

WEAC Board of Directors' Recommendations on Proposed Amendments to the WEAC Constitution & Bylaws

April 2021

In order to speed up the deliberation process, we are submitting to you an analysis of the amendment submitted. You will find the proposed language followed by a square that contains the analysis, Board recommendation, president's comments and vote required.

AMENDMENT #1 BYLAWS 5 – BOARD OF DIRECTORS

5-3 Duties of Officers

c. Secretary-Treasurer – The Secretary-Treasurer is an officer of the WEAC and shall devote full time to the duties of the office. The duties of the Secretary-Treasurer shall be:

....

c-6 To furnish a bond to the Council in such form and such amount as may be prescribed by the Representative Assembly to adequately indemnify the Council against ~~any~~ losses which may result from ~~any~~ action or failure to act on the part of the Treasurer. All fees and charges incidental to the procuring and furnishing of such bond shall be paid by the Council.

Submitted by: Office of the Executive Director

Purpose/What It Does: Makes clear the bond the Secretary-Treasurer is expected to secure to indemnify the Council is within the scope of what is bondable/insurable.

Rationale: It is not possible to obtain coverage that would apply to any loss, action or failure to act. Changing the language to reflect that the bond must adequately indemnify the Council is consistent with existing language in WEAC Policy and current practice.

Board's Recommendation: Support

Vote Required: Majority

AMENDMENT #2
BYLAWS
5 - BOARD OF DIRECTORS

Section 5-4

- e. Following the presentation of all candidates to the Representative Assembly, and the final report of the Credentials and Elections Committee, delegates shall vote by secret ballot for each office to be filled. Each candidate shall be entitled to one observer ~~for~~ during voting and the counting of ballots. If, upon the report of the board of tellers, it is shown that a majority vote has not been polled for any office, the Representative Assembly shall cast another ballot for the two candidates who received the highest number of votes for that office.

Submitted by: Credentials and Elections Committee

Purpose/What It Does: Clarifies that candidates may have observers present during voting in addition to the counting of ballots.

Rationale: Complies with observability requirements of the Labor Management Reporting and Disclosure Act (LMRDA).

Board's Recommendation: Support

Vote Required: Majority

AMENDMENT #3
CONSTITUTION
ARTICLE VI – BOARD OF DIRECTORS
SECTION 5 - Elections

- a. The elected officers and Minority Guarantee Representative and alternate of the Board of Directors shall be elected at the annual meeting of the Representative Assembly, by secret ballot, by a majority of the members of the Representative Assembly present and voting in accordance with the Bylaws. If the annual meeting of the Representative Assembly is held virtually, said election(s) shall be conducted by secret ballot, which may include by mail ballot following the virtual meeting of the Representative Assembly, by a majority of the members of the Representative Assembly voting.

Submitted by: Governance Documents Committee

Purpose/What It Does: Allows for elections to be held by secret ballot following the meeting of the Representative Assembly in the event the meeting is virtual.

Rationale: It will not be possible to hold secret ballot elections at a virtual annual meeting of the Representative Assembly. Therefore, the language must be amended to allow for secret ballot elections to occur by other means following the virtual meeting.

Board's Recommendation: Support

Vote Required: 2/3 Majority. Given that this change is needed to hold a mail ballot election following the virtual meeting of the Representative Assembly, in the event uncontested elections are not waived by delegates to the Representative Assembly, delegates must vote on this amendment during the virtual meeting of the Representative Assembly through a meeting poll or other means deemed acceptable by the Interim Rules of Procedure. The amendment is to take effect immediately upon adoption.