



BYLAW COMMITTEE MINUTES

2014 – 2015

Date: June 19th 2014

Time: 7.08 pm

In Attendance:

JAMES HWANG (Chair)

BO ZHANG

CORY HODGSON (Proxy for UMER FAROOQ)

JUSTIS ALLARD

NICHOLAS DIAZ (Proxy)

Excused Absence:

BASHIR MOHAMED

JAMIE HUDSON

Others in Attendance:

SACHITHA KUSALADHARMA

- 1. CALL TO ORDER:** The meeting was called to order by HWANG at 7.08 pm.
- 2. APPROVAL OF AGENDA** *ALLARD moved to approve the agenda for June 19, 2014 as tabled. The motion was seconded by HODGSON. Vote 5/0/0 CARRIED*
- 3. APPROVAL OF MINUTES** *ZHANG moved to approve the minutes for June 05, 2014 as tabled. The motion was seconded by DIAZ. Vote 3/0/2 (Abstentions by ALLARD and HODGSON) CARRIED*
- 4. ANNOUNCEMENTS** *None.*

**5. OTHER
MATTERS
REFERRED BY
COUNCIL**

Elections Staff Hiring Bill

DIAZ: Vice-president Hodgson and I talked about this, and came to a consensus.

HODGSON: It's not necessarily negative to leave it at the hands of CAC (Council Administration Committee). I agree that you are exposing yourself to a risk. Someone could meddle in the affairs of hiring the Chief Returning Officer (CRO). But, you have to trust the process too. If it's a CAC decision, seven people are making that decision.

DIAZ: Council still has to ratify it too.

HODGSON: Yes. Over legislating it will make it too complicated. If the bylaws put us into impossible scenarios, we are forced to break bylaw, which is never good.

ZHANG: If you are trusting CAC to conduct the second round, why not let them do the entire hiring process?

HODGSON: I would say the hiring committee would do it again. But, the hiring committee would not exist in its form anymore. If you rely on the hiring committee, that would mean the previous year's CRO is still available. There's also a DIE (Discipline, Interpretation and Enforcement) board ruling on this. The ruling says that the CRO doesn't necessarily have to be chosen by the hiring committee. But, the process must happen. So, as long as a hiring committee was struck and a candidate was recommended, bylaw would have been followed.

ZHANG: So do you think that we should leave it as it is?

HODGSON: Yes. We can add a point saying that CAC would handle it if the position becomes vacant after the hiring process just to be very clear.

ALLARD: If Council isn't obliged to hire the person recommended by the hiring committee, should it be in the bylaw that the person recommended should be hired?

HODGSON: Council would ratify the selection.

ZHANG: We should compile the wording so that this cannot apply to the transition period at the end when there is no CRO.

HODGSON; We can say that "if the CRO position remains vacant after the hiring process...", or something similar.

ZHANG: We shouldn't use the word "become". If they recommend a candidate, and we don't hire him/her, the position doesn't become vacant. It *is* vacant.

HODGSON: The bylaws have the term "hiring process". We should use it. There's another project coming up. It's the bylaw wiki.

The committee discussed on appropriate wording for (6) of the First Principles of the Elections Staff Hiring Bill, and agreed on the following wording:

“If the Chief Returning Officer position is vacant after the hiring process, the Council Administration Committee shall explore options to fill the position.”

DIAZ: When does the CRO hiring committee happen?

HODGSON: It happens in April. The CRO is hired by the current Council. The actual hiring isn't done till May. The outgoing Council has nothing to do with it.

HWANG: Having the CAC chair as the liaison wouldn't work anymore. During the hiring process, it will be the previous year's CAC chair.

HODGSON: They'll transition it.

ZHANG: Last year, CAC was more or less the administrator. This year, Discover Governance is.

ZHANG moved to recommend the Elections Staff Hiring Bill to Council.

Changes:“(6) If the Chief Returning Officer position is vacant after the hiring process, the Council Administration Committee shall explore options to fill the position.”

The motion was seconded by ALLARD.

Vote 5/0/0

CARRIED

6. GENERAL ORDERS

Requiring updated dates to be mandatorily included in Bylaw changes

HWANG: Do you guys like the idea of having updated dates in Bylaws?

ZHANG: Would that include editorial changes? I don't think editorial changes should be included. It should indicate the dates when a review of the contents occurs. Anyway, I think having the dates would be helpful.

HODGSON: Let's see what the plan for the wiki is. If we have a wiki, we can track changes.

HWANG: Great. We will table this for today.

7. DISCUSSION

DIAZ: There's a vacancy on this committee right?

ZHANG: There are two.

DIAZ: Would it go to the Nominating Committee?

HODGSON: Council would do it.

ZHANG: We can fill one. I think it's better to wait a bit till there are more councilors.

HODGSON: I would be careful with that. Quorum is always difficult during the summer. There may be a situation where you end up cancelling meetings.

HODGSON: There's an idea of forming bylaw sub-committees. We'll have to figure out how to implement it. ERC (Elections Review Committee) would be replaced as a standing committee. A member of Bylaw Committee would chair each of the sub-committees. They would have to meet at least every

trimester. But, they can meet as often as necessary. The appointment process might be a little complicated. For example, for the elections one we can have two or three councilors, the CRO, and the manager of Discover Governance. It would be chaired by a member of the Bylaw Committee.

ZHANG: This is a good idea. It's more streamlined than ERC.

HODGSON: I'll set up a meeting to talk with ERC.

8. CLOSED SESSION *NIL*

9. NEXT MEETING *July 10, 2014 at 6.00 pm.*

10. ADJOURNMENT **HWANG moved to adjourn the meeting.**
The motion was seconded by ZHANG.
Vote 5/0/0
CARRIED

The meeting was adjourned by HWANG at 7.48 pm.