

Black = current wording

Red = revision

Red Bold = comment



VANCOUVER COMMUNITY COLLEGE FACULTY ASSOCIATION

VANCOUVER COMMUNITY COLLEGE FACULTY ASSOCIATION
CONSTITUTION AND BYLAWS

November 29, 1979

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CONSTITUTION AND BYLAWS OF
VANCOUVER COMMUNITY COLLEGE FACULTY ASSOCIATION

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DRAFT

CONSTITUTION

1. The name of the Association is Vancouver Community College Faculty Association, located at the Downtown, Broadway, Annacis Island and other satellite campuses of Vancouver Community College.

2. The object of the Association is:

2.1 To provide a medium for united action on any issue common to all members and to deal with matters of concern to them.

2.2 To act as the bargaining agent for the members of the Association.

2.3 To seek representation on all commissions, boards, councils, tasks forces, and committees dealing with matters of concern to the Association's members.

2.4 To function without bias or political affiliation as a non-partisan and non-sectarian association.

2.5 To arrange and conduct social and professional functions from time to time as deemed fit by its members.

2.6 To take part in cultural, civic, legislative, collegial, educational, charitable and other activities which directly or indirectly further the interests of the Association and its members.

2.7 To obtain security in employment, security for the individual, and satisfactory working conditions for all members.

3. The operation of the Association is to be chiefly carried on in: The Province of British Columbia, in the City of Vancouver.

BYLAWS OF VANCOUVER COMMUNITY COLLEGE FACULTY ASSOCIATION (VCCFA)

1 JURISDICTION:

This Association claims jurisdiction over all instructors, counsellors, librarians, program development faculty, and others as may be from time to time designated by the Association at Vancouver Community College's Downtown, Broadway and Annacis Island Campuses, including satellite operations there from. The persons covered by this claim of jurisdiction shall be hereafter referred to as "instructors" or "members". **Words importing the singular shall include the plural and vice versa; and words importing any gender shall include all genders.**

~~~ARTICLE 2.00~ MEMBERS OF THE ASSOCIATION TERMS OF ADMISSION~~

### **2 MEMBERSHIP**

**2.1. "Voting members" shall be:**

- ~~(a) All instructors employed by Vancouver Community College (the "College") at the centres under the Association's jurisdiction.~~
- ~~(i) Auxiliary instructors shall have voting rights for the duration of the calendar month in which they are employed.~~
- ~~(ii) Term instructors shall retain voting rights until their seniority rights expire as per the Collective Agreement.~~
- ~~(b) Instructors laid off but on recall.~~

***[This is quite obscure. Not been used]***

~~(c) Such other individuals or groups who subscribe to these bylaws and constitution and who are deemed eligible from time to time to be voting members for a specific motion by a majority of attending members at a duly constituted meeting of the Association.~~

#### **2.02**

~~Voting members on vacation, disability or leave (including those members receiving disability income benefits) shall retain voting rights.~~

***[Deleting this distinction/reference re 'voting members.' Every member can vote except honorary ones. So mention that exclusion there, otherwise depend on the definition of membership]***

#### **2.1 Scope of Membership**

Members shall include all instructors employed by Vancouver Community College (the College) at the Centres and Satellites under the Association's jurisdiction.

#### **2.2 Retention of Membership**

**2.2.1** Auxiliary instructors shall have membership for the duration of the calendar month in which they are employed.

**2.2.2** Term instructors shall retain membership until their seniority rights expire as per the Collective Agreement.

**2.2.3** Instructors who have been laid off shall retain membership as long as they have recall rights.

2.2.4 Members on vacation, disability or leave (including those members receiving disability income benefits) shall retain their membership status.

### 2.3 Honorary Members

Honorary members shall be such persons deemed eligible from time to time by a majority vote of the Association. Honorary members shall be non-voting members.

### 2.4 Removal or Refusal of Membership

The Association, through the decisions of its Executive, pursuant to Bylaw 4 reserves the right to ~~refuse~~ **remove** membership to any persons or groups that may represent a conflict, or an erosion of the security of the membership.

+++++

2.05. Notwithstanding.....discretion of the Executive.

**[move to voting section, 5.6.4]**

+++++

~~~ARTICLE 3.00~MEMBERS:~~

3 RIGHTS AND OBLIGATIONS

3.1. Collective Agreement

All members of the Association shall receive those benefits from employment **and uphold those obligations** as are detailed between the Association and the College Board in the Collective Agreement.

3.2. Constitution and Bylaws. **[Move some Art 9 points here]**

3.2.1

All members are required to uphold and comply with the Constitution and these Bylaws. In addition, every member must uphold and abide by the Collective Agreement and all decisions made through motions adopted by a required majority vote at any duly constituted meeting of the membership.

~~9.01.~~

~~The Association shall furnish all members with a copy of this Constitution and Bylaws.~~

3.2.2. The Association shall make the Constitution and Bylaws available on its website and upon request shall provide a copy to any member.

9.02

3.2.3 The Constitution and Bylaws of this Association shall not be altered or added to except by an Extraordinary Resolution of the Association **and Notice of Motion pursuant to Article 5.6.3**

+++++ **[Move to voting 5.6.3.4]**

9.03

An "Extraordinary Resolution" means a resolution passed by two-thirds majority of such members entitled to vote as are present in person at a duly held meeting of which notice specifying the intention to propose the resolution as an Extraordinary Resolution has been duly given. Such notice of the motion carrying the proposed resolution shall be placed before the membership at a meeting prior to the one at which the resolution is voted upon. All notices of motion shall be in writing.

+++++

~~9.04. The Secretary is responsible for the keeping of up to date records of all such alterations to the Bylaws of the Constitution, and shall provide for these records to be available for the perusal of any member.~~

3.2.4. The Secretary, or delegate, shall keep the Bylaws and Constitution up to date and maintain an historical record of previous versions.

+++++

[Move to voting section, 5.6.5 & 5.6.6]

3.03

No voting member is entitled to vote on any resolution unless the member is in good standing in accordance with these bylaws.

3.04 Proxy votes are not permitted.

+++++

3.3 Picket Lines

3.3.1 All members are required to honour a VCCFA picket line.

3.3.2 Each member of this Association shall honour any legitimate picket line of a trade union at his or her place of work unless relieved of this obligation by the Executive of the Association.

3.4 Meetings

All members in good standing are entitled to attend the General, Special and Annual meetings of the Association.

3.5. Liability

No member shall, in any individual capacity, be liable for any debt or liability of the Association.

4 DISCIPLINE, SUSPENSION, and TERMINATION

4.1 The Association reserves the right to **discipline**, fine, suspend or terminate any person's membership in the Association if that person is found to be contravening **the Collective Agreement**, these bylaws **or duly mandated policies of the Association**.

4.2. Suspension of membership for breach of an obligation or conduct prejudicial to the Association shall be at the discretion of the Executive, whose decision shall be binding with the understanding that the affected members have member has the right to appeal. Such appeal shall be made in person during a duly constituted meeting of the membership. Should such an appeal be upheld by a majority of members in attendance, the Executive's decision to suspend the member(s) membership shall be overturned.

4.03

~~Discipline, Suspension and Termination:~~

4.3. Membership shall be terminated upon a member's resignation from employment with the College; retirement from employment with the College; cessation of employment with the College due to layoff, once the recall period is over; or cessation of employment with College for cause

4.4. ~~Except as pursuant to Article 4.3,~~ membership ~~shall~~ **may only** be terminated upon a member's expulsion by an Extraordinary Resolution of the Association membership.

4.5. No member may resign from membership in the Association before the member has paid all dues, assessments, fines and other obligations owing to the Association, and no resignation shall become effective until such payment is made.

4.6. Termination of membership does not absolve the member from paying all dues, assessments, fines and other obligations owing to the Association.

5. MEETINGS ~~NOTICE OF MEETINGS~~

5.1. Location of Meetings

All meetings of members of the Association shall be held within the Province of British Columbia, unless the membership has decided otherwise by resolution. Special arrangements will be made to inform the laid off but on recall members, of the union's General Meetings, Annual Meetings, and Special ~~or~~ Emergency Meetings.

5.1.1. When appropriate, the Executive may make provision for meetings to be conducted in whole or in part through online interfaces. Such decision shall be conveyed in the meeting notice.

5.2 Annual Meeting

The Annual Meeting of the members of the Association shall be held during either November or December of each year at a time and place and mode to be determined by the Executive.

5.2.1 Notice in writing of the time and place of the holding of the Annual Meeting **shall be conveyed to members** ~~mailed to each member~~ of the Association not less than (14) fourteen days prior to the date set for the meeting. For the purpose of ~~this constitution, these bylaws.~~ **The term "conveyed" shall include delivery by physical or electronic means or any such combination.** ~~the term "mail" is either the member's mail slot at his/her place of employment where such service is provided, their College email address, their personal email address or an address specified in writing by the member to the Association.~~ **As long as a good faith effort is made to reach members, failure to reach all members does not constitute a breach of the requirement for notice.**

5.2.2 The quorum for an Annual Meeting shall be not less than thirty (30) voting members in good standing.

5.2.3 The Executive shall present to each Annual Meeting the President's Annual Report and the audited Financial Statement covering the preceding year **and fiscal year, respectively.**

5.2.4 Election of Table Officers and members of the Executive shall take place at the Annual Meeting ~~as per Article 6.01.~~

5.2.5 Election of the Stewards shall take place at the Annual Meeting ~~as per Article 11.03.~~

5.2.6. Other elections, resolutions and Extraordinary Resolutions may be conducted as are deemed appropriate. ~~(See Article 9.03)~~

5.3 General Meetings

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[Not used]

~~... General Meetings shall be open to all members. Where motions or Association business call for attendance only of voting members, the Executive may so order it, providing that prior notice of the meeting shall include this limitation.~~

+++++

5.3.1 Not less than three (3) General Meetings shall be held in a calendar year, arranged so as to provide the membership with adequate communication of Association business.

5.3.2 Notice of General Meetings shall be forwarded by as per Article 5.2.1 except that the VCCFA Executive shall provide members with advance notice of the meeting and the **proposed** agenda shall be made at least five working days before the upcoming General Meeting.

5.3.3 The quorum for a General Meeting shall be not less than thirty (30) members in good standing.

+++++

[Revise]

5.4 SPECIAL OR EMERGENCY MEETING

~~a) Special Meetings of the members may be called at any time:~~

~~i) By the Secretary pursuant to a resolution of the Executive, or~~

~~ii) By the President, or Vice President or~~

~~iii) By the Secretary upon written request of five members in good standing; and, in the event that the Secretary does not comply with the request within fourteen (14) days, a special meeting may be called by notice given in writing to all voting members and signed by the said five members.~~

~~b) Notice of the time and place of the holding of the Special Meeting:~~

~~As conditions permit, every effort must be made to communicate to all members the notice of the time and place of the holding of the Special Meeting, stating the business to be transacted thereat, at least one (1) day prior to the date set for the holding of such Special Meeting.~~

~~c) The quorum for a Special Meeting shall not be less than (30) voting members in good standing~~

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5.4 Special Meetings

5.4.1. Special Meetings of the members may be called at any time. They may be called by the President or Vice- President; or by the Secretary either pursuant to a resolution of the Executive or upon written request of ten (10) members in good standing. In the latter case, if the Secretary does not comply with the request within fourteen calendar days, the said ten members may call a meeting by giving written, signed notice to all voting members.

5.4.2. Notice of a Special Meeting and the proposed Agenda shall be given pursuant to Article 5.2.1 at least two (2) working days in advance of the Special Meeting.

5.4.3 The quorum for a Special Meeting shall not be less than thirty (30) voting members in good standing.

5.5 Conduct at Meetings

5.5.1 Members in attendance at membership meetings shall have the right to express their view, arguments or opinion upon any business properly before the meeting, subject to the rules and regulations adopted by the Association, and provided that they do not engage in or incite any conduct which obstructs or otherwise interferes with the Association's performance of its legal or contractual obligations.

5.5.2 The first order of business shall be presentation and approval of the proposed meeting's **proposed** agenda. All meetings shall be conducted in accordance with "Robert's Rules of Order". The Secretary may ask for a motion to be presented in writing before a vote on the motion is called.

5.6. Voting at Meetings

5.6.1 ~~5.5.4~~ Save and except in the case of matters listed in Article 5.05 (f), **5.6.3 that require an enhanced majority** and as required by "Robert's Rules of Order" all questions arising at any meeting shall be decided by a majority of valid votes cast by the voting members present at that meeting.

5.6.2 Each voting member shall be entitled to one vote on each motion at all General, Annual and Special Meetings. The Chairperson shall only vote in the case of an equality of votes, and such deciding votes shall be recorded.

5.6.3-Notice of Motion

The following matters require a notice of motion in writing to be given at the General, Special or Annual Meeting previous to that meeting at which the motion is voted on. **They shall require a two-thirds majority of valid votes cast for passage.** ~~A two-thirds majority of valid votes cast by all voting members present shall be necessary to carry motions dealing with such matters.~~

5.6.3.1. All financial matters dealing with dues or assessment;

5.6.3.2 Any financial expenditure in excess of \$ 2,000.00 other than those previously approved by the membership in adopting a budget or by motion;

5.6.3.3 Alterations or revisions to the Constitution or the Bylaws;

5.6.3.4 All matters requiring Extraordinary Resolutions. ~~9.03.~~ An "Extraordinary Resolution" **requires Notice of Motion and a two-thirds majority of valid votes cast for passage.** ~~means a resolution passed by two-thirds majority of such members entitled to vote as are present in person at a duly held meeting of which notice specifying the intention to propose the resolution as an Extraordinary Resolution has been duly given. Such notice of the motion carrying the proposed resolution shall be placed before the membership at a meeting prior to the one at which the resolution is voted upon. All notices of motion shall be in writing.~~

[Revised below] ~~2.05.~~ Notwithstanding Articles 5.05(b), (d), (e), and (f), online voting is one option that may be used for members to cast their ballot. However, the addition of online voting as a method of casting a ballot for each specific election or motion shall be at the discretion of the Executive

5.6.4. Notwithstanding Articles 5.5. and 5.6, online voting or a combination of online and in-person voting is one option or options that may be used for members to cast their ballot. Any necessity of

casting online votes after a particular meeting does not invalidate such a vote. The addition of online voting as a method of casting a ballot for each specific election or motion shall be at the discretion of and as determined by the Executive

~~5.6.5. 3.03~~ No voting member is entitled to vote on any resolution unless the member is in good standing in accordance with these bylaws.

5.6.6 Proxy votes are not permitted

5.7 Executive Meetings

5.7.1 Meetings of the Executive shall be held ~~in the Province of British Columbia~~ at least eight (8) times between September 1 and June with not more than sixty (60) days between meetings at such time, ~~mode~~ and place as the Executive shall determine. ~~Meetings may be in person or online or be held using a combination of these modes.~~ Meetings may be called by the President or by the Vice-President, in cases of the absence or incapacitation of the President. Alternatively, any two members of the Executive may call a meeting upon written request to the Secretary.

5.7.2 The quorum for ~~a meeting of the Board~~ ~~an Executive meeting~~ shall be six (6) Executive members.

~~5.7.3 Questions~~ Motions arising at any Executive Meeting shall be decided by a majority of valid votes cast. The chairperson shall only vote in the case of an equality of votes, and such deciding votes shall be recorded.

6. EXECUTIVE

The Executive of the Association shall consist of ten (10) voting members of the Association elected at Annual Meetings, and ~~up to three (3)~~ ex-officio members, the Chief Steward, the Chairperson of the Negotiating Committee and the Past President of the Association. Four (4) of these members of the Executive shall be the table officers: the President, the Vice-President, the Secretary, and the Treasurer.

6.1 Election of the Executive

6.1.1. Ten (10) members of the Executive, ~~including the four (4) table officers,~~ shall be elected by secret ballot at Annual Meetings ~~by the voting members in attendance.~~ A returning officer shall be confirmed at the meeting who shall have charge of the elections.

6.1.2. These ten (10) members of the Executive shall be elected for ~~a~~ terms of two (2) years. Election shall be held ~~on~~ in the following basis of rotation: the President, Vice-President and three Executive members shall be elected at the Annual Meeting in one year, and five (5) Executive members shall be elected at the Annual Meeting in the following year.

6.1.3 Nominations for ~~these ten (10)~~ Executive member positions may be received in writing containing signed acceptance of the nominee ~~in advance of the meeting,~~ or from the floor of the meeting.

6.1.4 The election of ~~first~~ the President ~~and then~~ the Vice-President shall precede the election of other Executive members.

6.1.5 ~~Except for the election of the President,~~ the nominee polling the largest number of valid votes shall be elected to each of the positions open.

[Introduce run-offs till a candidate gets a majority]

6.1.6 For the election of President, where there is only one nominee, a “yes or no” ballot shall be conducted, and the nominee must ~~shall~~ receive more than 50% of the valid votes cast indicating yes in order to be elected to the position. Where there are two or more nominees, a nominee shall receive more than 50% of the valid votes cast in order to be elected to the position. If that does not occur in any one ballot, run-off elections shall be conducted as necessary until one nominee receives more than 50% of the valid votes cast. After such a ballot where there are more than two nominees, the nominee with the least number of votes shall be eliminated from the next ballot.

6.1.7 In elections where there is a tie that prevents a distinction being made between two nominees the ballot will be repeated up to two times. If the tie remains, then the election will be referred to the next meeting of the Association.

6.1.8 ~~A retiring~~ Other than the President, an Executive member shall ~~be~~ remain eligible ~~of~~ for re-election; ~~except as provided for in (vi) below.~~

6.1.9 A member shall hold office as President for a maximum of three (3) consecutive terms. Any service as President that completes the term of a previous President or that is an acting capacity shall not be included in the determination of three consecutive terms. A member who has completed such consecutive service as President is eligible to run for President again for a term commencing at least two years after the end of their last term as an elected President.

6.1.10. Any vacancy which occurs for these ten (10) positions on the Executive must be filled for the duration of the term by means of a by-election held within a time period spanning no more than two (2) General Meetings.

6.2. Selection of the Secretary and the Treasurer

~~shall be chosen as follows: Following each Annual Meeting, the newly constituted Executive shall choose from within the group a Secretary and Treasurer.~~

The Secretary and Treasurer shall be chosen annually by and from the Executive at its first meeting following an Annual Meeting.

6.3 Ex-officio members of the Executive

~~6.1.c shall be chosen as follows and have the following status:~~

6.3.1 The Chief Steward shall be chosen as per Article 13.5 and shall have voice and vote.

6.3.2. The Chairperson of the Negotiating Committee shall be chosen as per Article 12.4 and shall have voice and vote. When there are co-chairs, only one Chairperson one of the co-chairs of the Negotiating Committee shall be designated as an Executive member. This position shall may remain vacant from time to time.

6.3.3 The Past President shall be the immediate Past President of the Association. The Past President shall have voice but no vote. The Past President's term of office shall be for a maximum of ~~two years~~ one year. or until the successor President ceases to hold office, whichever period is shorter. The position of Past President may remain vacant from time to time.

6.4. Commencement of Executive Duties

~~6.1.d.~~ The newly constituted Executive shall assume responsibility ~~their roles~~ on January 2nd following the Annual Meeting during which it was constituted.

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[Covered in "Other Committees", Article 14]

~~6.1.e.~~ The Association membership may elect, from time to time, representatives to bodies as determined by a majority vote of the members present at an Association meeting.

~~6.1.f.~~ Other committees or individuals shall be elected by the membership or appointed by the Executive, from time to time, as deemed necessary.

+++++

6.5 Removal of Executive Members

6.5.1 Any member of the Executive may be removed by either an Extraordinary Resolution of the membership, or by a majority vote of the Executive. **A member so removed has the right of appeal to the general membership.**

6.5.2 Removal by the Executive may ~~only~~ occur provided that notice of motion has been given at the preceding Executive meeting; ~~and~~ **Grounds for removal may be pursuant to any of Articles 4.1, 4.2 or 6.7.5, or that** either the member has missed 4 consecutive Executive meetings without explanation; or, after investigation, the President reports that a member's pattern of absence, defined as missing the majority of meetings for at least 3 months, is likely to continue.

6.5.3 A by-election to fill a resulting vacancy for the balance of the removed member's term will be held at the subsequent general meeting.

6.6 Duties and Powers of the Executive

6.6.1. The business and the administration of the Association shall be managed by the Executive constituted as per Article. 6. ~~An Executive Member of the Faculty Association is not~~ **No member of the Executive is**, in the member's individual capacity, liable for debt or liability of the Faculty Association.

6.6.2 Pursuant to Article 6.10.7, the position of the members of the Executive shall be without **direct** salary from the Association beyond the actual expenses incurred in the service of the Association, ~~except as provided for in Article 6.03(m)vii.~~

6.6.3. Such powers, duties and authority as are not otherwise delegated to the table officers of the Executive shall be exercised, acted upon and determined by the Executive. The Executive may exercise all the powers and do all the acts and things that the Faculty Association may exercise and do, and that are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the society in a general meeting, but subject, nevertheless, to. all laws affecting the Faculty Association, these bylaws, and. rules, not being inconsistent with these bylaws, that are made from time to time by the Faculty Association in a general meeting.

6.6.4 The execution of all documents, **financial disbursements** and the signing of all cheques in the operation or administration of the Association shall be in accordance with the Constitution and Bylaws.

6.6.5. The President, the Vice-President, Secretary and Treasurer shall have the powers to perform the duties which usually pertain to such offices as defined below and, in addition, shall each hold the power to co-sign any financial disbursements of the Association.

6.6.6 A rule made by the Faculty Association in a general meeting does not invalidate a prior act of the Executive that would have been valid if that rule had not been made.

6.6.7 The Executive shall have the authority to interpret and apply the Constitution and Bylaws of the Association, subject to the appeal of the membership. Such appeal shall be made in person during a duly constituted meeting of the membership. Should such an appeal be upheld by a majority of members in attendance, the Executive's decision regarding the interpretation or application of the Constitution and Bylaws shall be overturned.

6.6.8 All acts done by any meeting of the Executive or of a committee of the Executive, or by any person acting as an Executive member shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment or qualification of any such Executive member or person acting as aforesaid, or that they or any of them disqualified, be as valid as if every such person had been duly appointed and fully qualified.

6.6.9. It is the duty of the Executive to provide procedures and terms of reference in writing to all its Committees.

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[Revise to reflect practice on the carriage of grievances. Article [6.3 (j) vii] says it's the president's responsibility.]

6.6.10. Authority to determine the course of and to settle grievances or disputes shall normally reside with the President, Vice-President and Chief Steward working together to reach consensus decisions. They may refer such decisions to the Executive. Members affected may appeal their decisions to the Executive. Any final appeal shall be to the membership in a General or Special Meeting.

~~6.3 (j) vii. The President shall have the authority, unless these Bylaws expressly provide otherwise, to determine and settle grievances and disputes submitted to the Association by subordinate bodies or members, all subject to appeal as provided in these Bylaws~~

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6.3 (j) THE PRESIDENT (CHIEF EXECUTIVE OFFICER)

6.7. Duties and Powers of the President

6.7.1 As Chief Executive Officer, the President shall preside over meetings of the Association **and the Executive**. They shall ~~and~~ conduct the same in conformity with the Constitution and Bylaws and "Roberts Rules of Order".

6.7.2 The President shall have the deciding vote in the case of a tie on any question that is being voted on ~~by the meeting~~.

6.7.3. The President shall have general supervision over the affairs of the Association, which shall be carried out at all times in accordance with the Constitution and subject at all times to review and approval of the ~~Board of Directors~~. **Executive**

6.7.4 The President ~~of the Association~~ is an ex-officio member of all committees, elected or appointed

by the Association.

~~6.7.5 The President shall see that all other Executive and Committee members perform their duties is responsible for the effectiveness of the Executive and Committees.~~ In case of non-performance of duties or incompetence or disability of any Executive or Committee member, the President has the power to remove that member from office, with such removed Executive or Committee Member having the right of appeal before the full Executive. ~~Such removal is subject to ratification by the membership at the next a General Meeting of the Association.~~ **If denied by the Executive, such appeal may be taken to the membership at a General or Special Meeting.**

6.7.6. The President shall be empowered to interpret the Constitution and the Bylaws of the Association, and shall decide all questions of law thereunder between meetings of the Executive subject to appeal as provided in this Constitution and Bylaws

6.7.7 The President shall be empowered to employ an attorney or attorneys to act as counsel and give other legal assistance to the Association, ~~as the President deems necessary.~~

~~6.3 (k) THE VICE PRESIDENT~~

~~i) The Vice President shall assist the President in performing his or her duties.~~

~~ii) In the absence of the President, the Vice President shall assume the duties of the President.~~

6.8 Duties of the Vice President

6.8.1 As assigned by the President, the the Vice President shall assist the President in performing their duties. In the absence of the President, the Vice-President shall assume the duties of the President in an acting capacity.

6.8.2 Pursuant to Article 6.6.10, the Vice-President shall be involved with determining the course and settlement of grievances or disputes.

6.9 Duties of the Secretary

The Secretary or designate ~~responsible to the Secretary~~, shall:

6.9.1 Maintain and keep the minutes of all meetings; Annual, General, Special and Executive.

6.9.2 Keep and carry out all correspondence of the Association and maintain records of such. The posting and reading of minutes of meetings shall be at the discretion and pleasure of the membership.

6.9.3 Have custody of all records and documents of the Faculty Association except those required to be kept by the Treasurer.

6.9.4. Keep the Association's register of members **and member employment status, a register of those who are not in good standing,** ~~and shall record~~ **and a record of** attendance at all meetings of the Executive and the Association. ~~This shall include a record of those who are not in good standing~~

6.9.5-Provide notification of Association meetings, pursuant to Article 5 herein.

6.9.6 Record attendance at all meetings of the Executive and membership.

6.9.7 Be the privacy officer of the Association in accordance with the Personal Information Protection Act.

6.9.8. Assume the duties of President, in an acting capacity, should the Vice-President be unable to shall assume those duties.

6.10. Duties of the Treasurer

The Treasurer or designate shall:

6.10.1 Be the custodian of all properties, funds, securities, and assets of the Association.

6.10.2 Keep the financial record, including books of account, necessary to comply with the Constitution and these bylaws, and render financial statements to the Executive, members and others when required.

6.10.3 Conduct the Association's banking business through any chartered bank (or Credit Union) or credit union

[Change to reporting requirements. Referenced in two places.]

~~6.3 (m) iv be prepared to make a financial report at any General Meeting giving reasonable particulars of the transactions thereto. & 8.03 A quarterly financial statement shall be submitted to the membership.~~

6.10.4. Make a report to the membership on expenditures as compared to budget at least three times during the fiscal year; namely in January or February, in May or June, and in September.

6.10.5 Prepare an Annual Financial Statement showing incomes and disbursements during the year, as well as the current asset-structure. Such statement shall be for the period up to and including September 30th of each year. Such statement shall be submitted for audit pursuant to Article 9.2.

6.10.6 ~~The Treasurer shall normally submit an annual Association budget for the members' approval at a General Meeting by September 30th each year.~~ Normally by September 30th each year, submit for membership approval an annual Association budget for the following fiscal year commencing October 1st. The submission of the budget may be extended by a maximum of two (2) months. During such extensions the Executive shall have spending authority based on the previous fiscal year's budget, on a pro-rated basis.

~~6.3 (m) vii The Treasurer shall provide funds from the Association's fees (dues) to pay for up to full time release time from Annual duty time of the President while the President is on Association business. The Treasurer shall provide for release time for Executive members, other elected officers and Committee members when these expenditures have been approved by the membership.~~

6.10.7. Provide funds through the annual Association budget (Article 6.10.6) to pay for up to full-time release and any allowances for the President and other Executive members, other elected or appointed officers, and committee members. Any such funds shall be consistent with and within the provisions the VCCFA-VCC Collective Agreement.

6.10.8 Provide funds through the annual budget to pay for such clerical, technical and professional assistance for to the Association. as the Executive may from time to time determine.

6.10.9 The Executive may authorize such additional payments up to \$6000 per fiscal that were not included in the budget. Such authorizations must be reported to the membership at the earliest opportunity. All other payments are subject to Notice of Motion to the Membership pursuant to Article 5.6.3.

7. Branch Locals

The ~~Board is~~ **Executive is** upon the **members'** authorization of **a successful Extraordinary Motion** a majority vote at a duly held meeting of the membership, empowered to organize and otherwise set up branch "locals" of the Association. In the event of such branch "locals" being set up, the Board may appoint committees, persons, or groups for the purpose of providing sub-governing representatives. At any such branch local cannot exercise any powers in conflict with these Bylaws and the Constitution; nor may it possess powers in excess of the parent Association, being responsible directly to the Executive.

8 Dues, Use of Funds, and Borrowing

8.1 Dues

8.1.1 Membership dues per member ~~for voting members~~ shall be determined from time to time by the membership in accordance with ~~Article 5.05 (f),~~ **Article 5.6.3**, Notice of Motion.

~~7.1 (b) Voting members on leave shall pay the required membership dues based on salary or stipend received from Vancouver Community College under the Collective Agreement.~~

8.1.2 The Executive may, as circumstances demand, propose additional assessments or levies on the membership to defray unusual expenses. Such proposals are to be made in accordance with **Article 5.6.3**, Notice of Motion.

8.1.3 Honorary members shall be exempt from membership dues

+++++

[Not used, delete]

~~7.1 (d) Members who have been laid off but are on temporary recall appointments shall be exempt from membership dues unless/until they are once again employed by the College.~~

+++++

[This 7.02 was changed in 2011, but the 2011 wording was not included published bylaws, so crossing out and including actual language in bold black renumbered as 8.2.1]

8.2 Use of Funds

8.2.1. With the approval of the Executive and in accordance with both the VCCFA Budgeting and the VCCFA Investment Policy, the Treasurer shall be authorized to invest membership funds in a manner that provides primarily for the preservation of capital, and secondarily, for capital growth and cash flow generation.

~~7.02 USE OF FUNDS~~

~~(a) The Treasurer shall be authorized to invest the membership funds in safe, secured investments such as bonds, bank term deposits, and the like with the approval of the Executive.~~

8.2.2 The Association shall not be permitted to have its capital or assets divided into shares, or to

declare any dividends or distribute its property among the members of the Association, and the interest of a member in the Association shall not be transferable.

8.3 Borrowing

8.3.1 In order to carry out the purposes of the Faculty Association, the Executive may, on behalf and in the name of the Faculty Association, raise or secure the payment or repayment of money in the manner they decide, and, in particular, but without limiting that power, by the issue of debentures.

8.3.2 A debenture must not be issued without the authorization of an Extraordinary Resolution.

8.3.3 The members may, by an Extraordinary Resolution, restrict the borrowing powers of the Executive, but a restriction imposed expires at the next General Meeting.

9 Audit of Accounts

9.1 The end of the business year of the Association shall be September 30th of each year.

9.2 All books and records pertaining to the financial position of the Association shall be audited by an independent external accounting firm which shall prepare a report for distribution at the Annual Meeting. Members may request a copy of the report prior to the Annual Meeting. Copies of the audited statement are to be made available to each member at the beginning of the Annual Meeting, or sooner, as time permits.

[Revise]

~~~ARTICLE 10.00~. BUSINESS RECORDS, MINUTES, AND OTHER PUBLICATIONS~~

~~10.01 The Association shall keep a register of its members, and shall enter therein the names of the subscribers to the Constitution and Bylaws and the name of every other person who is admitted as a member to the Association, together with the following particulars:~~

- ~~(a) The full name, address, and occupation of every such subscriber and person;~~
- ~~(b) The date on which each person is admitted as a member;~~
- ~~(c) The date on which any person ceases to be a member;~~
- ~~(d) Whether the member is a voting or non-voting member.~~

### 10. Records, Minutes and Information Sharing

10.1 The Association shall keep a register of members, including their names, addresses, departments, and date of first appointment. When possible, other contact information and the date they cease to be a member shall also be registered.

10.2. There shall be current **Current** financial and business records **shall be** maintained as described in Articles 6.03(k), 7.00, 8.00 and these Bylaws.

10.3. Minutes shall be kept of all **Executive**, Annual, Special and General Meetings of the Association. Copies of these minutes shall be accessible by the Secretary to any member who requests them.

10.4 Through the President, the Executive shall be responsible for informing the membership regarding pertinent Association matters.

~~10.5. The Executive shall be responsible for informing the membership about pertinent Association matters on a regular basis, e.g. Newsletter, Faculty Handbook, etc.~~

~~10.06. The Executive is empowered to appoint and authorize such person(s) as are required to facilitate Article 10.00.~~

#### ~~~ARTICLE 11.00~ COLLECTIVE AGREEMENT/NEGOTIATING COMMITTEE/STEWARDS~~

##### ~~11.1~~ 11. Collective Agreement

Each **renewed** Collective Agreement between this Association and the Employer of the members shall be in writing with at a minimum, the President, ~~Secretary~~, Chairperson **and members** of the Negotiating Committee as Association signatures empowered to sign only after the terms of the Agreement have been accepted by a majority vote of the membership.

## 12. The Negotiating Committee

12.1. The ~~duties~~ **duty** of the Committee shall be to negotiate with the Employer ~~an agreement~~ **a renewed Collective Agreement** that is satisfactory to the membership. Committee members are responsible to research **the strategies and positions they take** and **to** provide recommendations for future agreement negotiations. Such research as questionnaires, ~~etc.~~, is within their jurisdiction. It is the duty of the Executive **through the President** to provide guidance and support. **Support includes to the extent possible providing paid release** to the Committee.

12.2 The Committee shall be responsible to the general membership. **It shall keep the Executive as informed as possible on the course of negotiations throughout the process. The Committee and the Executive shall work together in a mode of co-operation and consultation that will best serve the interests of the largest possible number of members.**

### 12.3. The Election of the Negotiating Committee

12.3.1. The Negotiating Committee shall be comprised of six (6) voting members who are to be elected at a General Meeting of the Association held not later than six (6) calendar months prior to the expiration of the then current Collective Agreement.

12.3.2 Nominations to these positions shall be received in advance or from the floor of the meeting. The six (6) candidates receiving the largest number of votes shall be declared elected. Among the members elected there shall be at least one male and one female.

12.3.3 Pursuant to Article 5.6.4, the Executive may choose to conduct the ballot through different modes of voting.

12.3.4 The term of the Committee members shall be from the date of their election until the signing of a completion of the renewed collective agreement process. ~~, but not to exceed two (2) years.~~ **Should this term exceed 2 years, members shall have the opportunity to extend their term by one year at a time, subject to confirmation at a General Meeting.**

~~11.2 (h) New members shall be elected to fill vacancies at a General Meeting.~~

12.3.5 Upon the recommendation of the Negotiating Committee, vacancies may be filled by Executive appointment, subject to confirmation at a General Meeting. Vacancies may be left vacant.

## 12.4 The Chair of the Negotiating Committee

~~11.2 (d)~~ The Committee shall meet as soon as possible after its election and select a chairperson who shall immediately become an ex-officio member of the Executive with voice and vote for the term of the Committee. **Should the Committee select Co-chairs, one shall be designated as the Executive member.**

## 13 Stewards

**13.1** The duties of the ~~Steward~~ **Stewards, under the guidance of the Chief Steward**, shall be to represent the interest of the members by processing the initial stages of grievances, ~~and by acting as advocates on behalf of the members in grievances and complaints,~~ **and by carrying out responsibilities assigned to VCCFA representatives in the Collective Agreement.** In so doing they are acting as official representatives of the Association ~~by performing the duties described above.~~ It is the duty of the Executive to provide guidance and support to the Stewards.

**13.2.** Under the guidance of the Chief Steward, ~~establish a committee of stewards~~ **may develop and coordinate a system of** Area Representatives. ~~These Representatives shall be chosen by the faculty in each department. Where faculty in a department have not chosen an Area Representative, the Stewards shall be empowered to recruit an Area Representative.~~

### 13.3. Election of Stewards

**13.3.1** Twelve (12) ~~voting inter-campus~~ members shall be elected to act as Stewards. The Stewards shall be elected by secret ballot at an Annual Meeting ~~by voting members in attendance at the meeting.~~ Nominations to these positions shall be received in advance or from the floor of the meeting. The nominees polling the largest number of votes shall be elected.

**13.3.2** Stewards shall be elected for a term of two (2) years on the following basis of rotation: Six (6) Stewards shall be elected for a term of two (2) years at the Annual Meeting in one year and six Stewards shall be elected for a term of two (2) years at the Annual Meeting in the following year.

**13.3.3** In the event that there are insufficient nominations **or if a vacancy in the ranks of elected Stewards occurs,** ~~to fill the vacant position the VCCFA the Executive shall~~ may appoint Stewards ~~on an interim basis,~~ **subject to confirmation at a General Meeting. The Executive may choose to hold a byelection or until such a time as a by-election can be held. to fill such vacancies.**

### **[Revise]**

### 13.4 The Chief Steward

**13.4.1** As necessary, a Chief Steward shall be chosen **by the Stewards and** from within the group of Stewards and will remain Chief Steward for the balance of ~~his or her~~ **their** own term as steward. The Chief Steward shall be an ex-officio member of the Executive with voice and vote. ~~The member chosen to be Chief Steward shall be replaced by another member appointed as Steward by the Stewards' Committee in consultation with the Executive. This appointment shall be on an interim basis until such time as a by-election can be held.~~ **A Chief Steward must be re-elected as a steward before being nominated for a subsequent term as Chief Steward.**

**13.4.2** The duties of the Chief Steward shall be to:

- a) Report to the Executive on the operation and functioning of the ~~campus Stewards and Area Representatives.~~
- b) Provide for the training of Stewards.

- c) Act as a resource person to Stewards.
- d) Develop effective communication systems so that the flow of information between Stewards and the VCCFA Executive and between the Stewards at both campuses is maintained at a high level.
- e) To report regularly to the members on the state of affairs under the purview of the steward group and on matters arising from the administration of the Collective Agreement.
- f) To represent the interests of the members by processing grievances.
- g) Pursuant to Article 6.6.10 and along with the President and Vice-President, make recommendations and/or decide on the carriage of grievances. This may include presenting such issues to the Executive and if necessary, to General Meetings
- h) To act as the chief official representative of the Association to deal with matters arising from the administration of the Collective Agreement.

**13.4.3** It is the duty of the Executive to provide guidance and support to the Chief Steward.

#### **14. Other Committees**

14.1 From time to time the Executive may appoint VCCFA Committees. The Executive shall report such appointments to the membership and after consultation with its ~~their~~ members provide such committees with terms of reference. Unless ~~selection is~~ delegated to this a committee, the Committee Chair shall be appointed by the Executive.

14.2. From time to time the Executive may appoint VCCFA representatives to non-VCCFA committees which are considered within the scope of this Association's interest.

14.3 All committee members, elected and appointed, shall act in accordance with the Collective Agreement, these By-laws, and VCCFA policies, as amended from time to time. Failure to do so may lead to disciplinary action pursuant to Articles 4.1 and/or 6.7.5.

This Constitution and Bylaws ~~have been~~ **were** duly accepted by a two-thirds majority vote of the membership attending a meeting of the Association held on the 29<sup>th</sup> day of November 1979.

REVISED 31st day of October, 1985

Further REVISED February 1995

Further REVISED December 1996

Further REVISED September 1999

Further REVISED November 2001

Further REVISED October 2003

Further REVISED February 2004

Further REVISED August 2004

Further REVISED June 2005

Further REVISED September 2016.

**Further REVISED. \_\_\_\_\_ 2021**

.....  
PRESIDENT

.....  
SECRETARY

.....  
WITNESS

.....  
WITNESS

FC/av:cope378



**VANCOUVER COMMUNITY COLLEGE**

**FACULTY ASSOCIATION**

**CONSTITUTION AND BYLAWS**

**CONSTITUTION AND BYLAWS  
OF  
VANCOUVER COMMUNITY COLLEGE FACULTY ASSOCIATION**

November 29, 1979  
Revised  
1985; 1993; 1996;  
1999; 2001; 2003; 2004; 2005  
September  
2016

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## CONSTITUTION

- (1) The name of the Association is "Vancouver Community College Faculty Association (Downtown, Broadway, Annacis Island and other satellite campuses)".
- (2) The object of the Association is:
  - (a) To provide a medium for united action on any issue common to all members and to deal with matters of concern to them.
  - (b) To act as the bargaining agent for the members of the Association.
  - (c) To seek representation on all commissions, boards, councils, task forces, and committees dealing with matters of concern to the Association's members.
  - (d) To function without bias or political affiliation as a non-partisan and non-sectarian association.
  - (e) To arrange and conduct social and professional functions from time to time as deemed fit by its members.
  - (f) To take part in cultural, civic, legislative, collegial, educational, charitable and other activities which directly or indirectly further the interests of the Association and its members.
  - (g) To obtain security in employment, security for the individual, and satisfactory working conditions for all members.
- (3) The operation of the Association is to be chiefly carried on in:

The Province of British Columbia, in the City of Vancouver.

# **BYLAWS OF VANCOUVER COMMUNITY COLLEGE FACULTY ASSOCIATION (VCCFA)**

## **~ARTICLE 1.00~**

### **JURISDICTION:**

This Association claims jurisdiction over all instructors, counsellors, librarians, program development faculty, and others as may be from time to time designated by the Association at Vancouver Community College's Downtown, Broadway and Annacis Island Campuses, including satellite operations there from. The persons covered by this claim of jurisdiction shall be hereafter referred to as "instructors" or "members".

## **~ARTICLE 2.00~**

### **MEMBERS OF THE ASSOCIATION**

#### **TERMS OF ADMISSION**

##### **2.01**

"Voting members" shall be:

- (a) All instructors employed by Vancouver Community College (the "College") at the centres under the Association's jurisdiction.
  - (i) Auxiliary instructors shall have voting rights for the duration of the calendar month in which they are employed.
  - (ii) Term instructors shall retain voting rights until their seniority rights expire as per the Collective Agreement.
- (b) Instructors laid off but on recall.
- (c) Such other individuals or groups who subscribe to these bylaws and constitution and who are deemed eligible from time to time to be voting members for a specific motion by a majority of attending members at a duly constituted meeting of the Association.

##### **2.02**

Voting members on vacation, disability or leave (including those members receiving disability income benefits) shall retain voting rights.

##### **2.03**

"Honorary members" shall be such persons deemed eligible from time to time by a majority vote of the Association. Honorary members shall be non-voting members.

##### **2.04**

The Association, through the decisions of its Executive, reserves the right to refuse membership to any persons or groups that may represent a conflict, or an erosion of the security of the membership.

##### **2.05**

Notwithstanding Articles 5.05(b), (d), (e), and (f), online voting is one option that may be used for members to cast their ballot. However, the addition of online voting as a method of casting a ballot for each specific election or motion shall be at the discretion of the Executive.

## **~ARTICLE 3.00~**

### **MEMBERS: RIGHTS AND OBLIGATIONS**

#### **3.01 COLLECTIVE AGREEMENT**

All members of the Association shall receive those benefits from employment as are detailed between the Association and the College Board in the Collective Agreement.

#### **3.02**

All members are required to uphold and comply with the Constitution and these Bylaws. In addition, every member must uphold and abide by the Collective Agreement and all decisions made through motions adopted by a required majority vote at any duly constituted meeting of the membership.

#### **3.03**

No voting member is entitled to vote on any resolution unless the member is in good standing in accordance with these bylaws.

#### **3.04**

Proxy votes are not permitted.

#### **3.05 PICKET LINES**

- (a) All members are required to honour a VCCFA picket line.
- (b) Each member of this Association shall honour any legitimate picket line of a trade union at his or her place of work unless relieved of this obligation by the Executive of the Association.

#### **3.06**

All members in good standing are entitled to attend the General, Special and Annual meetings of the Association.

#### **3.07**

No member shall, in any individual capacity, be liable for any debt or liability of the Association.

## **~ARTICLE 4.00~**

### **DISCIPLINE, SUSPENSION, and TERMINATION**

#### **4.01**

The Association reserves the right to fine, suspend or terminate any person's membership in the Association if that person is found to be contravening these bylaws.

#### **4.02**

Suspension of membership for breach of an obligation or conduct prejudicial to the Association shall be at the discretion of the Executive, whose decision shall be binding with the understanding that the affected member has the right to appeal. Such appeal shall be made in person during a duly constituted meeting of the membership. Should such an appeal be upheld by a majority of members in attendance, the Executive's decision to suspend the member(s) shall be overturned.

#### **4.03**

Discipline, Suspension and Termination:

Membership shall be terminated upon a member's resignation from employment with the College; retirement from employment with the College; cessation of employment with the College due to layoff, once the recall period is over; or cessation of employment with College for cause.

#### **4.04**

Membership shall be terminated upon a member's expulsion by an Extraordinary Resolution of the Association membership.

#### **4.05**

No member may resign from membership in the Association before the member has paid all dues, assessments, fines and other obligations owing to the Association, and no resignation shall become effective until such payment is made.

#### **4.06**

Termination of membership does not absolve the member from paying all dues, assessments, fines and other obligations owing to the Association.

### **~ARTICLE 5.00~**

#### **MEETINGS**

##### **5.1 NOTICE OF MEETINGS**

All meetings of members of the Association shall be held within the Province of British Columbia, unless the membership has decided otherwise by resolution. Special arrangements will be made to inform the laid off but on recall members, of the union's General Meetings, Annual Meetings, and Special or Emergency Meetings.

##### **5.2 ANNUAL MEETINGS**

The Annual Meeting of the members of the Association shall be held during either November or December of each year at a time and place to be determined by the Executive.

- (a) Notice in writing of the time and place of the holding of the Annual Meeting shall be mailed to each member of the Association not less than (14) fourteen days prior to the date set for the meeting. For the purpose of this constitution, the term "mail" is either the member's mail slot at his/her place of employment where such service is provided, their College email address, their personal email address or an address specified in writing by the member to the Association.
- (b) The quorum for an Annual Meeting shall be not less than thirty (30) voting members in good standing.
- (c) The Executive shall present to each Annual Meeting the President's Annual Report and the audited Financial Statement covering the preceding year.
- (d) Election of Table Officers and members of the Executive shall take place at the Annual Meeting as per Article 6.01.
- (e) Election of the Stewards shall take place at the Annual Meeting as per Article 11.03.
- (f) Other elections, resolutions and Extraordinary Resolutions may be conducted as are deemed appropriate. (See Article 9.03)

##### **5.3 GENERAL MEETINGS**

General Meetings shall be open to all members. Where motions or Association business call for

attendance only of voting members, the Executive may so order it, providing that prior notice of the meeting shall include this limitation.

- (a) Not less than three (3) General Meetings shall be held in a calendar year, arranged so as to provide the membership with adequate communication of Association business.
- (b) Notice of General Meetings shall be forwarded by as per Article 5.02(a). The VCCFA Executive shall provide members with advance notice of the meeting and the agenda at least five (5) working days before the upcoming General Meeting.
- (c) The quorum for a General Meeting shall be not less than thirty (30) members in good standing.

#### **5.4 4 SPECIAL OR EMERGENCY MEETING**

- (a) Special Meetings of the members may be called at any time:
  - i) By the Secretary pursuant to a resolution of the Executive, or
  - ii) By the President, or Vice-President or
  - iii) By the Secretary upon written request of five members in good standing; and, in the event that the Secretary does not comply with the request within fourteen (14) days, a special meeting may be called by notice given in writing to all voting members and signed by the said five members.
- (b) Notice of the time and place of the holding of the Special Meeting:  
As conditions permit, every effort must be made to communicate to all members the notice of the time and place of the holding of the Special Meeting, stating the business to be transacted thereat, at least one (1) day prior to the date set for the holding of such Special Meeting.
- (c) The quorum for a Special Meeting shall not be less than thirty (30) voting members in good standing.

#### **5.5 CONDUCT AT MEETINGS**

Members in attendance at membership meetings shall have the right to express their view, arguments or opinion upon any business properly before the meeting, subject to the rules and regulations adopted by the Association, and provided that they do not engage in or incite any conduct which obstructs or otherwise interferes with the Association's performance of its legal or contractual obligations.

- (a) The first order of business shall be presentation and approval of the proposed meeting's agenda.
- (b) All meetings shall be conducted in accordance with "Robert's Rules of Order".
- (c) The Secretary may ask for a motion to be presented in writing before a vote on the motion is called.
- (d) Save and except in the case of matters listed in Article 5.05 (f), and as required by "Robert's Rules of Order" all questions arising at any meeting shall be decided by a majority of valid votes cast by the voting members present at that meeting.
- (e) Each voting member shall be entitled to one vote on each motion at all General, Annual and Special Meetings. The Chairperson shall only vote in the case of an equality of votes, and such deciding votes shall be recorded.

- (f) The following matters require a notice of motion in writing to be given at the General, Special or Annual Meeting previous to that meeting at which the motion is voted on.

A two-thirds majority of valid votes cast by all voting members present shall be necessary to carry motions dealing with such matters.

- (i) All financial matters dealing with dues or assessment;
- (ii) Any financial expenditure in excess of \$ 2,000.00 other than those previously approved by the membership in adopting a budget or by motion;
- (iii) Alterations or revisions to the Constitution or the Bylaws;
- (iv) All matters requiring Extraordinary Resolutions.

## **5.6 EXECUTIVE MEETINGS**

Meetings of the Executive shall be held in the Province of British Columbia at least eight (8) times between September 1 and June with not more than sixty (60) days between meetings at such time and place as the Executive shall determine. The meeting may be called by the President or by the Vice-President, in cases of the absence or incapacitation of the President. Alternatively, any two members of the Executive may call a meeting upon written request to the Secretary.

- (a) The quorum for a meeting of the Board shall be six (6) Executive members.
- (b) Questions arising at any Executive Meeting shall be decided by a majority of valid votes. The chairperson shall only vote in the case of an equality of votes, and such deciding votes shall be recorded.

## **~ARTICLE 6.00~**

### **EXECUTIVE**

The Executive of the Association shall consist of ten (10) voting members of the Association elected at Annual Meetings, and ex-officio the Chief Steward, the Chairperson of the Negotiating Committee and the Past President of the Association. Four (4) of these members of the Executive shall be the table officers: the President, the Vice-President, the Secretary, and the Treasurer.

## **6.1 ELECTION AND APPOINTMENTS**

- (a) Ten (10) members of the Executive, including the four (4) table officers, shall be elected by secret ballot at Annual Meetings by the voting members in attendance.
  - (i) These ten (10) members of the Executive shall be elected for a term of two (2) years. Election shall be held on the following basis of rotation: the President, Vice-President and three Executive members shall be elected at the Annual Meeting in one year, and five (5) Executive members shall be elected at the Annual Meeting in the following year.
  - (ii) The election of the President and Vice-President shall precede the election of other Executive members.
  - (iii) Nominations for these ten (10) Executive member positions may be received in writing containing signed acceptance of the nominee, or from the floor of the meeting.
  - (iv) The nominee polling the largest number of valid votes shall be elected to each of the

positions open. For the election of President, where there is only one nominee, the nominee shall receive more than 50% of the valid votes cast in order to be elected to the position.

- (v) A retiring Executive member shall be eligible of re-election; except as provided for in (vi) below.
  - (vi) A member shall hold office as President for a maximum of three (3) consecutive terms. Any service as President that completes the term of a previous President or that is an acting capacity shall not be included in the determination of three consecutive terms.
  - (vii) Any vacancy which occurs for these ten (10) positions on the Executive must be filled for the duration of the term by means of a by-election held within a time period spanning no more than two (2) General Meetings.
- (b) The Secretary and Treasurer shall be chosen as follows: Following each Annual Meeting, the newly constituted Executive shall choose from within the group a Secretary and Treasurer.
- (c) The ex-officio members of the Executive shall be chosen as follows and have the following status:
- (i) The Chief Steward shall be chosen as per Article 11.03 and shall have voice and vote.
  - (ii) The Chairperson of the Negotiating Committee shall be chosen as per Article 11.02 and shall have voice and vote. Only one Chairperson of the Negotiating Committee shall be designated as an Executive member. This position shall remain vacant from time to time.
  - (iii) The Past President shall be the immediate Past President of the Association. The Past President shall have voice but no vote. The Past President's term of office shall be for a maximum of two years or until the successor President ceases to hold office, whichever period is shorter. The position of Past President may remain vacant from time to time.
- (d) The newly constituted Executive shall assume responsibility on January 2nd following the Annual Meeting during which it was constituted.
- (e) The Association membership may elect, from time to time, representatives to bodies as determined by a majority vote of the members present at an Association meeting.
- (f) Other committees or individuals shall be elected by the membership or appointed by the Executive, from time to time, as deemed necessary.

## **6.2 REMOVAL AND TERMINATION OF EXECUTIVE MEMBERS**

Any member of the Executive may be removed by either

- (a) an Extraordinary Resolution of the membership, or,
- (b) by a majority vote of the Executive. Removal by the Executive may only occur provided that
  - (i) notice of motion has been given at the preceding Executive meeting; and either,
  - (ii) the member has missed 4 consecutive Executive meetings without explanation; or,
  - (iii) after investigation, the President reports that a member's pattern of absence, defined as missing the majority of meetings for at least 3 months, is likely to continue.

A by-election to fill a resulting vacancy for the balance of the removed member's term will be held at the subsequent general meeting.

### **6.3 DUTIES AND POWERS OF THE EXECUTIVE**

- (a) The business and the administration of the Association shall be managed by the Executive constituted as per Article 6.00. An Executive of the Faculty Association is not in the member's individual capacity, liable for debt or liability of the Faculty Association.
- (b) The position of the member of the Executive shall be without salary from the Association beyond the actual expenses incurred in the service of the Association, except as provided for in Article 6.03(k).
- (c) Such powers, duties and authority as are not otherwise delegated to the table officers of the Executive shall be exercised, acted upon and determined by the Executive. The Executive may exercise all the powers and do all the acts and things that the Faculty Association may exercise and do, and that are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the society in a general meeting, but subject, nevertheless, to
  - (i) all laws affecting the Faculty Association
  - (ii) these bylaws, and
  - (iii) rules, not being inconsistent with these bylaws, that are made from time to time by the Faculty Association in a general meeting.
- (d) The execution of all documents and the signing of all cheques in the operation or administration of the Association shall be in accordance with the Constitution and Bylaws.
- (e) The President, the Vice-President, Secretary and Treasurer shall have the powers to perform the duties which usually pertain to such offices as defined below and, in addition, shall each hold the power to co-sign any financial disbursements of the Association.
- (f) A rule made by the Faculty Association in a general meeting does not invalidate a prior act of the Executive that would have been valid if that rule had not been made.
- (g) The Executive shall have the authority to interpret and apply the Constitution and Bylaws of the Association, subject to the appeal of the membership. Such appeal shall be made in person during a duly constituted meeting of the membership. Should such an appeal be upheld by a majority of members in attendance, the Executive's decision regarding the interpretation or application of the Constitution and Bylaws shall be overturned.
- (h) All acts done by any meeting of the Executive or of a committee of the Executive, or by any person acting as an Executive member shall, notwithstanding that it be afterwards discovered that there was some defect in the appointment or qualification of any such Executive member or person acting as aforesaid, or that they or any of them disqualified, be as valid as if every such person had been duly appointed and fully qualified.
- (i) It is the duty of the Executive to provide procedures and terms of reference in writing to all its Committees.
- (j) THE PRESIDENT (CHIEF EXECUTIVE OFFICER)**
  - (i) As Chief Executive Officer, the President shall preside over meetings of the Association and conduct the same in conformity with the Constitution and Bylaws and "Roberts Rules of Order".



- (ii) The President shall have the deciding vote in the case of a tie on any question that is being voted on by the meeting.
- (iii) The President shall have general supervision over the affairs of the Association, which shall be carried out at all times in accordance with the Constitution and subject at all times to review and approval of the Board of Directors.
- (iv) The President of the Association is an ex-officio member of all committees, elected or appointed by the Association.
- (v) The President shall see that all other Executive and Committee members perform their duties. In case of non-performance of duties or incompetence or disability of any Executive or Committee member, the President has the power to remove that member from office, with such removed Executive or Committee Member having the right of appeal before the full Executive. Such removal is subject to ratification by the membership at the next General Meeting of the Association.
- (vi) The President shall be empowered to interpret the Constitution and the Bylaws of the Association, and shall decide all questions of law thereunder between meetings of the Executive subject to appeal as provided in this Constitution and Bylaws.
- (vii) The President shall have the authority, unless these Bylaws expressly provide otherwise, to determine and settle grievances and disputes submitted to the Association by subordinate bodies or members, all subject to appeal as provided in these Bylaws.
- (viii) The President shall be empowered to employ an attorney or attorneys to act as counsel and give other legal assistance to the Association, as the President deems necessary.

#### **k) THE VICE-PRESIDENT**

- (i) The Vice-President shall assist the President in performing his or her duties.
- (ii) In the absence of the President, the Vice-President shall assume the duties of the President.

#### **l) THE SECRETARY**

- (i) The Secretary, or designate responsible to the Secretary, shall maintain and keep the minutes of all meetings; Annual, General, Special and Executive.
- (ii) The Secretary shall keep and carry out all correspondence of the Association and maintain records of such. The posting and reading of minutes of meetings shall be at the discretion and pleasure of the membership.
- (iii) The Secretary shall have custody of all records and documents of the Faculty Association except those required to be kept by the Treasurer.

- (iv) The Secretary, or designate, shall keep the Association's register of members, and shall record attendance at all meetings of the Executive and the Association.
- (v) The Secretary shall keep records of membership status. (See Article 3.06)
- (vi) The Secretary shall provide appropriate notification of Association meetings, as described under "Meetings" (Article 5.00).

**(m) THE TREASURER**

- (i) The Treasurer shall be custodian of all properties, funds, securities, and assets of the Association.
- (ii) The Treasurer must keep the financial record, including books of account, necessary to comply with the Constitution and these bylaws, and render financial statements to the Executive, members and others when required.
- (iii) The Treasurer shall conduct the Association's banking business through any chartered bank (or Credit Union).
- (iv) The Treasurer shall be prepared to make a financial report at any General Meeting giving reasonable particulars of the transactions thereto.
- (v) The Treasurer shall prepare an Annual Financial Statement showing incomes and disbursements during the year, as well as the current asset-structure. Such statement shall be for the period up to and including September 30th of each year.
- (vi) The Treasurer shall normally submit an annual Association budget for the members' approval at a General Meeting by September 30th each year. The submission of the budget may be extended by a maximum of two (2) months. During such extensions the Executive shall have spending authority based on the previous year's budget, on a pro-rated basis.
- (vii) The Treasurer shall provide funds from the Association's fees (dues) to pay for up to full-time release time from Annual duty time of the President while the President is on Association business. The Treasurer shall provide for release time for Executive members, other elected officers, and committee members when these expenditures have been approved by the membership.
- (viii) The Treasurer shall provide to pay for such clerical, technical and professional assistance for the Association as the Executive may from time to time determine.

**6.4 4 BRANCH LOCALS**

The Board is, upon the authorization of a majority vote at a duly held meeting of the membership, empowered to organize and otherwise set up branch "locals" of the Association. In the event of such branch "locals" being set up, the Board may appoint committees, persons, or groups for the purpose of providing sub-governing representatives. At any such branch local cannot exercise any powers in conflict with these Bylaws and the Constitution; nor may it possess powers in excess of the parent Association, being responsible directly to the Executive.

## **~ARTICLE 7.00~**

### **DUES, USE OF FUNDS AND BORROWING**

#### **7.1 DUES**

- (a) Membership dues per member for voting members shall be determined from time to time by the membership in accordance with Article 5.05 (f), Notice of Motion.
- (b) Voting members on leave shall pay the required membership dues based on salary or stipend received from Vancouver Community College under the Collective Agreement.
- (c) Honorary members shall be exempt from membership dues.
- (d) Members who have been laid off but are on recall shall be exempt from membership dues unless/until they are once again employed by the College.
- (e) The Executive may, as circumstances demand, propose an additional assessment or levy on the membership to defray unusual expenses; such proposal is to be made in accordance with 5.05 (f), Notice of Motion.

#### **7.2 2 USE OF FUNDS**

- (a) The Treasurer shall be authorized to invest the membership funds in safe, secured investments such as bonds, bank term deposits, and the like; with the approval of the Executive.
- (b) The Association shall not be permitted to have its capital or assets divided into shares, or to declare any dividends or distribute its property among the members of the Association, and the interest of a member in the Association shall not be transferable.

#### **7.3 3 BORROWING**

- (a) In order to carry out the purposes of the Faculty Association, the Executive may, on behalf and in the name of the Faculty Association, raise or secure the payment or repayment of money in the manner they decide, and, in particular, but without limiting that power, by the issue of debentures.
- (b) A debenture must not be issued without the authorization of an Extraordinary Resolution.
- (c) The members may, by an Extraordinary Resolution, restrict the borrowing powers of the Executive, but a restriction imposed expires at the next General Meeting.

## **~ARTICLE 8.00~**

### **AUDIT OF ACCOUNTS**

#### **8.01**

The end of the business year of the Association shall be September 30th of each year.

#### **8.02**

All books and records pertaining to the financial position of the Association shall be audited by an independent external accounting firm. Copies of the audited statement are to be made available to each member at the beginning of the Annual Meeting, or sooner, as time permits.

### **8.03**

A quarterly financial statement shall be submitted to the membership.

## **~ARTICLE 9.00~**

### **ALTERATIONS OR REVISIONS TO THE CONSTITUTION OR BYLAWS**

#### **9.01**

The Association shall furnish all members with a copy of this Constitution and Bylaws.

#### **9.02**

The Constitution and Bylaws of this Association shall not be altered or added to except by an Extraordinary Resolution of the Association.

#### **9.03**

An "Extraordinary Resolution" means a resolution passed by two-thirds majority of such members entitled to vote as are present in person at a duly held meeting of which notice specifying the intention to propose the resolution as an Extraordinary Resolution has been duly given. Such notice of the motion carrying the proposed resolution shall be placed before the membership at a meeting prior to the one at which the resolution is voted upon. All notices of motion shall be in writing.

#### **9.04**

The Secretary is responsible for the keeping of up-to-date records of all such alterations to the Bylaws of the Constitution, and shall provide for these records to be available for the perusal of any member.

## **~ARTICLE 10.00~**

### **BUSINESS RECORDS, MINUTES, AND OTHER PUBLICATIONS**

#### **10.01**

The Association shall keep a register of its members, and shall enter therein the names of the subscribers to the Constitution and Bylaws and the name of every other person who is admitted as a member to the Association, together with the following particulars:

- (a) The full name, address, and occupation of every such subscriber and person;
- (b) The date on which each person is admitted as a member;
- (c) The date on which any person ceases to be a member;
- (d) Whether the member is a voting or non-voting member.

#### **10.02**

There shall be current financial and business records maintained as described in Articles 6.03(k), 7.00, 8.00 and these Bylaws.

#### **10.03**

Minutes shall be kept of all Annual, Special and General Meetings of the Association. Copies of these minutes shall be accessible by the Secretary to any member who requests them.

#### **10.04**

Minutes shall be kept of all Executive Meetings.

### **10.05**

The Executive shall be responsible for informing the membership about pertinent Association matters on a regular basis, e.g. Newsletter, Faculty Handbook, etc.

### **10.06**

The Executive is empowered to appoint and authorize such person(s) as are required to facilitate Article 10.00.

## **~ARTICLE 11.00~**

### **COLLECTIVE AGREEMENT/NEGOTIATING COMMITTEE/STEWARDS**

#### **11.1 COLLECTIVE AGREEMENT**

Each Collective Agreement between this Association and the Employer of the members shall be in writing with the President, Secretary and Chairperson of the Negotiating Committee as Association signatures empowered to sign only after the terms of the Agreement have been accepted by a majority vote of the membership.

#### **11.2 NEGOTIATING COMMITTEE**

- (a) The Negotiating Committee shall be comprised of six (6) voting members who are to be elected at a General Meeting of the Association held not later than six (6) calendar months prior to the expiration of the then current collective agreement.
- (b) Nominations to these positions shall be received in advance or from the floor of the meeting.
- (c) The six (6) candidates receiving the largest number of votes shall be declared elected. Among the members elected there shall be at least one male and one female.
- (d) The Committee shall meet as soon as possible after its election and select a chairperson who shall immediately become an ex-officio member of the Executive with voice and vote for the term of the Committee.
- (e) The Committee shall be responsible to the general membership.
- (f) The duties of the Committee shall be to negotiate with the Employer an agreement that is satisfactory to the membership. Committee members are responsible to research and provide recommendations for future agreement negotiations. Such research as questionnaires, etc, is within their jurisdiction. It is the duty of the Executive to provide guidance and support to the Committee.
- (g) The term of the Committee members shall be from the date of their election until the signing of a renewed collective agreement, but not to exceed two (2) years.
- (h) New members shall be elected to fill vacancies at a General Meeting.

#### **11.3 STEWARDS**

- (a) Twelve (12) voting inter-campus members shall be elected to act as Stewards.

- (b) The Stewards shall be elected by secret ballot at an Annual Meeting by voting members in attendance at the meeting. Nominations to these positions shall be received in advance or from the floor of the meeting. The nominees polling the largest number of votes shall be elected. In the event that there are insufficient nominations to fill the vacant position the VCCFA Executive shall appoint Stewards on an interim basis, or until such a time as a by-election can be held.
- (c) Stewards shall be elected for a term of two (2) years on the following basis of rotation: Six (6) Stewards shall be elected for a term of two (2) years at the Annual Meeting in one year and six (6) Stewards shall be elected for a term of two (2) years at the Annual Meeting in the following year.
- (d) A Chief Steward shall be chosen from within the group of Stewards and will remain Chief Steward for the balance of his or her own term as steward. The Chief steward shall be an ex-officio member of the Executive with voice and vote. The member chosen to be Chief Steward shall be replaced by another member appointed as Steward by the Stewards' Committee in consultation with the Executive. This appointment shall be on an interim basis until such time as a by-election can be held.
- (e) The duties of the Steward shall be to:
  - (i) Represent the interest of the member(s) by processing the initial stages of grievances and by acting as an advocate on behalf of the member(s) in grievances and complaints.
  - (ii) Act as an official representative of the Association by performing the duties described above. It is the duty of the Executive to provide guidance and support to Stewards.
  - (iii) Establish a committee of Area Representatives. These Representatives shall be chosen by the faculty in each department. Where faculty in a department have not chosen an Area Representative, the Stewards shall be empowered to recruit an Area Representative.
- (f) The duties of the Chief Steward shall be to:
  - (i) Report to the Executive on the operation and functioning of the campus Stewards and Area Representatives.
  - (ii) Provide for the training of Stewards.
  - (iii) Act as a resource person to Stewards.
  - (iv) Develop effective communication systems so that the flow of information between Stewards and the VCCFA Executive and between the Stewards at both campuses is maintained at a high level.
  - (v) To represent the interests of the members by processing grievances.
  - (vi) To act as the chief official representative of the Association to deal with matters arising from the administration of the Collective Agreement. It is the duty of the Executive to provide guidance and support to the Chief Steward.

## **ARTICLE 12.00**

### **OTHER COMMITTEE STRUCTURES**

#### **12.01**

From time to time the Executive may appoint VCCFA Committees. The Executive shall report such

appointments to the membership and after consultation with its members provide such committees with terms of reference. Unless delegated to this Committee, the Committee Chair shall be appointed by the Executive.

**12.02**

From time to time the Executive may appoint VCCFA representatives to non-VCCFA committees which are considered within the scope of this Association's interest.

This Constitution and Bylaws have been duly accepted by a two-thirds majority vote of the membership attending a meeting of the Association held on the 29th day of November 1979.

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PRESIDENT

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SECRETARY

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WITNESS

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WITNESS

REVISED 31st day of October, 1985  
Further REVISED February 1995  
Further REVISED December 1996  
Further REVISED September 1999  
Further REVISED November 2001  
Further REVISED October 2003  
Further REVISED February 2004  
Further REVISED August 2004  
Further REVISED June 2005  
Further REVISED September 2016