

**PROUD
STRONG
UNITED**

HEU CONVENTION 2024

Proposed Constitutional Amendments



Constitutional Amendment 1

Submitted by the Provincial Executive

Article: Names and Objects, Preamble
Section: Names and Objects, Preamble
Subject: Indigenous Land Acknowledgement

HEU Will:

Amend the “Names and Objects” and “Preamble” to acknowledge Indigenous people who lived and continue to live on the land prior to Canada’s colonial history.

Because:

Since the release of the 2015 Truth and Reconciliation Commission’s final report, offering land acknowledgements and reflecting on our history is commonplace in important institutional documents.

The new language would read:

NAMES & OBJECTS

This Union shall be known as the Hospital Employees’ Union in the Province of British Columbia and shall consist of any number of Locals. The objects of this Union shall be to unite and associate together all workers employed primarily, but not exclusively, in health care, medical or related work for the purpose of securing concerted action in whatever may be regarded as conducive to their best interests, and in so doing to embrace the concept of equality of treatment for all with respect to wages and job opportunities, recognizing their obligation to provide high quality services, and to defend and preserve the right of all persons to high standards of medical and hospital treatment. **The Union is committed to working on reconciliation with Indigenous Peoples based on the recognition of rights, respect, cooperation and partnership. We acknowledge the work of reconciliation must draw from Indigenous communities’ voices, including the frameworks of The United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission’s Calls to Action,**

and the National Inquiry into Missing and Murdered Indigenous Women and Girls.

PREAMBLE

HEU acknowledges with gratitude that our members work on the traditional, ancestral, and unceded territory of First Nations who have cared for and nurtured these lands from time immemorial. HEU acknowledges the inherent rights of First Nations. We also acknowledge the pervasive and ongoing harms of colonialism faced by Indigenous Peoples, including forced removal and dispossession of the land. These harms also include the widespread systemic racism against Indigenous peoples as users, patients, and staff in BC’s healthcare system. We are committed to confronting and healing the systemic racism underlying this system in our provision of healthcare services.

We, the Hospital Employees’ Union, believing it to be the right of those who toil to enjoy to the fullest extent the highest standard of living compatible with life within Canada, and the right of all within Canada to enjoy high quality health care, and appreciating the very great benefits to be derived through uniting ourselves together for mutual protection and advancement, do hereby adopt the following Rules for the government of this Union.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 2

Submitted by the PHSA (Amalgamated) Local

Article: 2
Section: B
Subject: Local rebates increase

HEU Will:

Increase the monthly rebates by 14% as follows:

- For less than 50 Members: increase from \$100.00 to \$114.00 per month.
- For 51 - 79 Members: increase from \$150.00 to \$171.00 per month.
- For 80 - 119 Members: increase from \$225.00 to \$256.50 per month.
- For 120 - 150 Members: increase from \$275.00 to \$313.50 per month.
- For greater than 150 Members: increase from \$1.85 per dues paying Member to \$2.10 per dues paying Member per month.

Because:

These adjustments are necessary to keep pace with inflation and ensure that locals receive adequate financial support. As we received our wage increase, we also contributed to more union dues, and locals need to be compensated for the work we do for our members.

The new language would read:

Local Members	Rebates Per Month
less than 50 Members per month.	\$100.00 \$114.00
between 51 - 79 Members per month.	\$150.00 \$171.00
between 80 - 119 Members per month.	\$225.00 \$256.50
between 120 - 150 Members per month.	\$275.00 \$313.50
greater than 150 Members dues paying Member	\$1.85 \$2.10

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 3

Submitted by the Chilliwack Amalgamated Local

Article: 2
Section: H
Subject: Union dues/members in good standing

HEU Will:

Not take dues from members who are on WorkSafeBC benefits.

Because:

Workers receiving WorkSafeBC benefits should be considered members in good standing while absent from work.

The new language would read:

The following non-dues paying Members shall be considered Members in Good Standing for the first six (6) months of absence from work:

1. Members on unpaid leave of absence; and
2. Members on layoff 3, **and**
3. **Members on WorkSafeBC benefits.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 4

Submitted by the Dogwood Local

Article: 4
Section:
Subject: Eligibility for office

HEU Will:

Change the language requiring a member who is absent from a local meeting so that they can send a letter to their local within three (3) days before a meeting and up to five (5) days after a meeting so that they may be credited with attendance.

Because:

Some members know they cannot attend a local meeting due to work, vacation or planned appointments.

The new language would read:

This Letter of Notification must be in the Local's possession within ~~ten (10) days after the affected meeting~~ **either three (3) days before the meeting, or five (5) days after the meeting to be credited with attendance.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 5

Submitted by the Menno Home Local

Article: 4
Section:
Subject: Eligibility for office

HEU Will:

Offer a way for Locals struggling with engagement and to achieve quorum at general members' meetings by permitting members who submit written notice of regret of absence for Local meetings to be counted towards quorum, and to remove limitations and time restrictions on how often Letters of Notification can be submitted, allowing Locals to function more effectively, pass motions and make decisions.

Because:

Locals holding monthly meetings and working diligently to attract attendance are still struggling to meet the criteria necessary to make decisions, pass motions and continue to be an effective Local in service to its membership.

Locals struggling to attract full Executives are unnecessarily burdened by the requirement for Executive candidates to have attended 50 per cent or more of general members' meetings in a calendar year.

The new language would read:

Notwithstanding the foregoing, a Member in good standing who submits written notification of legitimate absence to the Local Executive shall be credited with attendance and counted towards quorum. Any Member absent due to Union business shall be considered as having attended the meeting.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 6

Submitted by the RJH Local

Article: 4
Section:
Subject: Convention delegate eligibility

HEU Will:

Allow local activism to count towards eligibility to hold office or run as a delegate to Biennial Convention.

Because:

Allowing local activism to count towards eligibility for holding office or running as a delegate to the Biennial Convention promotes a more engaged, diverse, and effective union. It recognizes and rewards grassroots involvement, encourages broader participation, and ensures that the union's leadership is closely connected to the needs and concerns of its members. This approach strengthens the union's solidarity and effectiveness, ultimately benefiting all members.

The new language would read:

Eligibility for Office

*Also see Article 14 Section C – Local By-Laws.

No Union Member shall be eligible to hold office in the Union or in a Local, nor act as a Delegate of a Local or of the Union, unless the member has attended a total number of meetings equal to at least fifty per cent (50%) of the regular Local meetings, held by the Local in the twelve (12) month period prior to nomination and has paid all Union fines, dues and temporary dues increases. New members who have attended 50% of local meetings since being hired are also eligible. If a meeting is called and there is no quorum, the Members attending can count such meetings in their total number of meetings attended during the twelve (12) month period. This provision does not apply to newly certified members.

In the case of a Member being seconded to temporarily work at a different Local than their original Local or being permanently transferred to a

different Local, the Member can count attendance at regular monthly meetings at the former Local towards fulfilling these eligibility requirements. This shall be limited to counting only one (1) meeting per month towards eligibility. Members who have permanently transferred can only be Delegates from the Local at which they work. Members who are being seconded temporarily can be Delegates from their original or seconded Local.

Notwithstanding the foregoing, a Member in good standing on approval of the Local Executive may request participation in local events and activism count towards their attendance requirement.

Notwithstanding the foregoing, a Member in good standing who submits written notification of legitimate absence, through sickness or having to work a shift, or on vacation, and on approval of the Local Executive, shall be credited with attendance, to the limit of two (2) such meetings in the twelve (12) month period, prior to nomination, insofar as the member's right to hold office, or to run as a Delegate to Biennial Conventions.

This Letter of Notification must be in the Local's possession within ten (10) days after the affected meeting. Any Member absent due to Union business shall be considered as having attended the meeting.

Further, notwithstanding the foregoing, a Member may be a Delegate to the regular Convention of this Union, providing the Local to which the Delegate is attached has been in existence less than twelve (12) months.

An eligible Member who is absent for cause and not at the regular monthly meeting for nomination who is willing to run for office must indicate their willingness in writing to the Local Executive prior to nomination. A text message and/or email will be accepted as a written request. In the election of Local Officers, if a position is vacant and no eligible Member is willing to accept nomination, then that position may be filled by acclamation or by election.

A nomination cannot be accepted for an ineligible Member for a position where an eligible Member is nominated and accepted.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 7

Submitted by the Victoria General Local

Article: 4
Section: C
**Subject: Convention delegate eligibility/
Flexible meeting attendance/alternate eligibility**

HEU Will:

Amend the language to make it more equitable for members to obtain 50% of meetings.

Because:

This would accommodate members with conflicting work schedule or personal commitments and increase overall participation .

The new language would read:

Eligibility for Office

*Also see Article 14 Section C – Local By-Laws.

No Union Member shall be eligible to hold office in the Union or in a Local, nor act as a Delegate of a Local or of the Union, unless the member has attended a total number of meetings equal to at least fifty per cent (50%) of the regular Local meetings, held by the Local in the twelve (12) month period prior to nomination and has paid all Union fines, dues and temporary dues increases. New members who have attended 50% of local meetings since being hired are also eligible. If a meeting is called and there is no quorum, the Members attending can count such meetings in their total number of meetings attended during the twelve (12) month period. This provision does not apply to newly certified members.

In the case of a Member being seconded to temporarily work at a different Local than their original Local or being permanently transferred to a different Local, the Member can count attendance at regular monthly meetings at the former Local towards fulfilling these eligibility requirements. This shall be limited to counting only one (1) meeting per month towards eligibility. Members who have permanently transferred can only be Delegates from the Local at which they work. Members who are being seconded temporarily can be Delegates from their original or seconded Local.

Notwithstanding the foregoing, a Member in good standing who submits written notification of legitimate absence, through sickness or having to work a shift, or on vacation, and on approval of the Local Executive, shall be credited with attendance, to the limit of two (2) such meetings in the twelve (12) month period, prior to nomination, insofar as the member’s right to hold office, or to run as a Delegate to Biennial Conventions.

This Letter of Notification must be in the Local’s possession within ten (10) days after the affected meeting. Any Member absent due to Union business shall be considered as having attended the meeting.

Further, notwithstanding the foregoing, a Member may be a Delegate to the regular Convention of this Union, providing the Local to which the Delegate is attached has been in existence less than twelve (12) months.

An eligible Member who is absent for cause and not at the regular monthly meeting for nomination who is willing to run for office must indicate their willingness in writing to the Local Executive prior to nomination. A text message and/or email will be accepted as a written request. In the election of Local Officers, if a position is vacant and no eligible Member is willing to accept nomination, then that position may be filled by acclamation or by election.

A nomination cannot be accepted for an ineligible Member for a position where an eligible Member is nominated and accepted.

Members may attend meetings virtually or participate in approved union activities to count towards the 50% meeting attendance requirement for qualification as delegates or alternates.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 8

Submitted by the Victoria General Local

Article: 4
Section: D
Subject: Clearer Guidelines for Absence approvals

HEU Will:

Change the language for absence approvals.

Because:

Clearer guidelines for absence approvals ensures fairness and transparency in approval process for meeting absence .

The new language would read:

Eligibility for Office

*Also see Article 14 Section C – Local By-Laws.

No Union Member shall be eligible to hold office in the Union or in a Local, nor act as a Delegate of a Local or of the Union, unless the member has attended a total number of meetings equal to at least fifty per cent (50%) of the regular Local meetings, held by the Local in the twelve (12) month period prior to nomination and has paid all Union fines, dues and temporary dues increases. New members who have attended 50% of local meetings since being hired are also eligible. If a meeting is called and there is no quorum, the Members

attending can count such meetings in their total number of meetings attended during the twelve (12) month period. This provision does not apply to newly certified members.

In the case of a Member being seconded to temporarily work at a different Local than their original Local or being permanently transferred to a different Local, the Member can count attendance at regular monthly meetings at the former Local towards fulfilling these eligibility requirements. This shall be limited to counting only one (1) meeting per month towards eligibility. Members who have permanently transferred can only be Delegates from the Local at which they work. Members who are being seconded temporarily can be Delegates from their original or seconded Local.

Notwithstanding the foregoing, a Member in good standing who submits written notification of legitimate absence, through sickness or having to work a shift, or on vacation, and on approval of the Local Executive, shall be credited with attendance, to the limit of two (2) such meetings in the twelve (12) month period, prior to nomination, insofar as the member’s right to hold office, or to run as a Delegate to Biennial Conventions. **Absence due to sickness, work shifts, or vacation can be approved by the Local Executive using a standardized form. The Local Executive shall follow detailed criteria for approving such absence.**

This Letter of Notification must be in the Local’s possession within ten (10) days after the affected meeting. Any Member absent due to Union business shall be considered as having attended the meeting.

Further, notwithstanding the foregoing, a Member may be a Delegate to the regular Convention of this Union, providing the Local to which the Delegate is attached has been in existence less than twelve (12) months.

An eligible Member who is absent for cause and not at the regular monthly meeting for nomination who is willing to run for office must indicate their willingness in writing to the Local Executive prior to nomination. A text message and/or email will be accepted as a written request. In the election of

Local Officers, if a position is vacant and no eligible Member is willing to accept nomination, then that position may be filled by acclamation or by election.

A nomination cannot be accepted for an ineligible Member for a position where an eligible Member is nominated and accepted.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 9

Submitted by the Indigenous Peoples Standing Committee

Article: 5

Section:

Subject: Indigenous elder/knowledge keeper at Conventions, conferences and large gatherings

HEU Will:

Invite and make every reasonable effort to ensure an Indigenous Elder/Knowledge Keeper is present at all large HEU functions, including but not limited to Provincial and National Conventions, major conferences, and significant organizational gatherings.

The Indigenous Elder attending HEU functions shall have the following roles and responsibilities:

- Facilitating an Opening Ceremony & Land Acknowledgement;
- Offer Cleansing (smudge, cedar brush, etc.) to any member who wishes to participate; (Designated space and times would be provided.)
- Providing cultural and emotional support to Indigenous members, offering guidance, wisdom, and assistance as needed;

In the event an Elder/Knowledge Keeper is not able to attend, the IP-ESC will offer Cleansing opportunities for members.

Because:

In many Indigenous cultures, it is customary to begin gatherings with a welcome and ceremony led by an Elder. By following this protocol, we show our commitment to honouring Indigenous traditions.

Incorporating Indigenous elders into union functions is crucial for fostering Truth and Reconciliation. Their inclusion brings diverse perspectives rooted in centuries of wisdom, culture, and tradition, enriching decision-making processes with holistic insights. By recognizing and respecting Indigenous knowledge systems within the HEU, it validates the union's role in shaping policies and practices that address historical injustices and systemic inequalities. Moreover, it signifies a commitment to creating inclusive spaces where Indigenous voices are heard and respected, thus promoting understanding, healing, and solidarity among all members. Ultimately, this integration serves as a meaningful step towards building bridges between Indigenous and non-Indigenous peoples, fostering mutual understanding, and advancing the journey towards reconciliation.

As per the Guiding Principles of the Truth and Reconciliation Final Report: "The perspective and understanding of Aboriginal Elders and traditional Knowledge Keepers of the ethics concepts and practices of reconciliation are vital to long term reconciliation."

By adopting this amendment, HEU commits to honoring Indigenous traditions and providing meaningful support to Indigenous members, fostering a more inclusive and respectful organizational culture.

The new language would read:

Additional section - all new language.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 10

Submitted by the Ethnic Diversity Standing Committee

Article: 5
Section: E
Subject: Equity Standing Committee
Convention delegates

HEU Will:

Amend the language so that one delegate seat to Convention be offered to the co-chair first, followed by regular members and then alternates.

Because:

This will make the strength of our union's diversity more visible, and more marginalized voices can be heard to ensure HEU is inclusive and continues to empower its membership.

The new language would read:

~~EQUITY STANDING COMMITTEE DELEGATES: One representative selected by each of the Equity Standing Committees shall be deemed to be a Delegate to Convention with all rights and privileges.~~ **Two representatives selected by each of the Equity Standing Committees shall be deemed to be a Delegate to Convention with all rights and privileges. The co-chair of the Equity Standing Committee will be appointed as one of the Delegates. One of the two representatives is intended to represent the structure (co-chair) and the second representative is intended to represent the marginalized group (committee member).**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 11

Submitted by the People with Disabilities Standing Committee

Article: 5
Section: E
Subject: Equity Standing Committee
Convention delegates

HEU Will:

Automatically designate all members of each Equity Standing Committee members as delegates to attend HEU Biennial Convention, if they are not elected/selected through their local, with full rights and privileges, including but not limited to: speaking rights, voting rights, and participation in caucus meetings.

Because:

Including all Equity Standing Committee (ESC) members as delegates to HEU Conventions through the allocation of delegate seats will ensure all members of ESCs within our union are granted the opportunity to attend HEU's Convention to represent the interests and perspectives of their respective committees and communities, advocating for equity, diversity, and inclusion in all aspects of union activities. It will ensure that appropriate accommodations and supports are provided to facilitate the participation of ESC members in the union Convention, including but not limited to travel expenses, lodging arrangements, and accessibility accommodations. Promoting diversity, equity, and inclusion is a core value of HEU, and ensuring representation of diverse voices and perspectives at union conventions is essential for fostering a more inclusive and equitable union, and all members of equity standing committees possess valuable insights and experiences that contribute to meaningful discussions and decisions at union Conventions.

The new language would read:

~~EQUITY STANDING COMMITTEE DELEGATES: One representative selected by each of the Equity Standing Committees shall be deemed to be a Delegate to Convention with all rights and~~

privileges. Automatically designate all members of each Equity Standing Committee as Delegates to Convention, if they have not been elected/selected through their local, with all rights and privileges, including but not limited to speaking rights, voting rights, and participation in caucus meetings.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 12

Submitted by the Fleetwood Local

Article: 5
Section: E
Subject: Terms of officers

HEU Will:

Allow locals to have their local elections for Chairperson, Vice-Chairperson and Secretary-Treasurer every two (2) years instead of every year.

Because:

One year is not enough time specially for the new incoming executive to learn the duties of the roles for which they were elected. It takes one year to train and become confident in the role.

There is not enough time to adjust to the role, especially if locals do not hold summertime meetings in July and August. The term for Provincial Executive members is two (2) years.

The new language would read:

~~TERMS OF OFFICERS: The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified, PROVIDED HOWEVER, that at the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2)~~

~~Trustees shall be elected, the one receiving the higher number of votes to serve the two (2) year term. Local executives term will be 2 years. Local executives term will be two (2) years. The term for local executives which includes Chairperson, Vice-Chairperson and Secretary-Treasurer shall take place every two (2) years and no later than April 30.~~

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 13

Submitted by the Morgan Place Local

Article: 5
Section: G
Subject: Publicly-funded after school childcare

HEU Will:

Lobby the government to provide funds to support parents that work in our union to provide after school childcare.

Because:

Currently there is no funded childcare for parents that work in our union.

The new language would read:

The government will fund after school childcare for parents that work in our union.

This benefits parents that work in our union to be able to pick-up shifts at work as they have funding for after school childcare. With no funding parents in our union would have to take care of there kids after school and not be able to take shifts.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 14

Submitted by the Provincial Executive

Article: 5
Section: J (Proposed new)
Subject: Emergency Resolutions

HEU Will:

Amend Article 5 to allow for emergency resolutions at Convention by adding a new Section J as below, and re-lettering the current Section J and all subsequent lettered Sections under Article 5 to the following letter.

Because:

The Constitution currently lacks a clear procedure for submitting and processing emergency resolutions at the Convention. The proposed new language will provide clarity and procedural certainty relating to emergency resolutions.

The new language would read:

Section J

EMERGENCY RESOLUTIONS: A resolution relating to a specific matter or incident that occurred after the resolution submission deadline may be submitted to the Provincial Executive for consideration as an emergency resolution. The Provincial Executive shall determine by majority vote whether the criteria for an emergency resolution are met. If the criteria are not met, the submitter shall be informed and no further steps shall be taken under this Section. If the criteria are met, the Provincial Executive shall refer the emergency resolution for consideration by the Resolutions Committee. If the Resolutions Committee, in its discretion, adds the emergency resolution to the orders of the day, the Resolutions Committee shall provide Delegates with a copy of the emergency resolution, and the Delegates shall then decide, by a two-third (2/3) majority vote, whether to accept the emergency resolution for debate. If the Delegates vote to accept the emergency resolution for debate, the

Resolutions Committee shall ensure that if a debate occurs, it will occur at least two (2) hours after said vote.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 15

Submitted by the Provincial Executive

Article: 5
Section: M, Notice of Decisions
Subject: Conventions – Notice of Decisions

HEU Will:

Amend Article 5 Section M.

Because:

This process would ensure that HEU's Convention remains the supreme authority for HEU, and that no other body determines the fate of resolutions intended to be debated and voted on by the delegates of the convention. The Provincial Executive is tasked to determine the priorities of the Union based on staff and financial resources and may not be able to fulfill the resolutions.

The more campaigns that HEU is tasked with at the convention, the more spread out our resources will be on each of the campaigns.

This would follow the practice of most unions, including CUPE BC.

The new language would read:

When a Resolution and/or Constitutional Amendment is adopted by the Convention, the Membership shall be informed by **via** Newsletter and/ or through the ~~Hospital~~Guardian of **any** actions taken by the Provincial Executive as a consequence of that Resolution and/or

Constitutional Amendment. HEU will print and distribute a new Constitution and By-laws book at least one year prior to the next Convention. ~~Resolutions not heard or discussed on the convention floor which are referred to the Provincial Executive must be reviewed, discussed and voted on by the new Provincial Executive and the results of the vote to be posted and sent to locals.~~

Resolutions and Constitutional Amendments that are not debated and voted on are considered abandoned at the end of the Convention.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 16

Submitted by the Provincial Executive

Article: 6
Section: “O” (proposed addition)
Subject: Provincial Executive’s power to adopt and enforce Policies and Procedures

HEU Will:

Amend Article 6 to make clear and express the Provincial Executive’s existing power to adopt and enforce policies and procedures.

Add the following new section O.

Because:

While the Provincial Executive’s power to adopt and enforce policies and procedures is both widely recognized and clearly implied in the Constitution and By-Laws (for example, Article 5, Section A: “All powers of the Convention when in session shall, when the same is not in session, pass to and vest in the Provincial Executive...”), it may nonetheless be helpful to make clear and express: the Provincial Executive’s power in this regard; the necessary

limits on this power; and the expectation of compliance.

The new language would read:

Section O

POLICIES AND PROCEDURES:

The Provincial Executive may, in furtherance of HEU’s goals and objectives, adopt and enforce policies, procedures, principles, rules, guidelines, and codes of conduct (“Policies and Procedures”).

All members of the Union are expected to comply with applicable Policies and Procedures as adopted by the Provincial Executive.

Policies and Procedures are to be interpreted in a manner consistent with the Constitution and By-Laws, the Human Rights Code, and other applicable legislation. In the case of a conflict, the Constitution and By-Laws and applicable legislation supersede Policies and Procedures.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 17

Submitted by the Tri-Port Local

Article: 6
Section: A
Subject: Full time officer eligibility

HEU Will:

Section A

PROVINCIAL EXECUTIVE: The Officers of the Union shall be:

- PRESIDENT
- SECRETARY-BUSINESS MANAGER
- FINANCIAL SECRETARY
- 1ST VICE-PRESIDENT
- 2ND VICE-PRESIDENT
- 3RD VICE-PRESIDENT
- SENIOR TRUSTEE
- SENIOR TRUSTEE – ELECT
- TRUSTEE
- REGIONAL VICE-PRESIDENTS:
 - FRASER (3 representatives)
 - INTERIOR (3 representatives)
 - NORTHERN (2 representatives)
 - VANCOUVER COASTAL (3 representatives)
 - VANCOUVER ISLAND (2 representatives)
- DIVERSITY VICE-PRESIDENTS:
 - INDIGENOUS PEOPLES (1 representative)
 - ETHNIC DIVERSITY (1 representative)
 - PINK TRIANGLE (1 representative)
 - 2-SPIRIT, WOMEN & NON-BINARY (1 representative)
 - PEOPLE WITH DISABILITIES (1 representative)
 - YOUNG WORKERS (1 representative)

All accredited Delegates wishing to run for office on the Provincial Executive may post a picture with their name, length of Membership in the Union, positions held and in what Local, on the kiosk provided by the Provincial Office. All pictures shall be taken by Provincial Office Staff. Pictures of Delegates wishing to run for office must be posted for a minimum of nineteen (19) hours before any nomination, election and installation of Officers occurs.

All delegates who wish to run for provincial office

shall be allowed to announce their intention to Locals via faxes, e-mail, phone messages and word of mouth. They may also submit their photograph, brief biographies and maximum two hundred (200) word candidate statement to the Convention Committee ninety (90) days prior to Convention. The Convention Committee will then send the candidate information in standard format to all the Locals forty-five (45) days prior to Convention.

Each candidate for provincial office may address the Convention delegates for a maximum of five (5) minutes plus a moderated question and answer period at an evening forum. An additional one (1) minute is available for the delegate to include a territorial acknowledgement of Indigenous lands.

The issues regarding policy and contract negotiations voted on, and the way our Provincial Executive have voted, will be made available to the Membership.

The following shall be nominated and elected from the eligible accredited Delegates attending the regular Convention of the Union, and in this order: President, Financial Secretary, 1st Vice-President, 2nd Vice-President, 3rd Vice-President, and three Trustees. Any one (1) member is only eligible to hold one (1) Provincial Executive position concurrently.

In the event that the Senior Trustee Elect [four (4) year term] is elected to another position on the Provincial Executive, the election of a new Senior Trustee shall take place during the Convention.

On the initial ballot, if a fifty per cent (50%) plus one (1) majority of all the ballots cast is not attained, then a second ballot shall be conducted among the three (3) candidates receiving the highest number of votes; if a fifty per cent (50%) plus one (1) majority is not attained on the second ballot, then a third ballot shall be conducted between the two (2) candidates receiving the highest number of votes on the second ballot.

A delegate who has been elected at a convention to the Provincial Executive in any position under Article 6 is not eligible at the same convention to run for election for another Provincial Executive position.

Because:

This will make space for new members to have the opportunity to bring in new ideas and new thinking to our membership.

The new language would read:

Section A

PROVINCIAL EXECUTIVE: The Officers of the Union shall be:

- PRESIDENT
- SECRETARY-BUSINESS MANAGER
- FINANCIAL SECRETARY
- 1ST VICE-PRESIDENT
- 2ND VICE-PRESIDENT
- 3RD VICE-PRESIDENT
- SENIOR TRUSTEE
- SENIOR TRUSTEE – ELECT
- TRUSTEE
- REGIONAL VICE-PRESIDENTS:
 - FRASER (3 representatives)
 - INTERIOR (3 representatives)
 - NORTHERN (2 representatives)
 - VANCOUVER COASTAL (3 representatives)
 - VANCOUVER ISLAND (2 representatives)
- DIVERSITY VICE-PRESIDENTS:
 - INDIGENOUS PEOPLES (1 representative)
 - ETHNIC DIVERSITY (1 representative)
 - PINK TRIANGLE (1 representative)
 - 2-SPIRIT, WOMEN & NON-BINARY (1 representative)
 - PEOPLE WITH DISABILITIES (1 representative)
 - YOUNG WORKERS (1 representative)

All accredited Delegates wishing to run for office on the Provincial Executive may post a picture with their name, length of Membership in the Union, positions held and in what Local, on the kiosk provided by the Provincial Office. All pictures shall be taken by Provincial Office Staff. Pictures of Delegates wishing to run for office must be posted for a minimum of nineteen (19) hours before any nomination, election and installation of Officers occurs.

All delegates who wish to run for provincial office shall be allowed to announce their intention to Locals via faxes, e-mail, phone messages and word of mouth. They may also submit their photograph, brief biographies and maximum two hundred (200) word candidate statement to the Convention

Committee ninety (90) days prior to Convention. The Convention Committee will then send the candidate information in standard format to all the Locals forty-five (45) days prior to Convention.

Each candidate for provincial office may address the Convention delegates for a maximum of five (5) minutes plus a moderated question and answer period at an evening forum. An additional one (1) minute is available for the delegate to include a territorial acknowledgement of Indigenous lands.

The issues regarding policy and contract negotiations voted on, and the way our Provincial Executive have voted, will be made available to the Membership.

The following shall be nominated and elected from the eligible accredited Delegates attending the regular Convention of the Union, and in this order: President, Financial Secretary, 1st Vice-President, 2nd Vice-President, 3rd Vice-President, and three Trustees. Any one (1) member is only eligible to hold one (1) Provincial Executive position concurrently.

In the event that the Senior Trustee Elect [four (4) year term] is elected to another position on the Provincial Executive, the election of a new Senior Trustee shall take place during the Convention.

On the initial ballot, if a fifty per cent (50%) plus one (1) majority of all the ballots cast is not attained, then a second ballot shall be conducted among the three (3) candidates receiving the highest number of votes; if a fifty per cent (50%) plus one (1) majority is not attained on the second ballot, then a third ballot shall be conducted between the two (2) candidates receiving the highest number of votes on the second ballot.

A delegate who has been elected at a convention to the Provincial Executive in any position under Article 6 is not eligible at the same convention to run for election for another Provincial Executive position. **In addition, you are not eligible to run for the same position if you have been elected to office for 3 consecutive terms as a full-time officer.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 18

Submitted by the Nanaimo Local

Article: 6
Section: A
Subject: Addition of Regional Vice-Presidents

HEU Will:

Add an additional RVP to the Island and Northern Regions.

Because:

Both of these areas have large areas for RVPs to cover, and they hold the fewest RVP positions within the Province. Adding another representative in the Island and Northern regions would allow for increased interaction between the RVPs and the locals they support.

The new language would read:

REGIONAL VICE-PRESIDENTS:

- FRASER (3 representatives)
- INTERIOR (3 representatives)
- NORTHERN (2 3 representatives)
- VANCOUVER COASTAL (3 representatives)
- VANCOUVER ISLAND (2 3 representatives)

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 19

Submitted by the Vernon Local

Article: 6
Section: A
Subject: Decrease the Provincial Executive

HEU Will:

Decrease the Provincial Executive from three (3) Vice-Presidents to two (2) Vice-Presidents. This change will be effective immediately.

Because:

Reducing the size of our Provincial Executive is not just a practical decision but a strategic imperative for several compelling reasons.

1. Efficiency is crucial in decision-making within our union. A smaller executive can streamline communication, reduce bureaucratic hurdles, and enable quicker responses to emerging issues and member concerns. This efficiency directly translates into better support for our members on the front lines who rely on us for advocacy and representation.
2. Cost-effectiveness is paramount, particularly when every dollar saved can be reinvested into enhancing member benefits, improving services, and bolstering resources that directly benefit our members. By reducing the size of the Executive, we can allocate resources more effectively towards initiatives that truly matter to our members, such as educational development opportunities, health and safety measures, etc.

Moreover, a leaner Executive fosters stronger cohesion and unity of purpose. It allows for more meaningful engagement among Executive members, facilitating deeper collaboration and consensus-building. This cohesion is essential for projecting a unified voice in negotiations with employers and government bodies, thereby strengthening our bargaining position and ensuring our members' interests are effectively represented and protected.

Furthermore, reducing the size of the Executive aligns with the principles of democratic

representation within our union. It promotes inclusivity by ensuring that decision-making remains transparent, accountable, and reflective of the diverse needs and perspectives of our membership base across the province. Every member deserves to feel heard and valued, and a more streamlined executive structure can enhance opportunities for grassroots participation and democratic engagement.

Lastly, by reducing the size of our Provincial Executive, we are not just trimming numbers but enhancing our union's effectiveness, efficiency, and responsiveness to the challenges and opportunities facing healthcare today. This strategic move will empower us to better serve our members, strengthen our collective voice, and advance the interests of healthcare workers across the Province.

The new language would read:

Section A
PROVINCIAL EXECUTIVE: The Officers of the Union shall be:

- PRESIDENT
- SECRETARY-BUSINESS MANAGER
- FINANCIAL SECRETARY
- 1ST VICE-PRESIDENT
- 2ND VICE-PRESIDENT
- 3RD VICE-PRESIDENT

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 20

Submitted by the Shuswap Local

Article: 6
Section: A
Subject: Provincial Executive paid officers

HEU Will:

Put forward the "Simply Voting" process for all members of the Hospital Employees' Union to vote for the two (2) paid officer positions remotely. The candidates for President and Financial Secretary will have the opportunity to submit a bio as well as a virtual opportunity to speak to all members.

Because:

Being that these two elected positions are paid for by the members, every member should have a vote on who is elected to represent them.

The new language would read:

The following two (2) paid positions, President and Financial Secretary shall be elected via the Simply Voting process to include all registered members of the Hospital Employees' Union.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 21

Submitted by the Provincial Executive

Article: 6
Section: A - Provincial Executive Officers
Subject: Convention forums

HEU Will:

Amend Article 6 Section A by deleting the word “evening” on page 18, third paragraph from the bottom, when regarding an evening forum, and replace with “a candidate’s” forum.

Because:

Deleting the word “evening” allows those planning the convention more flexibility with the agenda and allows delegates to have a free evening. This year one of the forums has moved to the morning instead of the evening.

The new language would read:

Each candidate for provincial office may address the Convention delegates for a maximum of five (5) minutes plus a moderated question and answer period at a **candidate's evening** forum. An additional one (1) minute is available for the delegate to include a territorial acknowledgement of Indigenous lands.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 22

Submitted by the Prince George Local

Article: 6
Section: D
Subject: Regional Vice-President elections

HEU Will:

Have elections for Regional Vice-Presidents at the annual regional meeting and brought to the Convention floor to be ratified.

Because:

The members will be better served electing their Regional Vice-President at their regional meetings.

There is more time to get to know who is running to represent your region before you vote. Moving these elections to the regional meetings will leave more time at convention for debating and passing resolutions and constitutional amendments.

The new language would read:

REGIONAL VICE-PRESIDENTS: Regional Vice-Presidents shall be elected at ~~Convention. To be elected in regional caucus prior to the general elections. This shall be done by requesting the Delegates present from each designated Region to go into caucus for the purpose of choosing their nominee(s)~~**regional meetings. Regional meeting delegates from each region will choose their nominee(s) and two (2) alternate nominees, Two (2) alternative nominees shall be elected for each Vice-President position,** with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes.

In the event a Regional Vice-President is unable to complete their term of office , the vacancy shall be filled by the first alternate, or in the event that the first alternate is unable to fill or complete the term of office, by the second alternate.

Elected Regional Vice-Presidents will be brought to the Convention floor to be ratified.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 23

Submitted by the Normandy Local

Article: 6
Section: D
Subject: Regional Vice-President

HEU Will:

Have elections for Regional Vice-President at the regional meeting and be brought to Convention floor to be ratified.

Because:

The members will be better served electing their Regional Vice-President at their regional meetings. There is more time to get to know who you are voting to represent your region. This will leave more time at Convention to do resolutions and constitutional amendments.

The new language would read:

REGIONAL VICE-PRESIDENTS: Regional Vice-Presidents shall be elected at ~~Convention~~ **regional meetings**. ~~To be elected in regional caucus prior to the general elections.~~ This shall be done by requesting the Delegates present from each designated Region **at the regional meeting** ~~to go into caucus~~ for the purpose of choosing their nominee(s). Two (2) alternative nominees shall be elected for each Vice-President position, with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes.

In the event the Regional Vice-President is unable to complete the term of office, the vacancy shall be filled by Alternate #1, or in the event that Alternate #1 is unable to fill or complete the term of office, by Alternate #2. **Elected Regional Vice-Presidents will be brought to Convention floor to be ratified.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 24

Submitted by the Armstrong Local

Article: 6
Section: D
Subject: Regional Vice-President elections

HEU Will:

Have election for Regional Vice President elected at the regional meeting and be brought to Convention floor to be ratified.

Because:

The members will be better served electing their Regional Vice-Presidents at their regional meetings. There is more time to get to know who you are voting to represent your region. This will leave more time at Convention to do resolutions and constitutional amendments.

The new language would read:

REGIONAL VICE-PRESIDENTS: Regional Vice-Presidents shall be elected at ~~Convention~~ **regional meetings**. ~~To be elected in regional caucus prior to the general elections.~~ This shall be done by requesting the Delegates present from each designated Region **at the regional meeting** ~~to go into caucus~~ for the purpose of choosing their nominee(s). Two (2) alternative nominees shall be elected for each Vice-President position, with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes.

In the event the Regional Vice-President is unable to complete the term of office, the vacancy shall be filled by Alternate #1, or in the event that Alternate #1 is unable to fill or complete the term of office, by Alternate #2. **Elected Regional Vice-Presidents will be brought to Convention floor to be ratified.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 25

Submitted by the Chilliwack Amalgamated Local

Article: 6
Section: D
Subject: Election of Regional Vice-Presidents

HEU Will:

Change the Constitution back to having Member At Large Provincial Executive (PE) elections first and then the Diversity Vice-President and Regional Vice-President elections after the PE elections are completed.

Because:

Our Constitution allows members to run down, and by having RVP and DVP elections first, this violates and prevents this and unfairly limits people.

The new language would read:

To be elected in their respected caucuses after member at large elections.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 26

Submitted by the Prince George Local

Article: 6
Section: G
Subject: Diversity Vice-President elections

HEU Will:

Have elections for Diversity Vice-Presidents at the Equity Conference and brought to the Convention floor to be ratified.

Because:

The members will be better served electing their Diversity Vice-President (DVP) at the Equity Conference.

There is more time to get to know who you are voting to represent your equity group. Moving these elections to the Equity Conference will leave more time at convention for debating and passing resolutions and constitutional amendments.

The new language would read:

DIVERSITY VICE-PRESIDENTS: Diversity Vice-Presidents shall be elected at **the Equity Conference** ~~Convention by a caucus of~~ by delegates who identify with the equity group corresponding to one of the five DVP positions. These elections will be held prior to ~~Convention~~ ~~the general elections.~~ ~~This shall be done by requesting the Delegates present from each designated equity group to go into a caucus for the purpose of choosing their nominee(s).~~ Two (2) alternative nominees shall be elected for each DVP position, with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes. In the event the DVP is unable to complete the term of office, the vacancy shall be filled by Alternate #1, or in the event that Alternate #1 is unable to fill or complete the term of office, by Alternate #2. **The elected DVPs will be brought to the Convention floor to be ratified.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 27

Submitted by the Lions Gate Local

Article: 6
Section: G
Subject: Diversity Vice-President role

HEU Will:

Add a final sentence to Section G that reads:

DVPs are not to have a vote in their respective equity subcommittees, nor are they to be designated as Chair or Co-Chair.

Because:

As Provincial Executive Members, the DVPs yield significant power and influence and this can negatively impact their respective caucuses. The role of the DVPs is to be a liaison between the equity subcommittees and the Provincial Executive. They may advise their respective subcommittee and have a voice, but not make decisions for the subcommittee.

The new language would read:

DIVERSITY VICE-PRESIDENTS: Diversity Vice-Presidents shall be elected at Convention by a caucus of delegates who identify with the equity group corresponding to one of the five DVP positions. These elections will be held prior to the general elections. This shall be done by requesting the Delegates present from each designated equity group to go into a caucus for the purpose of choosing their nominee(s). Two (2) alternative nominees shall be elected for each DVP position, with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes. In the event the DVP is unable to complete the term of office, the vacancy shall be filled by Alternate #1, or in the event that Alternate #1 is unable to fill or complete the term of office, by Alternate #2. **DVPs are not to have a vote in their respective equity committees, nor are they to be designated as Chair or Co-Chair.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 28

Submitted by the Normandy Local

Article: 6
Section: G
Subject: Diversity Vice-Presidents

HEU Will:

Have election for Diversity Vice Presidents at the Equity Conference and be brought to Convention floor to be ratified.

Because:

The members will be better served electing their Diversity Vice-President at their Equity Conference. There is more time to get to know who you are voting to represent your equity group. This will leave more time at convention to do resolutions and constitutional amendments.

The new language would read:

DIVERSITY VICE-PRESIDENTS: Diversity Vice-Presidents shall be elected at **the Equity Conference** ~~Convention by a caucus of delegates who identify with the equity group corresponding to one of the six DVP positions. These elections will be held prior to~~ **convention** ~~the general elections. This shall be done by requesting the Delegates present from each designated equity group to go into a caucus for the purpose of choosing their nominee(s).~~ Two (2) alternative nominees shall be elected for each DVP position, with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes. In the event the DVP is unable to complete the term of office, the vacancy shall be filled by Alternate #1, or in the event that Alternate #1 is unable to fill or complete the term of office, by Alternate #2. **Elected Diversity Vice-Presidents will be brought to Convention floor to be ratified.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 29

Submitted by the RJH Local

Article: 6
Section: G
Subject: Diversity Vice-Presidents

HEU Will:

Have election for Diversity Vice Presidents at the Equity Conference and be brought to Convention floor to be ratified.

Because:

The members will be better served electing their Diversity Vice-President at their Equity Conference. There is more time to get to know who you are voting to represent your equity group. This will leave more time at convention to do resolutions and constitutional amendments.

The new language would read:

DIVERSITY VICE-PRESIDENTS: Diversity Vice-Presidents shall be elected at **the Equity Conference** ~~Convention by a caucus of delegates~~ who identify with the equity group corresponding to one of the six DVP positions. These elections will be held prior to **convention** ~~the general elections~~. ~~This shall be done by requesting the Delegates present from each designated equity group to go into a caucus for the purpose of choosing their nominee(s).~~ Two (2) alternative nominees shall be elected for each DVP position, with Alternate #1 receiving the highest amount of votes and Alternate #2 receiving the next highest amount of votes. In the event the DVP is unable to complete the term of office, the vacancy shall be filled by Alternate #1, or in the event that Alternate #1 is unable to fill or complete the term of office, by Alternate #2.
Elected Diversity Vice-Presidents will be brought to Convention floor to be ratified.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 30

Submitted by the Young Workers Standing Committee

Article: 6
Section: H
Subject: Change age threshold for young workers

HEU Will:

Amend the current age threshold for young workers from 33 to 35 years old as contained in Article 6 Section H, with immediate effect.

Because:

In the current era, young professionals face significant challenges when it comes to securing employment in unionized positions. The point of entry for young workers into active union participation often coincides with the current age limit or approaches it closely. Therefore, young workers-led initiatives frequently remain unfinished or encounter ineffective implementation as their members age out. Provincial CUPE divisions like Newfoundland and Labrador, Alberta, Manitoba, and Quebec have already established a maximum age of 35 years for young workers. HEU also submitted a resolution in CUPE National Convention 2023 to raise the current age threshold for young workers from 30 to 35 for CUPE National Young Workers.

The new language would read:

Section H:
ELECTION CAUCUS FOR DIVERSITY VICE PRESIDENT – YOUNG WORKERS: For the purposes of the caucus held for the DVP – Young Workers pursuant to Article 6, Section G, the caucus will be limited to those delegates who are ~~33~~ **35** years of age or younger on the last scheduled day of convention.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 31

Submitted by the Menno Home Local

Article: 6
Section: K
Subject: Provincial Sub-Committees

HEU Will:

Commit to establishing, resourcing and financing provincial sub-committees on a prioritized basis, to improve sub-committee efficiency and efficacy by:

- entrenching all sub-committee rules and regulations into Constitutional By-Laws by moving resolution language into the Constitution, and
- publishing a solicitation of interest for all provincial sub-committees no later than thirty (30) calendar days from the end of Convention, and
- notifying successful applicants of their appointment to the provincial sub-committees no less than ninety (90) calendar days from the solicitation of interest, and
- hosting the provincial sub-committees initial meeting no later than one hundred and eighty (180) calendar days from the end of Convention.

Because:

It is in agreement with HEU's Policies and Procedures resolution for sub-committees to promote a broader discussion of issues important to the membership, provide relevant background information on such issues and undertake activities in their areas of work.

In order to accurately gauge issues important to the membership and achieve their goals effectively, provincial sub-committees must be provided with the appropriate means to reach and engage with the membership on a wider scale and expand their visibility and scope.

Due to the urgency of issues the provincial executive sub-committees are mandated to address, delays in member solicitation, appointments and meetings cause direct harm to members who could otherwise be helped by sub-committee resources.

The new language would read:

Guidelines for Provincial Executive sub-committees: in their advisory capacity to the Provincial Executive (PE), the sub-committees will promote a broader discussion of issues, providing relevant background information, and by undertaking activities in their area of work as approved by the PE.

Sub-committees are comprised of two (2) members of the PE and five (5) rank and file HEU members. The President, Secretary Business Manager and Financial Secretary are members of these Subcommittees but will not be expected to attend meetings. Sub-committee members will be appointed after the Biennial Convention and their term will end at the conclusion of the following Biennial Convention. A solicitation of interest for all Provincial Executive sub-committees will be issued no later than thirty (30) calendar days from the conclusion of Convention and notification of successful applicants of their appointment to the Provincial Executive sub-committees will be issued no less than ninety (90) calendar days from the solicitation of interest. Hosting of the Provincial Executive sub-committees initial meeting will occur no later than one hundred and eighty (180) calendar days from the conclusion of Convention.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 32

Submitted by the Vernon Local

Article: 6
Section: L
Subject: Term limits for the Provincial Executive

HEU Will:

Set terms of office for the Provincial Executive members, other than the President, to no more than two (2) consecutive terms in office.

Because:

Establishing term limits for Provincial Executive members is a crucial step toward fostering a more dynamic and inclusive leadership structure within our union. By implementing these limits, we ensure that new voices and fresh perspectives have the opportunity to emerge and contribute to the advancement of our collective goals. This change is not about undermining the current leadership but about enhancing our union's resilience and adaptability in an ever-evolving healthcare landscape.

Term limits prevent the concentration of power within a small group, thereby encouraging a healthier rotation of leadership. This rotation allows more members to gain valuable experience and brings in diverse viewpoints that can drive innovation and responsiveness to the needs of our union members. Moreover, it mitigates the risk of stagnation and complacency, which can occur when the same individuals hold positions of power for extended periods.

By setting terms of office, we are making a firm commitment to inclusivity and fairness. This change aligns with the core values of our union, which prioritize equal opportunities and democratic participation. It empowers a broader spectrum of our membership to step up, run for office, and contribute to our shared mission, thereby enriching our union with a wealth of talent and ideas.

This proposal is a testament to our dedication to creating a robust and forward-thinking union. It is a

call to action for all members to support a structure that reflects our commitment to progress and equity. Let us embrace this opportunity to build a more inclusive and dynamic provincial executive that truly represents the diverse interests and aspirations of our union membership.

The new language would read:

Section L
TERMS OF OFFICE:

1. The terms of the elected Officers shall expire at the close of the Convention at which their successors are elected and qualified.
2. **Except for the President, the maximum term of office will be no more than two (2) consecutive terms.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 33

Submitted by the RJH Local

Article: 6
Section: M
Subject: Eligibility for provincial executive officers

HEU Will:

Add the following language to the criteria for eligibility of the provincial executive:

A Provincial Executive Member seeking election in a Municipal, Provincial or Federal election shall be removed from Provincial Executive office.

Because:

Allowing a union executive member, who negotiates with the government, to remain a union-elected official if they run for public office can create several conflicts of interest and perceptions of bias.

The political party might exert undue influence on the union through the official, potentially swaying union decisions and policies in a way that supports the party's political objectives rather than the members' needs.

There are ethical implications regarding transparency and accountability. Union members might question whether the official's actions are genuinely in their best interest or influenced by their political ambitions.

The new language would read:

ELIGIBILITY: Any Provincial Executive Member or Alternate who does not maintain eligibility for office at both Provincial Executive and Local levels shall be removed from Provincial Executive office.

A Provincial Executive Member who voluntarily performs the duties of management for an HEU bargaining unit shall be removed from Provincial Executive office.

A Provincial Executive Member seeking election in a Municipal, Provincial or Federal election shall be removed from Provincial Executive office.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 34

Submitted by the Tri-Port Local

Article: 7
Section: G
Subject: Defining the role of the trustees

HEU Will:

Trustees will not have a vote on the Provincial Executive. Trustees will keep their roles giving

financial oversight of the union finances. Trustees will not have a vote on matters that are not financial based. The trustees will not sit at the executive table unless invited by the Provincial Executive.

Because:

Trustees need to be unbiased when making financial decisions that affect our membership.

The new language would read:

SECTION G

TRUSTEES: The Trustees shall have general supervision over the property of the Union, subject to such instructions as they may from time to time receive. They shall see that the Financial Secretary deposits all money belonging to the Union in such Credit Union or Chartered Bank as the Union may designate. They shall perform such other duties as the Provincial Executive, the Union or the Constitution may direct.

They, as well as the Financial Secretary, shall review and recommend all financial donations to the Provincial Executive. The Trustees and the Financial Secretary will be responsible for the selection of the annual bursaries.

Trustees shall review and monitor Local quarterly reports and report inconsistencies or concerns to the Financial Secretary.

Trustees will not have a vote on the Provincial Executive. Trustees will keep their roles giving financial oversight of the union finances. Trustees will not have a vote on matters that are not financial based. The trustees will not sit at the executive table unless invited by the Provincial Executive.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 35

Submitted by the Tri-Port Local

Article: 7
Section: I
Subject: Regional Vice-Presidents duties and travel to locals

HEU Will:

Allow Regional Vice-Presidents to visit each of their locals two to four times a year at the cost of the Provincial Office. During these visits, the duties would include the mapping of locals, participating in local meetings and local building.

Because:

Our locals need more support.

The Regional Vice-Presidents should get to know all of their HEU local members in their portfolio, as they are representing us to the Provincial Executive as a whole.

The new language would read:

Section I
REGIONAL VICE-PRESIDENTS: Regional Vice-Presidents: Regional Vice-Presidents represent their regional membership as well as the membership as a whole and shall perform such duties as may be assigned by the provincial executive.

Regional Vice-Presidents will be allowed to visit each of their locals two to four times a year at the cost of Provincial Office. During these visits the duties would be mapping of locals, participating in local meeting and local building.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 36

Submitted by the Nanaimo Local

Article: 7
Section: I
Subject: Regional Vice-President role

HEU Will:

Require all RVPs to attend each of their locals, wherever possible, a minimum of one time during their elected term.

Because:

All members are equal and should be afforded the same supports from their RVPs regardless of the area in which they live. Currently, some RVPs are unable to visit many of their locals due to the distance needed to travel; this barrier should be removed.

The new language would read:

Section I
REGIONAL VICE-PRESIDENTS: Regional Vice-Presidents: Regional Vice-Presidents represent their regional membership as well as the membership as a whole and shall perform such duties as may be assigned by the provincial executive.

Regional Vice-Presidents shall, wherever possible, attend a minimum of one in-person meeting at each of their Locals within their term.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 37

Submitted by the Victoria General Local

Article: 8
Section: A
Subject: Enhanced representation for larger locals

HEU Will:

Change the language to enhance representation for larger locals.

Because:

This change would better represent the interests of larger locals at the convention.

The new language would read:

Section A
THE B.C. FEDERATION OF LABOUR CONVENTIONS:
Provincial Executive Members and HEU Members who represent HEU on B.C. Federation of Labour committees are entitled to automatic Delegate status to the B.C. Federation of Labour's conventions.

The remaining Delegates for the B.C. Federation of Labour's conventions shall be divided proportionately among the five (5) Regions.
Increase representation by adding one (1) delegate for every additional 100 members beyond 400 members.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 38

Submitted by the RJH Local

Article: 8
Section: D
Subject: Per diems

HEU Will:

Reimburse any and all per diems and expenses within ten (10) business days regardless of the nature of the event attended.

Because:

The requirement for a union to reimburse all funds to union members within ten (10) business days aims to ensure equitable participation. Knowing that expenses will be reimbursed quickly can encourage more members to take part in union activities, attend meetings, and get involved in union functions, thereby strengthening the union as a whole.

The new language would read:

Section D
GENERAL: For the purpose of defining Membership, the Dues Check-Off List and the list of Members on LTD shall constitute a Local's Membership size.

The Union shall reimburse to the full amount, all lost wages incurred by Delegates to these ~~Conventions~~ **events**, pay the registration fee and shall provide a per diem for each Delegate as per regular Union policy **within ten (10) business days**.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 39

Submitted by the Finnish Care Local

Article: 9
Section: A
Subject: Facilities Bargaining Conference
Local representation

HEU Will:

Entitle locals with one hundred (100) facilities members or less - two (2) Delegates instead of one (1) Delegate.

Because:

One Delegate from small locals easily gets overwhelmed without a buddy's support. They may also be too lonely or shy to speak up. Therefore, these small locals' concerns could not be heard.

The new language would read:

A(2) LOCAL REPRESENTATION: Facilities Sector
Locals are entitled to the following representation to Facilities Bargaining Conferences:

- One hundred (100) Facilities Members or less – ~~one (1)~~ two (2) Delegates,

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 40

Submitted by the Nanaimo Local

Article: 9
Section: A
Subject: Facilities Bargaining Conference

HEU Will:

Change the language in this section to reflect that the member from Equity Committees shall be a member of the Facilities Bargaining Sector.

Because:

This would ensure that the delegate selected by the Equity Committee was a member of that sector and would be the most appropriate member to send.

The new language would read:

A(6) EQUITY STANDING COMMITTEE DELEGATES:
Each Equity Standing Committee is entitled to one (1) Delegate to the Facilities Bargaining Conference.
This Delegate shall be a member of the Facilities Bargaining Sector.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 41

Submitted by the Provincial Executive

Article: 9
Section: B (8) – Bargaining Preparation

Subject: Bargaining Representation

HEU Will:

Amend the Constitution to include representation from Equity Standing Committees in the Community Health and Community Social Services bargaining process.

Because:

This replicates language under the Facilities Bargaining Conference section of the Constitution and adds it to the section on Community Health and Community Social Services Bargaining.

The new language would read:

Section B – Community Health and Community Social Services Sector Bargaining B

(1) BARGAINING CONFERENCES FOR COMMUNITY HEALTH AND COMMUNITY SOCIAL SERVICE SECTORS: Bargaining Conferences for Community Health and Community Social Services Bargaining shall be held prior to the reopening dates of their respective Collective Agreements. The time and place shall be set by the Secretary-Business Manager, at the direction of the President.

B (2) LOCAL REPRESENTATION: Locals representing Members in the Community Health and Community Social Services Sectors are entitled to at least one (1) delegate to their Sector’s Bargaining Conferences, plus additional representation as determined by the Provincial Executive, with consideration given to size, regional representation, geographic location and other appropriate factors to ensure comprehensive representation. Article 9 Each Equity Standing Committee is entitled to send one eligible delegate to Community Health and Community Social Services Sector Bargaining Conference.

For the purpose of defining Membership, the Dues Check-Off List and the list of Members on LTD shall constitute a Local’s Membership size.

B (3) REGISTRATION FEE: A Registration Fee of Fifty Dollars (\$50.00) per Delegate shall be paid by each Local on behalf of its Delegates and this fee shall be deducted from the Local’s rebates in the month following registration.

B (4) OUTGOING BARGAINING COMMITTEE AS DELEGATES: The outgoing Community Health and Community Social Services Bargaining Committees shall be accredited Delegates to the following Bargaining Conference for their Sector.

B (5) PROPOSED BARGAINING DEMANDS: Bargaining priorities will be determined by the Bargaining Conference, based on a variety of means which may include advance surveys and proposed bargaining demand submissions, and a prioritization process during the Bargaining Conference. Proposed Bargaining Demands may be sponsored and submitted in advance of the Bargaining Conference by Locals within the Sector, the HEU Equity Standing Committees and the HEU Provincial Executive. In each case the submission must receive prior ratification by majority vote of the sponsoring group and bear the signatures of authorized Signing Officers. Proposed Bargaining Demands received by the HEU Provincial Office, Burnaby Site twenty (20) or more days prior to the Bargaining Conference will be forwarded to all Locals and Delegates in advance of the Conference.

B (6) COMMITTEES: The Secretary-Business Manager or designate shall have the authority to appoint a Committee on Proposed Bargaining Demands and such other Committees as may be necessary for the organization and management of the Bargaining Conference. The Committee on Proposed Bargaining Demands may be called in prior to the Conference.

B (7) QUORUM & DECISIONS: The quorum at Bargaining Conferences shall be a majority of the Delegates in attendance. A Bargaining Demand requires support of fifty percent (50%) plus one (1) to become a decision of the Conference. Decisions arrived at during the Conference shall be binding on all Locals in the Sector. The Bargaining Conference

will discuss priorities in the upcoming round of bargaining in order to assist the Bargaining Committee.

B (8) EQUITY STANDING COMMITTEES: Each Equity Standing Committee is entitled to one (1) Delegate, that is also from that Bargaining unit, to the CSSBA and CBA Bargaining Committees.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 42

Submitted by the Quesnel Local

Article: 12
Section: D
Subject: Strike/job action/picket pay

HEU Will:

Pay a minimum of seven hundred dollars (\$700.00) per week.

Because:

It will support members with rising living costs.

It will help with employee retention during a flight or fight time when some members may seek stable income and employment worth more than current \$500.00 per week.

It helps encourage more involvement on the picket line.

The new language would read:

In the event of an authorized strike/job action, the Hospital Employees' Union shall pay a minimum of ~~Five Hundred Dollars (\$500.00)~~ **seven hundred dollars (\$700.00)** per week.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 43

Submitted by the District 69 Oceanside Health Centre Local

Article: 12
Section: D and E
Subject: Strike/job action/picket pay and dependent pay

HEU Will:

Increase strike pay from \$500.00 per week to \$600.00 per week per member. Increase dependent pay from \$50.00 per week to \$100.00 per week for each dependent.

Because:

The average cost of living in B.C. for a single person for basic expenses and rent/mortgage can be up to \$3500 per week.

Members should not have to be burdened with financial stress, along with the stresses associated with a strike or job action.

The new language would read:

Section D - Strike /Job Action/Picket Pay

In the event of an authorized strike/job action, the Hospital Employees' Union shall pay a minimum of ~~Five Hundred Dollars (\$500.00)~~ **six hundred dollars (\$600.00)** per week.

Section E - Dependent Pay

In addition to strike/ job action pay, the Hospital Employees' Union shall pay ~~Fifty Dollars (\$50.00)~~ **one hundred dollars (\$100.00)** per week for each dependent.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 44

Submitted by the Sechelt Local

Article: 12
Section: F
Subject: Temporary dues increase

HEU Will:

Reduce dues increase to 10%.

Because:

The current dues level is a hardship for workers.

The new language would read:

In the event of a strike/job action, the Provincial Executive shall be authorized to increase dues up to ~~twenty~~ **ten** per cent (~~210~~) of gross salary of all non-striking

Members to be placed directly into the Strike/Job Action Fund.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 45

Submitted by the Community Services 1998 Local

Article: 13
Section:
Subject: Name change for 2-Spirit, Women and Non-Binary Committee

HEU Will:

Revert back the name of the 2-Spirit, Women and Non-Binary Committee to the previous name of Women’s Committee.

Because:

This topic was rushed through with little to no engagement for a fulsome conversation.

The purpose of this committee is to focus on women’s rights, while the terms of reference allow for members to come from a wide range of individual identities.

The new language would read:

HEU shall establish six (6) Equity Standing Committees from within the membership:

- 1) Indigenous Peoples
- 2) Ethnic Diversity
- 3) Pink Triangle
- 4) People with Disabilities
- 5) ~~2-Spirit, Women & Non-Binary~~ **Women's**
- 6) Young Workers

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 46

Submitted by the Menno Home Local

Article: 13
Section:
Subject: New Equity Standing Committee

HEU Will:

Add the current Housing Working Group as a seventh, permanent Equity Standing Committee called the Housing and Economic Equity Committee to address equity issues surrounding affordable and safe housing, income inequality, classism and poverty based discrimination.

Because:

It is in agreement with HEU’s Policies and Procedures Manual to support the creation of accessible, affordable, quality, safe, environmentally healthy housing initiatives.

Housing affordability must take in to consideration the escalating costs of necessary health and safety housing protections such as home owners and rental insurance.

Safe and affordable housing is affirmed by the United Nations Human Rights Commissioner to be a basic human right.

Housing affordability disproportionately affects equity seeking groups.

The new language would read:

HEU shall establish **seven (7)** Equity Standing Committees from within the membership:

- 1) Indigenous Peoples
- 2) Ethnic Diversity
- 3) Pink Triangle
- 4) People with Disabilities
- 5) 2-Spirit, Women & Non-Binary
- 6) Young Workers
- 7) **Housing and Economic Equity**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 47

Submitted by the Prince George Local

Article: 13
Section:
Subject: New Equity Standing Committee

HEU Will:

Add an Older Persons Committee as an Equity Standing Committee.

Because:

We have forgotten about our senior brother and sisters. There are so many different equity standing committees but unfortunately nowadays our senior brother and sisters are now working past 60 and even 70-plus years. There are so many senior brother and sisters that our union has forgotten that we too have opinions and concerns.

The mandate of the Older Persons Advisory Committee is to advise the union on enhancing access and inclusion for older persons and to fully participate in governing our union.

Multiple identities intersect to make us who we are and experiences differ depending on factors such as gender, disability, 55-plus workers, race, ethnicity, sexuality, and gender identity.

The new language would read:

HEU shall establish **seven (7)** Equity Standing Committees from within the membership:

- 1) Indigenous Peoples
- 2) Ethnic Diversity
- 3) Pink Triangle
- 4) People with Disabilities
- 5) 2-Spirit, Women & Non-Binary
- 6) Young Workers
- 7) Older Persons**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 49

Submitted by the Indigenous Peoples Standing Committee

Article: 13
Section:
Subject: Equity Standing Committee representation to provincial and national committees

HEU Will:

Require each Equity Standing Committee to elect one representative to participate in conferences that are organized by their respective provincial or national committee or working group, if their attendance is requested/required.

Because:

This will enhance the representation and involvement of the Equity Standing Committees, fostering a more inclusive and democratic process within our union.

This will also increase opportunities for mentorship of new and young members of the Equity Standing Committees.

The new language would read:

In addition, each Equity Standing Committee will elect one (1) representative to participate in conferences that are organized by their respective Provincial or National Committee or Working Group, if their attendance is requested/required.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 50

Submitted by the Indigenous Peoples Standing Committee

Article: 13
Section:
Subject: Expanded role for Equity Standing Committee members

HEU Will:

Expand the scope of the Equity Standing Committee members to act as a supporting role alongside members and/or stewards when there is a need for additional equity support and representation.

Allow members of each Equity Standing Committee to act as an Equity Liaison for HEU members and/or stewards, offering support and guidance to those who need assistance related to cultural sensitivity and equity issues.

Make the duties and responsibilities of the expanded scope include, but are not limited to: providing equity-deserving members with support and guidance related to cultural sensitivity and equity issues;

- Providing resources and information;
- Providing equity-deserving members with in-person support, when needed and available;
- Acting as an advocate for the interest and rights of all HEU members' cultures, histories, traditions and specific needs to foster a respectful, inclusive and healthy environment.

Because:

Ensuring equity and inclusivity within HEU is paramount. The inclusion of this expanded scope would serve as a vital bridge for all equity seeking members, fostering an environment where every voice is heard and every concern addressed.

The Equity Liaison will empower our workforce to thrive, promoting solidarity and harmony within our union community.

We are working towards erasing systemic bias and oppression, to create a workplace where equity is not just a goal, but a reality for all.

The new language would read:

Additional section - all new language.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 51

Submitted by the Provincial Executive

Article: 14
Section: A – Name and Composition of Local
Subject: Community Savings credit union as the banking institution for Locals

HEU Will:

Amend Article 14 Section A.

Because:

All newly established or merged Locals will have their account with the HEU preferred financial institution and;

HEU will have the opportunity to establish at the beginning which financial institution the Local deals with.

The new language would read:

Section A

NAME AND COMPOSITION OF LOCAL:

The name and composition of each local shall be determined by the Provincial Executive, in consultation with the members of the Local, within 90 days of certification or establishment of the local by other means, or within 180 days if a group of

newly certified workers may be merged with an existing local. Within 90 days of the determination of the name and composition of the local, all the necessary information for the local to establish its financial accounts at **the Community Savings Credit Union** ~~credit union, bank, or community savings~~ will be provided to the local by the Financial Secretary.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 52

Submitted by the Menno Home Local

Article: 14
Section: D
Subject: Local meetings and quorum

HEU Will:

Remove accessibility barriers for members to attend local meetings and offer a way for locals struggling with engagement and to achieve quorum at general members' meetings.

Reimburse locals for the cost of holding online and/or hybrid model meetings, allowing Locals to be more inclusive, function more effectively, pass motions and make decisions.

Because:

It is in agreement with HEU's Policies and Procedures resolution to provide an equitable, accessible and inclusive union environment to all members for all union activities.

Online and hybrid methods of union activities prevent obstacles that prohibit and restrict members from participating such as geography, transportation, time management, and health and safety.

It is in agreement with HEU's Policies and Procedures mandate to recognize universal broadband access as a basic right and key public policy objective.

It is in agreement with HEU's commitment to environmental conservation in that online union activities lessen and/or eliminate the need for member transportation and the use of disposable physical resources such as paper communication.

Locals holding monthly meetings and working diligently to attract attendance are still struggling to meet the criteria necessary to make decisions, pass motions and continue to be an effective local in service to its membership.

The new language would read:

Local meetings may be held using electronic or virtual conferencing platforms, or by a mix of virtual and in person attendance provided the local has a clear process to conduct votes, record attendance, and monitor for quorum.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 53

Submitted by the Kamloops/Thompson Local

Article: 14
Section: D
Subject: Waiving quorum requirements for bylaw adoption

HEU Will:

Allow motions to be passed when three consecutive monthly member meetings fail to reach a quorum.

Because:

To allow the business of the local to continue.

The new language would read:

After three (3) consecutive member meetings with no quorum, at the next monthly member meeting, members can vote on motions and pass them as to not disrupt the business of the local.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 54

Submitted by the Menno Home Local

Article: 15
Section: A
Subject: Local officers

HEU Will:

Offer a way for locals to design and structure their local executive in the manner that best represents their membership, unincumbered by the limitations of officer designations outlined in Article 15, Section A of the Constitution.

Because:

Locals are uniquely organic structures whose representational needs are in constant flux; as the membership grows and changes, so too should the local executive so it may more accurately and effectively engage with and serve its members.

Locals struggling to attract full executives are unnecessarily burdened by the requirement for executive candidates to select one of the seven (7) designated executive roles.

The new language would read:

LOCAL OFFICERS: Individual Locals may vary their Executive structure subject to prior approval of the Provincial Executive. The Officers of the Local shall consist of Chairperson, Vice-Chairperson, Secretary-Treasurer, Assistant Secretary, Conductor, Warden, three (3) Trustees and, ~~in the event of merged Locals, such other Local Officers that ensure worksite executive representation.~~ **any other such Local Officers that ensure membership executive representation as deemed necessary by the Local.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 55

Submitted by the Menno Home Local

Article: 15
Section: B
Subject: Nomination and election of local officers

HEU Will:

Allow local executive elections for the positions of Chairperson, Vice-Chairperson, Secretary-Treasurer and Assistant Treasurer to occur no less than every two (2) years, as determined by the local.

Because:

It is in agreement with HEU's Provincial Executive model of two (2) year terms.

One calendar year is often too short for new executive members to receive adequate mentoring and training and achieve adequate experience before the next election cycle begins.

The new language would read:

NOMINATION AND ELECTION OF LOCAL OFFICERS:

- a) The nomination and election of Officers shall take place **no less than every two (2) calendar years and** no later than April 30, by secret ballot.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 56

Submitted by the Provincial Executive

Article: 15
Section: B (a) and E
Subject: Two-year Terms for Local Executives Effective January 1, 2026

HEU Will:

Amend Article 15, Section B, Subsection a) and Section E to allow for two-year local elections.

The new language would read:

Section B

NOMINATION & ELECTION OF OFFICERS:

- a. The nomination and election of Officers shall take place no later than April 30 in ~~the calendar year~~ **even-numbered years**, by secret ballot.

Section E

TERMS OF OFFICERS: The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified. ~~PROVIDED HOWEVER, that the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2) Trustees shall be elected, the one receiving, the higher number of vote to serve the two (2) year term.~~ **that at the Local meeting called for the purpose of elections, the Trustee receiving the highest number of votes shall serve a four-year term, the other shall serve a two-year term. At each succeeding Annual General Meeting held in even-numbered years, two (2) Trustees shall be elected, the one receiving the higher number of votes to serve the four (4) year term.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 57

Submitted by the Burnaby Local

Article: 15

Section: E

Subject: Terms of officers

HEU Will:

Allow the election and terms of local officers to be every two (2) years.

Because:

One year as an elected officer is not enough time to learn a position and eventually mentor others.

Often table officer training is not available till partway through a one-year term.

Members need experience to feel confident to run for other positions.

It gives locals more opportunity to do local business, since election can be very time consuming at regular monthly meetings, as often a whole meeting is dedicated to an election.

The table offices position hold a lot of responsibility so with the summer break and one entire meeting dedicated to elections, it only leaves eight months to commit to the role.

The new language would read:

~~TERMS OF OFFICERS: The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified, PROVIDED HOWEVER, that at the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2) Trustees shall be elected, the one receiving the higher number of votes to serve the two (2) year term.~~
The terms of the elected officers shall be two (2) years and commence no later than April 30 of the first year. The chair and vice chair should alternate their positions within the two-year term. The trustee receiving the highest number of votes shall serve a three (3) year term, while the trustee with the next highest number of votes shall serve a two (2) year term.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 58

Submitted by the Dogwood Local

Article: 15

Section: E

Subject: Terms of officers

HEU Will:

Amend the terms of local officer to two (2) years from one (1) year to match the term length of Provincial Executive members.

Because:

One year is not enough time to get used to the position for a new executive member to learn and feel secure in the role.

The new language would read:

~~TERMS OF OFFICERS: The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified; PROVIDED HOWEVER, that at the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2) Trustees shall be elected, the one receiving the higher number of votes to serve the two (2) year term.~~
The terms of local officers shall be two (2) years. The trustee with the highest number of votes shall serve a four (4) year term. The trustee with the next highest number of votes shall serve a two (2) year term.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 59

Submitted by the Surrey Local

Article: 15
Section: E
Subject: Terms of officers

HEU Will:

Amend the current local executive term from one (1) year to two (2) years.

Because:

By the time an executive learns their role -- attending training, workshops, etc. -- the next election takes place.

The new language would read:

~~TERMS OF OFFICERS: The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified, PROVIDED HOWEVER, that at the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2) Trustees shall be elected, the one receiving the higher number of votes to serve the two (2) year term. Local executives term will be 2 years. Local executives term will be two (2) years.~~

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 60

Submitted by the UBC Local

Article: 15
Section: E
Subject: Terms of officers

HEU Will:

Allow the election and terms of local officers to be every two (2) years.

Because:

Newly elected local officers will have more opportunity to learn and perform their duties properly and seriously.

The new language would read:

~~TERMS OF OFFICERS: The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified, PROVIDED HOWEVER, that at the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2) Trustees shall be elected, the one receiving the higher number of votes to serve the two (2) year term. Local executives term will be 2 years. Local executives term will be two (2) years. Terms of elected local officers shall be a two (2) year term.~~

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 61

Submitted by the Arrowsmith Local

Article: 15
Section: E
Subject: Terms of officers

HEU Will:

Change the terms of office to two (2) years from one (1) year and the two (2) year trustee shall be four (4) years.

Because:

One year is not enough time for the new local executive to adjust and learn the duties and responsibilities of the job.

The new language would read:

TERMS OF OFFICERS: ~~The terms of the elected Officers shall expire immediately following the installation of Officers at the Annual General Meeting at which their successors are elected and qualified, PROVIDED HOWEVER, that at the Annual General Meeting the Trustee receiving the highest number of votes shall serve a two (2) year term, the other shall serve a one (1) year term. At each succeeding Annual General Meeting, two (2) Trustees shall be elected, the one receiving the higher number of votes to serve the two (2) year term. Local executives term will be 2 years. Local executives term will be two (2) years.~~ **The terms of the elected officers shall expire every two (2) years following installation of officers at the Annual General Meeting. The Trustee receiving the highest number of votes shall serve a four (4) year term, the other shall serve a two (2) years term.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 62

Submitted by the Menno Home Local

Article: 16
Section:
Subject: Mobilization officers

HEU Will:

Offer a way for locals struggling with engagement to achieve full executives by permitting the executive to create the entry-level appointed officer roles of Mobilization Officer, without limitation.

Because:

Locals struggling to attract full executives are unnecessarily burdened by the requirement for executive candidates to select one of the seven (7) designated executive roles.

Unlimited vacancies and the elimination of election requirements remove barriers to members apprehensive or intimidated by the competitive nature of the election process.

Entry-level executive positions serve to demystify the traditional, elected executive roles, allowing for executive mentorship and new member skills building to allow them to be successful as future executive election candidates.

The new language would read:

MOBILIZATION OFFICER (OPTIONAL ONLY WITH THE APPROVAL OF THE LOCAL MEMBERSHIP):
The Mobilization Officer shall be appointed in unlimited quantity by the Local Executive during any meeting of the Local, indicated by expression of interest by a Member in good standing, to be charged with the duties of the distribution of Local and Union information to the membership, to serve as promoters for member mobilization, and any other such duties as the Provincial Executive, the Local or the Constitution may direct.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 63

Submitted by the Provincial Executive

Article: 16
Section: E – Trustees
Subject: Signing Officers

HEU Will:

Add language to indicate that trustees cannot be signing officers due to potential conflicts of interest

Because:

The union has encountered issues with signing officers and we want to clarify the language.

The new language would read:

Section E
TRUSTEES:

The Trustees shall have general supervision over the property of the Local subject to such instructions as they may from time to time receive. They shall examine the books of the Local quarterly and report to the Financial Secretary. They shall see that the Secretary-Treasurer deposits all money belonging to the Local into a Credit Union or Chartered Bank as the Local may designate. They shall perform such other duties as the Provincial Executive, the Local or the Constitution may direct. On an annual basis the Local Trustees complete a survey of the Local's finances and present the findings of this survey to the Membership at the Local meeting. The survey will be designed to assist in a positive manner as a way of assisting in reporting the finances of the Local to the Membership.

Trustees should not be signing officers due to conflict of interest.

All cheques must be signed by the Secretary-Treasurer (Or Treasurer) and countersigned by one of the signing officers. There shall be no more than four signing officers, and all signing officers must be members of the local executive.

Spouses, partners and members of the same immediate family, or members of the same household, or members residing at the same address, cannot both be signing officers. Only one can be a signing officer.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 64

Submitted by the Provincial Executive

Article: 19
Section: All
Subject: Substantial Revision of Article 19

HEU Will:

Substantially revise Article 19 to clarify and enhance existing procedures; accommodate the introduction of the Code of Conduct for the Provincial Executive and the position of Ethics Commissioner; and address various ambiguities and deficiencies in the current language.

Proposed amendments would, among other things:

- limit the possibility that the complaint and trial process will be used for improper purposes.
- provide a process for complaints that, in substance, relate to Provincial Executive Members' conduct in their capacity as Provincial Executive Members.
- highlight and encourage mediation or other alternative dispute resolution procedures.

- clarify the narrow purpose of a preliminary review and the limited role of the Independent Reviewer.
- incorporate provisions relating to the Standing Disciplinary Panel (currently Article 20) into the body of Article 19.
- clarify the conflict of interest provisions and provide a mechanism for enforcement.
- clarify the expenses provision to specifically address (i) what expenses are not covered, and (ii) when expenses may be assessed against a Local or individual.
- address concerns relating to quorum when one or more individuals must recuse themselves due to a conflict of interest.
- promote plain language and accessibility by removing the phrase “charge” and replacing with “complaint” throughout the Article.
- rename the Article from “Charges, Trials & Penalties” to “Complaints & Dispute Resolution”.

Because:

The Article 19 process must align with the Code of Conduct for the Provincial Executive and the Ethics Commissioner. Complaints against the Provincial Executive were previously covered by Article 19, and there has been an increase in number of the complaints against PE members in the last two years. This new version of Article 19 will allow HEU to more clearly define the complaints process and investigation of complaints. It also redefines the scope of Article 19 to member-to-member complaints. Due to the substantial changes in this section, this will be presented simply as old language and new language.

The new language would read:

See Attachment

COMMITTEE

- Concurrence Non-Concurrence

CONVENTION

- Concurrence Non-Concurrence

Constitutional Amendment 65

Submitted by the Lions Gate Local

Article: 19
Section: B
Subject: Offenses

HEU Will:

Add subsection l) to the existing subsections that reads: Use position or power as a Local Executive or Provincial Executive member for personal gain at the expense of their Local, HEU, or its Members.

Because:

HEU establishes leadership roles within its locals and at the provincial level to organize its locals to address the needs and wants of its membership, educate its members on HEU practices and procedures, and support its members. These roles are not meant to hinder other member(s) participation or opportunities in order to benefit from their self-interests.

The new language would read:

OFFENSES: Any Member of the HEU who acts in a manner detrimental to the welfare or interests of the union is guilty of an offense against the Constitution and By-Laws. Specifically, it is an offense to:

- violate the Constitution contrary to the oath of installation to Office or initiation to the Union;
- work in the interests of a rival union;
- sponsor or advocate decertification of an HEU bargaining unit;
- be in a legal strike position and cross the picket line, or be paid by the employer not to participate in strike action, or perform paid work for the employer, unless required to do so by law, or to otherwise impede or act in opposition to the lawful strike or other collective actions of the Union;
- cross a picket line that is endorsed by HEU;
- misappropriate the property and/or assets of the Union, or commit a fraudulent or dishonest act against the Union;

- g. without lawful excuse, refuse or fail to pay Dues, Initiation or Temporary Dues Increases in three (3) or more consecutive months;
- h. discriminate against a Member contrary to the Human Rights Code;
- i. without lawful excuse, violate the confidentiality of union meetings, union and membership information, or publish or circulate false reports or misrepresentations; or
- j. fail without good cause to appear and present evidence after filing charges, or where there is a finding that the charges were brought maliciously or in bad faith;
- k. otherwise engage in conduct detrimental to the welfare or interests of the Union, its Locals, or its Members;
- l. use position or power as a Local Executive or Provincial Executive member for personal gain at the expense of their Local, HEU, or its Members.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 66

Submitted by the Provincial Executive

Article: 20
Section: All
Subject: Repurposing Article 20 to enshrine Code of Conduct for Provincial Executive and Ethics Commissioner

HEU Will:

Move the substance of the existing Article 20 (Standing Disciplinary Panel) under the proposed Article 19 (Complaints and Dispute Resolution) and devote Article 20 to the establishment of the Code of Conduct for the Provincial Executive and the position of Ethics Commissioner.

Add language on the Provincial Executive Code of Conduct & Ethics Commissioner.

Because:

Along with the edits to Article 19, these amendments to this Article help to clarify the Constitution and By-Laws.

The new language would read:

Article 20

Provincial Executive Code of Conduct & Ethics Commissioner

- 1. The Provincial Executive must adopt and maintain a Code of Conduct for the Provincial Executive (“Code of Conduct”).**
- 2. The Code of Conduct must, at a minimum:**
 - a. establish and describe common standards of conduct and a set of expectations for the Provincial Executive.**
 - b. provide for the appointment of an Ethics Commissioner to receive and process complaints alleging a violation of the Code of Conduct; and**
 - c. prescribe a range of sanctions and remedies that the Ethics Commissioner may impose, without appeal, when they are satisfied that a violation of the Code of Conduct has occurred.**
- 3. The Code of Conduct must be interpreted and given effect in a manner consistent with the requirements of procedural fairness and natural justice.**

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 67

Submitted by the Provincial Executive

Article: 21
Section: All, J (18)
Subject: Equity & Clarity Concurrence/Non-Concurrence

HEU Will:

Remove the language around concurrence and non-concurrence to simplify the process for delegates.

Because:

The current process is confusing to delegates to vote on a recommendation rather than the resolution itself.

The new language would read:

~~18) A motion for Concurrence which is carried means that the Resolution or Constitutional Amendment itself has been carried. A motion for Concurrence which is defeated means that the Resolution or Constitutional Amendment itself has been defeated. A motion for Non-Concurrence which is carried means that the Resolution for Constitutional Amendment itself has been defeated. A motion for Non-Concurrence which is defeated means that the Resolution or Constitutional Amendment itself has been carried.~~

The Committees will make a recommendation to the delegates of concurrence or non-concurrence on the amendment or resolution. However the delegates will vote on the amendment or resolution itself.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 68

Submitted by the Provincial Executive

Article: 22
Section: B - Bursaries
Subject: Administration of Bursary Committee

HEU Will:

Amend Article 22, Section B

Because:

The Bursary Committee (the Trustees) falls under the direction of the Financial Secretary.

The new language would read:

Monies used for bursary purposes shall be administered by a Bursaries Committee under the direction of ~~the Provincial Executive:~~ **the Financial Secretary.**

Present Members of the Hospital Employees' Union, as well as their children and stepchildren and children under the legal guardian and spouses (including common-law spouses and same sex partners), shall be eligible for bursaries. Bursaries shall be tenable at any post-secondary educational institution. All applicants shall be notified in writing whether ~~or not~~ they have been accepted as a recipient of the Hospital Employees' Union bursaries prior to the commencement of the school term. A list of the successful applicants shall be published in the Guardian.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 69

Submitted by the Sechelt Local

Article: 23
Section: D
Subject: Death benefit

HEU Will:

Increase the benefit from \$2500 to \$25,000.

Because:

It costs more then \$2500 to bury someone.

The new language would read:

BENEFITS: The Benefit for members **is \$25,000.** ~~will be equal to the maximum Canada Pension Plan (CPP) Death Benefit or \$2,500, whichever is greater.~~

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 70

Submitted by the Chetwynd Local

Article: 23
Section: D
Subject: Death benefits

HEU Will:

Pay \$500 more than the max Canada Pension Plan death benefit.

Because:

Most funerals home costs are more than \$5000 just for the basic service cost. That cost is before the cost of a luncheon, priest/pastor, and the church/hall rental.

The new language would read:

BENEFITS: The Benefit for members will be **\$500 more than** ~~equal to~~ the maximum Canada Pension Plan (CPP) Death Benefit or **\$3000** ~~\$2,500~~, whichever is greater.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Constitutional Amendment 71

Submitted by the Bakerview Local

Article: 23
Section: D
Subject: Death benefits

HEU Will:

Increase the death benefit for members to more than the maximum Canada Pension Plan (CPP) death benefit of \$2,500.

Because:

The inflation rate is getting higher, and giving members more than \$2500 for the death benefit will be a big help for beneficiaries.

The new language would read:

BENEFITS: The Benefit for members ~~will be more than~~ the maximum Canada Pension Plan (CPP) Death Benefit or \$2,500., ~~whichever is greater.~~

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Referred from 2022 Convention

Constitutional Amendment 72

Submitted by the Arrowsmith Local

Article: 12
Section: D
Subject: Strike/Job Action/Picket Pay

HEU Will:

Reduce the amount of Picket Pay to \$400.00 per week.

Because:

The decision made at the last Convention to increase picket pay by \$200.00 was made hastily without financial information being available to members.

The new language would read:

In the event of an authorized strike/job action, the Hospital Employees' Union shall pay a minimum of **four hundred dollars (\$400.00)** per week.

COMMITTEE

Concurrence Non-Concurrence

CONVENTION

Concurrence Non-Concurrence

Refer to Bargaining Conference

Constitutional Amendment 73

Submitted by the Shuswap Local

Article: Memorandum
Section: Page 253
Subject: Benchmarks

HEU Will:

Continue the classification-benchmark review with an outcome before the next Convention 2026.

Because:

The memorandum of agreement between Health employers association of BC (HEABC) and Facilities bargaining association (FBA) was not followed through.

The new language would read:

MEMORANDUM OF AGREEMENT

between

HEALTH EMPLOYERS ASSOCIATION OF BC
(HEABC)

and

FACILITIES BARGAINING ASSOCIATION (FBA)

Re: Classification – Benchmark Review

The Parties shall meet within 120 days of the ratification of this Collective Agreement to establish a joint committee comprised of no more than four members appointed by each party to review the following benchmarks for housekeeping and administrative efficiency changes that do not impact the classification of the benchmark:

Information Technology

MDR

Laboratory

Pharmacy Assistants

Buyers

Rehab Assistants

Trades and Maintenance

This review will include:

- Identification and removal of benchmarks that are redundant;
- Review of all terminology in existing benchmarks and, where necessary, update existing benchmarks to reflect current terminology;

- Review of all existing benchmarks for housekeeping changes to eliminate confusion in the application of the benchmarks;
- Determine which benchmarks are most in need of review to reflect changes in technology, changes to facilities based/hospital-based operating systems and changes to qualifications and educational requirements; and
- Undertake the necessary benchmark reviews on an expedited basis.

This review will not result in any increased cost to the Employer.

COMMITTEE

Concurrence

Non-Concurrence

CONVENTION

Concurrence

Non-Concurrence

Constitutional Amendment 74

Submitted by the Pinegrove Local

Article: 20
Section: 21.11
Subject: Assignment of overtime

HEU Will:

If an affiliate employer introduces an electronic scheduling program or there is an agreement at the local level, overtime will be offered by seniority to eligible employees.

Because:

HEU members should be following the same article. It doesn't matter if they are affiliated or not affiliated fully.

The new language would read:

All HEU members should be following same articles as other affiliated or not affiliated.

COMMITTEE

Concurrence

Non-Concurrence

CONVENTION

Concurrence

Non-Concurrence

New Language

ARTICLE 19 Complaints and Dispute Resolution

Preamble:

“It is the duty of each member to abide by the Union’s Constitution and By-Laws, to uphold the Oath of Obligation, and, in the case of elected officers, to uphold the Installation of the Officers Oath. HEU subscribes to the democratic principles of industrial unionism.”

The purpose of Articles 19 and 20 is to provide members in good standing with an internal process to have complaints dealt with in a fair and impartial manner, consistent with the principles of natural justice. These procedures are intended to foster and maintain the solidarity necessary to further the interests of the Union through the ability to correct or address the behaviour of members who commit an offense under the Constitution. They are not intended to be used for political gain or to resolve interpersonal conflict which is not substantially rooted in one of the Offenses identified in this Article.

Section A

OFFENSES:

- (1) Any Member of the HEU who acts in a manner detrimental to the welfare or interests of the Union by engaging in any of the following conduct is guilty of an offense against the Constitution and By-Laws:
 - a. work in the interests of a rival union;
 - b. sponsor or advocate decertification of an HEU bargaining unit;
 - c. be in a legal strike position and cross the picket line, or be paid by the employer not to participate in strike action, or perform paid work for the employer, unless required to do so by law, or to otherwise impede or act in opposition to the lawful strike or other collective actions of the Union;
 - d. cross a picket line that is endorsed by HEU;
 - e. misappropriate the property and/or assets of the Union, or commit a fraudulent or dishonest act against the Union;
 - f. without lawful excuse, refuse or fail to pay Dues, Initiation or Temporary Dues Increases in three (3) or more consecutive months;
 - g. discriminate against a Member contrary to the Human Rights Code;
 - h. without lawful excuse, violate the confidentiality of union meetings, union and membership information, or publish or circulate false reports or misrepresentations;
 - i. fail without good cause to appear and present evidence after filing a complaint, or where there is a finding that the complaint was brought maliciously or in bad faith; or
 - j. otherwise engage in serious misconduct detrimental to the welfare or interests of the Union, its Locals, or its Members.

Section B

MAKING A COMPLAINT:

- (1) A member in good standing who believes that a member or officer of the Union has committed an offence under Section A may file a complaint with the Office of the President no later than 90 days after the date on which the person making the complaint (the “complainant”) knew or ought to have known of the action or circumstances giving rise to the complaint.
- (2) A complaint must be made in writing and must include the following:
 - a. name, address, telephone number, email, and signature of the person making the complaint;
 - b. member named in the complaint (the “respondent”);

- c. each allegation on which the complaint is based, including the offense or offenses alleged to have been committed;
 - d. the facts being relied on that support each allegation so that the respondent can understand and defend against the complaint; and
 - e. whether the complainant has personal knowledge of the facts alleged and if not, the source of the complainant's information.
- (3) The President may prescribe a standard form in which complaints must be made, and such form may contain requirements additional to those listed in Subsection (2) above.
- (4) The President may designate another person to fulfill the role of the President in respect of a complaint under this Article.
- (5) The President or their designate may refuse to receive a complaint that, in the opinion of the President or their designate, does not sufficiently satisfy the above requirements, and may at any time require that a complainant submit a new or revised complaint that does.
- (6) The President or their designate may refuse to receive multiple complaints concerning substantially the same matter, in which case the President or their designate:
- a. must proceed with the first complaint received; and
 - b. may expand or otherwise modify the first complaint received, including by adding allegations, complainants or respondents.

Section C

MEDIATION AND ALTERNATIVE DISPUTE RESOLUTION:

- (1) Despite any procedural requirements of this Article, the President or their designate may at any time encourage the informal resolution of a complaint, and may make available:
- a. mediation; or
 - b. another form of alternative dispute resolution, such as:
 - i. culturally appropriate approaches, including facilitation by an Indigenous Elder; or
 - ii. other transformative or restorative justice approaches.
- (2) The President or their designate may suspend any time limits under this Article while reasonable efforts are being made under Subsection (1) above.

Section D

INITIAL ASSESSMENT OF COMPLAINTS:

- (1) When the President or their designate receives a complaint naming anyone other than a member of the Provincial Executive as respondent, they must process the complaint in accordance with the remainder of this Article.
- (2) When the President or their designate receives a complaint naming a member of the Provincial Executive as respondent, they must refer the complaint to the Ethics Commissioner and the Ethics Commissioner must make a final determination as to whether the complaint would be more appropriately dealt with under:
- a. the remainder of this Article, in which case the President or their designate must process the complaint accordingly; or

- b. the Code of Conduct for the Provincial Executive, in which case the Ethics Commissioner must process the complaint accordingly, and the remainder of this Article does not apply in respect of the complaint.

Section E

PRELIMINARY REVIEW OF COMPLAINTS:

- (1) In this Section, “Independent Reviewer” means a person appointed by the President or their designate to conduct a preliminary review in accordance with Subsection (3) below.
- (2) When the President or their designate receives a complaint other than a complaint referred to in Subparagraph D(2)(b), the President or their designate must, within 30 days:
 - a. notify the respondent and provide them with a copy of the complaint;
 - b. inform the complainant and respondent (the “parties”) regarding next steps in the complaint process; and
 - c. refer the complaint to an Independent Reviewer for a preliminary review.
- (3) A preliminary review must be for the sole purpose of determining whether a complaint should proceed to trial, and must be limited to:
 - a. reviewing the text of the complaint; and
 - b. where necessary and appropriate, contacting the complainant to seek additional information or clarification regarding the complaint.
- (4) An Independent Reviewer may determine that a complaint should proceed to trial only if, after a preliminary review, the Independent Reviewer is of the opinion that:
 - a. the allegations contained in the complaint, if proven, could amount to an offense under Section A; and
 - b. there is no reason for which the complaint should not proceed to trial.
- (5) Reasons for which a complaint should not proceed to trial may include the following:
 - a. there are insufficient reasonable grounds for concluding that an offense has been committed;
 - b. the complaint is frivolous, vexatious, or not made in good faith;
 - c. the complaint would be more appropriately addressed through another process;
 - d. the complaint, in substance, is being addressed or has already been addressed through another process;
 - e. the complainant has failed or refused to
 - i. provide a complaint that sufficiently satisfies the requirements of Section B; or
 - ii. cooperate sufficiently during a preliminary review;
 - f. the complainant wishes to withdraw the complaint; or
 - g. the complaint, in substance, is not primarily with respect to an offense listed in Section A.

Section F

REPORTING TO THE PROVINCIAL EXECUTIVE:

- (1) After completing a preliminary review of a complaint, the Independent Reviewer must provide the President or their designate with a written report containing:
 - a. a copy of the complaint on which the report is based;
 - b. the Independent Reviewer’s determination as to whether the complaint, in whole or in part, should proceed to trial;

- c. the reasons for that determination; and
 - d. any other information or recommendations that the Independent Reviewer finds appropriate.
- (2) When the President or their designate receives a written report under Subsection (1) above, they must table a copy of the report at the next meeting of the Provincial Executive, or as soon as practicable thereafter.
- (3) If at any time a complaint is withdrawn or informally resolved:
- a. the President or their designate must inform the Provincial Executive at the next meeting of the Provincial Executive; and
 - b. no further steps under this Article may be taken in respect of the complaint.

Section G

PROCESSING BY THE PROVINCIAL EXECUTIVE:

- (1) After receiving an Independent Reviewer's report under Subsection F(2), the Provincial Executive must:
- a. refer the complaint, in whole or in part, for trial;
 - b. dismiss the complaint, in whole or in part;
 - c. divert the complaint, in whole or in part, to another process that, in the opinion of the Provincial Executive, would be more appropriate for addressing the substance of the complaint; or
 - d. direct the President or any other person to seek to resolve the complaint in accordance with Section C, failing which the Provincial Executive must refer, dismiss or divert the complaint in accordance with Subparagraphs (a) through (c) above.
- (2) For clarity, the Provincial Executive is not bound by any determination or recommendation made in an Independent Reviewer's report.
- (3) Once the Provincial Executive takes an action under Subsection (1) above, the President or their designate must, as soon as practicable:
- a. inform the parties in writing of such action; and
 - b. provide the parties with a copy of the Independent Reviewer's report.
- (4) Despite Subparagraph (3)(b) above, the copy of the Independent Reviewer's report provided to the parties may be anonymized, redacted, or provided only in summary form where, in the opinion of the President or their designate, to do so would be necessary and appropriate to:
- a. protect the integrity of proceedings;
 - b. protect the confidentiality or wellbeing of a person directly or indirectly involved in the complaint; or
 - c. comply with the Union's legal obligations.
- (5) The contents of an Independent Reviewer's report must not be relied upon for any purpose at trial or in any proceeding other than an appeal under Subparagraph Q(3)(b) or (c).

Section H

REFERRAL FOR TRIAL:

- (1) In Sections H through M, "complaint" means a complaint or part of a complaint referred for trial under Subparagraph G(1)(a).

- (2) When the Provincial Executive refers a complaint for trial, the Provincial Executive must refer it either to a Standing Disciplinary Panel as provided for in Section I or to a Trial Panel as provided for in Section J.
- (3) In making a referral under Subsection (2) above, the Provincial Executive must consider whether the complaint:
 - a. is limited to the Local level or relates to Local members who are seriously disruptive to the functioning of the Local; or
 - b. extends beyond the Local level.

Section I

STANDING DISCIPLINARY PANEL:

- (1) The Provincial Executive shall establish a Standing Disciplinary Panel consisting of three (3) Members and three (3) alternates.
- (2) The Standing Disciplinary Panel shall include some regional representatives but shall not include members of the Provincial Executive or their alternates.
- (3) Upon referral of a complaint to the Standing Disciplinary Panel from the Provincial Executive, the Panel's hearing process and rules and procedures shall be the same as those of a Trial Panel except as necessarily modified by this Section.
- (4) The Standing Disciplinary Panel shall have the authority to issue those penalties it considers just and appropriate in the circumstances, but it shall not have the power to expel from the Membership.

Section J

TRIAL PANEL:

- (1) As soon as practicable after the referral of a complaint to a Trial Panel, the Secretary-Business Manager or a designate shall:
 - a. prepare a list of the Local Officers in good standing who are working in the Locals in the region within which the respondent works; and
 - b. consecutively draw, at random, the names of nine (9) such Local Officers, who shall constitute the pool of potential Trial Panel members.
- (2) The complainant and respondent shall each have the right to challenge two (2) Local Officers in the pool of potential Trial Panel members.
- (3) The first three (3) Local Officers to have their names drawn and remain unchallenged shall constitute the Trial Panel, and the following two (2) shall serve as alternates.
- (4) The Secretary-Business Manager or a designate shall appoint one of the three (3) Local Officers on the Trial Panel to act as Chairperson.

Section K

TRIAL PROCESS

- (1) The Trial Panel shall convene a hearing within fourteen (14) days of its establishment, or as soon as practicable thereafter.

- (2) The Trial Panel shall ensure that the complainant and respondent receive at least seven (7) days' written notice of the hearing date, time and location.
- (3) Both the complainant and respondent shall have the opportunity to present their evidence (including any relevant witnesses or documents) and arguments, and to cross-examine the other's witnesses.
- (4) The Trial Panel shall proceed to hear the complaint as follows:
 - a. the complainant may make an opening statement;
 - b. the respondent may make an opening statement;
 - c. the complainant shall, in every case, proceed first and present all the evidence in support of the complaint, subject to the right of the respondent to cross-examine witnesses;
 - d. the respondent may then present all the evidence in response to the complaint, subject to the right of the complainant to cross-examine witnesses;
 - e. the complainant may make a closing statement;
 - f. the respondent may make a closing statement.
- (5) The Trial Panel shall have the authority to maintain order during the hearing, and to ensure that proceedings are dealt with in an expeditious and fair manner.

Section L

RULES AND PROCEDURES:

- (1) The Trial Panel process is intended to be expeditious and informal.
- (2) The Trial Panel must encourage the parties to engage in mediation if the parties have not yet done so.
- (3) The Trial Panel may establish its own rules and procedure for a hearing, and may:
 - a. decide where the hearing will be held and when;
 - b. grant postponements or adjournments;
 - c. refuse the right to attend the hearing to any person who is not implicated directly by the complaint;
 - d. proceed in the absence of the complainant or respondent if they have been duly notified that the hearing was to be held;
 - e. allow for either party to be represented by counsel of their own choosing and at their own cost;
 - f. ask questions of the witnesses, the complainant or the respondent; and
 - g. dictate such other rules and procedures as will further the objective and intent of a fair, expeditious and informal hearing process.

Section M

DECISIONS:

- (1) The Trial Panel must issue a written decision in response to the complaint.
- (2) If the complaint is allowed in whole or in part, the Trial Panel must decide on the penalty to be imposed.

Section N

PENALTIES:

- (1) The Provincial Executive, a Trial Panel or, subject to Section I, a Standing Disciplinary Panel, may impose penalties on any Member found to have committed an offence, including one or more of the following:
 - a. written reprimand;
 - b. suspension from office and/or membership and its rights and privileges, for a specified period of time;
 - c. removal from office;
 - d. denial of the right to hold office in the Union or Local for a specified period of time;
 - e. expulsion from membership;
 - f. denial of membership and its rights and privileges;
 - g. fines;
 - h. where a Member without lawful excuse has refused, failed or neglected to pay a lawful Temporary Dues Increase, in each instance a doubling of the Temporary Dues Increase;
 - i. in the case of an offence described at Subparagraph (A)(1)(c), one or both of the following:
 - i. a fine up to and including the equivalent of one hundred percent (100%) of net daily earnings for each day that the person acted in the manner described;
 - ii. denial, suspension or revocation of Membership;
 - j. such other penalties or actions that the Provincial Executive, a Trial Panel, or a Standing Disciplinary Panel may deem just and reasonable in the circumstances.

Section O

EMERGENCY SUSPENSION:

- (1) Where in the opinion of the Provincial Executive, a Member engages in egregious activities which jeopardize or are seriously detrimental to the interests or welfare of the Union, the Provincial Executive may immediately discipline such Member.
- (2) Discipline imposed under Subsection (1) above shall remain in effect until a determination has been rendered by a Trial Panel convened in accordance with this Article.
- (3) A Trial Panel convened under this Section shall hold a hearing within fourteen (14) days of the imposition of discipline under Subsection (1) above, or as soon as practicable thereafter.

Section P

EXPENSES:

- (1) The Union shall reimburse the reasonable expenses of the participants to attend the hearing, including loss of wages.
- (2) For clarity, the Union shall not reimburse any expenses incurred in relation to legal advice or representation.
- (3) The Provincial Executive may assess a Local or individual(s) for any or all expenses of a hearing where in the opinion of the Provincial Executive it is just and appropriate to do so.
- (4) Situations in which expenses may be assessed include, without limitation:
 - a. where a complaint is found to be malicious;
 - b. where conduct in the complaint process is found to be in bad faith; or
 - c. where an appeal is filed and the original decision is upheld.

Section Q

APPEALS:

- (1) The Provincial Executive must establish a Standing Appeal Panel consisting of three (3) members of the Provincial Executive.
- (2) Members of the Standing Appeal Panel must not participate in or be present for any proceeding, deliberation or decision of the Provincial Executive in respect of any complaint under this Article.
- (3) Any party dissatisfied with
 - a. a final decision of a Trial Panel or Standing Disciplinary Panel;
 - b. a decision of the Provincial Executive under Subparagraph G(1)(b) to dismiss a complaint; or
 - c. a decision of the Provincial Executive under Subparagraph G(1)(c) to divert a complaint to another process,may file an appeal with the Office of the President within fourteen (14) days of receipt of the decision.
- (4) An appeal must be made in writing and must specify the grounds of appeal and all supporting documents.
- (5) The President may prescribe a standard form in which appeals must be made, and such form may contain requirements additional to those listed in Subsection (4) above.
- (6) The President or their designate may refuse to receive an appeal that, in the opinion of the President or their designate, does not sufficiently satisfy the above requirements, and may at any time require that an appellant submit a new or revised appeal that does.
- (7) When the President or their designate receives an appeal under Subsection (3) above, they must forward the appeal to the Standing Appeal Panel as soon as practicable.
- (8) Upon receipt of an appeal, the Standing Appeal Panel must:
 - a. provide the other party or parties with a copy of the appeal;
 - b. provide the other party or parties with at least seven (7) days to file a written response; and
 - c. proceed to hear the appeal and render a written decision as soon as practicable.
- (9) Subject to the requirements of Subsection (8) above, the Standing Appeal Panel may control its own process and may, in its discretion, conduct an appeal hearing in person, by tele-conference, by video-conference, or based only on the written materials provided.
- (10) An appeal hearing is not a new trial.
- (11) The Standing Appeal Panel may uphold the decision under appeal, reverse the decision under appeal, or render any other decision that, in the opinion of the Standing Appeal Panel, would be just and appropriate.
- (12) The Standing Appeal Panel must provide a copy of its decision to the parties and to the President or their designate, and the President or their designate must inform the Provincial Executive of the outcome of the appeal at the next meeting of the Provincial Executive, or as soon as practicable thereafter.
- (13) A decision of the Standing Appeal Panel is final and not subject to further appeal.

Section R

CONFLICT OF INTEREST, RECUSAL AND DELEGATION:

- (1) The procedures and requirements set out in this Article are subject to the following.
- (2) For the purposes of this Article, a person is deemed to be in a conflict of interest in respect of a complaint if the person:
 - a. is a complainant or a respondent;
 - b. is a witness to a material fact or event; or
 - c. otherwise has or could reasonably be perceived as having a conflict of interest or bias in respect of the complaint.
- (3) Where there is disagreement or uncertainty about whether a person is in a conflict of interest in respect of a complaint, the question must be referred as follows for a final determination on an expedited basis:
 - a. in the case of a member of the Provincial Executive, to the Ethics Commissioner;
 - b. in the case of any other person, to the President or their designate.
- (4) A person who is in a conflict of interest in respect of a complaint:
 - a. must not serve on, advise or assist a Trial Panel, Standing Disciplinary Panel or Standing Appeal Panel convened in respect of the complaint;
 - b. must not participate in or be present for any proceeding, deliberation or decision of the Provincial Executive in respect of the complaint; and
 - c. must recuse themselves from all matters relating to the complaint, including all duties and procedures under this Article.
- (5) Where the recusal of a member of the Provincial Executive could reasonably result in the inability of
 - a. the Provincial Executive to achieve quorum; or
 - b. a Standing Appeal Panel to be properly constituted,

the President must appoint the highest-ranking Alternate Executive Member who is not in a conflict of interest to fulfill the role of the recused member under this Article.
- (6) Where the President is in a conflict of interest in respect of a complaint, the role of the President under this Article must be fulfilled by the first of the following who is not in a conflict of interest:
 - a. 1st Vice-President;
 - b. 2nd Vice-President;
 - c. 3rd Vice-President;
 - d. Secretary-Business Manager;
 - e. Assistant Secretary-Business Manager.
- (7) Where the Secretary-Business Manager is in a conflict of interest in respect of a complaint, the role of the Secretary-Business Manager under this Article must be fulfilled by the Assistant Secretary-Business Manager.
- (8) Subject to Subsections (6) and (7) above, the President or Secretary-Business Manager may delegate their respective powers and duties under this Article to any person who is not in a conflict of interest.

Section S

REPORTING TO CONVENTION:

- (1) The President must submit a written report to each Convention containing:
 - a. a summary of complaints and determinations made under this Article; and
 - b. any advice or recommendations for improving the text or operation of this Article.

- (2) A report under Subsection (1) above must not contain personal or identifying information about any individual involved in a complaint.

Existing Language

ARTICLE 19

Charges, Trials & Penalties

“It is the duty of each member to abide by the Union’s Constitution and By-Laws, to uphold the Oath of Obligation, and, in the case of elected officers, to uphold the Installation of the Officers Oath. HEU subscribes to the democratic principles of industrial unionism.”

The purpose of Articles 19 and 20 is to provide members in good standing with an internal process to have charges dealt with in a fair and impartial manner. These procedures are intended to foster and maintain the solidarity necessary to further the interests of the Union through the ability to correct or address the behaviour of members who commit an offence under the Constitution. They are not intended to be used for political gain or to resolve interpersonal conflict which does not have foundation in one of the Offenses identified in this Article.

Section A

CHARGES: A Member in good standing who considers that a Member or Officer has committed an offence against the Constitution may file a charge with the Office of the President of the Union.

If the President is the person making the charge (the “complainant”), or is the person being charged (the “respondent”), then the duties will be assumed by the highest-ranking of the First, Second, or Third Vice-President who is not themselves a complainant or respondent. If none of the First, Second, or Third Vice- President is both able and eligible to assume the duties assigned to the President by this Article, then the duties will be assumed by the Secretary-Business Manager or their delegate.

Any member of the Provincial Executive who is charged, who makes a charge, or has a conflict of interest with regard to a member who is charged or making a charge, must recuse themselves from all proceedings under Article 19, including Membership in the Standing Appeal Panel.

Section B

OFFENSES: Any Member of the HEU who acts in a manner detrimental to the welfare or interests of the union is guilty of an offense against the Constitution and By-Laws. Specifically, it is an offense to:

- a. violate the Constitution contrary to the oath of installation to Office or initiation to the Union;
- b. work in the interests of a rival union;
- c. sponsor or advocate decertification of an HEU bargaining unit;
- d. be in a legal strike position and cross the picket line, or be paid by the employer not to participate in strike action, or perform paid work for the employer, unless required to do so by law, or to otherwise impede or act in opposition to the lawful strike or other collective actions of the Union;
- e. cross a picket line that is endorsed by HEU;
- f. misappropriate the property and/or assets of the Union, or commit a fraudulent or dishonest act against the Union;
- g. without lawful excuse, refuse or fail to pay Dues, Initiation or Temporary Dues Increases in three (3) or more consecutive months;
- h. discriminate against a Member contrary to the Human Rights Code;
- i. without lawful excuse, violate the confidentiality of union meetings, union and membership information, or publish or circulate false reports or misrepresentations; or
- j. fail without good cause to appear and present evidence after filing charges, or where there is a finding that the charges were brought maliciously or in bad faith;

- k. otherwise engage in conduct detrimental to the welfare or interests of the Union, its Locals, or its Members.

Section C

FORM OF CHARGES: All charges must be set out in writing and delivered to the Office of the President of the Union no later than ninety (90) days after the date on which the person making the charge knew or ought to have known of the action or circumstances giving rise to the charge. The form of charge must include:

1. Name, address, telephone number, email, and signature of the person making the charge (the complainant);
2. Member named in the charge (the respondent);
3. Each allegation on which the charge is based, including the parts of the Constitution alleged to have been violated;
4. The facts being relied on that support each allegation so that the respondent can understand and defend the charges;
5. Whether the complainant has personal knowledge of the facts alleged and if not, the source of the Complainant's information; and
6. The penalty sought by the complainant.

Section D

PRELIMINARY PROCEDURES:

When a charge is received by the Office of the President, the President must, as soon as reasonably practicable, appoint an Investigator to provide a preliminary assessment of the charge. The Investigator may be anyone who, in the opinion of the President, is sufficiently removed from the substance of the charge as to be impartial, and may include an officer or employee of the Union. In conducting a preliminary assessment, the Investigator may take any action that the Investigator deems reasonable and necessary for the fair and expeditious processing of the charge, including but not limited to:

- a. Contacting the complainant to request clarification or further information;
- b. Contacting the respondent to request information relating to the allegations contained in the charge;
- c. Requesting that the complainant provide the Investigator with an amended charge addressing any deficiencies existing in the original charge, including deficiencies in the form of the charge;
- d. Accepting an amended charge for processing under this provision as if it were an original charge duly filed with the Office of the President.

If the investigator considers it appropriate to do so, they may at any stage offer the parties an opportunity to meet to resolve the issue informally prior to the investigator delivering their findings and recommendations to the President.

Upon conclusion of the Investigator's preliminary assessment, the Investigator must deliver to the President a report setting out the Investigator's findings and recommendations on the following questions:

- a. Whether the form of the charge is sufficiently complete;
- b. Whether the allegations contained in the charge could, if proven, constitute a violation of the Constitution and By-Laws;
- c. Whether the charge, in whole or in part, should proceed under this provision or instead be summarily dismissed;
- d. Whether the charge (i) is limited to the Local level and/or relates to Local members who are seriously disruptive to the functioning of the Local, or (ii) extends beyond the Local level;

- e. Whether the charge should be referred to a Trial Panel as provided for in Article 19 or a Standing Disciplinary Panel as provided for in Article 20.

If the Investigator's report recommends that the charge, in whole or in part, should proceed under this provision, then the President may, where appropriate, appoint a Mediator or Restorative Justice Facilitator. The Mediator may be anyone, other than the Investigator, who in the opinion of the President is sufficiently removed from the substance of the charge as to be impartial. The Mediator must encourage the complainant and respondent to participate in an informal process aimed at resolving the charge by mutual agreement. Restorative justice will only be recommended where the complainant requests it and the respondent acknowledges wrongdoing and seeks to take responsibility.

If the charge remains unresolved after reasonable efforts by a Mediator, or if no Mediator is appointed because the Investigator's report recommends that the charge should be summarily dismissed in its entirety, then the President must table the Investigator's report at the next meeting of the Provincial Executive.

Members of the Standing Appeal Panel must not participate in any Provincial Executive discussions or decisions regarding the charge.

The Provincial Executive may accept or reject, in whole or in part, the Investigator's findings and recommendations, and must make a final determination on all questions addressed in the Investigator's report. In making its determination, the Provincial Executive may take any action that the Investigator may take under this provision.

Section E

NOTICE OF CHARGES:

At any point after a charge is received by the Office of the President, the President may contact the respondent to notify them of the charge and provide information regarding the processing of charges under this provision.

If the Provincial Executive determines that a charge will proceed under this provision, the Provincial Executive must forward a copy of the charge to the respondent and confirm whether the charge is being dealt with by a Trial Panel or a Standing Disciplinary Panel.

Section F

TRIAL PANEL: As soon as practicable after a referral of a charge to a Trial Panel, the Secretary-Business Manager, or a designate, shall have a list prepared of the Local Officers in good standing who are working in the Locals within the Region that the charged Member works. The name of each Local Officer shall be on an individual slip of paper and placed in a container. In the presence of a witness, the Secretary-Business Manager, or a designate, shall draw nine (9) names from the container and these shall constitute the Trial Panel.

The complainant and respondent shall each have the right to challenge two (2) Local Officers on the Trial Panel. The first five (5) unchallenged Local Officers shall constitute the Trial Panel. Of these five (5) Local Officers, the last two (2) shall serve as alternates. The Secretary-Business Manager, or designate, shall appoint one of the three (3) Local Officers on the Trial Panel to act as Chairperson.

Section G

BIAS: No member of the Trial Panel can be both witness and judge and no one with a conflict of interest in relation to the charge shall be permitted to serve on, advise or assist the Trial Panel.

Section H

TRIAL PROCESS: The Trial Panel shall normally convene a hearing within fourteen (14) days of its establishment, ensuring that the complainant and respondent have received not less than seven (7) days written notice of the hearing date, time and location.

Both the complainant and respondent shall have the opportunity to present their evidence (including any relevant witnesses or documents) and arguments, and to cross examine the other's witnesses.

The Trial Panel shall proceed to hear the charge as follows:

- a. The complainant may make an opening statement;
- b. The respondent may make an opening statement;
- c. The complainant shall, in every case, proceed first and present all the evidence in support of the charge, subject to the right of the respondent to cross-examine witnesses;
- d. The respondent may then present all the evidence in response to the charge, subject to the right of the complainant to cross-examine witnesses;
- e. The complainant may make a closing statement;
- f. The respondent may make a closing statement;
- g. The Trial Panel shall have the authority to maintain order during the hearing, and to ensure that proceedings are dealt with in an expeditious and fair manner.

Section I

RULES AND PROCEDURES: The Trial Panel process is intended to be expeditious and informal. The Trial Panel may establish its own rules and procedure for a hearing, but must encourage the complainant and respondent to engage in mediation if they have not yet done so, and may:

- a. Decide where the hearing will be held and when;
- b. Grant postponements or adjournments;
- c. Refuse the right to attend the hearing to any person who is not implicated directly by the charge;
- d. Proceed in the absence of the complainant or respondent if they have been duly notified that the hearing was to be held;
- e. Allow for either party to be represented by counsel of their own choosing and at their own cost;
- f. Ask questions of the witnesses, the complainant or the respondent; and
- g. Dictate such other rules and procedures as will further the objective and intent of a fair, expeditious and informal hearing process.

Section J

DECISIONS: The Trial Panel shall issue a decision, in writing, in response to the charge and, if the charge is allowed in whole or in part, it shall decide on the penalty to be imposed.

Section K

PENALTIES: The Provincial Executive, a Trial Panel or a Disciplinary Panel may impose penalties on any Member found to have committed an offence, including one or more of the following:

- a. written reprimand;
- b. suspension from office and/or membership and its rights and privileges, for a specified period of time;

- c. removal from office;
- d. denial of the right to hold office in the Union or Local for a specified period of time;
- e. expulsion from membership;
- f. denial of membership and its rights and privileges;
- g. fines;
- h. in the case of a violation of Article 19, Offenses, (d) of the Constitution, a fine up to and including the equivalent of one hundred percent (100%) of net daily earnings for each day that the person acted in violation of Article 19, Offenses, (d);
- i. in the case of a violation of Article 19, Offenses, (d) of the Constitution, denial, suspension or revocation of Membership;
- j. where a Member without lawful excuse has refused, failed or neglected to pay a lawful Temporary Dues Increase, in each instance the Temporary Dues Increase shall be deemed to be and is hereby doubled;
- k. in the case of a violation of Article 19, Offenses, (d), Membership status shall automatically be revoked; and/or
- l. such other penalties or actions that the Provincial Executive, a Trial Panel, or a Standing Disciplinary Panel may deem just and reasonable in the circumstances.

Section L

EMERGENCY SUSPENSION: Where in the opinion of the Provincial Executive, a Member engages in egregious activities which are seriously detrimental to, or jeopardizing the interests or welfare of the Union, the Provincial Executive may immediately discipline such Member; and such discipline shall remain in effect until a determination has been rendered by a Trial Panel convened in accordance with this Article. A hearing shall be scheduled within fourteen (14) days.

Section M

EXPENSES: The Union shall reimburse the reasonable expenses of the participants to attend the hearing, including loss of wages. The Provincial Executive may assess a Local or individual(s) for any or all of the expenses of a hearing.

Section N

APPEAL: Any Member dissatisfied with the determination of a Trial Panel or Standing Disciplinary Panel may appeal to a three (3) member Standing Appeal Panel of the Provincial Executive. The Members of the Standing Appeal Panel shall not participate in any Provincial Executive discussions or decisions regarding any charge filed with the Office of the President.

The form of the appeal must be filed with the Office of the President within fourteen (14) days of receipt of the decision of the Trial or Standing Disciplinary Panel, as the case may be. The form of appeal must specify the grounds of appeal and all supporting documents. The appeal is not a new trial. The form of appeal shall be forwarded to the opposing party, who shall have seven (7) days within which to respond to the grounds of appeal.

The Standing Appeal Panel shall hear all appeals as soon as reasonably possible and may, in its discretion, conduct a hearing in person, by tele-conference, or render a decision based on the written materials provided. The Standing Appeal Panel of the Provincial Executive shall have control over its own process. The Standing Appeal Panel may uphold the decision of the Trial Panel or Disciplinary Panel, reverse it, or render any other decision it deems advisable. The decision of the Standing Appeal Panel shall be final.