



**MCMASTER
ENGINEERING
SOCIETY**

Constitution

PREAMBLE

Contained within the text of this document lies the Constitution of the McMaster Engineering Society. The McMaster Engineering Society is a society comprised of the undergraduate engineering students at McMaster University in Hamilton, Ontario, Canada. This document shall form binding terms of reference and shall supersede all previous constitutions, operating policies and any related documentation.

The McMaster Engineering Society was formed due to the actions of a few innovative and responsible individuals in the Fall of the year 1959. This tradition of innovation and responsibility has continued to date, and as the Society continues to grow these traditions promise to nurture strength and spirit in the years to come.

This Constitution was streamlined in 1997 and again in 2020 and partnered with Bylaws and a Policy Manual in order to provide guidance and set standards for the operations and initiatives of the McMaster Engineering Society.

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Article One: NAME AND DEFINITION

The following is the Constitution of the McMaster Engineering Society, the organization representing the undergraduate engineering students of McMaster University. In practice, the organization shall be known as the McMaster Engineering Society, the MES, or the Society. In all instances, this document forms the binding terms of reference for all the Society's operations, activities, and policies.

Article Two: MISSION STATEMENT

The McMaster Engineering Society will foster the development of well rounded undergraduate engineering students through accessible support of academics, athletics, and recreational and professional activities, while maintaining the integrity and unique traditions of our faculty society.

Article Three: MEMBERSHIP

1. Full Membership in the Society shall be restricted to those McMaster undergraduate students in the faculty of engineering who have paid their Engineering Society fees in full.
 - a. For the academic year in which they hold office, all voting and appointed positions must maintain Full Membership in the Society
2. Partial Membership in the Society shall be bestowed upon any McMaster undergraduate student in the faculty of engineering.
 - a. Partial Members shall be referred to as McMaster undergraduate students in the Faculty of Engineering.
 - b. Any undergraduate student in the McMaster Faculty of Engineering shall be entitled to voting rights in elections and at General Meetings, to sit on committees, and to be eligible to run for office, in accordance with the appropriate policies in the Policy Manual.
3. Associate Membership may be bestowed upon an individual by a two-thirds majority vote of the Council and payment of the MES fee.
 - a. Associate Membership is open to anyone who is ineligible to become a Full Member, but declares an interest in promoting the aims of the MES and wishes to become an active member of the MES.

- b. Associate members do not have voting rights, but may attend and participate in discussion at General Meetings of the Society, and hold appointed positions on the MES Council.

Article Four: FEE INCREASES

All fee increases other than CPI will need to be called via referendum or a motion at SAGM.

Article Five: MES COUNCIL

The MES Council shall be composed of voting, non-voting, and appointed members. All Council members shall have the powers and authorities detailed within the Policy Manual

1. Voting Members:

- a. Executive
 - i. President
 - ii. Vice President, Student Life
 - iii. Vice President, External Relations
 - iv. Vice President, Academic
 - v. Vice President, Finance
 - vi. Vice President, Communications
 - vii. Vice President, Internal
- b. Associate Vice Presidents
 - i. Associate Vice President, Clubs
 - ii. Associate Vice President, Events
 - iii. Associate Vice President, Academic Resources
- c. Department Representatives: There shall be one representative, who is a member of that department.
 - i. Chemical Engineering

- ii. Civil Engineering
- iii. Software Engineering
- iv. Electrical and Computer Engineering
- v. Engineering Physics
- vi. Materials Science and Engineering
- vii. Mechanical Engineering
- viii. Mechatronics Engineering
- d. Program Representatives: There shall be one representative who is a member of each program.
 - i. Computer Science
 - ii. Engineering and Management
 - iii. Engineering and Society
 - iv. Bioengineering and Biomedical Engineering
 - v. Bachelor of Technology
 - vi. i-BioMed
- e. First Year Representatives: There shall be six First Year Representatives, registered in Level I and whose constituency will be the full Level I class. The representatives shall be based on first year programs.
 - i. Three from Engineering I
 - ii. One from Bachelor of Technology
 - iii. One From i-BioMed
 - iv. One from Computer Science

2. Appointed Non-Voting Members

- a. Officers
 - i. Chief Returning Officer
 - ii. Equity and Inclusion Officer

Other Appointed Non-Voting Members shall regularly be appointed by the Executive as detailed within the Bylaws.

Article Six: RESPONSIBILITIES OF COUNCIL MEMBERS

The duties and responsibilities of all positions on the McMaster Engineering Society Council are detailed in the Bylaws.

Article Seven: MULTIPLE POSITIONS

Any one person may not hold more than one voting position at one time. In the event that this occurs, the person must resign from one of the positions.

Article Eight: VACANCIES

If any position is vacant, it will be filled as outlined in the Election Policy.

Article Nine: POWERS AND AUTHORITY OF THE COUNCIL

1. The Council shall have the following powers and authorities:

- a. To be the policy making body of the MES.
- b. To adopt By-laws and take other actions, subject to this, the Long-Term Plan and any other duly enacted document, for the promotion and achievement of the purposes and aims of this Society.
- c. To form various Committees of the MES, standing, special and ad hoc, mandated to conduct specific tasks or to advise the Council on specific aspects of the Society. All decisions at the Committee level are subject to approval by Council.
- d. To appoint qualified McMaster undergraduate students in the Faculty of Engineering to any MES Committee.
- e. To appoint MES members to act as representatives of the Society on Committees external thereto.
- f. To call General Meetings of the Society in accordance with the Constitution.
- g. To engage in commercial undertakings and/or employ personnel to meet the needs of the Society.

- h. To examine the books and records of any subsidiary body of the Society and shall also be empowered to designate this authority by signed instructions or in approved minutes to any other person who is not a Council member.

Article Ten: ELECTIONS

- 1. Elections for all positions on the Council shall take place every year according to the policies outlined in the Bylaws.
- 2. At least 3% of all eligible Members of the Society must vote for an election to be considered valid.
 - a. For election periods with multiple simultaneous elections, a vote cast in any election will count as an abstention in all elections not voted in.

Article Eleven: RECALL

- 1. General
 - a. A referendum shall be called by the Council to seek the removal from office of an elected official of the Society upon the receipt, by the President in the case of:
 - i. A Department or Program Representative, a valid petition of no less than thirty of that representative's constituents; or
 - ii. Any other Council member, a petition of no less than 250 of the McMaster undergraduate students in the Faculty of Engineering.
- 2. Petition
 - a. A petition for a referendum on the removal from office of an elected official of the Society shall state the reasons for which the removal of the official in question is requested, and a separate petition shall be required for each official whose removal is sought.
 - b. Solely McMaster Undergraduate students who are in the constituency represented by that official may sign the aforementioned petition.
 - c. No such petition shall be accepted if the person named therein has been removed from office and re-elected within 90 days prior to the receipt of the petition.
- 3. Referendum

- a. A referendum called by the Council to seek the removal from office of an elected official or the Society shall be directed solely to the constituents of that official.
 - b. Notwithstanding any provision of this document, should half plus one of all the votes cast (including spoiled ballots) in the referendum seeking the removal from office of an elected official of the Society favour that removal, the official in question shall immediately cease to hold the office. The position shall be declared vacant due to a circumstance other than the expiration of the term of office of the official
 - c. Any person recalled from office shall be eligible for re-election.
4. Council Member Recall
- a. A two-thirds majority vote of the Council shall be sufficient to recall a nonvoting member of Council from their position, subject to a posting of the motion two weeks prior to voting

Article Twelve: REFERENDA

1. General

- a. A referendum to consult the McMaster undergraduate students in the Faculty of Engineering for a purpose connected with the affairs of the Society must be called:
 - i. By a majority vote of the Council; or
 - ii. Upon receipt, by the Chief Returning Officer of a petition in writing of not less than 250 members of the McMaster undergraduate students in the Faculty of Engineering. The Chief Returning Officer shall verify the validity of the petition and of each signature, and shall report to the Council thereon.
- b. The wording of the referendum question shall be decided by the Chief Returning Officer, subject to the approval of the representatives(s) of the petitioners.

2. Action on a Petition

- a. The request for a referendum of any issue connected with the affairs of the Society must be acted on at the first meeting of the Council after the submission of the petition to the Chief Returning Officer.

3. Procedures

- a. The Chief Returning Officer will conduct the referendum.
- b. The exact wording of the referendum question shall be published in an issue of a publication with widespread circulation amongst the membership of the Society, be posted on all Society bulletin boards, and announced by Department and Program Representatives to their respective constituents, not later than one week before the opening of the polls.
- c. All election procedures herein or otherwise, shall be in accordance with the procedures for such activity in the elections and by-elections of the Society in so far as such procedures are applicable. (See Policy Manual Section B 'Elections')

4. Results

- a. A motion as stated in a referendum is passed with an affirmative vote of at least half plus one of the total ballots cast (including spoiled ballots) and subject to b) below.
- b. The results of the referendum shall be binding on the Society, provided that no less than 3 percent of the McMaster undergraduate students in the Faculty of Engineering cast ballots therein.

Article Thirteen: GENERAL MEETINGS

1. There shall be at least one General Meeting per fall and winter term.
2. Quorum at General Meetings shall be 3% of the McMaster undergraduate students in the Faculty of Engineering
3. All motions in compliance with the MES's Policy Manual, Bylaws, and Constitution procedures that pass at a General Meeting shall be binding on the MES.

Article Fourteen: AMENDMENTS TO THE CONSTITUTION

Amendments to the Constitution shall be called and conducted in accordance with the following stipulations:

1. General
 - a. The Constitution can be amended only through either of:
A vote at a General Meeting of the Society; or
 - b. A referendum of the full membership of the Society

2. Procedures

- a. Call for Amendment: An amendment to the Constitution may be proposed through a majority vote of the Council or through a petition as described in the section on referenda. The Council will decide upon the exact wording of the amendment. If the amendment is called for by petition, the final wording of the amendment is subject to the approval of the representative(s) of the petitioners.

3. Notice

- a. The exact wording of the amendment and the method of polling to be used must be published in a publication with wide circulation amongst the undergraduate students in the McMaster Faculty of Engineering not later than one week prior to the time of polling on that amendment. In addition, this same notice must be given on all of the bulletin boards of the Society.

4. Method of Polling

- a. The membership of the Society can be polled with regard to amendments that have been duly advertised (See Article 13, part 3(a)) in two ways:
 - i. *Through a vote at a General Meeting of the Society.* The amendment will be enacted provided that the amendment is supported by an affirmative vote of at least half plus one of the total votes cast (including abstentions) at a General Meeting of the Society. For the purpose of constitutional amendments, quorum at a General meeting shall consist of 3% of the McMaster undergraduate students in the Faculty of Engineering, provided that due notice has been given according to the provisions therefore. Proxy votes will not be accepted at a General Meeting
 - ii. *Through referendum.* A complete statement of the exact wording of the proposed amendment must appear at the top of the ballot followed by the question: "Should the amendment to the Constitution of the McMaster Engineering Society as stated above be adopted?" The referendum must otherwise be conducted according to the regulations given under the section entitled "Referenda" (See Article 11 'Referenda')
- b. The Council will decide upon the method of polling the McMaster undergraduate students in the Faculty of Engineering unless the amendment is called for by petition in which case the representative(s) of the petitioners shall decide the polling method to be used.

5. Non-Substantive Amendments

- a. Amendments to this constitution that are simply corrective measures to ensure proper implementation of amendments or grammatical structure may be made by the Chief Returning Officer following a notice to Council, provided these amendments do not change the concept or spirit of the point being amended.

Article Fifteen: BYLAWS

1. The MES may enact such bylaws as may be necessary for its operations, provided they are in agreement with the principles embodied in this Constitution.
2. All bylaws of the MES shall be recorded in the Bylaws document.
3. Such policies may be enacted, amended or repealed through the MES Council by means of two successive readings at separate meetings or a majority vote at a General Meeting.
4. Chief Returning Officer shall:
 - a. Ensure that the proposal follows the spirit of the MES Constitution and Bylaws.
 - b. Ensure that the proposal is placed in the appropriate section within the Bylaws.
 - c. Ensure that the wording of the proposal is clear and unambiguous.
 - d. Ensure that all clerical and grammatical structure amendments required to ensure proper implementation of the spirit of the amendment are made, provided these amendments do not change the concept or spirit of the point being amended.
 - e. Suggest amendments to any motion that does not comply to a, b, c, and d.
5. The proposed amendment must receive a two-thirds majority vote in its favour before it is accepted as a bylaw of the MES. If in the case that the amendment is not approved, the bylaw may be amended and issued again for a Second Reading, or declared dead.
6. An approved bylaw amendment shall take effect immediately after its passing.

Article Sixteen: POLICY MANUAL

1. The MES may enact such policies as may be best practices for its day-to-day operations, provided they are in agreement with the principles embodied in this Constitution and the Bylaws.

2. All such policies of the MES shall be recorded in the Policy Manual.
3. Such policies may be enacted, amended or repealed by means of a majority vote by the Executive, a successful motion at a Council Meeting, or a majority vote at a General Meeting.
 - a. Amendments enacted by the Executive must be presented at the Council meeting immediately following the amendment.
4. Chief Returning Officer shall:
 - a. Ensure that the proposal follows the spirit of the MES Constitution, Bylaws, and Policy Manual.
 - b. Ensure that the proposal is placed in the appropriate section within the Policy Manual.
 - c. Ensure that the wording of the proposal is clear and unambiguous.
 - d. Ensure that all clerical and grammatical structure amendments required to ensure proper implementation of the spirit of the amendment are made, provided these amendments do not change the concept or spirit of the point being amended.
 - e. Suggest amendments to any motion that does not comply to a, b, c, and d.
5. The proposed amendment must receive a simple majority vote in its favour before it is accepted as a policy of the MES. If in the case the amendment is not approved, the policy may be amended and issued again for a Second Reading, or declared dead.
6. An approved policy amendment shall take effect immediately after its passing.

Article Seventeen: macLAB BYLAWS

1. The McMaster Laboratory Advancement Benefaction (macLAB) Endowment Fund Bylaws exist to govern the macLAB funds and shall exist separately from all other MES Bylaws.

Article Eighteen: THE LONG-TERM PLAN

1. The MES may have a Long-Term plan to become more consistent, provided it is in agreement with the principles embodied in this Constitution.

2. The Long-Term plan is to be reviewed and changed on a regular basis.



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