

The Constitution of the Mount Royal Support Staff Association

The name of the Association shall be The Mount Royal Support Staff Association (MRSSA).

1.0 DEFINITIONS

- 1.01 **Executive** shall mean the Executive of the MRSSA.
- 1.02 **Collective Agreement** shall mean the current Collective Agreement between the MRSSA and the Board of Governors of Mount Royal University.
- 1.03 **Members** shall mean all Mount Royal employees who pay dues to the MRSSA.
- 1.04 **Good standing** of members shall include the following: voting in MRSSA elections, serving on MRSSA committees, serving on University committees on which MRSSA representation is required, and access to professional development funds.
- 1.05 **He** does not imply gender and shall represent he/she.
- 1.06 The **number of days** indicated throughout the Constitution represents the number of working days.

2.0 GENERAL PROVISIONS

- 2.01 The MRSSA maintains an office in Calgary at a place determined the MRSSA.
- 2.02 The MRSSA has an Executive-approved seal.
- 2.03 The objectives of the MRSSA shall be:
 - a) To fulfill its legal duty of fair representation of the members.
 - b) To promote the general and employment welfare of its members.
 - c) To act as a bargaining agent, to bargain collectively and conclude collective agreements on behalf of its members with the employer with respect to terms and conditions.
 - d) To monitor and enforce terms and conditions of the Collective Agreement between employees and the employer.

3.0 MEMBERSHIP

- 3.01 All support staff employees of Mount Royal University shall become members of the MRSSA immediately upon commencing employment provided that person does not exercise managerial functions or is employed in a confidential capacity in matters relating to labour relations.
- 3.02 All members of the MRSSA shall be bound by and abide with the provisions of this Constitution.
- 3.03 Members remain in good standing as long as they are employed within the jurisdiction covered by the MRSSA and provided they do not lose their good standing by virtue of other relevant sections of this Constitution.

4.0 DUES

- 4.01 The MRSSA shall set monthly dues to be deducted by the University from the pay of each member.
- 4.02 Membership dues are a minimum of \$12.00 per month. Part time members' dues shall be pro-rated according to their monthly hours of employment.
- 4.03 When necessary, membership dues shall be increased. A meeting will be set to discuss increasing dues. Ten (10) days prior notice must be given to all members regarding a meeting to discuss an increase of dues. The vote shall be held in accordance with the MRSSA Elections and Voting Policy (*MRSSA Policy I*). Dues shall be changed if the increase is accepted by a majority of eligible voters who cast ballots in the vote.

5.0 ASSESSMENTS

- 5.01 An assessment does not refer to nor include regular monthly MRSSA dues.
- 5.02 No assessment on the membership of any kind can be made by the MRSSA unless the members vote on an assessment.
- 5.03 Members must be given ten (10) days notice prior to a meeting to discuss any assessment.
- 5.04 The vote on any assessment will follow the MRSSA Elections and Voting Policy (*MRSSA Policy I*).
- 5.05 The assessment must have 2/3 of votes cast by members who voted in respect of the resolution and at least 50% of the membership must cast ballots in respect of the resolution. An assessment can be levied only for a specific purpose and for a special period.
- 5.06 Continuation of an assessment must be adopted by referendum and reviewed at a general meeting every year.

6.0 OFFICERS and DUTIES

- 6.01 Officers
 - a) The MRSSA shall have the following officers: President, two (2) Vice-Presidents, Treasurer/Secretary and Past President.
 - b) The term of office for the President, Vice Presidents, Treasurer / Secretary shall be two (2) years commencing September 1 and ending August 31.
 - c) Candidates for the positions of President, Vice Presidents, Treasurer / Secretary must have served a minimum of one (1) year as a representative on the Executive.
- 6.02 Duties of Officers
 - a) President
 - The President shall perform the following duties:
 - i. Provide fair representation to all MRSSA members.
 - ii. Represent and serve the interests of the members and make decisions based on the best interests of all members.

- iii. Preside at all meetings of the Executive of the MRSSA.
- iv. Transact business as pertains to the office and which is necessary for the proper functioning of the MRSSA.
- v. Exercise general supervisory control over all the affairs of the MRSSA.
- vi. Communicate regularly with the Director of Human Resources, the University President, and other University administrators as required.
- vii. Maintain regular contact with the MRSSA's legal council as required to assist members and for the efficient running of the MRSSA.
- viii. Have input into the financial transactions of the MRSSA and countersign all cheques when ordered by the MRSSA *Executive*.
- ix. Make Executive-authorized purchases on behalf of the MRSSA.
- x. Serve on numerous University committees, the number of which may vary depending on University initiatives each year.
- xi. Serve as a member of the Negotiating Committee.
- xii. Sit as ex-officio member of all committees of the MRSSA.
- xiii. Establish all committees not otherwise ordered.
- xiv. Contact other associations and unions of other post secondary educational institutions for informational purposes when necessary.

b) Vice Presidents

The Vice Presidents shall perform the following duties:

- i. Perform the duties of the President in the absence of that officer.
- ii. In the case of resignation or death of the President, one of the Vice Presidents shall perform the duties of the President until the President's current term is completed.
- iii. Preside when called upon by the President when the President may be temporarily unable to discharge his duties.
- iv. Perform such duties as may be assigned to him by the President.
- v. Provide fair representation to all MRSSA members when called upon by the President.
- vi. Serve on the MRSSA committees when necessary and represent the MRSSA on University committees when necessary.
- vii. Coordinate communication such as newsletter to the membership.
- viii. Orientate new members.
- ix. Perform any other duties the President may direct.
- x. One Vice President shall countersign cheques in the absence of the President or Treasurer/Secretary.

c) Treasurer/Secretary

The Treasurer/Secretary shall perform the following duties:

- i. Maintain proper and correct financial accounts of the MRSSA.
- ii. In consultation with other members of the Executive set up and

- maintain proper accounting controls.
- iii. Receive all dues, assessments and fines from the Members of the Association and deposit them in the name of the MRSSA in such bank or credit union as the MRSSA may direct.
- iv. Pay all approved MRSSA bills and make Executive-authorized purchases for the MRSSA.
- v. Keep and file all financial receipts of money spent by the MRSSA.
- vi. Sign all cheques for the MRSSA as required.
- vii. Be responsible for the MRSSA's accounting records being up to date and accurate.
- viii. Make a financial report to the Executive on a quarterly basis or at such time that may be demanded by the Executive.
- ix. Turn over all books to the Executive-appointed auditor on an annual basis at the end of the MRSSA's fiscal year.
- x. Upon the election of a new treasurer, turn over all properties and assets including funds, books and records belonging to the MRSSA.
- xi. Archive and maintain all financial records in the MRSSA offices.
- xii. Conduct correspondence of the Association and affix the Seal of the Association when authorized to do so.
- xiii. Perform any other duties as the President or Executive may direct.

d) Past President

The Past President shall perform the following duties:

- i. Sit on the Executive for the first term of the incoming President.
- ii. Advise and assist the incoming President.

7.0 THE EXECUTIVE

- 7.01 The MRSSA shall have an Executive consisting of its officers, a minimum of eight (8) Executive Representatives elected from the membership, the Board of Governors' Representative and a representative from the EDT Committee.
- 7.02 Elected Executive Representatives must be members in good standing.
- 7.03 The term of office for Executive Representatives will be one (1) year, commencing September 1 and ending August 31.
- 7.04 The Executive Representatives shall perform those duties assigned by the Executive.
- 7.05 Board of Governors Representative
 - a) A Board of Governors Representative shall be elected according to the MRSSA Elections and Voting Policy (*MRSSA Policy I*) and according to the current provincial government legislation.
- 7.06 Responsibilities of the Executive:
 - a) The Executive of the MRSSA shall be vested with the full responsibility for the overall governance of the MRSSA.
 - b) The Executives shall fulfill the objectives of the MRSSA.

8.0 MEETINGS

8.01 Procedures laid down in “Roberts Rules of Order” shall be used as a guideline to conduct all proceedings of the MRSSA.

8.02 Executive Meetings

- a) The Executive shall hold regular meetings throughout the year.
- b) No meeting of the Executive shall be held without a quorum of four (4) members of the Executive. No voting on motions in Executive meetings shall be held without a quorum of seven (7). All members of the Executive have one vote each except the Board of Governors Representative and the EDT Committee Representative as they hold no voting rights.
- c) Should any Executive member fail to be present for three (3) consecutive meetings without having good and sufficient cause for his absence, his office may be declared vacant by vote of the Executive and the position shall be filled by the method described in the Elections and Voting Policy (*MRSSA Policy I*) for a vacant position. If ten (10) days after notification of the vacancy no member comes forward to stand for election, the Executive may appoint a replacement who shall serve for the remainder of the term.

8.03 Membership Meetings

The MRSSA shall hold membership meetings when the Executive deems them necessary.

8.04 Annual General Meeting

- a) The MRSSA shall hold an Annual General in the fall.
- b) At the opening of the Annual General meeting a quorum for the Annual General Meeting shall consist of not less than thirty-five (35) members.
- c) The President shall take the chair and shall conduct the business in the order listed below:
 - i. Roll call of the Executive
 - ii. Minutes followed by any matters arising
 - iii. Treasurer’s report and Auditor’s report
 - iv. Announcements
 - v. Reports of Committees as required
 - vi. Unfinished business from the previous general meeting
 - vii. New business
 - viii. Adjournment

9.0 EXPENDITURES

9.01 The fiscal year of the MRSSA shall be July 1 – June 30.

9.02 Expenditures of the MRSSA shall be only for the purposes of the MRSSA, payable by cheque signed by the Treasurer and the President, or if one of these is unavailable, the Vice President in place of the unavailable Treasurer/Secretary or President.

9.03 Items may be paid for by the MRSSA credit cards which only the President has

- access to.
- 9.04 The credit cards will each have a maximum \$3000.00 limit and expenditures will only be for the purposes of the MRSSA.
- 9.05 The MRSSA shall have a maximum of two (2) credit cards.

10.0 ELECTIONS AND VOTING

- 10.01 The Executive shall be elected by a majority of unspoiled ballots cast by those eligible to vote and who cast ballots. Information regarding the election of the Executive is found in the Elections and Voting Policy of the MRSSA (*MRSSA Policy I*).
- 10.02 Neither the Elections and Voting Policy (*MRSSA Policy I*) shall violate any article of the MRSSA Constitution. In the event of inconsistency the Constitution shall govern.
- 10.03 Elections of officers and voting procedures shall be according to the Elections and Voting Policy (*MRSSA Policy I*).

11.0 COMMITTEES

The MRSSA shall have the following standing committees:

Negotiating Committee
Education, Development and Training Committee (EDT)
Develop, Train and Learn Committee (DTL)
Policies and Procedures Committee

11.01 NEGOTIATING COMMITTEE

- a) The MRSSA shall elect a Negotiating Committee which shall be responsible for preparing for the negotiation and the negotiating of the Collective Agreement.
- b) The Negotiating Committee shall be comprised of a minimum of 4 or a maximum of 5 members, one of whom shall be the MRSSA President and the remaining members elected from the membership.
- c) The MRSSA shall invite suggestions from members concerning items for negotiation. Communication may be made through an on line questionnaire with a place for concern and suggestion items.
- d) The members of the Negotiating Committee shall decide who will sign off the negotiated items, a chair if required (depending upon the style of negotiation) and how notes will be taken.
- e) Members of the Executive are eligible to stand for election to the Negotiating Committee.
- f) The terms for the Negotiating Committee will be for two years, with two new members being elected alternating years.
- g) In the event of a resignation, a new member will either be elected or appointed for the remainder of the term as per the MRSSA Elections and Voting Policy (*MRSSA Policy I*).

- h) In the event of insufficient number of members being elected to the Negotiating Committee, the President shall appoint members.
- i) If the membership of the Negotiating Committee falls below four (4) members, including the President, the President shall appoint the necessary number of members.
- j) The Negotiating Committee shall endeavor to express the wishes of the Membership at the bargaining table.
- k) The Negotiating Committee may recommend acceptance or rejection of any proposed settlement but it may not bind the Association to any proposed settlement or to a collective agreement.
- l) When it is appropriate to do so, a ratification vote shall be conducted according to the MRSSA Voting Policy (*MRSSA Policy I*).
- m) Five (5) days prior to the ratification vote, a copy of the proposed changes to the Collective Agreement shall be made available to the membership.

11.02 EDUCATION, DEVELOPMENT AND TRAINING COMMITTEE (EDT)

- a) The MRSSA shall elect an Education, Development and Training Committee (EDT) which shall be responsible for the distribution of Staff Development funding.
- b) The EDT Committee shall be composed of a minimum of five (5) to seven (7) elected members in good standing for a term of one year.
- c) The EDT Committee's business is conducted according to the MRSSA EDT Policy (*MRSSA Policy II and current Collective Agreement*).
- d) The EDT Policy (*MRSSA Policy II*) shall not violate any article of the Constitution.

11.03 DEVELOP, TRAIN AND LEARN (DTL) COMMITTEE

- a) The DTL Committee is a joint committee with the Department of Human Resources. This Committee accepts and approves proposals from MRSSA members for group (departmental training) and organizes group training for MRSSA members across the institution.
- b) A minimum of two members, one of whom is on the MRSSA Executive, is appointed to this committee by the MRSSA President.
- c) The DTL committee's business is conducted according to the MRSSA DTL Policy (*MRSSA Policy III and current Collective Agreement*).
- d) The DTL policy (*MRSSA Policy III and current Collective Agreement*) shall not violate any article of the Constitution.

11.04 POLICIES AND PROCEDURES COMMITTEE

- a) The Policies and Procedures committee shall be comprised of the MRSSA President and a minimum of two (2) members in good standing appointed by the President.
- b) The Policies and Procedures Committee shall regularly review, add to and revise as necessary, the Policies and Procedures of the MRSSA. These revisions will then be sent to the MRSSA Executive for consideration.
- c) The Policies and Procedures Committee shall review and revise as necessary the

Constitution of the MRSSA. These revisions will be submitted for consideration by the Executives and then the Membership.

12.0 CODE OF CONDUCT

- 12.01 Every member of the MRSSA shall conduct his daily work activities in a respectful and professional manner. Each member will do his best to represent the MRSSA to the highest possible standards when dealing with fellow MRSSA members, faculty, administration, students and potential students, and the general public. As one of the MRSSA's fundamental responsibilities is the promotion of the welfare of its members, the members are in turn encouraged to promote and support the MRSSA by active participation in the MRSSA.
- 12.02 Every member of the MRSSA is guilty of an offence against the Constitution who:
- a) Violates any provision of this Constitution
 - b) Obtains membership through fraudulent means or by misrepresentation
 - c) Advocates or attempts to bring about the withdrawal from the MRSSA of any members or groups of members
 - d) Publishes, or circulates, either verbally or otherwise, among the membership false reports or misrepresentation concerning any member of the MRSSA in respect of any matter connected with the affairs of the MRSSA
 - e) Works with any organization competing with the MRSSA in a manner which is detrimental to the MRSSA
 - f) Fraudulently receives or misappropriates any property or funds of the MRSSA
 - g) Uses, without proper authority, the name of the MRSSA for soliciting funds or advertising
 - h) Without receiving proper authority to do so, furnishes a complete or partial list of the membership of the MRSSA to any person or persons other than those whose official positions entitles them to have such a list
 - i) Interferes with any officer or any representative of the MRSSA in the discharge of his duties
 - j) Circulates reports designed or calculated to injure or weaken the MRSSA
- 12.03 Any member convicted of any one or more of the above offences may be reprimanded, fined, removed from office, suspended or expelled from the MRSSA.
- 12.04 Every member of the Association shall be entitled to a fair and impartial hearing.
- 12.05 In all cases, the onus of establishing the guilt of the accused shall be on the accuser.
- 12.06 **PROCESS FOR DETERMINING VIOLATIONS OF THE CONSTITUTION**
- a) If it is alleged that a member or officer of the MRSSA has committed an offence against the Constitution, specific charges must be taken to the President of the MRSSA, or, if the charges are against the President, to the Vice President who shall take the charges forward to the Executive.
 - b) The President or Vice President shall convene a special meeting of the Executive consisting of five members of the Executive, including the President or Vice-President to hear the charges.

- c) Announcement of the charges and the date of the special meeting shall be sent by registered mail to the member at least 10 (ten) working days before the meeting is to be held.
- d) At the meeting, evidence supporting the charges shall be presented to the member, in written and oral form, and the member shall have opportunity to refute the charges.
- e) After the meeting, the guilt or innocence of the member thus charged shall be determined by a vote of the members of the committee; the vote must be not less than 3-2 in favour of guilt or innocence. In the event of illness or incapacity of one of the serving Executive, the hearing shall continue with the outcome being decided by a majority vote of those remaining.
- f) If the member is found guilty, he/she may appeal in writing to the Executive within seven working days. The appeal must be delivered to the MRSSA Office no later than 3:00 pm on the seventh working day. If an appeal is filed a second meeting shall be set consisting of the full Executive, with quorum of seven, and the member shall be informed of the date and time of the appeal hearing.
- g) Additional evidence may be introduced at the appeal hearing by both the member and the Executive. If the Executive upholds the previous decision, no further action shall be taken by the member; if the Executive overturns the previous decision, the new decision shall stand. Decision by the Executive will be determined by a vote with a minimum of 51% in agreement.
- h) The Executive determines the appropriate punishment/penalty for the offence. The Executive may consult with legal counsel on any aspect of the matter.
- i) Punishment may include any of the following: reprimand, fines, removal from office, suspension or expulsion from the MRSSA. The member may also be stripped of his/her good standing in the MRSSA.

13.0 AMENDMENTS TO THE CONSTITUTION

- 13.01 The Constitution may be added to, repealed or amended at any time provided that the notice of such amendments are given to the membership ten (10) days prior to the vote and provided that such a notice contains the proposed amendment or amendments. The Constitution must then be passed by a majority of not less than 2/3 of votes cast by members who voted in respect of the resolution and at least 50% of the membership must cast ballots in respect of the resolution.
- 13.02 A special meeting for the presentation of the Constitution amendments may be called during the ten (10) day's notice of the above article.

14.0 AFFILIATION, MERGER, AMALGAMATION AND TRANSFER OF JURISDICTION

- 14.01 The MRSSA may affiliate with another labour organization and the MRSSA may merge or amalgamate with another trade union or transfer its jurisdiction to another trade union at any time provided ninety (90) days' notice setting out the proposed action is given to all members.

14.02 Voting on the proposal must take place according to the MRSSA Elections and Voting Policy (*MRSSA Policy I*) and must be passed by a majority of not less than $2/3$ of votes cast by members who voted in respect of the resolution and at least 50% of the membership must cast ballots in respect of the resolution.

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