

Professional Engineers
and Geoscientists of BC

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Bylaw Amendments 2014

Background Information

This fall members are being asked to ratify Bylaw 3 – Election of council.

Bylaw 3 – Election of council

Bylaw 3 directs how the Council nomination and election process is to be managed. This bylaw outlines the structure of the Nominating Committee and the procedures it must follow in nominating a slate of candidates for election to Council; how members may be nominated by the membership at large; and how the voting process and reporting of results must be done.

This bylaw has not been revised for many years and as such it requires modernization to better reflect the current profile of our membership, best practice for regulatory bodies, and the needs of the Association. The proposed amendments to Bylaw 3 are described below:

Enhancing Diversity

One of the intents of the current bylaw is to provide disciplinary diversity on Council, though in practice this is not achieved as elected members of Council predominantly practice in areas related to civil engineering. Areas such as electrical, mechanical, chemical, software, and high tech are chronically underrepresented. The bylaw also does not reflect the possible desire for other forms of diversity such as professional and employment background, gender, and ethnicity. Furthermore, as practice discipline is defined within the bylaw it becomes the predominant feature that guides the Nominating Committee in its selection of candidates despite the underlying intent often not being met. It is therefore believed that by being less prescriptive regarding disciplinary diversity, the ability to build a diverse Council, including disciplinary diversity, will be enhanced.

The proposed amendments to the bylaw would:

- Remove the prescriptive requirements for nominating members in specific disciplines and instead articulate the need for diversity.
- Require at least one P.Geo. and one P.Eng. to be appointed to the Nominating Committee.

Broadening the Nominating Committee Network

Currently the Branches appoint eight members of the Nominating Committee and Council appoints three. The Immediate Past President serves as Chair of the Committee. An increase to the number of Council appointees to the Committee is recommended to broaden the reach to potential candidates. It is intended that additional Council appointees to the Committee be high profile, senior members with extensive networks. Branch appointees will continue to form the majority of the membership.

The proposed amendment to the bylaw would:

- Increase the number of members on the Nominating Committee from 12 to 14. The additional committee members will be appointed by Council.

Housekeeping

Other recommended amendments being proposed allow for modernization or articulation of current practices such as requiring candidates and nominees to be members in good standing, and for the results of the election to be presented to the President or Registrar by the Chief Scrutineer rather than the chair of the ballot counting committee which no longer exists due to electronic voting processes. The ability of results to be announced at the annual meeting by someone other than the chair is also being recommended.

The proposed amendments to the bylaw would:

- Require that nominees and their nominators be in good standing regardless of how they are nominated.
- Update the ballot counting process to recognize that there is no longer a ballot counting committee as the voting process is now electronic.
- Broaden who may announce the result of the election at the AGM. Currently the bylaw dictates that the Chair of the meeting must perform this function.

Current Bylaw with additions and ~~deletions~~ –Bylaw 3 – Election of council

3(a.1)	<p>The immediate past president shall be the chair of the nominating committee. In the event that the immediate past president is unable to act then a chair shall be appointed by council or failing that the chair shall be elected by the members present at the meeting.</p> <p>No member of council may serve on the nominating committee, except in the capacity of chair.</p> <p>Members of the committee shall be selected as follows:</p> <p>(i) Each year the council shall direct that the duly constituted geographical branches appoint 8 members or limited licensees to the nominating committee.</p> <p>(ii) The council shall appoint additional members or limited licensees to the committee to bring the total number of members to 42<u>14</u>.</p> <p>(iii) <u>The Committee will include at least one P.Geol. and one P.Eng.</u></p>
3(b)	<i>No amendment proposed.</i>
3(c)	<p>Providing that in each case candidates are available, The nominating committee shall <u>only</u> nominate <u>candidates who are members in good standing, and should nominate</u> at least 3 more candidates than there are vacancies to be filled on the council, <u>and shall seek to assure that the candidates nominated reflect diversity, as decided by the Committee, and that at least one candidate nominated is a P.Geol.</u></p> <p>with at least one candidate from each of the groups of disciplines of:</p> <p>(1) Engineering:</p> <p style="padding-left: 40px;">(i) — civil and surveying</p> <p style="padding-left: 40px;">(ii) — electrical and computer</p> <p style="padding-left: 40px;">(iii) — mechanical, industrial, naval and marine, and nuclear</p> <p style="padding-left: 40px;">(iv) — mining, geological, geophysical, petroleum and metallurgical</p> <p style="padding-left: 40px;">(v) — chemical, forest, agricultural and bio-resource, biomedical, structural and environmental.</p> <p>(2) Geoscience:</p> <p style="padding-left: 40px;">(i) — geology, geophysics and geochemistry.</p> <p>Nominees in any discipline that is not listed shall be assigned to one of the 6 groups of disciplines at the discretion of council.</p> <p>In the case of a vacancy in the council due to the incapacity, resignation or death of an elected member of council, the other members of council shall appoint a member or limited licensee of the association to fill the vacancy until the next regular election when the vacancy shall be filled through election by members and limited licensees of the association.</p>
3(d)	<i>No amendment proposed.</i>

3(e)	Nominations of candidates, <u>who are members in good standing</u> , for president, vice presidents, and councillors may also be made in writing by any 25 or more members or limited licensees <u>who are in good standing</u> . Such nominations, signed by the members or limited licensees making the nomination and accompanied by the written consent thereto of the nominees, shall be in the hands of the registrar not later than 30 days after publication of the list of candidates nominated by the nominating committee.
3(f)	<i>No amendment proposed.</i>
3(g)	<i>No amendment proposed.</i>
3(h)	<i>No amendment proposed.</i>
3(i)	<i>No amendment proposed.</i>
3(j)	<i>No amendment proposed.</i>
3(k)	<p>The successful candidates for the offices of president, and vice president and for members of council shall be those who have received the largest number of votes. When there is more than one office of vice president, the candidate receiving the largest number of votes shall be elected first vice president and the candidate receiving the second largest number of votes shall be elected second vice president. If there are any vacancies in council to be filled the candidate or candidates receiving the next highest number of votes shall be elected for the unexpired term or terms to be filled. In the event of a tie vote between 2 or more candidates, the person or persons to be declared elected shall be the senior in membership or licensure of the association.</p> <p>On completion of the counting of the ballots, the chair of the ballot-counting committee <u>chief scrutineer</u> shall deliver to the president or to the registrar the results of the poll, together with the tally sheets. The president or the registrar shall inform each candidate in the election of the results and the results shall be announced at the annual meeting by the chair of the meeting. The officers and councillors so elected shall take office at the close of the annual meeting.</p>

Proposed Bylaw Wording to Replace Current Bylaw 3 – Election of council	
3(a.1)	<p>The immediate past president shall be the chair of the nominating committee. In the event that the immediate past president is unable to act then a chair shall be appointed by council or failing that the chair shall be elected by the members present at the meeting.</p> <p>No member of council may serve on the nominating committee, except in the capacity of chair.</p> <p>Members of the committee shall be selected as follows:</p> <p>(i) Each year the council shall direct that the duly constituted geographical branches appoint 8 members or limited licensees to the nominating committee.</p> <p>(ii) The council shall appoint additional members or limited licensees to the committee to bring the total number of members to 14.</p> <p>(iii) The Committee will include at least one P.Geo. and one P.Eng.</p>

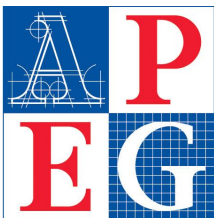
3(b)	<i>No amendment proposed.</i>
3(c)	<p>The nominating committee shall only nominate candidates who are members in good standing, and should nominate at least 3 more candidates than there are vacancies to be filled on the council, and shall seek to assure that the candidates nominated reflect diversity, as decided by the Committee, and that at least one candidate nominated is a P.Geo.</p> <p>In the case of a vacancy in the council due to the incapacity, resignation or death of an elected member of council, the other members of council shall appoint a member or limited licensee of the association to fill the vacancy until the next regular election when the vacancy shall be filled through election by members and limited licensees of the association.</p>
3(d)	<i>No amendment proposed.</i>
3(e)	Nominations of candidates, who are members in good standing, for president, vice presidents, and councillors may also be made in writing by any 25 or more members or limited licensees who are in good standing. Such nominations, signed by the members or limited licensees making the nomination and accompanied by the written consent thereto of the nominees, shall be in the hands of the registrar not later than 30 days after publication of the list of candidates nominated by the nominating committee.
3(f)	<i>No amendment proposed.</i>
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3(h)	<i>No amendment proposed.</i>
3(i)	<i>No amendment proposed.</i>
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3(k)	<p>The successful candidates for the offices of president, and vice president and for members of council shall be those who have received the largest number of votes. When there is more than one office of vice president, the candidate receiving the largest number of votes shall be elected first vice president and the candidate receiving the second largest number of votes shall be elected second vice president. If there are any vacancies in council to be filled the candidate or candidates receiving the next highest number of votes shall be elected for the unexpired term or terms to be filled. In the event of a tie vote between 2 or more candidates, the person or persons to be declared elected shall be the senior in membership or licensure of the association.</p> <p>On completion of the counting of the ballots, the chief scrutineer shall deliver to the president or to the registrar the results of the poll, together with the tally sheets. The president or the registrar shall inform each candidate in the election of the results and the results shall be announced at the annual meeting. The officers and councillors so elected shall take office at the close of the annual meeting.</p>

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