MWSA Constitution & By-Law Proposal

Summary Document

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Edited: June 17, 2014

**The following are changes from the original Constitution & By-Laws:**

1) Table of Contents:

Allows for easy navigation of the document to find specific information when needed

2) New Heading System:

 This allows for easy navigation of the by-laws for quick referencing.

3) Constitution Separation from By-Laws:

The Constitution is the founding document of the organization, and outlines the fundamental nature of the organization. By-Laws are the rules of the organization and how it operates. This proposal separates the two from the original document.

4) Point #2 in Constitution – Purpose

This is a point that state the general conduct of the organization shall be from the By-Laws.

5) Point #3 in Constitution – Objectives:

 New Point b)

 Added “volunteers” to new point c)

 Adjusted Point d) – includes “able-bodied” athletes

 New point e)

 New Point f)

 Re-wording in points g, h, I & j.

6) Point #4 in Constitution – Activities

 This essentially describes MWSA as a non-for-profit entity.

7) By-Law 1.01 – Inclusive Language

This By-Law allows for editing of the document to include plural and singular terms when not present next to the other.

8) By-Law 1.02 – Internal By-Law Consistency

This By-Law allows for when changes are made to this document in the future, that table of contents, numbering, and updating of reference clauses can be automatically updated without a formal motion.

9) By-Law 1.04 – Discrimination:

Has been updated from previous by-law to reflect the current Manitoba Human Rights Code.

10) By-Law II: Definitions (By-Law # 2.01 through 2.11)

These are standard definitions that can be easily referenced. These definitions were sourced from a variety of sets of By-Laws including Tri MB, ABAM, and the UWSA.

11) By-Law 3.01: Membership

The membership structure changes in this document. The two that remain the same are Affiliate and Honorary Life Member. An individual member can be anyone who applies for membership within our current structure, and club membership is a simple reorganization of a club.

New Membership category: Junior Member.

12) By-Law 3.02 through By-Law 3.05:

These By-Laws describe who can become a member, what a member in good standing is, those exempt from fees, and the admission of memberships.

13) By-Law 3.07: Voting

This changes from only Board Members and Sport Bodies being allowed to vote to individual members being allowed to vote. This will give the members the ability to hold the Board accountable for their actions.

The voting abilities of Club, Affiliate, and Honorary members does not change in this by-law. The new membership category of Junior Member shall not be entitled to vote.

14) By-Law 3.09; Subsection (a) & (b):

This describes additional ways a membership may be suspended or terminated.

15) By-Law 3.11; Subsection (a) and (b):

This change allows for a person to be given notice of a meeting discussing their termination of membership and giving them the opportunity to present on their behalf. Subsections (c) and (d) remain unchanged from the current by-law.

16) By-Law 4.01:

This simply describes what type of meetings may be called for meetings of members. (Annual General Meetings and Special General Meetings

17) By-Law 4.06:

This allows members to bring up an unexpected item that is found out past the notice deadline. This follows proper procedures in Roberts Rules.

18) By-Law 4.10:

 This outlines the notice period for a SGM.

19) By-Law 4.11:

This outlines the minimum amount of people that should be present for a meeting of members. This prevents a situation where one person could essentially make all the decisions.

20) By-Law 4.12

Outlines the procedures for voting at a meeting of members. The president in this case can vote as a regular member but shall not break a tie if it occurs (Roberts Rules will say the motion is defeated when a tie occurs).

21) By-Law 4.14

This outlines the rules in which a meeting shall be conducted. This is not a change, but rather, it is specifically placed for clarity.

22) By-Law 5.03

 This simply outlines the powers of the Board of Directors.

23) By-Law 5.07

This outlines the procedure for removal of a director from the board in specific circumstances. This is an important feature as quorum is changed from 4 to a majority of the board.

24) By-Law 5.09:

This is a simple statement regarding conflict of interest and the need to be familiar with them.

25) By-Law 6.01; Subjection (c):

This is adding the program coordinator to the supervisory role of the board. This reflects the fact that the coordinator provides reports to the board.

26) By-law 7.01:

 This By-Law changes the Secretary-Treasurer to the Treasurer.

27) By-Law 7.02; Subsection (b), (d), (e), & (f)

These are simple duties of the President that should be performed by someone in this position.

28) By-Law 7.03; Subsection (c) & By-Law 7.04; Subsection (c):

This recognizes that these are officers of the board and as such, may get delegated tasks from time to time by motion.

29) By-Law 8.01:

This outlines that the President can call a meeting of the Board, but also the Treasurer may receive notice from a Board Member to call a meeting.

30) By-Law 8.03:

This By-Law allows for the board to function in the event that the President nor Vice-President are unable to attend the meeting. The President shall remain chair, with the Vice-President filling in if the President is absent, and lastly, if both are absent, allows for a chair to be nominated so that a meeting can be conducted.

31) By-Law 8.04:

This is standard quorum and should be adopted as such. This changes it from a fixed number of four to a majority of directors in office.

32) By-Law 8.05:

This provision allows for a board member who cannot attend physically to a meeting to attend via a phone call.

33) By-Law 9.01:

This changes the eligibility for a person to be nominated to run for election to only be a member in good standing.

34) By-Law 9.05 and 9.06:

In the event that the members wish to accept nominations from the floor, these by-laws provide the procedure to do so.

35) By-Law 9.07:

A small change that states a a current board member or a nominated individual in an election cannot sit on the Elections Commission.

36) By-Law 9.09:

 Outlines the procedure for if more than four positions are up for election.

37) By-Law 9.10 and 9.11:

Outlines the voting process, and that if there is no contested positions, that a Yes/No ballot must be circulated in order for a nomination to be elected.

38) By-Law 9.15:

This requires the Elections Commission to provide a report to the membership at the meeting. Once the report is accepted by the membership, the Elections Commission shall destroy the ballots

39) By-Law 10.01:

This bylaw changes the standing committees from being sport specific to Executive Committee, Athlete and Program Development, Coaches and Officials Development, and the Junior Development committee.

40) By-Law 10.02

This outlines the process of how an Ad-Hoc committee is struck.

41) By-Law 10.03 to 10.06

 These are the descriptions and authorities of the standing committees

42) By-Law 10.07

This discusses committee members and allows for non-board members to join committees with voting privileges.

43) By-Law 10.08 & 10.09

This discusses the removal of committee members and how vacancies are dealt with.

44) By-Laws 11.02 through 11.07:

In my opinion, these are simple financial procedures that should be outlined within the by-laws. One major change is that the membership shall ratify an auditor for the organization for the following fiscal year (11.06).

45) By-Laws 12.02 & 12.03:

Describes situations in which the organization shall not indemnify an officer or director of the organization, and also provides that insurance may be maintained for such people as well.

46) By-Law 13.01 through 13.03:

Discusses the forms of notice, how “days” are determined, and what will happen in the event of an error in notice.

47) By-Law 14.01

This removes the procedure that a Board may dissolve the organization or start the process.

48) By-Law 15.01 through 15.03

Discusses how amendments to the new set of By-laws shall happen.

49) By-Law 16.01 through 16.03

 This is the official adoption of the document.