

Why does the ONMB GOB need alignment to the CCMBC GOB?

CCMBC is amending its General Operating Bylaw (GOB) to implement the Collaborative Model. The vote on their bylaw amendment is scheduled for 2021. The CCMBC amendment process has highlighted the importance of aligning provincial and national bylaws. For example, an MB church becomes a member of the national conference when it becomes a member of a provincial conference. Consequently, it would be best if all provinces have well defined membership processes that are consistent across Canada. The ONMB GOB must also be updated so that the churches are clearly defined as the members of the Ontario Conference to align with the national bylaw.

What is the Collaborative Model?

The Collaborative Model was approved by the Member Churches at the CCMBC 2019 Annual General Meeting. It is a new form of governance that brings the six provincial conferences together with other national MB organizations to coordinate the work of the MB denomination. For more information on the Collaborative Model, please review the CCMBC website.

What is ONCA?

The Ontario Government has created a new Act called the Ontario Not-for-profit Corporations Act or ONCA. It will apply to all Not-for-profit Corporations and follows a federal standard called CNCA. ONCA has not yet been enacted, though it was written in 2010. Once it is enacted, all Not-for-profit Corporations in Ontario will be allowed 2 years to refile their corporations under this Act, which includes amending their bylaws to be compliant with rules in ONCA. ONCA was scheduled to be enacted in 2020 but Covid-19 has created delays. As ONCA is written specifically for not-for-profits corporations, it is more specific than OCA.

Why are there two versions of changes in the bylaw document? (green and blue highlighted text)

Had ONCA been enacted this year, only one version of the GOB would be needed. Unfortunately, no one is sure how long the delay will be. Based upon legal advice, it was decided that preparing an OCA version that could be passed in February 2021 was a good strategy. This OCA version has most of the changes needed for when ONCA is finally enacted. The green highlighted text will be used and all blue highlighted text will be removed to create the OCA version of the bylaw.

Once ONCA is enacted, the blue highlighted text is added and all green highlighted text is removed to create the ONCA version. The Member Churches will be required to vote to approve the ONCA compliant version once ONCA is enacted.

You will notice very few green or blue highlights because most changes will operate under both OCA and ONCA. It is important to remember that OCA is “broader” than ONCA. Many changes are being made specifically for ONCA, and are also allowed under OCA, so they do not need to be highlighted.

Why do we need two membership classes?

One of the major differences between ONCA and OCA is how membership is defined as it relates to voting. Under OCA, if a corporation/group/church is a member of another corporation, it can be represented by one or more individuals, also called “delegates”. Under ONCA, if a member is a corporation/group/church, then it can be represented by just one individual. ONCA does not allow for the use of a “delegate model” for voting. A church can have just one voting representative under ONCA regardless of size.

To allow the churches in the Ontario Conference to send more than one “delegate” or voting representative, a second class of membership is created called the Convention Member. Churches can register a set number of Convention Members (using the current ratio of 1 voting representative for every 25 church members) to vote at the Ontario Conference convention. This second class is created to continue the current method of church voting which is used by the Conference today.

Both ONCA and OCA allow for two classes of membership. Following legal advice, the Conference will move to using two classes of membership for both the OCA and ONCA versions. It is simpler to add the second membership class now to make the transition from OCA to ONCA more seamless.

How will the ONMB bylaw revisions be approved?

Often a bylaw amendment is proposed to a single Article or Section and can be approved on a line-by-line basis. Given the scope of the changes in the proposed revisions, there will be a single vote at convention to approve the entire bylaw without debating line-by-line amendments. It is very important that churches review the documents in detail and participate in the Town Hall meetings so that any specific amendments that are needed are identified before the final vote. We are inviting churches into the drafting process so that all churches will be able to approve the final bylaw wording at convention. Now is the time for amendments. Amendments will not be introduced at the convention.

What are some questions I should consider as I read this on behalf of my church?

The ONMB GOB is written to help the Member Churches operate the Ontario Conference on behalf of the churches. A bylaw is always created for its members. The members have the power to amend the bylaw. The bylaw is not a Board document; rather, it instructs the members how to create and operate a Board to oversee the Conference. Some questions members might ask themselves are:

- How does the GOB help our Conference operate better?
- How does the GOB protect the member churches in the Conference?
- Does the GOB make my church’s role and responsibilities clear?

Are there any implications/changes required for my own church governance, based on the ONMB bylaw changes?

The ONMB GOB revisions have tried to clearly answer the question, “*What does it mean to be a Member Church of the Mennonite Brethren denomination in Ontario and in Canada?*” The bylaw attempts to describe authority, autonomy, rights, responsibilities and limitations of Member Churches. The bylaw emphasizes the importance of alignment to the MB Confession of Faith. Also, understanding and defining membership in your church is important to participating in Conference activities (see Section 6.6 Office Holder Requirements and Section 6.15 Membership of an Individual in a Member Church).

Will ONCA impact my church?

If your church is incorporated, it will need to comply with ONCA once it is enacted. The ONMB Conference is willing to help its churches in this process based on its own experiences.

Your Feedback

The ONMB GOB belongs to the Member Churches in the Ontario Conference. Your input into the development of the bylaw revisions is important to the future of how our Conference operates. Thank you for taking the time to support the Ontario Conference.

ADDITIONS FOR DRAFT 2

What does it mean to accept the Ontario Conference’s “values and mission” under Article 6.1?

The Membership Requirements are meant to describe things that draw together the churches desiring to be part the conference. These requirements are meant to create alignment. (Alignment does not mean being identical.) To accept the mission and values of the conference does not require every church to have the exact same mission statement or values. For instance, the values of the conference describe what the Member Churches value as being part of the ONMB conference. A church’s own values will refer to its context and individual membership in their local church.

What are the rights of a Convention Member under Section 6.2.2?

Convention Members are Voting Representatives of the Member Churches acting as the church “delegates” as described in the original bylaws. The Convention Members, along with the Voting Representative from Member Churches, will attend all meetings of the Members just as they have done in the past. Again, the two classes are used to create a church “delegate model”. Both classes attend all meetings of Members.

How does Convention Member application work under Section 6.4.2?

In the past, churches registered their voting delegates for a meeting of the Members. Now with the Convention Member class, these members must be approved (not just registered) so that an official and legal list of the members of the Convention Member class is created. To keep the process simple, the Board or Executive Committee will approve the names of the individuals nominated by the churches. This will function like the normal registration process used at past meetings. The Bylaw allows for an updating of the Convention Member list by the Secretary in special circumstances such as a person not being able to attend the meeting and the church nominating a substitute.

What are Associate Church Representatives?

The Bylaw requires that person be a “member in good standing of a Member Church” to hold an office or to be a Voting Representative. Because Associate Churches are not Member Churches, the role of an Associate Church Representative has been created for up to 3 people from an Associate Church. As approved by the Board, an individual may be granted an equivalent status of a “member in good standing of a Member Church” so that they can be nominated to positions to serve in the conference, and they can be elected to roles by the Members. Once the bylaw is registered under ONCA, Associate Church Representatives will also be allowed to vote at a meeting of the Members.