

# **CONSTITUTION of the COLLEGE OF THE ROCKIES FACULTY ASSOCIATION**

## **Article I – Name and Jurisdiction**

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

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

## **Article II - Objectives**

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 – Membership**

### **A. Members**

The Union will have the following classifications of membership, each with the rights and obligations set out in this Constitution.

1. **Individual Member** – Any employee within the jurisdiction of the Union, as defined by the Labour Board certification and the most current Collective Agreement between CORFA (the College of the Rockies Faculty Association) and the COTR (College of the Rockies) Board of Governors.
2. **Associate Member** - A person who is not eligible for membership under Article III A.1, who applies in writing to be formally recognized by the membership as an Associate Member while the Union is conducting an organizing drive for new members.
3. **Honorary Lifetime Member** – A person who no longer holds current membership in CORFA who has, in recognition of outstanding service to forward the objective of the Union, been granted an Honorary Lifetime Membership.  
Nominations for Honorary Lifetime Memberships shall come to the Annual General Meeting after being vetted by the Executive. The rights and privileges of Honorary Members will be determined by the Executive.

### **B. Membership Exclusions**

1. Any person employed in a managerial capacity by College of the Rockies is not eligible to be a member of the Union. This exclusion does not apply to Department Heads, as defined by the Union's June 30, 2005, Memorandum of Understanding, and Program Coordinators, as defined in the most recent Collective Agreement.
2. Any union member who is seconded into an Acting Dean or other excluded Management position shall have their membership in CORFA suspended for the duration of the secondment.

### **C. 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.

## **D. Termination of Membership**

An individual ceases to be a member:

1. When the member ceases to qualify under Article III, Section A of this Constitution; or
2. When the member is expelled by a Special Resolution of the Union, passed at a General Meeting. The member who is subject to a resolution for expulsion shall be given an opportunity to be heard at the general meeting before the Special Resolution is put to a vote.

## **E. Questions of Eligibility**

All questions of eligibility for membership will be decided by the Executive Committee. The decision of the Executive may be appealed. The appeal must be submitted in writing and will be placed on the agenda of the next General Meeting of the Union. Appeals will require a two-thirds (2/3) majority to succeed.

## **Article IV – Executive Officers and Committee Members**

### **A. Executive Committee**

1. The Executive Committee shall be the governing body of the Union in between General Meetings.
2. The Executive Committee will function under Terms of Reference approved or amended by the General Membership at a General Meeting.
3. No member of the Executive shall be personally liable for any debt, liability, obligation, transaction, or business affair of the Union. The Union 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 Union. Deliberate intentional actions intended to do damage, criminal, fraudulent or malicious acts, or gross negligence are not covered.
4. The Executive will consist of seven (7) voting members: President, Vice-President, the Chief Steward, the Chief Bargainer, the Treasurer, and two elected Members-at-Large. Release time for these positions shall be designated in the Executive Committee Terms of Reference.
5. The Past President shall be an Ex-Officio (non-voting) member for one year immediately following the end of their term as President.
6. Members of the Executive will normally be elected at the Annual General Meeting, for a two year term. Newly elected Executive members will assume the duties of their office on July 1.

Executive members elected or appointed mid term will assume their duties immediately following their election or appointment.

**7. Executive Vacancies**

- (i) If the position of President becomes vacant, the membership shall elect a new president at the next General Meeting or at a Special General Meeting called for this purpose. In the interim, the Vice-President will assume the role of Acting President.
- (ii) 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. Such an election or appointment must be made as soon as possible after the time the office becomes vacant. In the case of an appointment by the Executive, that appointment must be approved by the membership at the next General Meeting.
- (iii) Should the entire Executive of the Union become vacant, elections will be held within two (2) weeks at a Special General Meeting or, if already scheduled within the specified timeframe, at the next General Meeting.

8. Members normally shall not hold more than one Executive position at any time. An exception may be made if an Executive position is vacated mid term and no other Union member is will or able to take on this position.

9. If a new President is elected at the CORFA Annual General Meeting (AGM), the outgoing President will attend the FPSE AGM and the incoming President will attend the FPSE Presidents' Retreat.

**B. Standing Committees**

1. The following four (4) standing committees will function under Terms of Reference, approved or amended by the General Membership at a General Meeting.
  - The Stewardship Committee, chaired by the Chief Steward;
  - The Bargaining Committee, chaired by the Chief Bargainer;
  - The Finance and Investments Committee, chaired by the Treasurer; and
  - The Communications and Member Events Committee, chaired by the Vice-President.
2. Standing Committee members, other than those specifically defined by those committees' Terms of Reference, will normally be elected by members of the union at an Annual General Meeting.
3. If a position on one of these Standing Committees becomes vacant, the membership may elect, or the Executive may appoint, a member of the Union to fill that position. Such an election or appointment must be made as soon as possible after the time the position becomes vacant. In the case of an appointment by the Executive, that appointment must be approved by the membership at the next General Meeting.

### **C. FPSE Committees**

1. CORFA Representatives to FPSE Standing Committees will normally be elected by members of the union at an Annual General Meeting, for a term consistent with that Committee's Terms of Reference, as maintained and modified by FPSE.
2. If the position of a representative to an FPSE Committee becomes vacant, the membership may elect, or the Executive may appoint, a member of the Union to fill the position. Such an election or appointment must be made as soon as possible after the time the position becomes vacant. In the case of an appointment by the Executive, that appointment must be approved by the membership at the next General Meeting.
3. To facilitate appropriate communication, each FPSE committee representative will either be a CORFA Executive Member, or will be assigned to liaise with a CORFA Executive member.
4. It is the responsibility of the CORFA Executive member to ensure the FPSE Committee member is aware of current CORFA initiatives and priorities. It is the responsibility of the FPSE Committee member to ensure the Executive is aware of the Committee's initiatives and priorities.

### **D. College Committees**

1. Members of the Union will appoint or elect, from the membership, representatives to College of the Rockies Joint Committees, where the terms of reference of those committees call for faculty representation. The number of faculty representatives and the length of term will be governed by each committee's terms of reference.
2. If a Committee Representative position becomes vacant, the membership may elect, or the Executive may appoint, a member of the Union to fill the position. Such an election or appointment must be made as soon as possible after the time the position becomes vacant. In the case of an appointment by the Executive, that appointment must be approved by the membership at the next General Meeting.
3. To facilitate appropriate communication, each COTR committee representative will either be a CORFA Executive member, or will be assigned to liaise with a CORFA Executive member.
4. It is the responsibility of the CORFA Executive member to ensure the COTR Committee member is aware of current CORFA initiatives and priorities. It is the responsibility of the COTR Committee member to ensure the Executive is aware of the Committee's initiatives and priorities.

## **E. Ad Hoc Committees**

Ad Hoc Committees may be formed for a specific or one-time purpose which falls outside the scope of other existing committees. Any members of the Union may submit to the Executive Committee a proposal for an Ad Hoc Committee or, alternately, the Executive Committee may directly create one. Ad Hoc Committees will be stood down as soon as their purpose has been accomplished.

## **Article V – Meetings**

Meetings may be held in person, through audio or video technology, or through a combination of these modes.

### **A. General Meetings**

The union will hold a minimum of three (3) General Meetings per year, including the Annual General Meeting (AGM). Each member will receive seven (7) days' notice of a General Meeting and two (2) weeks' notice for the AGM. General meetings will be chaired by the President or designate. Twenty (20) union members will be quorum at all general meetings. No business may be transacted without quorum.

### **B. Executive Meetings**

The Executive will hold regular meetings once a month, excluding July and August, to conduct the business of the Union. Executive meetings will be open to the general membership and the time and location will be posted to allow any member to attend. Executive meetings will be chaired by the President or designate. Five (5) Executive members will be a quorum at Executive meetings. No business may be transacted without quorum.

### **C. Standing Committee Meetings**

Standing Committees will meet at least quarterly at times convenient to its members.

### **D. FPSE Committee Meetings**

CORFA Representatives to FPSE Standing Committees will meet at times and places as laid out annually by FPSE.

### **E. College Committee Meetings**

CORFA Representatives to COTR Committees will meet at times and places as laid out by the Terms of Reference of those Committees.

### **F. Other Meetings**

- (i) Committee of the Whole – is a meeting between the Executive Committee and the members who are FPSE and/or College Committee representatives. The Committee of the Whole may meet up to two (2) times per year.

- (ii) Special General Meeting – is an additional General Meeting called to deal with a matter the Executive Committee has deemed urgent. In addition, if the Executive Committee receives a petition signed by ten percent (10%) or more of the Union membership, a Special General Meeting must be called. Each member will receive at least one (1) working day's notice of these meetings.
- (iii) Emergency Executive Meeting – is an additional meeting called by the President 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.
- (iv) Ad Hoc Committee Meetings – These committees will be as needed to accomplish their specific purpose. Proposals to the Executive for Ad Hoc Committees will include a meeting schedule.

**G. 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.

**H. In-Camera Issues.**

At the discretion of the President or the Chair of a meeting, Associate Members, Honorary Members, and/or Guests may be asked to leave the meeting when confidential issues are to be discussed.

**I. Minutes**

Minutes will be recorded for each Executive and General meeting. Recent minutes will be posted on the CORFA website and digital copies will be retained in the CORFA office. Members have a right to examine any records or minutes of the Union. Upon request, an appointment will be set up at a convenient time.

**Article VI: Resolutions and Voting**

**A. Ordinary Resolutions**

Ordinary resolutions are motions used to decide questions arising at any meeting. Ordinary resolutions shall be decided by a simple majority of votes cast by those present at the meeting, as long as quorum requirements have been met. In the case of a tie, the President, or chair of the meeting if the President is absent, will cast the deciding vote.

**B. Special Resolutions**

A Special Resolutions is required to:

- (i) amend any or all of the Articles of the Constitution and Bylaws;
- (ii) dissolve or wind-up the affairs of the Union;
- (iii) levy a Special Assessment;
- (iv) increase member dues;

- (v) borrow funds;
- (vi) pay membership fees or increase the membership fees paid by the Union to other organizations; or
- (vii) require an Ordinary Resolution moved at a General Meeting to be put to a ballot vote.

All Special Resolutions require a two-thirds (2/3) majority of votes cast. Except for the resolution to require a ballot vote on a motion made at a General Meeting, all other Special Resolutions require fourteen (14) days' notice to the members of the intent to propose the Special Resolution, an Executive-certified copy of the motion and a summary of arguments for and against the resolution.

Notice to propose a Special Resolution will be sent to members using the current Faculty email distribution list. It is the responsibility of members who are on leave or on vacation who are not monitoring the email address on this list to provide the Executive Assistant with an alternate monitored email to receive notifications.

#### C. **Voting Rights**

Each individual member in good standing, including bridging members, will have one (1) vote at all meetings of the members and for all electronic ballot votes. Associate and Honorary members do not have a vote.

#### D. **Voting Methods at Meetings**

1. **Show of hands** - Voting on ordinary resolutions at meeting will normally be conducted by a show of hands, real or electronic.
2. **Ballot votes** may be paper or may be electronic. Ballot votes will be used for:
  - (a) All elections, except where a single nominee is acclaimed to a position;
  - (b) Resolutions where the Executive Committee has deemed a ballot vote is necessary. 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.
  - (c) Any resolution at a General Meeting where the members present have passed a Special Resolution to require a ballot vote on said resolution.
3. **Proxy votes** are only permitted 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.

The maximum number of proxy votes any one member may hold is two (2). Proxy forms will be available on the CORFA website and must be submitted to the Vice-President a minimum



of four (4) hours prior to the meeting where the proxy is to be used, to enable the Vice-President to verify the signed authorization from the absent member.

#### E. **Voting outside of Meetings**

1. **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 a period determined by the President but not to exceed five (5) working days. Once the discussion is closed, the Executive will have a period of up to twenty-four (24) hours to 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.
2. **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 a period determined by the President but not to exceed five (5) working days. Once the discussion is closed, the membership will have a period of up to forty-eight (48) hours to vote on the motion. 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.
3. **Strike Votes and Ratification Votes** – The membership may authorize the Executive to conduct a Strike Vote or a Ratification Vote. 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. As long as the technology exists to meet this requirement, Strike Votes and Ratification Votes may be conducted electronically.

The voting period for Strike Votes and Ratification votes will allow a reasonable opportunity for all members to cast their vote, and will be set by the President

### **Article VII: Finances**

#### A. **Dues.**

1. **Membership dues for individuals** will be deducted at source by the College, who will then forward those deductions to the Union. Any changes to the amount of dues collected from members must be approved by a Special Resolution at the Annual General Meeting.
2. **Associate members** will pay a one dollar (\$1) membership fee and annual membership dues of five dollars (\$5)

3. **Honorary members** do not pay dues

4. **Dues while on Leave**

(i) **Sick Leave.** A Union member on sick leave pays dues.

(ii) **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.

(iii) **Unpaid Leave.** A Union member on unpaid leave will not pay dues for duration of the unpaid leave

(iv) **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

(v) **Education Leave.** A member will pay dues on that portion of the member's income derived from the Educational Leave or similar COTR fund.

(vi) **Seconded Faculty member.** A member who has been seconded into an Acting Dean or other excluded Management position will not pay dues for the duration of the secondment.

B. **Special Assessments.** Special assessments may be levied at the recommendation of the Executive, subject to a Special Resolution of the membership.

C. **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.

D. **Borrowing Authority.** The Union can borrow necessary funds only after the members have approved the loan by a Special Resolution.

E. **Signing Authority.** The President, Treasurer and two (2) other Executive members will have signing authority for 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.

F. **Expenditures and Payments:** Expenditures approved in the CORFA budget may be paid by cheque, debit card, credit card, or from petty cash. Expenditures not in the approved budget, but less than five percent (5%) of the total operating expense portion of the budget, may be authorized by a motion passed at any Executive or General meeting.

(i) At least two (2) signatures are required on any cheque, document, or other authorization to transfer funds within the accounts of the Union or to other parties.

(ii) The Union will hold up to two (2) Debit cards which may be used by designated members of the Executive member for point of sale purchases not to exceed \$500 per purchase for approved expenditures.

(iii) The Union will hold up to two (2) credit cards which may be used by the President and the Treasurer for approved expenditures.

(iv) The Union will maintain a fund of one hundred dollars (\$100) for petty cash reimbursements. The President, the Treasurer and the Executive Assistant are all authorized to process a petty cash request. The Treasurer will monthly check receipts against payments, file all receipts, and top up the petty cash fund.

- G. **Financial oversight.** The financial records will be subject to an annual complication engagement by an external accountant. The accountant will be appointed by resolution of the Annual General Meeting. The members may, by means of a Special Resolution, direct the financial records to undergo further review or audit, if there is cause to believe this is necessary.

Members may inspect the Union's records and books at a time convenient both to the members and to the Finance and Investments Committee.

- H. **Financial Statements.** The Finance and Investments Committee will prepare financial statements for the Union's fiscal year and present it at the Annual General Meeting. The Executive Committee will receive interim financial statements at least quarterly.

- I. **Budget.** The Finance Committee will circulate a draft budget to the membership for input and advice at least 30 days prior to the AGM. The revised budget and a summary of the advice received will then be brought to the Executive for its review prior to being presented for approval by the membership at the Annual General Meeting.

## **Article VII – Amendments**

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