

Hearing

Hearing procedure amended - No.6 debate on question is to start with a round table discussion. No.7 vote by prov. exec. is to be by secret ballot and there will be a vote on each charge separately.

Hearing procedure accepted as amended.

Meeting called to order.

Copies of charges and section of constitution they applied to were handed out.

Judy Todhunter presented case.

Joan Cossar presented case.

Round table discussion followed by speakers list.

Motion: That the question of whether to uphold the contesting of the referendum be referred back to each local.

Nancy moves Ted seconds carried

Nancy, Margo and Ted in favor Melody opposed

Motion: That reps. present motion to local membership meetings - Is ballot to be upheld? Reps. to report to exec. mtg.

Melody moves Nancy seconds carried unanimously

Meeting adjourned.

Proposed Hearing Procedure

- 1) Written copies of charges to be available
- 2) Copies of section of constitution these charges affect to be available
- 3) Seven days notice of time and place of hearing
- 4) Accusor presents case
- 5) Defendent presents case
- 6) Debate on question: Are the charges to be upheld? *round table first*
- 7) Vote of the Provincial Executive - *by secret ballot* *Vote on each charge separat*
- 8) Discussion on summary and solution of problem

Section 4 F Membership

"The initiation fee of this Provincial Association shall be one (\$1.00) for each person wishing to become a member except in the case where laws or regulations of the Province or the laws of the Federal Government require a lesser or larger initiation fee, in which case the provisions of the laws and regulations shall apply, instead and in place of the constitutional requirements."

The committee counting the ballots for the position of a full-time Secretary, did not establish whether or not those people voting were members of the Provincial Association (i.e. dues paying members). The validity of a persons membership is determined through the use of a dues check-off list. These lists were not supplied by a number of locals at the time the ballots were counted.

Section 8 D Nomination & Election of Provincial Executive Officers

"The Provincial Tabulation Committee shall have the ballots printed and circulated to the Local Associations for the referendum vote as soon as possible after the close of the Convention. Voting shall take place by secret ballot on a date specified by the Provincial executive. Local Association Trustees will be responsible for balloting in Local Associations. All members casting ballots will sign for their ballots. The Local Association Trustees will count the ballots and forward them, together with all unused ballots and registration lists to the Provincial Tabulating Committee in care of the Provincial Executive. This must be done by registered mail, insured express or personal delivery and within seven (7) days of the completion of voting. The ballots will remain sealed until the Provincial Tabulating Committee meets. Each candidate will be allowed one scrutineer at any ballot count."

It may be said that voting on whether or not we should have a full-time secretary does not fall under the jurisdiction of Section 8 because this section refers to the nomination & election of Provincial executive officers. I think it is very important that when the Provincial Executive is faced with a situation that is not clearly spelled out in the constitution, that the closest procedure that exists, should be the one followed, until such time as the constitution can be amended. The attitude of the executive should not be one of "if it is not clear in the constitution then we will do whatever seems to be the easiest solution" this is fine if it is also the fairest solution.

horns of a dilemma--either go ahead and count all the ballots returned with full knowledge that the whole thing could be contested, or, we could scrap the whole thing. We felt that the membership would become very confused if they received another ballot on a subject they had already voted on. Also, I felt it was more honest to just admit our mistakes even if the whole thing was contested, so this article is an attempt to make as many people aware of the Problem as possible. Now, you may well ask, am I not contesting this ballot, seeing I'm so upset by it? Perhaps if I had more guts I would. A great deal of thought and discussion occurred before I made my decision to write this article rather than contest the ballot. First, doing the referendum again would not change appreciably the result--so we would be putting in thirty hours of work to accomplish the same thing. Our Tabulating Committee would probably resign rather than face that (and I don't blame them) so the vote could not happen until after the next convention when we have a new Tabulating Committee. Second, the blame for this whole mess cannot be placed on any one person or group of persons, for I believe that they did their very best with no guidelines. Third, it would probably be very destructive and divisive to the Provincial, at a time when we finally stand a chance of becoming a meaningful organization which provides a real service to our members. The final and most important reason why I didn't contest this ballot is that I don't feel that I have any support in the Provincial Executive in contesting. My impression is that I would be viewed merely as a trouble-maker, making a scene for my own purposes, in the hope that the vote would fall if it were done again. The resentments that this would create between locals is not, in my opinion, worth the effort.

So, what the hell are we going to do about all this???

I have asked Pat Gibson and Perry Anderson (former Local 1 Trustees, and experts on tabulating procedures) to write an explicit and comprehensive procedure which the provincial can use. This procedure will be adopted by the Provincial Executive for use as soon as possible, and will hopefully be a part of our constitution at the Convention in June. All votes of the Provincial Association will have to follow this procedure. There is no way made up for the gross mis-justice of justice which I feel was done, and it is, I believe, the best route to follow in the long term interests of the

Provincial Association. There is, of course, every chance that the ballot will still be contested by a member of the Union. One can contest the ballot within seven days in writing of the date of the results being announced. The results are not officially announced until they either are distributed in the Provincial newsletter, or until they are taken to a membership meeting of each local.

Regardless of the final outcome of this, hard lessons must be learned, and learned fast, or there will soon be no difference between the principles of AUCE and the autocracy of the unions we organized to avoid joining.

To the Provincial Secretary, AUCE

Judy Todhunter (loc 1)

I would like to register my protest, as well as contest, the manner in which last weeks ballot counting regarding the position of a full time Secretary, was carried out for the following reasons:

According to the Constitution-

- 1) ballot counting is to be conducted by the tabulating committee; it is my understanding that the ballot count last Sunday was not conducted by this committee.
- 2) that only provincial members of the union are permitted to vote. This should mean that only dues paying members are permitted to vote & the validity of their vote is determined through the use of a dues check-off list.
- 3) that the results of the election are circulated to the membership within seven days of the counting of the ballot; I assume that this will not be accomplished by Sunday. I would also strongly urge the Provincial Executive to re-examine the section in the Constitution related to election procedures & suggest a clear course of action to the next Provincial Convention.

I realized that contesting this ballot is going to lead to a lot of extra work for an already overworked executive but I think that if policies are not clearly defined that it is the responsibility of the executive to make sure that the suggested course should be the most democratic one. The Constitution is not to be used when advantageous & ignored when a nuisance. We, the membership cannot always rely on an executive of "friendly people with our best interests at heart" to interpret undefined articles in the constitution.