**CN Pensioners’ Association of Manitoba Constitution & Bylaws**

**Proposed Amendments 2016**

In accordance with Article XIV – Amendments Item 14.01, written notice of these proposed amendments will be given in our Spring 2016 newsletter. The proposed amendments will be read out at our June 2016 General Meeting & then voted on at the September 2016 General Meeting.

### **Article 11– Purpose**

Currently reads:

2.02 To promote and assist in the formation of individual groups of CN Pensioners under the Manitoba membership territory.

Proposed Change:

2.02 To promote, assist and provide support to individual groups or councils of CN Pensioners in Saskatchewan, Manitoba and Northwestern Ontario when and where necessary.

***Rationale: Clarification and to ensure support to councils and membership in need.***

**Article IV – Membership and Fees**

Currently reads:

* 1. Membership shall consist of retired CN employees or survivors of CN pensioners who are in receipt of a CN pension and those on Bridging. Associate members shall consist of other former CN employees who could have been in receipt of a CN pension, as well as pensioners formerly connected with CN such as Via Rail, CN Express, Marine Atlantic, CNCP Telecommunications, Terra Nova and Northwestel.

Proposed Change:

4.01 Membership shall consist of retired CN employees or survivors of CN Pensioners in receipt of a CN pension. Associate members shall consist of other former CN employees who could have been in receipt of a CN pension, who retired under the Defined Contribution Plan, as well as pensioners formerly connected with CN such as Via Rail, CN Express, Marine Atlantic, CNCP Telecommunications, Terra Nova and Northwestel, BC Rail, or a spouse of a CN Pensioner. Voting eligibility on CN Pension Plan related matters under the Defined Benefit Plan will be limited to those CN Pensioners, survivors or a spouse of a CN Pensioner in receipt of a CN Pension.

***Rationale:***  *To ensure our Constitution and purpose provides for CN employees who will be retiring under the Defined Contribution Plan.*

**Article V – Executive Officers**

Currently reads:

5.03 All members of the Executive Council shall be elected for a one-year term and may be re-elected, with the exception of the National Directors, who are elected for a three-year term.

Proposed Change:

5.03 All members of the Executive Committee shall be elected for a one-year term and may be re-elected.

***Rationale:***  *Housekeeping*

**Article VI – Duties of Officers**

New Article: President

6.01 (e) shall prepare the agenda for the Executive and General meetings in conjunction with the Secretary

New Article: (Secretary)

New 6.03 (e) shall prepare the agenda for the Executive and General meetings in conjunction with the President

Old e) becomes f)

***Rationale:*** *Better reflects actual duties.*

**6.08 Publicity Chair**

Add New Article 6.08 (d) Shall be responsible for the publication of the quarterly newsletter.

***Rationale:*** *Better reflects actual duties.*

**6.11 Webmaster**

Add New Articles:

1. shall manage and monitor the Association`s Facebook page
2. shall designate back up Administrators for the website and Facebook page.
3. shall ensure payment is current for our Domain name as well as for the hosting service for our website.

***Rationale:*** *To ensure new responsibilities are included in Constitution.*

**6.11 Member-at-Large**

S/b 6.12

***Rationale:*** *Housekeeping*

**6.12 Past President**

Add new 6.13

***Rationale:*** *Housekeeping*

**Article VIII – Nominations**

Currently Reads:

* 1. The Nominating Committee shall present to the next Annual Meeting a list of

members to fill vacancies arising or existing at such a meeting.

Proposed Change:

* 1. At the Nov General Meeting, the Nominating Committee shall present a list of candidates to fill the Executive Committee positions.

***Rationale:*** *Clarification – since our General meetings are basically the same as the AGM except for elections, we are proposing that elections are held in November annually.*

Add New Article 8.05 An Executive member wishing to serve as a Director on the National Council, shall submit his or her name to the Nominating Committee thirty (30) days in advance of the November Executive Committee Meeting.

***Rationale:*** *Clarification – since our General meetings are basically the same as the AGM except for elections, we are proposing that elections are held in November annually.*

**Article IX – Election and Voting Procedures**

9.01 former 9.01 becomes 9.02; former 9:02 becomes 9.03; former 9.03 becomes 9.04; former 9.04 becomes 9.05; former 9.05 becomes 9.06

***Rationale:*** *Housekeeping*

9.01 currently reads:

* 1. At all meetings of the Association, every question shall be decided by a majority

of votes of the members present unless otherwise required by these by-laws. Each eligible member of the Association shall have one vote. Every question shall be decided in the first instance by a show of hands, unless any member requests a vote count. Unless a poll is demanded, a declaration by the Chairman that a resolution has been carried or not carried, and an entry to that effect is recorded in the minutes, shall be sufficient evidence without proof of numbers or the proportion of the votes recorded in favor of or against such a resolution.

Proposed change:

9.01 becomes 9.02 with proposed changes:

* 1. At all meetings of the Association, every question shall be decided by a majority

of votes of the members present unless otherwise required by these by-laws. Each eligible member of the Association shall have one vote. Every question shall be decided in the first instance by a show of hands, unless any member requests a vote count. Unless a poll is demanded, a declaration by the Nominating Chairman that a resolution has been carried or not carried, and an entry to that effect is recorded in the minutes, shall be sufficient evidence without proof of numbers or the proportion of the votes recorded in favor of or against such a resolution. Refer to article 4.01 for voting eligibility.

***Rationale:*** *Clarification and in line with proposed change to Article 4.01*

New Article 9.01 Elections for the Executive Officers and Committee Members shall be held at the Nov General Meeting.

Rationale: ***Rationale:*** *Clarification – since our General meetings are basically the same as the AGM except for elections, we are proposing that elections are held in November annually.*

New 9.07 Elections for National Council Director(s) will be held at the November Executive Meeting.

***Rationale:*** *To do all elections both for local council and National Council at one meeting. Also because any newly elected NC Director does not assume their position until the new year.*

**Article X – Expenditures**

Currently reads:

* 1. No officer or member of the Association shall, without approval of the

Executive incur any debt, obligation or liability for or on behalf of the

Association. The CN Veterans Association Special Rent account must only be

used for the benefit of Manitoba CN Pensioners.

Proposed change:

* 1. No officer or member of the Association shall, without approval of the

Executive incur any debt, obligation or liability for or on behalf of the

Association. The Special Rent Account must only be used for the benefit of the CN Pensioners’ Association of Manitoba.

***Rationale:*** *Grammar and sentence structure*

**Article XIII – Auditor**

Currently reads:

* 1. The Auditor’s Report shall be submitted to the Executive prior to the Annual

Meeting and presented at the Annual Meeting.

Proposed change:

13.02 The Auditor’s Report shall be submitted to the Executive Committee following the end of the Fiscal year and will be presented to the members at the next General Meeting.

***Rationale:*** *Simplication of procedure.*

**Article XIV – Amendments**

Currently reads:

14.01 This Constitution may be amended at any General Meeting (which shall be held no less than thirty [30] days after such notice has been published in the Association’s Newsletter ) by a two-thirds (2/3) majority of the members present and voting. Any proposed amendment must be provided in writing to the membership for examination together with the notice of the meeting at which it is to be considered.

Proposed change:

* 1. This Constitution may be amended at any General Meeting (which shall be held no less than thirty [30] days after such notice has been communicated to the membership by a two-thirds (2/3) majority of the members present and voting. Any proposed amendment will be communicated to the membership for examination together with the notice of the meeting at which it is to be considered.

***Rationale:*** *With technology these days, it is no longer necessary to depend on the newsletter as the source of communication of proposed amendments. Notification is available to the membership through email, our website and facebook.*

**Other Proposed changes:**

Where the word Council is used --- eg. Executive Council, propose change to Committee. This would be changed throughout the Constitution. ***Rationale:*** “Committee” better reflects the structure of our Executive. Also, grammar and housekeeping changes will be made throughout where appropriate.