



DOUGLAS COLLEGE
FACULTY ASSOCIATION

FPSE Local 4

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DOUGLAS COLLEGE FACULTY ASSOCIATION

CONSTITUTION AND BY-LAWS

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DOUGLAS COLLEGE FACULTY ASSOCIATION

CONSTITUTION

1. The name of the Union is "Douglas College Faculty Association," hereinafter referred to as the Association.
2. The purposes of the Association are as follows:
 - (a) To promote, maintain, and defend independence of thought and teaching; and to promote the welfare and professional interests of its members.
 - (b) To seek certification as a trade union, to hold certification, to regulate relations between employers and employees through collective bargaining, to conclude, revise, and terminate collective agreements and, in particular, but without restricting the generality of the foregoing, to function as a trade union pursuant to the laws of the Province of British Columbia.
 - (c) To advise its members on questions of mutual concern to its members and the administration of the College.
 - (d) To cooperate with other bodies whose interests are similar, in particular with provincial, national and international associations of college and university faculties.
 - (e) To represent the views of its members on committees, boards, and other bodies responsible for decisions affecting education in the community.
 - (f) To deal with other matters considered to be in the interest of the Association or its members.
 - (g) To seek affiliation with local, provincial, national and international labour organizations when deemed appropriate.
3. The operations of the Association are to be carried on chiefly in the college region of Douglas College in the Province of British Columbia. Where necessary, the Association also operates provincially, nationally and internationally. This provision is alterable.

DOUGLAS COLLEGE FACULTY ASSOCIATION

BY-LAWS

ARTICLE 1 - MEMBERSHIP

1. Membership shall be in one of three classes: Full Member, Retired Member, or Honorary Life Member.
 - 1.1 Full Membership is open to all regular, temporary and contract faculty of Douglas College as specified in the Certificate issued by the Industrial Relations Council to the Association.
 - 1.1.1 A Full Member in good standing shall be a voting member.
 - 1.1.2 The annual subscription for a Full Member shall be a percentage of that member's gross salary from Douglas College. The amount and method of payment shall be determined by the Membership at a General Meeting.
 - 1.1.3 A Full Member loses his/her good standing if his/her subscription for the current membership period has not been made.
 - 1.1.4 Full Membership in the Association shall be automatic for any employee who is eligible under By-Law 1.1 (above) except where the employee advises the President of the Association, in writing, that s/he does not wish to be a member, or where the employee has been expelled under By-Law 10.1 (e).
 - 1.2 A Full Member's name shall be struck from the Register of Members if s/he ceases to be a faculty member of Douglas College, except as allowed under By-Law 1.2.1 and 1.2.2.
 - 1.2.1 Temporary cessation of employment at Douglas College shall not disqualify any member unless that member continues to be unemployed for longer than one semester consecutively. Laid off faculty with recall rights are eligible to maintain membership for as long as the recall rights persist. Notice of intent to remain a member under this clause must be given in writing to the Secretary-Treasurer. In such a case, membership dues are not required.
 - 1.2.2 A faculty member who is on full-time leave without pay shall have his/her membership maintained for a period of two years from the commencement of the leave. In such a case, membership dues are not required. Thereafter, dues of \$100 per year are required to maintain membership until the leave terminates or the faculty member ceases employment at Douglas College. Notice of intent to remain a member under this clause must be given in writing to the Secretary-Treasurer.

- 1.3 Honorary Life Membership may be granted to anyone the Association wishes to honour for outstanding service to the Association.
 - 1.3.1 An Honorary Life Member shall be entitled to attend any meeting of the Association.
 - 1.3.2 An Honorary Life Member shall be exempt from all subscriptions.
 - 1.3.3 An Honorary Life Member shall be a non-voting member and shall not be counted towards quorum.
- 1.4 A retiring member shall notify the Association of his/her interest in becoming a Retired Member.
 - 1.4.1 A Retired Member shall be entitled to attend any meeting of the Association.
 - 1.4.2 A Retired Member shall be exempt from all subscriptions.
 - 1.4.3 A Retired Member shall be a non-voting member and shall not be counted towards quorum.

ARTICLE 2 - RESPONSIBILITIES OF MEMBERS

2. The responsibilities of a member shall include the following:
 - 2.1 Adherence to Association Policy that is established by duly passed resolutions of the General Membership.
 - 2.2 Fulfilment of the faculty member's contractual obligations.
 - 2.3 Observance of the Constitution and By-Laws of the Association.
 - 2.4 Maintenance of confidentiality where appropriate to, and in accordance with, specific processes and matters related to the Association's business.
 - 2.5 In addition, no member shall act as a member of the employer's negotiating committee in negotiations with a certified union or association representing employees of Douglas College.
 - 2.6 In the case of a DCFA picket line, it is assumed that no faculty member will cross that line. In the event that a faculty member does decide to cross the picket line, the penalty shall be a fine equal to the wages earned by such action. Monies collected by this procedure shall be paid to the DCFA to be forwarded to the DCFA Bursary held by the Douglas College Foundation.
 - 2.7 A faculty member shall not cross a picket line established to defend union rights or to improve wages and working conditions.

ARTICLE 3 - MEETINGS

- 3.1 A meeting shall be deemed to include any off-site locations by way of teleconference or video-conference.
- 3.2 The Annual General Meeting shall be held in April or May.
- 3.3 In addition to the AGM, at least four General Meetings shall be held per academic year.
- 3.4 Other General Meetings of the Association may be called at the discretion of the Executive Council.
- 3.5 The Executive Council shall call such a General Meeting upon receipt of a petition to call such a meeting signed by at least ten percent (10%) of the voting members of the Association.
- 3.6 Executive Council shall give members of the Association at least fourteen (14) calendar days' notice of a General Meeting of the Association. Notification shall be deemed to have been given upon receipt of said notice by the Ombudsperson.
- 3.7 The notice of meeting must so state if any of the following items are to be acted upon at a General Meeting:
 - 3.7.1 Any Special Resolution, as per By-Law 10.1. Where alteration or addition to the Constitution and By-Laws is being proposed as per By-Law 10.1 (c), the wording of the proposed changes shall also be given to members at least fourteen (14) calendar days in advance of the meeting.
 - 3.7.2 Election of Table Officers and or Replacement Officers.
 - 3.7.3 Changes in assessments under By-Law 10.1 (a).
- 3.8 The quorum at a General Meeting shall consist of Forty (40) Members.
- 3.9 Meetings shall be chaired by the President or his/her designate; the Association's Secretary-Treasurer or his/her designate shall record the Minutes.
- 3.10 Meetings shall be governed by Robert's Rules of Order, revised.
- 3.11 Vote counting shall be governed by Robert's Rules of Order, revised (that is, to pass, a motion must win a simple majority of votes cast, excluding abstentions, blank or spoiled ballots), except in the matter of Special Resolutions (see Article 10).
- 3.12 Voting by proxy shall not be allowed at the General Meeting.
- 3.13 Absentee voting shall not be allowed at the General Meeting.

ARTICLE 4 - EXECUTIVE COUNCIL

4. The Executive Council of the Association is responsible to the General Membership for conducting the business of the Association between General Meetings. Further, the Executive Council is responsible for providing overall direction and leadership to the Association; for ensuring that Table Officers fulfill their mandates and use their time releases effectively; and for ensuring that all DCFA committees and positions are filled by appointment or election, as appropriate. In meeting these responsibilities, the members of the Executive Council will abide by the principle that all agreements between the Association and another party, excluding grievances, that enforce or impair an action, shall be in writing and shall be voted on and approved by the Executive Council and/or the General Membership. Such agreements include but are not limited to arbitrations, DCFA legal matters, and agreements with the employer or other parties.

4.1 The Executive Council shall meet at least once per month from September to June.

4.2 Voting members of Executive Council shall be:

4.2.1 The Association President

4.2.2 The Association Vice-President Stewardship

4.2.3 The Association Vice-President Negotiations

4.2.4 The Association Secretary-Treasurer

4.2.5 The Association Member-at-Large

4.2.6 One (1) Contract faculty representative to be elected by contract faculty

4.2.7 One (1) Executive Council representative elected from each of the following constituencies:

(a) Faculty of Commerce & Business Administration (C&BA)

(b) Faculty of Applied Community Studies (ACS)

(c) Faculty of Health Sciences (HS)

(d) Faculty of Humanities & Social Sciences (HSS)

(e) Faculty of Language, Literature & Performing Arts (LLPA)

(f) Faculty of Science & Technology (S&T)

(g) Student & Learning Services (Counsellors, Librarians, Accessibility Services, Continuing Education, and the Training Group)

4.3 Constituency members may elect an alternate Executive Council representative; each constituency shall still have only one vote.

- 4.4 Non-voting members of the Executive Council shall include the Past-President, for a period of one (1) year after leaving office, and the Ombudsperson.
- 4.5 Any changes to the number of constituency representatives and/or the constituency groups represented by each representative shall require a Special Resolution, as per By-Laws 10.1 (c) and (d).
- 4.6 Executive Council meetings may be observed by any member in good standing. However, the Executive Council may hold all or part of any meeting in-camera in order to discuss confidential negotiations or personnel matters. The Ombudsperson may observe such in-camera meetings.
- 4.7 A quorum of the Executive Council shall be sixty percent (60%) of voting members.
- 4.8 The Douglas College Faculty Association shall exempt and save harmless each Executive Council Member from a liability action arising from the performance of his/her duties for the Association. The Douglas College Faculty Association shall assume all costs, legal fees, and other expenses arising from any such action.

ARTICLE 5 – TABLE OFFICERS

5. The Table Officers of the Association shall be as follows:

- (a) President
- (b) Vice-President Negotiations
- (c) Vice-President Stewardship
- (d) Secretary-Treasurer
- (e) Ombudsperson
- (f) Member-at-Large

5.1 **President** – The President is responsible for managing, planning, integrating and coordinating the activities of the Douglas College Faculty Association (hereafter referred to as the DCFA). The President is responsible for implementing policy and objectives set by the membership at General Meetings within specified budgetary constraints. The President is spokesperson for the DCFA to Douglas College and other external agencies and groups.

The duties of the President shall be as follows:

5.1.1 To represent the Association as official spokesperson.

5.1.2 To call and chair General Meetings and to chair Executive Council Meetings of the Association, except that, at the Annual General Meeting, s/he shall vacate the chair in favour of another Table Officer during the debate and voting on his/her re-election.

- 5.1.3 To ensure that the Executive Council carries on the business of the Association between meetings and that matters of interest are reported to the members.
- 5.1.4 To be an *ex-officio* member of all Association committees except the Elections Committee.
- 5.1.5 To represent the Association on the Labour Management Relations Committee of the College.
- 5.1.6 To receive, in the name of the Association, all grievances initiated by the College.
- 5.1.7 To ensure that there is an annual review of the Constitution and By-Laws of the Association and that any recommendations are placed on the agenda of the Annual General Meeting.
- 5.1.8 To assist other Table Officers, by mutual agreement, and as workload dictates.

- 5.2 **Vice-President Negotiations** – The primary role of the Vice-President Negotiations is to develop proposals for Collective Agreement negotiations and to facilitate and manage negotiations.

The duties of the Vice-President Negotiations shall be as follows:

- 5.2.1 To be a member of the Contract Committee and to act as the Committee's Co-Chair.
- 5.2.2 To lead and be chief spokesperson for the Bargaining Team during negotiations with the College.
- 5.2.3 To temporarily assume the duties of the President if appointed to do so under Article 9.1.
- 5.2.4 To assist other Table Officers, by mutual agreement, and as workload dictates.

- 5.3 **Vice-President Stewardship** – The Vice-President Stewardship ensures that the provisions of the Collective Agreement are adhered to by the Employer, in addition to fulfilling specified administrative responsibilities on behalf of the DCFA.

The duties of the Vice-President Stewardship shall be as follows:

- 5.3.1 To coordinate the activities of the Area Stewards and report on such activities to the Executive Council.
- 5.3.2 To oversee the processing of all grievances against the College.

- 5.3.3 To be a member of the Contract Committee and to act as the Committee's Co-Chair.
- 5.3.4 To temporarily assume the duties of the President if appointed to do so under Article 9.1.
- 5.3.5 To ensure appropriate representation of members involved in potential disciplinary complaints and investigations.
- 5.3.6 To assist other Table Officers, by mutual agreement, and as workload dictates.

5.4 **Secretary-Treasurer** – The Secretary-Treasurer acts as the chief financial officer of the DCFA, ensuring that the administrative and financial operations of the DCFA are enacted in a responsible and beneficial manner.

The duties of the Secretary-Treasurer shall be as follows:

- 5.4.1 To ensure that the membership is advised of meetings in accordance with the By-Laws.
- 5.4.2 To take and have custody of the Minutes of proceedings of General Meetings and of Executive Council meetings.
- 5.4.3 To prepare and have the custody of the financial records of the Association.
- 5.4.4 To prepare the draft annual budget for presentation to the regularly scheduled General Meeting prior to the Annual General Meeting.
- 5.4.5 To prepare the balance sheet and statement of income and expenditures for the Annual General Meeting.
- 5.4.6 To be a member of the Operations and Finance Committee and to act as the Committee's Chair.
- 5.4.7 To constitute a Defence Fund Payments Committee in the event or likelihood of a strike, lockout or third-party dispute.
- 5.4.8 To prepare and have custody of the membership lists of the organization.
- 5.4.9 To assist other Table Officers, by mutual agreement, and as workload dictates.

5.5 **Ombudsperson** - The Ombudsperson is an independent, elected Officer of the Association who receives and investigates complaints about alleged unreasonable action and abuse of office, and facilitates conflict resolution between members of the Association.

Except for private conflict resolution discussions, reports and recommendations of the Ombudsperson shall be open to the members.

The duties of the Ombudsperson shall be as follows:

- 5.5.1 To investigate complaints concerning the action of any committee of the Association, except the Executive Council, made to him/her by a member of the Association and, where s/he is unable to satisfy the complainant, to report his/her recommendations therein to the Executive Council.
- 5.5.2 To investigate complaints concerning the action of the Executive Council made to him/her by a member of the Association and, where s/he is unable to satisfy the complainant, to report his/her recommendations therein to a duly called meeting of the Association.
- 5.5.3 To ensure the meetings of the Association and of the Executive Council are duly called and constituted.
- 5.5.4 To facilitate conflict resolution between members of the Association.
- 5.5.5 To assist with Constituency Representative elections, as and when directed by the Executive Council.
- 5.5.6 To perform other duties as prescribed elsewhere in the By-Laws.
- 5.5.7 To attend all Executive Council meetings and all General Meetings of the Association as a Non-Voting member. In the event that the Ombudsperson is unavailable to attend either an Executive Council meeting or a General Meeting of the Association, s/he shall arrange for a former Table Officer to serve at that meeting as a replacement for her/him, and notify the President of the Association of the replacement. The Ombudsperson may attend Table Officer meetings as an observer, as time and interest allows.

5.6 **Member-at-Large**

- 5.6.1 The Member-at-Large is an elected Table Officer of the Association who shall primarily assist the DCFA VP Stewardship with their duties but may also assist the President, and VP Negotiations in carrying out their duties.
- 5.6.2 The Member-at-Large shall assist with coverage for vacations and PD of the Table Officers.

5.7 **Duty to Report** – The Table Officers, along with any other members who, from time to time, receive time release for union activities, shall prepare written reports of their activities for each Executive Council meeting.

5.8 **Overloads** – In principle that Table Officers shall not accept work overloads during their terms of office.

5.9 **Vacation and Professional Development** – Table Officers are responsible for scheduling their own vacation and professional development entitlements in mutual

agreement with other Table Officers. No pay out of unused vacation and/or professional development allotment is allowed.

ARTICLE 6 - DUTIES OF THE OTHER MEMBERS OF THE EXECUTIVE COUNCIL

- 6.1 **Past-President** - The duties of the Past-President shall be as follows:
- 6.1.1 To act as an advisor to the President for a period of one (1) year following the election of a new President.
 - 6.1.2 To serve as a non-voting member of the Executive Council for a period of one (1) year following the election of a new President.
 - 6.1.3 To perform such duties as may be assigned to him/her by the President or the Executive Council.
- 6.2 **Constituency Representatives** - The duties of Constituency Representatives shall be as follows:
- 6.2.1 To serve as members of the Executive Council and to represent their constituencies on the Executive Council.
 - 6.2.2 To represent the Executive Council to their constituencies and to report to the constituency on the business of the Association and other matters.
 - 6.2.3 To chair or to serve on committees as required by the President or Executive Council.

ARTICLE 7 - AREA STEWARD SYSTEM

- 7.1 The number and composition of Area Steward positions shall accord with constituencies established in By-Law 4.2. The Executive Council may seek additional Area Steward positions, as circumstances require, by recommending adjustments no later than at the first Fall General Meeting. Adjustments are subject to ratification by the General Membership.
- 7.2 Representatives shall be elected by their constituents for a two (2) year period in the Spring, and shall serve on the Contract Committee as both Area Stewards and negotiations representatives. Constituency members may elect an alternate Area Steward; each constituency will still have only one vote.
- 7.3 The duties of an Area Steward shall be as follows:
 - 7.3.1 To represent the interests of the area members by processing the informal stages of grievances and by acting as an advocate on behalf of the area members in grievances and complaints.
 - 7.3.2 To act as an official representative of the Association by performing the duties described in By-Law 7.3.1 (above) in his/her area.
 - 7.3.3 To serve as a member of the Contract Committee.

ARTICLE 8 - ELECTIONS

- 8.1 Eligibility to Serve as Table Officer
 - 8.1.1 Only Regular Faculty members shall be eligible to serve as a Table Officer.
- 8.2 Term of Table Officer
 - 8.2.1 The term of a Table Officer shall be for a period of two (2) years and shall commence on the 1st day of September that immediately follows the Table Officer elections.
 - 8.2.2 Biennial elections for the Table Officer positions of President, Vice-President Stewardship, and Ombudsperson shall be held in odd-numbered calendar years.
 - 8.2.3 Biennial elections for the Table Office positions of Vice-President Negotiations, Secretary-Treasurer, and Member-at-Large shall be held in even-numbered calendar years.
 - 8.2.4 The announcement of the Table Officers election results shall occur at the end of the AGM.
 - 8.2.5 The voting period for Table Officer elections set out in Articles 8.2.2 and 8.2.3 shall be determined by the Elections Committee.
 - 8.2.6 The Table Officer elections voting period must run for a period of three (3) to five (5) consecutive days as determined by the Elections Committee and shall conclude on the day before the AGM.
 - 8.2.7 By-elections of replacement Table Officers shall be held in accordance with Article 8.5.

8.2.8 A person shall not serve more than three (3) consecutive full terms as a Table Officer in the same position. A person who serves as a Table Officer in a replacement or interim capacity for less than a full term still may serve for another three (3) consecutive full terms as a Table Officer.

8.3 Table Officer Nominations

8.3.1 At least fifty-six (56) calendar days before the AGM, the Executive Council shall notify the Chair of the Elections Committee of:

- The Table Officer positions that shall be contested in the election, and
- The time release recommended by the DCFA Time Release Committee for each of the Table Officer positions as specified in Article 12.

8.3.2 At least forty-two (42) calendar days before the AGM, the Elections Committee shall open the nomination process. Nominations for Table Officer positions shall be accepted by the Elections Committee up until twenty-eight (28) calendar days before the AGM.

8.3.3 Nominations for Table Officer positions must be in writing and set out the following information:

- The name and department of the Regular faculty member being nominated,
- The position for which the Regular faculty member is being nominated,
- The consent of the Regular faculty member being nominated, and
- The names and departments of the two (2) DCFA members who support the nomination

8.3.4 At least twenty-one (21) calendar days before the AGM, the Elections Committee shall instruct the DCFA office manager to:

- Post on the DCFA website a notice setting out
 - the names, departments, and candidate statements of the nominated candidates, and
 - the names and departments of the nominators for each Table Officer position, and
- Send a faculty wide e-mail informing all members of
 - the names, departments, and candidate statements of the nominated candidates, and
 - the names and departments of the nominators for each Table Officer position.

8.3.5 Candidates shall not begin their advertising campaigns for the Table Officer elections until after the names of the nominated candidates have been posted on the DCFA website.

8.3.6 At least seven (7) days before the AGM, the Elections Committee shall hold a Candidate Forum for all contested Table Officer positions. The Candidate Forum shall be held during a scheduled meeting block and the exact date, time and format of the Candidate Forum shall be at the discretion of the Elections Committee after consultation with the candidates.

8.4 Table Officer Elections – Voting Rules and Procedures

In this article, “simple majority” shall mean more than fifty percent (50%) of the total votes cast. The term “total votes cast” shall not include abstentions or spoiled ballots.

8.4.1 Every member of the Association in good standing is eligible to vote in a Table Officer election.

8.4.2 Table Officer elections shall be conducted by secret ballot.

8.4.3 The vote for Table Officer elections shall be held by online voting. In extenuating circumstances, the Elections Committee may conduct in-person voting at the AGM if both the Elections Committee and the Executive Council mutually agree to do so.

8.4.4 Proxy voting is prohibited.

8.4.5 The software used for online voting shall be reviewed every five (5) years, or as needed. The Elections Committee is responsible for determining the operational and security requirements for the online voting software. The Executive Council is responsible for selecting and purchasing (or subscribing to) software that meets the requirements of the Elections Committee.

8.4.6 Each candidate may select one (1) scrutineer to oversee the opening and closing of the online voting, the counting of the online votes, and/or the counting of the in-person balloted votes at the AGM. Scrutineers will not share election results until after the official announcement is made. The Elections Committee may take necessary actions including removal against any scrutineer who, in the opinion of the Elections Committee, is disrupting the election procedures.

8.4.7 If only one (1) candidate is nominated for a Table Officer position, then a ratification vote shall be required to approve or reject the candidate. The unopposed candidate shall be acclaimed to the position by receiving a simple majority of approval votes. If the unopposed candidate does not receive a simple majority of approval votes, then the Elections Committee shall conduct a By-election for that position. The candidate who did not receive a simple majority of approval votes in the ratification vote is allowed to be a candidate in the By-election.

- 8.4.8 If two (2) candidates are nominated for a Table Officer position, then the candidate that receives a simple majority of the total votes cast will be declared the winner. In the event of a tie vote there will be a runoff election between the two tied candidates (see 8.4.10). Notwithstanding 8.2.4 the election results of the tied vote shall be announced in advance of the AGM.
- 8.4.9 If three (3) or more candidates are nominated for a Table Officer position, then ranked ballots will be used and the winner will be determined through an instant runoff procedure as follows:
- Voters will rank each of the candidates on their submitted ballots as their 1st, 2nd, 3rd choice and so on.
 - The ballots are counted and the number of first (1st) choice votes for each candidate is recorded (the number of votes for each candidate is in the candidate's "vote total").
 - a candidate who receives a simple majority of the first (1st) choice votes shall be declared the winner.
 - if no candidate receives a simple majority of the first (1st) choice votes then the following procedure applies:
 - the candidate with the lowest number of first (1st) choice votes is eliminated. If multiple candidates are tied with the lowest number of first (1st) choice votes, then all of them are eliminated.
 - each ballot in which an eliminated candidate is the first (1st) choice vote shall be counted and the second (2nd) choice votes shall be added to the vote total of the remaining candidates.
 - if a candidate receives a simple majority of total votes cast at this stage, then the candidate will be declared the winner.
 - if there is still no declared winner then the candidate(s) with the lowest vote total is eliminated.
 - the votes on the ballots cast for the most recently eliminated candidate(s) are then re-tabulated and the votes reassigned so that the vote from the ballot is added to the vote total of the remaining candidate who is ranked highest on the ballot.
 - this process shall be repeated until a candidate obtains a simple majority of the total votes cast.
 - if at any point during the procedure described above, a candidate receives a simple majority of the total votes cast then that candidate shall be declared the winner.

- if at any point during the procedure described above, all remaining candidates have the same vote total, then the election is declared a tie. A runoff election between the remaining candidates shall occur (see 8.4.10). Notwithstanding 8.2.4 the election results of the tied vote shall be announced in advance of the AGM.

8.4.10 A runoff election shall begin within three days of the announcement of the results. Run off elections will be conducted online and last for three to five days. If the runoff election results in a tie another runoff election will be conducted following the same procedures.

8.5 Table Officer By-elections

8.5.1 The Elections Committee shall conduct a By-election to fill a vacancy created by the resignation, removal or incapacity of a Table Officer.

8.5.2 The Elections Committee shall conduct a By-election if an unopposed candidate is not acclaimed to the position pursuant to the requirements of Article 8.4.7.

8.5.3 A By-election shall be conducted by online voting and in accordance with the same nomination procedures and voting rules set out in Articles 8.2 and 8.3.

8.5.4 The By-election timelines may be compressed to allow a Replacement Table Officer to assume the position at an earlier date provided there is mutual agreement to do so by both the Elections Committee and the Executive Council. If the By-election timelines are compressed, then the Executive Council must clearly communicate this By-election change to the general membership at the same time as the call for nominations.

8.5.5 In extenuating circumstances, the Elections Committee may conduct in-person voting at a General Meeting provided there is mutual agreement to do so by both the Elections Committee and the Executive Council.

8.5.6 The Elections Committee may conduct a Table Officer By-election in conjunction with a regular Table Officer election provided there is mutual agreement to do so by both the Elections Committee and the Executive Council.

8.5.7 **Resignation, Removal or Incapacity of Table Officer**

If a Table Officer position becomes permanently vacant for any reason including resignation, removal from office pursuant to Bylaw Article 10.1(f), or an incapacity to exercise the duties of the office, then Executive Council shall direct the Elections Committee to conduct a By-election for a Replacement Table Officer.

8.5.8 **Date of Table Officer By-election**

The voting period for the By-election of a Replacement Table Officer shall begin on the first Monday that follows the fifty-sixth (56th) day after

the Elections Committee is notified by the Executive Council of the vacancy. If the Monday is a statutory holiday, then the voting period shall begin on the first Tuesday that follows the fifty-sixth (56th) day after the Elections Committee is notified by the Executive Council of the vacancy.

8.5.9 **Appointment of Interim President**

During the period between the date of vacancy of the President and the date that the Replacement President is elected, the Executive Council shall appoint the Vice- President Negotiations as the Interim President and if the Vice-President Negotiations is unable or unwilling to serve as Interim President then the Executive Council shall appoint the Vice-President Stewardship to serve as Interim President.

8.5.10 **Appointment of Interim Table Officer (other than President)**

If a Table Officer position (other than President) becomes vacant for any reason including resignation, removal from office pursuant to Bylaw Article 10.1(f), or an incapacity to exercise the duties of the office, then the Executive Council shall appoint and pay a Regular faculty member to serve as Interim Table Officer.

8.5.11 **Term of Replacement President and Replacement Table Officer**

A Replacement Table Officer elected in a By-election shall commence serving in the Replacement Table Officer position at the beginning of the semester following the Replacement Table Officer election (or earlier if possible) subject to obtaining the necessary release from regular teaching duties.

8.5.12 A Replacement Table Officer elected in a By-election will hold office until the term expires for that Table Officer position as set out in Articles 8.2.2 and 8.2.3.

8.5.13 A Regular faculty member appointed as Interim Table Officer shall be eligible to stand as a candidate in the election of a Replacement Table Officer.

8.5.14 A Replacement Table Officer or Interim Table Officer is eligible to serve three (3) consecutive full terms after the conclusion of the partial term(s) as Interim Table Officer or Replacement Table Officer.

8.6 Temporary Absence – President

8.6.1 If the President is temporarily absent for a period of more than seven (7) days, the Executive Council shall appoint the Vice-President Negotiations as the Interim President and if the Vice-President Negotiations is unable or unwilling to serve as Interim President then the Executive Council shall appoint the Vice-President Stewardship to serve as Interim President.

8.6.2 In order to support the Interim President, the Executive Council may appoint and pay a voting member of the Association to serve as an Interim Table Officer. In such a situation, the Interim Table Officer shall operate

under the direction of the Interim President and the remaining Vice-President until the date the President resumes office.

8.7 Voting procedure for the election of Table Officers

8.7.1 Scrutineers shall be selected by the Elections Committee.

8.8 In the event of a Table Officer being acclaimed to a position, the membership shall be asked to ratify the candidate through a majority vote of those present at the Annual General Meeting in a manner decided by the meeting, or by an online vote in advance of the Annual General Meeting.

8.9 Constituency Representative elections, for Executive Council, Area Steward/Contract Committee, and other committees as may from time to time be established, shall take place in one of the following ways: at a duly called meeting of the constituents; through email balloting in an election called and supervised by the Ombudsperson; through a balloting procedures approved by the Executive Council. Election shall require a plurality of the votes cast.

8.10 A Constituency Representative may be removed by a general resolution passed at a duly called meeting of that constituency.

ARTICLE 9 - REPLACEMENT

9.1 Other vacancies on the Executive Council shall be filled within one (1) month by election from within the appropriate constituency group.

ARTICLE 10 - SPECIAL RESOLUTIONS

10.1 Special Resolutions are required in the following cases:

- (a) Special assessments
- (b) Authorization to borrow funds
- (c) Alteration or addition to the Constitution and By-Laws
- (d) Alteration to the number or distribution of seats on the Executive Council
- (e) Expulsion of a member
- (f) Removal of an Officer
- (g) Such other matters as the Association may from time to time require.

10.2 A motion that a matter become a Special Resolution under By-Law 10.1 (g) shall require a two-thirds ($2/3^{\text{rds}}$ or 66%) majority of voting members to pass (that is, to pass, a motion must have two-thirds ($2/3^{\text{rds}}$ or 66%) of the votes cast, excluding abstentions, blank or spoiled ballots); this vote shall take place at any General Meeting, providing that notice specifying the intention to establish the motion as a Special Resolution has been duly given, according to By-Law 10.4.

10.3 Notwithstanding Robert's Rules, Special Resolutions shall require a three-fourths ($3/4^{\text{ths}}$ or 75%) majority of voting members to pass (that is, to pass, a motion must have three-fourths ($3/4^{\text{th}}$ or 75%) of the votes cast, excluding abstentions, blank or spoiled ballots).

- 10.4 Each member of the Association shall be given at least fourteen (14) calendar days' notice of the General Meeting and of the Special Resolution.

ARTICLE 11 - FINANCIAL OPERATIONS

- 11.1 No Executive Council member shall receive a salary or other remuneration from the Association beyond payment for expenses.
- 11.2 **Signing Officers** – The Secretary-Treasurer, together with the President, Vice-President Negotiations, and Vice-President Stewardship, is empowered to operate a bank account and to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, and other negotiable or transferable instruments. If any of the above officers declines to serve as a signing officer, Executive Council will appoint another of its members as a signing officer. For the purpose of this section, the signatures of any two of the four named above shall be required.
- 11.3 The Executive Council may invest funds of the Association in fixed income instruments issued by the Government of Canada or Canadian provinces with a credit rating of Double AA or higher as determined by the Dominion Bond Rating Service, provided that the amount does not exceed coverage offered by the Canadian Investor Protection Fund (CIPF). In addition, the Executive Council may invest in Guaranteed Investment Certificates issued by Canadian Chartered Banks up to the dollar limit insured by the Canadian Deposit Insurance Corporation (CDIC); and by British Columbian Credit Unions up to the limit insured by the Credit Union Deposit Insurance Corporation of British Columbia (CUDIC).
- 11.4 An Auditor shall be appointed by the Association at the Annual General Meeting, to examine the books of the Association and the Secretary-Treasurer's Financial Statement. The Secretary-Treasurer at the Annual General Meeting shall present the Secretary-Treasurer's Financial Statement. The Auditor's Report, prepared in accordance with the generally accepted auditing practice, shall be presented to the first Fall General Meeting.
- 11.5 If the office of the Auditor becomes vacant, a new Auditor shall be appointed by the General Membership.
- 11.6 The Association may, by resolution, adopt a Common Seal which shall remain in the custody of the Secretary-Treasurer and shall be used solely in documents concerned with agreements approved under By-Law 10.1 (a) and (b).

ARTICLE 12 - COMMITTEES

- 12.1 The Standing Committees of the Association shall be the following:
- (a) Executive Council
 - (b) Table Officers Committee
 - (c) Contract Committee
 - (d) Operations and Finance Committee

- (e) Time Release
 - (f) Communications
 - (g) Health and Safety Committee
 - (h) Elections Committee
- 12.2 Ad Hoc Committees may be established by the Executive Council to investigate topics of interest.
- 12.3 The Committees in By-Laws 12.1 and 12.2 (above) shall be established from the voting members, and include at least one (1) member from the Executive Council.
- 12.4 The Executive Council constituency representatives and the Area Steward/ Contract Committee representatives (Area Stewards) shall be elected by members of their respective constituencies according to the processes listed in 8.12.
- 12.5 The Executive Council shall fill all other committees, first, through a process of a call for volunteers, and second, where vacancies remain, by appointments
- 12.6 The Contract Committee shall comprise the Vice-Presidents of Negotiations and Stewardship, as co-Chairs, and all Area Stewards, in accordance with By-Laws 7.1 and 7.3.2.
- 12.7 The Bargaining Team shall be a sub-committee of the Contract Committee, subject to By-Law 5.2.3.
- 12.8 The Executive Council of the Association may suspend a Contract Committee by a two-thirds (2/3rds or 66%) vote of its full voting membership at a duly called meeting. A vote by Executive Council to suspend a Contract Committee must be followed within twenty-one (21) calendar days by a General Meeting, at which time the General Membership shall direct Executive Council either to order the election of a new Contract Committee or to reinstate the original Committee.
- 12.9 The Health and Safety Committee of the Association consists of the Association representatives to the Douglas College Occupational Health and Safety Committees at each campus. These representatives are appointed by Executive Council and serve for two-year terms, with a limit of two consecutive two-year terms and no overall limit on the number of non-consecutive terms. The Health and Safety Committee members will elect from among themselves, one member to attend Contract Committee meetings to report and to receive feedback, and one member to represent the DCFA at the FPSE WHSEC Committee.
- 12.10 The Elections Committee is responsible for oversight of DCFA elections. In carrying out these functions the Elections Committee shall operate within election policy and procedures approved by the membership. Elections Committee members will be elected by the membership and can include a regular member from each constituency and one contract member. Current Table Officers and Table Officer nominees may not be members of the Elections Committee. Members of the Election Committee must recuse themselves regarding any duty, and abstain from any Election Committee vote, in which they have a conflict of interest. The Elections Committee will elect a Chairperson from among its members.

12.11 Time Release Committee

Each year two Executive Council members will be elected in the fall term to the position on the Time Release Committee.

The Time Release Committee is responsible for making recommendations to the Membership about the release for all DCFA positions. They will read past time release reports, job descriptions, and interview Table Officers to assess time release allotments for each Table Officer position.

The Time Release Committee will submit their report to Executive Council in January for approval.

The Time Release Committee will submit their report to the general membership in February for approval.

ARTICLE 13 – JOINT LABOUR-MANAGEMENT COMMITTEES

13.1 **Labour Management Relations Committee**

13.1.1 DCFA members of this committee are the President, VP Stewardship and VP Negotiations.

13.2 **Occupational Health and Safety Committee**

13.2.1 A joint OH&S Committee exists for each campus, New Westminster and David Lam. Pursuant to the Workers Compensation Act, each Committee includes two members from the DCFA.

13.3 **Rehabilitation Management Committee**

13.3.1 Pursuant to the FPSE/PSEC Faculty Common Disability Plan, membership will include an equal number of members from College Administration and the DCFA.