

# **CONSTITUTION of the DALHOUSIE FACULTY ASSOCIATION**

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***As amended at the Annual General Meeting of 25 April 2001***

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## **1. Name**

1.1 This Association shall be called the Dalhousie Faculty Association (DFA).

## **2. Purpose of the DFA**

2.1 To advance teaching, scholarship and research in the University;

2.2 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;

2.3 To deal with items of common interest to faculty members relating to the University or to the broader interests of the academic community;

2.4 To encourage cooperation between the academic staff of this University and the academic staffs of other universities.

## **3. Affiliations**

3.1 The Faculty Association is affiliated with the Canadian Association of University Teachers (CAUT).

#### **4. Membership**

- 4.1 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.
- 4.2 Former members of the DFA who are no longer eligible for full membership may, on request, be granted associate membership status. Associate members will have no power to vote, and are not eligible for membership on the Executive Committee. Fees for associate members are prescribed in the By-Laws.
- 4.3 Every member of the DFA shall have the right to appeal to the CAUT national office for support for his/her grievance.
- 4.4 Membership may continue until employment with the University is terminated; or until a change of status results in ineligibility for DFA membership.
- 4.5 Any member may withdraw from membership upon written notice to the Treasurer of the Association.
- 4.6 Membership shall be established by the payment of dues of those eligible. Failure to pay dues for a period of six months will result in suspension of membership.

#### **5. Dues**

- 5.1 The annual dues are set out in the By-Laws.

#### **6. Executive Committee of the DFA**

- 6.1.1 The Executive Committee of the DFA shall consist of five elected officers, i.e., the President, the President-Elect (First Vice-President), the Second Vice-President, the Secretary, the Treasurer, and the immediate Past President (ex officio), plus 10 elected members-at-large, and one member elected by those members who are not included in the DFA bargaining unit established by the Nova Scotia Labour Relations Board. If any Collective Agreement is being negotiated, the Chief Negotiator for that Agreement shall be a member of the Executive Committee of the DFA ex officio, if not already a member of the

**Executive Committee. Where the Chief Negotiator is not a member of the DFA, the Chief Negotiator shall be an ex officio non-voting member of the Executive Committee.**

- 6.1.2 An election to fill vacancies among the elected officers and members-at-large of the Executive Committee shall be held annually in accordance with the procedures detailed in the By-Laws. Newly elected members shall assume office at the close of the Annual General Meeting. Preceding the election, a nominating committee shall actively seek nominations from the general membership and shall endeavour to secure a list of nominees broadly representative of the membership.
- 6.2 Only full members of the Association are eligible for election to the Executive Committee. Moreover, those full members who are excluded from the DFA bargaining unit, as certified by the Nova Scotia Labour Relations Board, on account of their administrative and managerial duties, are not eligible to serve on the Executive Committee during the period of their exclusion from the bargaining unit. Any member of the Executive Committee who assumes administrative or managerial duties during his or her term of office which would make him or her ineligible for election pursuant to this clause shall be deemed thereby to have resigned from the Executive.
- 6.3.1 The terms of office for elected members of the Executive Committee shall be as follows:
- 1) President - one year (after having served a year as President-Elect);
  - 2) President-Elect (First Vice-President) - one year (to be followed by the year as President);
  - 3) Second Vice-President, Secretary and Treasurer - one year each;
  - 4) Members-at-large - two-year terms, five of which shall expire in alternate years to the other five. (In the first year of the coming into force of this clause, the nominating committee shall designate five members-at-large positions which shall be for one year terms as a transition measure.);
  - 5) Non-bargaining unit member - one year.
- 6.3.2 No honoraria shall be paid by the Association to any member of the Executive Committee.
- 6.3.3 All members of the Executive are eligible for re-election at the expiration of their term of office.

6.4 Vacancies on the Executive Committee

6.4.1

- 1) Should an elected member of the Executive Committee resign or be unable to continue in office for any reason, a by-election shall be held to elect a replacement for the unexpired term of office of that member within 30 days of the occurrence of the vacancy;
- 2) A by-election need not be held in accordance with the preceding clause if the vacancy occurs in March or April of a year in which the vacant term of office would normally expire unless the office in question is that of President-Elect (First Vice-President);
- 3) Should the Presidency become vacant, in the last two months of the President's term of office, the President-Elect (First Vice-President) shall become President for the unexpired portion of the term. Should the Presidency become vacant during the first ten months, the President-Elect (First Vice-President) shall act as President until a by-election is held;
- 4) In the event of a resignation of a President, the office of Past President in the term subsequent to the resignation shall be filled by the person who last occupied the office of President, or shall remain vacant if, pursuant to clause 6.4.1(3), no by-election was held.

6.4.2 At a duly constituted General Meeting of the Association, any or all of the elected members of the Executive Committee may be called upon to resign by a motion passed by a two-thirds majority of the full members present and eligible to vote, provided that notice of motion appears on the written agenda circulated in advance of the meeting. The members of the Executive Committee identified in the motion shall then be held to have resigned, and the provisions of 6.4.1 shall hold, except as specified in 6.4.3 below.

6.4.3 In the event that a motion passed as in 6.4.2 above requires the resignation of more than one-third of all the elected members of the Executive Committee, a mail ballot on that motion shall be held without delay. If the motion is then passed by a simple majority of those members voting, the Past President (or designate) shall, within ten days, call and chair a special General Meeting of the Association. This meeting shall elect an interim Executive Committee, which committee shall appoint a nominating committee within seven days, and proceed to hold an election for a new Executive Committee, using the procedures as specified in the By-Laws.

6.4.4 Should it be necessary to fill a position on the Executive Committee on an interim basis pending an election or by-election, the Executive Committee shall do so, informing the general membership of its action forthwith.

6.5 Duties of Officers

6.5.1 The President

- 1) Supervises the general management of the affairs of the Association and implements the policies set by the Association and the Executive Committee;
- 2) Presides at meetings of the Executive Committee and failing the appointment of a speaker, presides at DFA General Meetings;
- 3) Shall have the power to take all necessary steps of an emergency nature for the benefit of the Faculty Association when specifically authorized by special session of the Executive Committee. If an emergency session of the Executive Committee cannot be summoned, the President may take steps of an emergency nature, but must report such actions, as soon as possible, to the Executive Committee and thereafter to the general membership.

6.5.2 The President-Elect (First Vice-President)

- 1) Fulfills the duties of the President in case of the latter's temporary absence or disability;
- 2) Fulfills any duties assigned by either the President or the Faculty Association Executive Committee;
- 3) Prepares to assume the office of President in the year subsequent to election.

6.5.3 The Second Vice-President

- 1) Fulfills the duties of the 1st Vice-President for the duration of the latter's temporary absence or disability;
- 2) Fulfills any duties assigned by either the President or the DFA Executive Committee.

6.5.4 Secretary

- 1) Issues notices and agendas for meetings of the Faculty Association

Executive Committee and for General Meetings of the Faculty Association at the times and in the manner specified;

- 2) Maintains the minute books for meetings of the Faculty Association Executive Committee and for General Meetings of the Faculty Association;
- 3) Shall circulate a copy of the minutes of all DFA General Meetings to members in good standing, and ensure that copies of the minutes of the Executive Committee meetings are accessible to members, upon request, through the DFA Office.

#### 6.5.5 Treasurer

- 1) Shall be responsible for the care and custody of funds and assets of the Faculty Association according to the usual practice and shall regularly consult with the President and the President-Elect;
- 2) At each Annual General Meeting of the Faculty Association shall present an audited account of the Faculty Association's finances, and an appropriate budget for the DFA for the forthcoming year, together with any recommendations for changes in the fee structure;
- 3) Shall maintain books of account and make these available for inspection to the members of the Faculty Association on request;
- 4) Shall report on the accounts of the DFA to the Minister of Labour of Nova Scotia, or other agency as may be required by the Trade Union Act of Nova Scotia and amendments thereto.

#### 6.6 The Executive Committee

- 1) Shall carry into effect all resolutions of General Meetings of the Faculty Association and generally manage its affairs and finances;
- 2) Is empowered to form sub-committees and ad hoc committees which are directly responsible to the Executive Committee;
- 3) Shall meet at the request of the President or at the request of three of its members, upon reasonable notice of meeting;
- 4) Shall consider matters of a substantive nature brought to it by at least ten members of the Association and shall bring the matter, together with its recommendation, to the next General Meeting.

**7. Committees**

- 7.1 Standing Committees may only be established or abolished by a two-thirds majority vote at a DFA General Meeting, following due notice of motion on the agenda.
- 7.2 The Chairperson or a Co-Chair of each standing committee will be chosen from among the membership of the DFA Executive Committee. Standing committees shall include a Grievance Committee and a Committee to Monitor University Planning.
- 7.3 The chairperson of each standing committee, or his/her designate, shall report to the general membership on activities of the committee at least once a year at an appropriate DFA General Meeting, and as regularly requested by the Executive.
- 7.4 Ad hoc committees may be established or abolished at any General Meeting of the DFA by a majority vote.
- 7.5 DFA standing and ad hoc committees shall be governed by DFA By-Laws.

**8. Meetings**

- 8.1 General Meetings of the DFA and meetings of the Executive Committee may be called at any time by the President. The agenda for such meetings are prepared by the Secretary in consultation with the President and circulated to the appropriate membership. Subject to 8.1.1, the Secretary shall place on the agenda all notices of motion which have been received since the last General Meeting, provided they are received in writing, prior to the preparation of the agenda, and are duly proposed and seconded by members in good standing.
  - 8.1.1 The Secretary may, following legal advice that a motion is potentially defamatory, decline to publish such a motion. At the discretion of a General Meeting, such a motion may be introduced from the floor.
- 8.2 The President must call a meeting of the Faculty Association upon receipt of a written request to that effect, signed by at least three members of the Executive Committee, stating the reason for which the meeting is desired.
- 8.3 The President must call a General Meeting of the Faculty Association upon petition of 25 members.
- 8.4 There shall be at least two General Meetings of the DFA per year, at which time

the Executive Committee shall report on its activities to the membership. One of these meetings shall be the Annual General Meeting of the DFA held in accordance with the provisions specified in the By-Laws.

- 8.5 The meetings will be conducted according to *Robert's Rules of Order* unless otherwise specified in this Constitution and By-Laws. No vote may be held on a major policy matter or on a financial commitment unless written notice of such an item appears on the written agenda circulated in advance of the meeting.
- 8.6 The Executive Committee shall, from time to time, appoint a speaker to preside at DFA General Meetings.

## **9. Quorum**

- 9.1 Six members of the Executive Committee shall form a quorum for an Executive Committee meeting.
- 9.2 Twenty-five members of the DFA shall form a quorum for a DFA General Meeting.

## **10. Voting**

- 10.1 The chairperson of a meeting of the Executive Committee shall have a regular vote. In the case of a tie vote, the motion shall be held to fail and the *status quo* shall prevail.
- 10.2 The chairperson of a General Meeting of the Faculty Association shall not vote except in case of a tie vote, and then shall cast the deciding vote.
- 10.3 Voting shall be by secret ballot if so requested by the majority of members present at any Faculty Association meeting.

## **11. Amendments to the Constitution**

- 11.1 At least one week's notice of proposed amendments must be given in writing through the Secretary. After due discussion at a General Meeting and providing two-thirds of the members present and voting concur, the Constitution may be amended by a majority of those voting in a mail ballot.



**12. By-Laws**

- 12.1 By-Laws of the DFA may only be changed following at least one week's notice of motion given in writing through the Secretary to adopt, amend, or rescind such By-Law. Following due discussion at a General Meeting, the By-Laws may then be changed if approved by a two-thirds majority of those members present and voting.