

CHAIR: Marcel Dionne

SECRETARY: Patricia House

- 1. Adoption of the agenda
 Moved by Suzan Zagar Seconded by Wendy Lymer
 THAT THE AGENDA BE ADOPTED AS CIRCULATED.
 The motion was CARRIED.

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- 4. Rep
 Suzan Zagar presented the trustees report. See copy in newsletter (January, 1984). Then discussion was opened to the floor. Notice of motion was given by the Executive:

that another referendum be conducted using the second and third options of this recent ballot (i.e.-a referendum conducted on the option of remaining an independent union and the option of affiliating with another labour group).

This motion will be voted on at the next general membership meeting.

- 5. Ombuds Committee
 Fairleigh Wettig explained that the intention was to provide a mechanism to field problems when members were dissatisfied with the way something had been handled but it didn't fall into the area covered by recall in the by-laws. She presented the terms of reference as circulated.

Terms of Reference for OMBUDS COMMITTEE

The OMBUDS COMMITTEE shall operate primarily as an advisory and conciliatory body and shall not be empowered to levy disciplinary action. The OMBUDS COMMITTEE shall only be empowered to make recommendations to the membership in the event that a member is being repeatedly addressed through this procedure. The membership shall determine after a report by the OMBUDS Committee whether disciplinary action is warranted and what form the discipline process shall take.

Membership
minutes
1983

Patricia House reported on the balance in the Strike Fund. She suggested that the motions regarding the use of the Strike Fund be withdrawn, as they were no longer applicable since we were back at work. No one had any objection. The previously tabled by-law amendments reprinted on the back page of the newsletter were put back on the floor for discussion.

Moved by Christine Adams

Seconded by Alfred Tse

TO SEND TO REFERENDUM ALL BY-LAW AMENDMENTS AS PRINTED ON THE BACK PAGE OF THE NEWSLETTER.

The motion was DEFEATED.

Moved by Annike Rees

Seconded by Margie Walley

THAT THESE MOTIONS BE TABLED UNTIL THE NEXT TWO HOUR MEMBERSHIP MEETING.

The motion was CARRIED.

The meeting was adjourned.

Notices of Motion

1. Whereas some AUCE members are being called off the job with the Education Sector on Nov. 8, and other AUCE members will be working until Nov. 18 when the Health Sector is called out,

Be it moved that those AUCE members located off campus who are being called out on Nov. 18 will be assessed an amount equal to the hourly base rate of pay grade 5 (9.66) per day until that time, the money so assessed to be put into the AUCE strike fund. If it occurs that those members on campus are working after Nov. 18, and those off campus are not, then the same assessment will be applied to the on campus members after Nov. 18.

Moved by Adrien Kiernan
Seconded by Donna Rota

2. A motion will be presented by the AUCE executive regarding the use of our strike fund during the work stoppage.

3. That AUCE Local 1 reconsider its continued support of the directives given by Operation Solidarity and that this motion be put to a secret ballot at the special meeting.

Moved by 61 AUCE members in a petition to the executive.

By-law amendments:

Notice of Motions:

"That the following three amendments to the Local Association By-laws be listed on a ballot and be sent by mail referendum to all Local 1 members:

1) Section M Strikes and Lockouts

A bargaining unit shall not strike without the approval of the membership. Voting shall be by secret ballot and sent by mail referendum to all members. Such balloting shall be in full accordance with sections 48 through 58 of the B.C. Labour Code regulations and all other applicable sections and a majority of votes cast shall be necessary for a strike to take place.

2) (a second paragraph to be added to Section M)

In the event that another bargaining unit located at/or allied to the University of British Columbia engage in any actions that could result in a work stoppage of our Local Association that our support for that action be put to mail referendum and a ballot sent to all local association members.

3) Section K Dues and Finances (addition of an item '6')

Proposed donations of an amount totalling \$500.00 to any organization or association be sent to mail referendum for approval by a majority of votes cast."

Moved by: Ruby Rudd
Purchasing Department

Seconded by: Karen Humphries
Purchasing Dept.

By-law amendments:

Notice of Motion:

"That the following item be included as section O (g) of the Local Association By-laws:

SECTION O Discipline

Any number of members of the Local Association shall have the right to prefer charges against any other member of the Local Association, according to Section 14 of the Provincial Association Constitution and the following provisions.

Charges can be preferred against any member who:

- (g) Continues to work for the employer while another union is on strike and is picketing the member's place of work. The executive of the Local will notify the employer that such picketing is bona-fide in accordance with article 17 of the collective agreement and shall call a meeting of the membership as soon as possible to discuss the situation.

Moved by: Sheridan Murray
Interlibrary Loans

Seconded by: Anita Cocchia
Interlibrary Loans

TRUSTEES REPORT--SECESSION/AFFILIATION REFERENDUM

The trustees would like to report to you on the results of the recent referendum on secession/affiliation, the issue which still continues to haunt us after so many years. It is evident that further decisions are still required by the membership. . .

The trustees conducted the ballot count on Nov.3. There were three options to choose from on the ballot:

- 1) Do you wish to remain with AUCE Provincial?
Received 165 votes
- 2) Do you wish to leave AUCE Provincial and become an independent union?
Received 130 votes
- 3) Do you wish to leave AUCE Provincial and affiliate with another labour group?
Received 208 votes

When the Executive met last week, more ballots had arrived in the office since the count on Nov.3. Due to the short amount of time given for members to return their ballots by the Nov.3 deadline, the Executive decided to open them and add the tally to the score. The extra ballots did not change the results significantly:

Option 1: 175 votes

Option 2: 139 votes

Option 3: 220 votes

Spoiled Ballots: 74

Total: 608 ballots

Balloting procedures

Before going into an interpretation of these results and recommendations for further action, it is important to clarify balloting procedures and the reasons for the rather large number of spoiled ballots. All AUCE referendums are conducted by a secret ballot method. To do this, members are sent a large legal size envelope which contains three essential items for the secret ballot procedure:

- 1) a ballot with relevant instructions
- 2) a medium size return envelope addressed to AUCE, and marked with your name
- 3) a small coin-sized envelope in which the ballot is inserted

The ballot is to be sealed in the small coin-sized envelope, which is then placed in the medium-sized return envelope and mailed to the AUCE Office. This return envelope is marked with your name with the scriptomatic machine, and is used to verify your eligibility to vote by checking your name against a current membership dues checkoff list. We ask you to sign your name on this envelope in case further verification is needed. This is to prevent unused ballots from being picked up out of garbage cans and returned as a valid ballot. Your signature can be verified by your membership file signature should such unauthorized returns be suspected. Normally the trustees consider an unsigned ballot as a spoiled ballot, which is not counted, but because there were over several hundred members who did not sign the return envelope in this current referendum, the trustees decided to count these ballots, provided that the names were verified against the current membership list. We would like to remind you that for all future referendums, it is important that you sign your name on the return envelope.

It is the small coin sized envelope containing your ballot which keeps your vote secret. After verification procedures, this coin envelope is removed from the medium sized return envelope which identifies you. After all the coin envelopes have been removed the ballots are taken out and counted. IF YOU SIGN YOUR NAME ON THE SMALL COIN ENVELOPE CONTAINING YOUR BALLOT, THE BALLOT WILL NO LONGER BE SECRET, AND WILL THUS BE SPOILED AND NOT COUNTED! This was the major reason for the 74 spoiled ballots in this referendum. Ballots were also spoiled by writing comments on the ballot.

Interpretation of the Referendum results

On the surface, it would appear that there is a mandate for the affiliation option, as this option received the greatest number of votes. However, due to the structure of the ballot, the result has in fact been a split in the vote, creating two more obvious interpretations of this vote. One is that those who cast a vote for the first and second options (i.e.-to remain with AUCE Provincial, and to leave AUCE Provincial and remain independent) outweigh those who chose the affiliation option by a vote of 314 to 220. In this regard there is still uncertainty as to whether the affiliation option is indeed a mandate at this point.

The second interpretation is that those who cast a vote for the second and third options (i.e.-to leave AUCE Provincial and remain independent, and to leave AUCE Provincial and affiliate with another labour group) voted

clearly to leave the AUCE Provincial structure and outweigh those who voted for the option of remaining with AUCE Provincial by a vote of 359 to 175.

With this view, the Executive considers that the membership has given a mandate to withdraw from the AUCE Provincial Association. The Executive has taken action on this mandate, and the AUCE Provincial Association has been duly informed that AUCE Local 1 is no longer a member of the AUCE Provincial Association. It is encouraging that the remaining locals of AUCE have expressed their sincere regrets and have indicated a strong desire to maintain contact and continue to exchange necessary information with us. Our relationship with our former sister locals will not be severed.

Until further decisions and actions are taken by our membership, our current status is that of an unaffiliated, independent union. Our title will remain AUCE Local 1 until a decision is taken to otherwise change that name.

Executive Recommendation

The Executive expresses its concern regarding the interpretation that those who voted not to affiliate outweigh those who did by a vote of 314 to 220 and feels strongly that we should now conduct another referendum on a choice between remaining an independent union and affiliating with another labour group. As remaining within the Provincial Association is no longer one of the issues, it is important to strengthen a mandate on the two remaining issues. Therefore the Executive recommends that another referendum be conducted using the second and third options of this recent ballot (i.e.-a referendum conducted on the option of remaining an independent union and the option of affiliating with another labour group). Formal notice is now given on behalf of the Executive that this recommendation will be presented as a motion and debated at the next membership meeting.

Local By-Laws

As we are no longer covered by the AUCE Provincial constitution, the trustees were directed by the Executive to ensure that our Local By-Laws can temporarily cover our membership in basic rights until a conclusive decision on our future is reached. This involved carefully checking the Provincial constitution to ensure that some important fundamental right is not suddenly stripped from us by our withdrawal from the organization. It is the opinion of the trustees that our By-Laws are adequate enough in all areas to cover us in continued operations on a temporary basis.

All references in the By-Laws to the former Provincial structure are no longer applicable to us, but all remaining sections apply to AUCE Local 1. The major area of concern to the trustees is that we no longer have a right of appeal under the discipline section of our By-Laws. Although the discipline section of the By-Laws has scarcely been used, the concern arises because of possible charges against our members who crossed the picket line during the recent Solidarity strike. Under the Provincial constitution, which no longer applies to us, there are provisions to appeal a local membership decision regarding charges and discipline to the Annual Provincial Convention, and subsequently to the highest organizational body, the Provincial Association membership, by referendum ballot. An appeal can only be made to a higher body of the organization. Since our membership forms the court hearing the charges in our By-Laws, and since the membership is now the highest body of our organization, rather than the Provincial membership, there is no higher body to which a member can appeal a membership decision, except through the regular courts in B.C. This will be an immediate issue to you as members only if any charges laid against our members regarding the recent strike should proceed to that stage. We are seeking legal advice regarding this and other questions surrounding our withdrawal from the Provincial Association, and we will report to you on the advice received from our lawyer.

The trustees would also like to introduce a procedural notice of motion, to be presented at the next membership meeting, that the ballots of this referendum be destroyed.

We would urge you all to give some thought to the results of this referendum: there are still decisions to be made about our future. A critical point has come where a decision on the issues must be made conclusively. The trustees are pleased with a rather high return of about 600 ballots, however this is just barely one half of our total membership. There are another 700 odd people who did not vote, but who will be affected by future decisions. We strongly urge those who did not vote to consider the issues and to exercise their democratic right to vote. If 1400 people can show up to a membership over a critical issue, then surely 1400 people could take a few minutes to vote!!

Respectfully submitted,

Suzan Zagar
Wendy Osborne, Trustees