

Constitutional Amendments and Resolutions



2023 BIENNIAL CONVENTION



To: The Membership Attending the 2023 Biennial Convention
From: Andrea Kay, RN, Chief Executive Officer
Date: September 23, 2023

Re: Constitutional Amendments and Resolutions

The duties of the Chief Executive Officer as set out in the Constitution are, in part, as follows:

- (a) Receive and prepare constitutional amendments and resolutions for submission to the Biennial Convention or a special meeting.
- (b) Have the power to give preference to an affirmative resolution over a negative one with respect to the same subject matter after consultation with, and the agreement of, the proposer.
- (c) Have the power to eliminate duplications after consultation with, and the agreement of, the proposer.
- (d) Have the power to edit constitutional amendments and resolutions, provided that the purport and intent is not changed, after consultation with, and the agreement of, the proposer.
- (e) Have the power to determine the order in which constitutional amendments and resolutions will be presented to the Biennial Convention.
- (f) In consultation with legal counsel, have the power to declare an amendment or resolution beyond the power of the meeting.

Two (2) statement of beliefs amendments, twenty-five (25) constitutional amendments and four (4) resolutions were submitted. The two (2) statement of beliefs amendments, twenty-five (25) constitutional amendments, and four (4) resolutions are deemed to be in order and are presented for your consideration.

I will indicate to membership at the 2023 Biennial Convention when amendments are no longer in order due to the approval or defeat of a previous amendment.

I wish to thank membership for their support and consideration of the amendments submitted this year.

AK/da

A handwritten signature in cursive script that reads "Andrea Kay".



PRESENT ARTICLE

STATEMENT OF BELIEFS

Diversity and Equity

ONA believes that every member has the right to equal opportunity and full participation in the workplace and in the union. ONA recognizes and values the diversity of its membership and will work to promote equity and diversity in the workplace and in the union. It is the Union’s responsibility to see that diversity is reflected in its leadership.

Diversity is about acknowledging differences that can impact on the fair and equitable treatment of people. Diversity can include differences in sex, age, race, ethnicity, language, religion and spiritual beliefs, culture, physical or mental ability, socio-economic status, sexual orientation, gender identity and gender expression, family status, and education.

To achieve its commitment, ONA will strive to:

- Promote awareness of the diversity of our membership and the needs of diverse groups.
- Integrate diverse perspectives throughout ONA’s educational programs and communications.
- Implement initiatives to develop the leadership skills of members from under-represented groups in ONA’s leadership.

AMENDED ARTICLE TO READ

STATEMENT OF BELIEFS

Diversity, Equity, and Inclusion

ONA believes that every member has the right to equal opportunity and full participation in the workplace and in the union. ONA recognizes and values the diversity of its membership and will work to promote diversity, equity, and inclusion in the workplace and in the union. It is the Union’s responsibility to ~~see that diversity is reflected~~ **integrate Diversity, Equity, and Inclusion throughout its organization, including** in its leadership.

Diversity is about acknowledging differences that can impact on the fair and equitable treatment of people. Diversity ~~can~~ **includes and is not limited to** differences in sex, age, race, ethnicity, language, religion and spiritual beliefs, culture, physical or mental ability, socio-economic status, sexual orientation, gender identity and gender expression, family status, and education.

Inclusion refers to a system and/or process where all individuals and groups feel welcomed, respected, and valued.

Equity refers to the recognition that each person is unique, and decisionmakers/individuals do what they are able to do in their power to identify and eliminate unfair biases, stereotypes and/or barriers. It is also a process that applies fairness, impartiality, and even-handedness to achieve substantive equality in all aspects of a person’s life.

To achieve its commitment, ONA will strive to:

- Promote awareness of the diversity of our membership and the needs of diverse groups.
- Integrate diverse perspectives throughout ONA’s educational programs and communications.
- Implement initiatives to develop the leadership skills of members from under-represented groups in ONA’s leadership.



PRESENT ARTICLE	AMENDED ARTICLE TO READ
<ul style="list-style-type: none"> • Identify barriers to equal opportunity and full participation and develop effective policies and procedures to eliminate these barriers. • Provide an inclusive environment that recognizes members’ differences. • Ensure that services, organizational structures, activities and policies include and address the needs of diverse members. 	<ul style="list-style-type: none"> • Identify barriers to equal opportunity and full participation and develop effective policies and procedures to eliminate these barriers. • Provide an inclusive environment that recognizes members’ differences. • Ensure that services, organizational structures, activities and policies include and address the needs of diverse members.

RATIONALE: ONA’s Anti-Racism and Anti-Oppression Advisory Team is comprised of Black members, Indigenous members and members from other Racialized communities. Consistent with their mandate, the team has recommended changes to the Diversity and Equity section of the Statement of Beliefs. Changes involve the addition of “Inclusion” as well as definitions of Inclusion and Equity.

These recommendations were supported by the Governance and Nominations Committee and the Board of Directors.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
<p>STATEMENT OF BELIEFS</p>

AMENDED ARTICLE TO READ
<p>STATEMENT OF BELIEFS</p> <p><u>Anti-Racism and Anti-Oppression</u></p> <p>As an organization, ONA has traditionally used a human rights and equity approach to guide our work and underpin our belief that every member and employee has the right to equal treatment and freedom from discrimination and harassment in the workplace and the union. While this approach continues to be a core tenet of our work, we recognize that we need to use an anti-racism and anti-oppression (ARAO) approach to identify and address <u>intersectional</u> forms of racism (e.g., anti-Black racism, anti-Indigenous racism), and advance equity.</p> <p>An Anti-Racism and Anti-Oppression approach focuses on the different ways people from Black, Indigenous, Racialized, and historically marginalized groups experience intersectional forms of racism, and the impact on their day-to-day lives. Integrating this approach into our work at ONA provides us with the guidance we need to review our organizational structures, policies, procedures, practices, and actions. It also helps us to develop remedies and preventative measures.</p> <p>To achieve its commitment, ONA will strive to:</p> <ul style="list-style-type: none"> • Integrate anti-racism and anti-oppression practices and principles into every level of ONA, including service delivery to members, operations, and activities. • Provide Anti-Racism and Anti-Oppression-related educational programs and communications. • Implement Anti-Racism and Anti-Oppression-focused initiatives to develop the leadership skills and competencies of members in ONA's leadership. • Use an Anti-Racism and Anti-Oppression lens to review and revise ONA's policies, practices, and procedures.

PRESENT ARTICLE	AMENDED ARTICLE TO READ
	<ul style="list-style-type: none">• Provide tools and resources to members and staff to support ONA's Anti-Racism and Anti-Oppression journey.• Create communities of support for members and staff to be able to share knowledge, insights, and their experiences.• Work with members, historically marginalized communities and other labour movement organizations to address systemic intersectional forms of racism in Ontario's health-care system.

RATIONALE: ONA's Anti-Racism and Anti-Oppression Advisory Team has also recommended the addition of an Anti-Racism and Anti-Oppression statement to our Statement of Beliefs.

The added language is consistent with ONA's *2022-2026 Anti-Racism and Anti-Oppression (ARAO) Action Plan*. This plan is the direct result of a call to action from our members, leaders and staff with lived experiences of intersectional forms of racism, including anti-Indigenous racism, anti-Black racism, discrimination and acts of exclusion.

This recommendation has been supported by the Governance and Nominations Committee and the Board of Directors.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE

ARTICLE 3 – MEMBERSHIP

C. Retired Members

- 3.09 (a) The Union may establish a retired membership classification. The criteria for such membership shall be determined by a two-thirds (2/3) majority vote by either the Board of Directors or the voting delegates at a Special Meeting or Biennial Convention.
- (b) A retired member is one who was a member prior to retirement (either early or at a pensionable age) or is in receipt of a permanent disability pension from a long-term disability program or worker’s compensation.
- (c) The retired member may participate in all assurance and benefit programs of the Union, provided that the member is eligible for participation and pays the appropriate fees directly to the Union.
- (d) Annual member dues for retired members may be determined by the union at a special meeting or Biennial Convention. All dues shall be paid directly to the Union annually.
- (e) Retired membership may be cancelled by the Board of Directors upon thirty (30) days’ notice to the member concerned.
- (f) Retired members may participate in meetings of the Union or Chartered Local Association from which they retired but shall not be entitled to move or second motions nor vote at any such meeting; nor are they eligible to stand as a candidate for office.

AMENDED ARTICLE TO READ

ARTICLE 3 – MEMBERSHIP

C. Retired Members

- 3.09 (a) The Union may establish a retired membership classification. The criteria for such membership shall be determined by a two-thirds (2/3) majority vote by either the Board of Directors or the voting delegates at a Special Meeting or Biennial Convention.
- (b) A retired member is one who was a member prior to retirement (either early or at a pensionable age) or is in receipt of a permanent disability pension from a long-term disability program or worker’s compensation. **A member with entitlements who is hired on ONA staff is eligible to become a retired member upon their staff retirement, subject to Board and CEO approval.**
- (c) The retired member may participate in all assurance and benefit programs of the Union, provided that the member is eligible for participation and pays the appropriate fees directly to the Union.
- (d) ~~Annual member dues for retired members may be determined by the union at a special meeting or Biennial Convention. All dues shall be paid directly to the Union annually.~~ **There shall be no annual member dues for retired members.**
- (e) Retired membership may be cancelled by the Board of Directors upon thirty (30) days’ notice to the member concerned.
- (f) Retired members may participate in meetings of the Union or Chartered Local Association from which they retired but shall not be entitled to move or second motions nor vote at any such meeting; nor are they eligible to stand as a candidate for office **or nominate a candidate for office.**



RATIONALE: Currently, to become a retired member you need to hold membership entitlements upon your retirement. This would exclude long-time members who may have taken a staff position before they retired. The amendment to 3.09 (b) will rectify this.

We are proposing to delete the annual member dues for retired members, which is currently set at \$25 per year. The intent of removing the yearly fee is to help keep our retired members active and engaged in the union and remove any barriers to their participation. ONA has begun discussions with our retired members about a Retiree Network to engage our retired members in political action in their communities.

As requested by a Local leader, we have clarified in 3.09 (f) that a retired member cannot nominate a candidate for office.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
<p>ARTICLE 4 – STRUCTURE</p> <p>C. Board of Directors</p> <p style="padding-left: 20px;">(i) Composition</p> <p>4.11 The affairs of the Union shall be managed by a Board of Directors which shall be composed of the following, each of whom shall be a member of the Union:</p> <p style="padding-left: 20px;">(1) President;</p> <p style="padding-left: 20px;">(2) First Vice-President;</p> <p style="padding-left: 20px;">(3) One (1) Vice-President per Region (see Article 4.01 [geographic regions]).</p> <p>4.12 (a) The term of office for the President, First Vice-President and the Vice-Presidents shall be three (3) years.</p> <p style="padding-left: 20px;">(b) No member shall hold more than one (1) office or represent more than one (1) Region at the same time.</p> <p>4.13 The President, First Vice-President and Vice-Presidents shall hold office from January 1 of the calendar year following the election to December 31 of the third calendar year following the election of said position, pursuant to Article 4.12.</p> <p>4.14 The President and First Vice-President shall be elected by the whole membership of the Union on the basis of one (1) vote per member of the Union.</p> <p>4.23 In the event that the President, First Vice-President or a Vice-President should resign, die, be removed from office, pursuant to Article 4.24, or otherwise cease to act, the Board of Directors shall immediately schedule an election to fill the vacant position.</p>

AMENDED ARTICLE TO READ
<p>ARTICLE 4 – STRUCTURE</p> <p>C. Board of Directors</p> <p style="padding-left: 20px;">(i) Composition</p> <p>4.11 The affairs of the Union shall be managed by a Board of Directors which shall be composed of the following, each of whom shall be a member of the Union:</p> <p style="padding-left: 20px;">(1) President;</p> <p style="padding-left: 20px;">(2) First Vice-President;</p> <p style="padding-left: 20px;">(3) One (1) Vice-President per Region (see Article 4.01 [geographic regions]).</p> <p style="padding-left: 20px;">(4) Treasurer (effective January 1, 2025).</p> <p>4.12 (a) The term of office for the President, First Vice-President, Treasurer and the Vice-Presidents shall be three (3) years.</p> <p style="padding-left: 20px;">(b) No member shall hold more than one (1) office or represent more than one (1) Region at the same time.</p> <p>4.13 The President, First Vice-President, Treasurer and Vice-Presidents shall hold office from January 1 of the calendar year following the election to December 31 of the third calendar year following the election of said position, pursuant to Article 4.12.</p> <p>4.14 The President, and First Vice-President and Treasurer shall be elected by the whole membership of the Union on the basis of one (1) vote per member of the Union.</p> <p>4.23 In the event that the President, First Vice-President, Treasurer or a Vice-President should resign, die, be removed from office, pursuant to Article 4.24, or otherwise cease to act, the Board of Directors shall immediately schedule an election to fill the vacant position.</p>

PRESENT ARTICLE
<p>4.24 The President or First Vice-President may be removed from office before the expiry of their term of office by a two-thirds (⅔) vote of the Board of Directors. The procedure to be followed with respect to any such removal shall be determined by the Board of Directors.</p> <p>ARTICLE 7 - ELECTIONS</p> <p>A. Election of the Board of Directors</p> <p>7.01 Elections for the office of President, First Vice-President and the five (5) Vice-Presidents shall be held on November 1 every three (3) years commencing in 2021. If that date should fall on a Saturday or Sunday, then the election shall be held on the immediately following Monday. Should electronic voting, mail-in balloting or similar alternative to Bargaining Unit polling stations be employed, then voting shall be for a period of time determined by the Board of Directors at their discretion but concluding no later than midnight November 1.</p> <p>7.02 The Chief Executive Officer, or designate, shall prepare nomination forms for the position of President, First Vice-President and Vice-President and send them to the Local Coordinator, Secretary and all Bargaining Unit Presidents of each Chartered Local Association at least ninety (90) days prior to the election date.</p>

AMENDED ARTICLE TO READ
<p>4.24 The President, or First Vice-President or Treasurer may be removed from office before the expiry of their term of office by a two-thirds (⅔) vote of the Board of Directors. The procedure to be followed with respect to any such removal shall be determined by the Board of Directors.</p> <p>ARTICLE 7 - ELECTIONS</p> <p>A. Election of the Board of Directors</p> <p>7.01 Elections for the office of President, First Vice-President, Treasurer and the five (5) Vice-Presidents shall be held on November 1 every three (3) years commencing in 2021. If that date should fall on a Saturday or Sunday, then the election shall be held on the immediately following Monday. Should electronic voting, mail-in balloting or similar alternative to Bargaining Unit polling stations be employed, then voting shall be for a period of time determined by the Board of Directors at their discretion but concluding no later than midnight November 1.</p> <p>7.02 The Chief Executive Officer, or designate, shall prepare nomination forms for the position of President, First Vice-President, Treasurer and Vice-President and send them to the Local Coordinator, Secretary and all Bargaining Unit Presidents of each Chartered Local Association at least ninety (90) days prior to the election date.</p>

RATIONALE: Proposing to add the position of Treasurer to the Board of Directors, effective in 2025. This position would be elected by the whole membership during the 2024 provincial election.

It has become evident in recent years that the work involved in the Local Finance portfolio requires a dedicated Board member as opposed to being an additional responsibility for a Regional Vice-President.

A Treasurer (or Secretary-Treasurer) is a common Board of Directors' position in most unions and did exist at ONA for the first 25 years prior to Organizational Transformation in the late 1990s.



In response to a question regarding voting at the Board if there are eight members instead of seven, the President would have the deciding vote in the event of a tie. This will be spelled out in the Board Common Mandate and Accountabilities document.

The compensation for the Treasurer position will be in accordance with Membership Policy 5.4, Regional Vice-President Compensation and Benefits During Leave of Absence for Term of Office.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>ARTICLE 4 – STRUCTURE</p> <p>4.19 The affairs of the Board of Directors shall be divided into specific portfolios, which will include but are not limited to:</p> <ul style="list-style-type: none"> (1) Communications/Government Relations and Student Liaison (2) Political Action and Professional Issues (3) Human Rights/Equity (4) Local Finance (5) Occupational Health and Safety (6) Labour Relations (7) Education <p>4.20 The portfolio of Communications/ Government Relations and Student Liaison shall be held by the President and the portfolio of Political Action and Professional Issues shall be held by the First Vice-President.</p>	<p>ARTICLE 4 – STRUCTURE</p> <p>4.19 The affairs of the Board of Directors shall be divided into specific portfolios, which will include but are not limited to:</p> <ul style="list-style-type: none"> (1) Communications/Government Relations and Student Liaison (2) Political Action and Professional Issues (3) Human Rights/Equity (4) Local Finance Professional Issues (effective 2025) (5) Occupational Health and Safety (6) Labour Relations (7) Education <p>4.20 The portfolio of Communications/ Government Relations and Student Liaison shall be held by the President and the portfolio of Political Action and Professional Issues shall be held by the First Vice-President.</p>

RATIONALE: With the addition of a Treasurer to the Board of Directors in 2025, the portfolio of Local Finance can be removed from Article 4.19 as it would be no longer necessary.

In order to maintain the required amount of portfolios for the Regional Vice-Presidents, it would be most appropriate to amend 4.20 to remove the portfolio of Professional Issues from the First Vice-President and add it to 4.19. As a result, the portfolio of Professional Issues will be held by one of the Regional Vice-Presidents. The First Vice-President would continue to hold the Political Action portfolio.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE

ARTICLE 4 – STRUCTURE

4.21 The duties of the Directors of the Union shall be as follows:

- (a) President
The President shall preside at all meetings of the Board of Directors, the Biennial Convention, all special meetings and all sector and joint sector meetings. The President shall be the head of the Union and shall carry out the policies, and work toward the objectives of, the Union. In particular, the President, on behalf of the Board of Directors, shall maintain close and regular contact with the Local Coordinators and, in conjunction with the Local Coordinators, ensure that information is made available to members and that members have meaningful input into the affairs of the Union.
- (b) First Vice-President
The First Vice-President shall preside at all meetings where the President is absent. The First Vice-President shall carry out the policies and work toward the objectives of the Union and shall be charged with the responsibility and duties of the portfolio of Political Action and Professional Issues.
- (c) Vice-Presidents
The Vice-Presidents shall carry out the policies and work toward the objectives of the Union. Each Vice-President shall be charged with the responsibility and duties associated with their particular portfolio(s) and region; chair any committees associated with their portfolio(s); coordinate all membership activities related to their portfolio(s) and serve as the liaison between the Board of Directors and the Local Coordinators, Bargaining Unit Presidents and membership for all matters related to their portfolio(s).

AMENDED ARTICLE TO READ

ARTICLE 4 – STRUCTURE

4.21 The duties of the Directors of the Union shall be as follows:

- (a) President
The President shall preside at all meetings of the Board of Directors, the Biennial Convention, all special meetings and all sector and joint sector meetings. The President shall be the head of the Union and shall carry out the policies, and work toward the objectives of, the Union. In particular, the President, on behalf of the Board of Directors, shall maintain close and regular contact with the Local Coordinators and, in conjunction with the Local Coordinators, ensure that information is made available to members and that members have meaningful input into the affairs of the Union.
- (b) First Vice-President
The First Vice-President shall preside at all meetings where the President is absent. The First Vice-President shall carry out the policies and work toward the objectives of the Union and shall be charged with the responsibility and duties of the portfolio of Political Action **and Professional Issues**.
- (c) Vice-Presidents
The Vice-Presidents shall carry out the policies and work toward the objectives of the Union. Each Vice-President shall be charged with the responsibility and duties associated with their particular portfolio(s) and region; chair any committees associated with their portfolio(s); coordinate all membership activities related to their portfolio(s) and serve as the liaison between the Board of Directors and the Local Coordinators, Bargaining Unit Presidents and membership for all matters related to their portfolio(s).



PRESENT ARTICLE	AMENDED ARTICLE TO READ
	<p>(d) Treasurer The Treasurer shall carry out the policies and work toward the objectives of the Union. The Treasurer shall ensure Local membership dues are spent with integrity by assisting Local Executives in developing strategic budgeting practices, and aligning Local financial policies with provincial financial policies so that the fiduciary requirements of the Locals are met. The Treasurer shall provide guidance and support to Local Treasurers, review summaries of Local Audits, approve supplemental funding requests and liaise with staff regarding financial education and resource development.</p>

RATIONALE: The duties of the Treasurer position are based primarily on the work of the Local Finance portfolio. This includes providing guidance and support to Local Treasurers; assisting Local Executives with their budgeting and policy development; reviewing summaries of Local Audits; and approving supplemental funding requests.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
<p>ARTICLE 4 - STRUCTURE</p> <p>4.23 In the event that the President, First Vice-President or a Vice-President should resign, die, be removed from office, pursuant to Article 4.24, or otherwise cease to act, the Board of Directors shall immediately schedule an election to fill the vacant position.</p>

AMENDED ARTICLE TO READ
<p>ARTICLE 4 - STRUCTURE</p> <p>4.23 In the event that the President, First Vice-President or a Vice-President should resign, die, be removed from office pursuant to Article 4.24 or 4.25, or otherwise cease to act, the Board of Directors shall immediately schedule arrange for an election to fill the vacant position.</p> <p>In the event of the resignation, death or removal from office of the President, First Vice-President or Treasurer, the Board of Directors will appoint another member of the Board of Directors to fill the vacant position on an interim basis until the election process has been completed.</p>

RATIONALE: The purpose of this amendment is to provide clarity regarding the filling of interim vacancies on the Board of Directors.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE**ARTICLE 4 - STRUCTURE**

4.24 The President or First Vice-President may be removed from office before the expiry of their term of office by a two-thirds ($\frac{2}{3}$) vote of the Board of Directors. The procedure to be followed with respect to any such removal shall be determined by the Board of Directors.

AMENDED ARTICLE TO READ**ARTICLE 4 - STRUCTURE**

4.24 The President or First Vice-President may be removed from office before the expiry of their **elected term of office by for conduct contrary to the ONA Constitution or the duties of their office following** a two-thirds ($\frac{2}{3}$) vote of the Board of Directors. ~~The procedure to be followed with respect to any such removal shall be determined by the Board of Directors.~~ **Prior to conducting such a vote, the Board shall provide notice to the President or First Vice-President of any allegations or reasons leading to the calling of the vote and shall provide an opportunity for the affected Board member to provide a response.**

RATIONALE: Amended Article 4.24 for removal of the President or First Vice-President to provide clarity of process and safeguard procedural fairness.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>ARTICLE 4 – STRUCTURE</p> <p>4.25 A Vice-President may be removed from office before the expiry of their term of office if at least two-thirds (2/3) of the Local Coordinators, or their nominees, of the Chartered Local Associations in the region in question vote in favour of that removal at a meeting called by the Board of Directors upon the written request of at least one-third (1/3) of the Chartered Local Associations in the region. The procedure to be followed with respect to the calling and conduct of any such meeting shall be determined by the Board of Directors.</p>	<p>ARTICLE 4 – STRUCTURE</p> <p>4.25 A Vice-President may be removed from office before the expiry of their elected term of office for conduct contrary to the ONA Constitution or the duties of their office if at least two-thirds (2/3) of the Local Coordinators, or their nominees, of the Chartered Local Associations in the region in question vote in favour of that removal at a meeting called by the Board of Directors upon the written request of at least one-third (1/3) of the Chartered Local Associations in the region. The procedure to be followed with respect to the calling and conduct of any such meeting shall be determined by the Board of Directors. Such request of the Chartered Local Associations must set out any allegations or reasons underlying the request for the vote. The affected Vice-President shall be provided an opportunity to respond to the allegations in writing and their response will be made available to the Chartered Local Associations prior to the vote.</p>

RATIONALE: Similar to the amendment to Article 4.24, we have amended Article 4.25 for removal of a Vice-President to provide clarity of process and safeguard procedural fairness.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
ARTICLE 5 - CHIEF EXECUTIVE OFFICER

AMENDED ARTICLE TO READ
ARTICLE 5 - CHIEF EXECUTIVE OFFICER
5.04 At no time shall a member of the Board of Directors serve as the Chief Executive Officer. In the event it is necessary to appoint an interim Chief Executive Officer, the Board of Directors shall make such interim appointment from members of the senior management team.

RATIONALE: To ensure that if it is necessary to appoint an interim Chief Executive Officer, the appointment shall come from a member of the senior management team and not the Board of Directors.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE

ARTICLE 6 – MEETINGS

6.03 The Chief Executive Officer, or designate, shall:

- (a) Receive and prepare constitutional amendments and resolutions for submission to the Biennial Convention or a special meeting;
- (b) Have the power to give preference to an affirmative resolution over a negative one with respect to the same subject matter after consultation with, and the agreement of, the proposer;
- (c) Have the power to eliminate duplications after consultation with, and the agreement of, the proposer;
- (d) Have the power to edit constitutional amendments and resolutions, provided that the purport and intent is not changed, after consultation with, and the agreement of, the proposer;
- (e) Have the power to determine the order in which constitutional amendments and resolutions will be presented to the Biennial Convention;
- (f) In consultation with legal counsel, have the power to declare an amendment or resolution beyond the power of the meeting; and
- (g) Where the Chief Executive Officer has declared an amendment beyond the power of the Biennial Convention, the reasons for the decision shall also be provided to the Chartered Local Association.

AMENDED ARTICLE TO READ

ARTICLE 6 – MEETINGS

6.03 The Chief Executive Officer, or designate, **in consultation with the Governance and Nominations Committee**, shall:

- (a) Receive and prepare constitutional amendments and resolutions for submission to the Biennial Convention or a special meeting;
- (b) Have the power to give preference to an affirmative resolution over a negative one with respect to the same subject matter after consultation with, and the agreement of, the proposer;
- (c) Have the power to eliminate duplications after consultation with, and the agreement of, the proposer;
- (d) Have the power to edit constitutional amendments and resolutions, provided that the purport and intent is not changed, after consultation with, and the agreement of, the proposer;
- (e) Have the power to determine the order in which constitutional amendments and resolutions will be presented to the Biennial Convention;
- (f) In consultation with legal counsel, have the power to declare an amendment or resolution beyond the power of the meeting; and
- (g) Where the Chief Executive Officer has declared an amendment beyond the power of the Biennial Convention, the reasons for the decision shall also be provided to the Chartered Local Association.



RATIONALE: It is necessary to amend Article 6.03 regarding constitutional amendments and resolutions, so that the duties of the Chief Executive Officer, or designate, are carried out in consultation with the Governance and Nominations Committee.

This amendment would bring the Constitution in line with the mandate of the Governance and Nominations Committee.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
<p>ARTICLE 6 - MEETINGS</p> <p>6.17 Every Chartered Local Association shall be given at least twenty (20) days' notice of a special meeting, the notice to be in writing and to be sent by either prepaid regular mail, facsimile transmission, e-mail or hand delivery to the Local Coordinator and Secretary of each Chartered Local Association. Such notice shall be deemed to have been received: in the case of regular mail on the seventh (7th) day after the date on which it was mailed; in the case of facsimile transmission or e-mail at the time of transmission; and in the case of hand delivery at the actual time of delivery. The Local Coordinator and Secretary of each Chartered Local Association shall make every effort to inform the members of the Chartered Local Association of the special meeting. If regular mail service is not in operation, notice of such meeting shall be given by telephone or any expedient method of communication, to be followed by a written notice when mail service resumes, if applicable.</p>

AMENDED ARTICLE TO READ
<p>ARTICLE 6 - MEETINGS</p> <p>6.17 Every Chartered Local Association shall be given at least twenty (20) days' notice of a special meeting, the notice to be in writing and to be sent by either prepaid regular mail, facsimile transmission, e-mail or hand delivery to the Local Coordinator and Secretary of each Chartered Local Association. Such notice shall be deemed to have been received: in the case of regular mail on the seventh (7th) day after the date on which it was mailed; in the case of facsimile transmission or e-mail at the time of transmission; and in the case of hand delivery at the actual time of delivery. The Local Coordinator and Secretary of each Chartered Local Association shall make every effort to inform the members of the Chartered Local Association of the special meeting. If e-mail regular mail service is not in operation, notice of such meeting shall be given by telephone or any expedient method of communication, to be followed by a written notice when mail service resumes, if applicable.</p>

RATIONALE: These are housekeeping changes to Article 6.17 to reflect that e-mail is the method of delivery for notices of special meetings.

The amendments reflect ONA's current practice of providing notice of special and sector meetings via e-mail using the ONA e-mail system.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE
<p>ARTICLE 6 - MEETINGS</p> <p>6.21 Every Chartered Local Association shall be given at least twenty (20) days' notice of sector and joint sector meetings, or such lesser notice period as the Board of Directors may specify in its vote or request for the meeting. The notice shall be in writing and shall be sent by either prepaid regular mail, facsimile transmission, e-mail or hand delivery to the Local Coordinator, and Secretary, of each Chartered Local Association. Such notice shall be deemed to have been received: in the case of regular mail on the seventh (7th) day after the date on which it was mailed; in the case of facsimile or e-mail transmission at the time of transmission; and in the case of hand delivery at the actual time of delivery.</p> <p>If regular mail service is not in operation, notice of such meeting shall be given by telephone or any expedient method of communication, to be followed by a written notice when mail service resumes, if applicable.</p>

AMENDED ARTICLE TO READ
<p>ARTICLE 6 - MEETINGS</p> <p>6.21 Every Chartered Local Association shall be given at least twenty (20) days' notice of sector and joint sector meetings, or such lesser notice period as the Board of Directors may specify in its vote or request for the meeting. The notice shall be in writing and shall be sent by either prepaid regular mail, facsimile transmission, e-mail or hand delivery to the Local Coordinator, and Secretary, of each Chartered Local Association. Such notice shall be deemed to have been received: in the case of regular mail on the seventh (7th) day after the date on which it was mailed; in the case of facsimile or e-mail transmission at the time of transmission; and in the case of hand delivery at the actual time of delivery.</p> <p>If e-mail regular mail service is not in operation, notice of such meeting shall be given by telephone or any expedient method of communication, to be followed by a written notice when mail service resumes, if applicable.</p>

RATIONALE: Similar to the amendment to Article 6.17, these are housekeeping changes to Article 6.21 to reflect that e-mail is the method of delivery for notices of sector meetings.

The amendments reflect ONA's current practice of providing notice of special and sector meetings via e-mail using the ONA e-mail system.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>ARTICLE 6 – MEETINGS</p> <p>E. Rules of Procedure and Order of Business at Meetings of the Union</p> <p>6.40 (b) The chairperson shall conduct the business of the meetings in the following order, unless otherwise authorized by a majority vote at the meeting:</p> <ul style="list-style-type: none"> (i) Roll Call of Delegates (ii) Adoption of Agenda (iii) Reading of Minutes (iv) Matters Arising from the Minutes (v) Constitutional Amendments and Resolutions (vi) Report of the Board of Directors (vii) Reports of Committees (viii) Financial Report (ix) Unfinished Business (x) New Business (xi) Nominations, Elections and Appointments (xii) Communications (xiii) Adjournment 	<p>ARTICLE 6 – MEETINGS</p> <p>E. Rules of Procedure and Order of Business at Meetings of the Union</p> <p>6.40 (b) The chairperson shall conduct the business of the meetings in the following order, unless otherwise authorized by a majority vote at the meeting:</p> <ul style="list-style-type: none"> (i) Roll Call of Delegates Land Acknowledgement (ii) Adoption of Agenda (iii) Reading of Minutes (iv) Matters Arising from the Minutes (v) Constitutional Amendments and Resolutions (vi) Report of the Board of Directors (vii) Reports of Committees (viii) Financial Report (ix) Unfinished Business (x) New Business (xi) Nominations, Elections and Appointments (xii) Communications (xiii) Adjournment

RATIONALE: This amendment to the order of business at ONA meetings recognizes that we have not conducted roll calls of delegates for many years. It also recognizes that, consistent with our commitment to Truth and Reconciliation, we have been starting our provincial meetings with a land acknowledgement.

A land acknowledgement is a formal statement that recognizes the Indigenous peoples who originally inhabited and continue to inhabit the land where a public event or activity is taking place. It is a way of showing respect and honouring the history and culture of the Indigenous peoples, as well as acknowledging the ongoing colonial impacts and injustices they face. Land acknowledgements are also a step towards reconciliation and building better relationships with Indigenous peoples.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE
<p>ARTICLE 7 - ELECTIONS</p> <p>A. Election of the Board of Directors</p> <p>7.01 Elections for the office of President, First Vice-President and the five (5) Vice-Presidents shall be held on November 1 every three (3) years commencing in 2021. If that date should fall on a Saturday or Sunday, then the election shall be held on the immediately following Monday. Should electronic voting, mail-in balloting or similar alternative to Bargaining Unit polling stations be employed, then voting shall be for a period of time determined by the Board of Directors at their discretion but concluding no later than midnight November 1.</p>

AMENDED ARTICLE TO READ
<p>ARTICLE 7 - ELECTIONS</p> <p>A. Election of the Board of Directors</p> <p>7.01 Elections for the office of President, First Vice-President and the five (5) Vice-Presidents shall be held on November 1 every three (3) years commencing in 2021. If that date should fall on a Saturday or Sunday, then the election shall be held on the immediately following Monday. Should electronic voting, mail-in balloting or similar alternative to Bargaining Unit polling stations be employed, then voting shall be for a period of time determined by the Board of Directors at their discretion but concluding no later than midnight November 1.</p> <p>Where a vacancy occurs on the Provincial Board of Directors in between regular elections, the Board is authorized to hold a mid-term election in a manner consistent with ONA's Constitution and Policies in which case the Chief Executive Officer, in consultation with the Board of Directors, may, in the event of an interim election, modify the timelines under Article 7, including Articles 7.02, 7.05 and 7.07 as appropriate.</p>

RATIONALE: Added a provision to clarify authority and process to hold mid-term elections to fill vacancies that may occur on the Board of Directors.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
<p>ARTICLE 7 - ELECTIONS</p> <p>7.02 The Chief Executive Officer, or designate, shall prepare nomination forms for the position of President, First Vice-President and Vice-President and send them to the Local Coordinator, Secretary and all Bargaining Unit Presidents of each Chartered Local Association at least ninety (90) days prior to the election date.</p> <p>7.05 Nominations shall be accepted by the Chief Executive Officer until 1600 hrs on the sixtieth (60th) day before the election date, or first day of the election period, if applicable.</p> <p>7.07 The list of candidates so prepared shall thereafter be known as the Ticket of Nominations and a copy signed by the Chief Executive Officer shall be sent, not later than thirty (30) days prior to the date of the election, to the President of the Union and posted on the ONA website.</p>

AMENDED ARTICLE TO READ
<p>ARTICLE 7 - ELECTIONS</p> <p>7.02 The Chief Executive Officer, or designate, shall prepare nomination forms for the position of President, First Vice-President and Vice-President and send them to the Local Coordinator, Secretary and all Bargaining Unit Presidents of each Chartered Local Association at least ninety (90) sixty (60) days prior to the election date.</p> <p>7.05 Nominations shall be accepted by the Chief Executive Officer until 1600 hrs on the sixtieth (60th) forty-fifth (45th) day before the election date, or first day of the election period, if applicable.</p> <p>7.07 The list of candidates so prepared shall thereafter be known as the Ticket of Nominations and a copy signed by the Chief Executive Officer shall be sent, not later than thirty (30) days prior to the date of the election, to the President of the Union and posted on the ONA website</p>

RATIONALE: Amendments to shorten the election period from 90 days to 60 days for a more efficient election process. Note that the Ticket of Nominations is still sent no later than 30 days prior to the election date.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE**ARTICLE 7 - ELECTIONS****B. Election Team**

7.16 The Election Team shall be elected/selected biennially by the Local Coordinators at the October Area Coordinator Conference for each region from among those members who have submitted an Expression of Interest form. Expression of Interest forms for the following term must be received by the Chief Executive Officer by no later than September 30 of that year.

AMENDED ARTICLE TO READ**ARTICLE 7 - ELECTIONS****B. Election Team**

7.16 The Election Team shall be elected/selected **biennially every three years** by the Local Coordinators at the October Area Coordinator Conference for each region from among those members who have submitted an Expression of Interest form. Expression of Interest forms for the following term must be received by the Chief Executive Officer by no later than September 30 of that year.

RATIONALE: As per Article 7.17, the term of the Provincial Election Team is three (3) years, which is consistent with the Board election cycle. Therefore, the members of the Provincial Election Team should be elected/selected every three years at the October Area Coordinator Conferences.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>ARTICLE 7 – ELECTIONS</p> <p>B. Election Team</p> <p>7.18 The First Vice-President of the Union or Board Member Designate shall chair the Election Team.</p> <p>7.19 Any member who wishes to make a complaint that the Union’s Election Policy has been breached shall promptly do so in writing to the Chief Executive Officer providing as much detail as possible. The Chief Executive Officer shall investigate the complaint and forward the results of the investigation to the Election Team. If the Election Team is satisfied that the Election Policy has been breached by one or more members, it may refer the matter directly to the Board of Directors for a hearing pursuant to Article 9. When such a referral is made the Election Team shall be the complainant for the purposes of pursuing the complaint.</p>	<p>ARTICLE 7 – ELECTIONS</p> <p>B. Election Team</p> <p>7.18 The First Vice-President of the Union or Board Member Designate shall chair the Election Team in accordance with Union Policy.</p> <p>7.19 Any member who wishes to make a complaint that the Union’s Election Policy has been breached shall promptly do so in writing to the Chief Executive Officer providing as much detail as possible. The Chief Executive Officer shall forward the complaint to the Election Team once received. The Chief Executive Officer and/or their delegate shall investigate the complaint and forward the results of the investigation to the Election Team. If, following a complaint or on its own notice, the Election Team is satisfied that the Election Policy has been breached by one or more members, it may take such action(s) it considers appropriate in accordance with Union Policy including but not limited to removal from the ballot. In addition to any action(s) taken in accordance with Union Policy, the Election Team may refer the matter directly to the Board of Directors for a hearing pursuant to Article 9. When such a referral is made the Election Team shall be the complainant for the purposes of pursuing the complaint.</p>

RATIONALE: Amendment to allow the Election Team to make rulings with respect to a breach of Election Policy in order to preserve election fairness in addition to referring members to Discipline under Article 9. The effect of the recommended amendments to Article 7.19 and associated policies is to put Election Team rulings in the hands of a neutral Election Team and not the CEO acting in their role as Chief Electoral Officer. This provides for arms’ length decision-making and allows for members with no stake in paid employment with the union to be taking responsibility for election-related decisions. The proposed amendments are consistent with the arbitral jurisprudence regarding British Columbia Nurses’ Union (BCNU) elections, which endorsed changes to BCNU’s election process to implement a neutral body to determine election issues and make rulings to preserve election fairness.

Also amended so that any complaint received by the CEO will be forwarded to the Election Team once received, not just after the investigation is complete.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>ARTICLE 9 – DISCIPLINE</p> <p>9.01 (a) Any member who shall be guilty of conduct detrimental to the advancement of the purposes of or reflecting discredit upon the Union shall be subject to expulsion, suspension, fine or reprimand after a fair hearing conducted by the Board of Directors in accordance with its policy.</p> <p>9.01 (c) Any member found guilty of misconduct set out in 9.02 (m) shall receive the following discipline:</p> <p>(iii) A fine as determined by the Board of Directors.</p>	<p>ARTICLE 9 – DISCIPLINE</p> <p>9.01 (a) Any member who shall be guilty of conduct detrimental to the advancement of the purposes of or reflecting discredit upon the Union shall be subject to expulsion, suspension, fine or reprimand after a fair hearing conducted by the Board of Directors Disciplinary Panel in accordance with its policy.</p> <p>9.01 (c) Any member found guilty of misconduct set out in 9.02 (m) shall receive the following discipline:</p> <p>(iii) A fine as determined by the Board of Directors Disciplinary Panel.</p>

RATIONALE: The purpose of the amendment is to ensure there are enough Disciplinary Panel members who are not in a conflict situation so that a fair hearing can be held. This amendment would allow the Board to appoint non-Board members to a Disciplinary Panel to avoid the possibility of conflict of interest.

The Member Discipline Policy 16.16 can spell out the process for determining a Board designate. It is proposed to establish a roster of Disciplinary Panel members that is based on the language and process used for appointing members to the Complaints Panel.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE
<p>By-Law II – Local Executive Committee</p> <p>9. In order to be eligible to be nominated and stand for election and hold a position on the Local Executive Committee, a member must meet the qualifications listed below:</p> <ul style="list-style-type: none"> (i) Local Coordinator: Any member who seeks to hold the position of Local Coordinator shall have served either 1) at least one term on the bargaining unit leadership team (such as a Committee Chair) or 2) at least one term of a position on the Local Executive Team. (ii) Treasurer: Any member who seeks to hold the position of Treasurer shall have served at least one term at the Local Executive level or in a bargaining unit leadership position (Unit Representative, committee member, Committee Chair, etc.). (iii) Vice-Coordinator in a single bargaining unit Local: Any member who seeks to hold the position of Vice-Coordinator shall have served at least one term in a bargaining unit leadership position. <p>Note: The above stated qualifications may be waived following consultation with the Regional Vice-President.</p>

AMENDED ARTICLE TO READ
<p>By-Law II – Local Executive Committee</p> <p>9. In order to be eligible to be nominated and stand for election and hold a position on the Local Executive Committee, a member must meet the qualifications listed below:</p> <ul style="list-style-type: none"> (i) Local Coordinator: Any member who seeks to hold the position of Local Coordinator shall have served either 1) at least one term on the bargaining unit leadership team (such as a Committee Chair) or 2) at least one term of a position on the Local Executive Team. (ii) Treasurer: Any member who seeks to hold the position of Treasurer shall have served at least one term at the Local Executive level or in a bargaining unit leadership elected position (Unit Representative, committee member, Committee Chair, etc.). (iii) Vice-Coordinator in a single bargaining unit Local: Any member who seeks to hold the position of Vice-Coordinator shall have served at least one term in a bargaining unit leadership elected position. (iv) Bargaining Unit President: Any member who seeks to hold the position of Bargaining Unit President shall have held a bargaining unit elected position for at least one term. <p>Note: The above stated qualifications may be waived by the Local Election Team following consultation with the Regional Vice-President. In the case of Bargaining Unit Presidents, the qualifications may be waived following consultation with the Local Coordinator.</p>

RATIONALE: At the February 2021 Special Meeting, Local leaders requested that qualifications be developed for members to be eligible to hold a position on the Local Executive Committee (including Bargaining Unit President).

Recommended qualifications for holding a Local Executive Committee position were developed by the Governance and Nominations Committee. These recommendations were supported by the Board of Directors and discussed with leaders at the June 2021 Provincial Coordinators Meeting (PCM). Similar to what was approved for Board of Director positions, members would need to have served at least one term in an appropriate Local Executive or

Bargaining Unit position. This ensures that the member has some previous experience and understanding of the accountabilities of the position that they are running for.

At the 2021 Biennial Convention, the amendments were passed with the exception of qualifications for the Bargaining Unit President.

We are resubmitting a proposal from the previous Biennial Convention to add qualifications for Bargaining Unit Presidents. However, we have amended the note to require consultation with the Local Coordinator instead of the Regional Vice-President in the case of waiving qualifications for a Bargaining Unit President. We have also clarified that it is the Local Election Team that waives the qualifications after such consultation.

The Governance and Nominations Committee will develop a policy regarding criteria for waiving qualifications, which could include:

- a. there are no qualified candidates to fill a position. An example of where this is likely to occur would be when a Bargaining Unit is newly organized and is electing their first Bargaining Unit President.
- b. the waiver should only apply if there are no qualified candidates (i.e., if you have a qualified candidate, you then can't waive it for another candidate who is not qualified).
- c. once a member is in a position, they are deemed to be qualified and don't need to requalify (i.e., someone appointed as Local Coordinator, Bargaining Unit President, etc. for half a term does not then need to meet the qualification of having to have been in the position for a full term).

Lastly, we have clarified that for the Treasurer, First Vice-President and Bargaining Unit President positions, they must have served in an "elected" position rather than a "leadership" position.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>By-Law VII - Bargaining Units and Bargaining Unit Presidents</p> <p>2. No member can serve as Bargaining Unit President for more than one (1) Bargaining Unit even though the member may be a member of more than one (1) Bargaining Unit.</p>	<p>By-Law VII - Bargaining Units and Bargaining Unit Presidents</p> <p>2. No member can serve as Bargaining Unit President for more than one (1) Bargaining Unit even though the member may be a member of more than one (1) Bargaining Unit. This could be waived (on an interim basis) after consultation and agreement with the Local Coordinator(s) and the Regional Vice-President(s).</p>

RATIONALE: The amendment recognizes that there may be an occasion where it is acceptable to have a member serve as a Bargaining Unit President in more than one Bargaining Unit. For example, an existing Bargaining Unit President may decide to take a casual position at a small nursing home and be willing to act as Bargaining Unit President there, which is preferable to having no one in the position. Therefore, the proposed language is to allow this to happen on an interim basis after consultation and agreement with the Local Coordinator(s) and the Regional Vice-President(s) involved.

If the amendment passes, then the Governance and Nominations Committee will develop a policy to assist Local Coordinators and Regional Vice-Presidents in determining when a waiver is appropriate.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>By-Law VII – Bargaining Units and Bargaining Unit Presidents</p> <p>Bargaining Unit Meetings</p> <p>1. (a) Each Bargaining Unit shall meet at least two (2) times a year. The Bargaining Unit President shall fix the date, time and place of the meetings and act as chairperson of the meetings. Members of the Bargaining Unit shall be entitled to one (1) vote each but in the case of a tie; the chairperson shall be entitled to a casting vote in addition to the chairperson’s vote as a member.</p> <p>(b) The rules of procedure and order of business governing meetings of the Bargaining Unit shall be as follows:</p> <p>(i) The Bargaining Unit President will be the Chairperson, in their absence the Bargaining Unit President, shall appoint their designate.</p> <p>(ii) The Chairperson shall conduct the business of the meeting in the following order, unless otherwise authorized by a majority vote at the meeting:</p> <ol style="list-style-type: none"> 1. Roll Call of Members 2. Adoption of Agenda 3. Reading of Minutes 4. Matters Arising from the Minutes 5. Financial Report 6. Reports of Committees 7. Nominations, Elections and Appointments 8. Communications 9. Unfinished Business 10. New Business 11. Adjournment 	<p>By-Law VII – Bargaining Units and Bargaining Unit Presidents</p> <p>Bargaining Unit Meetings</p> <p>1. (a) Each Bargaining Unit shall meet at least two (2) times a year. The Bargaining Unit President shall fix the date, time and place of the meetings and act as chairperson of the meetings. Members of the Bargaining Unit shall be entitled to one (1) vote each but in the case of a tie; the chairperson shall be entitled to a casting vote in addition to the chairperson’s vote as a member.</p> <p>(b) The rules of procedure and order of business governing meetings of the Bargaining Unit shall be as follows:</p> <p>(i) The Bargaining Unit President will be the Chairperson, in their absence the Bargaining Unit President, shall appoint their designate.</p> <p>(ii) The Chairperson shall conduct the business of the meeting in the following order, unless otherwise authorized by a majority vote at the meeting:</p> <ol style="list-style-type: none"> 1. Roll Call of Members Land Acknowledgement 2. Adoption of Agenda 3. Reading of Minutes 4. Matters Arising from the Minutes 5. Financial Report 6. Reports of Committees 7. Nominations, Elections and Appointments 8. Communications 9. Unfinished Business 10. New Business 11. Adjournment

RATIONALE: This amendment to the order of business at Bargaining Unit meetings is consistent with the amendment to provincial meetings.

A land acknowledgement is a formal statement that recognizes the Indigenous peoples who originally inhabited and continue to inhabit the land where a public event or activity is taking place. It is a way of showing respect and honouring the history and culture of the Indigenous peoples, as well as acknowledging the ongoing colonial impacts and injustices



they face. Land acknowledgements are also a step towards reconciliation and building better relationships with Indigenous peoples.

Bargaining Unit leaders can find out the relevant territories for their location by visiting www.Native-Land.ca. Leaders can also access samples of land acknowledgements at www.amnesty.ca.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p data-bbox="131 237 618 302">By-Law VII - Bargaining Units and Bargaining Unit Presidents</p> <p data-bbox="131 350 444 380">Bargaining Unit Meetings</p> <p data-bbox="131 407 748 730">3. A Bargaining Unit shall have a representative and shall endeavour to have a Committee to support such representation for the following: (a) Human Rights and Equity (b) Negotiations (c) Labour-Management (d) Grievances (e) Health and Safety (f) Professional Responsibility and Workload</p>	<p data-bbox="841 237 1328 302">By-Law VII - Bargaining Units and Bargaining Unit Presidents</p> <p data-bbox="841 350 1154 380">Bargaining Unit Meetings</p> <p data-bbox="841 407 1458 768">3. A Bargaining Unit shall have a representative and shall endeavour to have a Committee to support such representation for the following: (a) Human Rights and Equity (b) Negotiations (c) Labour-Management (d) Grievances (e) Health and Safety (f) Professional Responsibility and Workload (g) Safe Return to Work/Accommodation</p>

RATIONALE: This proposed amendment is to add Safe Return to Work/Accommodation to the list of Bargaining Unit representatives required under the Constitution. Many Bargaining Units currently use their Human Rights and Equity representative to handle Return to Work/Accommodation. There are many human rights issues beyond accommodation (such as the growing anti-racism work) and the two areas should be separate and distinct.

This amendment does not preclude a member from holding both the Human Rights and Equity and the Early Safe Return to Work/Accommodation positions, if appropriate and necessary for the Bargaining Unit. Bargaining Units are also not precluded from combining the positions.

SUBMITTED BY: Board of Directors

SECONDED BY:



PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>By-Law IX – Vacancies</p> <p>2. a) In the event that any Local Executive Committee position, including a Bargaining Unit President, within a Chartered Local Association remains vacant after an election, the Chartered Local Association Executive Committee shall appoint from among the members of the Chartered Local Association who have submitted an expression of interest, a replacement for the term.</p> <p>(b) In the event that any bargaining unit position, except a Bargaining Unit President, within the bargaining unit remains vacant after an election the Bargaining Unit President shall appoint from the members of the bargaining unit a replacement for the term.</p>	<p>By-Law IX – Vacancies</p> <p>2. (a) In the event that any Local Executive Committee position, including a Bargaining Unit President, within a Chartered Local Association remains vacant after an election, the Chartered Local Association Executive Committee shall appoint from among the members of the Chartered Local Association who have submitted an expression of interest, a replacement for the term.</p> <p>(b) In the event that any bargaining unit position, except a Bargaining Unit President, within the bargaining unit remains vacant after an election the Bargaining Unit President shall appoint from the members of the bargaining unit who have submitted an expression of interest, a replacement for the term.</p>

RATIONALE: This amendment to By-Law IX 2b is to ensure consistency regarding the use of Expression of Interests (EOIs) for filling vacant positions.

EOIs are currently required under By-Law IX for mid-term vacancies at both the Local and Bargaining Unit level (1a and 1b) as well as for positions remaining vacant after an election at the Local level (2a).

This amendment would require EOIs to be used for positions remaining vacant after a Bargaining Unit election.

SUBMITTED BY: Board of Directors

SECONDED BY:

PRESENT ARTICLE	AMENDED ARTICLE TO READ
<p>By-Law X – Meetings of the Chartered Local Association</p> <p>5. The rules of procedure and order of business governing meetings of the Chartered Local Association shall be as follows:</p> <p>(a) In the absence of or at the request of the Local Coordinator, the First Local Vice-Coordinator shall act as chairperson. In the absence of the Local Coordinator and the First Vice-Coordinator, a chairperson shall be chosen by the Local Executive Committee.</p> <p>(b) The Chairperson shall conduct the business of the meeting in the following order, unless otherwise authorized by a majority vote at the meeting:</p> <ol style="list-style-type: none"> 1. Roll Call of Members 2. Adoption of Agenda 3. Reading of Minutes 4. Matters Arising from the Minutes 5. Financial Report 6. Reports of Committees 7. Nominations, Elections and Appointments 8. Communications 9. Unfinished Business 10. New Business 11. Adjournment 	<p>By-Law X – Meetings of the Chartered Local Association</p> <p>5. The rules of procedure and order of business governing meetings of the Chartered Local Association shall be as follows:</p> <p>(a) In the absence of or at the request of the Local Coordinator, the First Local Vice-Coordinator shall act as chairperson. In the absence of the Local Coordinator and the First Vice-Coordinator, a chairperson shall be chosen by the Local Executive Committee.</p> <p>(b) The Chairperson shall conduct the business of the meeting in the following order, unless otherwise authorized by a majority vote at the meeting:</p> <ol style="list-style-type: none"> 1. Roll Call of Members Land Acknowledgement 2. Adoption of Agenda 3. Reading of Minutes 4. Matters Arising from the Minutes 5. Financial Report 6. Reports of Committees 7. Nominations, Elections and Appointments 8. Communications 9. Unfinished Business 10. New Business 11. Adjournment

RATIONALE: This amendment to the order of business at Local meetings is consistent with the amendment to provincial meetings.

A land acknowledgement is a formal statement that recognizes the Indigenous peoples who originally inhabited and continue to inhabit the land where a public event or activity is taking place. It is a way of showing respect and honouring the history and culture of the Indigenous peoples, as well as acknowledging the ongoing colonial impacts and injustices they face. Land acknowledgements are also a step towards reconciliation and building better relationships with Indigenous peoples.

Local leaders can find out the relevant territories for their location by visiting www.Native-Land.ca. Leaders can also access samples of land acknowledgements at www.amnesty.ca.

SUBMITTED BY: Board of Directors

SECONDED BY:



RESOLUTION #1

Dues Increase for 2024, 2025 and 2026 to the Operating Fund

WHEREAS, the Ontario Nurses' Association (ONA) Board of Directors understands and supports meeting the service requirements and needs of the membership at the Local and provincial levels; and

WHEREAS, there is a need to continue to enhance mobilizing our members to fight employers and the government to protect our jobs and professions; and

WHEREAS, each year of the proposed 2024 and 2025 budget has staffing enhancements, including increasing both servicing and support positions; and

WHEREAS, there is a need to maintain a \$3 million Operating Fund closing balance for fiscal prudence; and

WHEREAS, ONA's last dollar amount dues increase was \$7.50 in 2009; and

WHEREAS, the current dues escalator of 3 per cent has been in effect since 2010 and has created confusion in relation to percentage wage increases; and

WHEREAS, a dollar amount dues increase is easily understandable; and

WHEREAS, since 2014 there have been significant increases in the cost of labour and benefits, membership events, membership education, computerization, etc.; and

WHEREAS, there is a need to invest in our future initiatives such as our Anti-Racism and Anti-Oppression Action Plan and our infrastructure; and

WHEREAS, the current 3 per cent dues escalator will result in a significant deficit given the projected expenses; and

WHEREAS, the Board recognizes the need to be fiscally responsible but also ensure that the support needs of our membership are met;

THEREFORE BE IT RESOLVED that the dues increase in 2024 be \$5.50 for the Operating Fund, the dues increase in 2025 be \$5.00 for the Operating Fund, and the dues increase in 2026 be \$3.25 for the Operating Fund.

SUBMITTED BY: Board of Directors

RESOLUTION #2

Dues Increase for 2024, 2025 and 2026 for Local Portion

WHEREAS, the ONA Board of Directors understands and supports the requirement of additional funds at the Local level; and

WHEREAS, the current dues escalator of 3 per cent for both the provincial portion of dues and the Local portion of dues has been in effect since 2010;

THEREFORE BE IT RESOLVED that there be an additional dues increase of \$0.54 back to the Locals in 2024, an additional dues increase of \$0.56 back to the Locals in 2025, and an additional dues increase of \$0.58 back to the Locals in 2026.

SUBMITTED BY: Board of Directors



RESOLUTION #3

Dues increase for LEAP Fund in 2024

WHEREAS, ONA's Legal Expense Assistance Plan (LEAP) provides an important and valuable service to ONA members; and

WHEREAS, the LEAP fund has not had an increase since 2008; and

WHEREAS, there has been a significant increase in legal fee payments from the LEAP fund in order to represent and protect our members; and

WHEREAS, the LEAP fund is projected to have a closing fund deficit of over \$3 million by 2026;

THEREFORE BE IT RESOLVED that in 2024 there be an increase in dues to the LEAP fund from \$2.50 to \$4.00.

SUBMITTED BY: Board of Directors

RESOLUTION #4

Elimination of Dues Escalator

WHEREAS, the 3 per cent dues escalator has been in effect since 2010; and

WHEREAS, the Board of Directors has proposed dollar increases to ONA dues for 2024, 2025 and 2026 in order to meet the service needs of membership;

THEREFORE BE IT RESOLVED that the 3 per cent dues escalator be eliminated.

SUBMITTED BY: Board of Directors

ONTARIO NURSES' ASSOCIATION



ONA Provincial Office

85 Grenville St., Toronto ON M5S 3A2

Tel: (416) 964-8833 • Toll free: 1-800-387-5580 • Fax: (416) 964-8864

email: onamail@ona.org • www.ona.org

Ontario Nurses' Association © 2023