BY-LAWS

ARTICLE I - MEMBERSHIP

1. Membership shall be of two types: Full membership and Honorary membership.

2. Full membership shall be open to faculty members who have paid the required fees and who are employed as university-college professors, instructors, counsellors, faculty advisors, librarians, technicians, and co-ordinators at Vancouver Island University.

3. Honorary membership shall be given to those whom the Association may wish to honour.

4. Full membership shall be automatic for anyone joining the Faculty of Vancouver Island University, and who is qualified under Section 2 above.

5. Those university-college professors, instructors, counsellors, faculty advisors, librarians, technicians and co-ordinators who resign from the Association can re-join the Association by request. These requests must be approved by a simple majority, through motion, at the next Annual General Meeting of the Association. Membership will commence on the day following the Annual General Meeting.

6. A member shall cease to be a member:

    a) When he or she ceases to qualify under Article I above, or

    b) While he or she is in arrears in dues for ninety days or more after the beginning of his or her contract year, or

    c) If he or she is expelled by Special Resolution of the Association, according to Article IX below, or

    d) If he or she informs the Secretary of the Association in writing, of the desire to terminate membership in the Association.

ARTICLE II - FEES

1. Full members shall pay fees of not less than one dollar per year, the actual amount to be determined from time to time at a General Meeting of the Association.

2. Honorary members shall be exempted from all fees.

3. Special assessments may be levied on the Full Members, on the recommendation of the Executive, subject to a simple majority vote of the Full Membership present from time to time at a General Meeting of the Association.

ARTICLE III - OFFICERS AND EXECUTIVE

1. The Officers of the Association shall be:

    a) President;
    b) Vice-President;
    c) Secretary-Treasurer;
    d) Chair of the Contract Negotiating Committee; and
    e) Chief Personnel Steward.

2. The Executive of the Association shall include the Officers and the following additional members:

    a) FPSE Pension Advisory Committee Representative;
    b) FPSE Workplace Health, Safety & Environment Committee Representative;
    c) FPSE Academic Governance Committee Representative;
    d) Chair of the Professional Development Committee;
    e) Chair of the Women's and Gender Equity Committee;
    f) Chair of the Non-Regular Faculty Committee;
    g) Chair of the Human Rights Committee;
    h) FPSE Disability Management and Rehabilitation Committee Representative;
    i) Chair of the University Budget Analysis Committee;
    j) Member at large;
    k) One member who shall be a Non-Instructional Faculty Representative; and
    l) FPSE Decolonization, Reconciliation, and Indigenization Committee Representative

3. When requested by the relevant Officer, Associate positions may be confirmed by the membership. These positions are meant to facilitate knowledge transfer among the Officers of the Executive and provide continuity of service to the membership. They are appointed by the Executive and subject to approval by the membership. These positions do not count towards Executive quorum, shall not act as signing officers, and have 'voice but no vote' at Executive meetings.
    a) Associate Secretary-Treasurer
    b) Associate Bargainer
    c) Associate Steward

4. Only full members of the Association are eligible for membership in the Executive.

5. No member may hold more than one Executive office at a time, unless appointed pursuant to Article VII, Section 2.

ARTICLE IV - DUTIES OF THE OFFICERS AND THE EXECUTIVE

1. It shall be the duty of the Executive to:

a) Implement the decisions made at General Meetings and at the Annual General Meeting of the Association;
b) Carry on business on behalf of the Association between meetings;
c) Investigate and report on matters of interest to the Association;
d) Appoint committees from among members to study important matters and prepare reports for the Association to consider;
e) Call in external professional advisors on occasion to study matters of concern to the Association;
f) Call an Annual General Meeting in April;
g) Represent the view of the Association to the FPSE and/or to other provincial and national organizations as the members may from time to time direct;
h) Appoint, before the end of September, the members of each of the VIUFA Committees, and as necessary, replace committee members who are unable to continue serving. In appointing any committee, the Executive shall attempt to ensure that the committee is broadly representative of the different geographic areas, disciplines and job categories within the VIUFA membership;
i) Call at least one meeting of Non-Regular Faculty so that a representative of Non-Regular Faculty can be elected to the VIUFA Executive; and
j) Review the decisions of the Officers.

2. It shall be the duties of the Officers to:

a) Perform those duties of the Executive that require attention prior to the next scheduled meeting of the Executive; and
b) Otherwise carry on the business of the Association where such actions do not require the Association to spend more that $1000.

3. It shall be the duties of the Associates to:
    a) Fill in for the relevant Officer at Executive and General meetings when needed, with the understanding that Associates do not count towards Executive quorum, shall not act as signing officers, and have 'voice but no vote' at Executive meetings.
    b) Assist with the duties of the relevant Officer as required,
    c) Learn the duties of the relevant Officer position.

ARTICLE V - DUTIES OF OFFICERS

1. The President shall:

a) preside at meetings of the Association, the Officers and of the Executive;
b) be an ex-officio member of all Association Committees;
c) have the deciding vote in the event of a tie at any meeting;
d) represent the Association at the regular meetings of the Vancouver Island University Board;
e) represent the Association at the regular meetings of the Presidents' Council of FPSE; and

f) schedule a meeting of the Association Executive at least once per calendar month between August 1 and May 31.

2. The Vice-President shall:

   a) assist the President in all matters;
   b) during the absence of the President, assume all duties of the President; and
   c) develop and maintain external and internal communication for the Association, including managing the VIUFA website and generating bulletins, briefs and newsletters in both traditional and social media systems.

3. The Secretary-Treasurer shall:

   a) ensure minutes are kept of the proceedings of both General and Special Meetings of the Association and the Executive;
   b) ensure that notices and agendas of meetings of the Association are sent out;
   c) answer all correspondence as directed by the President or Executive;
   d) ensure that a Register of members is kept;
   e) ensure that all money paid to the Association is received and deposited in such bank or banks as the Executive shall direct;
   f) ensure that all bills authorized by the Executive are paid;
   g) give his or her financial report to the Annual Meeting;
   h) ensure that all financial records and books of the Association are kept; and
   i) ensure that all other Association records and books are kept.

4. Member-at-Large shall perform duties as assigned by the Executive.

5. The Chair of the Contract Negotiating Committee shall**:**

   a) chair meetings of the Contract Negotiating Committee;
   b) attend meetings of the appropriate FPSE Committee;
   c) represent the VIUFA in other venues as directed by the VIUFA Membership;
   d) chair the Bargaining Committee if one has been appointed by the Executive; and
   e) report on the activities of the committee(s) to the Executive and to general meetings as required.

6. The Chief Personnel Steward shall**:**

   a) chair the Committee of Personnel Stewards;
   b) ensure all issues related to contract interpretation are dealt with in a timely manner;
   c) attend meetings of the appropriate FPSE Committee; and
   d) report on the activities of the committee to the Executive and to general meetings as required.

7. The other committee chairs shall:

a) chair meetings of their respective committees;
b) attend meetings of their respective FPSE committees (if any); and
c) report on the activities of their respective committees to the Executive and to general meetings as required.

8. The Non-Regular Faculty Representative shall:

   a) represent the views and needs of Temporary Faculty Members;
   b) perform duties as assigned by the Executive; and
   c) attend meetings of the FPSE Non-Regular Faculty Committee.

9. The duties of the FPSE Committee Representatives shall include:

   a) representing the Association at meetings of their respective FPSE Committee; and
   b) reporting back to the Association Executive about the activities and decisions of their respective FPSE Committee.

10. The duties of the member who shall be a Non-Instructional Faculty Representative shall include:

    a) represent the views and needs of Non-Instructional Faculty Members; and
    b) perform duties as assigned by the Executive.

ARTICLE VI- ELECTION OF OFFICERS

1. Election of Officers and other members of the Executive, except for the Non-Regular Faculty Representative, shall take place at the Annual General Meeting of the Association in April. All terms of office, except for those of the Non-Regular Faculty Representative and the Pension Advisory Committee Representative, shall be from May 1 to April 30 of the following year.

2. The term of office for the Pension Advisory Committee Representative shall be for the four year period starting on the May 1 following the Annual General Meeting when the Pension Advisory Committee Representative was elected.

3. Prior to September 30 of each year, a meeting of Non-Regular faculty will be held to elect a Representative who will sit on the Executive Committee. The Representative must be a person who is now, or has, within the past two years, been a non-regular faculty member at Vancouver Island University. Providing that the Non-Regular Faculty Representative remains eligible to hold that position, the Non-Regular Faculty Representative shall hold office until a successor is elected.

4. An ad hoc Elections Committee of three, to be appointed by the Executive by March 15, shall call for written nominations for each position on the Executive. Each nomination form shall show the nominator and the consent of the nominee. The

Elections Committee shall circulate the list of nominations to the membership at least three working days prior to the Annual Meeting.

5. Election shall be by secret ballot.

6. Candidates must receive a majority of votes to be elected. If no candidate receives a majority vote on the first ballot, a second ballot between the candidates receiving the two highest number of votes shall be held.

ARTICLE VII – LIMITATION ON TERMS

1. If otherwise qualified, an individual may, following the completion of his or her initial term, be re-elected to the following Executive positions to the maximum number of additional terms, if any, specified below:

    a) President – to a maximum of five consecutive additional terms of one year each;
    b) where exceptional circumstances exist, a special meeting of the membership could be called to extend the term for a maximum of one (1) year.
2. For greater certainty, any prior term of service of any Executive Officer elected immediately following the coming into force of this By-Law shall be counted when calculating the number of terms of office to which such Executive Officer is entitled to be re-elected."

ARTICLE VIII - VACANCIES IN THE OFFICERS AND EXECUTIVE

1. If at any time the office of President shall become vacant, the Vice-President shall become President of the Association until the next Annual General Meeting.

2. If a position on the Executive Committee, other than that of President, shall become vacant, the Executive Committee shall appoint a member of the Association to serve until the next Annual General Meeting.

3. Such an appointment must be made within twenty VIU working days, excluding June 15 – August 15**,** from the time the office becomes vacant.

4. The appointment shall be subject to the approval of the membership by a simple majority vote at the next General Meeting.

5. If the membership disapproves of the appointment, an election shall be held at that General Meeting to fill the vacancy.

ARTICLE IX - REMOVAL OF OFFICERS

1. The membership may remove any elected Executive member by a Special Resolution.

ARTICLE X- FINANCES

1. The signing officers shall be any two of the Officers of the Association.

2. The Association has the power to borrow money if the loan is fully secured by investments owned by the Association. No debenture shall be issued without the sanction of a Special Resolution.

3. The Auditor should, where possible, be appointed by resolution at the Annual General Meeting. If the Auditor is not so appointed, he or she shall be appointed by resolution of the Executive.

4. Members may inspect the records and books of the Association at any time convenient both to the members and to the Secretary-Treasurer.

ARTICLE XI - MEETINGS

1. The Executive shall schedule at least one General Meeting between August 15 and December 31, and two General Meetings between January 1 and April 30, including the Annual General Meeting in April. At least two weeks' written notice shall be given of the Annual General Meeting.

2. A General Meeting of the Association may be called at any time by the Executive or on the demand of not less than twenty-five percent of the Full Membership by written notice served upon by the Secretary-Treasurer, stating the reason for calling the meeting.

3. Notice of a General Meeting must be given in writing to the membership at least three working days prior to the date of the meeting. This notice shall include a statement of the agenda or purpose of the meeting.

4. Special meetings on matters requiring the immediate attention of the members of the Association may be called by the Executive or twenty-five percent of the Full Membership. Written notice for a Special Meeting must be given to the membership at least twenty-four hours prior to the time of the meeting. This notice shall include the agenda or purpose of the Special Meeting; no additions to the agenda of the Special Meeting shall be allowed.

5. All matters of concern to the Association must be decided by a majority vote of those members present at a duly constituted meeting of the Association, except those matters in which a Special Resolution is called for.

6. A Special Resolution must be preceded by two weeks' written notice to the membership of such a Resolution, and must be decided by a 75% majority vote of those members present at the meeting, where the vote will be taken. The following matters shall be decided by Special Resolution:

a) Amendment to the Constitution or By-Laws
b) Expulsion of a member
c) Removal of an Officer
d) Any motion curtailing a right of membership

7. Voting shall be by show of hands unless twenty-five percent of the members at the meeting order that the vote be taken a) by secret ballot, or b) with a roll call vote.

8. Only Full Members shall be able to vote at meetings of the Association.

9. Absentee votes shall only be allowed at the direction of the Executive and only in the following circumstances:

    a) if the meeting is held between May 1 and August 16;
    b) if no provision is made to allow for the participation of members employed at remote campuses**;**
    c) in the case of a Special Resolution; or
    d) in the election of Officers.

10. Absentee votes must be given in writing to the President prior to the meeting, and each must specify to which vote it applies and be signed by the member. If the member is present when the vote is held, then the absentee vote is rescinded so that the member can vote in person.

11. Proxy votes are not permitted.

12. Meetings shall be conducted according to Robert's Rules of Order where they are applicable and not inconsistent with the Constitution and By-Laws of the Association.

ARTICLE XII - COMMITTEES

1. The operations of the Association shall be carried on by the Executive and such members of the Association who may be appointed to Committees.

2. The Contract Negotiating Committee shall:

    a) develop contract proposals concerning salary and conditions of employment; and
    b) oversee negotiations with the representatives of Vancouver Island University.

3. The Bargaining Committee shall, as required by the Executive, negotiate the renewal of the VIUFA Collective Agreement.

4. The Committee of Personnel Stewards shall:

    a) evaluate current policies and recommend new policies regarding faculty appointments, dismissals, promotions, tenure, leaves and work-loads;

b) assist the Chief Personnel Steward in carrying out the duties assigned to her/him by the Collective Agreement between the Association and Vancouver Island University, including:

   i. clarifying and interpreting the language of the collective agreement;
   ii. supporting members and acting as an advocate for members; and
   iii. making recommendations to the negotiating committee regarding the collective agreement.

5. The Professional Development Committee shall seek ways and means of providing meaningful experiences to the faculty that will promote intellectual growth and higher morale, thus leading to increased effectiveness in teaching.

6. The Status of Women Committee shall work to improve the Vancouver Island University environment by addressing issues of concern to women.

7. The Human Rights and International Solidarity Committee shall monitor the Vancouver Island University Human Rights and Harassment Policies and Procedures. It shall also identify and publicize local and international human rights and solidarity issues. The Committee will engage the University and regional campus communities in initiatives and events that promote diversity, protect equality, prevent discrimination, and educate on topics of social/global justice and peace. The HRIS Committee will liaise with campus groups and community organizations to support issues of mutual interest, and cooperate towards the preservation and enhancement of fundamental human rights on our campus, in our communities, and internationally.

8. The University Budget Analysis Committee Chair, working with his/her committee, and utilizing data available, will analyze budgetary and other financial decisions made by the University.

ARTICLE XIII- AMENDMENTS

1. The Constitution and By-Laws may be amended at any meeting of the Membership by Special Resolution.

2. Written or printed notice of proposed amendments to the Constitution or By-Laws shall be given to the Secretary-Treasurer and circulated to the membership at least two weeks before the date of the meeting at which such amendments will be considered.

ARTICLE XIV - QUORUM

1. At least twenty-five members shall constitute a quorum at all General or Special meetings of the Association membership. Business may be transacted only if a quorum is present.

2. At least 50% of the Association Executive, including the President or the President's designate, shall constitute a quorum at all meetings of the Association Executive. Business may be transacted only if a quorum is present.

3. Quorum for meetings of the Officers shall be three members, including at least two of the President, the Chief Personnel Steward and the Chair of the Contract Negotiating Committee. Business may be transacted only if a quorum is present.

ARTICLE XV - SEAL

1. The President and Secretary-Treasurer shall have custody of the seal of the Association which shall only be affixed in the presence of any two members of the Executive.