

How it works

A GUIDE TO RULES AND PROCEDURES
AT CONVENTION



**Working together
Standing together
Leading together**

HEU 26th Biennial Convention • Nov. 3-7, 2008

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Introduction

“All sovereign powers including the legislative, executive, administrative and judicial powers of this Union shall be vested in the Convention when in session.”

... Article V, Section A, HEU Constitution

WELCOME TO THE HEU'S Twenty-sixth Biennial Convention. As a delegate you are part of our Union's highest decision-making body. During the Convention, you will set policy to direct the Union's affairs. You will also elect a new Provincial Executive to implement the Convention's decisions.

This booklet is designed to help guide you through the rules and procedures the Hospital Employees' Union uses to ensure the Convention is democratic and efficient. A bit of historical background is included to help you understand how the Union is structured and how it operates.

HEU was formed in 1944 by a merger between two existing unions. One union was made up of women at Vancouver General Hospital and the other consisted of men that had ties to and shared an office and secretary with the Vancouver Municipal Workers' Union.

The new union applied to the Trades and Labour Congress for a charter recognizing HEU as a full member of the labour movement. A charter for the Hospital Employees' Federal Union, Local 180 was granted on Oct. 13, 1944.

Our first business manager, Mr. W.M. (Bill) Black was hired soon after the Union was founded. He served in that capacity for the next 24 years.

Why did the Union's founders look outside their ranks for someone like Bill Black? In the words of W.D. Black (another "Bill Black") who served as HEU's president from 1968 to 1980, they "recognized their lack of knowledge in labour matters (and) chose a structure that would allow them to hire the expertise and experience needed to build a successful Union."

The Union then started off with a business manager, a shared secretary (our share – \$60/month) and a shared office (our share – \$35/month).

What were the pressing issues of the day? On February 19, 1945, a motion was adopted that the Union would

not accept concessions in collective bargaining. We still understand this and continue to fight concessions.

In November 1945, the Union doubled its per capita payments to the Trades and Labour Congress for November and December to provide funds for the civic election.

By 1946 the monthly income from dues had increased to \$450 and by a vote of 192 to 92 it was decided to raise the business manager's salary to \$100 a month.

In 1947 the business manager reported that there had been raises of up to 100 per cent negotiated for health workers since the Union was formed.

As the Union spread to the Fraser Valley and Vancouver Island there was discussion of-a-province-wide Union with standard wages and benefits, but it took over 20 years to achieve a province-wide Master Collective Agreement in acute care.

We continue to strive for one collective agreement for all HEU members.

The Union was also active on the national scene, having been granted a charter by the National Union of Public Employees (NUPE), one of the two national organizations representing public sector workers.

These two organizations, NUPE and the National Union of Public Sector Employees (NUPSE), merged at a joint convention in Winnipeg in September 1963 to form the Canadian Union of Public Employees (CUPE) – now the largest union in Canada with over 560,000 members.

continued

The Hospital Employees' Union was a founding member of CUPE and as First Vice-President of NUPE, W.M. (Bill) Black was on the Merger Steering Committee.

In the election that followed, Bill was narrowly defeated by Stan Little for president of the new union.

The relationship with CUPE fell apart in 1970 over issues like local autonomy and per capita payment. HEU withdrew from CUPE and was subsequently banished from the Canadian Labour Congress, the BC Federation of Labour and the local labour councils.

That state of affairs continued for 14 years until 1984, when the Union was successful in negotiating an agreement with CUPE for a four-year trial period while paying no dues to CUPE. Subsequently, an extension agreement was negotiated in January 1989.

Finally, in August 1994 a reaffiliation agreement was reached with CUPE. This proposal was ratified by our members and we returned to the house of labour. At the 1995 CUPE National Convention, HEU secured a regional vice-president seat on the National Executive Board (NEB).

It should be noted that Local 180's charter was issued by the Trades and Labour Congress 19 years before CUPE was formed. HEU never was Local 180 of CUPE.

It should further be noted that the Canadian Labour Congress requires unions to affiliate through an appropriate national affiliate, and that HEU made many unsuccessful applications for direct affiliation during the 14 years outside the mainstream labour movement.

Since its founding, HEU has represented its members' interests on a wide range of issues. A look at the 1958 Convention proceedings shows debates on resolutions dealing with topics like open trade with China, buying union label goods, the right of health workers to run for hospital boards, hours of work and moonlighting. Many of these issues remain vital today.

Our founders realized that a good collective agreement is not enough. There has to be a social and political climate to make it all work and to create the kind of society that serves us best.

We can see that since its inception HEU has been involved with social justice and political issues, as well as having a strong and active trade union agenda. HEU has the vision and courage to fight for a better future.

The HEU's original constitution bound the Union to seek social policy that promotes the best in medicare. We have always fought for a political policy that ensures adequate public funding for our health care system.

We seek policies that acknowledge the need for decent education, adequate housing and social services. We recognize that every human being deserves to live with dignity and respect.

We have come a long way. We still have an ongoing collective bargaining agenda, a social agenda, and a political agenda. Our founders, with a few hundred members and modest resources, dared to think big and set out the path for us to follow.

Much remains to be done. We need to remain focused and persistent to achieve our goals.

In 2006 we negotiated a four year agreement with significant improvements. We are, however, still severely impacted by *Bills 29, 37 and 94*. We were successful in 2007 at the Supreme Court of Canada in having 3 sections of *Bill 29* declared illegal since they violated the Canadian Charter. Subsequently we negotiated a \$75 million settlement.

What remains very clear is that the current Campbell government is determined to accelerate privatization of quality public services in areas such as health care, transportation, water and forestry. We must continue our political mobilizing if we are to maintain sustainable, livable communities.

Your job as a Convention delegate is to help chart the Union's course for the coming two years. Thank you for being involved.

What is Convention

The Convention is the highest authority of the Union. As the constitution puts it, “all sovereign powers including the legislative, executive, administrative and judicial powers of the Union shall be vested in the Convention when in session.”

Conventions were held annually until 1958. Since then Conventions changed to one every two years, (i.e., biennially). Convention business arises under the following headings:

- Constitutional Amendments
- Resolutions
- Reports from the full-time officers
- Speeches from invited guests
- Elections of a new Provincial Executive
- Social events

HERE’S HOW EACH FITS INTO CONVENTION WEEK:

Constitutional Amendments

The *Constitution and By-laws* of the Union are the rules that the Union governs itself by and can only be changed at Convention by an Amendment being adopted by the delegates. It takes a two-thirds vote of all delegates to adopt an Amendment.

Resolutions

Resolutions are policy decisions that establish the Union position on issues, which may include internal Union matters, local, provincial, national or international issues.

Resolutions may give direction to the officers of the Union or the incoming Provincial Executive. They do not affect and are not recorded in the *Constitution and By-Laws* handbook. A Resolution requires a simple majority of votes cast to become Union policy.

Reports

Each of the three full-time officers of the Union presents a formal report.

- **PRESIDENT:** presents a report on activities and a vision for the Union’s future.
- **SECRETARY-BUSINESS MANAGER:** presents a report on behalf of the Provincial Executive that covers the activity of the Provincial Executive and the Union since the last Convention.
- **FINANCIAL SECRETARY:** presents a report on the financial affairs of the Union and the events that have shaped the financial picture.

After each report, a motion is made to “receive the report.” When it is duly seconded, delegates may discuss the report before voting on the motion.

This is different than “adopting a report.” When a report is **adopted** it means that all recommendations within the

report are approved and become the policy of the Union. When a report is **received**, any recommendations within it are debatable but require a Constitutional Amendment or Resolution to become Union policy. This allows the delegates more decision making authority and is more democratic.

Speeches

It would be easy to spend the full Convention simply reviewing and debating Resolutions. However, Convention is also a time to be proud of our Union and its achievements. It's a time to recognize what we have done well while encouraging our members, officers and staff to do even better.

With that in mind, we invite a few carefully chosen outside speakers to talk to us about important issues that broaden our viewpoints, and make us all better informed. The interaction with different groups has assisted us over the years in a mutual exchange of ideas and information.

Elections

At each Convention a new Provincial Executive is elected into office to conduct the business of the Union for the next two years.

There are 21 members of the Provincial Executive, with 19 positions elected at each Convention. The two positions not elected by Convention are:

- **SECRETARY-BUSINESS MANAGER:** who is appointed by the Provincial Executive but subject to ratification (approval) by Convention.
- **SENIOR TRUSTEE:** who is in the second half of a four (4) year term, established to ensure continuity, i.e. the Senior Trustee Elect automatically becomes the next Senior Trustee.

As a delegate to Convention you will be voting for the candidates of your choice. You are also eligible to run for any Provincial Executive position.

There are two elected positions that are full-time paid officers of the Union – the President and the Financial Secretary. Both are based in the Provincial Office in Burnaby.

All other Provincial Executive members still work at their facilities and are taken off the job (as you are this week) to attend to Provincial Executive responsibilities. These range from debating and adopting a Provincial budget to developing strategy, policy and campaigns to assisting with strike and ratification votes.

At Convention, delegates intending to run for a position on the Provincial Executive may post a picture with their name, length of membership in the Union, positions held and in what facility. Pictures must be taken by Provincial Office staff and time has been set aside for this.

As well, there will be a “meet the candidates” session where each candidate may address the delegates for a maximum of five (5) minutes, plus a moderated question and answer period at an evening forum.

Voting

Voting for the Provincial Executive happens in a set sequence.

STEP ONE

The first elections are “at large,” that is, all delegates vote for the candidate of their choice on each ballot for a position. The positions are elected for a two year term in the following order:

1. President
2. Financial Secretary
3. First Vice-President
4. Second Vice-President
5. Third Vice-President
6. Senior Trustee Elect (4 years)
7. Trustee

STEP TWO

After these elections are completed, delegates then break into five Regional Caucuses. Each caucus elects Regional Vice-Presidents and two alternates for each. The successful members become the caucus nominees to the full Convention.

The Regional Vice-Presidents seats are as follows:

- Fraser Valley - 2
- Interior - 3
- North - 2
- Vancouver Coastal - 3
- Vancouver Island - 2

The reason for this structure is to ensure that all regions of the province are represented on the Provincial Executive. However, Regional Vice-Presidents have a province-wide responsibility just like the other Provincial Executive members elected at large.

STEP THREE

The full Convention reconvenes and the spokesperson for each caucus names their region's nominees and two alternates for each and moves a motion that their "report be **adopted** by Convention."

When Convention votes on these motions it is in fact electing Regional Vice-Presidents and their alternates. Although the nominations take place in caucus, the election takes place on Convention floor.

IMPORTANT

- It is important to note that a member who has been elected as an alternate for a Regional Vice-President **CANNOT** also be a Provincial Executive non-regional alternate.
- A Provincial Executive member, other than the Provincial President, Secretary-Business Manager and the Financial Secretary cannot also be a member of the Provincial Bargaining Committee.

This means that anyone wishing to run as an alternate must decide whether they want to be a Provincial Executive or a Regional Vice-President alternate.

STEP FOUR

Finally, after the elections for Provincial Executive are completed, one ballot is cast to determine eight alternates to the Provincial Executive.

These alternates get called in to fill specified vacancies that may arise between Conventions.

Social Events

There are many opportunities for all delegates to socialize and relax. Convention is not all work – there's time to mingle, renew old friendships and make new ones.

Convention Committees

Preparations for the Convention begin months in advance of the first session.

The two main Convention Committees are the Resolutions Committee and the Constitutional Amendment Committee. These two committees begin their work approximately one month prior to Convention. They review every resolution submitted and prepare them for recommendation to the Convention delegates. There are six Convention Committees in all, in addition to the above there are four other committees - the Information Committee, the Credentials Committee, the Sergeant-at-Arms Committee and the Tabulations Committee. The overall function of committees is to assist in and expedite the convention proceedings.

Committee members are chosen to represent the diversity of the Union. An appropriate balance of regions, type of facility, job categories, gender, equity, activism and union experience are factors that are considered when Convention Committees are structured.

Where required, a committee has a chairperson and a secretary. Resource people are also assigned to each committee to assure that the committee has access to the full resources of the Provincial Office for any requirement, including research.

The Information Committee

The first committee you will likely come across at Convention is the Information Committee, located in the hotel lobby as you check in.

This committee, comprised of the Regional Vice-Presidents, can provide you with information about the Convention, the hotel, Vancouver and the lower mainland, the Union or anything else you may want to know.

First time delegates will find the Information Committee very helpful. They are friendly, approachable and know how to find information for you. All members of the Provincial Executive and staff are equally approachable. Please feel free to talk to them if you have questions, feel isolated, or just want to get to know them.

Credentials Committee

When you register for Convention you will meet the Credentials Committee members, who will check your credential against the information supplied by your Local. They will also provide you with material for Convention including the convention kit, delegate badge, and electronic voting keypad.

IMPORTANT

Do not mislay or lose your electronic voting keypad. Keep it with you at all times.

The Credentials Committee is also responsible for reporting to the Convention the number of delegates, visitors, etc., present throughout the Convention.

The Credentials Committee may also be asked to assist the Tabulations Committee if needed to count votes.

The Sergeant-at-Arms Committee

The Sergeant-at-Arms Committee controls access to the Convention floor. Members are stationed at every entrance to the Convention hall.

They will not allow you to enter the delegate area of the hall unless you are wearing a delegate badge. They are also required to collect and secure all cell phones. Cellular phones are not permitted on the Convention floor, so it is best just to leave them in your hotel room.

They also tyle (keep closed) the doors to the convention floor whenever actual balloting is taking place.

This committee is also responsible for keeping smokers away from all doorways and walkways. Please cooperate with them and respect the smoking by-laws in effect. You are also asked to refrain from wearing fragrances (perfume, after-shave, etc.) as many delegates have allergies.

Tabulations Committee

The Tabulations Committee collects and counts all ballots. They may also assist the presiding officer to count the votes being cast, if required by the presiding officer, to determine if a vote has been carried or lost.

As well, the Tabulations Committee is responsible for the distribution of materials that are not already in your kits.

Resolutions Committee

The Resolutions Committee meets prior to Convention and considers all Resolutions submitted.

They may combine two or more Resolutions on the same or similar issues into Composite (substitute) Resolutions. The committee cannot introduce ideas or elements into a Composite Resolution that are not part of one of the Resolutions that make up the Composite.

All Resolutions, including these Composite Resolutions, are submitted to Convention with a recommendation of either concurrence (yes) or non-concurrence (no). In other words, they recommend to the Convention that delegates either concur (agree) or not concur (disagree) with the Resolution.

Once on the Convention floor the resolution is discussed or debated.

You, and all other delegates at the Convention then vote on the committee's recommendations.

Constitutional Amendments Committee

The Constitutional Amendments Committee meets prior to Convention and considers all Constitutional Amendments submitted.

Like the Resolutions Committee, they may combine two or more Constitutional Amendments on the same or similar issues into a composite. They cannot add ideas or elements into a Composite Constitutional Amendment that are not part of the original Constitutional Amendments that make up the Composite.

All Constitutional Amendments, including these composites, are submitted to Convention with a recommendation of either concurrence (yes/agree) or non-concurrence (no/disagree).

The Convention then discusses and votes on the committee's recommendation.

Procedure

How debate is conducted

The Constitutional Amendments and the Resolutions Committee use the same Convention procedure, so we will use the Resolution Committee as an example of both committees.

As part of the CUPE National Literacy Campaign, the Union is in the process of changing our Convention style from traditional language to ‘plain language’. ‘Plain language’ style is more accessible and easier to understand. Resolutions and amendments may be submitted in either style.

EXAMPLE:

Using plain language, the spokesperson may say,

“Composite Resolution 171 covers Resolutions 173 and 182.
WE WANT HEU to be opposed to privatization of public services.”

Or, using traditional language, the spokesperson may say,

“Composite Resolution 171 covers Resolutions 173 and 182.
THEREFORE BE IT RESOLVED that HEU is opposed to privatization of public services.”

“The committee moves concurrence (yes) and on behalf of the committee I second the motion”.

At this stage the committee spokesperson will usually give reasons for the committee’s recommendation. The “WHEREAS” portion (or, using plain language, “BECAUSE” portion) that precedes the Resolution is not normally read out. These are arguments that support the Resolution and it is assumed that everyone has read them.

The presiding officer will say, “the motion is one of concurrence. The floor is now open for discussion.”

The motion is then put to the floor.

DEBATE

This is **your** opportunity to express your opinion. The microphones are marked “Pro” (in favour of the committee’s recommendation) and “Con” (against the committee’s recommendation.)

You may use brief notes to assist you, but at HEU Conventions you are not allowed to read at length from a prepared document.

Speakers are recognized in order of appearance, alternating between pro and con mikes. Bright lights and standing delegates can make it very difficult to see delegates waiting to speak, so be sure to stand on the platform if you’re the next speaker at the microphone. First time speakers are allowed to speak before second time speakers. Delegates are allowed three (3) minutes to speak. An orange light on the podium provides a one minute warning. You must stop speaking when the light turns red.

Debate continues until there is no one left at the mikes, or by a motion to “call the question.” (See Other Rules)

The presiding officer will draw attention to the end of debate in various ways, e.g., “seeing no further speakers!” or “are you ready for the question?”

This is your absolute last chance to speak and you should try to catch the attention of the presiding officer before the vote is taken. The presiding officer will wait for you to go to a mike before taking the vote.

The Question?

Any motion is described as a question. When the presiding officer says: “Are you ready for the question?” it means “Are you ready to vote on the motion on the floor?”

IMPORTANT

It is always important to remember that you are voting on the committee’s recommendation of concurrence (yes) or non-concurrence (no) and not on the Resolution itself.

For example:

Committee Recommendation	Majority Vote	Result
Concurrence	Yes	Demand Carried
Concurrence	No	Demand Defeated
Non-concurrence	Yes	Demand Defeated
Non-concurrence	No	Demand Carried

IMPORTANT

Remember: A Resolution requires a simple majority to be adopted. A Constitutional Amendment requires a 2/3 vote in order to amend the Constitution and By-laws.

Other rules:

There are a variety of other rules that may be applied when a Resolution is on the floor. The most common are as follows:

MOTION TO REFER (non-debatable, simple majority)

This motion sends the issue on the floor back to committee, usually with instructions.

The instructions can be as simple as asking the committee to add or delete a word or give detailed instructions like “strike the first three words in the second sentence and insert the following ...” or even “change the Resolution to say the following ...”

There is NO discussion on motion of referral, and once seconded it must be put to a vote.

If you speak on a motion, you cannot then move referral.

HEU, unlike other unions, will allow more than one referral motion on the same issue. Also, HEU does not accept a referral back to the committee after a motion has been defeated.

IMPORTANT

It is not necessary to refer a Resolution back for the committee to change its recommendation since the Convention delegates can directly vote to adopt or defeat any Resolution.

Move the previous question (non-debatable, simple majority)

“Move the previous question” is a motion to immediately end debate on a motion (the question) even though there are still delegates wishing to speak.

There is no discussion allowed. Remember, you cannot move the previous question if you have spoken on it. (This prevents delegates from sneaking in the “last word.”)

This is done by saying “I move the previous question” or “I move the question now be put”. This means that there must be an immediate vote to decide whether to close off debate.

If the motion to move the previous question is carried the main motion **and any amendments** must be voted on without further debate.

If the motion to move the previous question is defeated, debate on the motion continues.

Reconsideration (notice, debatable, 2/3 majority)

Any motion, either carried or defeated, can be reconsidered at the next setting. However, some strict rules apply:

1. Both the mover and the seconder of the motion to reconsider must have voted with the **prevailing** side when the original motion was first voted upon.
2. Notice must be given for reconsideration at the next sitting, i.e., after a break or adjournment.
3. A 2/3 majority vote to reconsider is required, and if not achieved the vote is lost and cannot be raised again.

If the motion of reconsideration is carried, the original motion is open for debate and decision.

Tabling motion (non-debatable, simple majority)

If a motion to table is made, it must be put to a vote without further debate. It’s usually used to postpone discussion until further information is available about the motion.

Point of information

To raise a point of information you must approach any microphone and be recognized (outside of the speaking order) to ask your question.

You must utilize this privilege to **ask** for information, not to enter into debate.

IMPORTANT

A point of information is not a motion. It is used to RECEIVE information or clarification about the topic under debate. It is NOT intended for the speaker to PROVIDE information.

Conclusion

There are other rules and procedures that govern the Convention. You should read the *Constitution and By-Laws* (2006), especially Article XX, Section J, Rules of Order, on pages 64-67 of the booklet.

However, Convention is not all about rules, procedures, or by-laws. It is a forum where we all work together to ensure that HEU remains a Union we are all proud to represent.

We can put in place policies and procedures so that we can look back on with pride and satisfaction when we meet again at Convention.

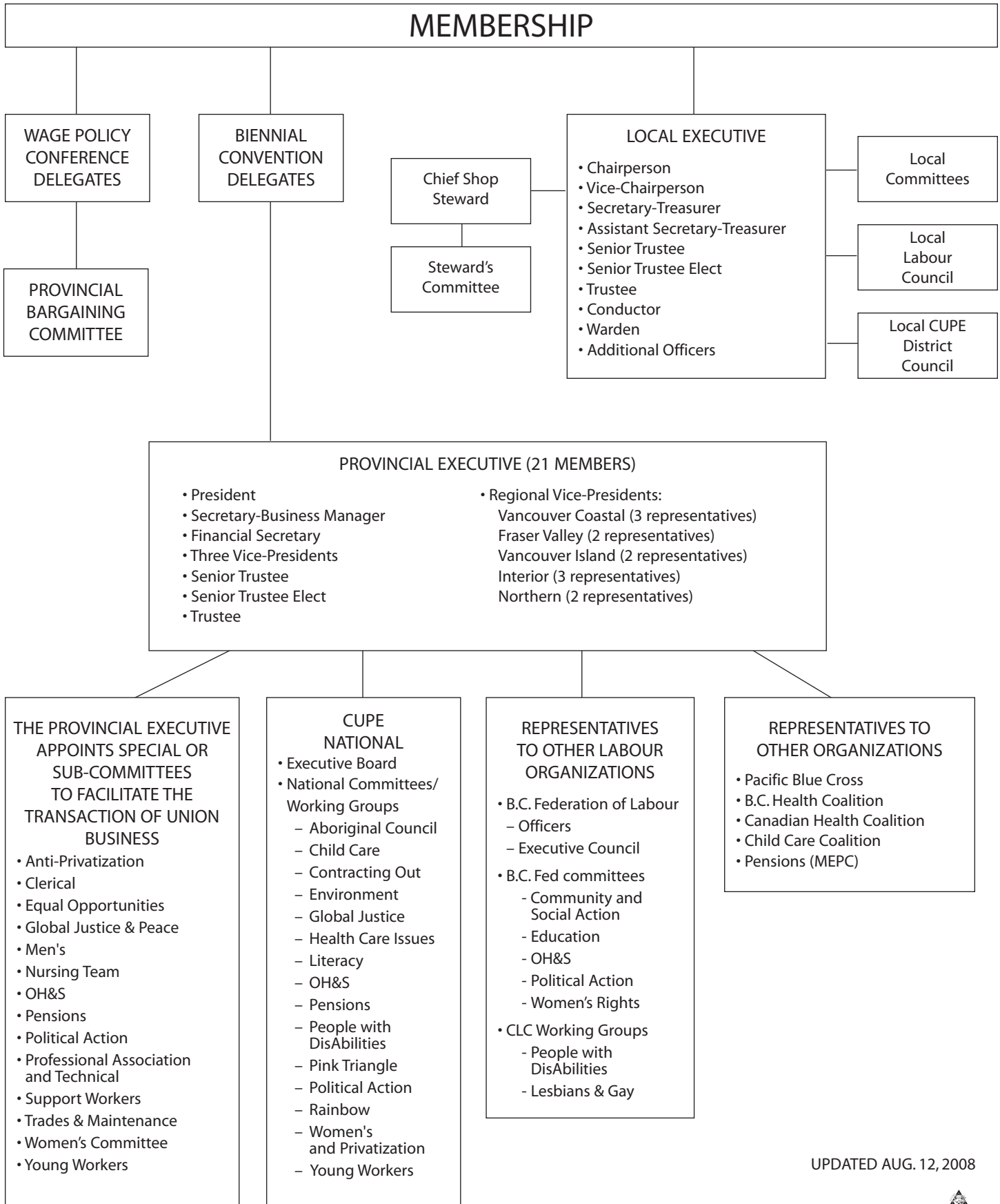
IMPORTANT

As a new delegate, you need not be intimidated by the experience and knowledge you see around you. Remember, every experienced delegate remembers being a new delegate. They would be pleased to help, advise and encourage you to participate.

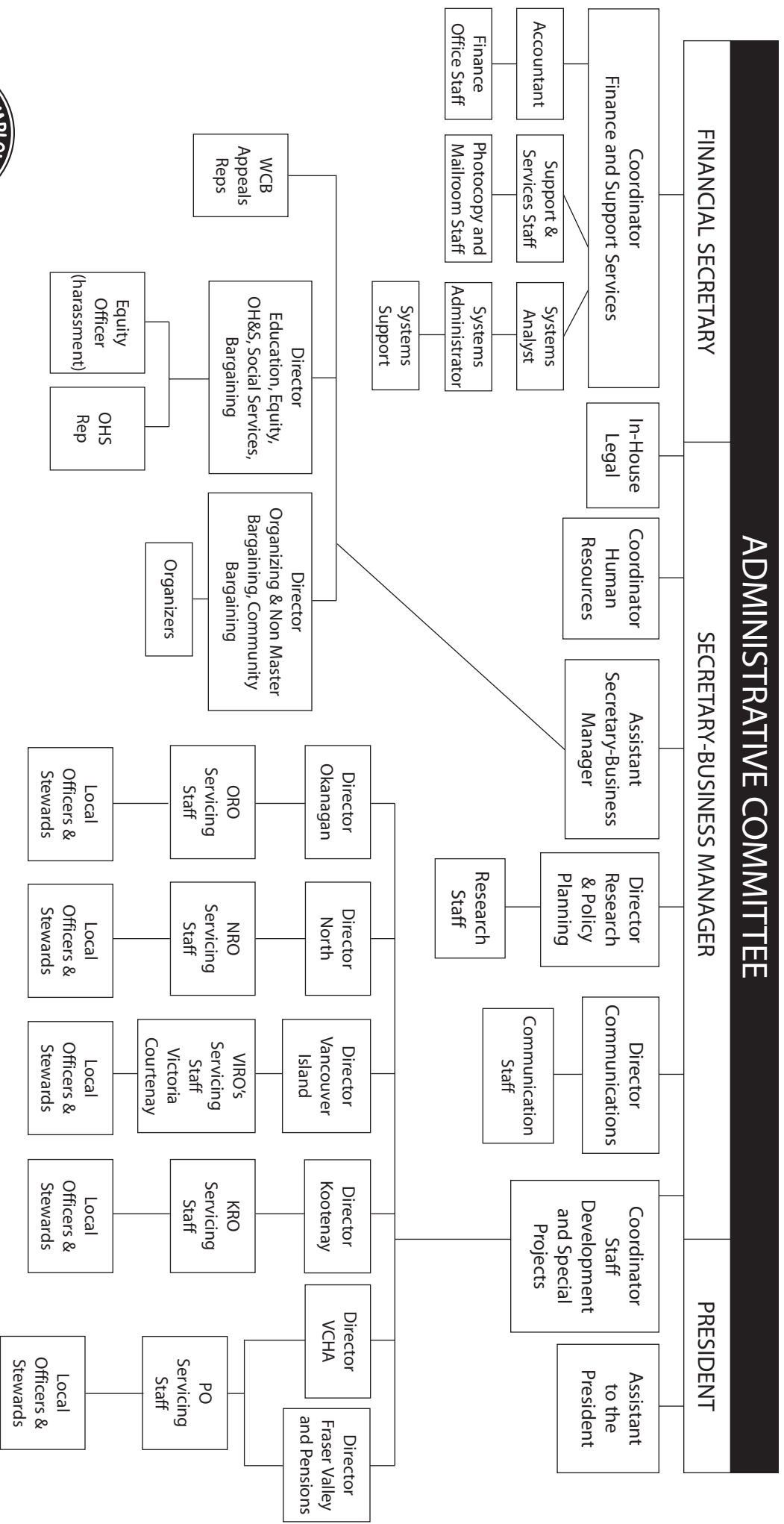


HEU Organizational Charts

Political Structure



HEU Administrative Structure (in transition)



Note: The organizational chart (Administrative Structure) is currently being revised as a result of the PE implementing recommendations from the Penikett Management Review (2008)

