



Camosun College Faculty Association

DRAFT

Bylaws

Revised November 2017

Article I - Membership

Membership shall be of two types: Regular Membership and Honorary Membership.

1. A Regular Member is any person whose salary is determined by the salary schedule of the employee agreement **including any member who is on an unpaid leave of absence or who has been laid off with recall rights, but excluding exempt employees still paying union dues.**
2. An Honorary Member is defined as any person who is so deemed by the Membership.

Article II – Rights and Responsibilities of Members

1. **The rights of members of the Association shall include:**
 - a. **the right to receive benefits from employment as laid out in the CCFA Collective Agreement;**
 - b. **the right to vote if the member is in good standing;**
 - c. **the right to attend all CCFA general meetings; and**
 - d. **the right of union representation.**
2. The responsibilities of members of the Association shall include:
 - a. observation of the Constitution and Bylaws of the Association;
 - b. adherence to resolutions **and policies** passed by the Association;
 - c. maintenance of confidentiality about collective bargaining, grievances, **private information pertaining to the Association** and other matters as requested; and
 - d. proper use of Faculty Association property and funds.
3. No member of the Association shall:
 - a. enter into an agreement with the College that is inconsistent with or contravenes the Collective Agreement between the Association and the College;
 - b. work behind a picket line legally established by the Association
 - c. act as a member of the employer's negotiating committee in negotiations with the CCFA; nor
 - d. **communicate on behalf of the Association without its express consent.**

Article III - Discipline of Members

The Executive shall have the right to discipline members for violation of member responsibilities.

~~The member accused of a violation shall be notified in writing two weeks before a hearing is to take place.~~

1. Before any disciplinary action is taken, there shall be a hearing before the Executive in which the accused may make a presentation, hear testimony against her/him, and question witnesses.
- 2. The member accused of a violation shall be notified in writing two weeks before the hearing is to take place.**
3. The Executive shall determine the level of discipline and may impose one or more of the following penalties:
 - a. Reprimand.
 - b. Restitution.
 - c. Fines.
4. A resolution involving disciplinary action must pass by a vote of two-thirds or more of members voting in the Executive.

The decision of the Executive may be appealed to an Appeal Committee. This Committee shall consist of two members chosen by the accused, two members chosen by the Executive and a fifth member chosen by these four who shall chair the committee. The decision of the Appeal Committee shall be binding on both parties.

Article IV - Assessments and Membership Dues

1. Assessments may be levied on the Regular Members from time to time on the recommendation of the Executive and the approval of the Membership. At least five full working days' notice of a resolution for an assessment shall be required or the resolution must be decided by a scheduled vote as defined in Article XI-7-c.
2. Regular Members shall pay dues of not less than one dollar per year, the actual amount to be determined from time to time by the Membership. At least five full working days' notice of a resolution to increase dues shall be required or the resolution must be decided by a scheduled vote as defined in Article XI-7-c.
3. Honorary Members shall be exempted from assessments and dues.

Article V - Executive

The affairs of the Association shall be managed by an Executive, to be composed of ten Regular Members, as follows:

1. President

2. Vice President
3. Secretary
4. Treasurer
5. Chair of the Contract Negotiating Committee
6. Chair of the Contract Management Committee
7. Chair of the Professional Development Committee (see Appendix A of the Collective Agreement)
8. Three Members-at-Large,
 - a. one of whom in the first year of a new presidency shall be the past president, if available
 - b. one of whom shall be a term faculty member, if available.

A reasonable effort will be made to encourage representation from each school and area of the college, to engage new members, and to reflect the diversity of the faculty membership.

Article VI - Duties of the Executive

It shall be the duty of the Executive:

1. to implement the decisions made by the Association
2. to conduct the business of the Association between meetings
3. to investigate and report on matters of interest to the Association
4. to appoint ad hoc committees and representatives as required from among the members to study important matters and prepare reports for the Executive
5. to produce a budget of anticipated revenues and proposed expenditures for the fiscal year
6. to publish a schedule of Regular General Meetings for the year on or before September 15th of each year
- 7. To provide mentorship and training to incoming members**

Article VII - Duties of the Executive Officers

1. During their terms of office all Executive Officers shall:

- a. treat all faculty members with equal respect and concern;**
- b. be available for faculty to contact with their concerns;**
- c. uphold the confidentiality of all faculty members during Executive discussions and grievance procedures; and**

d. **attend General Meetings, Executive meetings, and meetings of committees they have agreed to be assigned to or have volunteered for, including FPSE standing committees.**

2. It shall be the duty of the President:

- a. to call and chair meetings of the Association and of the Executive, **including an orientation and planning session at the start of each academic year;**
- b. to be an ex-officio member of all Association standing committees;
- c. to represent the Association on the Presidents' Council of the Federation of Post-Secondary Educators (FPSE) and other organizations;
- d. ~~to represent the Association at College Board meetings~~ **to write reports for the College Board of Governors, and to represent the Association at Board meetings;**
- e. to be the spokesperson for the Association;
- f. **to support and hold accountable all other Executive and committee members in their duties;**
- g. **to ensure supervision and appraisal of the union office staff;**
- h. **to cast the deciding vote in the event of a tie at any meeting;**
- i. **to be available and seek opportunities for consultation with individual members at both campuses;**
- j. **to report on activities to the Executive and the general membership;**
- k. **to preside at meetings of the Association and the Union Executive; and**
- l. **to be a signing officer.**

3. It shall be the duty of the Vice President:

- a. to assist the President in all Association matters **when necessary;**
- b. to assume all duties of the President during the absence of the President;
- c. **to provide annual written job performance feedback to the President on behalf of the Executive; and**
- d. **to be a signing officer.**

4. It shall be the duty of the Secretary:

- a. to ensure that the minutes at all General and Executive meetings are taken;
- b. to ensure that the registry of members, records, documents and correspondence of the Association are maintained; and

- c. **to be a signing officer.**
5. It shall be the duty of the Treasurer:
- a. to coordinate and prepare the annual budget;
 - b. to prepare financial statements for at least two Regular General Meetings as well as to present the annual audited report from the accountant at the first General Meeting after the report becomes available;
 - c. to receive all money paid to the Association and deposit it in such banking institutions as the Executive shall direct;
 - d. to pay all bills authorized by the Executive;
 - e. to keep all financial records and books of the Association;
 - f. to arrange for an annual financial audit; and
 - g. **to be a signing officer**
6. It shall be the duty of the Members-at-Large to perform tasks assigned by the Executive.
7. The duties of the chairs of the Contract Negotiating Committee and the Contract Management Committee shall be defined by the terms of reference of their respective committees (see Article XIII – Standing Committees).
8. The duties of the chair of the Professional Development Committee shall be defined by the terms of reference of that committee (see Appendix A of the Collective Agreement).

Article VIII - Election of the Executive Officers

- 1. Election of officers shall take place at the Annual General Meeting. All terms of office shall be for one year commencing September 1st following the Annual General Meeting.
- 2. An ad hoc Nominations Committee of three appointed by the Executive by April 1st shall call for written nominations for each position on the Executive. Members of the Executive are prohibited from serving on the Nominations Committee and members of the Nominations Committee are prohibited from running for an Executive position. A list of nominations shall be circulated to the Membership at least five full working days prior to the Annual General Meeting. Further nominations may come from the floor.
- 3. The election process:
 - a. If there is only one candidate for a position, that person will be considered elected by acclamation, otherwise the vote will be by ballot.
 - b. When there are more than two candidates, if no candidate receives a majority vote on the first ballot, the candidate with the fewest votes shall

be dropped from the next ballot, and so on, until one candidate receives a majority of the votes cast.

- c. For the purposes of this election, the Members-at-Large shall be considered three distinct positions.

Article IX - Vacancies on the Executive

1. If at any time the office of President becomes vacant, the Vice President shall ~~become~~ **take on the role of the President until the next GM or special meeting at which time a by-election will be held**. Should the Vice President not be able to assume the **temporary** position, the Executive shall appoint a **another** member ~~to the position~~.
2. If any other position becomes vacant, the Executive shall appoint a member to the position **after asking for interest from the membership**.

All such appointments must be made within thirty days from the time the positions become vacant and are subject to ratification by the Membership at the next General Meeting.

Article X - Removal of Executive Officers

Executive members are accountable to the membership, and expected to fulfill their duties with integrity in accordance with these by-laws. If an Executive Officer seems not to be fulfilling these duties, the following steps shall be followed, and may result in the removal of that Officer. If the Officer in question is the President, the Vice-President shall assume the President's functions in this process.

1. **When presented with reasonable grounds, the President may initiate an informal performance discussion with any Executive Officer.**
2. **If a performance problem is identified and persists, the President may initiate a performance review, which shall include the development of a plan for improved performance.**
3. **If this plan does not produce satisfactory improvement in performance, the President may make an Executive motion to remove the Officer. The Officer may not participate in the vote.**
4. **If this Executive motion passes, the Officer will be informed and a resolution to remove the Officer will be presented at the next General Meeting.**

Any resolution to remove an Executive Officer must be preceded by five full working days' notice or the resolution must be decided by a scheduled vote as defined in Article ~~XI-7-c~~ **XI-8-c**.

Article XI – Meetings

1. Annual General Meeting
 - a. The Annual General Meeting shall be held in May or June of each year.
 - b. At least two weeks' notice shall be given of the Annual General Meeting.
2. Regular General Meetings
 - a. The Executive shall schedule at least one Regular General Meeting during each of the Fall and Winter semesters.
 - b. At least five full working days' notice shall be given of a Regular General Meeting.
3. Special General Meetings
 - a. Special General Meetings on specific matters requiring the attention of the Membership may be called by the Executive or by 35 Regular Members.
 - b. At least three full working days' notice shall be given of a Special General Meeting.
 - c. No additions to the agenda of a Special General Meeting shall be allowed.
4. Emergency General Meetings
 - a. Emergency General Meetings may be called by the Executive for exceptional circumstances which require immediate CCFA action.
 - b. At least one full working day's notice shall be given of an Emergency General Meeting unless such a delay would make it impossible for the action to take place.
 - c. Notwithstanding other parts of these bylaws, resolutions introduced at an Emergency General Meeting do not require notice or a scheduled vote as defined in Article XI-7-c.
 - d. No additions to the agenda of an Emergency General Meeting shall be allowed.
5. **Executive Meetings**
 - a. **Meetings of the Executive will be conducted according to the Guidelines for Committee Work (adopted August 25, 2011), with the President acting as Chair.**
 - b. **Meetings will occur regularly throughout the academic year at a frequency to be determined by the Executive.**
 - c. **All matters of concern to the Executive shall be decided by a simple majority of the Executive members.**
 - d. **At the discretion of the President, regular Members may attend Executive meetings in a non-voting capacity.**
 - e. **Meeting minutes will be distributed to Executive members in a timely**

manner before the next scheduled meeting.

- f. Executive meeting minutes may be requested by Members through the CCFA office.**

6. Notice

- a. The failure of a member to receive notice of a meeting will not affect the validity of the meeting.
- b. Where these bylaws specify that notice of a resolution must be given it means:
 1. the wording of the resolution and detailed reasons for the resolution must be circulated to the membership by the notice deadline, and
 2. the wording of the resolution may not change after the notice deadline.

7. Resolutions

- a. All matters of concern to the Association shall be decided by a simple majority of the votes cast except changes to the Constitution or Bylaws which require a two-thirds majority.
- b. Resolutions can only be moved and seconded at a General Meeting.

8. Voting

- a. The Chair of a General Meeting may vote as any other member when the vote is by ballot. In all other cases, the Chair may not vote until the other votes are cast, and then only if that vote will affect the result.
- b. Only Regular Members may vote.
- c. Scheduled Votes
 - i. Where these bylaws specify that a resolution must be decided by a "scheduled vote" it means:
 - The voting shall be conducted by paper ballot at the College campuses or (at the discretion of the Executive) by electronic ballot.
 - The vote shall occur no earlier than five full working days after the meeting in which the resolution is introduced.
 - Arguments presented for and against the resolution shall be recorded and made available to the Membership in advance of the vote.
 - The voting period must be a minimum of four hours.
 - If there are fewer than thirty-five votes cast, the resolution shall be deemed defeated.

- ii. At the discretion of the Executive, any resolution can be decided by a scheduled vote.
 - iii. At the discretion of the Membership, any resolution can be decided by a scheduled vote.
- d. Voting by proxy is not allowed.
- e. An absentee vote will only be permitted when the issue is decided by a scheduled vote and then only in the following extenuating circumstances:
 - i. When a member is precluded from voting due to annual holidays.
 - ii. When a member is on sick leave.
 - iii. When a member is on leave of absence.
 - iv. When a member is required to be on college duty.
 - v. When an unavoidable circumstance prevents a member from voting in which case the Executive shall be the final arbiter on whether an absentee vote will be allowed.

9. Conduct of Meetings

- a. At the discretion of the Membership, Honorary Members may be excluded from any meeting.
- b. In all matters not regulated by the Constitution and Bylaws, Robert's Rules of Order shall govern the meetings of the Association.
- c. Quorum:
 - i. Thirty-five Regular Members shall constitute a quorum for General Meetings of the Association.
 - ii. Six Executive Officers shall constitute a quorum for meetings of the Executive **unless there are fewer than 10 members on the Executive, in which case five officers shall constitute a quorum**
 - iii. Business may be transacted only if a quorum is present.
- d. Meetings may be held at more than one location simultaneously when two-way audio and visual communication is provided.

Article XII – Finances

1. The signing officers shall be the President, the Vice President, the Secretary and the Treasurer. All CCFA cheques must carry the signatures of two signing officers, at least one of which must be President's or the Treasurer's.
2. The Association shall not borrow money.
3. At the Annual General Meeting, the Membership shall appoint a qualified person to audit the accounts.

4. Members may inspect the financial records and books of the Association at any time convenient to all parties concerned. Such a time must be arranged within fourteen days of the request being made.
5. The fiscal year of the Association shall be September 1 to August 31.
6. An interim budget for the upcoming fiscal year must be presented for approval at the Annual General Meeting. Until the budget is approved, the interim budget will be in effect. If the new Executive decides that no changes are required to the interim budget other than
 - a. adjustments to Faculty Release if the reason for the change is due solely to a different cost of paying a replacement than was assumed when the interim budget was approved; or
 - b. adjustments to CCFA and FPSE dues caused by changes in CCFA membership numbers,

then the budget will be the interim budget and the Executive will report that fact to the membership. Otherwise, the budget must be presented for approval at the first General Meeting in the Fall.

7. The Association may purchase release time for its Regular Members for matters relating to union business. In the case of a part-time employee, on a case by case basis, the Association may issue a top-up contract. This contract will be paid by the Association at the same rate as the member earns at the college, including holiday pay and applicable benefits or payments in lieu of applicable benefits. Any CCFA contracted work will not include provisions for Scheduled Development and will not accrue seniority rights.

8. Overspending:

- a. The amount in each line of the Expenditures portion of the budget is the maximum the Treasurer is authorized to spend on that item.
- b. The Executive may, at its discretion, authorize the Treasurer to exceed that amount by up to \$1,000.
- c. Part 8a notwithstanding, the Treasurer may exceed the amount budgeted for faculty release if the reason for the overage is due solely to a greater cost of paying a replacement than was assumed when the budget was approved.

Part 8a notwithstanding, the Treasurer may exceed the amount budgeted for FPSE Membership Dues if the reason is due solely to a greater number of CCFA members than was assumed when the original amount was approved.

- d. An unbudgeted expenditure is any expenditure not covered by part 8a or part 8b or part 8c. Unbudgeted expenditures will require the approval of the Membership.

At least five full working days' notice of a resolution for an unbudgeted expenditure greater than \$5,000 shall be required or the resolution must be decided by a scheduled vote as defined in Article XI-7-c.

Article XIII - Standing Committees

All Standing Committees shall work under the direction of the Executive but are authorized to make critical decisions when time dictates.

The chair of each Standing Committee shall be elected at the Annual General Meeting. The remaining committee members shall be elected at the first General Meeting in September. Where necessary after that, a position will be filled by the Executive in consultation with the relevant committee and the appointment ratified at the next General Meeting.

1. Contract Negotiating Committee: a standing committee of at least three Regular Members. The committee shall:
 - a. **prepare for the next bargaining round by doing research, consulting with the membership and CMC, and developing proposals;**
 - b. **discuss bargaining strategies and consult with FPSE about provincial negotiations; and**
 - c. manage the course and conduct of negotiations with the bargaining agent for the employer.
2. Contract Management Committee: a standing committee of at least four Regular Members. The committee shall:
 - a. monitor the implementation of the collective agreement;

- b. provide advice and consultation to members who have concerns regarding the implementation of the contract or other matters relating to employment at the college;
- c. provide advice and consultation to members who attempt to resolve disputes concerning the contract or other matters relating to employment at the college;
- d. review and make recommendations to the Executive with regard to which disputes the Association will take forward to arbitration;
- e. make recommendations to the Executive with regard to expenditures for the purposes of resolving disputes related to the implementation of the collective agreement; and
- f. conduct grievances and arbitrations when necessary.

Article XIV - Ad Hoc Committees

The Executive may establish ad hoc committees for specific tasks. Ad hoc committees shall work ~~under the direction of~~ **in consultation with** the Executive.

Article XV - College Committees where the CCFA Provides a Representative

1. Where it is specified in the terms of reference of a College Committee that a member is to be appointed or elected by the CCFA, it means that the member will be elected at a General Meeting, or appointed by the Executive and the appointment ratified at the next General Meeting. The exception is the selection of the Chair of the Professional Development Committee; that shall be done at the Annual General Meeting.
2. The CCFA representatives are to report regularly to the Executive and will take back the views of the Executive to their respective committees.

Article XVI – Amendments to the Constitution or Bylaws

1. At least two weeks' notice of a resolution to amend the Constitution or Bylaws shall be required or the resolution must be decided by a scheduled vote as defined in Article XI-7-c.
2. Such a resolution requires a two-thirds majority to pass.