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# Kwantlen Faculty Association

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## Constitution and By-Laws\*

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Spring 2022

\*In the case of discrepancy, the online version of this document shall be considered authoritative.

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# **KWANTLEN FACULTY ASSOCIATION**

As ratified by the KFA membership on 28 April, 2022

## **I. CONSTITUTION**

### **NAME**

- 1.0 The name of the Society is "Kwantlen Faculty Association," hereinafter referred to as the Association.

### **PURPOSES**

- 2.0 The purposes of the Association are to:
  - 2.1.1 Protect the welfare, professional interests, and working conditions of its members;
  - 2.1.2 Assist in protecting and enhancing the freedom and quality of teaching, thought, and enquiry within the University;
  - 2.1.3 Cooperate with other bodies whose interests are similar, in particular with provincial, national and international federations, and faculty associations of colleges, university colleges, universities, and institutes;
  - 2.1.4 Deal with other matters considered to be in the interests of the Association or its members;
  - 2.1.5 Regulate labour relations between Kwantlen Polytechnic University and members of the Association.

### **WIND-UP**

- 3.0 In the event that the Association should at any time be dissolved, the remaining assets after payment of all debts and liabilities shall be turned over to a recognized charitable organization in the province or elsewhere in Canada as directed by the members. This provision is alterable.

## II. BY-LAWS

### 1. BY-LAW #1: MEMBERSHIP

- 1.0 Membership shall be in one of three classes, namely: Full Member, Retired Member, Honourary Lifetime Member.
- 1.1 Full membership is required of all regular and non-regular faculty of Kwantlen Polytechnic University as specified in the Certificate issued by the Labour Relations Board to the Association.
  - 1.1.1 Full members in good standing shall be voting members.
  - 1.1.2 The annual dues for a Full Member shall be a percentage of that member's gross salary from Kwantlen Polytechnic University. The amount and method of payment shall be determined by the Membership by a process that is congruent with the voting policies of the Association and its constitution.
  - 1.1.3 A member loses their good standing if their dues for the current membership period have not been paid.
- 1.2 Retiring members shall indicate in writing their interest in becoming a Retired Member.
  - 1.2.1 Retired Members shall be non-voting members.
  - 1.2.2 Retired Members shall be exempt from dues.
  - 1.2.3 Retired Members shall be entitled to attend any meeting of the Association.
- 1.3 Honourary Life Membership may be granted to anyone whom the Association may wish to honour for outstanding service to the Association or the University.
  - 1.3.1 Honourary Life Members shall be non-voting members.
  - 1.3.2 Honourary Life Members shall be exempt from dues.
  - 1.3.3 Honourary Life Members shall be entitled to attend any meeting of the Association.
- 1.4 Temporary cessation of employment at Kwantlen Polytechnic University shall not disqualify any member unless that member continues to be unemployed for longer than twenty-four (24) months consecutively. In such a case, membership dues are not paid.

- 1.4.1 Members who are on leave without pay shall have their membership maintained as long as they are employed by Kwantlen Polytechnic University.
- 1.5 A member shall cease to be a member of the Association, subject to the terms of the collective agreement,
  - (a) on their death; or
  - (b) except as allowed under Articles 1.4 and 1.4.1 of the By-Laws, when they cease to be an employee of Kwantlen Polytechnic University and dues are no longer paid. No member may be expelled.

## **2. BY-LAW #2: RESPONSIBILITIES OF MEMBERS**

- 2.0 The responsibilities of members shall include the following:
  - 2.0.1 Members shall adhere to the Association's Constitution, By-Laws, and policies as established by duly passed resolutions of the General Membership.
  - 2.0.2 Members shall maintain confidentiality where appropriate to, and in accordance with, specific processes and matters related to the Association's business.
  - 2.0.3 No member shall act as a member of the employer's negotiating committee in negotiations with a certified union or association representing employees of Kwantlen Polytechnic University.
- 2.1 In the case of an Association's picket line, it is assumed that no member will cross that line.
  - 2.1.1 The penalty imposed on a member who crosses the picket line shall be a fine equal to the wages earned by such action. Any monies collected by this fine shall be deposited to an Association Scholarship Fund to be established by the Secretary-Treasurer in consultation with the Executive Committee.
- 2.2 Members shall not cross a legal picket line arising out of a strike as defined in Provincial or Federal legislation.

## **3. BY-LAW #3: MEETINGS**

- 3.0 The Annual General Meeting shall be held in April/May.
- 3.1 At least one General Meeting shall be held in the fall semester.

- 3.2 The Executive Committee shall call other General Meetings of the Association upon the receipt by the Executive of a petition to call such a meeting signed by at least ten percent (10%) of the voting members of the Association.
- 3.3 At least fourteen (14) days' notice must be given to members of the Association by the Executive Committee prior to a General Meeting of the Association. Notice shall be deemed to have been given upon confirmation of such notice by the Ombudsperson.
- 3.4 If any of the following items are to be acted upon at a General Meeting, the notice of meeting must so state:
  - 3.4.1 Constitutional or By-Law additions/amendments. Wording of such proposed changes shall be given to members at least fourteen (14) days in advance of the meeting;
  - 3.4.2 Election of Table Officers, Ombudsperson, other Executive Committee members, and Standing Committee members;
  - 3.4.3 Changes in affiliations under Article 13.0 of the By-Laws.
- 3.5 The quorum at a General Meeting shall consist of thirty (30) of the voting members of the Association.
- 3.6 The Executive may call a Special Meeting for the purposes of considering whether to strike, respond to an impact on faculty working conditions, respond to other matters of a serious or urgent nature, or ratify a proposed collective agreement.
  - 3.6.1 The quorum for a Special Meeting is sixty (60) voting members of the Association.
  - 3.6.2 The Executive may call Special Meetings with forty-eight (48) hours notice to the membership.
  - 3.6.3 If any of the following items are to be acted upon at a Special Meeting, the notice of meeting must so state:
    - 3.6.3.1 Strike vote or motion;
    - 3.6.3.2 Vote on a motion in response to changes in working conditions or on other matters of a serious or urgent nature.
    - 3.6.3.3 Ratification vote.
  - 3.6.4 Pursuant to the Labour Relations Board of BC, votes on whether to strike or whether to accept or ratify a proposed collective agreement shall be by ballot cast

in such a manner that the person expressing a choice cannot be identified with the choice expressed.

- 3.6.5 The results of a vote including the number of ballots cast and the number of votes for, against, or spoiled shall be made available to both the members and the employer.
- 3.6.6 All members may participate in votes on a question of whether to strike or whether to accept or ratify a proposed collective agreement.
- 3.7 Meetings shall be chaired by the President or designate; the Association's Secretary-Treasurer or designate shall record the Minutes.
- 3.8 Meetings shall be governed by Roberts' Rules of Order, revised.
- 3.9 Voting by proxy shall not be allowed.
- 3.10 The Executive Committee may recommend, with forty-eight (48) hours' notice to the membership, all-campus ballot voting instead of voting at a meeting on items related to strikes or collective agreement ratification.

#### **4. BY-LAW #4: EXECUTIVE COMMITTEE**

- 4.0 The Executive Committee of the Association is responsible for conducting the business of the Association between General Meetings and is responsible to the membership.
- 4.1 The Executive Committee shall consist of:
  - 4.1.1 Table Officers, i.e. the President, the Vice-Presidents, Member(s)-at-Large, and the Secretary-Treasurer, to be elected at large;
  - 4.1.2 Immediate Past President;
  - 4.1.3 Area Representatives, to be elected by, and representative of, the following faculty groups:
    - 1. Science and Horticulture
    - 2. Humanities
    - 3. Social Sciences
    - 4. Business
    - 5. School of Design
    - 6. Faculty of Health
    - 7. Trades/Technology
    - 8. Learner Support/Co-op

9. Qualifying Studies and Access
10. Non-Regular Faculty
11. Status of Women

4.1.4 Committee Representatives, to be elected at large:

12. Decolonization, Reconciliation & Indigenization
13. Disability Management and Rehabilitation
14. Education Policy
15. Human Rights and International Solidarity
16. Occupational Health and Safety
17. Pension Advisory
18. Professional and Scholarly Development
19. Labour Community Advocate
20. Lesbian, Gay, Bisexual, Transgender, Queer, Two-Spirited + (LGBTQ2S+)

4.2 Responsibilities of Area Representatives include the following:

- 4.2.1 Represent members from elected area on the Executive Committee.
- 4.2.2 Regularly attend meetings of the Executive Committee, and with the Table Officers, be responsible for conducting the affairs of the Kwantlen Faculty Association.
- 4.2.3 Regularly keep area members informed on Executive Committee issues and decisions.
- 4.2.4 As Area Representative generally, be the first point of contact for members from the elected area with grievances and complaints, and advise the Vice-President—Grievances of the same.
- 4.2.5 Where possible, participate in the investigation of complaints under the advice of the President or Vice-President—Grievances.
- 4.2.6 Liaise and cooperate with the Working Conditions Committee and Bargaining Committee.

4.3 Responsibilities of Committee Representatives include the following:

- 4.3.1 Regularly attend meetings of the Executive Committee, and with the Table Officers, be responsible for conducting the affairs of the Kwantlen Faculty Association.



- 4.3.2 Attend applicable FPSE committee meetings to communicate KFA perspectives, participate in the work of the FPSE committee, and report back to the Executive Committee.
- 4.3.3 Communicate relevant information to general membership in consultation with Executive Committee and/or Table Officers.
- 4.3.4 Communicate relevant information and issues from general membership to the Executive Committee.
- 4.3.5 Develop and facilitate member participation.
- 4.3.6 Liaise and cooperate with the Working Conditions Committee and Bargaining Committee.
- 4.4 Executive Committee meetings may ordinarily be observed by any member in good standing. However, the Executive Committee may hold all or part of any meeting in-camera in order to discuss confidential negotiations or personnel matters. The Ombudsperson may observe such in-camera sessions.
- 4.5 A quorum of the Executive Committee shall be fifty percent plus one of elected or appointed voting members.
- 4.6 Meetings of the Executive Committee of the Association shall operate under the principle of one person, one vote, except as noted in 6.0.1 and 6.1.5.
- 4.7 The Association shall:
  - a) exempt and save harmless members of the Executive Committee from a liability action arising from the proper performance of their duties for the Association, and
  - b) assume all costs, legal fees, and other expenses arising from any such action.

## **5. BY-LAW #5: TABLE OFFICERS**

- 5.0 The Table Officers are the President, Vice-President—Negotiations, Vice-President—Grievances, Secretary-Treasurer, and Member(s)-at-Large of the Association.
- 5.1 An office of the Table Officers shall be deemed to be vacant in the event that a Table Officer completes their elected term, resigns prior to their term's completion, or is impeached.

- 5.1.1 In the event that a Table Officer resigns, their resignation date shall be determined in consultation with the Executive Committee.
- 5.1.2 In the event that an office of a Table Officer becomes vacant, the Executive Committee shall appoint another Table Officer to the office until a new Table Officer is elected to the vacant position, as specified in Articles 7.0 and 7.1 of the By-Laws.

## 5.2 President

- 5.2.1 The President or designated Table Officer shall call and chair all General and Executive Meetings of the Association, except that at any Annual General Meeting, they shall vacate the chair in favour of another Executive member during the debate and voting on their re-election.
- 5.2.2 The President shall ensure that the Executive Committee carries on the business of the Association between meetings and that matters of interest are reported to the members.
- 5.2.3 The President shall be an ex-officio member of all Association Committees, except the Nominations Committee.
- 5.2.4 The President, in the name of the Association, shall receive all grievances initiated by the Employer.
- 5.2.5 In the event that the President is unavailable to carry out their duties, the Table Officers shall designate one of the Vice-Presidents as the Acting President and notify the Executive Committee in writing. Where this has not been done, the Executive Committee shall appoint a Vice-President as Acting President.
- 5.2.6 The office of the President shall be deemed to be vacant in the event that the President completes their elected term, resigns prior to their term's completion, or is impeached.
  - 5.2.6.1 In the event that the President resigns, their resignation date shall be determined in consultation with the Executive Committee. Should there be a need for an Acting President, one will be appointed as per Article 5.2.5 of the By-Laws until a new President is elected, as specified in Articles 7.0 and 7.1 of the By-Laws.
  - 5.2.6.2 In the event that the office of the President becomes vacant, the term of the Acting President shall be for not more than four (4) months or until a new President is elected, as specified in Articles 7.0 and 7.1 of the By-Laws, whichever is the lesser time.

## 5.3 Vice-President—Negotiations

- 5.3.1 The Vice-President—Negotiations shall chair the Working Conditions Committee and other committees struck for bargaining purposes.
- 5.3.2 The Vice-President—Negotiations shall chair the Bargaining Team during negotiations with the Employer.
- 5.3.3 The Vice-President—Negotiations shall co-chair the Labour Management Relations Committee.
- 5.4 Vice-President—Grievances
  - 5.4.1 The Vice-President—Grievances shall coordinate the activities of the Area Representatives and report on such activities to the Executive Committee.
  - 5.4.2 The Vice-President—Grievances shall initiate, in the name of the Association, all grievances against the Employer.
  - 5.4.3 The Vice-President—Grievances shall oversee the processing of all grievances against the Employer.
- 5.5 Secretary-Treasurer
  - 5.5.1 The Secretary-Treasurer works closely with the KFA Coordinator of Administrative Services in the performance of the Secretary Treasurer’s duties.
  - 5.5.2 The Secretary-Treasurer shall take the Minutes of the proceedings of all General Meetings of the Association and of the Executive Committee and ensure the minutes are sent to the Coordinator of Administrative Services.
  - 5.5.3 The Secretary-Treasurer shall review the Annual Report to the BC Societies.
  - 5.5.4 The Secretary-Treasurer shall review and present the financial records of the Association and shall review and present the balance sheet and statement of income and expenditures for the financial statements and for the Annual General Meeting.
  - 5.5.5 The Secretary-Treasurer shall review the Register of Members
  - 5.5.6 The Secretary-Treasurer is responsible for reviewing the financial operations of the Association as set out in Articles 6 to 10.8 of the By-Laws
  - 5.5.7 The Secretary-Treasurer shall act as the Privacy Officer for the Association.
- 5.6 Member(s)-at-Large

- 5.6.1 One or more Member(s)-at-Large are independent elected Table Officers of the Association who assist the President, Vice-President—Grievances, Vice-President—Negotiations in carrying out their duties.
- 5.6.2 The duties and priorities of the Member(s)-at-Large shall be determined by the Table Officers.

## **6. BY-LAW #6: IMMEDIATE PAST PRESIDENT AND OMBUDSPERSON**

### 6.0 Immediate Past President

- 6.0.1 The Immediate Past President shall be a non-voting member of the Executive Committee and shall provide advice and continuity to the Executive Committee for a period of one (1) year after their term expires.

### 6.1 Ombudsperson

- 6.1.1 The Ombudsperson is an independent elected official of the Association who informs KFA members on the jurisdiction and practices of the KFA.
- 6.1.2 The Ombudsperson also receives inquiries about KFA practices and procedures. In answering inquiries, the Ombudsperson will rely on the Constitution and By-Laws and/or Policy, Procedures, and Practices.
- 6.1.3 When a detailed written complaint is received by the Ombudsperson from a member, the Ombudsperson will:
  - 6.1.3.1 Attempt to resolve the matter informally.
  - 6.1.3.2 If an informal resolution cannot be achieved, the Ombudsperson will refer the complaint to a duly constituted tribunal appointed by the Ombudsperson.
  - 6.1.3.3 The complainant will provide all necessary information regarding the complaint to the Ombudsperson.
  - 6.1.3.4 The respondent(s) will provide all necessary information regarding the complaint to the Ombudsperson.
  - 6.1.3.5 The tribunal will consist of the Ombudsperson, two voting KFA Executive members (per By-Laws 4.1.3 and 4.1.4) and one additional KFA member recommended by the complainant.
  - 6.1.3.6 The Ombudsperson serves as Chair of the tribunal and ensures due process is followed.

- 6.1.3.7 The Ombudsperson will provide a final report to the complainant and respondent on the recommendations of the tribunal.
- 6.1.3.8 Where appropriate, the tribunal will make recommendations to the Executive about revisions and/or additions to the Constitution and By-Laws and/or Policy, Procedures, and Practices that will provide clarity on the issue in question should it arise in the future.
- 6.1.3.9 Confidentiality will be respected by all involved throughout the process.
- 6.1.4 The Ombudsperson shall ensure the meetings of the Association and of the Executive Committee are duly called and constituted.
- 6.1.5 The Ombudsperson shall attend meetings of the Executive as a non-voting member.

## **7. BY-LAW #7: ELECTIONS OF EXECUTIVE COMMITTEE AND OMBUDSPERSON**

- 7.0 Election of Table Officers shall be at large and for two-year terms. Vice-President – Grievances, the Secretary-Treasurer, and one Member-at-Large shall be elected to take office in an alternate year from the President, Vice-President – Negotiations, and additional Member(s)-at-Large (if applicable).
- 7.1 Only full faculty members as defined in Articles 1.1, 1.1.1, and 1.1.3 of the By-Laws are eligible for nomination as President or Vice-President of the Association.
- 7.2 An Ombudsperson shall be elected at large for a two-year term. The election for Ombudsperson shall be held in odd-numbered years.
- 7.3 The Area Representatives shall be elected by their constituencies for a two (2) year term with fifty percent (50%) to be elected in alternate years. Area Representatives must be a member of and be nominated by a member of their constituencies. The following positions shall be elected in even-numbered years: Science and Horticulture, Business, Faculty of Health, School of Design, Status of Women, and Non-Regular. The following positions shall be elected in odd-numbered years: Humanities, Trades and Technology, Social Sciences, Qualifying Studies and Access, Learner Support/Co-op.
- 7.4 The Committee Representatives shall be elected at large for a two (2) year term with 50% to be elected in alternate years. The following positions shall be elected in even-

- numbered years: Education Policy, Occupational Health and Safety, Pension Advisory, and Professional and Scholarly Activity. The following positions shall be elected in odd-numbered years: Disability Management and Rehabilitation; Human Rights and International Solidarity; Labour Community Advocate; Lesbian, Gay, Bisexual, Transgender, Queer, and Two-Spirited+; and Decolonization, Reconciliation & Indigenization.
- 7.5 Nominations shall be submitted to the Kwantlen Faculty Association Office prior to the close of nominations.
- 7.5.1 Self-nominations will not be accepted. Nominations must have written consent of the nominee.
- 7.5.2 The first call for nominations shall be made twenty-one (21) days prior to the Annual General Meeting.
- 7.5.3 The second call for nominations shall be made fourteen (14) days prior to the Annual General Meeting.
- 7.5.4 The final call for nominations shall be made seven (7) days prior to the Annual General Meeting.
- 7.5.5 Nominations shall close at noon on the day before the Annual General Meeting.
- 7.5.6 In the event that the call for nominations results in only one nomination being received by the close of the nomination period, the nominee shall be acclaimed at the Annual General Meeting.
- 7.5.7 In the event that the call for nominations results in more than one nomination being received by the close of the nomination period, an election shall be held.
- 7.5.8 In the event that no nominations are received by noon on the day before the Annual General Meeting, there will be a call for nominations from the floor at the Annual General Meeting.
- 7.6 Elections shall be by electronic secret ballot.
- 7.6.1 Typically, the election period shall commence within 5 business days following the AGM and shall conclude at noon on the 7<sup>th</sup> day of the voting process.
- 7.6.2 The result of the election shall be announced within 2 business days of the completion of the voting process.
- 7.7 Elections of the Table Officers, Ombudsperson, and Area and Committee Representatives shall take place during the election period as defined in Article 7.6.1, except as required under By-Laws regarding replacement.

7.8 Transition process:

7.8.1 Newly elected Table Officers will ordinarily take office on May 1<sup>st</sup>, except in the event of replacement appointments. The President shall coordinate the transition process between incoming and outgoing Table Officers to allow for equitable access to vacation and professional development.

7.8.2 Vacation and PD allotments for the period spent as a KFA Table Officer shall not be funded as additional release by the KFA beyond the end of an elected term.

7.8.3 All vacation and PD allotments shall be taken or assumed to have been taken by the end of a Table Officer's elected term.

7.8.4 Newly elected Area Representatives, Committee Representatives and Ombudsperson will ordinarily take office on June 1<sup>st</sup>, allowing a transition period with the outgoing Executive members, except in the event of replacement appointments.

7.9 In the event of elections held at other times during the year, newly elected Table Officers, Ombudsperson, or Area and Committee Representatives will commence the position as soon as possible after the election.

7.10 The newly elected Non-Regular Faculty Executive Representative will take office upon election.

## **8. BY-LAW #8: REPLACEMENT**

8.0 If, at any time, the office of the President becomes vacant, the office will be filled according to Articles 5.2.5 and 5.2.6 of the By-Laws.

8.1 If the office of Vice-President—Grievances, Vice-President—Negotiations, Member(s)—at-Large, or Secretary-Treasurer becomes vacant, the Executive Committee shall appoint a member of the Association to serve until the next meeting of the voting members of the Association, subject to the restrictions of Article 7.1 of the By-Laws, according to the following procedures:

- The President shall recommend an appointee to the Executive Committee.
- The Executive Committee members shall also have the opportunity to put forward nominations.
- The Executive Committee shall vote to confirm, or in the event there is more than one candidate, elect the appointee.

- 8.2 If, at any time, an Area Representative or Committee Representative seat becomes vacant, the Executive Committee shall appoint a voting member of the Association to serve until the next meeting of the voting members of the Association.
- 8.3 If, at any time, more than fifty per cent (50%) of the Executive Committee should become vacant, the Ombudsperson shall conduct an election within two (2) weeks, in accordance with the Articles under By-Law 7 (excepting the date of the election), to replace the vacant positions until the next regular election.
- 8.4 If the Office of the Ombudsperson becomes vacant, the Executive Committee shall appoint a member of the Association to serve until the next meeting of the voting members of the Association, to be called within six (6) months of the vacancy.

## **9. BY-LAW #9: IMPEACHMENT**

- 9.0 The President, Vice-Presidents, Secretary-Treasurer, or Member(s)-at-Large can be removed from office by a two-thirds majority vote of the voting members present and voting by secret ballot at any General Meeting of the Association, subject to Article 3.2 of the By-Laws.
- 9.1 The President, Vice-Presidents, Secretary-Treasurer or Member(s)-at-Large can be removed from office by a two-thirds majority vote of the voting members present and voting by secret ballot at any General Meeting of the Association.
- 9.2 The Ombudsperson can be removed from office by a two-thirds majority vote of the voting members present and voting by secret ballot at any General Meeting of the Association.

## **10. BY-LAW #10: COMMITTEES**

- 10.0 The Executive Committee shall establish the following Standing Committees from the voting members of the Association. The Standing Committees shall submit for approval their Terms of Reference to ensure that the committee meets the constitutional mandate of the Association.

### **10.0.1 Working Conditions Committee**

- 10.0.1.1 The Working Conditions Committee (WCC) shall maintain and develop the interests of the members. The Committee's special area of interest shall include the negotiation with the Employer regarding salaries and benefits to faculty, status, regularization, and other conditions of employment.



10.0.1.2 The Working Conditions Committee shall consist of:

10.0.1.2.1 The Vice-President—Negotiations.

10.0.1.2.2 Representatives from Faculty Groups, as defined under Article 4.1.3 of the By-Laws, to be elected by their constituency at a General Meeting or by electronic ballot, at least six (6) months prior to the expiry date of the Collective Agreement. These Representatives may be referred to as "WCC Unit Representatives" as distinct from the "Area Representatives" defined elsewhere in the By-Laws.

10.0.1.3 The term of office of the Members of the Working Conditions Committee is from the date of election to that of the signing of a new Collective Agreement.

10.0.1.4 Vacancies on the Working Condition Committee will be filled within one (1) month by election from within the appropriate constituency group.

10.0.1.5 The Executive of the Association may suspend a Working Conditions Committee by a two-thirds vote of its full voting membership at a duly called meeting, but a vote to suspend a Working Conditions Committee must be followed within three (3) weeks by a General Meeting either to order the selection of a new Working Conditions Committee or to reinstate the original Committee.

## 10.0.2 Negotiating Committee

10.0.2.1 The Negotiating Committee shall be a sub-committee of the Working Conditions Committee.

## 10.0.3 Labour Management Relations Committee

10.0.3.1 The Labour Management Relations Committee (LMRC) shall be responsible for discussion and resolution of contractual and non-contractual issues of mutual concern to faculty and management.

10.0.3.2 LMRC may also serve as an appeal body for specific university policies, procedures, or decisions not covered by the collective agreement.

10.0.3.3 LMRC Representatives shall consist of:

10.0.3.3.1 The Vice-President—Negotiations and the Vice-President—Grievances

10.0.3.3.2 One Representative from each campus, elected at large

- 10.0.3.4 The term of office of LMRC Representatives is from the date of the signing of a new collective agreement to the signing of a subsequent collective agreement.
  - 10.0.3.5 LMRC Representatives may recommend resolution of issues to the Executive Committee or the general membership, as appropriate.
  - 10.0.3.6 Replacement of LMRC Representatives shall be governed by Article 8.2 of the By-Laws. The President may appoint a substitute as necessary for any LMRC meeting.
  - 10.0.3.7 The Executive of the Association may suspend a Labour Management Relations Committee by a two-thirds vote of its full voting membership at a duly called meeting. In the event of a suspension of a Labour Management Relations Committee, a General Meeting must be called within three (3) weeks, either to uphold the suspension and elect a new Labour Management Relations Committee or to reinstate the original Committee.
- 10.1 The Executive Committee may establish and dissolve other Committees from the voting members, and will require reports from these Committees.
  - 10.2 The President will assign a member of the Executive Committee to serve as a member of any committee established under By-Law 12.1. The normal term for office for appointees to these committees shall be one year, and appointments may be renewed at the discretion of the President.

## **11. BY-LAW #10: FINANCIAL OPERATIONS**

- 11.0 No Executive Committee member shall receive a salary or other remuneration from the Association beyond payment for expenses unless an elected Table Officer's workload does not equal the time-release of the Table Officer position. In such case, the Association may top up the Table Officer's salary to the equivalent of the position's time-release.
- 11.1 No Table Officer shall be released for more than 100%. No time release funded by the KFA shall be used for any purpose except KFA business.
- 11.2 Should a time release for another organization other than FPSE become available to a Table Officer, a separate arrangement to fully fund the time release shall be made between the Employer and that organization.

- 11.3 Should such an arrangement make time release available to be reallocated to another Table Officer, such changes may be made by the Table Officers within the budgeted allocations for total time release.
- 11.4 The Table Officers are empowered to operate a bank account and to draw, make, accept, endorse, discount, execute, and issue promissory notes, bills of exchange, and other negotiable or transferable instruments. For the purpose of this section, the signatures of any two of the Table Officers shall be required.
- 11.5 The Executive Committee may invest the funds of the Association in any savings account, term deposit, or savings certificate in a Bank, Trust Company, or Credit Union chartered by the Government of Canada or of the Province of British Columbia.
- 11.6 The Executive Committee may retain a professional investment management firm to manage the funds of the Association.
- 11.7 Notwithstanding Article 10.5 of the By-Laws, the Association, in accordance with the Society Act, shall not borrow money, contract a debt, or otherwise enter into agreements except by a vote of seventy-five (75%) of the members present at a General Meeting where quorum is met.
- 11.8 A qualified, third-party Auditor shall be appointed by the Association at the Annual General Meeting, to examine the books of the Association and the Association's Financial Statement. The Association's Financial Statement shall be presented by the Secretary-Treasurer at the Annual General Meeting; the Auditor's report, prepared in accordance with the generally accepted auditing practice, shall be presented to the first Fall General Meeting which follows the Annual General Meeting.

## **12. BY-LAW #11: AMENDMENTS**

- 12.0 Amendments to the Constitution or By-Laws may be made by a seventy-five percent (75%) vote of those members present at any General Meeting where quorum is met.

## **13. BY-LAW #13: AFFILIATIONS**

- 13.0 The Association may be affiliated with the Federation of Post-Secondary Educators of BC or other bodies. Changes in affiliation shall be approved by a majority vote of the membership at a duly called meeting.