

CONSTITUTION and BY-LAWS of the COLLEGE OF THE ROCKIES FACULTY ASSOCIATION

Constitution

Article I

The name of the union is the **College Of The Rockies Faculty Association**, hereinafter called "the Union."

Article II

The Union has the following objectives:

1. To promote at all times democracy within the Union by maintaining the principles of freedom of expression for all members, regardless of gender, sexual orientation, age, marital status, parental status, religious belief, political belief, national origin, physical disability, colour, or race.
2. To regulate relations between employees and employers, including, but not limited to, the right to bargain collectively on behalf of the employees within the jurisdiction of the Union; to hold certifications; to protect the individual rights of the members as outlined in the collective agreement; and, in general, to function as a union pursuant to the laws of the Province of British Columbia.
3. To represent members on all committees, boards, and other bodies dealing with matters concerning members of the Union.
4. To promote collegiality among its members.
5. To promote the professional development and interests of its members.
6. To be advocates for the best possible educational programs and services associated with the College of the Rockies.

Article III

The Union claims, but is not limited to, jurisdiction over employees providing educational services in the employment of College of the Rockies.

Article IV

The Constitution and By-Laws of the Union shall not be repealed, added to, or amended, unless by a Special Resolution.

By-Laws

By-Law I: Membership And Jurisdiction

1. **Membership.** Membership is open to all employees within the jurisdiction of the Union, regardless of gender, sexual orientation, age, marital status, parental status, religious belief, political belief, national origin, physical disability, colour, or race.
2. **Faculty Department Heads.** Faculty Department Heads, as defined by the Union's June 30, 2005, memorandum of understanding, are union members. However, no other person who is employed in a managerial capacity by College of the Rockies is eligible for membership.
3. **Acting Deans.** A union member who is seconded into an Acting Dean position shall not be eligible to participate in union business, including union representation on meetings and committees.
4. **Associate Members.** Associate Members are people who are not eligible for membership under Paragraph 1, but who are formally recognized by the membership as associate members while the Union is conducting an organizing drive for new members. Associate members must apply in writing.
5. **Honorary Members.** Honorary Members are persons who are not eligible for membership under Paragraph I, but who are formally recognized by the executive as honorary members of the Union.
6. **Responsibility of Members.** Each member has a responsibility to comply with the constitution and bylaws of the Union.
7. **Bridging of Membership.** The Union has a duty to represent all its members, including those who are not currently employed but have a right of first refusal or right of recall under the collective agreement. For the purpose of participating in union business between periods of employment, a member of the union who can show a reasonable expectation of renewed employment may retain membership in the union for up to nine (9) months following the month in which the member last paid dues. Upon re-employment, the member will not be liable for any fees, dues, and assessed charges arising during the member's period of unemployment.

- 8. Membership Committee.** All questions of eligibility for membership will be decided by a Membership Committee appointed by the Executive under By-Law VIII, Section 1. The rulings of the Membership Committee may be appealed in writing to the Executive, who will place the appeal before the next General Meeting of the Union. Appeals will require a two-thirds (2/3) majority to succeed.

By-Law II: Termination Of Membership

A member ceases to be a member:

1. When the member ceases to qualify under By-Law I, or
2. When the member is expelled by a Special Resolution of the Union.

By-Law III: Meetings

- 1. Annual General Meeting.** The Union will hold its Annual General Meeting in the spring. It will provide at least two (2) weeks' notice to all members.
- 2. General Meetings.** General Meetings are to be held quarterly. Each member will receive seven (7) days' notice of these meetings.
- 3. Special Meetings.** Special Meetings may be called by the Executive. If the Executive receives a petition of 10% of the Union membership, a Special Meeting must be called. Each member will receive at least one (1) working day's notice of these meetings.
- 4. Executive Meetings.** The Executive will hold regular meetings once a month to conduct the business of the Union. These meetings will be open and the time posted to allow any member to attend.
- 5. Emergency Executive Meetings.** Between regular executive meetings, the President may call an emergency executive meeting to deal with an extraordinary issue. As much notice as possible will be given to all Executive members. Minutes of these meetings will be taken and confirmed at the next regular Executive meeting, and no business will be conducted without quorum.
- 6. Chair.** The President, and in his/her absence a Vice- President, and in their absences, such person as the meeting may appoint as Chair, will preside at the meetings of the members.
- 7. Rules of Order.** Proceedings at all meetings will be governed by Robert's Rules of Order, where they are applicable and not inconsistent with the By-Laws of the Union. Temporary suspension of the usual rules of parliamentary procedure during any meeting may be approved by a two-thirds (2/3) majority of the members attending.

8. **Quorum.** Twenty (20) Union members will be quorum at all general meetings. Five (5) Executive members will be a quorum at Executive meetings. No business may be transacted without quorum.
9. **In-Camera Issues.** At the discretion of the President or the Chair of a meeting, Associate Members and Honorary Members may be asked to leave the meeting when confidential issues are to be discussed.

By-Law IV: Voting

1. **Voting Rights.** Each member in good standing, including bridging members, will have one (1) vote by show of hands or paper ballot at all meetings of the members and for all electronic ballot votes and proxy votes. Associate and Honorary members do not have a vote.
2. **Resolutions.** All questions arising at any meeting shall be decided by a simple majority of votes except for amendments to the Constitution or By-Laws, Special Resolutions, and resolutions requiring a higher standard. These requires a two-thirds (2/3) majority of votes cast. The President, or chair of the meeting if the President is absent, will cast the deciding vote in a tie.
3. **Special Resolutions.** A Special Resolution is a resolution passed by a two-thirds (2/3) majority of votes cast either by electronic ballot or at a General Meeting for which members have been given fourteen (14) days' notice of the intention to propose the Special Resolution. Notice must include an Executive-certified copy of the motion and a summary of arguments for and against the resolution.
4. **Ballot Votes.** By a motion of the Executive or by a two-thirds (2/3) majority of votes cast at a General Meeting, any motion may be put to an electronic ballot (if technology and expertise permit) or a paper ballot of all members of the Union. The voting period for an electronic ballot must be at least twenty four (24) hours. The voting period for a paper ballot must be at least twelve (12) hours.
5. **Notice of Ballot Votes.** Members will have seven (7) days' notice of ballot votes unless otherwise specified within the Resolution, and the notice must include an Executive-certified copy of the motion and a summary of arguments for and against the resolution.
6. **Proxy Votes.** Members may vote by proxy, but only on motions for which the Executive has approved a proxy vote and given members at least seven (7) days advance notice that a proxy vote will be permitted. No proxy votes will be permitted for ratification votes, strike votes, constitutional amendments, or Special Resolutions. To register a

proxy vote, members must satisfy the chair, or the chair's designate, that they have a signed authorization form from the absent member.

7. **Strike Votes.** The membership may authorize the executive to call a strike vote.
8. **Electronic Voting by Executive.** When deemed appropriate by the President, members of the Executive may conduct business electronically. All executive members shall have the opportunity to take part in the electronic discussion for up to five working days and vote on the motion. A motion will be considered passed if a majority of the Executive has voted in favour of the motion. All motions passed electronically will be read into the minutes at the next Executive meeting.
9. **Electronic Voting by Membership.** When deemed appropriate by the Executive, the membership may conduct business electronically. All members shall have the opportunity to take part in the electronic discussion for up to five working days and vote on the motion. A motion will be considered passed if a majority of members equal to or greater than the quorum requirement have voted in favour of the motion. All motions passed electronically will be read into the minutes at the next general meeting.
10. **Strike Votes and Ratification Votes** – As per Part 4, Sections 39 and 40 of the BC Labour Relations Code, ratification and strike votes must be by secret ballot, cast in such a manner that the person expressing a choice cannot be identified with the choice expressed. If the technology and expertise exists to meet this requirement, Strike Votes and Ratification Votes may be conducted electronically.

By-Law V: Officers and Other Executive Members

No member of the Executive shall be personally liable for any debt, liability, obligation, transaction, or business affair of the Faculty Association.

The Faculty Association shall indemnify and save harmless the members of the Executive against any and all claims arising out of their individual or collective performance of duties on behalf of the Faculty Association.

The officers of the Union are as follows:

1. President

- A. Is the spokesperson for the Faculty Association
- B. Upholds the Union's constitution
- C. Organizes the work of the Union
- D. Calls and chairs CORFA general and executive meetings

- E. Represents the Union within FPSE on Presidents' Council.
- F. Is an ex-officio member on all CORFA committees
- G. Ensures that the concerns of individual members are heard and respected
- H. Is available and seeks opportunities for consultation with individual members at all campuses, with members within specific departments or programs, and the executive as needed
- I. Ensures that the business of the Union is carried on by the Executive between general meetings and that matters of interest are reported to the members.
- J. May be empowered by the executive or the membership to sign, on behalf of the Union, Letters or Memos of Understanding negotiated with the Employer between bargaining rounds. Such power will be exercised only following consultation with and prior approval of the executive.
- K. Reports on activities to the Executive and the general membership

2. Vice-President, Stewards

- A. Coordinates the activities of the stewards and reports on such activities to the Executive and the membership.
- B. Provides for the training of Stewards and for education of the members about the collective agreement
- C. Consults with and advises individual members and department heads about issues of concern, relating to the matters covered by the Collective Agreement, to the members or within departments
- D. Works to find solutions to Collective Agreement related issues as they arise. This work will be done in consultation with individual members, faculty within affected programs, members of College committees, the stewards, other executive members, and/or the employer as/if circumstances dictate.
- E. Initiates Policy Grievances and oversees the processing of all grievances.
- F. Is empowered to sign personal grievance settlements on behalf of the Union and may empower other Stewards to do so.
- G. May be empowered by the Executive to sign Policy Grievance settlements on behalf of the Union. Such power will be exercised only following consultation with and prior approval of the Executive.
- H. Represents CORFA on the FPSE Contract Administration and Review Committee
- I. Brings to the attention of the CORFA executive and the membership, issues of concern stemming from the work of the FPSE committee and the Stewards.

3. Vice-President, Bargaining

- A. Chairs the bargaining committee during and leading up to contract negotiations and will be an ex-officio member on the preparedness committee.
- B. Ensures the collection of local information required for bargaining purposes
- C. Represents CORFA on the FPSE Bargaining and Contract Review Committee,
- D. Reports to the Executive and the membership on the work of the FPSE and local committees.

- E. Brings to the attention of the CORFA executive and the membership issues and concerns stemming from the work of the FPSE and local committees
- F. Ensures that CORFA is adequately represented in any multi-institutional bargaining process approved by the CORFA membership.
- G. Provides for the training of Bargaining Committee members
- H. Is empowered to sign, on behalf of the Union, collective agreement language agreed to by the CORFA bargaining team, during contract negotiations.

4. Secretary

- A. Arranges meetings and maintains the minutes of the Union.
- B. Ensures that the membership is provided with proper notice of meetings and balloting procedures as per By-laws.
- C. Ensures that a current membership list is maintained and that attendance at general and executive meetings is recorded.

5. Treasurer

- A. Manages the financial affairs of the Union and for maintains its financial records.
- B. Prepares, with input from the President, the annual budget for presentation at the first executive meeting in the fall and approval at the fall general meeting.
- C. Prepares financial statements for the executive and general membership and arranges for an annual Financial Review
- D. Ensures that the Union receives membership dues collected by the employer. In addition to the officers of the Union, the Executive will include the following members:

6. Three Stewards

- A. Protect the rights of the membership under the collective agreement.
- B. Assist the Vice President-Stewards when requested in the performance of the Vice President-Steward's duties
- C. May be empowered by the Vice President-Stewards, to sign personal grievance settlements on behalf of the Union

7. Past-President

- A. Provides continuity and support to the incoming president for a single one-year term. There will be a Past-president position only in years immediately following a change in presidency.
- B. Performs duties as assigned by the Executive

In addition, the CORFA Executive will include the following Federation of Post-Secondary Educators Committee Representatives:

8. Non-Regular Faculty Committee Representative

- A. Promotes local awareness of issues faced by non-regular faculty and works to improve the working conditions of non-regular faculty
- B. Represents CORFA on the FPSE Non-Regular Faculty Committee and reports to the Executive and the membership on the activities of the committee
- C. Brings to the attention of the CORFA executive and the membership issues of concern stemming from the work of the FPSE committee

9. Disability Management & Rehabilitation Committee Representative

- A. Sits on the local Disability Management & Rehabilitation Committee
- B. Assists members to access disability plans as needed
- C. Represents CORFA on the FPSE Disability Management and Rehabilitation Committee and reports to the Executive and the membership on the activities of the committee
- D. Brings to the attention of the CORFA executive and the membership issues of concern stemming from the work of the FPSE and local committees

10. Education Policy Committee Representative

- A. Promotes awareness among the membership of educational policy issues that may affect the membership.
- B. Represents CORFA on the FPSE Education Policy Committee and reports to the Executive and the membership on the activities of the committee.
- C. Brings to the attention of the CORFA executive membership issues of concern stemming from the work of the FPSE committee

11. Human Rights and International Solidarity Committee Representative

- A. Sits on the local Diversity Committee and works to create awareness of human rights issues inside and outside of COTR
- B. Represents CORFA on the FPSE Human Rights and International Solidarity Committee and reports to the Executive and the membership on the activities of the committee.
- C. Brings to the attention of the CORFA executive and membership issues of concern stemming from the work of the FPSE and local committees

12. Workplace Health, Safety, & Environment Committee Representative

- A. Sits on the local Workplace Health and Safety Committee and works to ensure that CORFA members' working conditions are healthy and safe.
- B. Represents CORFA on the FPSE Workplace Health, Safety & Environment Committee and reports to the Executive and the membership on the activities of the committee.
- C. Brings to the attention of the CORFA executive and membership issues of concern stemming from the work of the FPSE and local committees

13. Pension Advisory Committee Representative

- A. Provides information to CORFA members who are considering retirement and ensures that concerns of members approaching retirement are heard.
- B. Represents CORFA on the FPSE Pension Advisory Committee and reports to the Executive and the membership on the activities of the committee.
- C. Brings to the attention of the CORFA executive and membership issues of concern stemming from the work of the FPSE committee.

14. Professional and Scholarly Development Committee Representative

- A. Chairs the Faculty Development Committee and works to ensure that CORFA members' professional development needs are met.
- B. Represents CORFA on the FPSE Professional and Scholarly Development Committee and reports to the Executive and the membership on the activities of the committee.
- C. Brings to the attention of the CORFA executive and membership issues of concern stemming from the work of the FPSE and local committees.

15. Status of Women Committee Representative

- A. Sits on the local Diversity Committee and works to improve the status of women inside and outside of COTR
- B. Represents CORFA on the FPSE Status of Women Committee and reports to the Executive and the membership on the activities of the committee.
- C. Brings to the attention of the CORFA executive and membership issues of concern stemming from the work of the FPSE and local committees

The Executive are to be members of the Union. Their duty will be to carry out business on behalf of the Union, to investigate and report on matters of interest to the Union, to consult with and advise members on matters within their mandate, and to investigate and report on matters of interest to the Union.

By-Law VI: Election And Removal Of The Executive

1. **Bi-Annual Election of Officers and Stewards.** The officers and stewards will be elected at an Annual General Meeting, for a two year term. The Executive will assume the duties of the office immediately following their election or the FPSE AGM, whichever is later.

Representatives on the Disability Management and Rehabilitation, and Pension Advisory Committees will be elected for four-year terms.

2. **Bi-Annual Election of CORFA Representatives to FPSE Standing Committees.** CORFA representatives to FPSE standing committees will be elected an Annual General Meeting to a two-year term.
3. **Executive Position Vacant.**
 - A. **President.** If the position of President becomes vacant, the membership shall elect a new president. This election may take place at a General Meeting or at a Special Meeting called for this purpose.
 - B. **Other Executive Positions.** If an office of the Executive other than that of President or Past-President becomes vacant, the membership may elect, or the Executive may appoint a member of the Union, to fill the position.
 - i. Such an election or appointment must be made as soon as possible after the time the office becomes vacant.
 - ii. An appointment must be approved by the membership at the next General Meeting.
4. **All Executive Positions Vacant.** Should the entire Executive of the Union become vacant, elections will be held at the next General Meeting or Special Meeting.
5. **Holding Multiple Seats on Executive.** No member shall hold more than one executive position as Officer, Steward or Past-President at any time. Officers, Stewards and the Past-President may be elected to represent CORFA interests at FPSE Standing Committees. In such cases, the member will exercise only one vote on any Executive decision.

By-Law VII: Finances

1. **Dues.** The annual membership dues for members will not be less than one dollar (\$1.00), and the membership may set the amount at the Annual General Meeting. The Executive will decide how to collect the dues.
2. **Associate Members' Dues.** Associate members will pay a one dollar (\$1) membership fee and annual membership dues of five dollars (\$5)
3. **Honorary Members.** Honorary members do not pay dues
4. **Dues while on Leave**
 - A. **Sick Leave.** A Union member on sick leave pays dues.

- B. **Disability.** A Union member on full disability does not pay dues. A Union member on Disability return to work will pay dues on that portion of their income derived from the member's pro-rata return to work.
- C. **Unpaid Leave.** A Union member on unpaid leave will not pay dues for duration of the unpaid leave
- D. **Maternity or Parental Leave.** A member will pay dues on that portion of the member's income derived from maternity or parental leave top-up
- E. **Education Leave.** A member will pay dues on that portion of the member's income derived from the Educational Leave or similar COTR fund.
- F. **Acting Dean.** A member who has been seconded into an Acting Dean position will not pay dues for the duration of the secondment.
5. **Special Assessments.** Special assessments may be levied at the recommendation of the Executive, subject to a Special Resolution of the membership.
6. **Changes in Dues to other organizations.** Any membership fees or increase in membership fees to be paid by the Union to other organizations must be approved by a Special Resolution.
7. **Borrowing Authority.** The Union can borrow necessary funds only after the members have approved the loan by a Special Resolution.
8. **Signing Authority.** Only the President, Treasurer and one other Executive member authorized by the Executive may sign cheques on behalf of the Union. At least two (2) signatures are required on any document, cheque, or other authorization to transfer funds within the accounts of the Union or to other parties.
9. **Financial Review.** The financial records will be subject to an annual external review. The accountant will be appointed by resolution of the Annual General Meeting. Members may inspect the Union's records and books at a time convenient both to the members and to the Executive members who keep them.
10. **Financial Statement.** The outgoing Executive will prepare a financial statement and present it at the Annual General Meeting.
11. **Budget.** The Executive will present a budget for the approval of the membership at the Annual General Meeting.

By-Law VIII: Committees

1. The work of the Union will be performed by the Executive and by members empowered by the Executive to sit on ad hoc committees established by the Executive. Any member may sit as an observer with the consent of the committee members.
2. The membership may form, at its discretion, Standing Committees.

By-Law IX: Minutes

1. Minutes will be kept by the Secretary (or designate) at each meeting. The Secretary is responsible for keeping copies of these minutes and all other records of the Union.
2. Members have a right to examine all records and minutes of the Union upon request at any time convenient both to the members and to the Secretary or Treasurer.