

DFA Policies – and – Protocols

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Budget Policies

1. Budget Process

- 1.1 Annually in January, the Treasurer and the Administrative Officer shall review the current status of the budget (December financial statement) and prepare preliminary estimates of revenue and proposed allocations.
- 1.2 Chairs of committees will be asked for input on planned operations for the upcoming financial year.
- 1.3 The final, line-item budget shall be presented to the Executive Committee for approval at a March Executive Committee meeting. The approving motion shall state that the amounts established for each category are approved subject to the budgetary guidelines below.

2. Budgetary Guidelines

- 2.1 Adjustments to the specific line items of a category budget may be made to accommodate changes in plans which arise during the year.
- 2.2 The President and Treasurer (acting on the delegated authority contained in the budget approving motion) may authorize necessary shifts in line items. Some shifts between line items may not lead to an overall increase of more than 5% in the total amount authorized.
- 2.3 Any adjustment which would result in an increase of over 5% of the category total allocation will require specific Executive Committee authorization. Such authorization shall specifically identify the source of the additional funds.

3. Association Reserves

- 3.1 Several reserve accounts are to be credited with 4% of each year's dues receipts. This amount shall be calculated on the current year's estimates and specified as an expenditure in the current year's disbursements. An additional amount, equal to all interest payments on the reserve funds shall also be credited to the current year's disbursements to the reserve funds. A further amount, if any, arising from the operation of regulation 3.3.2 shall be credited to the current year's disbursements to the relevant reserve fund. Any operating surplus that occurs at year end shall be disbursed to the reserve funds in accordance with an Executive resolution.
 - 3.1.1 The current year's allocation to reserves shall be distributed in the following order and manner:
 - 3.1.2 An annual disbursement of \$20,000 to the Retirement Benefit Fund until the maximum is achieved.

3.1.3 The residual amount shall be divided as follows:

75% to the DFA Defence Fund or such lesser amount as is required to achieve the designated maximum;

25% to the Legal Reserve Fund or such lesser amount as is required to achieve the designated maximum;

100% of the balance or such lesser amount as is required to achieve the designated maximum, shall be allocated in the following order:

Special Projects Fund, Emergency Fund.

3.2 Reserve Fund Regulations

3.2.1 The following regulations shall apply to the management of the funds which include DFA Defence Fund, Legal Services, Retirement Benefit, Special Projects, Strike Operations, Emergency and Chief Negotiator Fund. The purposes and maxima of the reserve funds are as follows:

DFA Defence Fund -- to be used for strike pay and benefits for Members during a strike. The maximum for this Fund is \$5,000,000. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

Legal Services -- to meet extraordinary legal expenses in excess of the annual budgetary allocation for the Grievance Committee which are incurred in defending the rights of members of the Association. The maximum for this Fund is \$200,000. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

Retirement Benefit -- to cover the cost of the Retirement Benefit for staff. The maximum for this Fund is \$160,000. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

Special Projects -- to fund extraordinary projects, capital purchases or major campaigns and lobbying efforts approved by the Executive Committee which exceed or cannot otherwise be funded through the annual budgetary allocation. The maximum for this Fund is \$45,000. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

Emergency -- to provide a source of funds for emergencies which are not eligible under the regulations governing the other funds, to cover the costs of any legal judgement against the Association, or other such purpose deemed appropriate by the Executive Committee. The maximum for this Fund is **\$450,000**. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

Strike Operations – to cover the Association’s operating expenses relating to strike preparation and strike. The maximum for this Fund is \$325,000. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

Chief Negotiator Fund – to cover the cost of hiring an expert negotiator for collective bargaining. The maximum for this Fund is \$400,000. This Fund can accrue beyond the individual cap (maximum) in order to incorporate the accumulated interest for this Fund.

3.2.2 Any unspent balance in the legal line item of the budget shall be transferred, at year end, as an additional allocation in the next fiscal year, to the Legal Services Reserve Fund when and if that Fund is below its proposed maximum. Any budgetary surplus from that line item not allocated to the Legal Services Reserve Fund shall be allocated in accordance with 3.1.1.

3.2.3(a) Expenditures from the DFA Defence, Legal Services, Special Projects, Emergency, Strike Operations and Chief Negotiator reserve fund require a specific motion by the Executive Committee, passed by two-thirds majority of those voting. A "Notice of Motion" to authorize such amendments shall be circulated, in writing, to committee members a minimum of seven days in advance of the scheduled meeting.

3.2.3(b) Expenditures from the Retirement Benefit reserve fund shall be made as necessary by the DFA Finance Committee (i.e. President, President-Elect and Treasurer).

3.2.4 Amendments to these regulations require a specific motion by the Executive Committee, passed by two-thirds majority of those voting. A "Notice of Motion" to authorize such amendments shall be circulated, in writing, to committee members a minimum of seven days in advance of the scheduled meeting.

4. **Association Investments**

The Administrative Officer shall be responsible for the administration of the Association's cash assets and/or reserve funds. The assets shall be invested in term deposits and GIC's and administered in such a manner, as to ensure both availability of resources for emergencies and to maintain the security of the principal and rates of return.

5. **Travel Guidelines**

A – Conferences

5. **Travel Guidelines**

5.1 **Air Travel**

5.1.1 Airline tickets shall be reimbursed for authorized Association travel.

5.1.2 In general, all Association travel will be booked at the lowest possible fare, utilizing, as often as possible, discount and seat sale tickets.

5.2 Hotel Costs

- 5.2.1 Itemized hotel bills shall be submitted to the Administrative Officer. In lieu of commercial accommodation, \$20 per night will be paid by the Association for every night away from Halifax.
- 5.2.2 Telephone calls made on Association business should be claimed with a brief notation of the nature of the business being transacted. Reasonable costs for personal long distance phone calls will be reimbursed.

5.3 Car Allowance

Persons using their own cars are entitled to claim \$0.52/km, up to a maximum of the equivalent economy airfare. Where a private car is used for conveyance to one's local airport, distance travelled and the cost of parking at the airport may be claimed.

5.4 Local Transportation

- 5.4.1 Taxi expenses must be confirmed by receipts. Airport buses or limousines should be used whenever possible.

B – Mileage

From time to time, DFA members are required to travel to attend meetings for DFA business. In order to be reimbursed for mileage expenses, members must obtain pre-authorization from the DFA Finance Committee.

Individuals who are using their own vehicles in conducting pre-authorized DFA business will be reimbursed \$0.52/km for mileage expenses incurred, upon the submission of a DFA Office Expense Claim form.

Approved by the DFA Executive Committee - 20 March 1991

Approved by the Annual General Meeting - 24 April 1991

Changes Approved by DFA Executive Committee - 23 March 1999

Changes Approved by the Annual General Meeting - 20 April 1999

Changes Approved by DFA Executive Committee - 13 April 2004

Changes Approved by the Annual General Meeting - 27 April 2004

Changes Approved by DFA Executive Committee - 12 April 2006

Changes Approved by the Annual General Meeting - 26 April 2006

Changes Approved by DFA Executive Committee - 23 April 2008

Changes Approved by the Annual General Meeting - 14 May 2008

Changes Approved by DFA Executive Committee - 21 April 2009

Changes Approved by the Annual General Meeting - 12 May 2009

Changes Approved by DFA Executive Committee - 09 April 2010

Changes Approved by the Annual General Meeting - 27 April 2010

Changes Approved by DFA Executive Committee - 05 April 2011

Changes Approved by the Annual General Meeting - 26 April 2011

Changes Approved by DFA Executive Committee - 01 April 2014

Changes Approved by the Annual General Meeting - 05 May 2014

Changes Approved by the DFA Executive Committee – 19 November 2014, 16 March 2015 and 13 April 2015

Changes Approved by the Annual General Meeting - 04 May 2015

Changes Approved by DFA Executive Committee - 20 March 2017

Changes Approved by the Annual General Meeting - 03 May 2017

Changes Approved by DFA Executive Committee - 05 April 2018

Changes Approved by the Annual General Meeting - 03 May 2018

Changes Approved by DFA Executive Committee - 12 April 2019

Changes Approved by the Annual General Meeting - 07 May 2019

Changes Approved by the DFA Executive Committee – 23 April 2020

Changes Approved by the Annual General Meeting – 13 May 2020

DFA Policy Regarding Return to Work After a Strike/Lockout based on CAUT Information Paper (November, 1998)

Preamble

The suggested language found in this policy is subject to negotiation and is part of the process for ending a strike/lockout.

1

The administration agrees that no disciplinary measures shall be taken against members who were on strike/lockout for their actions during the strike/lockout.

2

There shall be no discipline imposed by the Board on members for breaches of any university policy arising from classes missed during the work stoppage or the alteration of class schedules, exams, tests, or any other attempt to facilitate completion of the academic year.

3

In all cases in which, but for the strike/lockout, material would have been presented by members of the bargaining unit, students shall only be examined and graded on material presented by members of the bargaining unit.

4

Where not in conflict with any other provision of the back-to-work protocol, members shall comply with Senate approved or mandated changes in the academic schedule, provisions for modification in the examination periods and changes in regulations or waivers of regulations and any other requirements resulting from the implementation of the resolution approved by Senate.

5

Each academic unit shall, as soon as possible after the end of the strike/lockout, determine, consistent with the return to work agreement and any Senate policies, what arrangements need to be made to make up for lost classes, etc. and what adjustments need to be made to academic requirements and regulations.

6

All leaves (for example, sabbatical leaves, research/study leaves, maternity leaves, paternal leaves, adoption leaves, sick leaves, political leaves) in progress at the commencement of the strike/lockout shall be continued as though no strike/lockout had occurred.

7

All leaves which had been approved prior to the strike/lockout shall be honoured by the Board and shall begin on the previously agreed commencement date.

8

All applications for leave which had been submitted prior to the commencement of the strike/lockout shall be processed according to normal procedures set out in the applicable collective agreement.

9

Travel funds and expenses approved before, or incurred during the strike/lockout by members which would have qualified for reimbursement but for the strike/lockout shall be reimbursed to members. Members are entitled to all professional development allowance accruals in existence as of the commencement of the strike/lockout.

10

Members shall be reimbursed for any university travel expenses approved before, or incurred during the strike/lockout for which they would have been reimbursed but for the strike/lockout.

11

Members shall be reimbursed for any grant or research expenses approved before or incurred during the strike/lockout, for which they would have been reimbursed but for the strike/lockout.

12

Probationary periods shall, at the election of the member, be extended by x working days. ¹

13

All other deadlines such as promotions application and appeals, and tenure applications and appeals, which have been directly affected by the work stoppage shall be extended by x working days.

14

All matters giving rise to grievance or other claims which arose within 20 working days prior to the commencement of the strike/lockout or arose during the period of the strike/lockout or prior to the coming into effect of the new collective agreement shall be continued pursuant to the terms and conditions as set out in the collective agreement dated x (the agreement in effect before the commencement of the strike/lockout). Deadlines shall be extended by x working days.

15

All grievances or other claims in existence as of x (date of commencement of the strike/lockout) shall be continued, with the applicable deadline dates extended by x working days.

16

The period of the strike/lockout shall be considered "continuous full-time service" at the University for all purposes (for example in the calculation of vacation, research/study leave, maternity leave, adoption leave, pensions).

17

The employer shall pay the employer's full share of contributions to employee benefits and pension plans pursuant to the terms of the collective agreement for the period of the strike/lockout. The employer agrees to reimburse the Association for the full amount paid by the Association in lieu of the employer's contributions to insured benefit plans during the strike/lockout.

18

The administration agrees to reimburse members for any loss in compensation incurred during the strike/lockout.

19

Association dues shall be deducted from any salary earned by members of the bargaining unit during the period of the strike/lockout and shall be remitted to the faculty association, along with a list of those from whom such deductions were made and the amount of the deduction.

20

In consideration of the additional work necessary to complete the academic year, each member shall receive \$x no later than x.

21

Any library material which became overdue during the work stoppage shall become due on x.

22

If access to fee-paid services such as parking, athletic, child care, health care, counselling, non-academic course, and other similar fee-paid services is denied because of the strike/lockout, the relevant fees shall be reduced pro rata to reflect the duration of the strike/lockout.

23

The administration shall ensure that accumulated regular and electronic mail is distributed in an expeditious manner. If electronic mail has been suspended for the duration of the strike/lockout, the administration shall ensure that e-mail is promptly reinstated after the strike/lockout.

24

The parties agree that the terms and conditions of employment as set out in the collective agreement dated x (the agreement in force before the commencement of the strike/lockout) and as continued under the provisions of the Nova Scotia *Trade Union Act* shall be deemed to remain in force and effect until the date the new collective agreement comes into force and effect.

Endnote

¹ "For purposes of this clause 'probationary' includes all probationary, probationary tenure track and tenure track appointments."

Approved by the General Meeting (14 March 2000)

DFA Travel Policy

Introduction

The purpose of the DFA Travel Policy is to ensure that funding for travel be allocated in a reasonably consistent and equitable manner. The prime consideration in granting travel funding is benefit to the Association and its purpose "to advance teaching, scholarship and research in the University ... [and] to deal with items of common interest to faculty members relating to the University or to the broader interests of the academic community" (Article 2). It is expected that recipients of such funding will share their experience with Association members upon return. Conference funding is supplied in the expectation that Conference attendees will utilize their acquired knowledge and skills in the service of the Association. Although the Association has limited funds available, all members are eligible to apply for funding to attend conferences approved by the Executive.

A. Types of Travel Requests

Two classes of travel requests have been identified. These are as follows: 1. Association meetings to which the DFA as a member organization is expected to send a representative (e.g., CAUT Council). 2. Specialized seminars, workshops, or conferences that provide training or information that relates to the operation of the DFA (e.g., CAUT Collective Bargaining Conferences).

B. Conditions

Since the primary purpose of DFA travel funding is to provide some form of benefit to the Association, the following types of service will be required of travel funding recipients. All individuals including official representatives of the DFA are required to provide the Executive Committee with a brief written report and/or a brief oral report as requested by the Executive which shall include some evaluative statement of the perceived value of the event, particularly for future attendees. All such reports are to be kept on file in the DFA Office and will be made available to all members of the Association.

C. Procedures

1. Association staff shall monitor upcoming conferences and meetings of interest to the Association, and shall bring these to the attention of the Finance Committee. Members are encouraged to notify the DFA Office of all applicable upcoming conferences and meetings.
2. The Finance Committee shall consider the merit of all categories of travel request brought to its attention. For travel requests falling under section A - category 1, they will be sent to the Finance Committee for consideration and recommendation to the Executive Committee. For travel requests falling under section A - category 2, the Finance Committee will consider whether to issue a general announcement to the membership prior to making a final recommendation to the Executive Committee. Where there is a general announcement for interest in attending a conference or workshop, interested parties shall submit written requests for travel funding to the Finance Committee for consideration by the Executive, specifying the reason for attendance.

3. All applications for travel funding for a particular meeting or conference under section A – category 2 shall be considered at the same time by the Finance Committee before recommendation to the Executive Committee. No more than three attendees will be sent to a particular event. Preference will be given to applicants who have not received travel funding within the previous two years.
4. The DFA Office will maintain a file of all meetings or conferences for which travel funding is allocated, including persons funded and monies spent.

D. Funding

1. Travel advances will not be provided and with the exception of the per diem for meals, attendees are to be reimbursed for expenses upon presentation of receipts.
2. Legitimate expenses include: (i) transportation at the most economical means, including airfare, ground transit, and car allowance, (ii) accommodation, (iii) meals with a per diem of \$60.00, (iv) registration fees for conferences, seminars and workshops.

Approved by the DFA Executive Committee - 15 April 1985

Changes Approved by DFA Executive Committee - 09 April 2010

Changes Approved by the Annual General Meeting - 27 April 2010

Approved by the DFA Executive Committee - 11 April 2016

Approved by the Annual General Meeting - 4 May 2016

*Terms of Reference for the Committee
to Monitor University Planning*

MOTION: "That the DFA shall establish a Standing Committee to Monitor University Planning, on which each Faculty or similar unit shall have representatives."

The mandate of this Committee shall include:

- (1) consideration of administrative planning proposals and alternatives to them;
- (2) provision of information to the membership regarding planning issues;
- (3) eliciting information (e.g., via the Council of Representatives) regarding the views of the membership;
- (4) making recommendations to the Executive on these matters.

Approved by the Annual General Meeting - 26 April 1989

DFA Policy Regarding Association Dues for Non-bargaining Unit Members:

The DFA Constitution, By-Laws and Collective Agreement establish the basis upon which academic staff at Dalhousie University can become members of the Faculty Association.

Under the Constitution, the DFA's purpose is to:

- Advance teaching, scholarship and research in the University
- To represent all employees of this University who are eligible for full membership in the Association in all matters of employer-employee relations including salaries and working conditions;
- To deal with items of common interest to faculty members relating to the University or to the broader interests of the academic community;
- To encourage cooperation between the academic staff of this University and the academic staffs of other universities.

Given the broad interest in the Dalhousie academic community, the Constitution provides that: "full membership in the Association is open to all full-time and part-time members of the academic staff of Dalhousie University, whether Members of a DFA bargaining unit or not, including Professors of all types, Lecturers of all types, Professional Librarians, Professional Counsellors, Research Associates, Instructors and Demonstrators, but excluding full-time students enrolled for a degree, diploma or certificate from Dalhousie University."

The process by which Association dues are collected is described in Article 4 of the DFA By-Laws and Article 7 of the DFA/Board Collective Agreement.

a) Article 4 establishes the amount of dues for full-time and part-time members who are not members of the bargaining unit for which the DFA is the legal bargaining agent.

b) Clause 7.04 of the DFA/Board Collective Agreement provides that:

"Teaching, research and professional library staff who are on the regular monthly payroll for at least four consecutive months and who are not Members of the bargaining unit but who do not opt out of membership of the Association will continue to have regular monthly dues to the Association deducted from their salaries each month. Such monthly dues shall be those authorized from time to time by the Association and certified in writing to the Board by the Association."

Therefore, when a member of the academic staff, who is not a member of the bargaining unit, becomes eligible to join the Association, Dalhousie Payroll sends the DFA membership pamphlet and the opt-out form to the academic staff member. Academic staff members who do not opt out of membership will continue to have dues deducted from their monthly salaries. Academic staff members who decide to opt out of membership must deliver a signed opt-out form to the DFA office; the opt-out form is subsequently signed by DFA staff and returned to Payroll, at which time, the FAM (Faculty Association Membership) deduction is cancelled.

The opt-out of Association membership becomes effective when Dalhousie Payroll staff enter the opt-out information in the payroll system and cancels the deduction of FAM dues from the academic staff member's salary.

An academic staff member may opt-out of membership at any time after they become an Association member by completing an opt-out form and delivering it to the DFA office for signature and subsequent delivery to Dalhousie Payroll. The deduction of FAM dues will cease upon entry of opt-out information into the Dalhousie payroll system.

From time to time, Dalhousie Payroll neglects to contact an eligible academic staff member to advise them of their eligibility to become Association members or alternatively the right to opt-out of membership in the Faculty Association. Members who have FAM dues deducted but were not provided with the Association membership material and the opt-out form and who subsequently wish to opt-out may do so by contacting the DFA and providing a completed and signed opt-out form. Retroactive reimbursement of FAM dues will be provided only upon confirmation by Dalhousie Payroll that the DFA membership material and opt-out form were not provided to the eligible academic staff member.

Approved by DFA Executive Committee 19 April 2016

Policy on Use of Email Addresses

Email addresses of DFA members are for the exclusive use of DFA business. However, from time to time there are requests from outside organizations requesting that information be sent by the DFA to the membership. The President and/or the President-Elect will determine when email messages from other organizations may be sent to DFA members.

For example, when President Clark's special committee on AIDS Education wanted to survey the attitudes and understanding of Dalhousie faculty and staff about AIDS, only the DFA could furnish the requisite labels. If some DFA members had been excluded, then the results of this survey would have been skewed and as a consequence policy practice around AIDS on campus would have been based upon faulty data. The same would apply to a survey undertaken by ANSUT or CAUT aimed at gathering data that will figure in the future of all DFA members. Note that this means that our members can specify that they do not wish to receive email messages from those other than the DFA. The instruction may be made by email message to the DFA Office (dfa@dal.ca).

The email addresses of DFA members are not for distribution or circulation and will not be given out.

Approved by the DFA Executive Committee as standing policy - November 1989

Changes approved by the DFA Executive Committee 11 April 2016

Conflict of Interest Policy -- DFA Executive Committee

1. The DFA Executive Committee shall be conscious of and sensitive to the issues of conflict of interest and apprehension of bias. The Executive Committee should also consider whether an Executive Committee member's involvement or non-involvement might undermine the confidence of the DFA Membership that the Executive Committee's decision on a particular issue is fair, just and impartial. An Executive Committee member who perceives an issue of possible conflict of interest or apprehension of bias of their own, or on the part of another member, whether it arises from personal involvement or through the involvement of the member's department or other unit, shall raise it. The matter shall be discussed with the affected Executive Committee member and then resolved by the remaining members of the Executive Committee, who may direct the Executive Committee Member in question to absent herself/himself, impose specified limitations on the member's involvement, or conclude that no action needs to be taken.

2. Any person, including a member of the Grievance Committee or the Executive Committee, may make representation on an individual grievance case to the Executive Committee for its deliberation, but grievors shall not be present in subsequent deliberations of the Executive Committee on their case.

Although persons shall be consulted on the final disposition of their grievance case before a decision is made, they shall not be present during the decision-making process.

Approved by the DFA Executive Committee - 15 June 1994

Terms of Reference of the DFA Grievance Committee

1. Grievance Committee Membership

The Grievance Committee is a standing committee of the DFA composed of no more than twenty members. It is chaired by a single Chairperson who is a member of the Executive Committee or by Co-Chairpersons at least one of whom is a member of the Executive.

The Chairperson of the Grievance Committee is responsible for recruiting members who shall act as DFA Grievance Officers. The Chairperson shall report the names of the new Grievance Committee members to the Executive for its endorsement. He or she shall report resignations from the committee as they occur.

2. Jurisdiction

The DFA Grievance Committee shall assist members of the Bargaining Unit who allege violations of the Collective Agreement, and may pursue grievances on behalf of the Association. The Grievance Committee shall assist DFA members who are not members of the Bargaining Unit, with the terms and conditions of their employment including alleged violations of the Senate Regulations Concerning Appointments, Promotion and Tenure.

3. Reports to the Membership

The DFA Grievance Committee will provide the DFA Annual General Meeting with:

- (a) a written assessment of the University's grievance policies and procedures, and
- (b) a written report of the grievances that have come to the attention of the Committee since the last annual report, including comment on the broad implications of these cases for the University but normally omitting to identify the grievors in question. This report lists the membership of the Grievance Committee.

4. Proceeding with Grievances

(a) Informal Stage

Potentially grievable matters should be brought to the attention of the Chairperson of the Grievance Committee as soon as possible, who, after consulting with the Professional Officer and with such other Committee members as he or she considers judicious, will decide whether a grievance should be initiated and appoint a Grievance Officer to handle the matter.

A Grievance Committee meeting provides an opportunity for the Committee as a whole to consider the case at this stage. At times, this is not possible. It is crucial that action be taken quickly at this point in the proceedings as a willing Grievance Officer must be appointed, he or she must prepare the case and attempt to resolve it by meeting with the appropriate person designated in the Collective Agreement, all within fifteen (15) working days of the time the matter was first raised.

(b) Formal Stage

Normally, the Grievance Officer will report at a Grievance Committee meeting and the Committee will decide whether the grievance should be pursued formally. From time to time, the Grievance Committee may decide to seek the advice of the Executive on this question. For example, the Committee's decision may be that the Association should withdraw, but submit the case to the Executive for consideration to ensure that the Association is not running afoul of its duty of fair representation. Occasionally, it may be necessary to proceed to the formal stage without full consultation with the Grievance Committee because of time constraints. In this case, action may be taken after consultation between the Chairperson, Grievance Officer and the Professional Officer.

(c) Arbitration

Cases may only be submitted to arbitration following a decision of the Grievance Committee and of the Executive. However, Grievance Officers should be aware that notice to the Board must be given within a fifteen (15) day deadline (cf. Clauses 29.21 and 29.22). It may therefore be necessary to give notice of **intention to proceed** to arbitration to the Board prior to a decision being taken, in order to preserve time limits.

4. Consultation with Pink Larkin

Bearing in mind the value of minimizing unnecessary legal expenses, consultation with Pink Larkin normally does not take place until after the decision by the President at the formal stage. On occasion, it may be prudent to consult the lawyer at an earlier stage for example, to assess the availability of a particular remedy, thereby facilitating negotiations at the formal level. The Grievance Officer and the Professional Officer should meet to prepare the case prior to meeting with the Association's "downtown" lawyers. Should the Association be advised, for example, that the remedy sought is not legally available, the case may be brought back to the Committee and the Executive for reassessment. If the case does go to arbitration, the Professional Officer is responsible for coordinating witnesses and for case preparation in collaboration with the lawyer and the Grievance Officer.

5. DFA Office Procedures

(a) Record Keeping

Two types of records are maintained in the DFA Office. One is a schedule that is intended to monitor the progress of a grievance and in particular, to serve as a check that deadlines are not missed inadvertently. The success of this system is contingent upon the cooperation of Grievance Officers. All Grievance Officers therefore should make every effort to keep the DFA Office apprised of meetings with the Administration, extensions of deadlines, etc. The DFA is in regular contact with the secretarial staff at Pink Breen Larkin, and monitors cases that have been submitted to arbitration, i.e., on the selection of the arbitrator and the date and time of the proceedings. Grievance officers are notified by letter once an arbitration date has been confirmed. The Office also maintains files on each case. This file contains copies of all correspondence that passes through the Office and the Professional Officer's notes. Upon resolution of a grievance, Grievance Officers are asked to turn their file over to the Office, so that we have a complete recording of the case. From time to time, Grievance Officers may wish to borrow a file because it has particular precedential value to the case they are currently handling. A receipt system has been instituted to reduce the possibility of lost files.

Grievance Committee files are confidential.

(b) Professional Officer

In addition to the role outlined above, the Professional Officer makes every effort to ensure compliance with deadlines and to be available to Grievance Officers for advice or discussion of cases. Normally, the Professional Officer does not attend negotiating sessions with the Administration until the formal stage has been reached.

(c) Administrative Services

The DFA Office is available to type and process correspondence between the Grievance Officers and the Board. If Grievance Officers handle this aspect of cases themselves, they should check with the Office regarding the form letters that accompany the formal grievance and notice of submission to arbitration. It is important for the Office to be copied on all such correspondence.

6. Conflict of Interest

1. Any person, including a member of the Grievance Committee, may make representations on their case to the Grievance Committee for its consideration, but shall not be present in subsequent deliberations of the Grievance Committee on their case.

Although persons shall be consulted on the final disposition of their case before a decision is made, they shall not be present during the decision-making process.

2. In the course of dealing with a grievance, the Grievance Committee must always consider whether the involvement of a particular member of the Grievance Committee, because of a possible conflict of interest or bias creates a problem in dealing with the case. The Grievance Committee must also consider whether a member's involvement might undermine the confidence of the DFA Membership that the Grievance Committee's work in that case is less than fair, just and impartial. Whenever the Grievance Committee considers such a possibility exists, that member may withdraw from deliberations on the case. The Chairperson of the Grievance Committee shall report the withdrawal of a member of the Grievance Committee from deliberating on a case, at the next Executive Committee meeting. The Grievance Committee, after discussions on the matter, may request that the member withdraw from future deliberations on the case.
3. A member of the Grievance Committee shall not act as Grievance Officer on their own case.
4. Any person directly affected by a decision of the Grievance Committee may appeal that decision to the DFA Executive.

Terms of Reference

Communications Co-ordination Committee

Introduction

The decision to create a Communications Co-ordination Committee was the outgrowth of a communications strategy that was developed in 2008 and the hiring of a part-time Communications Officer in 2011. The creation of the committee as a subcommittee of the Executive Committee was approved at the October 18, 2012 Executive Committee meeting.

Purpose of the Committee

The purpose of the Communications Co-ordination Committee is to develop and implement communications plans, strategies and activities, ensure a consistent message, evaluate the effectiveness of DFA communications and provide direction and guidance to the Communications Officer. The Communications Co-ordination Committee would report to the Executive Committee on a regular basis, and report annually to the DFA Annual General Meeting.

Specific activities would include:

- Development of communications strategies and plans
- Recommending communications policies to Executive
- Development of key communications messages.
- Working with the Executive Committee and the Communications Officer to ensure consistency in tone and messaging.
- Identifying, developing and planning communications opportunities, activities and events (e.g. publications, speakers series and other outreach events, communications to members, blog topics, website features, social media activities, media relations activities, etc.).
- Development of member engagement strategies and activities.
- Liaison with the Council of Representatives.
- Liaison with student organizations.
- Development of member surveys/feeding into bargaining surveys.
- Recommending research that should be undertaken to support DFA communications.
- Providing direction and guidance to the Communications Officer on an ongoing basis.

Composition of the Committee

As a subcommittee of the Executive, the majority of the roles should be filled by members of the Executive Committee.

The Executive Committee motion adopted in October 2012 specified the following positions on the Communications Committee:

- Chair
- Council of Representatives Liaison
- Editorial Chair
- Student Liaison
- Member Relations Liaison
- President of the DFA *ex officio*
- Communications Officer *ex officio*

Given the nature of communications, which must be adapted to changing needs and conditions, the committee should have the capacity to implement changes in its composition, including combining or dispensing with assigned positions (with the exception of the Chair). The DFA President and the Communications Officer would be *ex officio* members of the committee.

With that in mind, the Communications Committee puts forward the following motion to the Executive:

That Motion 3.8, adopted by the Executive Committee on October 18, 2012, be amended to read: “Be it resolved that a Communications Co-ordination Committee be established as a subcommittee of the Executive Committee with a membership of at least three (3) members of the Executive Committee and the Communication Officer (*ex officio*). The Communications Co-ordination Committee has the discretion to assign specific responsibilities to the committee members. The President of the DFA will serve on the Communications Committee *ex officio*.”

Approved by the DFA Executive Committee – 18 October 2012 – Changes Approved 15 July 2014

Terms of Reference

DFA Equity Committee

As a union representing academic staff, the DFA is committed to equity, inclusion and social justice, both at Dalhousie and in society as a whole. Our vision of equity goes beyond the anti-discrimination provisions of university policies and human rights legislation; we recognize that discrimination and exclusion can be systemic as well as overt, and is not exclusive to gender, race, disability or sexual orientation.

With that in mind, the Dalhousie Faculty Association has created an Equity Committee as an ad-hoc committee of the DFA Executive Committee. Its purpose is to make recommendations to the DFA Executive Committee which will promote equity and inclusivity on behalf of and within the DFA.

Mandate and activities

The Committee will:

- Make recommendations and report to the Executive Committee concerning policies, guidelines, model clauses, best practices, actions and campaigns with regard to equity at Dalhousie and in post-secondary education in general.
- Make recommendations to the Executive Committee on policy matters relating to marginalized groups and issues of marginalization, including exclusion, discrimination harassment and accommodation.
- Alert the DFA Executive to issues of concern to marginalized groups and individuals within the DFA membership.
- Review policy documents and other material on equity and diversity issues produced by the Dalhousie administration, CAUT, other faculty associations, etc.
- Review provisions of the DFA collective agreement through an equity lens and make recommendations to the Executive Committee and/or Contract Review Committee on possible changes/additions.
- Gather information relevant to equity issues at Dalhousie.
- Suggest educational and communications activities related to equity.
- Coordinate with other equity-related groups within the University and the broader community.

Composition

While the mandate of the Equity Committee goes beyond the concerns of designated equity groups, the Committee will strive to ensure that groups which have been traditionally marginalized in society and at Dalhousie have a voice on the committee. With that in mind, it will seek representation from such groups within the DFA Bargaining Unit Membership as women academic staff, racialized academic staff, academic staff with disabilities and LGBTQ2SI* academic staff, as well as contract academic staff, who are marginalized on the basis of their employment status.

The Equity Committee will be chaired by a member of the DFA Executive Committee. The DFA Communications Officer will serve as a resource person and ex-officio member of the Committee.

Reporting

The Chair of the Equity Committee will report on its activities at meetings of the Executive Committee and report to the DFA membership at the Annual General Meeting, with a written report in the annual *DFA Dialogue*. The Chair will also serve as liaison between the Equity Committee and other committees of the DFA, including the Communications Coordination Committee and the Contract Review Committee.

*Lesbian, Gay, Bisexual, Transgender, Queer, 2-Spirited, Intersex

Approved by the DFA Executive Committee – 09 February 2015

Guidelines for DFA Financial Support for Charitable and Political Groups and Trade Unions

The *Constitution of the Dalhousie Faculty Association* states that "the purpose of the DFA is to advance teaching, scholarship and research in the University ... [and] to deal with items of common interest to faculty members relating to the University or to the broader interests of the academic community" (Article 2). Therefore the DFA does not normally consider supporting the work of charitable and political groups except where their activity relates clearly to issues and concerns of higher education. For example, the DFA has granted funds for the relief of university students who are refugees from other parts of the world but has never expressed its opinion on the general problem of refugees.

The DFA may well decide to make a financial contribution towards a controversial political group or to endorse publicly the actions of an unpopular charitable institution, provided that the DFA decides that its decision somehow furthers the DFA's own aims as an academic association. But the DFA is unlikely to give support to a political or charitable group that is in great need but has little immediate relevance to the world of higher education, even if they are widely admired. The DFA has sent messages of support and made grants to other campus unions that are on strike but has never done the same for trade unions that are not associated with institutions of higher learning

Procedures

1. The Finance Committee shall consider the merit of any donation requests brought to its attention.
2. Upon approval by the Finance Committee, requests for donations are to be placed on the agenda for an Executive meeting.
3. The Executive will examine the requests and make recommendations in light of the following considerations: i) the primary consideration for donations is benefit to the Association and its purpose, and ii) particular attention will be given to issues of higher education.

Approved by the DFA Executive Committee - 14 September 1989
Changes Approved by the DFA Executive Committee – 11 April 2016
Approved by the AGM – 4 May 2016

DFA Office Guidelines

The Dalhousie Faculty Association Office Staff play a crucial role in the day-to-day operations of the Association as well as in the attainment of its long-term goals. The Office Staff serve the DFA as front-line representatives of the Association, often providing the liaison between the individual Member and the DFA as well as between the numerous committees representing the interests of the membership.

These Guidelines have been developed to maximize the ability of the Office Staff to fulfill their role.

1. MEETINGS

- (a) The DFA Boardroom is in great demand, particularly during periods of negotiation. DFA committees are encouraged to use its facilities but arrangements must be made well in advance of the proposed meeting. The chair of the committee must arrange through the DFA Administrative Assistant for the use of the Boardroom. The DFA Administrative Assistant is to be advised immediately upon the cancellation or change of any meeting. (To assist Committee members in determining available times for use of the Boardroom, a calendar will be located in the Boardroom. Nonetheless, members must reserve the Boardroom through the Administrative Assistant.)
- (b) It is up to the chair of the committee to ensure that committee members and invited guests are notified of the time and place of a meeting or any change of time or location. The chair may choose to assign the task of notifying committee members to the DFA Administrative Assistant. Due to the difficulty of coordinating meeting times, the DFA Administrative Assistant needs a reasonable period of notice to accomplish this task. Additionally, it is the responsibility of individual committee members to contact the DFA Administrative Assistant to advise of attendance or non-attendance at meetings.
- (c) To facilitate the scheduling of meetings, members of the Grievance Committee and the DFA nominees to the Association-Board Committee are to forward their schedules to the DFA Office. Members of the Executive Committee will forward schedules to the DFA Administrative Officer upon taking office in May of each year. Individual members should submit updated schedules as they are revised.
- (d) Members need maximum opportunity to peruse relevant documentation in advance of meetings. Therefore, agendas need to be developed and materials prepared in a timely fashion. The Administrative Officer and the President at the staff meeting will **set** an agenda for the subsequent Executive Committee meeting.
- (e) Documentation from the DFA Office, including agenda and other items, will be sent by password protected email to the member. It is the responsibility of the member to advise the DFA Administrative Officer if documentation is not received.
- (f) Committee members should secure the premises after meetings and when members of the Office Staff are not present.
- (g) Many individuals and committees use of the Boardroom. To ensure comfortable and pleasant facilities, please keep the Boardroom tidy. Bins for garbage, compost and recyclables are located in the hall entry.

2. DFA OFFICE SPACE

Offices of the DFA are currently housed at 1443 Seymour Street.

The ability of the DFA to accommodate requests for use of space requires careful and often time-consuming arrangements of equally important but competing needs for use of office space. In particular, the Boardroom is in frequent demand especially during periods of preparation for collective bargaining.

Since the task of coordinating the demands on office space fall to the Office Staff, these additional guidelines have been developed to ensure maximum efficiency of staff time and office space.

- (a) The President may request the use of the Boardroom facilities for half of any given working day, the time to be mutually agreed between the President and the Office Staff. Office Staff will attempt to schedule committee meetings, etc., during that half of the day not in use by the President. The President will not require use of the Boardroom during the noon hour since many committee meetings are scheduled during that time. While every effort will be made to ensure that use of the Boardroom will be reserved for use by the President during the agreed times, it may not always be possible especially during times of heavy demand as in pre-negotiating or negotiating years. Under those circumstances, the President agrees that priority must be given to scheduling meetings in the Boardroom space.
- (b) Ensuring maximum office productivity and efficiency requires that work space presently occupied by Office Staff is and continues to be "dedicated office space" for the exclusive use of the Office Staff in the performance of their duties for the Association.

3. COMMUNICATIONS - GENERALLY

- (a) Executive and other committee members need to be able to access information. To ensure that grievance files, correspondence to the Board, and other pertinent documentation are up to date and available, all DFA correspondence should be sent from the DFA Office on DFA stationery. Correspondence from the Board to members of the DFA acting in the capacity of Executive Officers or Grievance Officers should be directed to the DFA Office. Senate and Board of Governors, and sub-committees thereof, documents should be returned, along with any documents distributed at such meetings, to the DFA Office as soon as possible.
- (b) The DFA Administrative Officer and the Administrative Assistant receive many requests daily for typing, research and other assistance. Because the Office Staff provide support services for a number of committees, the probability of documentation and instructions being waylaid is high, particularly during busy times of the year.

Material relating to negotiations generally takes priority over other work requests. In non-negotiating years, documents for which there is a deadline, for example, grievances under the Collective Agreement, are given priority. Where there is a conflict of priorities which cannot be resolved by the DFA Office Staff, the DFA Office Manager shall be asked to resolve them.

4. COMMUNICATIONS - E-MAIL POLICY

(a) Communication with Dalhousie Administrators

- (i) Committee members communicating with Dalhousie Administrators by E-Mail are reminded to copy all such communication to the DFA Office per (DFA@dal.ca).
- (ii) E-Mail communication should only be used
 - A. To schedule a meeting; and
 - B. To remind a Dalhousie Administrator of a deadline.
- (iii) Committee members using E-Mail are reminded that such communication may not be secure.

(b) Communication with the DFA Office

- (i) To schedule a meeting.
- (ii) To remind the DFA Office of a deadline.
- (iii) To request typing, research and other types of assistance, e.g., grievance letters, etc. As per item 3(b), members are reminded to indicate directions for the work including: when it is to be completed, who is to proof it, etc. Urgent requests should be noted where required.
- (iv) General communication.

5. Communications (Replaces DFA Office Guidelines subsection 5 Communication, in DFA Policies & Protocols)

Publications

The DFA publishes a variety of print and online publications aimed at both internal (membership) and/or external audiences. In general, the Communications Officer is responsible for the design and production of publications, although that function may occasionally be performed by other members of the office staff. Office staff, in particular the Communications Officer and Professional Officer, are also involved in the writing and editing of DFA publications.

DFA publications, with the exception of the *Working at Dal* handbooks, the *Guide to Tenure and Promotion* and similar publications created by the Professional Officer, require the approval of the President and/or President-Elect prior to publication/distribution. These include:

- The *News You Can Use* e-bulletin
- *DFA Dialogue* (Annual Report)
- Special one-time publications, such as the *Review of Dalhousie University Finances*

Some publications, such as the *News You Can Use* e-bulletin, may also be submitted to the Communications Co-ordination Committee for review.

During contract negotiations, Negotiating Bulletins require the approval of the Chief Negotiator. Job Actions Bulletins, other communications regarding Collective Bargaining, conciliation, and strike require the approval of the Chief Negotiator and the President.

DFA Committee Chairs and DFA representatives on Dalhousie committees should submit their annual reports for the *DFA Dialogue* no later than one month prior to the Annual General Meeting. The Communications Officer will send a Call for Annual Reports to all Committee Chairs and representatives in February of each year.

DFA website

The DFA website, dfa.ns.ca, is an essential tool for communicating with the DFA membership, the university community and the broader public. The website includes both a public site and a password-protected site accessible to Bargaining Unit Members only.

Upon joining (or re-joining) the Bargaining Unit, Members are added to the web database and provided with a temporary password, which they can change when they access the site. Each new or returning Member is sent an email containing the temporary password and instructions on how to log into the Member-only site and change their password.

When a Member leaves the Bargaining Unit, either temporarily or permanently, their name and password is deleted from the website database so they cannot access the Member-only site.

The following documents should be posted on the Bargaining Unit Member-only site:

- Minutes of Executive Committee meetings
- Negotiating bulletins and other information specifically related to collective bargaining
- Annual General Meeting agendas, motions, financial documents and minutes. (However, the DFA Dialogue Annual Report can be posted on both the public and Member-only sites).
- Salary graphs
- Any other information which the President and/or the Executive Committee deem should be for Bargaining Unit Members only.

The Communications Officer is responsible for maintaining, updating and generating content for the DFA website, in consultation with the President, President-Elect, Communications Co-ordination Committee, Bargaining Team and/or Executive Committee, Professional Officer where appropriate.

Social media

The DFA maintains two primary social media platforms, www.facebook.com/dalfacultyassoc on Facebook and [@dalfacultyassoc](https://twitter.com/dalfacultyassoc) on Twitter. The Communications Officer is the administrator of the Facebook page and the Twitter account, and is responsible for generating content for both platforms on an ongoing basis.

Most posts and tweets are of a routine nature and are posted at the discretion of the Communications Officer. However, in situations where a post or tweet could potentially generate controversy, the Communications Officer will consult with the President and/or President-Elect before posting. Posts or tweets related to collective bargaining require the approval of the Chief Negotiator and/or the Professional Officer.

The Communications Officer will inform the President and/or President-Elect when a DFA post or tweet generates:

- A negative response
- A response requesting further action on the part of the DFA (for example, a request for a donation or support for a particular cause).

Deadlines for all communications should be clearly stated and provided to office staff.

6. Staff meetings:

Staff meetings will be held weekly. The President, President-Elect and Office Manager will meet with office staff to plan Executive Committee agendas, discuss correspondence, schedule meetings, address staff issues and other matters that require the DFA's response.

7. YEARLY OFFICE CLOSURE

The DFA Office **may** be officially closed the last full week of July in each year or at such other time as mutually agreed by the Parties. Members will take this time off as vacation time.

Approved by the DFA Executive Committee - 2 December 1993

Changes approved by the DFA Executive Committee – 11 April 2016

Approved by AGM 4 May 2016

Changes approved by DFA Executive 15 September 2016

Expenses for Care of Dependents

DFA Members expect to pay the costs of care for dependents when their parental or similar responsibilities conflict with their teaching and related obligations at Dalhousie during normal working hours. Those who work evening hours at Dalhousie are usually able to reconcile similar conflicts. But it is not so easy to reconcile care for dependents with attendance at official meetings of the DFA Executive and DFA committees. These meetings are normally scheduled in the time remaining after teaching duties, etc., have been formally assigned.

The DFA has a flexible policy of reimbursing DFA Members for expenses for care of dependents incurred because the Members are obliged by their office to attend DFA meetings. Anyone who is a member of the Executive will be reimbursed for such expenses incurred due to attendance at Executive meetings and General Meetings and other meetings, for e.g. CAUT Council, when the request to attend the meeting is made by the Executive Committee; other DFA Members will be reimbursed when they are invited to attend a meeting to present a report or to serve as a committee member in some official capacity; but ordinary DFA Members attending a General Meeting without some specific responsibility beyond exercising their rights as a Member will not be eligible.

The Finance Committee is responsible for administering the policy. Notice of the arrangements, including an estimate of the costs, must be made to the Finance Committee at least two weeks prior to the commencement of the event on the form attached. On return from the event, the Member submits the form with actual costs, (if different from the estimate or confirms the estimate if it does not differ) to the Finance Committee, which will reimburse the Member if approval is given. Members may appeal administration of the policy to the Executive at any time.

This policy is intended to make participation in important meetings easier for those who have accepted specific responsibilities within the DFA. It also demonstrates that the DFA supports both women and men who are trying to strike a reasonable balance between their professional obligations and their responsibilities to dependents. It is of interest to note that CAUT Council and the CAUT Defence Fund adopted a similar policy in June 1988 (revised in May 2008).

Approved by the DFA Executive Committee - 20 September 1989

Changes Approved by the DFA Executive Committee - 15 September 2016

Claim for Expenses for Care of Dependents

NAME: _____

ESTIMATE OF EXPENSES _____

PURPOSE OF MEETING FOR WHICH CARE WAS REQUIRED: _____

DATE OF MEETING: _____

(FINAL) HOURLY RATE OR TERMS OF COST FOR CARE: _____

TOTAL PAYMENT MADE: \$ _____

I certify that I received the payment described above for the services specified.

(sitter's signature)

I affirm that the expenses described above were incurred in order to make it possible for me to perform the duties listed and I request that I be reimbursed accordingly.

(Member's signature)

(Finance Committee Use Only)

_____ Approved _____ Rejected _____ Approved with following adjustments:

(Authorized by: signature, title)

(date)

(Authorized by: signature, title)

(date)

Protocol for Moving "In Camera" and into "Committee of the Whole"

Sitting "as if in Committee of the Whole": There may be times when the meeting wishes to consider a matter but is not yet in a position to put a motion on the floor. In that event it is proper to agree (by the chairperson's proposal or by formal motion, whichever the meeting prefers) to "sit as if in Committee of the Whole." The chairperson continues as chairperson but no motions may be put and no minutes are kept. When the meeting feels ready to consider a motion, the chairperson declares that the meeting is returning to regular procedures and the chairperson immediately proceeds to report the motion that the meeting formulated while sitting as if in Committee of the Whole.

The utility of this procedure is that the meeting can consider a number of possible motions without having to deal with them formally according to parliamentary procedure. The discussion is held openly but can be free-ranging until some consensus concerning a particular direction emerges. No action can be taken, however, until the meeting returns to regular procedures and a motion is formally placed before it.

Confidential Discussions: There may be times when it is in the best interests of the Association that confidential discussions be held during Executive or General Meetings. In that event it is proper to agree (by the chairperson's proposal or by formal motion, whichever the meeting prefers) to move *in camera* [literally, "into chambers"]. During this portion of the meeting all normal procedures are followed and all actions are possible except that:

- (1) those who are not *bona fide* members of the meeting must leave,
- (2) the minutes of proceedings *in camera* are confidential and available only to those persons who were eligible to attend the meeting,
- (3) those who take part in the meeting or who avail themselves of the privilege of consulting the minutes are deemed to have agreed to maintain the confidentiality of the proceedings, and
- (4) minutes of the proceedings will not be circulated but copies will be retained by the DFA President, the Honorary Secretary and the DFA Office.

When the meeting has completed the proceedings which ought to be conducted confidentially, it may return to normal procedures by formal motion and vote, or by the declaration of the chairperson, whichever seems most appropriate to the meeting.

Any actions which have been taken *in camera* must be reported when the meeting returns to normal procedures unless the meeting formally agrees that it is in the best interests of the DFA that an action taken *in camera* should not be reported in the minutes. In that event the minutes of the meeting must indicate that such a thing has occurred.

The utility of this procedure is that it permits the Executive or General Meeting to hold confidential discussions in circumstances where the interests of the DFA could be damaged by publication of the proceedings -- e.g., during discussions of positions to be taken during collective bargaining, or in discussions of a law suit currently aimed at the Association. Members of the DFA who were not present at the meeting and who doubt that there was good reason to move *in camera* will find sufficient information in the minutes circulated to all DFA members to permit them to ask a subsequent General Meeting to discipline those who agreed to move *in camera*, and the latter will be able to present their side of the case to any General Meeting that considers such a question. In any event those who took part in the *in camera* proceedings may rest assured that no DFA procedure will result in their proceedings being made known to anyone who was not entitled from the beginning to take part in those proceedings.

It is possible, of course, that a person who was party to the *in camera* proceedings will violate their agreement to keep the proceedings confidential. In this event the DFA may choose to discipline that person -- see *Robert's Rules of Orders* III/66, "The Right of Deliberative Assemblies to Punish their Members." It is also possible that a court of law will subpoena the minutes of proceedings held *in camera*. In that event the same responses open to newspaper reporters whose confidential notes are subpoenaed by the courts are open to the officers of the DFA.

Approved by the DFA Executive Committee in 1988

Executive Committee/Negotiating Team Protocol

WHEREAS the Executive Committee wishes to ensure that the Negotiating Team receives its complete support in the upcoming round of negotiations,

AND WHEREAS both the Executive Committee and the Negotiating Team agree that communication between them is essential to an effective negotiating process.

IT IS AGREED THAT:

- (a) The Negotiating Team is an ad hoc Committee of the DFA Executive.
- (b) The Negotiating Team, through the Chief Negotiator, shall be responsible for reporting to the Executive Committee throughout the period of negotiations. The Report of the Negotiating Team shall be a standing item on the agenda of each regular Executive Committee meeting.
- (c) Prior to the commencement of negotiations, the Executive Committee shall form a Job Actions Committee to facilitate the work of the Negotiating Team.
- (d) The Negotiating Team shall prepare Negotiating Reports for circulation to the Membership and shall meet, from time to time, with the Council of Representatives, and other such Committees or groups as requested by the Executive Committee. The Negotiating Team may also have meetings called with such Committees or groups as it deems appropriate.
- (e) Prior to its presentation of written proposals to the Board, the Negotiating Team, whenever possible, shall present the proposals in final form to the Executive Committee for approval.
- (f) The Negotiating Team shall advise the Executive Committee of all proposals presented by the Board to the Negotiating Team. The Negotiating Team, through the Professional Officer, shall maintain in the DFA Office a file containing all written proposals of the DFA and the Board. A copy of each clause as it is signed off shall also be kept in this file.
- (g) The Negotiating Team shall take minutes of the negotiating sessions, with a copy to be kept in the DFA Office.
- (h) The Executive Committee may identify those proposals or issues, which the Negotiating Team must review with the Executive Committee prior to any agreement between the Negotiating Team and the Board.
- (i) The Executive Committee, after consultation with the Negotiating Team, shall determine when an agreement has been concluded in a form which shall be submitted to the Membership in accordance with Article 7 of the By-Laws.
- (j) The Negotiating Team and the Executive Committee shall observe all articles of the Constitution and By-Laws of the DFA and in particular shall act in accordance with Articles 6 and 7 of the By-Laws.
- (k) After the Collective Agreement is ratified, the Chief Negotiator shall submit a final report on the negotiations to the Executive Committee.

Role of the DFA Professional Officer

"That in order to make better use of legal services available from the Professional Officer while at the same time reducing the level of external consultation, the Executive undertake the following:

- (1) The Professional Officer be given greater latitude in the pursuit of grievance cases at the formal and arbitration stage, and in the normal course of events act on behalf of grievors or for the Association.
- (2) That normal pre-arbitration consultation take place with the Professional Officer and only if deemed necessary by the Executive with external counsel.
- (3) That the Professional Officer shall report to the Executive when, in her opinion, reference of a matter, for consultation or for prosecution at arbitration, is necessary, but be given discretion to seek such external consultation when a meeting of the Executive is not scheduled in reasonable time.
- (4) That the Grievance Committee will not seek the advice of external counsel without the express approval of the Executive, acting on the advice of the Professional Officer.
- (5) That the salary of the Professional Officer be reviewed, in the light of these new duties, and raised to a more appropriate level."

Approved by the DFA Executive Committee - 4 April 1990
