

Resolutions

THE
"HOW TO"
GUIDE

Revised May 2016





Introduction



This document is an attempt to provide an easily understood tool for those looking to submit resolutions to AUPE's annual Convention. The hope is that this will expedite the Convention proceedings and further empower them to positively impact how the Union conducts its business.

The main guiding documents within AUPE are the **Constitution** and the **Policy and Procedures Manual**.



Constitution

The Constitution is the over-riding document setting out objectives, structures and rules within which AUPE must operate. The only way to make a change to the Constitution is by way of a Constitutional Resolution at an AUPE Convention, and then only if at least 2/3 of the delegates present and voting are in favour of the resolution.

Policies and Procedures

AUPE's Policies and Procedures are guiding documents for the Union. The Policies are documents that set out AUPE's views, principles and rules, which define its direction and what is to be done, while the Procedures define the methods for implementing Policies or responsibilities.

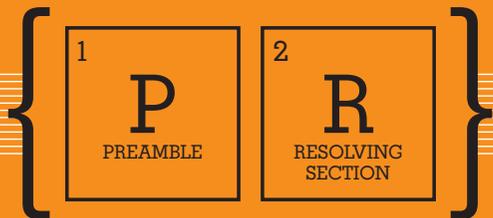
AUPE's Policies and Procedures can be changed by way of a General Resolution by any one of the following three governing bodies: Executive Committee, Provincial Executive or Convention. General Resolutions need a 50% plus one vote in favour of the resolution, by the body considering the resolution, in order to pass.

What is a Resolution?

When we assemble at Convention, resolutions that are brought forward for a vote are intended to reflect the direction the Union should take with respect to the action proposed by the resolution.

A resolution is:

- 1) A firm decision to do something.
- 2) An answer to a problem.



Elements of a Resolution

Resolutions have two major parts - a preamble and a resolving section. Each consists of one or more clauses (sometimes called paragraphs) and the whole is read in its entirety, beginning with the preamble, as one continuous, complex sentence. The preamble sets forth the reasons (rationale) for the resolutions; the resolving section sets forth the intent of the resolution.



How to Write a Resolution

When writing a resolution, consider the following:

- The resolution should represent a concise, clear statement of action.
- The action prescribed should be within the jurisdiction of AUPE.
- Be realistic. The resolution should reflect action you want taken.
- Gather background data and prepare to defend the resolution on the Convention floor.

The background or reasons for resolutions should be incorporated in the preamble, which is stated before the resolving section of a resolution. The history and circumstances that lead to the resolution may be provided as additional support data (or Rationale for the Resolution).

Keep the wording simple and concise.

When writing your resolution, avoid using words or phrases that are ambiguous or confusing.

Do not include too many points in one resolution.

Make each preamble point a single paragraph - these are the WHEREAS's. Whereas means because. The preamble, should never contain a period. Each paragraph should close with a semi-colon (;) or a comma (,), followed by the word "and," except the last paragraph, which ends in a semi-colon (;).

The resolving section of the resolution begins with the words THEREFORE BE IT RESOLVED that...

If there is more than one resolving clause, each should be a separate paragraph. Every subsequent paragraph begins with the words THEREFORE BE IT FURTHER RESOLVED that.... Each resolving paragraph may close with a semi-colon followed by the word "and," except the last one, which ends in a period. When starting the resolving section of the resolution, make certain that the statement contains an attainable action.

Sample Resolution

WHEREAS resolutions are the primary focus of the AUPE annual Convention; and

WHEREAS AUPE recognizes the process to prepare a clear, concise, and meaningful resolution can be a challenging task;

THEREFORE BE IT RESOLVED that the Legislative Committee develop a “Resolution How to Guide”; and

THEREFORE BE IT FURTHER RESOLVED that the “Guide” be forwarded to all Components.



Keep in mind when drafting a Resolution



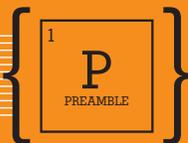
A resolution must express an action that is easily understood. It must not contain a bundle of opinions, as some may be in favour of some clauses and against others.

Resolutions must be to the point and words must not be used in a forced or unnatural manner; otherwise amendments will arise from the floor. If there is a lack of clarity in the resolution, these amendments may change the intention of the resolution.

A resolution must not be negative. The principle of discussion is that an affirmative proposition is being put to Convention (See Rules of Order in AUPE Constitution – Rule 4). A negative view is expressed in debate and by voting against a resolution.

A resolution must not introduce a matter already decided at that meeting.

A resolution should deal with only one subject. Resolutions that attempt to handle more than one subject are difficult to process at Convention, especially if they involve matters that do not fall within the jurisdiction of a single Committee (refer to section “Assignment to Committees,” p. 20).

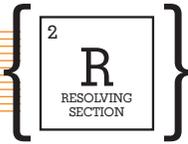


Prepare the Preamble last

Although it precedes the resolving section, the preamble (Whereas...) of a resolution should be prepared after the resolving section has been put into final form. Once the intent of the resolution has been clearly stated, it is much easier to decide what statements need to be in the preamble to make clear the reasons for the resolution. There is no formula for deciding how many whereas clauses a resolution should have. In general, fewer are better, provided the reason or reasons for the resolution are fully stated.

The Whereas clauses should paint a picture of why the topic should be addressed. Whereas clauses will not be voted upon. Instead, they offer an explanation and the rationale of the resolution. The previous thought should not be restated in a slightly different way; it will be seen by the Convention floor as an attempt to prop up a weak resolution, which may lead to its defeat. Instead, the thoughts should be separate but connected to each other and the resolution. Have strong, informative reasons that add to the purpose of your resolution rather than merely the previous thought.

- Each Whereas clause should be to the point – no more than one sentence long.
- Whereas clauses can describe the problem that the resolving section is intended to address, explain how the resolving section will correct the problem, or otherwise defend or support the resolving section.
- Whereas clauses should flow in a logical order.



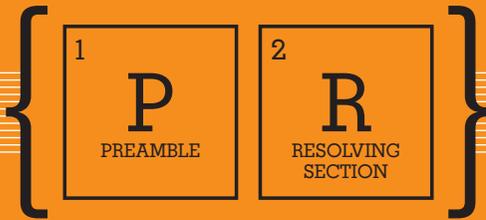
Writing the Resolving Section

The Resolving Section is the most important part of any resolution, as it consists of the action or actions to be voted on. When you have clearly stated the actions you want the union to take, you can then provide the preamble information to support your resolution. Things to keep in mind about the resolving section:

- Resolved clauses should be stated in the affirmative.
- Each clause should contain an actionable request and must make sense when read alone.
- The clauses should be specific enough to get your point across, but flexible enough to be relevant long-term.
- There should be built-in accountability (i.e. timelines, responsibilities, resources, etc.) in each clause.



Your resolution should refer to an action that is important to the growth of the Union as an organization and remain within the parameters of the Constitution. Keep your resolutions related to realistic goals that the Convention floor feels can be accomplished and are within the jurisdiction of the Union. It is important to avoid unrealistic sentiments such as: “There for be it resolved that AUPE establish world peace/prevent violence everywhere/help others/offer equal treatment to all/etc.” These are extreme examples, but some forms of these still find their way into submitted resolutions. While they may express admirable ideals, they are nevertheless unattainable goals by our Union.



A Well-Written Resolution

- Uses clear, simple wording.
- Deals with only one topic (problem) and has one major objective.
- Clearly identifies the problem in the preamble.
- Specifically outlines the proposed action (solution) in the resolving section.
- Builds in accountability, i.e. deadlines, who will be responsible for implementing the proposed action, what resources will be required, and where they should come from.
- Ensures the action is within the jurisdiction of AUPE to implement.
- Allows for flexibility in implementation – it's the end that counts!

Focus on your goal and then clearly and concisely state it. During any debate at Convention, there will be opportunity to expand on your vision. Remember, if you find that you cannot express your intention adequately, or grammar is poor, the resolution may be viewed as a waste of time, leading to its defeat by the Convention floor.



Constitutional Resolutions

Constitutional Resolutions are resolutions that will be used to amend the Constitution. They are referenced as follows in the Constitution

Guiding principles as outlined in our Constitutional preamble

“...Changes to the Constitution should be dictated only by changes in our environment, attacks on our Union, changes to the law or where there is clearly a deficiency or oversight in its content. Even in these cases, change should not be undertaken lightly and never without total consideration of the impact on the Union.

We must never tolerate constitutional change which serves only to glorify the individual or to wrest office from those empowered to represent us. No change should be considered which does not clearly benefit the collective membership.”

Continued on pg 14

Guiding principles as outlined in the AUPE Constitution

- 6.13 (b) Constitutional amendments for presentation at a regular Convention shall be presented to the President one hundred and twenty (120) days prior to the start of the Convention. Resolutions that involve changes or additions to the Constitution are not limited to one hundred and fifty (150) words. Constitutional amendments may be submitted by the Executive Committee, the Provincial Executive, the Legislative Committee, Chapters and Locals.
- (c) All resolutions for presentation to Convention must be accompanied by the component meeting minutes where the resolution was approved.
- 30.02 This Constitution may be amended at Convention by means of a resolution passed by a majority vote of not less than two-thirds (2/3) of those delegates present and voting. All amendments shall take effect immediately upon adoption, unless otherwise specified.



Points regarding Constitutional Resolutions

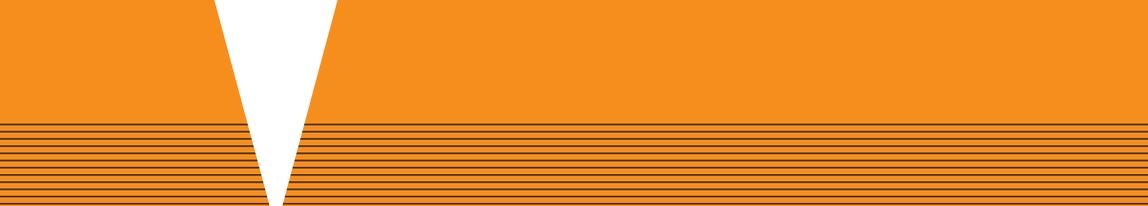
- All Constitutional Resolutions will be presented to the Convention floor by the Legislative Committee on behalf of the component forwarding the resolution.
- Constitutional Resolutions should contain a preamble and a Resolution that states which section of the Constitution is to be changed and are not limited to one hundred and fifty (150) words. Existing language to be removed should be struck out (not deleted) and new language should be inserted using bold lettering.
- If the submitting component requests input from the Legislative Committee, the Resolution must be submitted to the committee leaving enough time for the committee to meet, review, and return the Resolution to the submitting component before the deadline.
- Once the Resolution is passed by the Convention floor it takes effect, unless otherwise specified.
- Should a Resolution not make it to the Convention floor, it becomes unfinished business and can only be forwarded to the next Convention by resubmission of the Resolution.

General Resolutions

Resolutions are written proposals on how to solve problems at hand. They may also ask AUPE to take a position and/or an action. Resolutions can address any matter. In the AUPE Constitution, General Resolutions to Convention are referenced as follows:

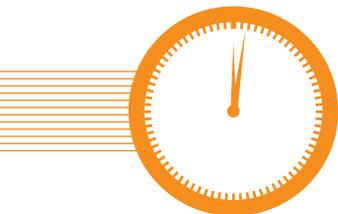
- 6.13 (a) Resolutions for presentation at a regular Convention shall be submitted to the President at least one hundred and twenty (120) days before the opening date of the Convention. A resolution shall not deal with more than one subject matter and shall specify the action proposed. A resolution shall not contain more than one hundred and fifty (150) words, inclusive of the preamble. Resolutions may be submitted by the Executive Committee, the Provincial Executive, Standing Committees of the Union, Chapters, Locals or Area Councils.
- (c) All resolutions for presentation to Convention must be accompanied by the component meeting minutes where the resolution was approved.

The language of the resolution should be formal, starting with the first sentence referencing the responsibility of AUPE or the group concerned. The next sentence or following portion of the resolution should document facts or reasoning why the action is being taken (preamble). The last statement of the resolution consists of the action being voted on (resolving section).



Points regarding General Resolutions

- The resolving section may become policy and is the most important part of the resolution.
- If a matter can be resolved by Provincial Executive, general resolutions should be submitted to that body.
- Each resolved clause must contain an actionable request and must make sense when read alone, since each clause represents a change that will be adopted.
- Resolved clauses should be stated in the affirmative.
- Remember that strong resolved clauses will be specific enough to get your point across, but flexible enough to be relevant in the long-term.
- General Resolutions will be presented to the Convention floor by the appropriate Committee on behalf of the component forwarding the resolution.
- General Resolutions are limited to one hundred and fifty (150) words.
- Once the resolution is passed by the Convention floor it takes effect immediately.
- Should a resolution not make it to the Convention floor it becomes unfinished business and can only be forwarded to the next Convention by resubmission of the resolution.



Late (Emergency) Resolutions

An Emergency Resolution deals with an emergent issue that occurs after the deadline for submission of resolutions. In the AUPE Constitution, Late Resolutions to Convention are referenced as follows:

- 6.14 Late resolutions shall be submitted to the Provincial Executive who shall consider the urgency of the resolution. Only late resolutions deemed to be of an urgent nature shall be placed before Convention.

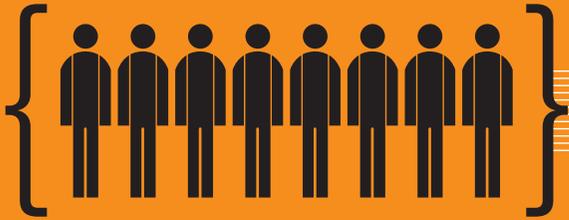


These resolutions will not appear in the Convention book, but must follow the format required for a resolution.

After Resolutions are Received

Numbering

Constitutional resolutions are grouped together in one section and general resolutions are placed in the appropriate section in the Convention Resolutions and then numbered within each section as they are received.



Assignment to Committees

All Constitutional Resolutions are dealt with by the Legislative Committee.

General Resolutions are forwarded to the Legislative Committee to determine the committee assignment. For example, a resolution asking a certain Committee to host a conference would be passed to the Finance Committee as it would require funds to be committed for hosting. However, if a resolution asked a Committee to determine the feasibility of a conference, the resolution would pass to that Committee so it could determine those factors and then request funds from the Finance Committee at a future date.

Each Committee determines its priority for presentation of Resolutions to Convention. The Committee will rely upon its priorities and the priorities of AUPE in determining the presentation order of Resolutions. It is for this reason that Resolutions do not necessarily follow in numbered sequence. As referenced in the Constitution,

15.06 The Chair of each committee shall:

- (d) ensure that resolutions presented by the committee to the delegates at Convention are appropriately combined, amalgamated, redrafted and prioritized in written form.



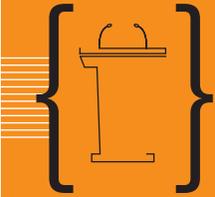
At Convention

Speaking to a resolution

- Purpose is to persuade delegates to your point of view.
- Put your best arguments first.
- Maximum three (3) minutes.
- Keep in mind the Rules of Order (Section 30 of Constitution) will apply.

When presented at Convention, resolutions have several fates:

1. They can be adopted as presented. General Resolutions require a 50% +1 majority in favour to pass. Constitutional Resolutions require a 2/3 majority in favour to pass.
2. They can be defeated. General Resolutions would have to have a 50% +1 majority opposed to be defeated. If a Constitutional Resolution does not get a 2/3 majority in favour, it is defeated.
3. General Resolutions can be amended on the floor or by the Committee. Once amended, the amended resolution can be adopted or defeated.
4. General Resolutions can be split. If a resolution is dealing with multiple items, often it will be split into two resolutions, each of which can be adopted or defeated.
5. Constitutional Resolutions cannot be amended or split.
6. Resolutions can be referred. Usually a referred resolution goes back to the Committee with a direction for an action in the future.
7. Unless otherwise stated, resolutions come into effect immediately upon adoption.



If a Resolution is not presented at Convention

Should a resolution not make it to the Convention floor, it becomes unfinished business and can only be forwarded to the next Convention by resubmission.



This book was created by the AUPE 2012/2013 Legislative Committee to assist our AUPE Components and Committees in the development of good resolutions for presentation at Convention.



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