



LUFA CONSTITUTION

2024

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Article 1 NAME AND OBJECTIVES

1.1 Name

The name of the Association shall be the Laurentian University Faculty Association, referred to hereinafter as the Association or as LUFA.

1.2 Objectives

The purpose of the Association shall be to regulate relations between the employer and members of any bargaining unit represented by the Association and to serve as the exclusive bargaining agent of the members of those bargaining units. Further, the Association shall promote the defence and extension of the civil rights and liberties of academic and professional staff and the preservation and advancement of free democratic trade unionism.

1.3 Affiliations

To better serve its members and accomplish its objectives, the Association is an affiliate of the Canadian Association of University Teachers (CAUT) and the Ontario Confederation of University Faculty Associations (OCUFA). The Association may affiliate with other organizations whose objectives are broadly consistent with its own.

Article 2 OFFICIAL LANGUAGES

2.1 The official languages of the Association shall be French and English; every Officer of the Association may participate in its deliberations in either language. Any activity of, and any dealings with, the Association may be in either language.

2.2 Minutes for membership meetings shall be translated.

2.3 The French and English texts of this constitution are equally valid.

Article 3 MEMBERSHIP

3.1 All academic and professional staff who are employed in a bargaining unit for which the Association holds bargaining rights under the *Ontario Labour Relations Act*, save and except: those specifically excluded from being represented by the Association as identified in Article 2.15 of the Collective Agreement, and persons coming within the definitions set out in Section 1(3) of the Labour Relations Act of Ontario as amended. Sessional members on the roster shall continue to have membership in the Association.

3.2 Members in good standing are those who have paid any appropriate dues or fees.

3.3 The dues or fees for a member who is on long-term disability leave shall be waived during the term of leave and shall remain members in good standing.

3.4 Only members in good standing shall be eligible to vote and hold office.

Article 4 FEES

4.1 The mil rate used to determine LUFA fees shall be fixed from time to time by a simple majority vote of the Executive and a ratification vote by the membership. Fee changes shall normally become effective July 1.

4.2 Fees shall be applied to all income, stipends, and payments received by members, including but not limited to, settlement and arbitration awards.

4.3 The fees shall include membership in OCUFA and CAUT.

Article 5 MEETINGS

5.1 Meetings of the Association shall normally be held at the call of the Executive. A meeting of the Association may also be held at the request in writing to the Executive of at least thirty (30) members in good standing. Such a meeting shall then be held within three weeks of the receipt of the request.

5.2 General Meetings

- a) There shall be two general meetings held annually, normally one in the Fall term and one in the Winter term. Additional general meetings may be called by the Executive or by request of thirty (30) LUFA members.
- b) The Executive Officers shall deliver reports at every general meeting. At the Winter meeting, the financial statements and the draft budget for the fiscal year shall normally be presented.
- c) Notification of the date, location, and agenda for all meetings shall be circulated at least five (5) working days prior to the meetings. Normally, all motions to be debated and voted upon must be circulated in the form of a "Notice of Motion" at least one week prior to the meeting. However, motions may be brought forward from the floor if they are not substantive or have no financial implications.
- d) In exceptional circumstances, the Executive may call special meetings without abiding by the above notice requirements. The notice of the special meeting shall be within one calendar day. If necessary, in addition to email messages sent through the university's internal mail, alternative forms of notice to the members may be provided.

5.3 Quorum

- a) A quorum for the transaction of business at any general meeting shall be 25 members.
- b) Whenever a general meeting of the Association lacks a quorum, the Executive shall be charged with dealing with urgent matters. The Executive shall be responsible for reporting back to the membership on its actions at the next regular or special meeting.

Article 6 - EXECUTIVE COMMITTEE AND OFFICERS

- a) There shall be an Executive Committee responsible for carrying out the policies and furthering the purposes of the Association. The Executive Committee shall consist of the following officers elected by the membership: President; Vice-President, Internal; Vice-President, Legal; Secretary; Treasurer.
- b) The immediate Past President shall serve on the Executive ex officio.
- c) The term of office of the Executive Officers shall be three (3) years.
- d) The term of the Past President shall be three (3) years commencing immediately following the completion of the term as President.
- e) Each Officer shall assume office on July 1 of the year of election.
- f) Executive Officers shall not serve as Stewards.

Article 7 DUTIES OF THE EXECUTIVE COMMITTEE

7.1 The duties of the Executive Committee are as set out in the by-laws but shall normally include the following general duties.

7.2 President

The President shall, in consultation with the executive: serve as the official spokesperson for correspondence with all external bodies and the media and shall oversee the Association's dealings with affiliated organizations. In addition, the President shall oversee the political agenda of the Association and oversee the operation of the Association.

The President, in consultation with the executive: shall assist in ensuring academic policies are consistent with collective agreement obligations. As such, the President shall oversee the academic agenda of the Association and be the LUFA representative on all academic committees and bodies and shall serve as a point of contact for member questions about academic policies.

7.3 Vice President, Internal

The Vice-President, Internal, in consultation with the executive: shall encourage and facilitate member engagement with the Association, oversee the implementation and review of policies, and plan social events. The Vice-President, Internal shall also be responsible for organizing and overseeing activities in the event of a strike/lockout. The Vice-President, Internal shall also be LUFA's point person for liaison with student bodies.

The Vice-President, Internal shall perform the duties of the President in their absence. In cases of vacancy, the Vice President, Internal shall succeed to the office of President until the election of a new President.

7.4 Vice President, Legal

The Vice President, Legal shall, in consultation with the executive: serve as the spokesperson of the Association on legal matters and shall oversee the legal files of the Association, including grievances, memorandum of agreements, labour board files, and other legal proceedings and shall liaise with legal counsel.

7.5 Secretary

The Secretary, in consultation with the executive: shall issue notices and agendas for meetings of the Association, record the minutes of these meetings and shall oversee the elections of the Association.

7.6 Treasurer

The Treasurer shall, in consultation with the executive be responsible for the care and custody of the funds and assets of the Association, including investments, accountant reviews, annual budgets and payments. The Treasurer shall also be responsible for exploring revenue-generating opportunities for the Association.

Article 8 BOARD AND STEWARDS

8.1 There shall be a Board of the Association that shall serve as a liaison for the Executive Committee and members within their faculty and will be responsible for determining the policy of the Association and the approval of By-laws, subject to the provisions of the Constitution.

8.2 Board Representatives shall consist of:

- a) the Executive Officers of the Association;
- b) Steward Representatives elected from each Faculty;
- c) 1 sessional member elected by the Sessional Members;
- d) and, 1 professional officer elected by the Professional Members.

8.3 Steward Representatives are elected from each Faculty as defined in the Bylaws.

Faculty as defined by the Collective Agreement for the Faculty Personnel Committees shall be entitled to the following number of Steward Representatives based on the number of full-time Association members in the sub-unit at the time of election:

- a) At least 5 but fewer than 100 members: 1 Representative.
- b) At least 100 but fewer than 200 members: 2 Representatives.
- c) 200 or more members: 3 Representatives

8.4 Faculties with fewer than five full-time members shall be appointed to another Faculty for the purpose of determining representation numbers in 8.3, and for the purposes of eligibility for holding office.

8.5 Stewards shall be elected by the members of the Association of their respective Faculty for a term of three years beginning on July 1 of their year of election.

8.6 The Board shall normally shall meet at least four times per academic year.

8.7 A quorum for meetings shall consist of a majority of the Members of the Board.

Article 9 DUTIES OF THE STEWARDS

9.1 The duties of the Stewards are as set out in the by-laws but shall normally include the following: understanding the Collective Agreement, attending training, managing grievance procedures, maintaining confidentiality, and engaging with members. They are also responsible for attending meetings, handling new member applications, and ensuring proper documentation and communication. Their activities are overseen by the Vice President, Legal.

Article 10 FINANCES

The receipt and disbursement of Association funds shall be the responsibility of the Executive Committee but shall be overseen by the Treasurer. The signing officers for the Association shall be the Executive Officers and the Treasurer, two signatures being required on all payments. The Treasurer shall normally present a proposed budget at the winter membership meeting.

The fiscal year of the Association shall be July 1st to June 30th.

Article 11 ELECTIONS

11.1 Elections

- a) Executive Officers shall be elected by the membership of the Association. Board members shall be elected by the constituent group in which they belong. Executive Officers normally shall serve a 3-year term, and Board members normally shall serve 3-year term. In a

negotiation year, where bargaining extends past the term of Executive officers, the terms of office shall extend until one month after the ratification of an agreement.

- b) When elections are required, Executive Officers and Board Members shall be elected to Office by a secret ballot conducted at a winter general membership meeting.
- c) All elective offices of the Association shall be filled by a majority of ballots cast by the members.
- d) A written call for nominations shall be made by the Secretary no later than twenty (20) working days prior to the election.
- e) Notice of the election shall be sent at least ten (10) working days prior to the vote being taken, by written notice of the day, time and place, together with the list of nominations.

11.2 Term of Executive Officers and Board Members

Terms of office shall normally be three (3) years. To ensure continuity President, Secretary, and Treasurer shall serve the same term; the Vice Presidents shall serve the same term.

11.3 Vacancies and Replacements

If an elected Executive Committee or Board position is not filled by regular election, a second call for nomination will be issued. If the position remains vacant, the Executive may appoint a member to hold office.

If an elected Executive Committee or Board position falls vacant before the expiry of a normal three-year term, the Executive may reassign the responsibilities of that office to another member of the Executive Committee if the remainder of the term is less than a year. If the remaining term is greater than a year, the Executive shall call an election to fill the vacant position.

11.4 Removal from Office

Should an Officer fail to answer the roll-call for two (2) consecutive regularly scheduled general membership meeting, Board meeting or Executive meeting, without good and sufficient cause as determined by the Executive, then the position occupied by the Officer shall be deemed to be vacant and shall be filled.

Article 12 NEGOTIATIONS

- 12.1** The Executive Committee shall establish the negotiating team including the appointment of a Chief Negotiator. The Executive Committee shall be responsible for supervising the work of the negotiating team and approving bargaining positions and strategies recommended by the negotiating team.

12.2 Chief Negotiator

The duties of the Chief Negotiator are as set out in the by-laws but shall normally include the following general duties. This role includes representing the Association during collective bargaining processes, acting as the chair of the Negotiating Team, ensuring that members of the negotiation team receive adequate training and instruction to fulfill their duties effectively, and maintaining regular communication with the Executive Committee about the activities and progress of the negotiating team and seeking approval from the Executive as required.

The position requires knowledge of the LUFA Collective Agreement and also requires advanced negotiating, problem-solving, analytical, written and verbal communication, interpersonal, conflict resolution and leadership skills.

The Executive may appoint co-negotiators.

12.3 Duties of the team

The duties of the Negotiation team are as set out in the by-laws but shall normally include the responsibility for developing the collective bargaining demands for the Collective Agreement for approval by the Executive, soliciting input from members and working with the Executive on initial proposal language.

Any collective agreement proposed by the Association shall be generally consistent with the guidelines published from time to time by the Canadian Association of University Teachers (CAUT).

Article 13 POLICIES AND BYLAWS

Policies and bylaws come into effect once ratified by the Board. A complete list of Association policies and bylaws shall be kept in the Association Office as well as on the Association website www.lufappul.ca.

Article 14 INDEMNIFICATION

14.1 LUFA shall indemnify and save harmless, out of LUFA funds, every director, officer, or employee of the association, or other person who has undertaken or is about to undertake any liability on behalf of LUFA or any organization controlled by it, and their heirs, executors and administrators, and estate and effects respectively, from and against:

- a)** all costs, damages, charges and expenses which a director, officer, employee or other person sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against them, or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by them, in or about the execution of the duties of their office or in respect of any such liability;
- b)** all other costs, damages, charges and expenses which a director, officer, employee or other person sustains or incurs in or about or in relation to LUFA affairs; except such costs, damages, charges or expenses as are occasioned by willful neglect or default.

14.2 LUFA may purchase and maintain such insurance for the benefit of its directors, committee members, and staff as the Board of Directors may from time to time determine.

Article 15 AMENDMENTS

15.1 Notice of proposed amendments to the Constitution shall be distributed in writing by the Secretary to members at least two weeks before the next meeting.

15.2 A majority of two-thirds (2/3) of the votes cast shall be required to bring the proposed amendments into effect.

Approved at membership meeting on May 15, 2024.