on the executive, the National **Executive Committee** ~~**Election Committee**~~ shall ensure at least fifteen (15) days' notice of election of officers shall be given to each eligible member.*

Bylaw Amendment Proposal #5

M/S Thomas Cramer/Giordano Ciampini

Current CMG Bylaws pertaining to the National Election Committee provide little guidance as to how the Committee is to address complaints brought to it during an election. In particular, while there is some process specified for challenges to actual election outcomes, there is little information as to how to address complaints that arise during the campaign and election period itself. The Committee therefore proposes amending Article 10.1.h (paragraph one) to read as follows.

I move, on behalf of the National Elections Committee, that Article 10.1.h. be amended as follows:

*h) The National Election Committee handles and decides all questions concerning the conduct and challenges of elections. **It will investigate all complaints about candidate behaviour in a timely manner. Should a complaint be upheld, the matter will be addressed with the candidate(s) involved to correct the situation. Should the matter be unable to be resolved directly with the candidate(s) (e.g., candidate's(s') refusal to comply with an order from the committee) then the matter will be referred to the President of CWA/SCA Canada.** Any challenge to the conduct of an election must be filed within ten (10) working days of the tentative certification of the results. The committee must rule on any such challenges and must within twenty (20) working days of the tentative certification of the results make a final determination or certification.*

In the case of elections held under the auspices of CWA|SCA Canada, The NewsGuild CWA, and CWA, including but not limited to the positions of CWA|SCA Canada President, Vice-President, Secretary, Treasurer, Diversity / Equity Member, and Member-at-Large on the executive, the National Election Committee shall ensure at least fifteen (15) days' notice of election of officers shall be given to each eligible member.

Bylaw Amendment Proposal #6

M/S Harry Mesh/Giordano Ciampini

Under CMG Bylaws, the National Election Committee is tasked with ensuring all rules pertaining to the election process are properly followed. However, appointments to vacant positions have taken place without the knowledge of the committee.

I move, on behalf of the National Elections Committee, that Article 10.2.e. be amended as follows:

Article 10.2 - Vacancies

a) Vacancies in the offices of NEC members other than branch representatives shall be filled as follows:

i) if the office becomes vacant after June 15 in a general election year, prior to the election, the NEC will appoint to fill the vacancy;

ii) if the office becomes vacant on or before June 15 of an election year a by-election will be held. The standing Election Committee shall supervise the by-election in accordance with the Bylaws

b) Branch Director vacancies on the NEC shall be filled by another member of the Branch Executive Council elected by that Council. If, for any reason, that is impossible, a by-election will be held.

c) Branch Executive Council vacancies shall be filled as follows:

i) All Branches shall hold a by-election if the office becomes vacant on or before June 15 in an election year. The standing Election Committee shall supervise the by-election in accordance with the Bylaws.

ii) If an office becomes vacant after June 15 of a general election year, prior to the election, the Branch Executive Council shall appoint a replacement.

d) The National Executive Committee or Branch Executive Council may declare a position vacant if a member is unable to perform the duties of office. A position shall be declared vacant if the member, through transfer or other change in work status, ceases to meet any qualifications for office, such as employment within a specific region or location.

e) *In situations where no candidate has come forward for a position, the election committee must conduct a second nomination process. If there are still no candidates, the other elected officers may choose either a) to assign the responsibilities of that portfolio to one of themselves; b) to appoint a person chosen by consensus. **Except as provided in Article 10.2.a.ii. and Article 10.2.c.ii above, the National Election Committee will be consulted prior to any appointment(s) being made to the National Executive Committee or a Branch Executive Committee.***

Bylaw Amendment Proposal #7

M/S Harry Mesh/Thomas Cramer

Under CMG Bylaws there are provisions for the “National Executive Committee” and the “National Election Committee”. The abbreviation for both would be “NEC”. As well, the National Election Committee is sometimes referred to only as “Election Committee.” This creates further confusion as there are also provisions for an Election Committee at the Location Unit level. We therefore propose renaming the “National Election Committee” to the “Election Oversight Committee”.

I move, on behalf of the National Elections Committee, that Article 7.4 be amended as follows (and other Bylaws and Policy references to the National Election Committee be updated to reflect this change)

7.4.a) Election Oversight Committee (EOC)

At the beginning of its term, the NEC shall appoint a standing committee of three (3) people to oversee international, national and branch elections, by-elections and referenda. At least two (2) members of the Election Oversight Committee shall not be members of the NEC.

The Election Oversight Committee shall establish and publish procedures for national elections to ensure that members are well informed and campaigns are equitable.

The National Executive Committee shall communicate notice of, and publish procedures for, any election for any national position for which a CMG member in good standing is eligible to run. This includes elections held under the auspices of CWA|SCA Canada, The NewsGuild-CWA, and CWA, including but not limited to the positions of CWA|SCA Canada President, Vice-President, Secretary, Treasurer, Diversity / Equity Member, and Member-at-Large on the executive.

Bylaw Amendment Proposal #8

M/S Mike Blanchfield/Meredith Martin

Given CMG trustees are elected to monitor and serve as a watchdog over executive decisions, including those of the NEC and BEC;

Given that the trustees are routinely asked to investigate the workings of or decisions by these executive bodies;

Given that members expect and believe the trustees to be independent, and not personally involved in the decisions they are monitoring;

The motion seeks to formalize what many members believe, that the trustees are an independent watchdog, (note: this would not affect committees where members are appointed, it only affects elected positions)

I move that a new Article 5.5 be added:

5.5. No member shall hold more than one elected office at each of the three levels of CMG: National, Branch, or Location Unit. National Trustees are ineligible to hold any other elected office.

Bylaw Amendment Proposal #9

M/S Brent Cousland/Lynne Chichakian

CMG should not prevent experienced elected individuals from running the union. This amendment will allow a term limit of an individual to still exist, but not limit them from contributing their experience in running the Union.

I move that Article 7.2.a. be amended as follows:

7.2 The National Executive shall be comprised as follows:

*a) A President, elected at large, is the chief executive officer of the Canadian Media Guild, responsible for presiding at meetings of the National Executive Committee, chairing Management Committee, developing strategy for future development of the union, and representing the CMG within the CWA/SCA Canada. The President shall supervise the affairs of the CMG, promote its welfare and preside at meetings, report on the affairs of the union, sign all official documents and perform all other duties of the president as provided by these bylaws and such other duties as may be prescribed by the NEC. The President shall be paid by the Canadian Media Guild on a full-time basis while holding office. Any individual may serve a maximum of three (3) **consecutive** three-year terms as CMG president.*

Bylaw Amendment Proposal #10

M/S Matt Guerin/Jonathan Spence

Whereas the National Executive Committee voted to amend its spending policy on March 6, 2020 to remove unelected staff from being able to co-sign cheques except in emergencies, and only if those processing the cheques immediately informed the Secretary-Treasurer with all related details, and those cheques be reviewed at the subsequent Management Committee meeting;

Whereas it is crucial that CMG bylaws conform with existing policies especially on budgetary matters;

Whereas the Secretary-Treasurer, as prescribed in the bylaws, is responsible for all record-keeping, including the funds of the union;

Whereas the Secretary-Treasurer cannot fulfill those responsibilities if he/she is not co-signing or reviewing all cheques issued by CMG;

Whereas there may be some emergencies where cheques must be issued but the Secretary-Treasurer is not immediately available to co-sign such cheques

I move that Article 7.1.k be amended as follows:

*k) ~~The National Executive Committee~~ shall confer upon as many officers and employees as may be required, but at least two, the authority to co-sign cheques and disburse money for routine and authorized expenditures and for per-capita payments to CWA|SCA Canada. One of the signatories must be the Secretary-treasurer or another member of the National Executive Committee. **Unelected employees can only co-sign cheques in emergency cases; however, in all instances where cheques have been signed by an unelected employee and/or without the Secretary-Treasurer's signature, those processing the cheques must immediately inform the Secretary-Treasurer with all related details. In addition, any cheques co-signed by an unelected employee will be reviewed at the next Management Committee meeting.** Signing officers shall be bonded in accordance with Article 7.8 of the CWA|SCA Canada Constitution and Bylaws.*

Bylaw Amendment Proposal #11

M/S Jonathan Spence/Matt Guerin

Whereas contracts bind the Canadian Media Guild legally once authorized.

Whereas contracts can create enormous liability to the Canadian Media Guild once authorized.

Whereas it is proper financial and risk management practice to have internal controls (the mechanisms, rules, and procedures implemented to ensure the integrity of financial and accounting information and promote accountability) in place to protect the Canadian Media Guild.

Whereas it is possible currently to have one elected official, the President, to sign contracts without visibility to the National Executive Committee or the Management Committee or the membership.

I move that Article 7.2.b. be amended as follows:

b) A Secretary-Treasurer, elected at large from the membership. The Secretary-Treasurer must live within 150 km of Toronto and is responsible for all record-keeping, including accurate minutes of meetings, and the funds of the union. The Secretary-Treasurer shall, as chairperson of the Finance Committee, prepare an annual budget that includes forecast expenditures of the union, its branches and committees. The Secretary-Treasurer shall work in conjunction with the branches to ensure they prepare estimates of their needs and financial requirements, taking into consideration the number of members in each branch, the number of location units and the amount of dues revenue generated by the branches. The Secretary-Treasurer shall, at least twice a year or when required by the NEC, provide a report on the financial affairs of the union.

The National Secretary-Treasurer shall be provided a copy of all final contracts at least 24 hours before they are fully executed (signed) and that all contracts are archived in one place accessible to the Secretary-Treasurer for reviewing from time to time. These contracts are, but not limited to, contracts of employment, contractors, third party vendors, consultants, legal firms, settlements and any other similar contracts binding the Canadian Media Guild.

Bylaw Amendment Proposal #12

M/S Jeremy Allingham/Ines Colabrese

Whereas precarious employment is a mode of engagement for many CMG workers;

Whereas those precariously employed are less likely to enforce their rights under collective agreements due to the insecurity of their employment;

Whereas unions must uphold the rights of all workers;

I move that Article 7.2. be amended as follows:

7.2 The National Executive shall be comprised as follows:

a) A President, elected at large, is the chief executive officer of the Canadian Media Guild, responsible for presiding at meetings of the National Executive Committee, chairing Management Committee, developing strategy for future development of the union, and representing the CMG within the CWA/SCA Canada. The President shall supervise the affairs of the CMG, promote its welfare and preside at meetings, report on the affairs of the union, sign all official documents and perform all other duties of the president as provided by these bylaws and such other duties as may be prescribed by the NEC. The President shall be paid by the Canadian Media Guild on a full-time basis while holding office. Any individual may serve a maximum of three (3) three-year terms as CMG president.

b) A Secretary-Treasurer, elected at large from the membership. The Secretary-Treasurer must live within 150 km of Toronto and is responsible for all record-keeping, including accurate minutes of meetings, and the funds of the union. The Secretary-Treasurer shall, as chairperson of the Finance Committee, prepare an annual budget that includes forecast expenditures of the union, its branches and committees. The Secretary-Treasurer shall work in conjunction with the branches to ensure they prepare estimates of their needs and financial requirements, taking into consideration the number of members in each branch, the number of location units and the amount of dues revenue generated by the branches. The Secretary-Treasurer shall, at least twice a year or when required by the NEC, provide a report on the financial affairs of the union.

c) One Vice-president, elected at large, who shall perform the duties of the president in the absence of that officer or, if the office falls vacant, until the vacancy is filled as provided by these bylaws, and such other duties as prescribed by the NEC.

d) One Director of Equity and Human rights, elected at large, who shall be chairperson of the Equity and Human Rights Committee and shall promote the establishment and maintenance of workplaces free from discrimination on the basis of race, gender, disability, religious or political affiliation or activity, marital or parental status, sexual orientation, age or national origin.

e) One Director of Francophone Issues, elected at large, who shall ensure that the interests of francophone members of the Guild are represented on the NEC.

f) One Director of Precarious Workers, elected at large, who shall be chairperson of a "temporary workers task force". The Director shall communicate with and coordinate efforts by the union at all levels on matters related to precarious employment. The Director must be a member employed as a precarious worker under the CMG jurisdiction within the previous 10 years at the time of nomination.

g) Branch Presidents, with the exception of AFP, who shall be responsible for establishing and maintaining effective communication among the branches, and between the branch and the NEC. They shall represent the wishes of the branch executive council to the NEC and shall participate in the work of the NEC and perform such duties as may be assigned by the NEC.

General Resolution #1

M/S Naomi Robinson/Ines Calabrese

Whereas running a slate of candidates in a CMG election creates artificial 'party lines' within our larger union that could lead to divisions in our ranks

Whereas it is rare that an entire 'slate' is elected wholesale, and so a mix of elected officials later have to work together, possibly causing tensions because of those slates

Whereas members perceive slates of candidates as a politicization of our local union community, which can lead to unnecessary schisms

I move that the CMG create a policy that forbids candidates to formally run as a slate or block, instead encouraging teamwork of all members as they take on leadership roles in the CMG.

General Resolution #2

M/S Naomi Robinson/Rob Barlow

Whereas the CBC Branch has a standing Bylaw and Policy Committee that allows for an experienced group of members to craft initial drafts of guidelines;

And whereas policy changes and guidelines should have a democratic element to their creation in the CMG;

And whereas there is no such policy committee that exists right now at the NEC level of the CMG;

Be it resolved that the NEC form a standing Policy Committee, made up of members in good standing who will draft operational policy changes and guidelines and oversee their implementation. Committee members' names should be posted on the CMG website with contact information.

General Resolution #3

M/S Matt Guerin/Naomi Robinson

Whereas the National Executive Committee is responsible for the overall budget and expenditures of the organization including oversight on behalf of all members;

Whereas that oversight and responsibility, as well as internal controls procedures over budgetary expenditures, are undermined if any members of the National Executive unilaterally approve significant spending without first consulting and gaining majority approval from either Management Committee or the National Executive Committee;

Whereas the existing CMG Spending Policy clearly stipulates the types of expenditures that must be approved and co-signed by two authorized cheque signatories, or by Management Committee, or by NEC as a whole, in accordance with approved budgets for the year passed by the National Executive Committee;

Whereas some Location Executive Committees of the CMG do not approve new spending above \$100 CAD without first gaining majority approval from either the senior elected table officers of that LEC or the LEC as a whole in accordance with approved budgets for the year;

Whereas the elected National President or any National executive member should have some discretion to unilaterally approve minor expenditures within reason but that ability not be unlimited;

Be it resolved that no member of the National Executive Committee in fulfilling any of their duties or responsibilities shall spend on any occasion above \$500 CAD without first gaining majority approval either from the Management Committee, or from the National Executive Committee, in accordance with the rules stipulated in the CMG Spending Policy.

General Resolution #4

M/S Naomi Robinson/Matt Guerin

Whereas the CMG has had a tumultuous few years in terms of staffing, and many staff members have left the organization recently;

And whereas there is currently no transparency offered to the membership on how much these staffing changes are costing us financially for both severance & settlement monies;

And whereas there are no explicit rules governing what elected CMG officials should be paid, but common practice has been to keep the range within the top amount earned by rank and file union members;

And whereas transparency in salary budgeting is commonplace in democratic institutions (like the Government of Ontario Sunshine List);

And whereas elected officials should retain the authority in directing organizational developments in CMG;

And whereas conflict of interest must be considered when engaging any type of consultants to help run our organization;

And whereas the amounts spent on these budget items can impact other services offered to members;

And whereas transparency in budgetary decisions in each electoral term (2011-13, 2014-16, 2017-19, 2020-22) allows members to discern how spending is prioritized by elected officials;

Be it so resolved that total CMG spending in each of the last 4 national electoral terms, including the current term (to date), be disclosed to the membership by September 2021, for the following costs:

- Annual salaries for each elected official in a paid CMG position (CBC/SRC Branch President, CMG National President),***
- The total amount spent on CMG staff settlement and severance monies, excluding any term where there were less than five staff departures***
- And on HR consultants hired by the CMG.***

General Resolution #5

M/S Eva Uguen-Csenge/Jonathan Spence

Whereas precarious employment is a mode of engagement for many CMG workers;

Whereas those precariously employed are less likely to enforce their rights under collective agreements due to the insecurity of their employment;

Whereas unions must uphold the rights of all workers

Be it resolved that the National CMG establish a budget line of not less than 50k per year in order to fund activities related to the improvement of working conditions for precarious workers at all CMG branches.

General Resolution #6

M/S Mike Blanchfield/Meredith Martin

Given the increased concern about privacy and confidentiality of personal information including but not limited to members personal information;

Given the increased concerns about sharing information on social media and the proliferation of personal information being available;

Given the increased concerns about safeguarding confidential information and the added onus on union activists to act with caution and care, in regards to sharing information, this motion is a timely reminder that holding union office comes with a responsibility to act respectfully and in the union's best interests,

I move that the NEC remind members of the need to obey the bylaws of the CMG, and the constitutions of CWA Canada and the Communications Workers of America. Any member or elected official who breaks the rules or policies of the union, including breaching their Oath of Office, sharing confidential or false information, ignoring direction from the President or National Executive Committee, or any action that tends to bring the Union or Local into disrepute, may be subject to charges and trial under Article 23 of the CWA Canada Constitution and Articles XIX and XX of the CWA Constitution.

General Resolution #7

M/S Debora Barkun/Saïda Ouchaou-Ozarowski

Whereas the Canadian Media Guild stands against any form of discrimination;

whereas systemic racism is a reality that the CMG is not immune to;

whereas the choices made in the hiring of staff can perpetuate systemic racism;

I move that the NEC amend Article 2 of its Hiring Policy (Hiring Committee section) to read:

*“The committee may retain the services of a consultant to help in recruiting suitable candidates and screening candidates. It may also retain a consultant to train the committee in interview techniques. Any such consultants will only act as advisors and not as members of the committee. **Any such consultants have to have a proven record of experience in diversity and equity hiring practices specifically with a BIPOC (Black, Indigenous, and People of Color) expertise.**”*

Report prepared by the CMG Resolutions Committee:

Giordano Ciampini

Thomas Cramer

Harry Mesh