

**RESOLUTIONS
TO THE 25TH BIENNIAL CONVENTION
OCTOBER 19, 20 & 21, 2023**

Resolution Number 1: (Board of Directors)

WHEREAS the absence of menstrual products in a workplace can negatively impact those who require the products, by causing physical and psychological health and safety risks. For example, a lack of adequate menstrual products can lead to improvised solutions, shame, anxiety, and stigma; and

WHEREAS the cost of menstrual products are expensive, vary greatly across the Province, and disproportionately affect those who menstruate; and

WHEREAS the Newfoundland and Labrador Association of Public Employees (NAPE) is a leader for social justice and progressive change within our Province;

THEREFORE, BE IT RESOLVED NAPE provide menstrual products in the common washrooms of their offices and events hosted by NAPE (for example: conferences, conventions, training sessions, etc.).

Resolution Number 2; (Local 1104)

WHEREAS current NAPE Scholarship criteria include only Post Secondary applicants entering first year of study;

BE IT RESOLVED that NAPE would offer new or existing scholarship opportunities to those applicants entering any year of study.

(RATIONALE: Most first year Post Secondary students continue to reside with parents or guardians. Whereas subsequent study years require a move to another institution to continue with specific program of study. With this carries the increased financial burden on students to provide housing, transportation, etc.)

Resolution Number 3: (Local 1104)

WHEREAS NAPE Union Travel Regulations states: Members travelling on Union business, meetings, conferences, conventions, etc. are reimbursed wage loss (if not covered in Collective Agreement), meal, per diem, per km for travel;

BE IT RESOLVED that NAPE would review current reimbursement rates for those members residing outside the metro area of the Avalon to offset the financial impact of expenses for longer travel times, wear and tear on vehicles and additional Union leave days without pay.

(RATIONALE: Members outside the metro area - Avalon require additional travel time to

attend business of the Union. In some cases, two additional travel days are required. Therefore, this increases the level requirement and results in additional time required outside the time allotted in most Collective Agreements. Members are using personal vehicles and the additional wear and tear on these vehicles is not being taken into consideration in the current mileage rates.)

Resolution Number 4: (Local 7104)

WHEREAS Staff has access to information that is confidential and may be in a conflict of interest to the candidates; and

WHEREAS the election process for NAPE does not have current language that clearly identifies that a member of NAPE Staff would be in a conflict of interest should they campaign in any form whatsoever for a candidate; and

WHEREAS to maintain a respectful workplace;

THEREFORE, BE IT RESOLVED that all NAPE Staff members are prohibited from campaigning in any form whatsoever for a particular candidate;

BE IT FURTHER RESOLVED that the NAPE Board of Directors develop a Staff Policy to ensure neutrality of all Staff members during the election process of NAPE elections.

Resolution Number 5: (Local 7104)

WHEREAS with the stressors of everyday life and worklife, every worker has the potential to experience mental health issues and conditions relating to mental health; and

WHEREAS the Provincial Government has recognized this and has started to explore ways to help staff identify someone experiencing a mental health crisis and to help them via mental health first aid training;

THEREFORE BE IT RESOLVED NAPE will arrange for and pay for mental health first aid training for all serving representatives and Shop Stewards, so that there is a greater understanding and empathy and help provided for all employees; by NAPE employees, to ensure employees that need help are identified and helped to get the mental health service they require.

**CONSTITUTION AMENDMENTS
TO THE 25TH BIENNIAL CONVENTION
OCTOBER 19, 20 & 21, 2023**

Constitution Amendment Number 1: (Board of Directors)

WHEREAS Article V - Convention, A. Biennial, 1. states:

The regular Convention of the Union shall be held every two (2) years and shall be known as the Biennial Convention, which shall be a meeting of the Board of Directors and accredited delegates representing the Locals of the negotiating Components (hereinafter referred to as Locals) of the Union. Biennial Conventions shall be held in odd-numbered years.

THEREFORE, BE IT RESOLVED Article V - Convention, A. Biennial, 1. shall be amended to read:

Article V - Convention, A. Triennial

The regular Convention of the Union shall be held every three (3) years, commencing 2027, and shall be known as the Triennial Convention, which shall be a meeting of the Board of Directors and accredited delegates representing the Locals of the negotiating Components (hereinafter referred to as Locals) of the Union.

BE IT FURTHER RESOLVED the following Articles be amended to reflect this change:

Article I - Name, Power and Location - 2. (b)
Article III - Membership - 4. (b); 7.; 7. (a); 8. (b)(i)
Article IV - Governing Authority - 1.; 2. (2 places)
Article V - Convention - A. 2.; 3. (3 places); 4.; 5.; 6
Article VI - Officers - A. 2. (c); (d) (2 places); 3. (a)(i); 3. (b); 5. (2 places); 10. (b); 15. (a), (b), (c)
Article VII - Meetings - 3.
Article IX - Allowances - 3.
Article X - Funds - 1. (f); 7.
Article XI - Committees - 2. (a) (2 places); 4.
Article XII - Locals - 7. (2 places); 7. (e)(i), (f), (h); 8.; 9. (3 places)
Article XIV - Amendments - 4.
Appendix B - Sample By-Laws - V. 2. (2 places); V. 3.; V. 4.; V. 14; VI. 1. (2 places); VI. 7. (b).

Constitutional Amendment Number 2: (Board of Directors)

BE IT RESOLVED to add (b) under Article II - Objectives - 1. to read:

to ensure that all members are treated equally and fairly in dignity and in rights without any form of hate, discrimination or disrespect because of race, class, nationality, ethnic origin, social origin, religious creed, religion, age, disability, sex, sexual orientation, gender identity, gender expression, marital status, or family status. We should neither condone nor tolerate any behaviour that undermines the dignity of any individual or creates an intimidating, hostile, or offensive environment. NAPE is fully committed to equity and inclusion.

BE IT FURTHER RESOLVED that the current (b) to (h) be renumbered to (c) to (i).

Constitution Amendment Number 3: (Board of Directors)

WHEREAS Appendix “A” - Oath of Office, states:

Installation of the Provincial Board of Directors (or Local Officers).

I, _____, promise that as an Officer of this Union to promote, foster and show loyalty and protect the interests of the Newfoundland and Labrador Association of Public and Private Employees for the ensuing term. I will perform the duties of my office to the best of my ability and at the close of my official term will return all property of this Union in my possession to the President of the Union (or Local).

BE IT RESOLVED Appendix “A” - Oath of Office”, be amended to read:

To be sworn or affirmed by the Provincial Executive, Board of Directors, Local representatives and all persons elected or serving in a position on behalf of the Newfoundland and Labrador Association of Public and Private Employees (NAPE).

I _____ do pledge to perform the duties truly and faithfully on behalf of the Newfoundland and Labrador Association of Public and Private Employees in the position I hold.

I will promote equality, diversity and inclusion and work in the interest of my Union and its whole membership in carrying out the work of my Union.

I will uphold the Constitution, policies and principles of my Union.

I will, when able to do so, attend all meetings related to the position I hold.

- A signing Oath
- Acknowledge having read, dated and signed

Constitution Amendment Number 4: (Board of Directors)

BE IT RESOLVED under Article XI - Committees- 2., add the 2SLGBTQIA+ Committee as (c) to read as follows:

A 2SLGBTQIA+ Committee, consisting of a Board Member as Chairperson and four (4) other members who self-identify as 2SLGBTQIA+ or those who identify as an ally.

It is critical to show support to 2SLGBTQIA+ (Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Inter-sex, A-sexual) members within our Union, communities and across our Province. We must stand together against homophobia, transphobia and any kind of marginalization, shaming, disrespect or hate. Discriminatory speech or conduct that is sexist, transphobic, or homophobic will not be tolerated and our union must strive to reflect our commitment to equity and work to ensure there is justice in the workplace, society, and our union.

The Committee will work to advocate for the issues of 2SLGBTQIA+ people by:

Raising awareness and bring forward issues affecting the 2SLGBTQIA+ community.

Working with identified community groups to build stronger relationships between and 2SLGBTQIA+ community and our union.

Working on creating educational opportunities for members on 2SLGBTQIA+ issues.

Working on integrating 2SLGBTQIA+ issues into the work of our members, stewards, and activists

Connecting with a support 2SLGBTQIA+ members to support and encourage their participation in all union activities and promote the visibility of our 2SLGBTQIA+ members to foster allyship and solidarity within our union.

Constitution Amendment Number 5: (Board of Directors)

BE IT RESOLVED under Article XI - Committees - 2., add the Anti-Racism Committee as (d) to read:

An Anti-Racism Committee, consisting of a Board member as Chairperson and four (4) other members who self-identify as a Indigenous, Black or a racialized person.

Indigenous, Black, and racialized members continue to experience discrimination outside and within the Union. Our union must remain committed to fighting against racism and discrimination and putting anti-racist work at the heart of this commitment.

The Committee will work to address all forms of racism by:

Working to ensure NAPE policies, procedures, functions, events, etc. are inclusive, welcoming, and free of all forms of racism.

Working to establish resources and identify appropriate learning opportunities for members, Board of Directors, Staff, and all those serving within any capacity with the Union to develop and engage in anti-racism education.

Working with identified community groups to optimize appropriate actions to be brought to the Board of Directors for consideration.

Working to integrate anti-racism strategies into our organizing strategies.

Working to create opportunities to learn from, and amplify the voices of, Black, Indigenous, and racialized members.

Working towards meaningful truth and reconciliation within our union and in society.

Constitution Amendment Number 6: (Board of Directors)

BE IT RESOLVED under Article XI - 2. Committees, add the Young Workers' Committee as (f) to read as follows:

A Young Workers' Committee, consisting of a Board member as Chairperson and four (4) other members.

The strengths that young workers possess are an integral part of our Union, their Union. We need to strive to enhance the skills of young workers as activists, strengthen their leadership skills, protect, and advocate for their rights as workers and ensure the voices of our young workers are heard.

The mandate of the Young Workers' Committee will be to:

- (i) serve as a resource for the NAPE Executive and Board of Directors to ensure the concerns and interests of young workers are properly represented in the Union and the workplace;
- (ii) to critically analyze issues, policies, programs and legislation that affect young workers;
- (iii) to work with veteran trade unionists to ensure that young workers' perspectives are included in all aspects of their Union;
- (iv) to develop campaigns, events and activities that encourage young worker participation in the Union movement;

- (v) to develop and recommend policies and constitutional amendments to the Executive and Board of Directors regarding young worker issues; and
- (vi) to develop and have Young Workers' conferences.

Constitution Amendment Number 7: (Board of Directors)

BE IT RESOLVED Article XI - Committees - 2. be amended to order the Committees as follows:

- (a) Finance Committee
- (b) Education Committee
- (c) 2SLGBTQIA+ Committee
- (d) Anti-Racism Committee
- (e) Women's Committee
- (f) Young Workers' Committee
- (g) Pension Committee
- (h) Legislation Committee
- (i) Health and Insurance Committee
- (j) Occupational Health and Safety and Environment Committee
- (k) Constitution Committee

Constitution Amendment 8: (Board of Directors)

WHEREAS Article XII - Locals - 5. states: Each Local may operate under its own By-Laws, provided that they shall not be inconsistent with the Constitution of the Union. The By-Laws of the individual Locals must be approved by the Board of Directors before adoption by the Locals (see Appendix B).

BE IT RESOLVED Article XII, 5. be amended to read:

Each Local may operate under its own By-Laws, provided that they shall **not** be consistent with the Constitution of the Union. The By-Laws of the individual Locals must be approved by the **Executive Committee** before adoption by the Locals. (~~see Appendix B~~)

BE IT FURTHER RESOLVED Appendix B - Sample By-Laws be removed and placed in the NAPE Policy Manual.

Constitution Amendment Number 9: (Board of Directors)

WHEREAS Article I - Name, Power and Location - 1. states: The name of the organization shall be the Newfoundland and Labrador Association of Public and Private Employees (NAPE), hereinafter referred to as the Union; and

BE IT RESOLVED the following Articles be amended to replace “the Newfoundland and Labrador Association of Public and Private Employees” with “the Union”:

Article III, 8. (a) (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii)
Article XII, 15.

Constitution Amendment Number 10: (Board of Directors)

WHEREAS Article II - Objectives - 1. (a) (i) states: the Government of Newfoundland and Labrador and all agents of Her Majesty in Right of the Province;

BE IT RESOLVED Article II, 1. (a) (i) be amended to read:

the Government of Newfoundland and Labrador and all agents of **His** Majesty in Right of the Province.

Constitution Amendment Number 11: (Board of Directors)

WHEREAS Article II - Objectives - 1. (a) (v) states: the Workplace Health, Safety and Compensation Commission;

BE IT RESOLVED Article II, 1. (a) (v) be amended to read:

the WorkplaceNL.

Constitution Amendment Number 12: (Board of Directors)

WHEREAS Article II - Objectives - 1. (c) states: to act as a representative body of the members for the purpose of advancing the general welfare of the said members as employees and the conditions of their employment; to obtain status as exclusive bargaining representatives of employees to improve wages, hours and working conditions through negotiated collective bargaining agreements; to process grievances and enforce all other rights arising out of the collective bargaining relationship; to print, publish and circulate its papers, magazines and journals; to acquire, hold, lease and convey any real and personal property; to invest and reinvest its funds; to exercise all rights and privileges which may be necessary and convenient for the conduct of its affairs;

BE IT RESOLVED Article II - Objectives - 1. (c) be amended to read:

to act as a representative body of the members for the purpose of advancing the general welfare of the said members as employees and the conditions of their employment; to obtain status as exclusive bargaining representatives of employees to improve wages, hours and working conditions through negotiated collective bargaining agreements; to process grievances and enforce all other

rights arising out of the collective bargaining relationship; **to publish and make available to members in print, electronically, social media and all other available communications platforms deemed relevant and suitable**; to acquire, hold, lease and convey any real and personal property; to invest and reinvest its funds; to exercise all rights and privileges which may be necessary and convenient for the conduct of its affairs;

Constitution Amendment 13: (Board of Directors)

WHEREAS Article II - Objectives - 1. (g) states: to encourage, through charter locals, the establishment of educational, social, recreation and cultural programs and facilities for its members;

BE IT RESOLVED Article II, 1. (g) be amended to read:

to encourage, through charter locals, the establishment of **inclusive** educational, social, recreation and cultural programs and facilities for its members;.

Constitution Amendment 14: (Board of Directors)

WHEREAS Article III - Membership - 2. (a) states: the Government of Newfoundland and Labrador and all agents of Her Majesty in Right of the Province of Newfoundland;

BE IT RESOLVED Article III, 2. (a) be amended to read:

the Government of Newfoundland and Labrador and all agents of **His** Majesty in Right of the Province of Newfoundland **and Labrador**.

Constitution Amendment 15: (Board of Directors)

WHEREAS Article III - Membership - 2. (e) states: the Workplace Health, Safety and Compensation Commission;

BE IT RESOLVED Article III, 2. (e) be amended to read:

the WorkplaceNL.

Constitution Amendment 16: (Board of Directors)

WHEREAS Article III - Membership - 7. states: Subject to 7 (a) of this Article, dues to the Union for active and associate membership shall be determined from time to time by the Biennial Convention on recommendation of the Board of Directors and such dues shall be payable by cheque, cash or payroll deduction.;

BE IT RESOLVED Article III, 7. be amended to read:

Subject to 7 (a) of this Article, dues to the Union for active and associate membership shall be determined from time to time by the Biennial Convention on recommendation of the Board of Directors and such dues shall be payable **to the Union.**

Constitution Amendment 17: (Board of Directors)

WHEREAS Article VI - Officers - A., 16. states: The Board of Directors may raise or borrow money for the purpose of the Union's Money operations and may secure the repayment of it by mortgage or charge on the undertaking and the whole or any part of the assets and property of the Union, present or future, and may issue Bonds, Debentures or any other security whatsoever whether the foregoing kind or not, either charged upon the whole or any part of the assets and property of the Union or not so charged and the guarantee of the indebtedness of any organization of like objects or related to the Union shall be deemed to be borrowing by the Union.;

BE IT RESOLVED Article VI, A. 16. be amended to read:

The Board of Directors may raise or borrow money for the purpose of the **financial** operations and may secure the repayment of it by mortgage or charge on the undertaking and the whole or any part of the assets and property of the Union, present or future, and may issue Bonds, Debentures or any other security whatsoever whether the foregoing kind or not, either charged upon the whole or any part of the assets and property of the Union or not so charged and the guarantee of the indebtedness of any organization of like objects or related to the Union shall be deemed to be borrowing by the Union.

Constitution Amendment 18: (Board of Directors)

WHEREAS Article VII - Meetings - 3. states: Notice of any meeting of the Board of Directors shall be given by letter, email or telephone not less than seven (7) days before such meeting, provided that no notice shall be necessary in the case of a meeting held immediately upon the adjournment of a Biennial Convention, and provided further, that meetings of the Board may be held without further formal notice if all the members are present or if those absent have signified their consent to such meetings or their consent to the business transacted thereat.;

BE IT RESOLVED Article VII, 3. be amended to read:

Written notice of any meeting of the Board of Directors shall be given ~~by letter, email or telephone~~ not less than seven (7) days before such meeting, provided that no notice shall be necessary in the case of a meeting held immediately upon the adjournment of a Biennial Convention, and provided further, that meetings of

the Board may be held without further formal notice if all the members are present or if those absent have signified their consent to such meetings or their consent to the business transacted thereat.

Constitution Amendment 19: (Board of Directors)

WHEREAS Article X - Funds - 1. (d) states: arrange that all bonds or other securities which are the box in a registered financial institution in the Province of Newfoundland and Labrador to be released only on the signature and personal appearance of the Secretary/Treasurer of the Union, together with one (1) other member of the Finance Committee;

BE IT RESOLVED Article X, 1. (d) be deleted, and remainder of the Article be renumbered.

Constitution Amendment 20: (Board of Directors)

WHEREAS Article X - Funds - 4. states: Expenditures made from Union funds shall be only for purpose of the Union, and in all cases shall be made by cheque signed by the Secretary/Treasurer of the Union and one (1) other authorized signing officer; however, a Petty Cash Fund may be authorized by the Board of Directors from which expenditures can be made.

BE IT RESOLVED Article X, 4. be amended to read:

Expenditures made from Union funds shall be only for purpose of the Union, and in all cases shall be made by cheque signed by the Secretary/Treasurer of the Union and one (1) other authorized signing officer; **or electronic payment.** A Petty Cash Fund may be authorized by the Board of Directors from which expenditures can be made.

Constitution Amendment 21: (Board of Directors)

WHEREAS Article XI - Committees, 4. states: For the purpose of arranging matters of the Biennial Convention business, the Executive Committee may appoint temporary Committees for the consideration of such matters as steering, nominations, resolutions, ways and means, press relations, etc., subject to the approval of the Board of Directors.

BE IT RESOLVED Article XI, 4. be amended to read:

For the purpose of arranging matters of the Biennial Convention business, the Executive Committee may appoint temporary Committees **for the consideration of such matters as steering, nominations, resolutions, ways and means, press relations, etc.,** subject to the approval of the Board of Directors.

Constitution Amendment 22: (Board of Directors)

WHEREAS Article XII - Locals - 2. states: The Headquarters of a Local shall be at such a place as the Local may fix (subject to any territorial limitations imposed by the Board of Directors). The name of the Local shall be the Newfoundland and Labrador Association of Public and Private Employees, Local Number....

BE IT RESOLVED Article XII, 2. be amended to read:

The Headquarters of a Local shall be at such a place as the Local may fix (subject to any territorial limitations imposed by the Board of Directors). The name of the Local shall be the Newfoundland and Labrador Association of Public and Private Employees, Local Number.... **as assigned by the Union.**

Constitution Amendment 23: (Board of Directors)

WHEREAS Article XIII - General Provisions - 1. states: The Union may only affiliate or disaffiliate with any organization as a result of a majority vote cast by a secret ballot at a duly constituted Convention other than a Component Convention.

BE IT RESOLVED Article XIII, 1. be amended to read:

The Union **shall** only affiliate or disaffiliate with any organization as a result of a majority vote cast by a secret ballot at a duly constituted Convention other than a Component Convention.

Constitution Amendment 24: (Board of Directors)

WHEREAS Article XIII - General Provisions - 4. states: In this Constitution the masculine shall be deemed to include the feminine and the plural indicate the singular and vice versa as the content may require.

BE IT RESOLVED Article XIII, 4. be amended to read:

In this Constitution the ~~masculine shall be deemed to include the feminine and the~~ plural **shall** indicate the singular and vice versa as the content may require.

Constitution Amendment 25: (Local 2101)

WHEREAS NAPE Union members when asking Board of Directors that all Eastern, Central, Wester and General VPs, nine Regional Board Members that elected at the Biennial Convention not serve more than two (2) consecutive terms if elected at the Biennial Convention, at which time there will be a break of one term before they are

eligible to run for such positions; and

WHEREAS currently in the Constitution there is no limit on these elected positions;

THEREFORE, BE IT RESOLVED that all VPs, Regional Board Members, Area Board Members that are elected two consecutive times at Biennial will not be eligible to run for a third consecutive term until a one term break.

Constitution Amendment 26: (Local 2202)

WHEREAS Article II, 1. (h) states: To do such other lawful things as are incidental or conducive to the attainment of the above objects, which may best promote the morale, the material and intellectual interest of the members;

BE IT RESOLVED that an amendment be added to state:

To acknowledge the land of the aboriginal/native peoples, to promote their rights, privilege and opportunity to practice their culture.

Constitution Amendment 27: (Local 2202)

WHEREAS Article VI - Officers, A. Board of Directors, 1. states: There shall be a Board of Directors which shall consist of: (a) Six (6) Executive members constituted as follows: President of the Union, Secretary/Treasurer of the Union, Eastern Vice President, Central Vice President, Western Vice President and a General Vice President who shall be a female and responsible for women's issues. The Area Vice Presidents shall be nominated from and by the delegates of the geographic area.

BE IT RESOLVED that Article VI, 1. A. be amended to read:

There shall be a Board of Directors which shall consist of:

- (a) Seven (7) Executive members constituted as follows: President of the Union, Secretary/Treasurer of the Union, Eastern Vice President, Central Vice President, Western Vice President, **Labrador Vice President** and a General Vice President who shall be a female and responsible for women's issues. The Area Vice Presidents shall be nominated from and by the delegates of the geographic area.

Constitution Amendment 28: (Local 7104)

WHEREAS Convention delegates want to know the rationale for resolution committee non-concurrence recommendations;

BE IT RESOLVED that NAPE Constitution Article V. D. - General - have added:

Any non-concurrence recommendation by a NAPE Resolutions Committee will be accompanied by a rationale for the non-concurrence recommendation.

Constitution Amendment 29: (Local 7104)

WHEREAS late Convention resolutions could be missed;

BE IT RESOLVED that NAPE Constitution Article V. D. - General, 4. be changed to:

All resolutions for submission to a Convention shall be delivered to the Headquarters of the Union at least sixty (60) days prior to Convention date. A vote for acceptance of late resolutions to Convention will be conducted by Convention prior to the commencement of the regular business of Convention.

Constitution Amendment 30: (Local 7104)

WHEREAS Convention resolutions can be poorly worded and rejected because of this poor wording;

BE IT RESOLVED that NAPE Constitution Article 5. D. have added:

NAPE Resolutions Committee will ensure that the Convention resolutions are properly worded upon submission to avoid resolution rejection for poor wording.

Constitution Amendment 31: (Local 7104)

WHEREAS every member has the right to a democratic process, free from influence or prejudice to cast a vote of their choice in all NAPE elections; and

WHEREAS the election process does not have current language that clearly identifies that any members of the NAPE Board of Directors would be in a conflict of interest should they campaign in any form whatsoever for a candidate;

THEREFORE, BE IT RESOLVED to add a new section to Article VI, 2. (e) that states:

During all elections process that all members of the NAPE Board of Directors must remain neutral during the campaign. All members of the NAPE Board of Directors cannot campaign in any form whatsoever for a particular candidate.