



concordia university faculty association  
association des professeurs de l'université concordia

**CUFA**

**CONSTITUTION**

may 1982



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ratified may 31<sup>st</sup> 1982

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CONCORDIA UNIVERSITY FACULTY ASSOCIATION  
ASSOCIATION DES PROFESSEURS DE L'UNIVERSITÉ CONCORDIA

This Constitution replaces all previous constitutions of the Association.

I. NAME

The name of the Association shall be "Concordia University Faculty Association / Association des Professeurs de l'Université Concordia".

II. PURPOSE

The purpose of the Association shall be to promote the professional and collegial interests of faculty members and librarians; to cooperate with other organizations having similar aims; and to study, safeguard and promote the economic, social and educational interests of the members of the collective bargaining unit represented by the Association. The function of the Association shall include the negotiation and application of collective agreements.

III. MEMBERSHIP

- (1) Membership in the Association shall be open to all members of the full-time instructional faculty of Concordia University on salary who hold limited, probationary, or tenured appointments at the rank of lecturer or above, sessional lecturers, and librarians of the rank of Librarian I or above in the employ of the University. The above categories of eligible members shall include Department Chairmen, Principals of Colleges, Directors of Institutes, and Coordinators of Academic Programs, but shall exclude all faculty occupying administrative positions at higher levels, e.g. Dean, Provost, Vice-Rector, Rector and their Assistants and Associates during the term of administrative office, and shall exclude librarians occupying the following administrative positions: Director of Libraries, Associate and Assistant Directors of Libraries, Department Heads, and Staff Officers.
- (2) Eligible faculty members and librarians shall retain the rights and responsibilities of membership during periods of paid leave. During periods of unpaid leave eligible members may retain such rights and responsibilities as long as they continue to pay appropriate dues to the Association.
- (3) Members may resign at any time by submitting a signed letter of resignation to the Secretary of the Association.

#### IV. DUES

Members shall pay dues as determined by the Association.

#### V. FINANCIAL STATEMENTS

- (1) The fiscal year of the Association shall be from 1 June to 31 May of the following year.
- (2) Copies of the annual financial statements, prepared by the Treasurer on behalf of the Executive, shall be made available upon request to members of the Association. A condensed version of these statements shall be prepared by the Treasurer and shall be circulated to each member in the same mailing which announces the general meeting at which they will be discussed. Original copies of these statements shall bear the signatures of the Treasurer and one other member of the Executive.

#### VI. EXECUTIVE OFFICERS: TERMS OF OFFICE

- (1) The elected Executive Officers of the Association shall be the President, Vice-President, a Secretary, a Treasurer and two members at large. These officers shall be elected annually. The term of office shall be from 1 June each year to 31 May of the following year.
- (2) In order to foster continuity the immediate Past-President shall be an ex-officio member of the Executive for one year. In the event of the re-election of a President there will be no ex-officio member of the Executive, in which case an extra member at large shall be elected.

#### VII. NOMINATION AND ELECTION OF EXECUTIVE OFFICERS

- (1) The election of Executive Officers of the Association shall take place annually by secret mail ballot of the general membership.
- (2) The Standing Committee on Elections shall organize and administer the election to take place before the end of the official examination period in the winter session.
- (3) Nominations shall be made by written submission with the signatures of two members of the Association and the nominee.
- (4) If no candidate receives a majority on the first ballot there shall be a run-off election between the two leading candidates.

VIII. VACANCIES IN THE EXECUTIVE

- (1) If at any time the Office of President of the Association shall become vacant, the Vice-President shall become President.
- (2) If an elective office of the Executive other than the President becomes vacant prior to March 1 of any year, the Standing Committee on Elections shall conduct a by-election.
- (3) If at any time the office of the Past-President becomes vacant, an extra member at large shall be elected by Council to serve until the next election of officers.

IX. POWERS AND FUNCTIONS OF THE EXECUTIVE

- (1) In accordance with the Constitution, the Executive shall administer the affairs of the Association, including the management of funds. The Executive shall be responsible to the membership and the Council and shall report to them.
- (2) Subject to the review of Council, the Executive shall make arrangements for the maintenance of an office for the Association and the hiring of personnel.
- (3) Members of the Executive shall be voting members of Council and shall be counted in the quorum. The President shall chair the meetings of Council, but will vote only in the case of a tie.
- (4) The Executive shall be responsible for the nomination of candidates for all committee positions, with the exception of the Standing Committee on Elections (Article XII-2). Further nominations may be proposed by members of Council. (For the election of these committees, see Article XII-3).
- (5) The President, or his/her delegate from the Executive, shall be an ex-officio non-voting member of all committees, except the Standing Committee on Elections and other committees specified by Council.
- (6) The quorum for a meeting of the Executive shall be four.



## X. IMPEACHMENT AND DISMISSAL OF MEMBERS OF THE EXECUTIVE

- (1) The impeachment of a member of the Executive is initiated when a Petition of Impeachment, circulated by any member of the Association in good standing, is signed by fifteen percent of the membership.
- (2) Copies of the said Petition, dated and duly signed, are to be submitted to the subject of impeachment and to the Chairperson of the Standing Committee on Elections. The latter thereupon chairs the impeachment proceedings.
- (3) The said Chairperson shall convene a special general meeting of the Association. Notice of the meeting shall be circulated to the general membership within one week of receipt of the Petition of Impeachment. The special general meeting will take place within three weeks of receipt of the aforesaid petition. The Chairperson may consult the petitioner and the subject to arrange a suitable date for the special general meeting. A quorum shall be twenty percent of the membership. The petitioner shall present the grounds for impeachment at this meeting. The subject may then present a defense against these charges. The Petition of Impeachment shall be adopted if two-thirds of those present at the proceedings vote in its favour. Should the Petition be adopted, the subject will be deemed to be dismissed from office. In that case the usual regulations pertaining to a vacancy in the Executive shall be in effect.

## XI. ELECTION OF COUNCIL

- (1) With a view to guaranteeing the full participation of its membership in the making of policy, the Association shall be represented by a Council elected by the membership from academic constituencies of approximately equal size within the University. The Council shall comprise no more than thirty elected councillors, plus the Executive.
- (2) The election of council members and alternates shall be organized and supervised by the Standing Committee on Elections (Article VII) and shall take place once a year by secret mail ballot. The term of office for Council shall be from 1 November to 31 October of the following year. Nominations and balloting shall take place after the beginning of classes in the fall session and before 31 October. The Candidate with the most votes in each constituency shall be declared elected. The runner-up shall be the alternate.

## XII. POWERS AND FUNCTIONS OF COUNCIL

- (1) The Council shall be the sole legislative body of the Association.
- (2) The Council shall elect an independent Standing Committee on Elections to organize and administer all procedures for elections, beginning with the announcement of elections and ending with the announcement of the results. The Standing Committee on Elections shall also organize all mail ballot procedures (Article XV).
- (3) The Council shall elect Standing Committees on Grievances, on Contract Negotiations, and any other committees deemed necessary by the Council.
- (4) The Council shall define the mandate and term of office of all committees.
- (5) The Council shall be responsible for the preparation and negotiation of collective agreements, through its Committee on Contract Negotiations. The Council shall be responsible for the application of collective agreements, through the Executive and other committees.
- (6) The adoption of all negotiated collective agreements shall require both a majority vote of those voting on Council and ratification by the membership by secret mail ballot (Article XV).
- (7) The Council shall be responsible for motions to call for strike action, withdrawal of services or respect for picket lines established by other certified bargaining units. All such motions must be approved in a secret mail ballot by at least two-thirds of those voting in Council before submission for decision by the membership, first by secret ballot in a general meeting (Articles XIII-5 and XIV-2) and then, if approved, in a secret mail ballot (Article XV).
- (8) The Council shall adopt an annual budget which on the advice of the Treasurer shall be made available to members on request.
- (9) The Council shall be responsible for determining and recommending a schedule of dues for submission to the membership for approval.
- (10) The Council shall normally be chaired by the President of the Association and shall meet on at least two occasions during each fall and winter term, at a time and place designated by the Secretary of the Association at least one week in advance of each meeting.

- (11) A special meeting of the Council may be called at the request of twenty percent of its members.
- (12) Quorum for Council meetings shall be fifty percent plus one of its membership, except in the period from 1 May to 31 August when the quorum shall be one-third of its membership.
- (13) Council by majority vote of those voting has the power to establish and amend by-laws for procedural matters, in accordance with the Constitution. Proposed by-laws or amendments thereto shall be circulated to the general membership at least three weeks prior to the meeting of Council at which the vote on the motion will take place.
- (14) All members of the Association may attend Council meetings in a non-voting capacity. Speaking privileges for such members will be granted at the discretion of the Chairperson.

#### XIII. GENERAL MEETINGS

- (1) There shall be at least one general meeting of the members of the Association during each of the fall and winter terms.
- (2) The President of the Association shall preside at each general meeting and at each statutory general meeting, and shall report to the membership on the state of the Association and on specific matters of topical importance.
- (3) Special general meetings may be called at any time by the Officers of the Association, or by Council by a majority vote of those voting, or when fifty members of the Association make written petition to the Secretary for such a meeting.
- (4) At least one week's notice shall be given to members prior to all general meetings.
- (5) Quorum for a general meeting shall be at least ten percent of the members, except in the case of meetings called to consider affiliation, strike action, withdrawal of services, or respect for picket lines established by other certified bargaining units, when the quorum shall be twenty percent of the members.
- (6) Motions at a general meeting shall be carried by a majority vote of those voting, except in the case of impeachment (Article X-3).



#### XIV POWERS AND FUNCTIONS OF GENERAL MEETINGS

- (1) Any member of the Association has the right to propose a motion whose object is to advise the Executive or the Council on any matter. Any such motion which is adopted shall be placed on the agenda of the next meeting of the body to which it is directed.
- (2) The powers of the General Meeting include: ratification of changes in dues; votes on motions of impeachment (Article X); votes on motions for strike action, withdrawal of services, or respect for picket lines established by other certified bargaining units (Article XII-7).

#### XV MAIL BALLOTS

- (1) Mail ballots to members shall be used for at least the following purposes: (a) election of Officers of the Association; (b) ratification of amendments to the Constitution (Article XIX); (c) ratification of a recommendation by Council to accept a proposed collective agreement; (d) ratification of recommendations from the Council and the General Meeting to strike, withdraw services, or respect picket lines established by other certified bargaining units; and (e) ratification of recommendations from the Council to change affiliation (Article XVII).
- (2) While classes are in session during fall and winter terms, at least ten days shall be allowed for submission of ballots. At any other time at least thirty days shall be allowed for submission of ballots.
- (3) Ratification of a collective agreement requires a simple majority of those voting by secret mail ballot.
- (4) Ratification of a recommendation, to strike, withdraw services, or respect picket lines established by other certified bargaining units, requires a sixty-percent majority of the total membership of the bargaining unit in a secret mail ballot.
- (5) All votes requiring mail ballots shall be organized and supervised by the Standing Committee on Elections.

#### XVI AUDITORS

Council shall elect an auditor or auditors to examine and render an opinion to the members of the Association on the financial statements of the Association. The Auditor(s) reporting on the Association's statements for a particular fiscal year shall have the right to be present at the meeting(s) at which the financial statements and the Auditor's report are presented to the membership.

## XVII. AFFILIATION

- (1) The Association shall be an affiliate of the Fédération des Associations de Professeurs des Universités du Québec and the Canadian Association of University Teachers.
- (2) Any proposals to change the affiliation of the Association shall be considered to be amendments to the Constitution which require both a two-thirds majority of those voting in Council and a sixty percent majority of the total membership of the bargaining unit in a secret mail ballot distributed one month prior to the counting of ballots (Article XIX-2).

## XVIII. INTERPRETATION OF THE CONSTITUTION AND BY-LAWS

- (1) Responsibility for interpreting the terms and provisions of the Constitution and By-laws of the Association shall rest with the President, or in the absence of the President, the Chairperson of the Council.
- (2) In the event that such an interpretation made by the President or Chairperson of Council is challenged by a member of Council, the question shall be decided by a simple majority of the votes cast at the meeting of the Council.

## XIX. AMENDMENTS TO THE CONSTITUTION

- (1) The Constitution may be amended only during the fall and winter terms including examination periods. Amendments require both a two-thirds majority of those voting in Council and a sixty-percent majority of those voting in a mail ballot of the membership distributed one month prior to counting the ballots; the minimum number of ballots cast must be twenty-five percent of the membership.
- (2) Any amendment relating to affiliation, strike action, withdrawal of services, or respect for picket lines of other certified bargaining units requires both a two-thirds majority of those voting in Council and a sixty-percent majority of the total membership of the bargaining unit in a secret mail ballot distributed one month prior to the counting of ballots. Any amendment to this clause (XIX-2) requires both a two-thirds majority of those voting in Council and a sixty-percent majority of the total membership of the bargaining unit in a secret mail ballot distributed one month prior to the counting of ballots.

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