



Hamilton Diocesan Council
of
The Catholic Women's League of Canada

CATHOLIC
and **LIVING IT!**



Welcome Home!

January 2022

Dear League Sisters,

We are writing to provide some important information and direction around gathering and holding parish council annual meetings and elections.

On Friday, December 17, 2021, the Ontario government announced gathering restrictions in response to the incline of COVID-19 cases. The new gathering restrictions permit 10 people to gather indoors and 25 people outdoors, while still following other guidelines such as social distances and wearing masks.

On January 3, 2022, in response to the rapid spread of COVID-19 and an alarming increase in COVID-19 hospitalizations, the Ontario government, in consultation with the Chief Medical Officer of Health temporarily moved the province back to Step Two of its Roadmap to Reopen and tightened gathering restrictions to 5 people indoors and 10 people outdoors. The Ontario government's new gathering restrictions is in place from January 5th - January 26th.

These gathering restrictions prevent us from meeting and holding our parish council annual meeting of members, and for some parish council, also their elections.

Our League's governing documents, mandate that parish councils are to hold their annual meeting of members in either January or February. Elections and parish council budgets are also done at the parish councils annual meeting of members.

As a result of these unprecedented times, **we are directing parish councils to reschedule their annual meeting of members to late February 2022. We are also asking that parish priests/spiritual advisors work with parish councils in accommodating a late February CWL Annual Meeting of Members.**

Please know that we feel your frustrations, and that we are committed to supporting and working with you and your councils through these trying times and beyond. We are monitoring the situation and will keep you apprised of any updates. We will also provide further direction should the gathering restrictions not change before the end of February 2022.

Attached are some questions and answers (Q's & A's) to help address some common questions pertaining to gathering for meetings during this time. If you have any specific questions not addressed in the Q&A, please feel free to contact us.

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General Q's & A's regarding CWL meetings, chats and motions, especially during Ontario government's COVID gathering restrictions:

Q. Can a parish council hold their meetings virtually or by phone?

A. No. *The League's Constitution and Bylaws (C&B) is deliberately "silent" on the matter of virtual or electronic meetings. By remaining silent, the League at all levels is prohibited from holding meetings virtually by the will of the membership, to whom all executives are accountable.*

Q. What does "silent" mean in relation to bylaws?

A. *The Not-for-Profit Corporations Act of Canada, provides default rules if a corporation's bylaws are silent. The default rules in the Act can only be overridden by setting out rules in the C&B, but none of the overridden rules may impede the rights of members. In some cases, the bylaws provide alternative rules to the default ones. The default rule in the Act is that meetings must be held in person.*

Q. Can parish councils hold virtual chats (which can't be considered meetings) via Zoom?

A. Yes. *In fact, we encourage you to stay in contact with your executive council and your general membership this way. Zoom also offers the ability to dial in for members who may not have access to a computer. Just remember that a chat is not a meeting, so there are no agendas and no minutes. Members are encouraged to take notes, but again, there are no official minutes taken or approved for this virtual gathering.*

Q. Can a motion be made during a virtual chat?

A. No. *Motions can only be made at a legal in-person meeting.*

Discussions and ideas can be shared during virtual chats, as well as draft motions, but no official debate or vote can take place. There can be a general consensus or a "soft agreement", meaning that there is an agreement in principle but nothing is concrete until the formal process of a motion takes place at an in-person meeting. At an in-person meeting, the motion will need to be presented, seconded, debated, and passed to be adopted. "Soft agreements" carry risks, as explained in bold below.

Robert's Rules, which we are required to follow according to our bylaws, provides a provision around this rule, that is, if an in-person meeting is called and quorum is not met, but discussions are held without quorum and action is taken. Since a meeting cannot be considered legal without quorum, any decisions made must be adopted through a Motion to Ratify.

RISKS

There are associated risks involved. For example, decisions made outside of a non-legal meeting are non-binding, and thus could have a different outcome when that matter comes before the members at a legal in-person meeting for approval. Also, if finances are involved, for example if a person(s) puts out their own funds or owes money, could be held personally responsible for those funds, meaning there is no guarantee of reimbursement.

General Q's & A's regarding CWL meetings, chats and motions, especially during Ontario government's COVID gathering restrictions: Cont...

Q. Can a parish councils hold their elections or can members vote electronically or by phone?

A. No. *The League's bylaws and the default rule in the Act is that meetings must be held in person.*

Q. Can a parish council hold a partial virtual annual meeting of members?

A. Our League's bylaws require us to meet in person. Unless Corporations Canada provides a provision for partial virtual annual meetings, as they did from 2020 and 2021, League meetings must be held in person.

Q. Can a council hold its annual meeting of members in the church proper or gathering space before or following Mass?

A. No. *Government gathering permissions for places of worship are only permitted to remain open for the sole purpose of religious services, ceremonies and rites celebration of sacraments, and are restricted by capacity limits and COVID safety protocols of maintaining a physical distance of two meters and wearing masks. Also, social gatherings associated with religious services, rites or ceremonies are also restricted to gathering limits of 5 people indoors and 10 people outdoors. Holding meetings in the church or in its gathering space would not only be improper, it would be in violation of the government's COVID restrictions and opening provisions for places of worship.*

Q. Can a parish council hold their annual meeting of members later in the year when COVID numbers settle?

A. *Our Constitution and Bylaws direct that parish councils hold their annual meeting of members in either January or February.*

Q. Should parish councils stop the nominations and elections process because they are unable to meet.

A. No, *continue sending out the nominations and elections packages and receiving nominations. There is no point stopping the process, even if you have to postpone the annual meeting of members/elections. You can use the information at a later date when you are able to meet.*

Q. What happens if gathering restrictions are not lifted by the end of February and parish councils can't hold their annual meeting of members and hold elections?

A. *As mentioned, we are monitoring the situation closely and will provide further direction before the end of February.*

Q. What should parish councils do about creating/approving their 2022 budgets, and collecting membership fees?

A. *Continue to collect, deposit and process membership fees. Speak with your bank and see if a direct deposit option can be added to your account so that members can pay their membership fees electronically, or ask members to mail or drop off payments to the Treasurer's home or parish office. Be sure to issue receipts to each member to pays their membership fees.*

Councils are encouraged to discuss and prepare their 2022 budgets if not already done. This can be done virtually, but the approval of the budget must be done at an in-person annual meeting of members.