

AGENDA

Virtual Meeting via Zoom

Time				Action	Presenter	Page #
5 min	5:00 pm	1.	Opening Remarks			
	5:05 pm	2.	Agenda – Approval			
	5:05 pm	3.	Call for Conflict of Interest or In Camera			
		4.	President- Elect – Council Membership	Approval	Elliott	2

TITLE: President Elect – Council Membership

Rationale for Special Meeting of Council

The next scheduled meeting of Council is March 23, 2022. However, the election process commences the previous day on March 22, 2022, when the notice of elections and call for nominations are sent to the members in the electoral districts where elections are scheduled. If the issue outlined is to be addressed, it must be done prior to the next scheduled Council meeting.

Background

There will be various changes to Council membership as required under the RHPA. The main changes are to have defined limits to Councillor terms (12 years total) and a transition to a shrinking Council (23 to 18). Some transition to a smaller Council has already occurred in the 2020 election when the positions of South-West and West were combined into one seat – West. The University of Manitoba two positions have decreased to one. And the Winnipeg region has decreased from 8 to 5 positions already. There are also two positions for President and Past President. Under the RHPA the size of Council decreases, while public representatives increase from 4 to 6. Therefore, the balance of public representatives to members changes.

When the transition to a smaller Council under the RHPA is completed, the composition of Council will be:

Composition of council

180(1)

The council of the college is to consist of the following persons:

- (a) eight regulated members who are practising physicians and elected in accordance with the by-laws;
- (b) six public representatives, three of whom are appointed by the minister and three of whom are appointed by the council;
- (c) one regulated associate member, elected by the regulated associate members in accordance with the by-laws;

- (d) one regulated member of the college who is a practising physician and is selected by the Faculty of Medicine at the university from members of that faculty, or his or her alternate, when he or she is not available;
- (e) the president of the council, whether or not he or she has been re-elected or re-appointed as a council member;
- (f) the past-president of the council, whether or not he or she has been re-elected or re-appointed as a council member.

These are the transitional electoral changes in the composition of Council as currently prescribed by the Affairs of the College Bylaw:

- In 2022 there will be 5 positions in Winnipeg, which is down from the current 8.
- In 2020 Brandon and Westman combined into one seat – West.
- In 2022 Eastman and Central combine into one seat – East.
- In 2022 Interlake, Parkland, and North combine into one seat – North
- In 2022 the two University seats combine into one seat.

The Affairs of the College Bylaw prescribes the how Councillors are elected, so that is in the control of Council. It should be noted that Council may amend the Bylaws throughout the year and then the CPSM membership votes at the Annual General Meeting to amend the bylaws.

Council Position	Number	Appointed	Elected	Other
Public Representative	3	Appointed by Council		
Public Representative	3	Appointed by Minister		
University of Manitoba	1	Appointed by University		
President	1			Ex Officio
Past President	1			Ex Officio
Associate Member	1		Elected by Associate members	
Winnipeg	5		Elected by Members	
North	1		Elected by Members	
East	1		Elected by Members	
West	1		Elected by Members	
Total	18			

See attached chart for all Councillors’ terms.

Issue to Address - President Elect

While the RHPA has a provision that both the President and Past President have ex officio positions on Council whether elected or not, the RHPA contains no provision for the President Elect to have a Council position whether elected or not. CPSM is confronted now with this possible scenario and will be confronted with this again in the future. Currently the term of the councillor who is President Elect ends in 2022, but they do not become President until 2023. They may run for election as a councillor in their electoral district and may or may not be successful. If unsuccessful, then in this year, and in future years, CPSM will have a President Elect that is not an elected member of Council,

and therefore can not be on Council. This creates a governance crisis. Several members of the Executive Committee have experienced this in other member organizations and have advised of the difficulties the organization has experienced.

As mentioned, there is no special position on Council membership for the President Elect. There is, however for President and Past President. An amendment to the bylaw could permit any President Elect to have a position on council whether re-elected or not. There is a section in the RHPA that permits a council member to continue as a councillor after his or her term expires until the member is re-elected or a successor is elected. The extension would limit election of another position since the overall cap on Council is 18, so the geographic basis of at least one councillor must be removed.

Questions for Council

The questions to be addressed by Council may include:

- Should this issue be addressed now?
- Should a specific Council ex officio position be created for the President Elect?
- If so, then considering the maximum number of 18 councillors, where should this position come from? ie are there alternatives?
- Should Council adopt the recommendation of the Executive Committee?
- What are the implications now and in the future if Council does not address this?

Recommendation of the Executive Committee

The Executive Committee recommends that a specific ex officio position on Council be established for the President Elect now. It also recommends that this position on Council be created by deleting one of the positions from Winnipeg. By this recommendation, Winnipeg will still have 4 of the 8 elected positions, plus the University appointment will likely be a Winnipeg based physician educator. Below in red is the amended chart of council positions.

Council Position	Number	Appointed	Elected	Other
Public Representative	3	Appointed by Council		
Public Representative	3	Appointed by Minister		
University of Manitoba	1	Appointed by University		
President	1			Ex Officio
Past President	1			Ex Officio
President Elect	1			Ex Officio
Associate Member	1		Elected by Associate members	
Winnipeg	4		Elected by Members	
North	1		Elected by Members	
East	1		Elected by Members	
West	1		Elected by Members	
Total	18			

PUBLIC INTEREST RATIONALE

“A College must carry out its mandate, duties, and powers and govern its members in a manner that serves and protects the public interest.” s. 10(1) RHPA

The transition to a smaller Council also comes with a shift in the balance of CPSM members to public representatives, with the public representatives now constituting one-third of the Councillors. This is a significant change in requiring the self-governing profession to take more into account the public interest in making decisions to govern the medical profession in the public interest.

The role of President Elect requires stability in its transition to Presidency. The current provisions do not provide for ease of transition and scenarios of the President Elect not being able to assume the presidency have been known to cause a crisis in leadership and governance in organizations. Such is not in the public interest.

Council has expressed its interest in becoming a “more strategic Council”. In its transition to such, Council in the future may wish to consider whether the geographic distribution of Council positions is adequate or could be improved by adding other skills and attributes to ensure whether the elected voices that should be heard on Council are indeed heard.

MOTION:

The motion will be made by Dr. Ripstein at the meeting. Dr. Ripstein will make the motion since his position as Past President is not affected by these revisions. The motion is based upon the recommendation of the Executive Committee.

NOTICE IS HEREBY GIVEN THAT AT THE COUNCIL MEETING OF THE COLLEGE OF PHYSICIANS AND SURGEONS OF MANITOBA, ON MARCH 10, 2022, DR. IRA RIPSTEIN, PAST-PRESIDENT, WILL MOVE THAT:

The Affairs of the College Bylaw be amended as follows **in red**:

Number of Elected Councillors from each Electoral District

5. The number of regulated members to be elected from each electoral district is:
 - a. ~~5~~ 4 members from the Winnipeg electoral district;
 - b. 1 member from the North electoral district;
 - c. 1 member from the East electoral district; and
 - d. 1 member from the West electoral district. Elections Election Transition Provisions to Prevail

6. For the election of regulated members, the Election Transition provisions at section 110 shall prevail over the terms of this Bylaw until the election in 2022.

7a. Commencing in 2020 and continuing every second year thereafter there must be an election of regulated members to Council on the following schedule:

- 2020 – 3 Councillors from the Winnipeg Electoral District
- 2020 - 1 Councillor from the West Electoral District
- 2022 – ~~2~~ 1 Councillors from the Winnipeg Electoral District
- 2022 - 1 Councillor from the North Electoral District
- 2022 - 1 Councillor from the East Electoral District

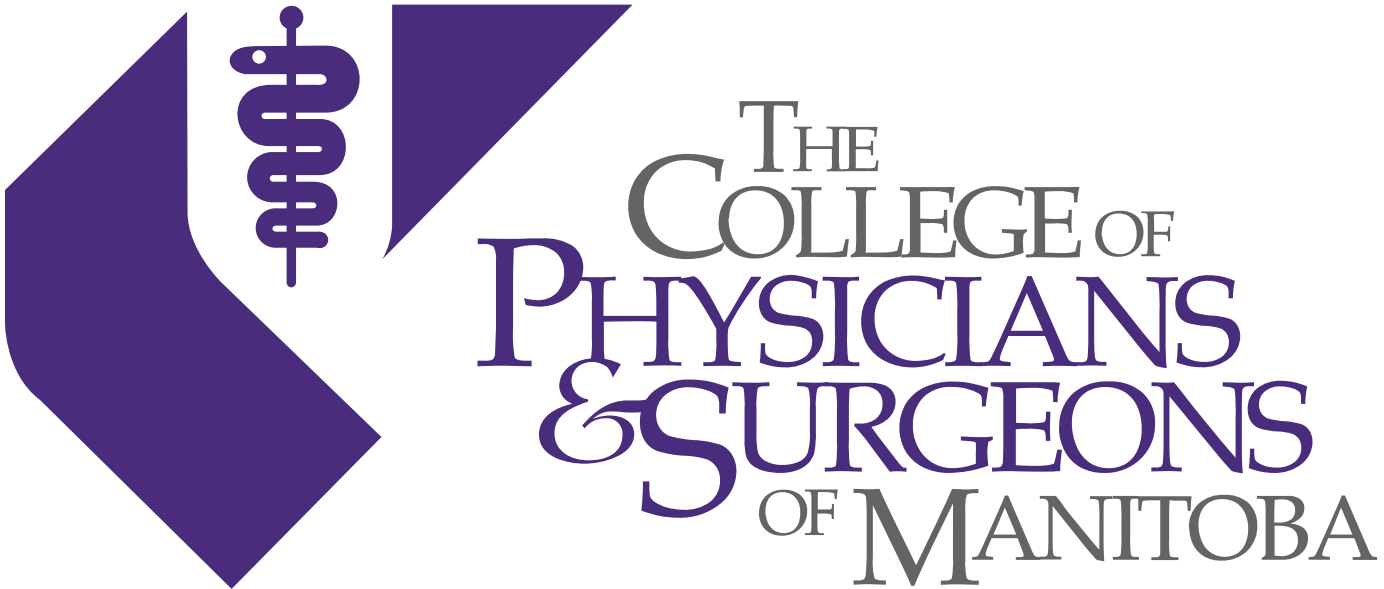
President Elect

7b. The President Elect of the Council, whether or not he or she has been re-elected or re-appointed as a council member, will be a member of the Council of the College.

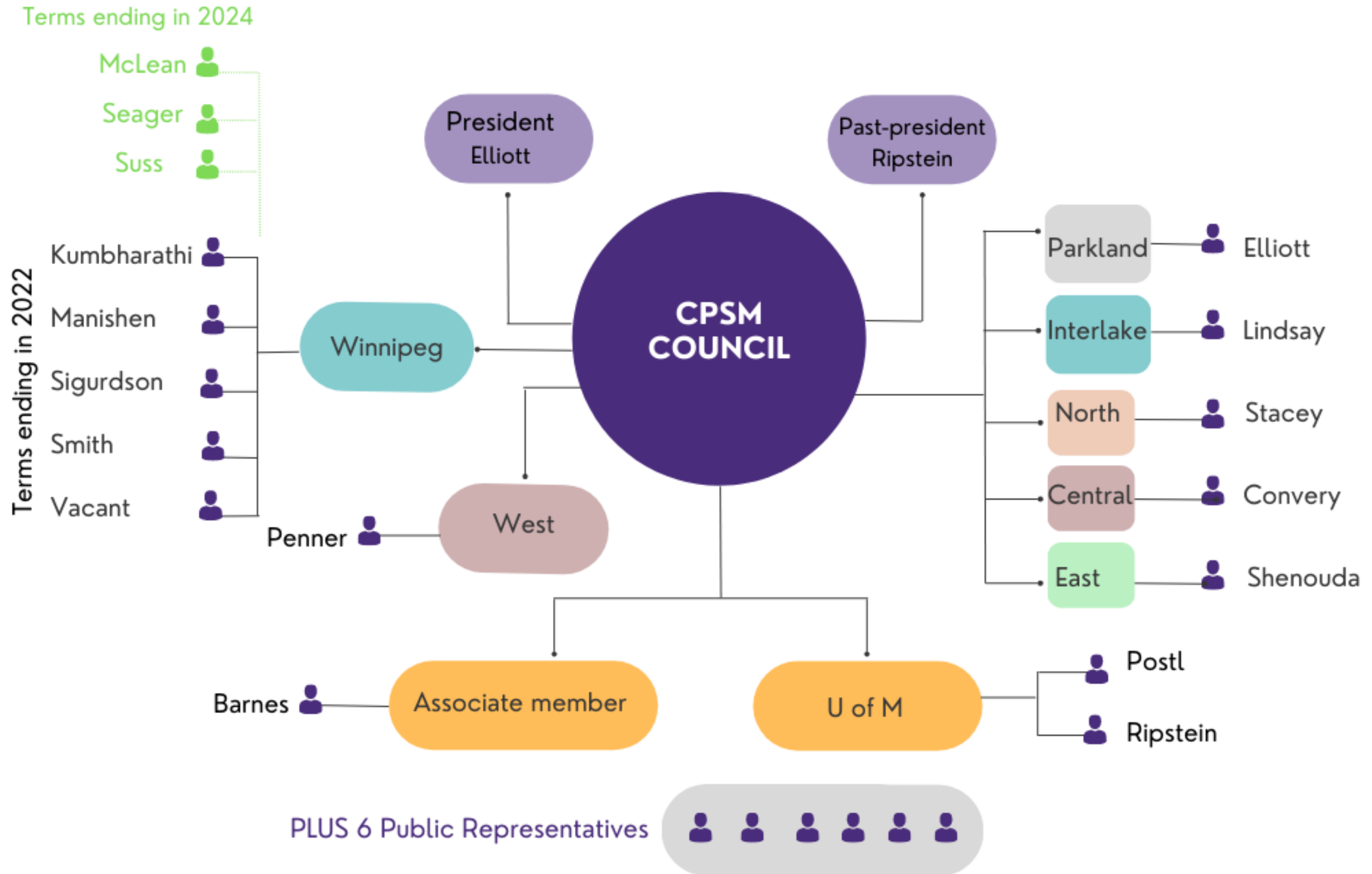
7c. A chart representing the composition of Council is:

Council Position	Number	Appointed	Elected	Other
Public Representative	3	Appointed by Council		
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President	1			Ex Officio
Past President	1			Ex Officio
President Elect	1			Ex Officio
Associate Member	1		Elected by Associate members	
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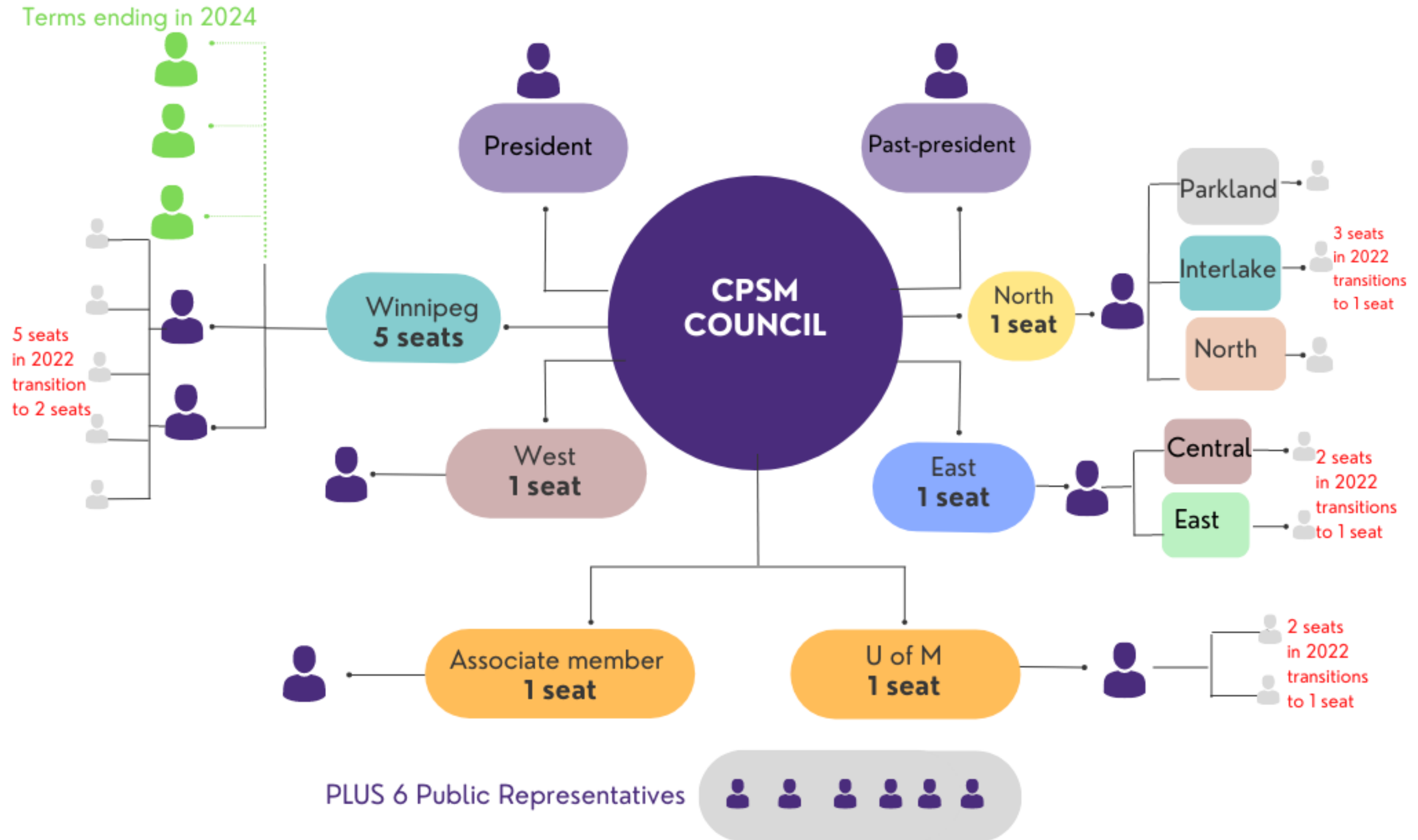
COUNCIL TRANSITION



Current Council



Current Plan to complete transition of Council (as per current bylaw)



PROPOSED REVISED PLAN in Notice of Motion

Terms ending in 2024

