

CONSTITUTION
of the
Thompson Rivers University Faculty Association

1. The name of the Association is the Thompson Rivers University Faculty Association.
2. The objects of the Association are:
 - (a) To promote, maintain and improve the professional standing of its members and the quality of education at Thompson Rivers University.
 - (b) To protect and enhance academic freedom and the quality of members' professional roles, including but not limited to teaching, scholarship, debate, thought, and research within the University community.
 - (c) To provide a democratic form of governance within the Association which allows equal voice to all voting members.
 - (d) To be the representative of its members in negotiations with the Thompson Rivers University Administration and the Thompson Rivers University Board with respect to salary matters, working conditions and other terms of employment.
 - (e) To promote and support the principles of equity for all members, including those who may experience discrimination on the basis of sex, sexual orientation, gender identity, age, marital status, political belief, religious belief, national origin, ethnic identity, disability, colour, race, or contractual employment status.
 - (f) To promote the health and safety of its members.

The operations of the Association are to be chiefly carried on in and about the District of Kamloops in the County of Yale, Province of British Columbia.

BY-LAWS

of the

Thompson Rivers University Faculty Association

INTERPRETATION

In all by-laws of the Association the singular shall include the plural and the plural the singular.

Wherever reference is made to any statute or section thereof, such reference shall be deemed to extend and apply to any amendment to said statute or section, as the case may be.

ARTICLE I - Membership

Membership is open to all employees within the jurisdiction of Association. There shall be two classes of membership in the Association, namely, ordinary membership and honorary membership.

1. Ordinary Membership:

a) To qualify for ordinary membership a person must be:

(i) an employee within the jurisdiction of the Association.

OR

(ii) other persons the Association may from time to time wish to admit as members.

b) Ordinary membership is conferred automatically upon commencement of employment and those members shall maintain membership in good standing in TRUFA as a condition of employment.

c) The annual membership dues shall be determined from time to time by a majority vote of the Association at any General or Special Meeting of the Association, but at no time shall the membership dues be less than One Dollar per year.

d) The Association in its discretion may, levy special assessments upon its membership as per strike pay policy.

e) A member shall be deemed to be in good standing when current annual membership dues and all assessments, if any, are paid.

f) The rights of membership within the Association shall be suspended during the period of secondment to an administrative position.

2. Honorary Membership

(a) Honorary members shall be appointed upon recommendation by any member of the Association

and upon an affirmative vote of two thirds of the members assembled in any General or Special Meeting of the Association.

- (b) Honorary members shall not be entitled to vote at, but shall be entitled to attend meetings of the Association. They shall not participate in any distribution of the property of the Association upon dissolution of the Association, and they shall not be required to pay any membership dues or assessments.

ARTICLE II - Termination of Membership

1. Ordinary Membership

- (a) Membership in the Association shall terminate forthwith if the member ceases to qualify for membership under Article I herein.
- (b) When a member ceases to be employed by Thompson Rivers University but can demonstrate a reasonable expectation of future employment, the member shall retain full membership rights for a period of one year without paying per capita assessment.
- (c) A member of the Association may be expelled from membership by an affirmative vote of two thirds of the members assembled in any General or Special Meeting of the Association.
- (d) A member shall resign in writing. The member's resignation shall be effective upon acceptance by the Executive Board.
- (e) A member who resigns or is expelled from the Association shall forthwith forfeit all right, claim and interest arising from or associated with membership in the Association but shall remain liable for payments of any outstanding membership dues and assessments, if any, prior to acceptance of the member's resignation or approval of the member's expulsion.
- (f) An honorary member shall be expelled upon recommendation by any member of the Association and upon an affirmative vote of two thirds of the members assembled in any General or Special Meeting of the Association.

ARTICLE III - Obligations of Members

Every member shall be bound by and submit to the Constitution and By-laws of the Association, and such rules and regulations as from time to time may be enacted by the Executive Board/or by the membership of the Association.

ARTICLE IV – Meetings

1. Meetings shall be conducted in accordance with Robert's Rules of Order (latest edition) where not inconsistent with the By-laws herein.
2. Association members will conduct themselves at meetings according to the member code of personal conduct which discourages the use of language that demeans, disrespects, or bullies an individual and/or personalizes an issue under discussion.
3. The Annual General Meeting of the Association shall be held once in every year, at a place within the

Province, in April, and **fourteen (14) working days** written notice of such meeting shall be mailed or otherwise given to all members of the Association.

4. Special Meetings of the Association shall be held at such times and places as may be determined from time to time by the President, or by any two other members of the Executive Board, and a minimum of **seven (7) working days** written notice of such meeting shall be mailed or otherwise given to all members of the Association.
5. A Special Meeting must be called by the Executive Board within **fourteen (14) working days** of a written request for such a meeting signed by any **ten (10) ordinary members** of the Association.
6. Sixty (60) ordinary members of the Association present shall constitute a quorum at any General or Special Meeting of the Association.
7. Each ordinary member of the Association in good standing shall at all meetings of the Association be entitled to one vote. No member shall be entitled to vote at meetings of the Association unless the member has paid all dues and assessments, if any.
8. Extraordinary Resolutions are required in the case of:
 - (i) Amendments of the Constitution or By-laws
 - (ii) Expulsion of a member
 - (iii) Removal of an Officer
 - (iv) Conferring of Honorary Membership
 - (v) Special Assessments
 - (vi) Authorization to borrow funds
 - (vii) Upon such other matters as the Association may from time to time require.
9. An Extraordinary Resolution shall mean a resolution passed by a majority of not less than two thirds of the total of such ordinary members that are entitled to vote at a General or Special Meeting.
10. For Extraordinary Resolutions only, a member in good standing and not present at the meeting shall vote by written proxy delivered to the Secretary of the meeting before a vote is called for.
11. No Extraordinary Resolution may be proposed at any General or Special Meeting of the Association unless the notice of the said meeting has briefly and fairly described the nature of the proposed Extraordinary Resolution, or, a minimum of **seven (7) working days** written notice of such Extraordinary Resolution has been mailed or otherwise given to all members of the Association.
12. Referenda: A referendum, conducted by in-person ballot, mail ballot or other secure means as determined by the Executive Board, can be initiated either by the membership at a duly constituted meeting, or by the Executive Board.

- (a) Referenda can be initiated on any ordinary motion. At least **seven (7) working days'** notice must be given before the date on which the poll is held. Ballots not delivered in person will be valid only if received no later than the day prior to the date of the poll.

- (b) Referenda can be initiated on the following Extraordinary Resolutions:
 - i. Amendments to the Constitution or By-Laws
 - ii. Conferring of Honorary Membership
 - iii. Special Assessments
 - iv. Authorization to Borrow Funds
 - v. Upon such other matters as the Association may from time to time require. At least seven (7) working days' notice of the vote must be given before the date on which the poll is held. Ballots not delivered in person will be valid only if received no later than the day prior to the date of the poll. At least ten (10) percent of those eligible to vote must cast a ballot. An informational meeting must be held at least three (3) days before the vote is held.

ARTICLE V - Executive Board

- 1) The following shall be the Directors of the Association and constitute the Executive Board of the Association.

- i. President
- ii. Vice-President
- iii. Secretary
- iv. Treasurer
- v. Immediate Past-President
- vi. Vice-President, Stewards
- vii. Vice-President, Salary and Working Conditions

One Representative from each of the following:

- viii. Faculty of Adventure, Culinary Arts, and Tourism
- ix. Faculty of Arts
- x. Faculty of Human, Social, and Educational Development
- xi. Faculty of Science
- xii. Student Development / Instructional Support
- xiii. School of Business and Economics
- xiv. Faculty of Law
- xv. School of Nursing
- xvi. School of Trades and Technology
- xvii. Williams Lake

The following standing committee chairs:

- xviii. Chair of Human Rights Committee
- xix. Chair of Equity Committee
- xx. Chair of Status of Women

One Member to represent

- xxi. Research and Scholarship

Two representatives from:

xxii. Contract Faculty

- 2) A quorum for a meeting of the Executive Board shall be 50% plus 1 of the members of the Executive Board.
- 3) The Immediate Past-President shall serve for a maximum of one (1) year immediately following the Past-President's term as President.

ARTICLE VI - Election and Removal of the Officers and Directors of the Executive Board

1. Members are encouraged to consider principles of fairness and equity in the overall make-up of the Board when nominating and electing representatives.
2. The President, Vice President, Secretary, and Treasurer are elected at the Annual General Meeting.
3. The Vice-President, Stewards and Vice-President, Salary and Working Conditions are elected by the members of their respective committees.
4. The chairs of the Human Rights, Equity, and Status of Women Committees are elected at the AGM.
5. Executive Board Faculty or School representatives are elected by faculty members of their Faculty or School. Such elections shall be held prior to the Annual General Meeting.
6. The Williams Lake representative is elected by all Williams Lake faculty by a process to be determined by those faculty.
7. The contract faculty representatives are elected by all Sessional, Continuing Sessional and Limited Term faculty by a process to be determined by those faculty.
8. All ordinary members in good standing shall be eligible to serve as a member of the Executive Board.
9. The whole of the Executive Board shall be retired at each Annual General Meeting but shall be eligible for re-election.
10. Voting shall be by secret ballot. To be elected, a member must receive a simple majority of the votes of the members as are present and entitled to vote at the election.
11. The members of the Association may, by resolution passed by at least two-thirds of the votes cast at a General or Special Meeting of which notice specifying the intention to pass such resolution has been given, remove any Director before the expiration of the Director's term of office, and may, by a majority of the votes cast at the meeting, elect any member instead for the remainder of the Director's term.
12. If any member of the Executive Board shall resign from office, or be expelled from the Association, the Executive Board shall declare the position vacant and arrange for the election of a successor to hold office until the next Annual General Meeting.

ARTICLE VII – Powers and Duties of the Executive Board

1. The powers and duties of the Executive Board are to:
 - i. Implement the decisions of the Association.
 - ii. Carry on the business of the Association between meetings.
 - iii. Investigate and report on matters of interest to the Association.
 - iv. Create committees, appoint committee members or determine a process for selecting committee members from the Association.
 - v. Decide on the disposition of grievance arbitration requests from the Stewards' Committee.
 - vi. Develop policies on matters of interest to the Association for consideration by the membership.
2. The powers and duties of the President, Past-President, Vice-Presidents, Secretary and Treasurer, in addition to other powers and duties which may be assigned to their respective offices in these By-laws, are as follows:

(a) President

- (i) Carry on the day-to-day business of the Association between Executive Board meetings.
- (ii) Is the official spokesperson for the Association in communication with the University President, Board of Governors, the news media, and other persons or groups.
- (iii) Preside at meetings of the Association and Executive Board.
- (iv) Chair meetings of the Table Officers.
- (v) Represent the Association at Consultative Committee.
- (vi) Be an ex officio member of all Association committees.
- (vii) Have the deciding vote in the event of a tie on the Executive Board.
- (viii) Submit for approval the orientation and skills training program for members of the Executive Board.
- (ix) Arrange for an annual Executive Board retreat immediately following the Annual General Meeting.
- (x) Implement the orientation and skills training program for members of the Executive Board.
- (xi) Monitor and advise the other Directors in the performance of their duties as required by these By-laws.

- (xii) Represent the Association at FPSE Presidents' Council meetings and CAUT Council meetings and other external bodies to which TRUFA belongs.
- (xiii) The President may delegate any of the above duties and responsibilities to a responsible and appropriate Director.

(b) Immediate Past-President

- (i) Provide advice and counsel to members of the Executive Board.
- (ii) Perform other official duties for the Association as requested by the President.

(c) Vice-President

- (i) Assist the President in all matters
- (ii) In the President's absence, assume all duties of the President.
- (iii) Attend Executive Board, Table Officers and Consultative Committee meetings.
- (iv) Coordinate training and scheduling of all Association Committee representatives on various performance review, sabbatical and tenure and promotion committees.
- (v) Serving as the primary TRUFA observer on the Faculty/School tenure and promotion committees.
- (vi) Liaise with Chairs of Standing Committees.
- (vii) Develop strategies to ensure communication between the Association and Faculty Councils and provide education about collegial governance principles.
- (viii) Review Association policies and make suggestions for developing new policies where needed. Review TRU policy and bring concerns to the Executive Board for consideration.

(d) Vice-President, Salary and Working Conditions

- (i) Attend Executive Board, Table Officers, and Consultative Committee meetings.
- (ii) Submit for approval, the orientation and skills training program and protocols for members of the Salary and Working Conditions Committee.
- (iii) Implement the orientation and skills training program for members of the Working Conditions Committee and ensure all committee members have a copy of the current collective agreement.
- (iv) Chair meetings of the Salary and Working Conditions Committee.
- (v) Coordinate research and bargaining preparation activities of the Salary and Working Conditions Committee between bargaining rounds.

- (vi) Chair meetings of the Bargaining Committee.
- (vii) Represent the Association as chief spokesperson at the bargaining table.
- (viii) Liaise with and report to the Executive Board on all matters with respect to bargaining.
- (ix)
- (x) Serve as the Association representative on the Bargaining Coordination Committee (BCC) of FPSE

(e) Vice-President, Stewards

- (i) Attend Executive Board, Table Officers and Consultative Committee meetings.
- (ii) Submit for approval, the orientation and skills training program and protocols for members of the Stewards Committee.
- (iii) Implement the orientation and skills training program for members of the Stewards Committee and ensure all committee members have a copy of the current collective agreement.
- (iv) Chair meetings of the Stewards Committee and coordinate activities of the Stewards Committee.
- (v) Liaise with and report to the Executive on matters of importance with respect to grievances and arbitration.
- (vi) Liaise with FPSE on contract administration matters and serve as the Association representative on the FPSE Contract Administration and Review Committee (CARC).

(f) Secretary

- (i) Keep minutes of the proceedings of all meetings of the Executive Board.

(g) Treasurer

- (i) Report to the Executive Board on the budget on a monthly and year to date basis.
- (ii) Work with the President to prepare budget for approval at the Annual General Meeting.
- (iii) Submit the externally reviewed annual financial report at the Annual General Meeting.

ARTICLE VIII- Powers and Duties of the Table Officers

1. Table Officers, a sub-committee of the Executive Board which includes at minimum the President and Vice-Presidents, will meet weekly to advise the President on the day to day business of the Association between Executive Board meetings.

ARTICLE IX – Standing Committees of TRUFA Executive—with Representation on the Executive Board

1. The standing committees of the Association with Executive Board representation include the following:

- a) Stewards Committee
 - b) Salary and Working Conditions Committee
 - c) Contract Faculty Committee
 - d) Human Rights Committee
 - e) Equity Committee
 - f) Status of Women Committee
2. The Stewards Committee, chaired by the Vice President, Stewards, shall consist of representatives elected for a two (2) year term as follows:
- a) Nine (9) Stewards elected at large from the Kamloops campus
 - b) Two (2) Stewards elected at large from the Williams Lake Campus
3. The Salary and Working Conditions Committee shall consist of
- a. one representative elected by faculty from each of the following Faculties or Schools for a two (2) year term from each of the following:
 - i. Faculty of Adventure, Culinary Arts, and Tourism
 - ii. Faculty of Arts
 - iii. Faculty of Human, Social, and Educational Development
 - iv. Faculty of Science
 - v. School of Business and Economics
 - vi. Faculty of Law
 - vii. School of Nursing
 - viii. School of Trades and Technology
 - b. one representative to be elected by Librarians, Instructional Designers and faculty in the Student Development Faculty
 - c. one representative to be elected by Williams Lake faculty
 - d. one Research and Scholarship representative to be elected at the AGM; and
 - e. two representatives to be elected by contract faculty
 - f. Members of the Salary and Working Conditions Committee will elect one member to serve as the Performance Review Committee Coordinator.
 - g. Vacancies on the Salary and Working Conditions Committee may be filled at large from the general membership.
4. The Chairs of the Human Rights, Equity and Status of Women Committees will be elected at the AGM for a two (2) year term and shall be eligible for re-election at the end of their terms.
5. Unless otherwise specified in these bylaws, quorum for Standing Committees shall be 50% plus 1 of voting members on the committee.
6. Duties of Standing Committee Chairs
- a) In addition to their function as committee chairs, the chairs of standing committees shall act as liaison between the Executive Board and their respective committees.
 - b) Chairs of the standing committees shall represent the Association at meetings of their respective FPSE

standing committees.

- c) In carrying out their responsibilities, standing committee members shall serve all Association members fairly and equitably.
- d) Standing committees shall prepare and regularly review terms of reference to be approved by the Executive Board.
- e) Copies of minutes of all standing committee meetings shall be sent to the Association Office as soon as approved.
- f) Standing Committee members attending other meetings on Association business shall keep, and be prepared to submit, a report of the proceedings and decisions (where applicable) to the Executive Board.

ARTICLE X: Other TRUFA Representation—Not Represented on the TRUFA Executive

1. TRUFA representatives to the following FPSE, TRU and TRUFA committees are elected at the AGM:
 - a) FPSE Education Policy Committee
 - b) FPSE Pension Advisory Committee
 - c) FPSE Professional and Scholarly Development Committee
 - d) TRU Disability Management and Rehabilitation Committee
 - e) TRU Workplace Health, Safety and Environmental Committee
 - f) TRUFA Equivalent Workload Committee
 - g) TRUFA Communications Committee
2. One representative to serve on each of the FPSE Educational Policy, FPSE Professional and Scholarly Development, and TRU Workplace Health, Safety and Environmental Committees shall be elected to two (2) year terms and shall be eligible for re-election at the end of their terms.
3. Two (2) representatives to serve on the TRU Disability Management and Rehabilitation Committee, shall be elected to two (2) year terms and shall be eligible for re-election at the end of their term.
4. One representative to serve on the FPSE Pension Advisory Committee shall be elected to a four (4) year term and shall be eligible for re-election at the end of the term.
5. Five (5) representatives to serve on the TRUFA Equivalent Workload Committee shall be elected to three (3) year terms and shall be eligible for re-election at the end of their terms.
6. One representative to serve as the TRUFA Communications Officer and chair the TRUFA Communications Committee.
7. Representatives attending meetings on Association business shall keep, and be prepared to submit, a report of the proceedings and decisions (where applicable) to the Executive Board.

ARTICLE XI – Bargaining Committee

1. The Bargaining Committee shall be constituted on an ad-hoc basis as necessary to negotiate renewal of the Collective Agreement.

2. The Committee shall be appointed for the duration of bargaining a single contract, and shall lapse following the ratification of that contract.
3. The Vice President, Salary and Working Conditions shall submit a recommendation as to the composition of the Bargaining Committee to the Executive Board.
4. The Executive Board shall have the option of adding members to the Committee to achieve effective representation and diversity.
5. The Bargaining Committee shall be approved by the Executive Board prior to the commencement of bargaining.
6. The responsibilities of the Bargaining Committee shall include the following:
 - a) Bargain, as per the protocols developed by the Salary and Working Conditions Committee.
 - b) Participate in the training program, as per the protocols.
 - c) Report to the Executive Board, and to the membership, when instructed by the Executive Board.

ARTICLE XII - Conduct Unbecoming a Director

Members of the Association may, by resolution passed by at least two-thirds of the votes cast at a General or Special Meeting of which notice specifying the intention to pass such resolution has been given, remove any Director before the expiration of the Director's term of office for conduct unbecoming a Director.

ARTICLE XIII – Conflict of Interest

1. Members of the Executive Board, every committee, and members in any other position representing the Association on other committees or other meetings shall be conscious of and sensitive to the obligation to avoid actual and perceived conflicts of interest.
2. Any member representing the Association who has a direct involvement in, and thus a potential conflict of interest with regard to an issue coming before a committee or raised at a meeting shall withdraw from that portion of any meeting dealing with that issue.

ARTICLE XIV - Indemnification

1. All Members working for the Association, whether in elected or appointed positions, shall be indemnified by the Association for all legal costs and claims for damages incurred as a consequence of their actions carried out on behalf of the Association as long as such actions were taken pursuant to the terms and conditions of these Bylaws, the Association's collective agreements and any other Association policies.

ARTICLE VIII - Borrowing and Financial Powers

1. The Executive Board may borrow in the name of the Association such amount or amounts as may be specifically authorized by Extraordinary Resolution from time to time by the members in General or Special Meetings.
2. Contracts in the ordinary course of the Association's operations may be entered into on behalf of the

Association by the President and Treasurer or by any person authorized by the Executive Board.

3. All cheques, bills of exchange, or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Association, shall be signed by two of: the President, the Vice-President, the Secretary and/or, the Treasurer.

ARTICLE XVI - Audit

1. The Auditor of the Association shall be appointed by the Executive Board and shall submit the Auditor's Report at the Annual General Meeting of the Association.

ARTICLE XVII - Books and Records

1. The Association shall keep and maintain all necessary and adequate minutes and records of all meetings of the Association, and the books and records of the Association may be inspected by any member at any time convenient to both the member and the Officer responsible for keeping such books and records, and in any event no more than **five (5) days** after submission to the Executive Board of a written request for such inspection.

ARTICLE XVIII - Contract Ratification

1. Ratification meetings shall be held at such times and places as may be determined by the President and a minimum of **three (3) days** written notice clearly stating the purpose, date, time, location of such meeting and instructions for registering a proxy.
2. Voting shall commence no earlier than **twelve (12) hours** after the adjournment of such a meeting.
3. Voting shall remain open for a period of time sufficient to permit all members an equal opportunity to vote.

Ratified by the TRU Faculty Association membership in a referendum conducted in April 2015.