

TERMS OF REFERENCE

SECRETARY

It is mandatory for all branches to have a Secretary.

If an employee, such as a secretary-**manager** or a paid secretary is performing the duties of this office, the branch may elect a “recording secretary” here instead. If the branch **elects** only a recording secretary, then that is the position that signs along with the president. However, the bylaws must allow for a secretary of some sort because the only two positions that can sign legal documents are the President and the Secretary. If the branch does not have an elected secretary but they approve a position of Secretary-Manager, then the latter can sign legal documents (but not cheques). The position of Secretary must be defined in some capacity, as Section 136 of The General Bylaws states that “the seal of the branch shall be in the custody of the Secretary”.

Furthermore, the *BC Legion Act of Incorporation* Section 7 states, “all deeds, bond, mortgages, transfers, assurances, conveyances, contracts and other instruments with respect to real and personal property owned by the Command or a branch shall be executed under the seal of the Command or branch attested by the signatures of the President of the Command or branch and its secretary.”

The ceremony of initiation of a Secretary states, "you have been elected or appointed to a most important office etc." The efficiency of the operation will depend on the enthusiasm and interest shown by the Secretary. It is recognized that there is a difference between the degree of efficiency that can be expected from Secretaries who are unpaid and carrying out duties in their spare time and those who are fully employed in this position. The Legion owes a great debt of gratitude to those who accept this office without remuneration and Command is grateful to them for their cooperation.

The Secretary position should be well versed in a variety of areas of the branch operations and have knowledge of the proper operating procedures of the Legion. It is imperative that the closest liaison be maintained between the Secretary and the executive, particularly the President. The Secretary is an important part of the public relations, and particularly internal relations. Quite often, the secretary is the only officer with whom many members will ever have contact. Therefore, the Secretary should have a good rapport with all members.

As the Secretary cannot be familiar with the full contents of the various booklets and manuals however, what is expected is that the Secretary will at least know where information can be found and should have copies of the various booklets, manuals and reference guides close at hand for easy reference when the need arises. Reference material can be located on the BC/Yukon website: www.legoinbcyukon.ca under branch corner and the Dominion Command website at: www.legion.ca under “Who We Are” tab and “How We Operate” tab.

The Secretary keeps a complete and accurate record of the business transactions at all branch and Executive meetings. They carry out their responsibilities according to the instructions received from the Executive and general meetings. It is important for all Executive members to remember that once a decision has been reached in a democratic manner - it is the duty of every member to support it

regardless of personal feelings. It is especially important for the Secretary to support these decisions because, as far as policies emanating from outside the branch are concerned, everything is communicated through the Secretary

Correspondence addressed to the branch

Correspondence addressed to the branch is not the personal property of the secretary. Although the secretary can reply on their own initiative on some issues, correspondence involving other than routine business must be perused by the President and reported to the Executive. Under BC/Yukon Command internal communication policy all Executive members have the right to receive all correspondence and memos by email. The Executive in turn, after reviewing the correspondence, can decide what is appropriate for referral to general meetings.

Command memos are numbered for easy reference. This makes it easy to determine if a memo is missing. Memos from BC/Yukon Command are issued electronically and are also posted on the Command webpage in the branch corner log in area: www.legionbcyukon.ca. Dominion Command memos are also sent to branches electronically under their legion.ca email account and are also available in the "For Members and Branches" section of their website. Master copies of the memos should be maintained in the branch office or posted in the branch for general membership access. Chairs of the appropriate standing committees within the branch should receive their own copy of the memo. All executive officers have the right to directly receive BC/Yukon Command memos. Any questionnaires and reports should be completed promptly as required. Changes in executives should be reported to BC/Yukon Command by filling out a new Report Annual Election results in the Governance tab of Branch Operations on Branch Corner. The Secretary is responsible for completing and submitting to BC/Yukon Command this list after every election.

Signature on Legal Documents

Regardless of which Officers are designated as signatories on the banking accounts, as detailed in individual branch by-laws, the *BC Legion Act of Incorporation* makes it mandatory that only the Secretary and the Branch President are permitted to sign documents such as contracts, deeds or mortgages. Legal documents signed by other than the Branch President and Secretary could be challenged in a court of law. A branch's bylaws must include either the election or appointment of a Secretary.

Branch Meetings

Prior to the meeting the secretary along with the President/Chairman should prepare an agenda and must go over the business to be presented at the meeting. The President should be made aware of matters coming before the membership and become familiar with the details of important subjects.

Meeting Agenda usually takes the following form:

- Opening Ceremony in accordance with *Ritual and Insignia Manual*
- Confirmation of Quorum in Attendance
- Adoption of previous general meeting minutes

- Reading/Distribution of previous Executive Committee meeting minutes for information
- Business arising out of the minutes
- Correspondence
- Presentation of written monthly financial statement
- Applications for membership/transfers of membership
- Presentation of Written Committee Reports Unfinished Business
- New Business
- Good and Welfare
- Closing Ceremony in Accordance with *Ritual and Insignia Manual*

Committee Chairs are required to present written reports to general meetings. After presenting their report for adoption to the meeting, the written report is handed to the Secretary. This way the Secretary does not have to write notes concerning the report, as the written report will be available for reference when the minutes are prepared.

To avoid the lengthy process of reading minutes, it is recommended that copies of the general meeting and executive committee minutes be distributed before the meeting. This allows members to review prior to the meeting and for minutes to be quickly adopted.

Meeting Minutes

Minutes are primarily a record of what was done in a meeting, not what was said by individual members. It is appropriate to try and incorporate into the minutes the “flavour of the debate,” and to show that members exercised due diligence when making their decisions. “Bare bone” minutes, recording only the decisions made, will not suffice. An acceptable compromise is to give an objective point form summary of discussions leading to decisions.

For Example:

“A motion to approve the budget was made. The main points made in favour of the motion were.... The main points against the motion were.... The motion to accept the budget was then adopted.”

Recording the debate in summary form means that:

- The same point was made several times but it is only recorded once, thereby eliminating any repetition.
- There is no indication as to “who said what” making the meeting minutes’ sound less personal and more objective.
- The names of the mover and seconder are not required by the rules and regulations. However, some branches prefer this process, therefore rewording the names is the obligation of the Secretary. Once a motion has been adopted - the motion belongs to the body that adopted it. Seconding a motion allows the subject to be brought to the floor for debate. Members express their decision on the motion when they vote to adopt or defeat the motion.

The essentials to be included in the minutes are:

- The type of meeting (regular, special, general or executive)
- Branch name and Branch number
- Time, date, and place
- Confirmation that quorum is in attendance
- Name of presiding Officer
- Action on minutes of previous meeting
- Time of adjournment
- All motions that were passed, with short statement of discussion that took place
- The 2/3 majority vote on carried motions is a recording requirement in meeting minutes involving resolutions and bylaws. However, vote recording on all meetings is highly recommended when a motion is being voted on and carried. This is important should the voting ratio, as well as who voted in favour/against if ever questioned in the future.

The minutes should be prepared as soon as possible following the meeting. Hand-written minutes should be taken and kept in a bound booklet. The President and Secretary must sign the minutes of the previous meeting, once adopted by the general membership

Adoption of Executive Committee Meeting Minutes

Executive Committee meeting minutes are not to be adopted by a general meeting. They are read, for information purposes only. Adoption means confirmation by the people who attended a meeting that the minutes of that meeting as written, are a correct record of the business that transacted. Therefore, one group cannot adopt the minutes of a meeting of another group. Questions may be asked by the general membership about anything that appears in the Executive Committee minutes.

Relinquishing of Office

It is recommended that the Secretary keep important information electronically or in paper form: forms, policies, protocol, etc. that can then be handed down to the next Secretary that can be used for training purposes and reference material.

TERMS OF REFERENCE

Recording Secretary

Individual branch bylaws must contain the authority for the position of Recording Secretary. Depending on the branch bylaws, this position may be appointed or elected. Constitutionally, there is nothing to prevent a Recording Secretary from proposing motions at meetings, but it is nevertheless considered inappropriate because of the nature of this job's duties. The Recording Secretary has to accurately record the proceedings at meetings. If the Recording Secretary is involved in the proceedings by proposing motions, or otherwise involved in discussion and debate, the accurate and complete recording of the minutes could be brought into question.

The Recording Secretary should try to refrain from being directly involved in discussions. They should give opinions only when asked, or if members are not aware of all the facts or if something illegal or unconstitutional is about to be acted upon. In branches with salaried Secretary-Managers, the duty of being the Recording Secretary is often part of their job description. Such requirement would have to be stipulated in the job description for the paid position. A Recording Secretary, who is a member, also has the right to exercise a vote during general meetings.

The Executive Committee of the branch should make themselves knowledgeable with the following reference documents:

- Command policy as published
- Individual Branch Bylaws
- Ritual and Insignia
- General Bylaws
- BC/Yukon Bylaws
- Act of Incorporation
- Rules of Procedure for Legion Meetings
- BC Legion Act
- Performance Standards Policy
- Zero Tolerance Policy
- Harassment & Bullying in accordance of General Bylaws and BC/Yukon directives