

GENERAL BY-LAW OF THE CORPORATION
MCGILL UNIVERSITY NON-ACADEMIC STAFF ASSOCIATION
(M.U.N.A.S.A.)

ASSOCIATION DU PERSONNEL NON ENSEIGNANT DE
L'UNIVERSITÉ MCGILL (A.P.N.E.U.M.)

BY-LAW NUMBER 1

PREAMBLE TO THE BY-LAWS:

These By-Laws contained herein shall govern the Association in all cases to which they are applicable and all other proceedings not herein specified shall be conducted in accordance with established parliamentary practice and procedure.

These By-Laws may be amended at any Association General Meeting by a majority vote, provided that notice of any proposed amendment be sent to all members at least one month in advance of the meeting, and that notice of at least 15 working days be given for such a General Meeting. For the purpose of amending the By-Laws, quorum shall be 10% of the total members of the Association.

REGULATION 1 – DEFINITION

EXECUTIVE COMMITTEE means the Board of Directors.

REGULATION 2 – AIMS AND OBJECTS

To be the official representative body vis a vis McGill University concerning all matters affecting its members.

REGULATION 3 – MEMBERSHIP

Membership shall be open to all non-academic staff at McGill University who are not included in a McGill bargaining unit for which an association has been certified under the Quebec Labour Code.

REGULATION 4 – EXECUTIVE COMMITTEE

In accordance with the upcoming modification of the existing Corporate Letters Patent, the Corporation shall be administered by a board composed of eight directors, also known in these by-laws as the Executive Committee. The Executive Committee shall be composed of the following officers:

Composition of the Board

President
Vice-President
Vice-President (Liaison)
Vice-President (Membership)
Treasurer
Secretary
Councillor (Faculty Departments)
Councillor (Non-Faculty Departments)

REGULATION 5 – ELECTION OF THE EXECUTIVE COMMITTEE

The Executive Committee of the Association shall be elected by secret mail ballot of the members of the Association to be completed on the last working day prior to the Annual General Meeting to be held in the month of January.

Provisional Directors

From the date of approval of these by-laws until the completion of the January 1995 elections, the provisional directors and their provisional titles shall be:

President	Trevor Garland
Vice-President	Jim McVety
Vice-President (Liaison)	Fran Langton
Vice-President (Membership)	Leo Kerklaan
Treasurer	Kathy Mayhew
Secretary	Simon Fulleringer
Councillor (Faculty Dept.)	Helen Mayer
Councillor (Non-Faculty Dept.)	Rosemary Campbell

REGULATION 6 – AFFILIATIONS

M.U.N.A.S.A. Inc. shall be a self-governing body and shall not be affiliated with any similar staff organization and/or trade union organizations.

REGULATION 7 – LANGUAGE

The By-Laws shall be available in both official languages of Canada.

All members shall have the right to conduct their business with the Association in either of the official languages.

REGULATION 8 – FEES

There shall be a monthly membership fee of \$14.00 for all members, usually payable by means of payroll deduction or by cheque. For new members deductions shall start on the first payday following commencement of membership.

The membership fees, by majority vote of the Executive Committee, may be increased during each calendar year by a percentage within the range of zero percent (0%) to a maximum of ten percent (10%), as deemed necessary by the Executive Committee to ensure MUNASA's sound financial condition.

REGULATION 9 – NORMAL DUTIES OF THE MEMBERS OF THE EXECUTIVE COMMITTEE

President: The Chief Officer of the Association. The duties include: to open meetings at the time at which the Association is to meet; to preside and preserve order at all General and Special Meetings; to enforce the By-Laws; to state and put to vote all questions which are regularly moved or arise in the course of proceedings and to announce the results of the vote; to supervise the functions of the Executive Committee; to be ex-officio member of all sub-committees of the Executive Committee; and in general to represent and stand for the Association in all things obeying its commands.

Vice-President: The Deputy-Chief Officer of the Association. The Vice-President shall be responsible for giving general assistance to the President. During any period when the President is absent or is for any other reason unable to perform the functions of the Office, those functions shall be assumed and performed by the Vice-President, provided also that at any period when the Office of President is vacant those functions shall be assumed and performed by the Vice-President only until such time not exceeding a lapse of two months or as election to the President is made.

Vice-President (Liaison): The duties of the Vice-President (Liaison) shall include receiving complaints and grievances from members of the Association, initiating the University Grievance Procedure, negotiating with the University Administration a solution to grievances approved by the Association, and communicating to the Executive Committee the progress, actions and decisions concerning such grievances during each stage of the negotiations.

Vice-President (Membership): The Vice-President (Membership) shall maintain contact with individual members of the Association in the various departments. The duties shall include: maintaining a list of active members, attracting new members, and signing and issuing membership cards.

Secretary: The Secretary shall be responsible primarily for summoning all Special and General Meetings of the Association; preparing and circulating the agenda showing the order of business of meetings; taking, preparing and circulating minutes of General and Special Meetings of the Association; and having custody of all official Association papers and correspondence.

Treasurer: The Treasurer shall be responsible for carrying out the financial transactions of the Association; the prompt depositing of all monies received in the Association's bank in the name of McGill University Non-Academic Staff Association and withdrawing such funds of the Association only as directed by the Executive Committee from time to time by cheque bearing his or her signature and the signature of the President or Vice-President; presenting a full detailed account of receipts and disbursements to the Executive Committee whenever requested; rendering the books and accounts of the Association for auditing at least once a year by an auditor appointed by the Executive Committee; and submitting to the Association certified statements and balance sheets for inspection and debate at the Annual Meeting and at such other times as may be specified by the Executive Committee.

Within 30 days of election of the Treasurer, a preliminary budget of projected income and expenditures must be presented to the Executive Committee for their approval.

Councillors: The two councillors, one from a department in a faculty, and one from a department not in a faculty, shall provide advice and assistance to the Executive Committee in meeting the goals of the Association. As officers without specific portfolios, they will be assigned to help out in specific areas as required by the Association from time to time.

REGULATION 10 – ELECTORAL PROCEDURES

1) *Election of Executive Officers*

- a) The Executive Committee of the Association shall appoint a Chief Returning Officer for the elections who shall oversee the election procedures and shall be responsible for setting up a volunteer committee to handle the scrutineering process and the counting of votes. The Chief Returning Officer may not be a candidate in the elections.
- b) Nominations shall be invited from the members of the Association commencing at least thirty working days prior to the Annual General Meeting. Working days shall be defined to be any day on which the University Administration Offices are open.
- c) Prescribed nomination forms shall be prepared by the Executive Committee and shall be available to all members.
- d) The closing date for receiving nominations shall be announced as part of the notice inviting nominations and shall be at least twenty working days prior to the Annual General Meeting.
- e) Nominations received after 1700 hours of the closing date shall not be entertained.
- f) The Chief Returning Officer shall validate the nominations and publicize them at least fifteen working days prior to the Annual General meeting, together with notice of the election procedures and mail ballots.
- g) The information to be circulated by the Chief Returning Officer on each nominee shall contain only the following:

NAME
DEPARTMENT
TELEPHONE NUMBER

A pensketch of 200 words or less to be provided by the nominee prior to the deadline for receiving nominations.

- h) Only members of the Association in good standing my place names in nomination.
- i) No members of the Association may propose or second more than one nominee for the same office.
- j) The persons nominated must be members of the Association in good standing and must be identified by name and department and must have agreed before-hand in writing to serve on the Executive Committee if elected.
- k) Nominations for Officers must be proposed and seconded and agreed to by at least 10 other members of the Association who will all have signed the nomination form and shall have identified themselves by name and membership number.
- l) After the closing date for nominations the names of all candidates duly nominated shall be printed on ballot papers.
- m) All members in good standing shall be eligible to vote in the elections.
- n) Ballots shall be opened and counted publicly at one time at the end of the voting period under the supervision of the Chief Returning Officer and the results announced at the end of the Annual General Meeting. The end of the voting period shall be 17:00 hours on the last working day prior to the Annual General Meeting.
- o) Ballots shall be considered spoiled if upon counting of the ballots the ballot paper is blank or if the ballot paper is not submitted or marked in accordance with the instructions of the Chief Returning Officer.
- p) Of the persons nominated for each office, the one gaining the most votes shall be declared the winner. In case of a tie a recount will be conducted and if the recount upholds the tie a new vote shall be taken as soon as possible between those persons only and all other nominees shall be dropped.
- q) If the margin if five or fewer for any office, there shall be an automatic recount for the office.
- r) Any person nominated who is not satisfied with the results of the vote may request a recount at the Annual General Meeting, and upon the request being granted by a majority vote of the meeting, the recount shall take place in the presence of the meeting and the members shall be permitted to inspect the ballots. The result shall be announced to the meeting and shall be the final result.

REGULATION 11 - VACANT POSITIONS ON THE EXECUTIVE COMMITTEE

When a position on the Executive Committee becomes vacant, the remaining members of the Executive Committee shall have the power to take on the duties.

REGULATION 12 – MEETINGS

1) *Annual and Special General Meetings*

- a) **Annual General Meeting:** The Association shall hold its Annual General Meeting in January of each year; the dates to be arranged by the Executive Committee. Notice of fifteen working days shall be given to all members.
- b) **Special General Meetings:** A Special Meeting may be called by the Executive Committee upon giving notice of seven days to all members.

The President must call a Special Meeting if requested to do so, in writing, by 50 members. This request must be activated within a period of twenty-one days with a notice of seven days to all members.
- c) **Minutes to be read at Annual and Special General Meetings:** The minutes to be read at Annual and Special General Meetings shall be the minutes of the last Annual or Special General Meeting.
- d) **Quorum at Annual and Special General Meetings:** In order to conduct the Association's business at any Annual or Special General Meeting, a quorum of at least 5% of the Association's members must be present.
- e) **Voting Procedure at Annual and Special General Meetings:** Any member in good standing shall have the right to vote at any Annual or Special General Meeting of M.U.N.A.S.A. Voting shall be by show of hands or by secret ballot as deemed appropriate by the Chair of the meeting. A secret ballot must be held if requested by a majority of the members present.

2) *Executive Committee Meetings*

- a) **Notice of Executive Committee Meetings:** Notice of meeting must normally be given to all members of the Executive Committee at least 24 hours before each Executive Committee Meeting. In urgent cases, the Executive Committee can agree to waive this minimum notice.
- b) **Quorum at Executive Committee Meetings:** Quorum for Executive Committee Meetings shall be 4.
- c) **Voting Procedure at Executive Committee Meetings:** All voting at Executive Committee Meetings shall be by show of hands with each member of the Executive Committee having one vote, except the Chair of the meeting. Except where otherwise specified in these by-laws, all votes shall be decided by simple majority, with the Chair of the meeting casting the deciding vote in case of a tie.

Members of the Executive Committee shall have the right to have their vote on a particular matter recorded in the minutes if they so request.

REGULATION 13 – MEMBERSHIP

1. Termination of Membership

- a) Members leaving the employ of the University shall automatically cease to be members, except where the member's employment has been terminated by the University and he wishes to contest his dismissal through M.U.N.A.S.A.'s grievance procedure.
- b) Members wishing to terminate membership for any reason whatsoever shall do so by giving notice in writing to the Association. Such notice shall be accompanied by the membership card. Upon receipt of the notice and membership card, the membership shall terminate.
- c) Members whose monthly subscriptions are in arrears for one month shall ipso facto cease to be members of the Association.
- d) Members expelled according to the By-Laws governing disciplinary procedures shall cease to be members of the Association.

2. Discipline of Members:

- a) Any member found guilty of contravening the By-Laws of this Association or of conduct prejudicial to the good name of the Association, may be suspended for a period not exceeding six months, or expelled from the Association, by a $\frac{3}{4}$ majority vote of the full Executive Committee. Any member disciplined shall have the right to appeal the decision before the general assembly.
- b) A member while under suspension shall continue paying his M.U.N.A.S.A. dues yet loses all the rights and privileges of a M.U.N.A.S.A. member and is not a member in good standing.
- c) A member under suspension who chooses to resign and who later wishes to be reinstated shall do so under the By-Laws covering the reinstatement of an expelled member.

3) Reinstatement of Expelled Members:

Any person who has been expelled from the Association may make a request for reinstatement to either the Executive Committee or the General Assembly.

REGULATION 14 – REMOVAL FROM OFFICE

1) Member of the Executive Committee

- a) If any member of the Executive Committee is alleged to have been delinquent in his duties and if a petition to remove said member from office is made by one-third of the members of the Executive Committee and submitted to the President, or, if the President is the member being removed from office, to the Vice-President, a motion for removal from office shall be inscribed on the agenda of the next Executive Committee meeting.

- b) On adoption of such a motion by a three-quarters majority of the full Executive Committee, the position shall be declared vacant.
- c) A petition to remove a member of the Executive Committee from office must be made by at least fifty percent (50%) of the membership of M.U.N.A.S.A. and be presented to the Executive Committee. The Executive Committee, upon verification of said petition, shall declare the position vacant.

REGULATION 15 – APPOINTMENT OF COMMITTEES

1) *Internal M.U.N.A.S.A. Committees*

- a) All M.U.N.A.S.A. internal committees shall report to the Executive Committee.
- b) Sub-committees shall be appointed by the Executive Committee by means of a majority vote of the Executive Committee members.

2) *M.U.N.A.S.A. Representation of External Committees*

All M.U.N.A.S.A. representatives who are to sit on committees external to M.U.N.A.S.A. shall be appointed by majority vote of the Executive Committee members.

REGULATION 16 – GRIEVANCE PROCEDURE

1. It shall be the right of all members of the Association who have been in good standing for at least three (3) months to seek support from M.U.N.A.S.A. in pursuing a grievance with the University.
2. The cases of members of the Association who have been members in good standing for less than three (3) months shall be considered at the discretion of the Executive Committee, and will normally be taken up only if a fundamental question of principle important to the Association is involved, or if the Executive Committee believes there are other valid reasons for taking up the case.
3. It shall be the responsibility of the Association to investigate as fully as possible all aspects of each potential grievance and to judge the validity of each grievance according to the following procedures:
 - a) Grievances on behalf of an individual member of the Association shall be investigated and approved or rejected by the two members of the Executive Committee assigned to the case, one of whom must be a Vice-President.
 - b) If an individual member wishing to file a grievance is not satisfied with the decision of the two members of the Executive Committee that have been assigned to the case, he or she may appeal the decision to the full Executive Committee.
 - c) All other grievances shall be investigated and approved or rejected by the Executive Committee.
4. Any Executive Committee members personally involved with a grievance shall be required to be absent from the Executive Committee meeting for all discussions or

voting on that grievance except when presenting testimony to the meeting concerning said grievance.

5. Once a grievance has been found valid by the Association, the Vice-President (Liaison) shall be responsible for following the University Grievance Procedure through to arbitration or settlement. During this process, the Vice President (Liaison) may, for legitimate reasons, refer the grievance back to the Executive Committee for a decision on whether the grievance should continue to be supported by the Association.
6. The Vice-President (Liaison) shall keep the Executive Committee advised of the developments and progress concerning each grievance.
7. The Vice-President (Liaison) may delegate his role in the Grievance Procedure for a particular grievance, in whole or in part, to another Executive Officer by agreement among the Executive Officers.
8. If the Vice-President (Liaison) is personally involved in a particular grievance, his role in the procedure must be assumed by another Executive Officer.

REGULATION 17 – PROCEDURAL AUTHORITY

In all matters that may arise that are not specifically covered in the Association By-Laws, the authority on procedures shall be Robert's Rules of Order.

REGULATION 18 – INTERPRETATION OF THE BY-LAWS

In all questions concerning the official interpretation of these By-Laws, the interpretation shall be based on the English version, English being the language in which the By-Laws were originally composed.

REGULATION 19 – DEFINITION OF THE TERM “WORKING DAY”

For the purpose of these By-Laws, the Term “working day” shall be defined to be any day on which the University Administration Offices are open.

DECLARATION

The preceding is the entire text of the By-Laws duly adopted by the Corporation.

President and/or secretary

By-Laws Adopted:

First Annual General Meeting 1995-01-22

Amendments to By-Laws:

Special General Meeting 1997-06-03 amendment to Regulation 8 (Fees), Para 1.