

CONSTITUTION OF THE TRENT UNIVERSITY FACULTY ASSOCIATION

As amended 19 November, 1997

Article I Title

The Association shall be known as the Trent University Faculty Association, hereafter referred to as the Association.

Article II Purpose

The purpose of the Association shall be to promote the interest and welfare of the University's academic staff, including the regulation of relations between the University as employer and its academic staff as employees, to promote scholarship, and, in affiliation with the Canadian Association of University Teachers and with the Ontario Confederation of University Faculty Associations, to contribute to the advancement of Trent University and of the standards of the Canadian University Community.

Article III Membership and Fees

- a. All persons holding faculty or professional librarian appointments at Trent University are eligible for regular membership in the Association, save and except:
 - i. Persons coming within the definitions set out in Section 1(3) of the Labour Relations Act of Ontario as amended from time to time, and in particular the President, Vice Presidents, Deans, Associate and Vice Deans, Registrar, Associate Registrars, Assistants to the President, College Heads, the University Librarian, and faculty members on the Board of Governors.
- b. It shall be the policy of the Association that persons appointed to the academic or professional librarian staff who are eligible to be regular members of the Association shall so be save and except those who, upon the signing of a first collective agreement governing their working conditions or upon appointment, affirmatively assert conscientious objection to membership and so declare in writing to the Association.
- c. Persons coming within the terms of an agreement made pursuant to b) are and shall continue to be regular members of the Association unless they cease to be eligible for membership in the Association.
- d. Persons eligible for membership in the Association may upon application to the Secretary of the Association become members.

- e. Retired members may upon application to the secretary of the Association, become associate members.

Associate members shall not be eligible for election to the Executive and shall not be entitled to vote on questions dealing with the terms and conditions of employment of members.

- f. Membership in the Association shall involve individual membership in the CAUT and, through the Association, affiliation with OCUFA.
- g. Members of the Association are required to pay the dues of the Association as determined by an income-based formula that shall not be amended except by a general meeting.
- h. It shall be the policy of the Association that membership dues or their equivalent shall be deducted once monthly from the salary of each regular member. Members not covered by such an agreement shall pay their dues directly to the Treasurer of the Association. Associate members shall pay their dues directly to the Treasurer of the Association.
- i. In matters related to the terms and conditions of employment of members of a bargaining unit, only regular members who are members of that bargaining unit shall have the right to vote.

Article IV

Executive Committee and Officers

- a. There shall be an Executive Committee responsible for carrying out the policies and furthering the purposes of the Association.
- b. The Executive Committee shall consist of six elected members, plus not more than three co-opted members. One of the co-opted positions shall be offered to the Past President of the Association.
- c. The Executive Committee shall appoint the following officers from among its own members: i) President, ii) Vice-President, iii) Secretary and Communications Officer, iv) Treasurer, v) Salaries and Benefits Officer, vi) Grievance Officer.
- d. No remuneration shall be paid to the Executive Officers, except for reasonable expenses. Honoraria are considered reasonable expenses.
- e. Every member of the Executive Committee of the Association and his or her heirs, executors and administrators, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the Association only from and against:
 - i. all costs, charges, and expenses whatsoever such Executive officer sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him or her, in or about the execution of the duties of his or her office;
 - ii. all other costs, charges and expenses he or she sustains or incurs in or about or in relation to the affairs of the Association, except such costs, charges and expenses as are occasioned by his or her own negligence or

default, or failure to act honestly and in good faith with a view to the best interests of the Association.

Article V Elections

- a. Three members of the Executive Committee shall be elected each year for two year terms.
- b. The Executive Committee shall be elected by the members of the Association by means of a postal vote. Any member of the Association is eligible to stand.
- c. Elections shall be held every year in April.
- d. Terms of office shall begin May 1.
- e. No one shall be permitted to serve on the Executive Committee for more than five years consecutively.

Article VI Nominations

A Nominating Committee, consisting of the Secretary of the Association and one other person, shall be appointed by the Executive Committee. Nominations shall be submitted to the Secretary; each nomination paper shall bear the signature of at least two members in addition to the signature of the nominee. Appropriate ballots indicating the names of each person nominated shall be mailed by the Secretary to each member; the marked ballots shall be returned to the Secretary by dates indicated on the ballots. It shall be the duty of the Nominating Committee to count and to tabulate the votes.

Article VII Appeals Committee

An Appeals Committee, consisting of three members of the Association who are not members of the Executive Committee, shall be elected by secret ballot at the first general meeting of each year. It shall consider and rule on appeals from members against decisions by the Executive Committee in matters relating to grievances as defined in any collective agreement entered into by the Association.

Article VIII Meetings

1. It shall be the privilege of the President to call a meeting of the Executive Committee at his/her discretion, but at least three such meetings must be called during any one-year term of office.
2.
 - a. At least two general meetings must be called by the Executive Committee each year.

- b. A special general meeting must be called by the Executive Committee within three weeks of the receipt of a written request by ten percent of members.
 - c. Notice of general meetings, including agenda, must be sent to the members not less than ten days prior to the day of the meeting.
 - d. Failure of a member to receive notification of meeting will not invalidate any proceedings taken thereat.
 - e. Twenty-five members shall constitute a quorum at a general meeting.
- 3.
- a. Before any collective agreement is entered into between the Association and the Board of Governors on behalf of the University, the Executive shall call a meeting of the bargaining unit to explain the terms agreed. This meeting shall be for information and discussion and not for amendment or referral of the agreement.
 - b. Collective agreements shall be ratified by simple majority in a secret ballot, at the meeting of the bargaining unit described in (a) above.

Article IX

Vacancies and Replacements

- a. If an elected position falls vacant before the expiry of a normal two- year term, a by-election, by means of a postal ballot, shall be held to fill that vacancy. By-elections shall be held before October 15 if the vacancy occurs between May 1 and September 15, and otherwise within one month after vacancy occurs.
- b. If a co-opted position becomes vacant, the Executive Committee may appoint a replacement to serve until April 30.

Article X

Extraordinary Changes to the Collective Agreement

Any motion whose purpose is to reopen the Collective Agreement during its normal term is an extraordinary motion. It must be received in writing by the Secretary at least three weeks prior to a general meeting and must include or be accompanied by details of proposed changes, including the appropriate part or parts of the Collective Agreement to be changed. Any such motion and details must be sent to all members of the Association with the agenda of the meeting.

Article XI

Amendments

This Constitution may be amended at any properly constituted general meeting or by postal vote following discussion at such a general meeting. Proposed amendments to the Constitution must be received in writing by the Secretary at least three weeks prior to a general meeting and copies of proposed amendments, together with the appropriate part or parts of the article or articles to be amended, must be sent to all members of the Association with the agenda of the meeting.

Article XII

By-Laws

The Executive Committee shall submit to any general meeting for approval such By-laws as it may deem necessary for the furtherance of the work of the Association. Notice of submission of by-laws or changes therein, with proposed texts, shall be given in the notice of meeting.

Adopted by the Association, April 28, 1966.
Amended by the Association, April 5, 1967.
Amended by the Association, October 2, 1969.
Amended by the Association, January 11, 1977.
Amended by the Association, October 19, 1979.
Amended by the Association, March 19, 1981.
Amended by the Association, April 1, 1981.
Amended by the Association, March 19, 1982.
Amended by the Association, November 15, 1983.
Amended by the Association, February 26, 1986.
Amended by the Association, October 18, 1989.
Amended by the Association, June 1, 1995.
Amended by the Association, October 11, 1995.

By-Laws

By-law #1 adopted by general meeting of April 5, 1967; amended by general meeting of October 2, 1969.

By-law #2 adopted by general meeting of October 19, 1979.

By-laws #3 and #4 adopted by general meeting of 1 June 1995.

By-Law #1

The Association elections shall be conducted by preferential ballot. Each elector shall vote for all candidates in order of choice. (Election of candidates shall be conducted according to the standard rules for single transferable voting as outlined in Lakeman and Lambert *Voting in Democracies*, Appendix IV, Faber and Faber, 3rd ed., 1969).

By-Law #2

A postal vote of the Association shall be valid if the number of voters responding is greater than or equal to the quorum of a general meeting.

By-Law #3

All monies, securities and other valuable effects are to be deposited in the name and to the credit of the organization (corporation) in such chartered bank or trust company, or in the case of securities, in such registered dealer in securities as may be designated by the Executive Committee.

By-Law #4

Financial statements are to be prepared annually by a Public Accountant.