

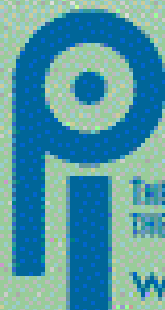
Pocket Guide

# Write that Resolution!



THE PROFESSIONAL INSTITUTE OF  
THE PUBLIC SERVICE OF CANADA

[www.pipsc.ca](http://www.pipsc.ca)



THE PROFESSIONAL INSTITUTE OF  
THE PUBLIC SERVICE OF CANADA

[www.pipsc.ca](http://www.pipsc.ca)

## WHAT IS A RESOLUTION?

A resolution is a formal vehicle of expression, stating intended action by a member or constituent body.

In her Standard Code of Parliamentary Procedure (3rd Edition), Alice Sturgis defines a resolution as a "main motion that expresses sentiments or is a formal statement of the opinions of the assembly. This form is also used when the proposal is highly important, or is long and involved. A resolution should be in writing."

## IS A RESOLUTION REALLY NEEDED?

A resolution is not needed for everything! A call to elected officials can often quickly resolve member concerns. A call can also avoid a member having to go through the long, formal process required for a resolution. Try calling first! It works!

## WHO MAY PROPOSE A RESOLUTION?

Any member may put a resolution forward to any official body of PIPSC (AGM; Regional Council; Group, Sub-Group; or Branch Executives; etc).

Only an accredited delegate or official of that body may move or second the resolution as a motion on the floor of that meeting.

In the case of the PIPSC Annual (or Special) General Meetings and Regional Council meetings, only an accredited delegate may move and second a motion.

In the case of Group and Branch meetings, normally all regular and retired members (level of involvement of members is defined in the Constitution or By-Laws of the Group or Branch) attending an annual (or special) meeting of their Sub-Group, Branch or Group, are considered as delegates. These delegates may move and second motions.

At the meetings of elected bodies such as the Board of Directors; Region, Sub-Group, Branch and Group Executives; etc, only an elected official of that body may move and second a motion.

In the case where the original mover of the resolution is not a delegate to or an elected official of the appropriate body, the resolution should be forwarded to the Chair of that body for inclusion in the agenda. The Chair can then ensure that a mover and a seconder are available so that the resolution may be discussed.

## WHEN CAN A RESOLUTION BE PRESENTED?

A resolution may be put forward at any time. However, it should be noted that some bodies meet infrequently and you should consult the meeting schedule of the concerned constituent body. For meeting dates refer to the PIPSC website at [www.pipsc.ca](http://www.pipsc.ca), contact the Secretary of the body concerned or contact your nearest PIPSC office.

- The PIPSC AGM occurs once a year, usually early in November.
- The Regional Councils usually meet once a year (Spring).
- Special General Meetings are rare and can only consider specific items referred to them.
- Other bodies, however, meet more often.

## DEADLINES

Often there is a deadline for receipt of resolutions by the constituent body. Constitutions of the appropriate Regions, Groups, Branches, etc., may contain these requirements. Be sure to check these in advance, otherwise, your resolution may be delayed until the next meeting's agenda.

According to PIPSC By-Law 13.7.2.1, resolutions for an Annual (or Special) General Meeting must be submitted at least twelve (12) weeks before the date of the meeting.

For resolutions requiring By-Law or Regulation changes, refer to Institute By-Law 13.7.1.2 (a) which states that details of proposed changes must be submitted to the Board of Directors not later than twelve (12) weeks prior to a General Meeting.

If in doubt, check with any PIPSC office.

## DRAFTING A RESOLUTION

### **A resolution is made up of:**

**TITLE** - to identify the problem or issue or its proposed solution

**AUTHOR** – lists who is submitting the resolution (private member or constituent body)

**PREAMBLE** – is used when factual information is necessary to support the Resolved section. Each Preamble clause should be written as a separate paragraph, beginning with the word **Whereas**". The Preamble never contains a period and each paragraph should close with a semi-colon. The next to the last paragraph should close with a semi-colon, after which a connecting phrase, such as **Therefore** or **Therefore Be It** or **Now Therefore, Be It** is added.

**RESOLVED** – this section indicates what action is proposed. There may be more than one resolved clause, each stated separately. The word **RESOLVED** is underlined and printed in capital letters, followed by a comma and the word "THAT". Each resolved clause must be a separate paragraph and may be ended with a period or a semi-colon. The next to the last clause should be followed by the word "AND".

## BEST PRACTICES IN DRAFTING A RESOLUTION

Determine the basic purpose of your resolution. What do you want it to say or do for you?

**FOR EXAMPLE:** You want to propose a resolution for PIPSC to send some money (\$50,000) to a group of striking municipal professionals (not yet PIPSC members).

Gather background information relating to the resolution. A well documented resolution increases your chances of having it approved by the meeting. At this point, be sure to ask yourself the following questions:

**Does the resolution have an impact on PIPSC finances? (Will it require a fee increase?)**

To address the financial impact question, you could request a copy of the latest budget from PIPSC. You could also contact the PIPSC Finance Committee to see what assistance (or figures) the committee might be able to provide to you. (i.e. If there will be a \$100,000 surplus this year, there might be money for your proposal. If not, this proposal would require a fee increase of 21 cent per member per month for one year.)



### **Does it contravene a current PIPSC policy?**

Consider the policy conflict issues. These are often complex and seem to cause the most problems for those drafting a resolution. The By-Laws and Policies Committee can be of great help to you here. They can inform you of possible problem areas. (i.e. If last year's AGM passed a resolution to never support strikes outside PIPSC with money.)

### **Does it contravene any current PIPSC By-Laws or Regulations, the *Canada Corporations Act*, or other applicable legislation?**

Be mindful of conflicts with the By-Laws and Regulations. The By-Laws and Policies Committee can advise on potential conflicts with PIPSC By-Laws and have access to legal counsel for opinions on whether there is a conflict with existing legislation.

Let us refer to the example. The By-Laws and Policies Committee might find out that, if the strike in question is illegal, PIPSC and its elected officers could have charges laid against them for supporting it.

## WORDING

Once the financial, policy and legal aspects of the resolution have been cleared, the next step is to get the proper wording and form for your resolution. Many good ideas have been lost due to unclear wording or incorrect form. Clear and concise wording is particularly important if the originator will not be present during the debate on the resolution.

The proposed resolution, from the example, could be worded as follows:

"Be it resolved that PIPSC send a contribution of (\$50,000) fifty thousand dollars to the Central City Municipal Professional Employees Strike Fund (this amount be charged to the Aid to Negotiations Fund) and, be it further resolved that the President be directed to write to the CCMPEU President expressing the Institute's full support for their position."

## DOCUMENT YOUR RESOLUTION

To document a resolution with additional information you can preface it with a series of statements. Each of these is introduced with the word "Whereas" and contains the rationale for the resolution.

Statements contained in the “whereas” have **no** legal effect. They are mainly useful when the Institute wishes to publish the resolution and wishes the reasons for adoption to be read with it. Using the example, you might wish to insert the following explanatory statements to the resolution:

WHEREAS the professional employees of CCMPEU have been on a legal strike for more than twelve (12) months and, WHEREAS the 20\_\_\_ AGM (Resolution 32) endorsed the right of professional employees to strike and,

WHEREAS a comparable action was approved by the 20\_\_\_ AGM, during the northern nurses strike and,

WHEREAS PIPSC has a projected surplus of a hundred thousand dollars (\$100,000.) for this year,

Therefore, be it resolved that ...."

This wording, although not essential to the resolution, helps the voting delegates understand that:

The purpose of the resolution is to support CCMPEU, which has been on strike for over a year;

ast AGM's have set a policy and a precedent for such contributions; and

There would be ample money available to cover the expenditure.

The added "Whereas" also records, for historical purposes, just why the resolution was proposed.

## THE BIG NO-NO

A resolution must be worded so that the "be it resolved" section can stand on its own (without the whereas). Using the example, the following wording would be a big "no-no".

"Whereas the President of PIPSC should write to the President of CCMPEU, expressing our support for them, and

Whereas we should send a \$450,000 contribution to their strike fund,

Therefore, be it resolved that we do this."

This "be it resolved" taken alone, is meaningless. Hence, the resolution becomes legally void.

The "be it resolved" section should state the:

- action to be done;
- person/body instructed to do the action;

- intended recipient of the action; and
- account (i.e. Negotiations) which will be charged for the approved expenditure. (This is desirable, for financial audit purposes, unless there is an existing operational procedure to indicate the source of funds.)

## SUBMITTING YOUR RESOLUTION

Indicate clearly which body is to receive your resolution. The Executive Secretary will then ensure that it is properly forwarded for consideration by that specific body. You should send any resolutions for consideration by an AGM, a Special General Meeting, or the Board of Directors to:

**Chief Operating Officer  
and Executive Secretary** ([egillis@pipsc.ca](mailto:egillis@pipsc.ca))  
The Professional Institute  
of the Public Service of Canada  
250 Tremblay Road  
Ottawa, Ontario K1G 3J8  
FAX: (613) 228-9048 or 1-800-465-7477

You should send any resolutions for consideration by a Regional Council meeting to the Regional Director of the appropriate Region. If you do not know who the Regional Director is, you may send the resolution to the Executive Secretary of the Institute who will forward it to the appropriate individuals.

You should send resolutions for consideration by other bodies (i.e. Group, Regional, Branch, and Sub-Group Executives; etc.) to the Secretary or President of that body. If you do not know who the Secretary or President is, please contact the nearest PIPSC office. The office will either provide you with the name and address (or telephone number) of the required elected official or they will forward your resolution to the proper person.

If you wish to send a resolution to the AGM, but would also like other bodies (i.e. Group Executives, Regional Councils, etc.) to endorse that resolution, then you should send the resolution to each such body, in addition to sending it to the Executive Secretary.

## RESOLUTIONS SUB-COMMITTEE

All resolutions intended for the AGM are first received by the Resolutions Sub-Committee. The mandate of the Resolutions Sub-Committee is to consolidate, monitor and clarify resolutions for submission to Annual General Meetings as well as report on the status of resolutions. The Sub-Committee provides opinions to sponsors when resolutions are out of order according to Institute By-Laws and Regulations and/or Parliamentary Procedures prior to their

submission to the AGM. This ensures the clarity of wording (and meaning) in resolutions which require actions to be taken and also to identify any inconsistencies with legislation, the By-Laws and Regulations and existing policies.

The Sub-Committee may make recommendations on the validity, legality and clarity of the proposed resolutions to the proposing constituency, the Board of Directors and the Annual General Meeting. These recommendations are not binding on the proposers. Some Regional Councils have seen the benefits of having well-prepared resolutions, and have set up their own resolutions committees to prepare them.

In the case of AGM resolutions, after being reviewed by the Resolutions Sub-Committee, they will be posted to an on-line moderated forum where members will be able to submit, review and comment on resolutions that may be debated at the AGM. The forum promotes a broader awareness among members of important issues before they attend the AGM and will result in a more informed and higher-quality delegate discussion. At the same time, this initiative will encourage collaboration on issues of common interest prior to the AGM.

A moderator will ensure that all submissions meet Institute requirements with regards to

content and “tone” before posting. The moderator role is NOT to censor submissions, but to ensure a level playing field and a healthy discussion board.

The Institute's Resolutions Sub-Committee is available all year long to answer your questions and provide assistance in the preparation of resolutions for any PIPSC meeting. The Sub-Committee may be contacted through the Institute's National Office.

## DON'T TRY THE IMPOSSIBLE

A body can only direct a subordinate to carry out an action. Furthermore, the action should be within the subordinate's powers to perform.

While a PIPSC AGM can direct the Board, the President, the Institute, or itself to carry out an action, it cannot direct Parliament, a legislature or a group outside of PIPSC to do anything.

For example, the following are examples of "impossible" resolutions.

Be it resolved that the Parliament of Canada give us full pension indexing immediately.

Be it resolved that PIPSC give us full pension indexing.

Firstly, PIPSC cannot direct Parliament to do anything. Secondly, PIPSC cannot change an



Act of Parliament. However, in order to achieve the "intent" of the resolution, you might move:

"Be it resolved that the President lobby Parliament to change the *Superannuation Act* so as to permit full pension indexation and,

Further be it resolved that up to ten thousand dollars (\$10,000.) be allocated from the Public Relations budget for this purpose, and

Further be it resolved that the President report to the next AGM on the result of this effort."

Indeed, this is an operable resolution.

## HINTS AND STRATEGIES

**BE CONCISE:** The delegates will get copies of all resolutions and this requires copious amounts of reading. If your resolution is too 'wordy', it will not get the attention it deserves. Try and limit your resolution to five "Whereas" clauses: choose the strongest and use others in discussion and debate. Resolutions should be no longer than 1 page.

**BE REALISTIC:** The resolved statements should include specific actions that are realistic and implementable. Resource availability, both human and financial, will have an affect on whether or not resolutions are implementable.

**BE POSITIVE:** A positive approach always works better than a negative one. Write positive statements and address the issues positively when you are speaking to them.

**BE KNOWLEDGEABLE:** Know the facts about all parts of your resolution. Be aware of other resolutions that have been passed on your issue and be sure to state in your resolution why reaffirmation of the same stand is timely.

**GATHER SUPPORT AND ASSISTANCE:** Try to involve other constituent bodies and members in supporting your resolution. Share facts and ask others to speak in favour of your resolution. This will not only help you get your resolution passed, it will also encourage other members to get actively involved.

**USE YOUR TIME ON THE FLOOR WISELY:** As the author, you will have an opportunity to speak to the resolution. Remember that the delegates have a copy, so don't read the resolution to them. Instead, take this opportunity to state some of the facts that might not be included in the "Whereas" clauses.

**BE AVAILABLE:** Make sure you are available to the delegates to answer questions. Be on time for all meetings.

**HAVE DOCUMENTATION HANDY:** Make sure you have at least two copies of your documentation with you – questions may be asked that require further clarification.

## A FEW LAST WORDS OF WISDOM

Always remember that it may be easier to place a telephone call instead of writing a resolution. But if a resolution is, in fact, necessary, follow these simple rules to make it as clear as possible. Use the suggested format to facilitate the drafting process and to make sure the resolution is as clear as possible for the body that will study and eventually adopt it. For further information or for assistance in writing your resolution, contact the PIPSC Resolutions Sub-committee through National Office. We'll be more than pleased to lend you a hand.