

BUFA



BY-LAWS OF THE BROCK UNIVERSITY FACULTY ASSOCIATION (UNINCORPORATED #2)

1. The Association Newsletter

1.1. Name

The name of the newsletter shall be BUFA *Forum*.

1.2. Editor

The Communications Officer shall be the Editor of the newsletter.

1.3. Editorial Policy

Policy of the newsletter shall be determined by the Editor, subject to the advice of the Executive Committee.

1.4. Issuance and Circulation

The newsletter shall be circulated to all members of the Association and published on the BUFA website.

2. Nomination, Election and Term-of-Office for Officials of the Association

2.1. Nominations

Nominations for all offices subject to election by virtue of the Constitution shall be made in writing to the Executive Committee or designate of the Association. Each nominee shall be a member in good standing of the Association. Each nomination shall be signed by no fewer than three members in good standing of the Association. Nominations shall be placed in the hands of the designate of the Executive Committee of the Association, who must not be running for office at least three weeks before the date of the election. It is the responsibility of the Elections Committee to ensure that there is at least one nominee for every position.

There shall be a period of at least 15 working days between the call for nominations and the closure of nominations of candidates for election to the BUFA Executive. A list of all nominations received as of one week prior to the close of nominations shall be distributed to the membership.

2.2. Elections

The Elections Committee shall be responsible for setting the date of the election and for ensuring that the slate of candidates is presented to the membership at least ten calendar days before the election. The election of officers shall normally take place on the last Thursday in March but no later than April 30. The designate of the Executive Committee, who must not be running for office will administer elections including the distribution of ballots, appointment of scrutineers, and the publication of results.

2.3. Terms of Office

Elected officials shall serve for one year, starting on July 1 each year, with the exception of the OCUFA Director, the Grievance Officer, and the Health and Safety Officer who shall serve for two years following election in odd years.

2.4. Re-Elections

Elected officials may stand for re-election. The former notwithstanding, no member shall serve more than two consecutive terms as President of the Association.

2.5. Release Time

Faculty Association officials (including Executive Committee Members, Negotiating Team Members, BUFA Committee Chairs, and appointed representatives) shall receive a release time stipend commensurate with the duties of the position held, determined by the previous year's Executive Committee, and posted on the BUFA website along with the call for nominations to the BUFA Executive Committee each year.

2.6. Executive Committee Job Descriptions

President

- Supervises the general management of the affairs of the Association.
- Acts as the primary spokesperson for the Association.
- Presides at all meetings of the Association and of the Executive Committee.
- Serves on the Appointments Committee.
- Serves as an ex officio member on all Association Committees and the Negotiating Team.
- Regularly presents reports to the Association and to the Executive Committee.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Past-President

- Serves on the Appointments Committee.
- Serves on Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Vice-President

- Fulfills the duties of the President in his/her absence.

- Serves on the Appointments Committee.
- Serves on Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Treasurer

- Responsible for overseeing the finances and accounts of the Association.
- Oversees the preparation of the Association's budget.
- Oversees the preparation and reporting of the Association's annual audit.
- Regularly presents financial reports to the Association and to the Executive Committee.
- Serves on Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Grievance Officer

- Responsible for the administration of complaints and grievances.
- Serves as Chair of the Grievance Panel.
- Serves as a member of the Joint Committee on the Administration of the Agreement.
- Acts as a liaison between the Association and the University on grievance issues.
- Regularly presents reports to the Association and to the Executive Committee.
- Attends relevant training and development meetings and/or workshops.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Health & Safety Officer

- Represents the Association on the Joint Health & Safety Committee.
- Acts as a liaison between the Union and the University on health and safety issues.
- Regularly presents reports to the Association and to the Executive Committee.
- Attends relevant training and development meetings and/or workshops.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Secretary

- Prepares and maintains minutes for meetings of the general membership and of the Executive Committee.
- Serves on Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs such other duties as may be required by the Association and/or Executive Committee.

OCUFA Director

- Represents the Association at OCUFA meetings, conferences, and events.
- Regularly presents reports to the Association and to the Executive Committee.
- Serves on the Public Relations Committee.
- Serves on additional Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Communications Director

- Oversees production and distribution of the BUFA Forum newsletter.
- Advises the Executive Committee on communications-related issues.

- Chairs the Public Relations Committee.
- Serves on Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Non-tenured Faculty Representative

- Advises the Executive Committee on policies, activities, and issues related to non-tenured faculty members of the Association.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Professional Librarian Representative

- Advises the Executive Committee on policies, activities, and issues related to Professional Librarian members of the Association.
- Performs such other duties as may be required by the Association and/or Executive Committee.

Member-at-large

- Serves on Association Committees and/or as a representative of the Association on University-wide committees as required.
- Performs other such duties as may be required by the Association and/or Executive Committee.

3. Voting Procedures

- a) For votes on major issues including Election of Officers, Strike Vote, and Ratification of an Agreement, the entire membership will be polled.
- b) For votes on other issues including motions at General Meetings and procedural votes within meetings, the membership attendant at the meeting will be polled.
- c) A member may challenge, as a point of order, the status of a vote at a meeting and the Chair will rule whether or not the vote concerns a major issue.

3.1 Absentee Ballots

- a) Voting in absentia only occurs on major issues.
- b) Members who, due to leaves or other absences from the University, and who will not be present in the environs of either campus of Brock University at the time of a vote, may provide contact information to the BUFA Office to be used in the event of a vote.
- c) The BUFA Office will distribute absentee ballots to such registered members in a manner such that the member's ballot can be verified but the choice not identified with the member.
- d) The absentee ballots will be distributed at such a time that they can reasonably be returned within the deadline for the vote. Ballots received after the deadline will be destroyed.

3.2 Major Issues

- a) Votes on major issues will be taken by secret ballot.
- b) Voting shall be carried out in such a manner that the members' ballots can be verified but the choice not identified.
- c) Three (3) scrutineers will count ballots and a simple majority of votes cast shall be used to

decide the outcome of the vote.

d) The result of the vote shall be announced and shall be sent to all members of the bargaining unit.

3.3 Non-major Issues

a) Votes on non-major issues will be by show of hands.

b) Motions will be decided by a simple majority of the votes cast, not including abstentions.

c) The Chair shall announce the result of each vote.

d) Except in a vote of adjournment, any member may require that the vote be recorded.

4. General Meetings

4.1. Frequency, Agenda, and Quorum

4.1.1. Regular General Meetings

In addition to the annual general meeting, three (3) regular general meetings shall be called each year. The dates for regular general meetings shall be published as far in advance as possible; the membership must receive at least five (5) working days notice of each regular general meeting.

4.1.2. Special General Meetings

Special general meetings are those called by the President in accordance with the Constitutional provision. Members shall receive at least three (3) working days notice of a special general meeting.

4.1.2. (a) Procedures for a Strike Vote

1. When a strike vote is being considered, a special general meeting shall be held. The motion to authorize a strike shall be circulated with the notice of the special general meeting.

4.1.2. (b) Procedures for Ratification of Collective Agreement

1. The entire proposed Collective Agreement will be made available to the BUFA Executive Committee (in confidence) in advance of an Executive meeting.

2. The Negotiating Team will present a written summary of the proposed agreement to the Executive Committee.

3. The Executive Committee shall consider the proposed agreement. If the Executive determines that a ratification vote is to take place, then a special general meeting of the members of the bargaining unit shall be scheduled.

4. The Executive Committee shall circulate, in advance of this special general meeting, a written summary of the proposed agreement along with its recommendations, if any. The entire proposed agreement shall be made accessible (in confidence) to all members of the bargaining

unit.

4.1.3. Copies of the Agenda and Papers

Copies of the agenda and all papers to be submitted to a general meeting, including substantive motions not necessary for the ordinary conduct of business, shall be sent to members of the Association at least five (5) working days in advance in the case of a regular meeting, and at least three (3) working days in advance in the case of special meetings. All material for regular general meetings should be sent to the BUFA office at least one (1) week prior to the required advance notice. Permission to introduce material not so circulated into a general meeting must receive approval by two thirds of members present.

4.1.4. Chair

The Chair at regular or special general meetings shall normally be the President of the Association or the Vice-President. The Executive Committee may, however, designate any member of the Association to Chair a meeting.

4.1.5. Order of Business

The following shall normally be the order of business at regular general meetings. This order of business may, however, be determined by the Chair.

- (A) Approval of the Agenda
- (B) Minutes of the last regular meeting and of any intervening special meetings.
- (C) Business Arising out of the minutes
- (D) Report of the President
- (E) Reports of the Grievance Officer; Health and Safety Officer; OCUFA Director
- (F) Other reports
- (G) New business

4.1.6. Quorum

A quorum at general meetings shall be five per cent of the membership.

4.2. Debates

4.2.1. The conduct of general meetings shall be decided by the Chair, who shall be guided by Robert's Rules of Order except on matters where these By-Laws or the Constitution specifies procedure.

4.2.2. Points of order shall be decided by the Chair subject to an appeal, without debate, to the meeting.

4.2.3. No member may speak for more than five (5) minutes to any question except with leave of the meeting. The Secretary shall be responsible for keeping account of the length of time a person has spoken.

4.2.4. The Chair may take part in any debate, but before doing so must appoint some other member to occupy the Chair. The Chair need not vacate the Chair to provide information during a debate or to present a report. The Chair may vote on any question.

4.3. Motions and Questions

4.3.1. When a motion is seconded it shall be read to the meeting by the Secretary before being debated. All reports from committees shall be phrased in such a way that when action is expected of the meeting, the substantive material shall be in the form of a motion.

4.3.2. When a motion is under debate, no motion shall be received by the Chair except the following in order of precedence:

- (A) personal privilege
- (B) to adjourn the meeting
- (C) to close debate
- (D) to limit or extend debate
- (E) to lay on the table
- (F) to postpone to a definite time
- (G) to refer
- (H) to amend the amendment
- (I) to amend

4.4. Open and Private Meetings

General meetings of the Association shall normally be closed. The meeting may at any time, however, decide by a majority vote of those present to permit identified non-members to attend the meeting as observers or that the whole, or any part, of the meeting be held *in camera*.

5. Committees, Representatives, and Observers

5.1. General

Appointments of committee Chairs, committee members, and BUFA representatives and observers on non-Association committees shall be made by the Executive-Elect upon recommendation of the Appointments Committee.

The Appointments Committee shall normally consist of the President, Vice-President, and Past President.

In recommending appointments, the Appointments Committee shall strive to ensure that a committee's membership represents as wide a diversity in rank, opinion, and outlook as is both practicable and consonant with the task of the committee.

The Executive Committee shall keep the membership informed of committee, representative and observer appointments.

5.1.2. Term

Except as specified below, members of standing committees and sub-committees, and BUFA representatives and observers shall serve for a term of one year and may be reappointed.

Members of ad hoc committees shall normally serve until the committee is discharged.

5.1.3. Powers

Each BUFA committee shall have the power to create special sub-committees, provided that the Executive Committee is informed of the terms of reference and membership of these sub-committees.

The Chair of a committee may add additional members to the committee, provided that the Executive is informed, and the need for additional members explained.

The Chair of a committee may seek expert advice pertinent to the business of the committee. Payment of any fee for such advice must, however, be pre-approved by the Executive Committee.

5.1.4. Annual Reports

Committee Chairs, representatives, and observers are responsible for submitting annual reports to the BUFA office no later than one week before the date of the annual general meeting.

5.2. Executive Committee

5.2.1. The Executive Committee shall be comprised of the membership indicated in the Constitution.

5.2.2. Executive Committee meetings shall normally be open to members of the Association. Parts of meetings of the Executive pertaining to personnel and legal items, or upon majority vote, shall be held *in camera*.

5.2.3. All communications to the Executive Committee shall be submitted through the BUFA Office.

5.3. Standing Committees

5.3.1. Collective Agreement Committee

Membership: Normally a Chair and six (6) other members (one from each faculty + professional librarian, if possible).

Duties: Collecting information at both Provincial and Federal levels pertinent to University salaries and benefits; liaison with Committee on pensions; maintaining a watching brief on matters pertaining to the Agreement, including but not limited to, terms and conditions of

employment, salaries, and benefits; development of policy positions on terms and conditions of employment, salaries, and benefits, which may help establish negotiating goals; to provide as requested consultation and information for the Negotiating Team.

Term: Two-year term, staggered.

5.3.2. The Grievance Panel

Membership: The Chair of the Grievance Panel shall be the Grievance Officer. There shall be six additional members, selected in consultation with the Grievance Officer, one of whom shall be the Assistant Grievance Officer. Normally, each Faculty and the Library will be represented on the Panel. .

Duties: The Panel shall operate under the direction of the Chair according to the guidelines established by the Executive Committee. To advise and assist the Grievance Officer regarding complaints and grievances; to investigate complaints from the faculty; to facilitate the resolution of such complaints; to present evidence to the Executive for possible grievances by BUFA; to review department procedures on an annual basis.

Terms: Two years, staggered. The terms of the Grievance Officer and the Assistant Grievance Officer shall overlap by one year.

5.3.3. Occupational Health and Safety Committee

Membership: The Chair of the committee shall be the Health and Safety Officer. There shall be six additional members, selected in consultation with the Health and Safety Officer, one of whom will be the Assistant Health and Safety Officer. Normally each Faculty and the Library will be represented on the committee.

Duties: The Health and Safety Officer and the Assistant Health and Safety Officer are the BUFA representatives on the University Occupational Health and Safety Committee. To advise and assist the Health and Safety Officer by maintaining a watching brief on working environment and safety; investigation of questions and complaints arising from members concerning working environment and safety; to carry out monthly worker inspections as directed by the Health and Safety Officer.

Terms: Two years, staggered. The terms of the Health and Safety Officer and the Assistant Health and Safety Officer shall overlap by one year.

5.3.4. Pension Committee

Membership: Normally a Chair and six (6) other members.

Duties: Members of this committee represent BUFA on the Brock University Pensions Committee. Maintaining a watching brief on the Brock Pension Plan; development of proposals for improvement in the Brock Pension Plan; liaison with the Collective Agreement Committee.

5.3.5. Public Relations Committee

Membership: The Communications Officer (as Chair) and three other members, one of whom is the OCUFA Director.

Duties: Liaison with local MPs and MPPs; liaison with local organizations influential in determining community attitudes towards Brock University and Brock faculty; generate responses to requests for political action, as assigned by the Executive Committee.

5.3.6. Status of Women Committee

Membership: Normally a Chair and three other members.

Duties: Maintaining a watching brief on the status of women and development of policy positions pertaining thereto; fostering awareness of and action concerned with issues involving women and equity in academia.

5.3.7. Elections Committee

Membership: The outgoing Executive Committee as Committee of the whole.

Duties: to secure the nomination of at least one candidate for each position in the new Executive Committee; to invite nominations from the membership; to distribute the list of nominations as in By-Law 3.1

5.3.8. Promotion, Tenure, and Annual Report Advice Panel

Membership: Normally a Chair and two other members, all of whom should have been past members of the University Committee on Promotions and Tenure.

Duties: Providing advice, information, and support to members about organizing their dossiers for promotion and tenure applications, and for preparing Annual Reports for Performance Review; providing advice, information, and support to members whose applications have been declared problematic or unsatisfactory.

5.3.9. Committee on the Evaluation of Academic Administrators

Membership: Normally a Chair and two other members.

Duties: To recommend to the Executive Committee procedures for the periodic review of the performance of academic administrators at Brock University at the rank of Dean/University Librarian and above, by means that include a survey of BUFA members; to implement those procedures when they have been approved by the Executive; and to publish an analysis of the results.

5.3.10. Hiring Advice Panel

Membership: Normally a Chair and thirteen other members (with two members representing each Faculty and the Library).

Duties: Providing advice to candidates for bargaining unit positions.

5.3.11. CAUT Defense Fund

Membership: The Executive Committee shall annually appoint a Trustee and Alternate to the CAUT Defense Fund.

Duties: To represent BUFA on the CAUT Defense Fund and to report to the BUFA Executive Committee as necessary.

5.3.12. Academic and Professional Awards Committee

Membership: Three members.

Duties: To work actively to have BUFA members recognized for their professional achievements by encouraging and facilitating nominations for awards for teaching, research, and professional service.

5.4. Negotiating Team

In bargaining years, the Executive Committee shall appoint a Negotiating Team after soliciting interest from the membership. The composition of the Negotiating Team must be approved at a general membership meeting. The role of the Negotiating Team is to bargain a new Collective Agreement with the university. The Negotiating Team shall provide regular reports to the Executive Committee. The Executive Committee is empowered to appoint additions and replacements to the Negotiating Team if the need arises.

5.5. Representatives and Observers on University Committees

There shall be Association representatives and observers on University committees as necessary and as specified in the Collective Agreement.

Duties of BUFA representatives: to participate in the deliberations of the committee; and to report on an ongoing basis to the Executive Committee on the deliberations of the committee.

Duties of BUFA observers: to monitor the deliberations of the committee and to report on an ongoing basis to the Executive Committee on the deliberations of the committee.