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UTFA Constitution

Constitution

University of Toronto Faculty Association

(As approved at the Annual General Meeting, April 22, 2015)

Article I - Name

1.1 The name of the Association is: University of Toronto Faculty Association.

Article II - Purpose

2.1 The purpose of the Association is to promote the welfare of the current and retired faculty, librarians, and research associates of the University of Toronto, the University of St. Michael's College, the University of Trinity College, and Victoria University, and generally to advance the interests of teachers, researchers and librarians in Canadian universities.

Article III - Membership

3.1 There shall be two classes of membership in the Association, regular membership and associate membership.

3.2 Regular membership in the Association is open to all full-time and part-time members of the faculty, full-time and part-time professional librarians, and full-time and part-time research associates of the

universities mentioned in Article II, and persons who have retired from service as members of the faculty, professional librarians, or research associates at the universities mentioned in Article II.

3.3

(i) Associate membership in the Association is open to all Clinical faculty.

(ii) Upon the establishment of procedures and/or representative bodies that address the academic freedom of Clinical faculty, and offer an agreed upon dispute resolution mechanism, the Clinical faculty associate membership category will be terminated.

3.4 Associate members may attend but not vote at a general meeting and may not vote for the President.

Article IV - Council

4.1 There shall be a Council of the Association, consisting of the elected members and the Officers (who may or may not be elected members), responsible for establishing and carrying out the Association's policies, and for carrying on its business subject to the provisions of this Constitution and to such directions as may be given at any Annual or other General Meeting of the Association.

4.2 The Council may recommend changes to the Constitution and the By-Laws for approval at a general meeting.

4.3

(i) The Council shall consist of at most sixty regular members elected by the regular membership of the Association.

(ii) Four elected members of the Council shall represent the retired members of the Association.

(iii) For the purposes of apportioning active members of the Association into constituencies, each regular member shall be allocated to one of the following eight sections, with a total of up to 56 elected members:

1. Faculty of Arts and Science and those in the St. George Colleges, Graduate School, centres and institutes who would be eligible for appointment in this faculty, except those at the University of Toronto at Mississauga and the University of Toronto at Scarborough;

2. University of Toronto at Mississauga;

3. University of Toronto at Scarborough;

4. Faculty of Applied Science and Engineering and those in the Graduate School, centres and institutes who would be eligible for appointment within this faculty;

5. Faculty of Medicine and those in the Graduate School, centers and institutes who would be eligible for appointment within this faculty;

6. OISE-UT and those in the centres and institutes who would be eligible for appointment within this faculty;

7. Professional faculties that lack a departmental structure;

8. Librarians on all campuses, including central, college and departmental libraries.

(iv) The number of constituencies to be assigned to each section of active members shall be roughly proportional to the number of regular members within that section. Before this Constitution takes effect, and each six years thereafter, Council shall appoint an Apportionment Committee, consisting of one regular member from each section plus a Chair, which shall recommend an assignment of the number of seats for each section for each election in the ensuing six years. This committee shall first report to Council, which will either accept the report and forward it to the next Annual General Meeting with a recommendation for acceptance or refer it back to the committee for revisions. The Annual General Meeting may either enact the report or refer it back to the committee for revisions and subsequent presentation at a general meeting.

(v) The Apportionment Committee shall subdivide each of the eight sections into electoral constituencies on a roughly proportional basis. Only regular members within each constituency shall vote for their Council representative(s).

4.4

(i) Subject to Article 4.4 (iii) hereof, the active members of the Council shall be elected by the regular members of the Association in their respective constituencies for a term of three years commencing on July 1st of the year of election and shall be eligible for re-election.

(ii) Four retired members of Council shall be elected by retired regular members of the Association for a term of three years beginning on July 1 of the year of election, and shall be eligible for re-election.

(iii) The Council may provide for the retirement of not more than one third of its members each year under such a system of rotation as it may prescribe. No more than two of the four retired members should have their three-year term end in any one year.

(iv) When the boundaries of a constituency are changed under section 4.3(iii), the term of any member previously elected from an affected constituency shall end on the following June 30. Council may through by-elections fill vacancies for one or two or three years to maintain the intended rotation mix.

(v) A Councillor who is unable to attend meetings for a period not exceeding one year for reasons of health or academic leave may propose an alternate to serve instead. Such an alternate must be a regular member and be accepted by a vote of Council as the representative of that Councillor's constituency for a stated term. A Councillor who is unable to serve for a period exceeding a year shall be deemed to have resigned. A Councillor who has resigned shall be replaced for the remainder of the term through a by-election in that constituency.

(vi) In the event that a Council member has not been in attendance either for three consecutive Council meetings or for more than half of the meetings held in the previous twelve months, the President shall bring this to the attention of Council. Council may table a motion to remove the member from office, but shall not vote on it before the affected member is informed at least 30 days in advance and is given the

opportunity to appear before Council and speak to the issue.

4.5 The President shall call a meeting of the Council (i) at regular intervals during the academic year, upon at least seven days' notice to its members, and (ii) by written request to the President from at least ten members of Council, upon at least seven days' notice to its members, and (iii) in the event that the Executive Committee declares the necessity of an emergency meeting, upon notice of at least one full working day by both telephone and electronic mail, and (iv) as soon after the Annual General Meeting as is deemed convenient to elect Officers, other than the President, as described in Article IX.

4.6 The Executive Committee shall prepare for each meeting an agenda that Council is free to adopt or amend. The agenda shall contain, among other items, any item which ten or more members of Council at least seven days in advance of the meeting request the President in writing to have included.

4.7 Council may appoint a Speaker, who shall not be entitled to vote on any motion. In the absence of the Speaker, the President shall chair the Council meeting, but may pass the Chair to a member of the Executive when presenting a report. In any case, the President may cast a vote only to break a tie.

4.8 A quorum for meetings of the Council shall be twenty elected or appointed members.

4.9 The Council shall fill any vacancies arising by resignation or otherwise in the offices of the Association, and in the membership of any standing committee.

4.10 Notwithstanding anything in this Article, the Past-President of the Association, and any person who is an Officer of the Association or the Chair of any standing committee of Council and is not otherwise a member of Council, shall be a member ex officio, with all the voting privileges of the elected members. In addition, the Chair of the USMC Leadership team shall be a member ex officio, with all the privileges of the elected members except the right to vote.

Article V – President

5.1 The President shall be elected by the regular members of the Association and shall serve as President for two years, from July 1 immediately following the date of election.

5.2 The President must be a regular member of the Association.

5.3 A President may serve for more than one two-year term but not more than six consecutive years. This includes consecutive time served prior to July 1, 2011.

5.4 The President shall serve as Past-President for succeeding presidential term(s).

5.5 The President shall serve on the Executive Committee.

5.6 If the President becomes unable to serve during the period to June 30 immediately following the election, a by-election shall be held to determine a replacement. If the President becomes unable to serve during the first presidential year, then Council shall appoint an interim President to serve until the following June 30 and shall call an election for a new President to serve a two-year term from the following July 1.

5.7 The President serves as the representative and spokesperson of the Association in all dealings with outside bodies. Whenever the President is unavailable, Council may delegate this responsibility to someone else.

5.8 The President may be removed from office by a two-thirds vote to that effect of regular members present and voting at a general meeting. (Article 10.2 prescribes the four mechanisms for calling a general meeting.)

Article VI - Other Officers

6.1 The Association shall have the following other Officers: Vice-President (Salary, Benefits, Pensions and Workload); Vice-President (Grievances); Vice-President (University and External Affairs); and Treasurer.

6.2 Each non-Presidential Officer must be a regular member of the Association.

6.3 The term of office of each non-Presidential Officer shall be a two-year term. However, a one year term will be allowed for each non-Presidential Officer who requests it, in accordance with the process and timelines, if any, established in the bylaws.

6.4 Each non-Presidential Officer shall be eligible for re-appointment.

Article VII - Executive Committee

7.1 There shall be an Executive Committee of the Council consisting of the President and other Officers of the Association specified in Article 6.1, Chairs of any additional standing committees of the Association established pursuant to Article 8, and up to three members-at-large appointed by Council for renewable one or two-year terms.

7.2 At least two of the members-at-large on the Executive Committee must be elected from the existing elected or appointed members of Council. If a majority of the members appointed to the Executive Committee aside from the members-at-large are also members of UTFA Council by virtue of representing a constituency, Council may appoint a third member-at-large from the UTFA membership who is not a member of Council. The appointment of members-at-large will take place after the appointment of other members of the Executive Committee, where necessary to give effect to this provision.

7.3 The term of office of each Member-at-Large Executive Committee member, and of the Chair of any additional standing committees of the Association established pursuant to Article 8, will be a two-year term. However, a one-year term will be allowed for such members-at- large or additional Standing Committee Chairs who request it, in accordance with the process and timelines, if any, established in the bylaws.

7.4 No member of the Executive Committee may serve in any one position on the Executive Committee for more than six consecutive years. This includes consecutive time served prior to July 1, 2011

7.5 The Executive Committee shall meet at the call of the President, or within one week of a call for a

meeting by any two members of the Committee.

7.6 A quorum for the Executive Committee shall be a majority of its voting members, including the President or the President's designate.

7.7 The Executive Committee shall carry out such duties as may be delegated to it by the Council.

Article VIII - Committees

8.1 There shall be Standing Committees of the Council on (i) Salary, Benefits, Pensions and Workload, on (ii) Grievances, on (iii) University and External Affairs, and such other standing and special committees as the Council may establish from time to time.

8.2 The committees shall have such duties and powers as may be assigned to them by the Council.

8.3 The Council, from the regular membership of the Association, shall confirm the members of each committee.

8.4 The Vice-President (Salary, Benefits, Pensions and Workload) shall be the chair of the Standing Committee on Salary, Benefits, Pensions and Workload, the Vice-President (Grievances) shall be the chair of the Standing Committee on Grievances, the Vice-President (University and External Affairs) shall be the chair of the Standing Committee on University and External Affairs, and the chair of every other committee shall be appointed by the Council from the membership of the Association.

Article IX - Nominations and Elections

9.1

(i) Each candidate for President shall be nominated from the regular membership of the Association by two regular members of Council or by 10 regular members of the Association. Nominations open no later than March 1st of the year of election and close on March 15th of the same year.

(ii) If more than one person is nominated for President, the President shall be elected from among those nominated by a mail ballot of the membership of the Association conducted during the twenty-one days next following the close of nominations.

(iii) Council, by regulation, shall establish guidelines for conduct of the election.

9.2 There shall be a Nominating Committee consisting of five members including either a member of the current Executive Committee or, failing that, a Past-President of the Association. Council must approve the Nominating Committee. The Nominating Committee shall compile a slate of nominees for the following positions where there is an upcoming vacancy, including those resulting from the expiration of a term of office : non-Presidential members of the Executive Committee (the three Vice-Presidents, the Treasurer, the Chairs of the Standing Committees, and the members-at-large).

9.3 The Council, from the regular membership of the Association, shall appoint the three Vice-Presidents, Treasurer and Chairs of all Standing Committees, in addition to the members-at-large on the Executive Committee who shall be appointed pursuant to Article 7. These appointments should occur at the first meeting of the Council after the Annual General Meeting.

Article X - Meetings

10.1 The Annual General Meeting of the Association shall be held each year as soon as practical after the twenty-ninth day of March. In an election year this will occur after the President has been elected.

10.2 The President shall call other general meetings of the Association (i) as directed by the Annual General Meeting, (ii) as directed by the Council, (iii) as directed by the Executive Committee or (iv) at the written request to the President of fifty regular members of the Association, the request to be accompanied by the proposed agenda of the meeting.

10.3 The agenda for any general meeting of the Association shall be approved in advance by Council, except if the meeting is called by the Executive, in which case the agenda for the meeting shall be approved by the Executive, and except if the meeting has been called at the request of fifty regular members, in which case the agenda shall be as proposed in the members' request.

10.4 The President shall give at least one week's notice to the members of any general meeting of the Association.

10.5 The membership of the Association at any meeting may pass and amend By-Laws for the efficient operation of the Association by majority vote of regular members, present and voting, except as otherwise specified in this constitution. By-Laws may be amended at any general meeting provided either (i) notice is given on the agenda, or (ii) amendments are proposed at the general meeting and confirmed only after the meeting has been adjourned and reconvened after at least one week or a mail ballot of the membership has been held.

10.6 The Council shall designate from time to time a regular member of the Association who shall preside at general meetings of the Association.

10.7 One hundred regular members shall constitute a quorum at general meetings.

10.8 Robert's Rules of Order, where not inconsistent with the Constitution or the By-Laws, shall govern the conduct of meetings of the Association.

Article XI - Fees

11.1 The annual membership fees shall be proposed by the Council and approved at a general meeting of the Association by a majority of those regular members present and voting. The fees shall become payable on July 1st of each year.

Article XII - Finances

12.1 The Council shall have charge of the finances of the Association, and, subject to such directions as may be given at the Annual or any General Meeting, all expenditures shall be authorized or approved by the Council.

12.2 Both the Treasurer and the President shall exercise day-to-day financial oversight. Council must be informed of any anticipated or actual financial income shortfall or expenditure overrun as soon as is known to the Treasurer or President.

12.3 Once each academic year, the Treasurer shall present to Council, for approval, a detailed budget for the Association setting out actual income and expenses, including Officer stipends (if any), for the current fiscal year as well as predicted income and proposed expenses for the next fiscal year. From time to time, as is necessary, the Treasurer shall present to Council an interim or revised budget.

12.4 All money received by the Association shall be deposited to an account in its name, and cheques thereon shall be drawn on the signature of any two of the President, Vice- President (Salary, Benefits, Pensions and Workload), Vice-President (Grievances), Vice-President (University and External Affairs) and Treasurer, provided the expenditure has been approved by the President or the Treasurer.

12.5 The Treasurer shall present an audited financial report to the Annual General Meeting.

Article XIII - Constitution Amendments

13.1 Amendments to this Constitution may be made at the Annual General Meeting, or at any general meeting called for this purpose by Council, with the approval of two-thirds of the regular members present and voting. Notice of proposed amendments shall be given in the notice of the meeting.

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