



Grant MacEwan University Faculty Association (GMUFA) Bylaws

Preamble

The Association and its members recognize that they work on Treaty 6 territory, the traditional lands of the Cree, Saulteaux, Blackfoot, Métis, Dene, and Nakota Sioux. We honour and respect the history, languages, ceremonies, and culture of the First Nations, Métis, and Inuit who call this territory home.

The Association is a member-driven democratic organization that aspires, in all its work, activities, and decision-making, to maximizing the full participation and engagement of and communication with all its members. It is acknowledged that all GMUFA members are equal and deserve mutual respect.

Article 1 - NAME

- 1.1 The name of this Association is ***The Faculty Association of Grant MacEwan University***.
- 1.2 The abbreviated title of the Association is the GMUFA.

Article 2 – DEFINITIONS & TERMS

- 2.1 **The Faculty Association of Grant MacEwan University:** Association or Union or FA or GMUFA all mean The Faculty Association of Grant MacEwan University.
- 2.2 **Board of Directors:** The Board of Directors is a group of elected academic staff members, chaired by the President of the GMUFA.
- 2.3 **Executive Committee:** President, Vice-President and Secretary-Treasurer and the Executive Director (non-voting).
- 2.4 **Executive Director:** The Executive Director is the senior employee of the GMUFA acting as liaison between the Board and the staff.
- 2.5 **Extraordinary Resolution:** An Extraordinary Resolution is a resolution pertaining to the Bylaws passed by a majority of not less than two thirds of such members entitled to vote and actually voting. An extraordinary resolution will be voted on electronically following a Special Meeting called to consider the extraordinary resolution. Electronic voting will commence **1-3 days** after such a Special Meeting. Proper notice specifying the intention to propose the extraordinary resolution shall be a written statement of intention provided to the Membership at least **one (1) month** before the meeting where the issue is to be discussed.
- 2.6 **Regular Resolution:** Is a resolution other than an Extraordinary Resolution, passed by a simple majority of such members entitled to vote and actually voting at a General Meeting, Special Meeting or electronically.

Article 3 - OBJECTIVES

- 3.1 The objectives of the GMUFA are to carry out its business and affairs as an academic staff association and trade union, including but not limited to:
 - 3.1.1 To manage relations between the MacEwan University Board of Governors, senior administration, and the academic staff.
 - 3.1.2 To advance and protect the contractual rights of individual members and the collective.
 - 3.1.3 To advocate for the professional interests of its members individually and for the collective and raise awareness of issues of concern to academic staff in the broader community.

- 3.1.4 To act as the representative and exclusive bargaining agent for GMUFA members in the negotiation of terms and conditions of employment.
- 3.1.5 To act as party to the collective agreement with the MacEwan University Board of Governors.
- 3.1.6 To protect the independence and freedom of academic thought and teaching.
- 3.1.7 To foster solidarity among the members of the Association.
- 3.1.8 To seek affiliations with provincial, national, and other organizations for the advancement of the interest of its members.

Article 4 - STATUTORY APPOINTMENTS

- 4.1 The GMUFA, through the Board of Directors or delegate, shall make such appointments and nominations as statutorily required.
 - 4.1.1 Nominations for one (1) academic staff member to the Board of Governors pursuant to the Post-secondary Learning Act, which shall not be 1) a voting member of the GMUFA Board 2) a member of FANC.
 - 4.1.2 The GMUFA Board shall designate one (1) or more individuals to be responsible for ensuring the GMUFA complies with the Personal Information Protection Act (PIPA).

Article 5 - MEMBERS

- 5.1 **Member, Members or Membership** of the GMUFA means an individual member, or a collective of members as the context requires, of the GMUFA, which consists of the academic staff members employed by the MacEwan University Board of Governors.
- 5.2 Notwithstanding the above, members with contract academic staff appointments will automatically continue their membership for an additional period of eight (8) months following the end of such appointment unless,
 - a) The member notifies the Faculty Association by e-mail that they do not want to continue their Faculty Association membership beyond the term of their contract.
- 5.3 A between contracts membership permits contract academic staff to participate in the governance of the GMUFA, including but not limited to:
 - a) Ratification of a collective agreement
 - b) Stand for election to the Board of Directors
 - c) Participate on GMUFA committees
 - d) Attend GMUFA membership meetings or socials
 - e) Receive GMUFA communications
 - f) Respond to GMUFA surveys
 - g) Participate in strike/lockout activities

- 5.4 Union representation rights are applicable regarding the contract academic staff's employment contracts.

Article 6 – MEMBERSHIP RIGHTS & RESPONSIBILITIES

- 6.1 Members must be in good standing with the GMUFA to run for, be elected to, hold, or continue to hold, any office in the GMUFA; or attend and/or participate in any meetings of the GMUFA. Members not in good standing include those Members:
- 6.1.1 Who fail to pay the periodic dues and/or assessments uniformly required to be paid by all Members, and whose debt remains in arrears for more than thirty (30) days.
 - 6.1.2 Who are charged under the Bylaws, and found guilty of the charge or charges, and the penalty assessed includes a declaration that the Member is not in good standing.
- 6.2 Members shall abide by the Bylaws, Policies, and the Code of Conduct of the GMUFA.

Article 7 - GOVERNANCE

- 7.1 The GMUFA, through the Board of Directors and the Executive Committee or delegate, has the capacity, and may exercise all rights, powers, and privileges, of a corporate academic staff association pursuant to the Post-secondary Learning Act and of a trade union pursuant to the Alberta Labour Relations Code.
- 7.2 The GMUFA is governed by a Board of Directors which sets policy and establishes strategic direction for the Association.
- 7.3 The Board of Directors may delegate its authority as necessary to ensure the business of the GMUFA supports its objectives and strategic direction.
- 7.4 The Board of Directors of the GMUFA shall be vested with the full responsibility for the overall governance, direction, and business affairs of the GMUFA. The Board of Directors shall meet on a regular basis to carry out its duties.
- 7.5 The Board of Directors shall create policy in furtherance of the business and affairs of the GMUFA. Policies are subordinate to these Bylaws, and if there are inconsistencies between these Bylaws and policies, the Bylaws prevail.
- 7.6 The elected Board members represent the GMUFA collective and not solely the constituency by which they were elected, Board members will consider the collective and all members when conducting GMUFA business.
- 7.7 The Board of Directors delegates the operations of the GMUFA to the Executive Director.
- 7.8 Release time and compensation shall be defined in Policy and reported to the membership at the Annual General Meeting.

- 7.9 The GMUFA shall not suspend any of its members' participation rights or take disciplinary action against or impose any form of penalty on any of its members for any reason other than a failure to pay the periodic dues and/or assessments uniformly required to be paid by all members, unless that member has been found guilty under the Trials and Charges process contemplated in Article 30.

Article 8 - INDEMNIFICATION

- 8.1 Members of the Board of Directors, the Executive Committee, the GMUFA staff and GMUFA committee members (GMUFA Representatives) acting in good faith and in the course of their duties are granted indemnification.
- 8.2 The GMUFA shall indemnify and save harmless the GMUFA Representatives in relation to civil actions or administrative complaints against them personally for erroneous acts or omissions committed within the scope of their GMUFA duties acting in good faith.
- 8.3 Such indemnification shall include reasonable legal defence, and any damages awarded against any of the GMUFA Representatives personally.
- 8.4 Indemnification shall not be extended to the GMUFA Representatives' willful misconduct or neglect, or to conduct outside the scope of their GMUFA responsibilities and duties.
- 8.5 The GMUFA may purchase insurance to provide omissions and errors coverage for the GMUFA representatives equal to or better than, and in addition of the indemnification contemplated in this clause, if available for purchase at a reasonable cost.

Article 9 - FINANCIAL

- 9.1 The Board of Directors is empowered to meet all financial obligations and has the responsibility for the financial stewardship of the GMUFA.
- 9.2 For every 1% Cost of Living Adjustment (COLA) negotiated for members, GMUFA Union Dues and Membership Fees shall increase at a rate of 0.2 of 1% proration.
- 9.3 Notwithstanding the above, Membership Fees and Union Dues shall be determined by electronic vote after a Special Meeting to discuss the membership dues.
- 9.4 Membership Fees and Union Dues shall be reported within the Finance Procedures.

Article 10 – MEMBERSHIP FEES

- 10.1 Membership fees are collected according to the Post-secondary Learning Act and will be used for activities compliant with legislation.

Article 11 – UNION DUES

11.1 Union Dues are collected as per the Alberta Labour Relations Code and will be used for all union activities compliant with legislation.

Article 12 – FISCAL YEAR

12.1 The GMUFA fiscal year is April 1st to March 31st.

Article 13 – FINANCIAL EXIGENCY

13.1 The Board of Directors, in the case of financial exigency, may:

- a) Borrow monies from the CAUT Defence Fund;
- b) Seek a special assessment from members;
- c) Access Reserve Funds.

Article 14 - BUDGET

14.1 The Board of Directors will ensure the development of an annual budget for presentation to the members at the Annual General Meeting.

Article 15 - AUDIT

15.1 The financial operations of the Association shall be audited annually, and the audited statements and report will be presented to the membership at the Annual General Meeting and posted electronically where members can access.

Article 16 – RESERVE FUNDS

16.1 The GMUFA shall maintain reserve funds for Extraordinary Dispute Resolution, a GMUFA Defence Fund, an Operational Fund, an Opportunity Fund, and a Negotiation Fund. The Board of Directors may decide to add other reserve funds as necessary and will be reported to the membership at the next membership meeting.

Article 17 – SPECIAL ASSESSMENTS

17.1 The GMUFA may cause the Membership to pay special assessment fees under the following conditions:

- a) The GMUFA must meet its legal financial obligations;
- b) The GMUFA may be in a strike or lockout;
- c) The GMUFA will be in financial exigency.

Article 18 – BORROWING & PROPERTY

- 18.1 In carrying out its purposes, the Association may borrow, or raise or secure payment of money in such matters as it thinks fit, and by the issue of debentures, but this power shall be exercised only under the authority of the Association and in no case shall such debentures be issued without the sanction of a resolution passed at a Special Meeting.
- 18.2 The Association may acquire and dispose of property.

Article 19 – MINUTES, BOOKS & RECORDS

- 19.1 The GMUFA shall maintain minutes, books, and records at its primary office location.
- 19.2 **Subject to Personal Information Protection Act, (PIPA)**, members may inspect the GMUFA minutes, books, and records during normal business hours at the GMUFA's office with three (3) days notice.
- 19.3 Pursuant to PIPA, general members shall **not** be allowed to inspect GMUFA minutes books or records when such inspection would result in the disclosure of personal information collected and held for use by the GMUFA, including but not limited to:
- a) Personal information of employees of the GMUFA;
 - b) Personal information of the Members and Grievors represented by the GMUFA;
 - c) Any other individual's personal information collected and used by the GMUFA while carrying out its business and affairs.

Article 20 – BOARD OF DIRECTORS

- 20.1 The Board of Directors shall be composed of the President, Vice-President, Secretary- Treasurer (the Executive Committee), and at least one (1) representative member from each faculty/school and a Professional Resource Faculty.
- 20.2 Nominations for a non-represented school/faculty, Professional Resource Faculty will be called for by the Board of Directors until the vacancy is filled or half of the term has passed.
- 20.3 In the event, a Tenured or Sessional Faculty member is not elected, the Board of Directors will create a member at large Board position(s) for that non-represented appointment type.
- 20.4 The Board of Directors may seek to elect additional members at large. A member at large may be elected when all procedures have been exhausted and a representative cannot be found from a particular faculty/school, Professional Resource Faculty position.
- 20.5 Members of the Board of Directors are elected for a term of two (2) years.
- 20.6 Members of the Board of Directors must be members of the GMUFA.
- 20.7 Elected Board Members shall only be removed from office prior to the expiry of their elected term after being found guilty under the Trials and Charges process set out in Article 30.

- 20.8 Board Members are nominated and elected by the membership and assume office after the Annual General Meeting.
- 20.9 No member may hold more than one office on the Board of Directors simultaneously.
 - 20.9.1 As the position of President is elected during the mid-term of the Vice-President and Secretary-Treasurer, both may stand for nomination of President without recusing themselves from their Board positions. The position of the Vice-President or Secretary-Treasurer is vacated upon election to the Presidency. If not elected as President, the member may continue to finish their term as Vice-President or Secretary-Treasurer.
 - 20.9.2 Board members may stand for re-election with the Executive Committee limited to two (2) consecutive terms in the same position.

Article 21 - ROLE OF THE BOARD

- 21.1 Determines the strategic goals of the GMUFA and ensures that the strategic direction of the GMUFA is implemented.
- 21.2 Establishes and approves the policies of the GMUFA.
- 21.3 Manages the financial affairs of the GMUFA including approving the Annual Budget and investments of the GMUFA.
- 21.4 Hires and delegates duties to the Executive Director subject to the employment contract.
- 21.5 The Board of Directors determines and approves the appropriate size and structure of the Association's reserve funds.
- 21.6 The Board of Directors reviews the amount and allocation of dues and fees at least every three (3) years and makes recommendations to the membership on the dues, fees, reserves, and allocations.
- 21.7 The GMUFA Board of Directors may execute Letters (Memorandums) of Understanding with the MacEwan University Board of Governors that have the effect of amending the Collective Agreement terms without membership ratification between negotiation periods.
- 21.8 Utilizes an Executive Committee to respond to ongoing business and arising issues. The Executive Committee consists of the President, Vice President and Secretary-Treasurer and shall exercise powers as determined by a Board motion. The Executive Director is a non-voting member of the Executive Committee. Examples may include:
 - 21.8.1 Develops agenda for Board and membership meetings and reports regularly to the Board of Directors.
 - 21.8.2 Monitors and regulates relations with the University.

- 21.8.3 Consults on grievances.
- 21.8.4 Prepares GMUFA draft policy, documents for Board meetings and resources for the Board of Directors to carry out its duties.
- 21.8.5 Advises the Executive Director and the Board of Directors on all financial matters including investments and investment policy.
- 21.8.6 Meetings of the Executive Committee shall be held at the call of the President at least once a month.

21.9 **Meetings of the Board of Directors**

- 21.9.1 The President of the GMUFA shall call meetings of the Board at least once monthly from September through April. Special meetings of the Board may be called at the discretion of the President or any two (2) Board Members.

21.10 **Meeting Schedules and Agendas**

- 21.10.1 The Board of Directors calls and creates an agenda for regular Membership, Annual General and Special meetings of the GMUFA.

21.11 **Employees and Agents**

- 21.11.1 The Board of Directors delegates the hiring or appointment of any employees, agents, or contractors necessary to carry out the objectives of the GMUFA to the Executive Director in consultation with the Executive Committee.

21.12 **Release Time and Compensation**

- 21.12.1 Participation by GMUFA Members on the Board of Directors will normally be reported as a service workload responsibility on their annual report or awarded release time or compensation in lieu of release time and is regulated by policy.

21.13 **Board of Directors Code of Conduct**

- 21.13.1 Board Members are expected to sign and adhere to the Board and Committee Members' Code of Conduct.

21.14 **Board of Directors Positions** (Board Members are elected to their positions)

21.14.1 **President of the Board of Directors**

- a) Is the Chair of the Board of Directors;
- b) Is the spokesperson for the GMUFA and shall be the official liaison between the GMUFA and MacEwan University;
- c) Shall call and preside over all GMUFA meetings or delegates who will preside;
- d) Is an ex-officio member of all GMUFA committees;

- e) Is a representative of the GMUFA with external bodies or designates an alternate;
- f) Oversees the terms and conditions of employment of the Executive Director;
- g) Evaluates the performance and negotiates the contract of the Executive Director in consultation with the Executive Committee;
- h) Assumes the responsibilities of the Executive Director when absent or the position is vacant;
- i) Has financial signing authority;
- j) Is a member of the GMUFA Executive Committee;
- k) Presents an annual report at the Annual General Meeting on behalf of the Board of Directors;
- l) Shall be elected in those years ending in an odd number.**

21.14.2 Vice President of the Board of Directors

- a) Shall assist the President and carry out the President's duties in his or her absence or assume the office if it becomes vacant until a by-election can be held;
- b) Has financial signing authority;
- c) Is a member of the GMUFA Executive Committee;
- d) Shall be elected in those years ending in an even number.**

21.14.3 Secretary-Treasurer of the Board of Directors

- a) Presents an annual report at the Annual General Meeting, which includes an audited financial statement for the fiscal year;
- b) Reports to the Board of Directors and/or the members regarding finances when required;
- c) Is Chair of the Audit Committee;
- d) Has financial signing authority;
- e) Is a member of the GMUFA Executive Committee;
- f) Ensures there is a quorum for meetings;
- g) Shall be elected in those years ending in an even number.**

21.14.4 Board Member

- a) Elected for a two (2) year term;
- b) Supports the work of the GMUFA by keeping informed regarding issues brought before the Board of Directors;
- c) Creates policy and participates in the business and activities of the GMUFA;
- d) May serve on GMUFA committees;
- e) Performs other duties as may be required by GMUFA and/or the Board of Directors.

21.14.5 Past President of the Board of Directors

- a) May act in an advisory role to the Board of Directors, the President, and the GMUFA;
- b) May serve for a one (1) year term, as a non-voting member of the Board of Directors following their presidency.

Article 22 – EXECUTIVE DIRECTOR

The Executive Director's responsibilities will be set out in their employment contract. In the event of inconsistencies with the employment contract, the GMUFA Bylaws, directives of the Board of Directors or the Executive Committee, the employment contract will prevail.

22.1 The Executive Director

- 22.1.1 Shall manage and administer the operations of the Association including the daily affairs of the Association in accordance with the policies of the Association in effect.
- 22.1.2 Shall attend meetings of the membership.
- 22.1.3 Is ex-officio, non-voting member of the Board of Directors, Executive Committee and Audit Committee and may take part in all discussions.
- 22.1.4 May be made an ex-officio non-voting member of any Association standing or ad-hoc committee by a motion of the Board of Directors.
- 22.1.5 May be invited to observe, advise, or speak to any other standing or ad-hoc committee by the members of the committee.
- 22.1.6 Shall receive legal, taxation, and other official communications on behalf of the Association.
- 22.1.7 Shall assume such other responsibilities as may be assigned by the Board of Directors, or Executive Committee, or pursuant to these bylaws if the responsibilities are consistent with the contract of employment, or the Executive Director agrees in writing.
- 22.1.8 May delegate responsibilities to the Association's staff.
- 22.1.9 The Executive Director is evaluated annually by the President in consultation with the Executive Committee.

Article 23 - MEETINGS

23.1 Annual General Meeting

- 23.1.1 The GMUFA shall hold an Annual General Meeting in May or June.
- 23.1.2 The agenda, at minimum will include presentation of the audited financial report and the President's report.

23.1.3 Proper notice to members shall be at least thirty (30) days in advance and circulation of the agenda one (1) week in advance.

23.2 **General Meetings**

23.2.1 Proper notice to members and circulation of the agenda shall be at least one (1) week in advance.

23.3 **Special Meetings**

23.3.1 Special Meetings of the GMUFA are called at the discretion of the Board of Directors if notice of forty-eight (48) hours minimum, but preferably one (1) week has been given to the members.

23.3.2 Special Meetings of the GMUFA are also called upon presentation to the President of a request signed by at least twenty-five (25) members.

23.4 **Rules of Order**

23.4.1 The Meetings of the GMUFA are conducted according to such rules of order as the GMUFA adopts from time to time.

23.4.2 In the absence of such adopted rules of order, or where such adopted rules of order are silent as to a particular matter in question, then such matters are governed by the most recent edition of Robert's Rules of Order.

23.5 **Quorum**

23.5.1 The quorum for any General or Special Meeting is thirty (30) members in attendance.

23.5.2 A quorum for the Annual General Meeting is thirty (30) members in attendance.

23.5.3 At any meetings of the Board of Directors, a majority of voting members constitute quorum.

23.5.4 The quorum for any electronic vote is thirty (30) votes cast.

Article 24 - VOTING

24.1 Voting by a member may be done in person or electronically.

24.2 Voting at the Annual, General or Special Meeting will be by a show of hands unless, at the discretion of the Board of Directors or by motion at the meeting or electronic vote is directed to be taken.

24.3 There shall be no voting by proxy.

- 24.4 Resolutions at the Annual General, General or Special Meetings will be by majority of those members present and in good standing except for resolutions pertaining to bylaw changes.
- 24.5 In the event of a tie at any GMUFA meeting, the status quo shall prevail.

Article 25 - STANDING, AD-HOC & UNIVERSITY COMMITTEE REPRESENTATION

- 25.1 The GMUFA shall establish any or all other committees, standing or ad-hoc, as necessary to support the operations of the Association.
- 25.2 All standing committee members are responsible to the Board of Directors and shall be required to attend meetings and provide reports as directed by the Board of Directors.
- 25.3 The Board of Directors will approve the Terms of Reference of all Standing Committees.
- 25.4 All Standing Committees will report to the Board of Directors.
- 25.5 The Board of Directors may, by motion at any time, dissolve a committee or revoke any appointments.
- 25.6 **University Committees**
- 25.6.1 The Board of Directors will appoint a member, Board representative, and/or designate to sit on university or joint committees. The representative will be required to attend such meetings and provide reports as directed by the Board of Directors.
- 25.7 **Ad-Hoc Committees**
- 25.7.1 The Board of Directors may call an election or appoint members, Board representative, and/or designate of ad-hoc committees as are required to carry out the objectives of the GMUFA.
- 25.8 **Standing Committees**
- 25.8.1 The Board of Directors may call an election or appoint members, Board representative, and/or designate of standing committees as are required to carry out the objectives of the GMUFA.
- 25.9 **Criteria of Board Appointed Representation on University, Ad-Hoc and Standing Committees**
- 25.9.1 The appointment of members may be informed by the following criteria:
- a) The member has knowledge and/or experience relevant to the committee's purpose;
 - b) The member is interested and available to conduct the work of the committee;

- c) The member is in good standing with the GMUFA;
- d) The member is free of any conflict of interest;
- e) The member has knowledge of the mandate, governance, and collective agreement of the GMUFA

25.10 Standing Committees

- a) Audit Committee
- b) Faculty Association Negotiation Committee (FANC)
- c) Job Action Committee (JAC)

25.11 The Faculty Association Negotiation Committee (FANC)

25.11.1 Authority

25.11.1.1 The Board of Directors delegates its power to FANC to collectively bargain with the Board of Governors.

25.11.1.2 The Faculty Association Negotiation Committee consults with and takes instruction from the Board of Directors on all matters regarding negotiating proposals with the FANC Chair regularly consulting with and taking instruction from the Board as to general strategy and response in principle to proposals from MacEwan University.

25.11.2 Term

25.11.2.1 FANC consists of GMUFA members appointed by the Board of Directors for a term of office that commences prior to the expiration of the current collective agreement and ends with the ratification (or failure to ratify) of the collective agreement.

25.11.3 Population of FANC

25.11.3.1 The Faculty Association Negotiation Committee Chair is appointed by the Board of Directors.

25.11.3.2 The Faculty Association Negotiating Committee members are appointed by the Board of Directors in consultation with the FANC Chair.

25.11.3.3 The Board of Directors may also appoint non-members to the Faculty Association Negotiation Committee as deemed necessary.

25.11.4 Development and Approval of a Bargaining Proposal

- 25.11.4.1 FANC will develop the bargaining proposal after considering the input of the membership, the input of the Board of Directors, past GMUFA and University proposals, staff recommendations, the current bargaining climate, and the state of negotiations of provincial and national universities and any information and resources FANC deems significant.
- 25.11.4.2 The Chair of FANC shall consult with the membership regarding the bargaining proposal to be exchanged with the MacEwan University Board of Governors at a General or Special Meeting before the commencement of negotiations.
- 25.11.4.3 The GMUFA Board of Directors will approve the bargaining proposals developed by FANC.
- 25.11.4.4 FANC must consult with the membership to seek direction regarding the proposal, language, and the University's proposal.
- 25.11.4.5 FANC will present the Memorandum of Understanding of the new language to the Board of Directors prior to the Special Meeting of the membership.
- 25.11.4.6 The Memorandum of Understanding of the new language proposal for the collective agreement will be presented to the membership for ratification by FANC.

25.11.5 Negotiation Impasse

- 25.11.5.1 Negotiation impasse process will be subject to the Alberta Labour Relations Act.
- 25.11.5.2 The Board of Directors will determine who will represent the GMUFA in the event of interest arbitration.

Article 26 - RATIFICATION OF THE PROPOSED COLLECTIVE AGREEMENT

- 26.1 The vote to ratify the proposed terms and conditions of employment will be conducted by electronic ballot the day after the Special Meeting called to consider the proposals.
- 26.2 Members, as defined under Membership, who are in good standing, are entitled to vote.
- 26.3 Ratification is achieved when the proposals have been adopted by 50 percent plus 1 of the votes cast.

Article 27 - ELECTION, NOMINATIONS, & APPOINTMENTS

- 27.1 Nominations must be open for a duration of **ten (10) working** days prior to the date on which the election is scheduled to take place.
- 27.2 Nominations must be endorsed by three (3) members and have the written consent of the nominee.
- 27.3 In the absence of advance nominations, nominations are accepted from the floor of the meeting where elections are to be held, provided the nominee indicates a willingness to run.
- 27.4 Voting for Nominees
 - 27.4.1 Voting by members will be conducted electronically.
 - 27.4.2 The Chief Returning Officer (CRO) is a scrutineer for elections.

Article 28 - GRIEVANCES & ARBITRATION

- 28.1 Members may present alleged violations of the collective agreement or MacEwan University policy to the Professional Officer, Executive Director or a designate of the GMUFA.
- 28.2 The staff of the GMUFA will investigate alleged violations and determine if a grievance will be advanced.
- 28.3 The staff must seek approval of the Board of Directors to advance a grievance to arbitration.

Article 29 - MEMBERSHIP CONDUCT

- 29.1 GMUFA Members shall not conduct themselves contrary to the objectives of the GMUFA, or in serious breach of these Bylaws or Policies, including but not limited to:
 - 29.1.1 Members shall not cross a picket line to work for the Board of Governors when locked out, or when the GMUFA is on lawful strike unless specifically a “designated essential services worker” as defined in an Essential Service Agreement.
 - 29.1.2 Members shall not act in a manner that causes the GMUFA to commit criminal or public welfare offences, including but not limited to, causing the GMUFA to breach PIPA.
- 29.2 Members who breach the Membership Conduct provision are subject to Trials & Charges.

Article 30 – TRIALS & CHARGES

- 30.1 The Board of Directors may implement a Trials and Charges process applicable to members.

- 30.2 The person charged shall be served personally or by double registered mail with specific charges in writing.
- 30.3 The person charged shall be given a reasonable time to prepare their defence.
- 30.4 The person charged shall be afforded a full and fair hearing, including the right to be represented by counsel (including legal counsel) at their expense.
- 30.5 Establishment of an independent and impartial decision-maker appointed by the Board of Directors excluding the charged person if they are a member of the Board of Directors, to hear and decide the trial of the charged person, which decision-maker may be an individual or unevenly numbered panel.
- 30.6 If the person charged is found guilty of the charge or charges, the decision-maker may do one or more of the following:
- 30.6.1 Impose a reasonable monetary penalty commensurate to the conviction and set a reasonable time limit for the convicted person to pay it.
 - 30.6.2 If the convicted person is a member, declare the convicted person to be a member not in good standing for a specific period or until a specific event occurs, which declaration has the effect of suspending the convicted.
 - 30.6.3 Member's participation rights in the Association's internal processes are suspended including removing the convicted member from any office held.

Article 31 - AMENDMENTS & SPECIAL RESOLUTIONS

- 31.1 The Bylaws may be amended after a Special Meeting to consider the Extraordinary Resolution.
- 31.2 Voting will be conducted by electronic vote provided that proper notice has been given and there is quorum.

Article 32 - DISSOLUTION OF GMUFA ASSETS

- 32.1 In the event, the GMUFA is dissolved due to legislation, the GMUFA will adhere to the legislation and where not defined, the GMUFA's assets, after payment of its liabilities and of any salary, benefit, or severance due its employees, shall be distributed as determined by electronic vote after a Special Meeting in one or more of the following ways:
- a) The disposition of assets pro rata to the members at the time of dissolution.
 - b) The assignment of assets to a successor association of academic staff or to another organization.
 - c) A disposition in trust to a designated person or corporation to be held on terms as may be designated.