

# **BYLAWS**

NORQUEST COLLEGE FACULTY ASSOCIATION



*October 2017*

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## PREAMBLE

The Alberta Vocational College Faculty Association was established by Order in Council 185/97 on May 14/97. The change of name to NorQuest College Faculty Association occurred by Order of Council 330/99 on August 25, 1999. The Association was a statutory corporation established under the Colleges Act. In 2003, the Colleges Act was replaced by the Post Secondary Learning Act and the Faculty Association's powers and duties are described in sections 85-87 of the Act. On May 4<sup>th</sup>, 2017, sections of the Post-Secondary Learning Act as they pertain to Academic Bargaining were repealed, and added to the Labour Relations Code as Division 9.1.

## 1. TERMINOLOGY

### 1.1. Name

The official name of this association is the *NorQuest College Faculty Association* (NCFA). The NCFA is a corporation consisting of academic and specialized faculty members empowered to act as a professional association as set out in the *Post-Secondary Learning Act* (PSLA) of the Province of Alberta, and as governed by the bylaws of the Association (see Appendix A).

### 1.2. Definitions

In these Bylaws:

- 1.2.1. **Agreement** or **Collective Agreement** means a current agreement reached between the NCFA and the Board of Governors according to Section 87 of the Post-Secondary Learning Act.
- 1.2.2. **Assembly, General Assembly** or **Special Assembly** means a meeting of the NCFA other than the Annual General Meeting.
- 1.2.3. **Board** means the Board of Governors of NorQuest College.
- 1.2.4. **Campus** means any or all of the NorQuest College campuses in existence at any given time.
- 1.2.5. **College** means NorQuest College.
- 1.2.6. **Ex officio** means an individual who is a member of a committee by virtue of holding another office. These members may have expertise or hold positions of influence important to the organization, but cannot make motions, second motions, or vote.
- 1.2.7. **Association Member** means a Member of the NCFA as defined in Section 3.1.
- 1.2.8. **Extraordinary Resolution** means a resolution passed by a majority of not less than three-fourths (3/4) of members present and entitled to vote, at an Annual General Meeting or a Special Assembly of which notice specifying the intention to propose the Extraordinary Resolution has been duly given.
- 1.2.9. **Faculty Board Representative** means an NCFA member who serves on the Board, and holds an ex officio position on the Executive Committee.
- 1.2.10. **Immediate Past President** means the person who served the prior term as President of the NCFA and is still a member of the Executive Committee but cannot make motions, second motions, or vote.
- 1.2.11. **In Writing** refers to written communication in the form of email, letter, fax or text.

## 2. OBJECTIVES

The objectives of the Association are:

- 2.1. to work with the Board in the generation and realization of the goals of the college;
- 2.2. to act as the representative of members of the NCFA in the negotiation, monitoring, and enforcement of the terms and conditions as specified in the Collective Agreement;

- 2.3. to foster academic and social community among members of the Association;
- 2.4. to protect the independence and freedom of academic thought, teaching, and to advance the professional development of its members;
- 2.5. to promote the interests and general welfare of its members;
- 2.6. to promote the joint interests and welfare of the Faculty Association of the provincial colleges and institutes through the Alberta College-Institutes Faculties Association;
- 2.7. to deal with any other matters considered by the Executive Committee to be in the interests of the Association or its members.

### 3. MEMBERSHIP

#### 3.1. Designation of Members

- 3.1.1. Members of the NCFA are all individuals designated as faculty by the Board and included within the Collective Agreement for the duration of their appointments. Currently designated members include casual, term, and permanently employed instructors, and specialized faculty.
- 3.1.2. Members have the right to attend the Annual General Meeting, and Special Assemblies; to nominate individuals for office in the NCFA; to hold office in the NCFA, elected or appointed; to vote; to receive regular communications issued by the NCFA; and to receive all special privileges, discounts or benefits arranged by the NCFA for its members.

#### 3.2. Update of Membership Lists

An updated membership list is published by Workforce Development and Human Resources regularly. The Faculty distribution list and NCFA records are subsequently updated.

#### 3.3 Termination of Membership

Membership in the Association terminates sixty (60) days after the termination of employment at NorQuest College or, in the event of a grievance procedure being initiated by or on behalf of a member, for sixty (60) days beyond the conclusion of the grievance procedure or any legal action arising from it.

### 4. EXECUTIVE COMMITTEE

- 4.1. The Executive Committee of the NCFA consists of the Executive Officers and Executive Members of the NCFA as defined in Section 4.2 and additional members as defined in 4.3.

#### 4.1.1. Executive Committee duties

- 4.1.1.1. The Executive shall act as the liaison body regarding all business between the NCFA and:
  - a) the College Administration,
  - b) the College Board,
  - c) the public, and other associations and organizations as may be required from time to time.
- 4.1.1.2. The Executive Committee calls regular and special meetings of the NCFA as set forth in Article 5.
- 4.1.1.3. The Executive Committee establishes the agenda for all assemblies and the Annual General Meeting.
- 4.1.1.4. The Executive Committee, at the Annual General Meeting of the NCFA, presents a financial statement for the year ending June 30.

- 4.1.1.5. Should the President leave office, resign or cease to be qualified to hold office, the Vice President, Faculty Welfare shall, additionally, assume the office of Acting President until the president returns. If the President does not return within twenty (20) working days, the Presidential office shall be promptly filled via a by-election pursuant to 4.1.1.6.
- 4.1.1.6. Subject to 4.1.1.5, the Executive Committee calls by-elections or in emergencies appoints members, on a temporary basis until a by-election is held, to fill vacancies in NCFA offices and committees.
- 4.1.1.7. Subject to any bylaw, properly enacted, amended or replaced, the Executive Committee has the power to manage, operate and direct the affairs of the NCFA between General Meetings of the NCFA.
- 4.1.1.8. The Executive Committee has the power to remove Executive Committee members for inadequate performance of duties. An Executive Committee member who wishes to appeal such removal must apply to the NCFA Grievance Committee (NCFAGC). On receiving the recommendations of the NCFAGC, the Executive Committee may, at its discretion and if ratified by a three-fourths (3/4) majority vote, reinstate the member to the Executive Committee.
- 4.1.1.9. The Executive Committee may from time to time appoint any employees and agents they consider necessary to carry out the objectives of the NCFA and these agents and employees have the authority and responsibilities prescribed by the Executive Committee.
- 4.1.1.10. The Executive Committee is responsible for liaising with the NCFA membership and the Alberta Colleges and Institutes Faculties Association (ACIFA) in all matters of mutual concern.
- 4.1.1.11. The quorum for executive meetings shall be 50% of the voting Executive Committee membership, including the President or Acting President. The Executive Committee consists of:

Executive Officers:

- President*
- Vice President Professional Affairs*
- Vice President Faculty Welfare*
- Vice President Finance*
- Vice President Communications*
- Vice President Negotiations*

Executive Members:

*Faculty Representatives*

*Ex Officio and/or Non-Voting Members:*

- Immediate Past President*
- Faculty Board Representative*

The determination of Executive Committee shall be as follows:

- A minimum of 2 members from the Faculty of Foundational, Career, and Intercultural Studies
- A minimum of 2 members from the Faculty of Health and Community Studies
- A minimum of 1 member to represent any other divisions that include faculty

- Every attempt will be made to evenly distribute representation from all faculties between the Executive Officers and Executive Members. In doing so the number of Faculty Representatives may be adjusted to reflect even representation
  - Following the election of new Executive Officers at each AGM, a review of the Executive Committee's composition will ensue where currently serving Faculty Representatives may be asked to withdraw in the event of over-representation of a particular division, and/or a call out to faculty made to nominate Faculty Representatives to augment the Executive Committee's composition to better reflect proportional division representation
  - In the event that more faculty are nominated than are needed, the candidate will be decided by election within their division.
- 4.1.1.12. Annually, NCFA members at NorQuest Regional Campus locations shall be visited by at least one Executive Committee member, to be determined by the Executive Committee.

## 4.2. The Executive Officers of the Executive Committee

### 4.2.1. President

- 4.2.1.1. is the Chief Executive Officer and shall act as chair of the Executive Committee.
- 4.2.1.2. is the official spokesperson of the Executive Committee and the NCFA. The President may, at their discretion, nominate other members as spokespersons.
- 4.2.1.3. is an ex officio member of all NCFA committees.
- 4.2.1.4. shall preside over all NCFA assemblies and through the Executive Committee be responsible for the preparation and approval of agendas.
- 4.2.1.5. is responsible for official correspondence.
- 4.2.1.6. is responsible for the interpretation and application of the NCFA bylaws.
- 4.2.1.7. Is responsible for the development and implementation of NCFA policies and procedures, as directed by the Executive Committee.
- 4.2.1.8. shall supervise employees of the NCFA.
- 4.2.1.9. is empowered to countersign approved cheques in accordance with the financial bylaw.
- 4.2.1.10. presents an annual report to the NCFA at the AGM.
- 4.2.1.11. shall advise the Vice President - Communications of the agenda for the Executive Committee meetings and the AGM.
- 4.2.1.12. shall sit on ACIFA's President's Council
- 4.2.1.13. shall have a two-year term, and be elected in May of those years ending in an odd number.

### 4.2.2. Vice President - Faculty Welfare

- 4.2.2.1. shall carry out the President's duties in his/her absence as indicated in 4.1.1.5, or until the President's position is promptly filled via a by-election pursuant to 4.1.1.6.
- 4.2.2.2. shall Chair the NCFA Grievance Committee (NCFAGC) and is responsible for the handling of NCFA grievances brought under the Collective Agreement, as well as the mediation of internal disputes.
- 4.2.2.3. shall ensure that NCFA policies and procedures are known and followed in cases of members who appeal to the NCFAGC.

- 4.2.2.4. on behalf of the NCFAGC, report to the Executive Committee, and recommend whether or not to pursue a grievance in the NCFA's name.
- 4.2.2.5. will offer support and/or advocacy to a faculty member by accompanying them to their meeting with WDHR.
- 4.2.2.6. presents an annual report to the NCFA at the AGM.
- 4.2.2.7. is elected for a term of two years at the AGM of those years ending in an even number.

#### 4.2.3. Vice President - Professional Affairs

- 4.2.3.1. acts as liaison between the College and ACIFA Professional Development Committees and activities.
- 4.2.3.2. represents the Executive Committee and NCFA views to College committee(s) on faculty development.
- 4.2.3.3. shall report on a regular basis to the Executive Committee and the General Assembly on matters of professional affairs.
- 4.2.3.4. presents an annual report to the NCFA at the AGM.
- 4.2.3.5. is empowered to counter-sign approved cheques in accordance with the financial bylaws.
- 4.2.3.6. is a member on Academic Council and acts as Chairperson of the faculty caucus.
- 4.2.3.7. reports to the Executive Committee on relevant discussions or decisions of Academic Council.
- 4.2.3.8. chairs the NCFA Faculty Development Committee.
- 4.2.3.9. is elected for a two-year term at the AGM of those years ending in an odd number.

#### 4.2.4. Vice President – Negotiations

- 4.2.4.1. advises the Executive Committee and the General Assembly on all matters concerning the negotiations and interpretation of the Collective Agreement.
- 4.2.4.2. is responsible for organizing, coordinating and directing the activities of the NCFA Negotiating Committee (NCFANC).
- 4.2.4.3. is an ex officio member of the NCFAGC.
- 4.2.4.4. is elected at the AGM preceding the expiry date of the current Collective Agreement and serves until the AGM preceding the expiration of the subsequently signed Collective Agreement. Thereafter, he or she is an ex officio member of the NCFANC, attending meetings as needed for the next negotiating period.

#### 4.2.5. Vice President – Finance

- 4.2.5.1. develops and monitors a budget for the Association which is presented for approval at the AGM.
- 4.2.5.2. administers the financial affairs of the Association, as directed by the Executive.
- 4.2.5.3. reports to the membership regarding finances.
- 4.2.5.4. keeps accurate financial records and prepares a statement for audit of the financial transactions of the Association.
- 4.2.5.5. presents an annual report to the Association, which includes an audited financial statement for the fiscal year ending June 30.

- 4.2.5.6. is empowered to countersign approved cheques in accordance with the financial bylaw.
- 4.2.5.7. assumes responsibility for making available with reasonable expediency copies of the financial records upon request.
- 4.2.5.8. is elected for a term of two years at the AGM of those years ending in an even number.

#### 4.2.6. Vice President – Communications

- 4.2.6.1. establishes and administers office procedures.
- 4.2.6.2. maintains complete files of correspondence, membership records, minutes, and any other documentation.
- 4.2.6.3. serves notice of all meetings and prepares agendas set by the President.
- 4.2.6.4. assumes responsibility for keeping minutes of all Association meetings
- 4.2.6.5. assumes responsibility for making available with reasonable expediency copies of the minutes upon request.
- 4.2.6.6. edits the Faculty Association newsletter
- 4.2.6.7. provides NCFA webmaster with copies of Association meeting minutes and newsletter.
- 4.2.6.8. is elected to a term of two years at the AGM of those years ending in an odd number.

### **4.3. The Executive Members of the Executive Committee**

#### 4.3.1. Faculty Representative

- 4.3.1.1. One Faculty Representative represents each College division designated in 4.1.1.11, which is not represented by an Executive Officer.
- 4.3.1.2. Each Faculty Representative is nominated and elected for a term of two years from within their own College division as defined in 4.1.1.11.
- 4.3.1.3. Once elected, Faculty Representatives are full members of the Executive Committee.
- 4.3.1.4. Faculty Representatives will be reviewed annually, after each election of Executive Officers, and the composition adjusted accordingly to meet the need for College division representation.

#### 4.3.2. Immediate Past President

- 4.3.2.1. remains a member of the Executive Committee in an advisory role to the President until the AGM following the President's election, unless otherwise requested by the President.

#### 4.3.3. Faculty Board Representative

- 4.3.3.1. is nominated by the NCFA and, pursuant to Section 44(2)(b)(i) of the Post Secondary Learning Act, is recommended to the Minister to serve as the faculty member on the Board.
- 4.3.3.2. is elected: (a) for a term not exceeding three (3) years; (b) may serve two consecutive terms; and (c) assumes office immediately following the election.
- 4.3.3.3. reports to regular or special meetings of the NCFA and the Executive Committee on the deliberations of the Board and communicates faculty perspective to the Board.



- 4.3.3.4. is an ex officio member of the Executive Committee
- 4.3.3.5. presents an annual report to the NCFA at the AGM

## 5. MEETINGS

### 5.1. Meetings of the Executive Committee

- 5.1.1. The Executive shall meet as often as deemed necessary by its members.
- 5.1.2. The president of the Association calls a meeting of the Executive Committee at least two weeks prior to any regular general meeting of the Association.
- 5.1.3. Special meetings of the Executive Committee may be called at the discretion of the president or any two Executive Committee members.
- 5.1.4. At any meetings of the Executive Committee, 50% of the Executive Committee constitutes quorum.
- 5.1.5. Executive meetings are open to the members of the Association who may attend as observers.
- 5.1.6. Executive meetings are open to the members of the Association who may attend with voice but no vote provided they notify the President in writing at least one (1) week prior to the next scheduled meeting.

### 5.2. Meetings of the General Assembly

- 5.2.1. The NCFA shall hold an Annual General Meeting (AGM) during the month of October in each year with proper notice and circulation of the agenda at least 2 weeks in advance. Additional items for the agenda may be placed there by members of the NCFA provided they are given to the President in writing and at least 1 week prior to the meeting. At the AGM:
  - 5.2.1.1. Election of Executive Officers to their respective offices.
  - 5.2.1.2. The financial report and other Executive Officer reports are presented in accordance with 4.2.
  - 5.2.1.3. If necessary, amendments to bylaws are made with majority approval of those in attendance.
  - 5.2.1.4. Quorum for the AGM is fifteen percent (15%) of the NCFA.

### 5.3. Special Assemblies

- 5.3.1. Special Assemblies of the NCFA are called at the discretion of the Executive Committee, provided that notice of at least seventy-two (72) hours has been given to the NCFA membership. Whenever possible, the Special Assembly should be called with longer notice and circulation of the agenda at least one week in advance. Special Assemblies of the NCFA are also called upon presentation to the President of a request signed by at least fifteen (15) Association Members.
- 5.3.2. The quorum for any Special Assembly is twenty (20) voting members. In the event that a quorum is not present at any Special Assembly, then the following announced Special Assembly will proceed as if a quorum was present regardless of the number of faculty members in attendance.

#### **5.4. Rules of Order**

The meetings of the Association are conducted according to the bylaws and such rules of order as the Association from time to time adopts. 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 Robert's Rules of Order.

### **6. NOMINATIONS AND ELECTIONS**

#### **6.1. Nominations**

**6.1.1.** Nominations must be submitted on forms approved by the Executive Committee and received by 4 p.m. no later than ten (10) working days prior to the day on which the election is to take place.

**6.1.2.** Nominations must be signed by three (3) Association members and have the written consent of the nominee.

**6.1.3.** In the event no nominations are submitted prior to the election, nominations will be accepted from the floor at the AGM on motions

#### **6.2. Elections**

**6.2.1.** Officers of the NCFA are elected, at the AGM (except for the President who is elected in May) and assume office at the next Executive Committee meeting. The Faculty Board Representative assumes office after Ministerial approval.

**6.2.2.** Should positions on the Executive Committee be made vacant prior to the AGM, a by-election may be called. If the by-election occurs within 6 months of the AGM where the term of the position was to end, the position would not be subject to election at that AGM.

**6.2.3.** Members of the NorQuest College Faculty Association Negotiating Committee (NCFANC) are elected from their program areas within three weeks immediately following the election of the Vice President - Negotiations, and shall continue to serve on the NCFANC during the subsequent negotiating period.

**6.2.4.** No member may hold more than one office simultaneously on the Executive Committee unless indicated as specified in 4.1.1.5.

**6.2.5.** All elections of the Executive Officers shall be conducted under the supervision of the Executive Committee. The President shall be the arbitrator in any disputes concerning the election.

**6.2.6.** For all elections of Executive Officers, standing committee members, and Faculty Board Representative, where two have been nominated, the candidate with the greater number of votes will be declared elected to that position.

**6.2.7.** For all elections of Executive Officers, standing committee members, and Faculty Board Representative, where more than two have been nominated and no candidate has received at least 50% of the vote, then the top two with the greatest number of votes will be subject to a second vote. The candidate with the greatest number of votes, after the second vote, will be declared elected to that position. In the event of a tie, the winner is the candidate with the greater number of votes from the first vote.

**6.2.8.** Candidates shall be entitled to appoint scrutineers for the period of balloting and the counting of ballots.

### **7. VOTING**

**7.1.** Voting at a meeting of the General Assembly will be by a show of hands. A secret ballot may be used, if deemed appropriate by a majority of the attendees.

- 7.2. Voting to elect NCFA Executive Officers at the AGM will be by secret ballot, and for those who are unable to attend, by electronic voting.
- 7.3. For election of Executive Officers, standing committee members, and Faculty Board Representative that go to a vote at a time other than at the AGM, electronic voting will take place. The Administrative Assistant employed by the NCFA will receive the votes, and monitor the voter list.

## 8. COMMITTEES

### 8.1. Ad Hoc Committees

The Executive Committee may, from time to time, elect or appoint ad hoc committees as are required to carry out the objectives of the NCFA. All ad hoc committees are responsible to the Executive Committee and shall be required to attend Executive Committee meetings and give reports as directed by the Executive Committee. The membership in an ad hoc committee, unless otherwise specified, will be for the life of the committee.

### 8.2. Standing Committees

#### 8.2.1. The NorQuest College Faculty Association Negotiating Committee (NCFANC)

- 8.2.1.1. consists of one member from each of the program areas as defined in 4.1.1.11, excluding the area represented by the Vice President - Negotiations, and the President of the NCFA. The total number of members should not exceed 10 nor be fewer than 3, not all of whom will go to Negotiating Table. Representation at the Negotiating Table will consist of the Vice President - Negotiations and a maximum of 3 (three) NCFANC members.
- 8.2.1.2. Committee members other than the Vice President - Negotiations and the President of the NCFA shall be elected at a time to be determined by the Executive Committee. The term of office for members shall be for the duration of the negotiating period.
- 8.2.1.3. advises and assists the Executive Committee in all matters of negotiating policy and is empowered to negotiate on behalf of the NCFA membership, and, if authorized by the Executive Committee and approved by the General Assembly, represents the NCFA in the event of an interest arbitration.
- 8.2.1.4. reports to the Executive Committee and to the NCFA membership at times and in a manner as directed by the Executive Committee.
- 8.2.1.5. recommends acceptance or rejection of any proposed memorandum of agreement to the General Assembly but cannot bind the NCFA to any settlement or Collective Agreement.

#### 8.2.2. The NorQuest College Faculty Association Grievance Committee (NCFAGC)

- 8.2.2.1. consists of the Vice President - Faculty Welfare (Chair), and Vice President - Negotiations, and two (2) other Executive Committee members.
- 8.2.2.2. makes every effort to resolve non-grievable disputes between faculty member(s) and one of the following:
  - a) the Board of Governors
  - b) management or other college staff
  - c) other NCFA members.

- 8.2.2.3. acts as an advisor for the Vice President – Faculty Welfare when it determines there are grounds for a grievance.
- 8.2.2.4. acts both on behalf of the faculty member(s) who appeal to it, pursuant to relevant articles in the Collective Agreement titled Article 35 – Grievance Procedures, and in the interests of the NCFA as a whole.
- 8.2.2.5. follows the procedures approved by the NCFA, and within the negotiated Collective Agreement.
- 8.2.2.6. shall review on an annual basis all policies and procedures of the NCFAGC and make recommendations for changes to the Executive Committee and General Assembly as required.

**8.2.3. The NorQuest College Faculty Association Orientation Committee (NCFAOC)**

- 8.2.3.1. is to provide the opportunity for new and ongoing faculty to be oriented to the Collective Agreement and to the operation of the Executive Committee.
- 8.2.3.2. will consist of up to six (6) members (one representing each division as specified in 4.1.1.11), and where possible, filled by existing Executive Committee members.
- 8.2.3.3. will choose a Chairperson who will be responsible for setting up meetings, preparing the agendas, directing the business of the meeting and circulating minutes. The Chair will also serve as the liaison between the Committee and the Executive Committee.
- 8.2.3.4. will be responsible for identifying new faculty and for providing appropriate orientation.

**8.2.4. The NorQuest College Faculty Association Faculty Development Committee (NCFAFDC)**

- 8.2.4.1. consists of the Vice President - Professional Affairs (Chair) and up to six (6) faculty members from as many departments as possible.
- 8.2.4.2. researches professional development opportunities for faculty.
- 8.2.4.3. shares this information with faculty via email, website, or other as determined by the FDC.
- 8.2.4.4. shall review on an annual basis all policies and procedures of the NCFAFDC and make recommendations for changes to the Executive Committee and General Assembly as required.

**8.2.5. The NorQuest College Faculty Association Social Committee (NCFASC)**

- 8.2.5.1. plans and organizes social gatherings within budget parameters set by the Executive Committee.
- 8.2.5.2. examines options for possible additional social events and activities.
- 8.2.5.3. consists of the Vice-President – Faculty Welfare, and up to six additional faculty members from as many different departments or campuses as possible.
- 8.2.5.4. the Vice-President – Faculty Welfare will be responsible for liaising between this Committee and the Executive Committee.
- 8.2.5.5. will elect a Chairperson at the first Committee meeting of every year. The Chair will be responsible for setting up and facilitating meetings, preparing agendas, and circulating minutes to Committee members.

### **8.3. Representatives on College Committees**

#### **8.3.1. Academic Council**

- 8.3.1.1.** Pursuant to Section 46 of the Post Secondary Learning Act, there maybe up to ten (10) faculty representatives on Academic Council, one of whom is the Vice President - Professional Affairs and acts as the Chair of the faculty caucus. Where possible, the others are appointed from each of the College divisions as defined in 4.1.1.11.
- 8.3.1.2.** Representatives are elected for a term of two years and may be extended for one additional term of two years.

## **9. FINANCIAL MATTERS**

### **9.1. Fiscal Year**

- 9.1.1.** The fiscal year end is June 30. The proposed budget for the coming year is distributed with the Agenda at least two weeks prior to the Annual General Meeting.
- 9.1.2.** The NCFA operating funds will be kept in an interest-bearing account within a chartered institution and will maintain a balance of no less than \$75,000.00
- 9.1.3.** Financial statements will be completed annually and audited by an outside agency. Audited financial statements will be presented at the AGM.

### **9.2. The Budget and Non-Budgeted Expenditures**

- 9.2.1.** The Executive Committee is empowered to meet all financial obligations within the budget limits as approved by the NCFA.
- 9.2.2.** Motions, other than those relating to grievances, requiring the expenditure of \$6000 or more, to an annual limit of \$8000, where that amount has not been previously approved in the budget, require unanimous approval of the Executive Committee. Amounts in excess of this requires approval by an Extraordinary Resolution.
- 9.2.3.** Any proposed budget where anticipated expenses are greater than anticipated revenues requires approval by an Extraordinary Resolution.
- 9.2.4.** Members of the Executive Committee and members of other Association Committees may be reimbursed for normal and reasonable expenses incurred in the performance of authorized NCFA duties, upon submission of expense claims and approval of the Executive Committee or the NCFA.
- 9.2.5.** The Executive Committee will consider and may recommend financial support for a member's grievance on request of the Vice President - Faculty Welfare who Chairs the Grievance committee.
- 9.2.6.** The Executive Committee may, by approval of an Extraordinary Resolution, borrow, raise or secure the payment of money necessary to carry out the objectives of the NCFA.

### **9.3. Faculty Dues**

Membership dues shall be established at a meeting of the membership, and shall remain in effect until changed at a subsequent meeting. Such dues shall be deducted by the employer according to relevant article in the negotiated Collective Agreement.

### **9.4. Contingency Fund**

- 9.4.1.** The NCFA will build and maintain a contingency fund of no less than \$100,000 for the sole purpose of paying costs associated with interest and rights mediation and/or arbitration.

9.4.2. Where possible, money should be allocated to this fund each year if the fund is less than \$100,000.

9.4.3. The Executive Committee is authorized to make payments from this fund for costs resulting from actions outlined in 9.4.1.

9.4.4. This fund will be held separately from the operational funds account and will be invested in an interest-bearing vehicle at a chartered bank.

#### 9.5. Signing Authority

Signing authority for all financial transactions remains with the NCFA President, the Vice President - Professional Affairs, and the Vice President - Finance. Any two of these three must sign to authorize the transaction.

### 10. AMENDMENT AND SPECIAL RESOLUTION

The bylaws of the NCFA may be enacted, amended or repealed at any AGM or Special Assembly provided that proper notice has been given, there is quorum, and a concurrence of a majority of those present.

### 11. RATIFICATION OF PROPOSED COLLECTIVE AGREEMENTS

11.1. A Special Assembly shall be called to present and discuss a written statement of all changes, deletions, additions and amendments being proposed to the existing Collective Agreement.

11.2. The FANC (Faculty Association Negotiating Committee) shall recommend that the proposed Memorandum of Agreement be accepted.

11.3. The vote to ratify the proposed terms and conditions of employment will be conducted by electronic vote, or by secret ballot vote upon request. The Administrative Assistant employed by the NCFA will receive the electronic vote, and monitor the voter list.

11.4. Ratification of a Proposed Collective Agreement requires the support of a minimum of 50% + 1 of members who cast a ballot on a vote organized under the parameters of section 11.3.

### 12. DISSOLUTION

12.1. In the event the NCFA is dissolved in the course of its ordinary business, all of its assets, after payment of its liabilities, shall be distributed in one of the following ways, or in combinations thereof:

12.1.1. disposition of the assets (or portion thereof) pro rata to the current members.

12.1.2. assignment of the assets to a successor academic staff association or to another organization designated by the members.

12.1.3. deed of trust to a person or corporation as designated by the members to be held on terms approved by the members.

12.2. Voluntary windup of the dissolution shall follow the same procedural provisions (notice, quorum, voting procedures, etc.) as apply to the Annual General Meeting.

12.3. In the event of the NCFA's impending involuntary windup or dissolution as a result of legislation, regulation or ministerial policy, all of its assets, after payment of its liabilities, shall be distributed as per section 12.1 above.

12.4. In the event of impending involuntary windup, the Executive Committee shall be specifically empowered to convene an emergency meeting upon 48 hours written notice. The quorum requirement shall be those members present at the meeting. At this meeting, the Executive Committee shall put forward the evidence prompting their action in calling a Special Assembly for the purposes of dissolving the NCFA and distributing its assets.

## APPENDIX A

Post-Secondary Learning Act (excerpt) as it pertains to NorQuest College and the NCFA.

Statutes of Alberta, 2003

Chapter P-19.5

Current as of March 30, 2015

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