



# CONSTITUTION OF THE DAWSON TEACHERS' UNION

## I. DEFINITIONS

The following terms are defined as follows in this constitution:

### **Communicate**

To make available information to members by any means at the disposal of the DTU, including the College internal mail, bulletin boards, telephone, e-mail, and DTU publications;

### **Day**

A working day unless otherwise specified;

### **DTU Employee**

A person who is not a union officer and whose salary is paid by the DTU;

### **Federation or Confederation**

A syndical body, determined in accordance with Article XXV, to which the DTU is affiliated;

### **Member**

Any teacher who has joined the DTU according to Article VI and continues in the employ of Dawson College as a teacher;

### **Union Officer**

Any member occupying a position in the DTU, or as otherwise specified in the Collective Agreement, as a result of a nomination, election or appointment by the members;

### **Written Notice**

A written document distributed to each union member by the College internal mail or by Canada Post or by e-mail.

## II. NAME

The Union shall be called the Dawson Teachers' Union / *Le Syndicat des Professeurs du Collège Dawson*.

## III. HEAD OFFICE

The head office of the Union shall be located at 3040 Sherbrooke Street West, Westmount, Québec.

## **IV. JURISDICTION**

The jurisdiction of the Union shall cover all teachers at Dawson College who are covered by the Collective Agreement.

## **V. OBJECTIVES**

The objectives of the Union shall be the advancement and protection of the professional and social welfare of its members, the promotion of research in the field of education, and the protection of its members' economic welfare by the securing of collective agreements.

## **VI. ELIGIBILITY FOR MEMBERSHIP**

1. All teachers employed by Dawson College to teach courses covered by the Collective Agreement are eligible for DTU membership.
2. To be a member of the Union, a person shall:
  - a. be employed by Dawson College;
  - b. sign the DTU membership application form and pay the membership fee;
  - c. abide by the statutes and conform to the by-laws of the Union;
  - d. abide by the decisions of the General Assembly of the Union.
3. A written notice shall be circulated at the beginning of each semester to inform eligible members of the mechanism for joining the DTU

## **VII. FEES AND DUES**

The membership fee shall be one dollar (\$1.00). The annual dues for an individual shall be 1.9% of that individual's gross income from Dawson College. Fees and dues can be established and modified only by a General Assembly as per *Article XVII, Clause 3c*.

## **VIII. EXECUTIVE OFFICERS**

The Executive Officers administer the Union and shall be the following four (4) members:

- a. the President
- b. the Internal Vice-President
- c. the External Vice-President
- d. the Secretary-Treasurer

## IX. DUTIES OF THE EXECUTIVE OFFICERS

1. The duties of the DTU Executive Officers are collective responsibilities and the Executive Officers have the collective responsibility of ensuring that they are fulfilled. Such responsibilities include the regular communication of news of Union activities and concerns to members. In the process, the Executive Officers may decide to transfer tasks between each other. The Executive Officers shall meet on a regular basis or whenever called by the President. They shall give their successors all the information and the materials relative to their position in the Union.
2. The President shall:
  - a. be the official Union representative and be responsible for the overall supervision and administration of the Union;
  - b. preside at all meetings of the Executive Officers;
  - c. represent the DTU at meetings of the FNEEQ *Regroupement des Cégeps* and other bodies of the FNEEQ and CSN;
  - d. preside at meetings of the General Assembly if the Internal Vice-President is absent;
  - e. sign all contracts, minutes, financial statements and agreements in the name of the Union and ensure that all measures contained therein are executed;
  - f. be an ex-officio member of all committees of the Union;
  - g. be a member of and coordinate the DTU delegation to the *Comité des Relations de Travail/Labour Relations Committee (CRT)*;
  - h. supervise the activities of the Coordinator of Grievances.
3. The Internal Vice-President shall:
  - a. assume the duties of the President in his or her absence, and become Acting President if the position of President is vacant;
  - b. preside at all meetings of the General Assembly and the Executive Council;
  - c. maintain relations with other syndical bodies within the College;
  - d. assist the President in CRT matters;
  - e. assume responsibility for all DTU activities relating to Professional Development, be an ex-officio member of the Professional Development Fund Committee (PDFC) and coordinate the DTU representatives on the PDFC.
4. The External Vice-President shall:
  - a. with the President, maintain DTU relations with the FNEEQ, the CSN and all other parties outside the college and represent the DTU at these bodies as may be necessary;
  - b. be responsible for the communication of information generated by such meetings to the Executive Council and General Assembly;
  - c. replace the Internal Vice-President if this position becomes vacant.

5. The Secretary-Treasurer shall:
  - a. be responsible for taking minutes at meetings of the Executive Officers, Executive Council and General Assembly;
  - b. circulate the minutes of the meetings of the Executive Council and General Assembly to the members at least five (5) days prior to the date of subsequent meetings;
  - c. inform members, at least five (5) days prior to the date of any meeting of the Executive Council or General Assembly;
  - d. supervise the financial records of the DTU and be a non-voting member of the DTU Audit Committee;
  - e. in consultation with the other Executive Officers, prepare an annual budget to be approved by the General Assembly;
  - f. convene the Audit Committee when a review of financial records and/or selection of an external auditor is required;
  - g. coordinate with the Audit Committee to ensure timely production of the audit report;
  - h. present a summary of the budget by category to the Executive Council at least three times a year;
  - i. witness the signature of the President on all contracts and agreements in the name of the Union;
  - j. assume the role of office manager by ensuring the proper use of DTU resources, including the setting of priorities for tasks for DTU employees;
  - k. maintain an up-to-date list of DTU members, ensure that all new members pay their membership fee and circulate notices at the beginning of each semester informing new teachers of the mechanism for joining the DTU;
  - l. maintain an up-to-date compilation of DTU standing motions.
  
6. The Executive Officers will divide the following responsibilities among themselves:
  - a. responsibility for all DTU activities related to health & safety;
  - b. representing the DTU at meetings of the CRT;
  - c. the defense of teachers including the filing of grievances and filing for arbitration;
  - d. the responsibilities of any officer who is unavailable;
  - e. membership on the board of Union-affiliated publications;
  - f. the coordination duties of the standing committees of the Executive Council when these seats are vacant;
  - g. the organization of DTU elections and the selection of a returning officer for DTU elections when no chief returning officer has been selected by the Executive Council or, if selected, is unable to supervise an election;
  - h. mobilization during a negotiation period;
  - i. information during a negotiation period;
  - j. the DTU representation at FNEEQ and CSN meetings and other external meetings.

## **X. COORDINATOR OF GRIEVANCES AND GRIEVANCE OFFICERS**

1. The Coordinator of Grievances will:
  - a. act under the authority of the D.T.U. Executive Officers;
  - b. ensure that all grievances and requests for arbitration are filed on time and in a correct format;
  - c. ensure that a grievance ledger is maintained up to date;
  - d. ensure that grievance files are maintained up to date;
  - e. oversee the grievances waiting for arbitration in coordination with FNEEQ;
  - f. supervise investigations of grievances for arbitration;
  - g. supervise the defense of individual teacher's rights and coordinate this defense;
  - h. supervise the grievance officers;
  - i. ensure the training of all those involved in defending individual teachers' rights;
  - j. provide information to the Executive Council, the General Assembly and individual teachers regarding teachers' rights and any attacks on these rights.
  
2. Grievance Officers shall:
  - a. be elected by the Executive council in April for a period of one year;
  - b. work with the Executive Officers and the Coordinator of Grievances.

The Executive Council will decide each year in March the number of grievance officers for the following year.

## XI. EXECUTIVE COUNCIL

The Executive Council formulates Union policies and shall be comprised of the four (4) Executive Officers of the Union and the Coordinator of Grievances, as well as twenty-two (22) Union members elected by their respective constituencies. These twenty-two (22) seats shall be distributed as follows:

- a. The coordinators of the following standing committees of the Executive Council:
  - i. The Women's Committee
  - ii. The Retirement Committee
  - iii. The Social Activities Committee
  - iv. The Solidarity Committee
  
- b. The following:
  - i. The Non-Permanent Teachers' Representative
  - ii. The DTU delegate to the *Conseil Central de Montréal Métropolitain* (CCMM-CSN)
  - iii. The Continuing Education Teachers' Representative
  
- c. Representatives of the following constituencies:
  - i. Social Science & C.A.L.L. (4 members)
    - Two (2) delegates from Social Science,
    - One (1) delegate from C.A.L.L.
    - One (1) delegate from Social Science and C.A.L.L. combined
  - ii. Careers sector (5 members)
    - One (1) delegate from the Engineering Technologies
    - One (1) delegate from the Medical Technologies
    - One (1) delegate from the Social & Business Technologies
    - One (1) delegate from the Arts Technologies
    - One (1) delegate from the whole Careers sector
  - iii. Science Disciplines (2 members)
    - One (1) delegate from mathematics
    - One (1) delegate from non-mathematics
  - iv. Core Disciplines (4 members)
    - one (1) member from each of the core disciplines (Physical Education, English, French, Humanities)

## **XII. RESPONSIBILITIES AND PROCEDURES OF MEETINGS OF THE EXECUTIVE COUNCIL**

1. The Executive Council shall be the supreme decision-making body of the Union between General Assemblies. Except for powers reserved for the General Assembly in Article XVII, Clause 3, the Executive Council can make decisions on all DTU matters, including the right to make donations of up to \$250 to a single organization.
2. The Executive Council shall also:
  - a. set the proposed agendas and dates of the meetings of the General Assembly;
  - b. form whatever committees are necessary to study, discuss, promote or implement the objectives of the Union;
  - c. receive and act on complaints from members;
  - d. appoint the Chief Returning Officer to administer DTU elections;
  - e. appoint teachers on all college committees which include teachers unless it decides to organize elections.
3. Members of the Executive Council have the responsibility:
  - a. to inform and explain decisions made by the Executive Council to the members they represent;
  - b. to defend the interests of the members they represent to the Executive Council;
  - c. to preserve the ability of the union to defend its members.
4. In the event of a disagreement between the Executive Council and the Executive Officers, the decision of the Executive Council shall prevail.
5. The proposed agenda for all meetings of the Executive Council shall be prepared by the Executive Officers and must be circulated to the members at least five (5) days prior to all meetings.
6. The Executive Council shall meet on a monthly basis and shall be presided over by the Internal Vice-President of the Union, or in the case of the Internal Vice-President's absence, by a chairperson determined by the Executive Council. Proposed minutes of Executive Council meetings shall be the responsibility of the Secretary-Treasurer and must be distributed to all Executive Council members at least five (5) days prior to the following meeting.

7. A quorum for Executive Council meetings shall consist of fifty (50) per cent of the elected members of the Executive Council.
  - a. If a quorum is not achieved in the first forty-five (45) minutes, the meeting cannot be called to order and the members present at the next meeting automatically constitute a quorum.
  - b. If quorum is not achieved in the first forty-five (45) minutes, the Chair may still use this time to provide information to the members.
  - c. Motions passed while a meeting has quorum shall be valid even if the meeting subsequently loses quorum.
8. Special meetings of the Executive Council may be called by a majority of the Executive Officers or upon written request of a majority of the members of the Executive Council, excluding Executive Officers. The usual notice period is not required for special meetings.
9. Meetings of the Executive Council are open to all Union members who may exercise the right to speak but not the right to make motions or vote.
10. Any Union officer who has a conflict of interest (such as a direct or indirect interest in an enterprise, employment status, or remuneration) must abstain from voting and avoid influencing decisions relating to the matter in question.

### **XIII. STANDING COMMITTEES NOT REPRESENTED ON THE EXECUTIVE COUNCIL**

1. The following committees do not have a vote on the Executive Council:
  - a. The Audit Committee shall
    - i. consist of at least three (3) members responsible for reviewing the financial records of the DTU, including its expenditures and receipts, and for recommending the selection of an external auditor if the Executive Council decides to use the services of an auditor;
    - ii. carry out any further duties specified by Union policies;
    - iii. be responsible to the Executive Council and General Assembly of the DTU;
    - iv. be elected by the members in a union-wide vote;
    - v. report to the members at least once a year.
  - b. The Comité des Relations du Travail (CRT) shall:
    - i. consist of the Coordinator of Grievances, two members elected by a union-wide vote and at least two members to be chosen from the Executive Officers;
    - ii. be responsible to the Executive Council and General Assembly of the DTU.

When there is a need, the Executive Officers can appoint temporary members to accompany the regular teacher members of the CRT.



- c. The Professional Development Fund Committee (PDFC) shall:
  - i. consist of the Internal Vice-President plus two other teachers elected by a union-wide vote;
  - ii. allow its records to be reviewed by the Executive Council and the Executive Officers;
  - iii. be responsible to the Executive Council and General Assembly of the DTU;
  - iv. report at least twice per year to the Executive council.
2. The Executive Council may create or disband other Standing Committees, as it deems necessary.

#### **XIV. DTU REPRESENTATIVES ON ADMINISTRATIVE BODIES OF THE COLLEGE**

1. According to the Collective Agreement, the DTU has the right to appoint all teachers on all college committees which include teachers. The Executive Council shall decide whether to elect or nominate members to fill these positions.
2. When the DTU is called upon to carry out elections for teacher representatives on the Dawson College *Conseil d'Administration* / Board of Governors or *Commission des Études* / Senate, it shall carry them out in the same manner as it would for any elected position involving its members. However, the terms of office shall be determined by the General Assembly.

#### **XV. ELECTION OF UNION OFFICERS AND TERMS OF OFFICE**

1. All Executive Officers, the Coordinator of Grievances, members of the Executive Council and its standing committees, and DTU representatives on College administrative bodies and their standing committees shall be elected by the members annually between April 15 and May 7.
2. The voting shall be by secret ballot.
3. All elected members shall assume office on June 1.
4. Any member is eligible for a position as a Union Officer.
5. A member may be put into nomination for a Union position only if a nomination form has been duly filled out, signed by five (5) members in the candidate's constituency, signed by the candidate, and received by the Chief Returning Officer or his or her representative before the deadline for the end of the nomination period.
6. Two DTU members may pose their candidacy for a single DTU Executive Council position on the basis that one will occupy it from June 1 to December 31 and the other from January 1 to May 31. Voters will only have the option of rejecting or accepting the pair as a unit.

7. The following seats are elected by a DTU wide vote:
  - a. the Executive Officers and the Coordinator of Grievances;
  - b. the Social Activities Committee coordinator;
  - c. the Retirement Committee Coordinator;
  - d. the Solidarity Committee Coordinator;
  - e. the DTU delegate to the *Conseil Central de Montréal Métropolitain*(CCMM-CSN).
8. Constituencies are defined as follows for purposes of election:
  - a. the constituency for the Women's Committee Coordinator is all teachers who self-identify as women;
  - b. the constituency for the Non-Permanent Teachers Representative is all non-permanent teachers including continuing education teachers;
  - c. the constituency for the Continuing Education Teachers' Representative is all those members teaching in continuing education.
9. All candidates for elected positions based on a DTU- wide vote (as opposed to a constituency vote) are required, as a condition for their candidacy, to:
  - a. produce a position paper on their objectives in seeking Union office, which will be circulated to the DTU members prior to the election;
  - b. attend a meeting of the General Assembly, prior to the election, and to present and publicly defend this position paper.

If the candidate does not meet condition (a.) the candidate's name is to be struck from the ballot. If the candidate does not meet condition (b.) the candidate's name is to be struck from the ballot unless the candidate is prevented from being present at the General Assembly by extenuating circumstances acceptable to the General Assembly.

10. All candidates for elected positions based on a DTU-wide vote (as opposed to a constituency vote) must receive, for an election to be valid, a minimum of fifty (50) affirmative votes. In the event of a single candidacy, a ballot must be circulated to the members giving them the opportunity to accept or reject the candidate. In this case, the single candidate must also receive at least fifty (50) affirmative votes for the election to be valid.
11. The Chief Returning Officer will vote to break any ties, but will not vote otherwise.

## **XVI. REMUNERATION**

1. Elected Union Officers do not receive any remuneration other than release time, as well as travel and other expenses incurred in carrying out Union duties.
2. In the event that a Union officer's release time equivalent is paid in full or in part by the DTU, the officer will be paid in a manner resembling as closely as possible the remuneration he or she would have received for an equivalent teaching load measured in F.T.E. (full time equivalency).

## **XVII. GENERAL ASSEMBLY**

1. The General Assembly is the supreme decision-making and policy-making body of the Union and is composed of all members of the Union.
2. A General Assembly shall be called by the Executive Council at least once a semester. In addition, the Executive Council may convene the General Assembly whenever it decides that an issue merits such consideration.
3. A General Assembly must be called by the Executive Council to deal with matters exclusively reserved for General Assembly consideration. These include:
  - a. work stoppages of any kind;
  - b. constitutional amendments;
  - c. fees and dues for DTU membership;
  - d. the size and distribution of seats of the Executive Council;
  - e. the recall of Executive Officers and the Coordinator of Grievances;
  - f. the number of Executive Officers;
  - g. the adoption of an annual budget;
  - h. donations of over \$250;
  - i. changes to the policy regarding release time for Executive Officers;
  - j. the expulsion and re-admission of members;
  - k. the terms of office of the DTU representatives on the *Conseil d'administration* / Board of Governors and the *Commission des études* / Senate.
4. The Executive Council sets the date and agenda for all meetings of the General Assembly. Members shall be given a written notice at least five (5) days prior to the holding of a General Assembly. Minutes of General Assembly meetings shall be the responsibility of the Secretary-Treasurer, who must also distribute these to all members at least five (5) days prior to the following meeting.

5. An emergency General Assembly can be called by the Executive Council or the Executive Officers with twenty-four (24) hours' notice, provided all reasonable efforts have been made to communicate the time and location of the meeting to the members. The requirement for prior distribution of minutes is waived.
6. A special General Assembly of the Union shall be called at any time during the academic year when a petition signed by at least twenty-five (25) members is submitted to the Executive Council. The Executive Council shall call such a meeting not later than five (5) days after receiving such a petition.
7. Thirty (30) members shall constitute a quorum for all meetings of the General Assembly.
  - a. If quorum is not achieved in the first forty-five (45) minutes, the meeting cannot be called to order and the same agenda shall be presented for consideration at the next Executive Council meeting.
  - b. If quorum is not achieved in the first forty-five (45) minutes, the Chair may still use this time to provide information to the members.
  - c. Motions passed while a meeting has quorum shall be valid even if the meeting subsequently loses quorum.
8. All members of the Union may speak, make motions and vote at a General Assembly.
9. Decisions taken at a meeting of the General Assembly require a simple majority vote and are binding on all members.
10. Any Union officer who has a conflict of interest (such as a direct or indirect interest in an enterprise, employment status, remuneration) must abstain from voting and avoid influencing decisions relating to the matter in question.

## **XVIII. RULES OF ORDER**

All meetings of the Union's Executive Officers, Executive Council, General Assembly, and all committees shall be conducted in accordance with accepted parliamentary procedure as specified by *Robert's Rules of Order*.

## **XIX. REMOVAL OF EXECUTIVE OFFICERS AND THE COORDINATOR OF GRIEVANCES**

1. The grounds for recall of an Executive Officer or the Coordinator of Grievances include, but are not limited to, misappropriation of funds and failure to carry out the mandate of his or her office.
2. To initiate the procedure for recall of an Executive Officer or the Coordinator of Grievances, a petition outlining the grounds for recall and signed by at least fifty (50) DTU members must be submitted to a meeting of the Executive Council.
3. The petition of recall must be circulated to all members at least five (5) days before the above-mentioned meeting.
4. The motion of recall is then to be placed on the agenda of a meeting of the General Assembly and must be dealt with at this meeting. This meeting of the General Assembly must be called to take place within fifteen (15) days following the Executive Council meeting at which the petition was submitted.
5. A two-thirds (2/3) majority vote in favour of recall at a General Assembly is necessary for the recall motion to pass. In addition, the two-thirds (2/3) majority must total at least fifty (50) votes for the motion to pass.
6. If a quorum is not achieved at a General Assembly convened to vote on the recall of an Executive Officer or the Coordinator of Grievances, then the Executive Council must meet within the next five (5) days to vote on the recall. A two-thirds (2/3) majority vote of the Executive Council is necessary for the recall motion to pass.

When a recall motion passes, the member is immediately removed from office. Elections will then be organized by the Executive Council to fill the vacant post.

## **XX. REMOVAL OF MEMBERS OF THE EXECUTIVE COUNCIL**

1. The grounds for recall of an Executive Council member include, but are not limited to, misappropriation of funds and failure to carry out the mandate of his or her office.
2. To initiate the procedure for recall of a member of the Executive Council (other than an Executive Officer or the Coordinator of grievances), a petition outlining the grounds for recall, and signed by at least twenty (20) per cent of the Executive Council member's constituency, must be submitted to a meeting of the Executive Council. The petition must be circulated among the member's constituents at least five (5) days before this meeting.
3. The Executive Council will then appoint a committee to organize and oversee a recall vote. The vote is to be held within fifteen (15) days of receipt of the petition by the Executive Council. A simple majority of the voting constituents is needed for recall.
4. If the recall vote passes, the member is immediately removed from office. Elections will then be organized by the Executive Council to fill the vacant post.
5. In the event of excessive absence by one of its members (not including Executive Officers or the Coordinator of Grievances), the Executive Council is empowered by a two-thirds (2/3) majority vote to declare the seat vacant and to appoint a temporary replacement from among the members of that constituency. Barring exceptional circumstances, excessive absence shall be defined as absence from three (3) consecutive meetings.
6. Such a decision, and the reasons motivating it, must be communicated in writing to all members within the constituency affected. Within two (2) months following the declaration of a vacancy, an election must be conducted for a permanent replacement.

## **XXI. RESIGNATIONS, WITHDRAWALS AND SANCTIONS**

1. Resignations from all elected positions and committees covered by this Constitution shall be submitted to the Executive Council in writing.
2. The Executive Council shall replace the resigning member within two (2) months in a manner corresponding to the original procedure of selection.
3. A member may withdraw from the Union at any time by writing to the Executive Council.
4. A member who engages in actions seriously detrimental to the DTU (such as crossing a DTU picket line during strike action) can be suspended or expelled from the Union by a simple majority decision of the Executive Council.

5. The suspended or expelled member has the right of one (1) appeal to the DTU General Assembly, where a majority vote is required to sustain the Executive Council's decision of suspension or expulsion.
6. A suspended or expelled member is readmitted under conditions determined by the Executive Council or the General Assembly.

## **XXII. FISCAL YEAR**

The Union's fiscal year shall be from July 1 to June 30.

## **XXIII. WORK STOPPAGES**

1. Work stoppages of any kind or any duration must be decided by a simple majority in a secret ballot vote by referendum. This referendum will be started in a General Assembly and continued subsequent day.
2. A return to work shall be decided by a simple majority vote in a secret ballot held at a General Assembly called for that purpose.

## **XXIV. PROXY VOTES**

Votes on any union matter must be cast by the members themselves. Proxy votes are not admissible.

## **XXV. AFFILIATION**

1. The union is affiliated to the *Confédération des Syndicats Nationaux* (CSN), the *Fédération National des Enseignantes et Enseignants du Québec* (FNEEQ) and the *Conseil Central de Montréal Métropolitain* (CCMM).
2. The DTU shall abide by the constitution of the organizations mentioned above in the present article and act accordingly.
3. The DTU agrees to pay monthly per capita dues that have been set by these different organizations to which it is affiliated.
4. Any officer or delegate of the above-mentioned bodies shall have the right to attend any union meeting and participate in the deliberations, if invited, but shall not be entitled to make motions or vote.

## **XXVI. DISAFFILIATION AND DISSOLUTION**

1. A vote in favour of disaffiliation requires a simple majority of DTU members.
2. A vote in favour of dissolution requires a two thirds (2/3) majority of all DTU members.

## **XXVII. CONFIDENTIALITY**

1. The information contained in DTU files on individual teachers is confidential. Individuals or groups who wish to have access to statistical information (other than that contained in their own files) must obtain permission from the Executive Officers. However, law enforcement agencies may obtain information in an individual teacher's file only if authorized by a warrant.
2. A teacher may see the contents of his or her files provided reasonable time is given to the Executive Officers or the Coordinator of Grievances. If such a teacher finds inaccuracies in his or her files, the teacher may draw the Executive Officers' or the Coordinator of Grievances' attention to the matter and make available to the DTU any official documents that may serve to update the information.
3. Minutes of DTU bodies and the financial records of the Union can be made available to members upon request.
4. The following have access to the teachers' files:
  - a. the Executive Officers;
  - b. the Coordinator of Grievances;
  - c. those authorized by a member of the Executive Officers or the Coordinator of Grievances.

## **XXVIII. AMENDMENTS TO THE CONSTITUTION**

Any two (2) members of the Union may propose an amendment to the Constitution provided that written notice of the amendment proposed is given fifteen (15) days prior to the General Assembly at which the amendment is to be discussed. Approval by two-thirds (2/3) of the members present shall be required to pass an amendment.