

# **CONSTITUTION OF THE THOMPSON RIVERS UNIVERSITY OPEN LEARNING FACULTY ASSOCIATION**

## **ARTICLE 1 – Name**

The name of the association is the Thompson Rivers University Open Learning Faculty Association (known as TRUOLFA) and referred to from now on in this document as the “Association.”

## **ARTICLE 2–Purposes of the Association Name**

1. To promote the provision of the highest possible standard of open and flexible distance education.
2. To regulate relations between employees and employers, including, but not limited to, the right to bargain collectively on behalf of the employees within the jurisdiction of the Association.
3. To bring about improvements in the wages and working conditions of the membership without discrimination on the basis of appointment, assignment or job security.
4. To promote democracy at all times within the Association by maintaining the principles of freedom of expression for all members, regardless of sex, sexual orientation, age, marital status, political belief, national origin, physical disability, colour or race.
5. To establish and maintain membership in the Federation of Post-Secondary Educators.
6. To promote the health and safety of its members.
7. To advance the professional development and interests of its members.

## **ARTICLE 3–Jurisdiction**

The Association shall include but not be limited to, jurisdiction over employees engaged in the provision of educational services in the employment of Thompson Rivers University Open Learning Division any wherein Canada.

## **ARTICLE 4–Amendment**

The Constitution may be amended by special resolution requiring a two-thirds vote of members at an Annual General Meeting or a Special General Meeting duly called for that purpose. Proxy, mail and email ballots are allowed. Members not present may have their vote exercised by written proxy delivered or mailed or emailed to the Meeting Secretary (or his/her representative) prior to the Meeting.

## **BYLAWS OF THE THOMPSON RIVERS UNIVERSITY OPEN LEARNING FACULTY ASSOCIATION**

### **ARTICLE 1 – Interpretation**

1. “Association” means the Thompson Rivers University Open Learning Faculty Association (TRUOLA).
2. “Bylaws” mean the rules established by TRUOLFA to govern its professional and business affairs.
3. “Chair” means the presiding officer of any meeting held in accordance with these bylaws.
4. “Employee” means those persons employed by the Thompson Rivers University Open Learning Division to provide educational services to student and, for the purposes of membership in the Association, includes any person previously employed as Open Learning Faculty by TRUOL who might reasonably anticipate renewal of such employment within one year of termination or layoff.
5. “Executive” means the Officers and Directors of the Association.
6. “FPSE” means the Federation of Post-Secondary Educators.
7. “Member” means a member of the Association described in Article 2 of these bylaws.
8. “Officers” means the President, Vice President, Meeting Secretary, Membership Secretary, Treasurer, Professional Development Treasurer, and Past President.
9. “Special resolution” means a motion that requires a two-thirds majority of Members’ votes cast.
10. “Thompson Rivers University Open Learning Division” also referred to as “TRUOL” means the Employer of the members of the Association.

11. “TRU” means Thompson Rivers University.
12. In the Constitution and Bylaws, unless the context otherwise requires, words importing the singular number of the male gender shall include the plural number of the female gender as the case may be, and vice-versa. The word “person shall include individuals and legal entities such as firms, corporations, associations and societies.

## **ARTICLE 2 – Membership**

1. Membership is open to all employees within the jurisdiction of the Association. Membership ceases when the employee resigns or retires.
2. No person shall be eligible for membership who is employed in a managerial capacity or those performing support staff services at TRU or TRUOL.
3. Each person signing an application for membership agrees to comply with the Constitution and Bylaws of the Association.
4. When a member who has not resigned nor retired from TRUOL ceases to be employed by the Thompson Rivers University Open Learning Division but can demonstrate reasonable expectation of renewed employment within one year, s/he retains full membership rights without paying per capita assessment for a period of up to that one year or until s/he is retired within that year.
5. A member may be expelled or suspended by a special resolution requiring two – thirds vote at an Annual General Meeting or a Special General Meeting. The person who is the subject of the proposed resolution for expulsion or suspension shall be given an opportunity to be heard at the General Meeting before the special resolution is put to a vote.

## **ARTICLE 3 – The Executive**

1. The Executive of the Association shall consist of the Officers and up to four Directors-at-large elected at the Annual General Meeting. The terms shall expire annually at the Annual General Meeting.
2. The Executive of the Association shall have all powers herein provided during their tenure and shall be empowered to act between Annual General Meetings on all matters legislative, judicial and administrative. They shall not have the power to alter the Constitution, and Bylaws.

3. Nominations and election of the Executive (except for the Past President and appointed positions) shall take place at the Annual General Meeting. All members in good standing shall be eligible for election as a member of the Executive. Elections shall in all cases be held by secret ballot.
4. In the case of the President's position becoming vacant for any reason, the Vice President shall automatically fill that position until the next Annual General Meeting or Special General Meeting for that purpose.
5. The Chief Steward and the Chief Bargainer shall be appointed, as needed, by the other members of the Executive.
6. Vacancies on the Executive Committee other than President may, so long as a quorum of the Executive Committee remains in office, be appointed by the Executive Committee from among qualified members of the Association to serve until the next AGM.
7. For other Executive Positions, if an office of the Executive other than that of President becomes vacant, the Executive may appoint a member of the Union, to fill the position.
8. Removal of a Director or Officer of the Executive. The Executive may, by special resolution, remove a Director or Officer before the expiration of the Director's term of office, and may appoint a successor to complete the term of office.

#### **ARTICLE 4 – Duties of Officers and Directors**

1. The President shall preside at all meetings and conventions of the Association. S/he shall be the executive head of the Association and be responsible to the Executive and to the membership for the administration of the affairs of the Association. S/he shall be a member ex-officio of all committees of the Association.
2. The Vice President of the Association shall assume the duties and authority of the President in her or his absence.
3. The Membership Secretary shall be responsible for maintaining a current list of Members, arranging general communications with members by any means available and appropriate to them. Additionally, s/he shall be responsible for communication with members, via e-mail or mail, or telephone, and, notifying members of Annual General Meetings and Special General Meetings via email or mail.

4. The Meeting Secretary shall be responsible for minutes and the records of the Association, correspondence (other than mass communications to all members), and records of the organization.
5. The Treasurer shall be responsible for keeping a true and proper record of all monies received and expended, and for maintaining accurately and properly such bookkeeping system as shall be set up by the Association. The Treasurer shall issue financial reports at all meetings of the Association.
6. The Professional Development Treasurer shall be responsible for keeping a true and proper record of all professional development monies received and disbursed, and for maintaining accurately and properly such bookkeeping systems as shall be set by the Association. The Professional Development Treasurer shall issue financial reports at all meetings of the Association.
7. The Chief Steward shall be responsible for mentoring and supervising OLFMs who are interested in being stewards and acting as stewards, chairing the Stewards' committee meetings, liaising with FPSE representatives responsible for TRUOLFA, serving as a member of the TRUOLFA/TRU Labour Management Committee, and reporting to the TRUOLFA Executive. The Chief Steward may delegate some of his or her duties to other members.
8. The Chief bargainer shall be responsible for coordinating a bargaining team, chairing Bargaining committee meetings, being the spokesperson during bargaining, and reporting to the TRUOLFA Executive. The Chief Bargainer may delegate some of his or her duties to other members.
9. The Directors and Past President shall participate on the Executive and on committees as required and assist in representing the decisions of the Executive to the membership. All legal documents shall require the signature of the President or Vice President, and any other one of the President, Vice-President, Meeting Secretary, Treasurer, Chief Steward, and Chief Bargainer.
10. All legal documents shall require the signature of the President or Vice President, and any other one of the President, Vice President, Meeting Secretary, Treasurer, Chief Steward, and the Chief Bargainer.
11. The Association shall exempt and save harmless each current and former Executive member from any liability action arising from the proper performance of these duties, and assume all costs, legal fees and other expenses arising from any such action.

## **ARTICLE 5 – Finances**

1. The revenue of the Association shall be derived from a per capita assessment to be determined at an Annual General Meeting or a Special General Meeting.
  
2. The revenue of the Association shall be used for general servicing of the membership, organizing, administration, membership in the Federation of Post-Secondary Educators, and other purposes authorized at an Annual General Meeting or a Special General Meeting.
  
3. An annual budget shall be approved at each Annual General Meeting.
  
4. Funds
  - a. General Fund: All cheques issued by the Association shall require the signature of any two of the following: The President, Vice President, Meeting Secretary and Treasurer.
  
  - b. Professional Development Fund: All cheques issued by the PD Committee shall require the signatures of any two of the following: The PD Committee Member, the PD Treasurer and the President.
  
5. All transactions of the Association over \$10.00 shall be made by cheque.
  
6. A review of the finances of the Association shall be conducted annually by a practicing professional accountant who is not a member of the Association and the report shall be presented at the Annual General Meeting.
  
7. Borrowing shall not be permitted except by a special resolution requiring a two-thirds vote at an Annual General Meeting or a Special General Meeting.

## **ARTICLE 6 – Meetings**

1. The Association shall hold an Annual General Meeting once in each calendar year, no later than 16 months after the last Annual General Meeting.
  
2. Regular membership meetings shall be held as deemed appropriate by the Executive of the Association.
  
3. Special General Meetings may be called by the Executive of the Association. A Special General Meeting shall be convened within 45 days after the receipt of a written requisition stating the purpose of the meeting and signed by 15% of the Association membership. The requisition shall be mailed or sent electronically to the Meeting Secretary of the Association and shall be deemed received on

the date of delivery to the Secretary. If the requisition indicates that a matter requiring a special resolution is to be considered, due notice of meeting shall be issued as required by these Bylaws.

4. Ten percent of Association members shall constitute a quorum at any Special and Annual Meetings but not for the TRUOLFA Executive committee meetings.
5. Robert's Rules of Order shall govern procedure for all meetings of the Association unless otherwise provided for in these Bylaws.
6. Four weeks' notice must be given for Annual General Meetings and Special General Meetings.
  - a. Notice shall be given by e-mailing or delivering a written notice to each member's registered address or e-mail address on the day notice is given.
  - b. E-mailed notices will be deemed to have been given from the date the e-mail notice is sent from the Membership Secretary's e-mail account.
  - c. Notice of the General Meeting shall state the business to be transacted and no business other than stated shall be transacted.
  - d. Notice must also include the specifics of any proposed special resolutions.
7. A quorum for a meeting of the Executive shall be 50% plus 1 of the Executive Officers or a minimum of 3, whichever is greater.
8. A quorum for a committee meeting shall be 50% of the committee members or a minimum of 3, whichever is the greater. If a committee has less than 3 members, a quorum shall be all the members of the committee.

## **ARTICLE 7 – Voting**

1. All members of the Association are voting members.
2. Proxy, mail and email ballots are allowed for any General Meeting or date on which a poll is held. Members not present may have their vote exercised by written proxy delivered or mailed or emailed to the Meeting Secretary (or his/her representative) prior to the Meeting. Authorization pursuant to this provision may be limited to a particular motion.
3. All special resolutions require a two-thirds vote to pass.

4. Members not present may have their vote exercised by written proxy delivered or mailed or emailed to the Meeting Secretary (or his/her representative) prior to the Meeting. Authorization pursuant to this provision may be limited to a particular motion.
4. Special resolutions shall only be voted on at an Annual General Meeting or a Special General Meeting.

#### **ARTICLE 8– Committees**

1. The Executive of the Association shall appoint such committees as are required for the proper functioning of the Association and the carrying out of its membership in FPSE.
2. Committees shall only make recommendations to the Executive of the Association unless otherwise directed by resolution of the Executive of the Association for a specific matter.

#### **ARTICLE 9– Alteration of Bylaws**

1. The Bylaws of the Association may be altered by special resolution requiring a two-thirds vote of the membership voting at an Annual General Meeting or a Special General Meeting, or by mail or email ballot for those General Meetings in accordance to these Bylaws.

#### **ARTICLE 10– Distribution of Bylaws**

1. Upon admission to membership, a member is entitled to and the Association shall provide to the member, without charge, a copy of the Constitution and Bylaws of the Association.

#### **ARTICLE 11 –Remuneration**

1. In lieu of release time, all union executive members shall each receive a stipend that is expected to cover the normal requirements in carrying on the business of the union. The amount of the stipends shall be determined by an independent committee, made up from the membership at large. The stipends will be based on the number of hours normally required to complete responsibilities at the current meeting rate as set out in the collective agreement. A review of stipends will be conducted at least once every 5 years.
2. From time to time, the Executive may undertake special projects in the interests of the members. If these projects are unique in mandate, and beyond the normal scope of monthly/yearly Executive duties, remuneration may be authorized based on a proposal



that specifies the specific deliverables and an estimate of the number of hours to complete. Approval of these projects will be reported to the membership. The amount paid for these projects will not exceed \$1500. Should a project estimate exceed this amount, the proposal will be taken to the full membership for a vote.

**Amended on May 13, 2017 at the 2017 TRUOLFA Annual General Meeting.**