

TO: Council

FROM: Governance Committee

DATE: May 28, 2018

SUBJECT: By-Law Amendment – Executive Committee Election Procedure

PURPOSE:

To review draft amendments to the by-laws pertaining to the Executive Committee election process.

BACKGROUND:

Election of the 2018 Executive Committee took place on January 29, 2018. As a result of the even number of Council members present and voting at the meeting, discussions were held regarding election procedure, and in particular how to address tie votes. It was noted that Article 9 of the College's by-laws, which pertains to Executive Committee elections, is silent as to what should occur in the event of a tie vote. By contrast, Article 6.9 of the by-laws, which pertains to Council elections, provides as follows:

6.9 If there is a tie in an election of a Council Member, the Registrar or his or her delegate shall break the tie by lot.

Accordingly, Council determined at that meeting to follow the following process for the 2018 Executive Committee elections:

- If the vote was tied, there would be a maximum of 2 additional rounds of voting
- If the 3rd round still resulted in a tie, the tie would be broken by drawing lots

It was furthermore determined that it would be desirable to amend the College's by-laws to clarify the Executive Committee election process, including setting out a procedure to follow in the event of a tie vote.

A draft of the proposed by-law language follows. This language, if adopted, would clarify the Executive Committee election procedure, and provide as follows with respect to tie votes:

- If the vote is tied, there will be a maximum of 2 additional rounds of voting
- If the 3rd round still results in a tie, the tie will be broken by drawing lots

There is no requirement under the RHPA that this proposed by-law amendment be circulated to the public, however it may still be circulated if the Council wishes to do so for the purpose of notifying the public and/or seeking feedback.

RECOMMENDATION:

The Governance Committee recommends that the Council approve the proposed by-law amendments.

ACTION REQUIRED:

Attached is a chart which details the current language and proposed amendments to the by-laws.

Council is asked to decide whether to:

- (a) circulate the proposed by-law amendments for public feedback; or
- (b) approve the proposed by-law amendments without circulation.

Proposed Amendments to the COO By-Laws

Current Language	Proposed Language
<p>9.1 Election of Executive Committee</p> <p>(e) At any meeting at which the election of an officer shall take place, a neutral party shall be invited to take the chair of such meeting. Council Members who wish to be members of the Executive Committee must be separately nominated and seconded for such positions. In the event that a majority vote is not obtained in the first or second elections, the person nominated for the position with the least amount of votes shall automatically be removed from the ballot and a subsequent election or elections shall take place.</p>	<p>9.1 Election of Executive Committee</p> <p>(e) At any meeting at which the election of an officer shall take place, a neutral party shall be invited to take the chair of such meeting.</p> <p><u>(f) Council Members who wish to be members of the Executive Committee must be separately nominated and seconded for such positions.</u></p> <p><u>(g) In the event that only one Council Member is a candidate for a position on the Executive Committee, that candidate shall be declared elected by acclamation.</u></p> <p><u>(h) In the event that there is more than one candidate for a position on the Executive Committee the candidate who receives a majority of the votes cast on a ballot shall be declared elected.</u></p> <p><u>(i) Where no candidate receives a majority of the votes cast, a second vote will take place. Where no candidate receives a majority of the votes cast following the second vote, the person with the least amount of votes shall automatically be removed from the ballot and a third vote shall take place. This process will be repeated until such time as one candidate receives a majority of votes, the vote is tied, or only two candidates remain on the ballot.</u></p> <p><u>(j) In the event of a tie vote, additional rounds of voting shall be conducted until one candidate receives a majority, for a maximum of two additional rounds of voting. In the event that the vote is still tied after two additional rounds of voting, the neutral meeting chair or his or her delegate shall break the tie by lot.</u></p>