

**BYLAWS OF THE
NOVA SCOTIA COMMUNITY COLLEGE ACADEMIC UNION**

I. INDEX

II.	ARTICLE 1: INTERPRETATION.....	3
III.	ARTICLE 2: MEMBERSHIP.....	4
IV.	ARTICLE 3: MEETINGS	5
V.	ARTICLE 4: EXECUTIVE COMMITTEE	8
VI.	ARTICLE 5: DUTIES OF THE EXECUTIVE MEMBERS	11
VII.	ARTICLE 6: CAMPUS REPRESENTATIVES' COUNCIL.....	14
VIII.	ARTICLE 7: COMMITTEES	17
IX.	ARTICLE 8: TERMS OF OFFICE/VACANCIES	21
X.	ARTICLE 9: DUES, FEES AND ASSESSMENTS.....	22
XI.	ARTICLE 10: CONTRACT RATIFICATION	22
XII.	ARTICLE 11: AMENDMENTS TO THESE BYLAWS	22
XIII.	ARTICLE 12: IMPLEMENTATION	23

II. ARTICLE 1: INTERPRETATION

1.1 In these Bylaws and all other Bylaws and resolutions of the Union, unless the context otherwise requires:

- (a) “Union” means the Nova Scotia Community College Academic Union (“NSCCAU”);
- (b) “Faculty Bargaining Unit” means all regular, probationary, auxiliary, and term faculty employed by the Nova Scotia Community College (“NSCC”);
- (c) “Professional Support Bargaining Unit” means all regular, probationary, auxiliary, and term professional support employees employed by the Nova Scotia Community College;
- (d) “Campus Representatives’ Council” means those Members elected at each College campus to represent the General Membership as provided for in Article 6;
- (e) “Chair” means the chairperson of any meeting held under the auspices of the Union, or the Chair of a committee, or the Chair of a Department/School, as the context shall determine;
- (f) “Collective Agreement” means a Collective Agreement between the Nova Scotia Community College and the Union in effect from time to time;
- (g) “Constitution” means the Constitution of the Union;
- (h) “Department/School” means the base academic or management unit of NSCC;
- (i) “Employer” or “College” means the Nova Scotia Community College;
- (j) “General Membership Meeting” means any meeting of Members constituted under the provisions of Article 3 of these Bylaws;
- (k) “Annual General Meeting” or “AGM” means the General Membership Meeting designated as the Annual General Meeting of the Members under the provisions of Article 3 of these Bylaws;
- (l) “Academic Year” means the Academic Year as established by NSCC.
- (m) “Member,” unless otherwise specifically provided, means Active Member (as defined by Article 2.1 of these Bylaws) in good standing (as defined by Article 2.3 of these Bylaws);
- (n) “Officer” means anyone who holds an elected or appointed office under any provision of these Bylaws; and

(o) "Operating Budget" means the annual budgeted amount approved by Members for operation of the Union as referred to in Article 3.6 of these Bylaws.

1.2 Headings used in these Bylaws are for convenience only and shall not affect the construction or interpretation thereof.

III. ARTICLE 2: MEMBERSHIP

2.1 Active Member

Subject to Article 2.4 of this Bylaw, all regular, probationary, auxiliary, and term faculty and professional support employees employed by the College shall be active members of either the Faculty Bargaining Unit or Professional Support Bargaining Unit of the Union, as appropriate, while they are so employed.

(a) Active members may:

1. Attend General Membership Meetings;
2. Vote on matters of Union business;
3. Serve as an Officer on the Union's Executive Committee;
4. Serve on Union Committees; and
5. Serve on joint Union-Employer Committees.

2.2 Associate Member

Associate Members are typically restricted to persons who are included in either the Faculty Bargaining Unit or Professional Support Bargaining Unit of the Union (or such union that previously represented members of those Bargaining Units) and who have retired under the provisions of a pension plan recognized by the Union.

Associate Members shall have the right to attend social functions of the Union and to receive information bulletins deemed appropriate by the Executive Committee. Associate Members shall not have the right to vote, to attend General Membership Meetings of the Union, to be subscribers to e-mail lists, or to hold office in the Union; nor shall they be entitled to any rights to the assets of the Union.

2.3 Good Standing

Subject to Article 2.4 hereof, an Active Member shall be deemed to be in good standing if they have paid on a current basis all the dues, fees or assessments as provided for in **Article 9** of these Bylaws.

2.4 Termination of Membership and Union Discipline

- (a) Retirement, resignation, or discharge of any Active Member from the College, or promotion of an Active Member to a Management or Confidential position excluded from the Bargaining Units, or expulsion from the Union pursuant to paragraph (c) hereof, shall automatically constitute the immediate termination of the membership of such Member. If such Member held any office at the time of their resignation, retirement, discharge, promotion or expulsion, they shall be deemed to have resigned and any such office so held by them shall thereupon be vacated.
- (b) Upon retirement, any Active Member shall be eligible to become an Associate Member in accordance with Article 2.2 of this Bylaw.
- (c) The Union shall establish a Discipline Committee consisting of three (3) Members elected for a term of two (2) years at the Annual General Meeting, none of whom shall at the same time be a member of the Executive Committee of the Union. This Committee will adjudicate conduct of Union Members which is alleged to be contrary to the interests of the Union. A charge against such Member may be lodged by the Union President or the Executive Committee. The Discipline Committee, after providing reasonable notice to the Member complained of shall hold a hearing in accordance with fair procedures, following which, if it finds the charge against the Member is sustained, may reprimand the Member, suspend the Member from membership for a defined period, or expel the Member from the Union.

2.5 Non-Exclusion

No person shall be excluded from membership in the Union on the basis of a protected ground under Nova Scotia's *Human Rights Act* or any academic school of thought.

2.6 Obligation

Membership in the Union shall obligate each Member to abide by the provisions of the Union's Constitution and Bylaws and any legal agreement entered into by the Union on their behalf.

IV. ARTICLE 3: MEETINGS

3.1 Attendance

- (a) Except as otherwise required by these Bylaws, General Membership Meetings shall be closed to all but Members, staff and legal representatives of the Union.
- (b) Notwithstanding paragraph (a), Members may, at any General Membership Meeting, by a two-thirds (2/3) majority of the votes of those Members present,

allow one or more persons who are not Members, staff or legal representatives to attend all or part of that General Membership Meeting.

3.2 Voting

All meetings of the general membership, campus representative council, executive and committees shall review moving and voting procedures before beginning their agenda.

- (a) This Article 3.2 addresses the procedures for voting on every question at a General Membership Meeting, other than a vote to certify the Union as the bargaining agent to represent a bargaining unit or a vote to ratify a collective agreement. Any voting related to certification of the Union as the bargaining agent to represent a bargaining unit or to ratify a collective agreement shall be done in accordance with the provisions of Nova Scotia's *Trade Union Act* or the Bylaws.
- (b) Each Member, excluding the Chair, shall be entitled to exercise only one vote on any motion or resolution which comes before any General Membership Meeting.
- (c) In the case of an equality of votes cast at any General Membership Meeting, the Chair shall cast the deciding vote.
- (d) At all General Membership Meetings, every question shall be decided by a simple majority of the votes of the Members present and voting, unless otherwise required by these Bylaws or by any applicable legislation. Without restricting the generality of the foregoing, any resolution or motion of the Members with respect to the affiliation or disaffiliation of the Union with an external organization, or with respect to the purchase or sale of real property by the Union shall be decided by at least two-thirds (2/3) of the votes of those Members present.
- (e) Except where otherwise provided for in these Bylaws, voting shall be by show of hands or an pre-approved electronic format.
- (f) Unless a recorded vote is demanded by a Member and agreed by 25% of the Members present, a declaration by the Chair that a resolution has been carried or defeated shall be final and conclusive.
- (g) When a recorded vote is demanded by a Member, it shall be taken in such manner as the Chair shall direct and the result shall be recorded in the minutes.
- (h) No Member (including members of the Executive Committee or Campus Representative Council) may solicit proxies from other Members.

3.3 Quorum

The necessary quorum for the transaction of business at any General Membership Meeting shall be the lesser of fifty (50) Members or one-tenth (1/10) of the total Members of the Union with members from at least 7 worksites in attendance.

3.4 Notice

- (a) Except as provided by Article 3.4(c) herein, written notice of the date, time, [physical or virtual] place, and purpose of any General Membership Meeting shall be given to all Members not later than fourteen (14) calendar days prior to the meeting.
- (b) Written notice may be provided by e-mail to the Members' designated e-mail addresses of record and posted on the NACCAU website.
- (c) Where a General Membership Meeting is deemed necessary for the consideration of collective bargaining offers immediately previous to or during negotiations and where deadlines preclude the provision of fourteen (14) calendar days' notice as provided for in Article 3.4(a) herein, the Meeting may be called with three (3) calendar days' notice by e-mail or telephone.
- (d) No General Membership Meeting shall be invalid, nor shall any proceedings occurring at such Meeting be void because of any error or unintentional omission in providing notice of such Meeting or adjourned Meeting, or as a result of the non-receipt of any notice by any Member or Officer. Any Member or Officer may waive their right to notice of any such Meeting.

3.5 Other Meetings

A special meeting in the event of an emergency as determined by the Executive Committee or as directed by the Campus Representative Council to address a specific issue if called for on the written request of ten percent (10%) of the total members of the Union upon five (5) working days notice to the membership may be called by the Executive Committee as directed by the Campus Representative Council on such prior notice as the Campus Representative Council may determine.

3.6 Annual General Meeting

The purpose of the Annual General Meeting shall be to:

- consider/approve additions deletions or amendments to the NSCCAU constitution and by-laws'. (Such changes must be made available to all members at least fourteen (14) days in advance of the General Meeting.)
- receive annual reports;
- present financial statements;
- present and approve a proposed budget for the upcoming fiscal year; and
- elect Officers if needed.

V. ARTICLE 4: EXECUTIVE COMMITTEE

4.1 Installation and Term of Office

The members of the first Executive Committee will be elected following the founding General Meeting. To ensure continuity and good governance in the NSSCAU Executive, subsequent elections for executive positions shall be staggered. All members of the first Executive Committee will serve beginning January 1, 2019; the President, Vice-President Professional Support, and Vice-President Member Engagement and PR shall serve until July 31st, 2020, and the Vice-President Faculty and the Vice-President Administration shall serve until July 31, 2021. All subsequent members of the Executive Committee shall be elected and installed as follows:

(a) If required after the close of nominations, elections by secret ballot shall take place at the AGM according to the following schedule:

- (i) The Election of the President, Vice-President Professional Support, and Vice-President Member Engagement and PR in even years; and
- (ii) The election of the Vice-President Faculty and Vice President Administration, and Vice-President Organizational Structure and Inclusion in odd years.

(b) All members of the Executive Committee elected during AGM elections shall take office on the August 1 immediately following the AGM.

(c) All members of the Executive Committee elected during the AGM elections shall continue in office for a term of two (2) years.

(d) No member shall hold a single office for more than two (2) consecutive terms.

(e) No member of the Executive Committee may hold more than two (2) consecutive offices. A minimum two (2) year break must be observed before the member can reoffer for an Executive position.

(f) Any vacancy on the Executive Committee shall be filled pursuant to the provisions of Article 8 of these Bylaws.

4.2 Meetings

(a) The Executive Committee shall meet, at a minimum, eight (8) times per year. A special meeting to address a specific issue may be called for on the written request of ten percent (10%) of the total members of the Union or 25% of the Campus Representative Council upon five (5) working days notice,

- (b) The President or any three (3) Members of the Executive Committee may call meetings of the Executive Committee.
- (c) A written notice and agenda of all meetings of the Executive Committee shall be forwarded to each member of the Executive Committee and to the members of the Campus Representative Council at least two (2) calendar days prior to the meeting naming the time and place (physical or virtual) of such meeting.
- (d) Written notice of Executive Committee Meetings will be posted on the NSCCAU website.
- (e) No meeting of the Executive Committee shall be invalid, nor shall any proceedings occurring at such meeting be void as a result of any error or unintentional omission in giving notice of such meeting or adjourned meeting, or as a result of the non-receipt of any notice by any member of the Executive Committee.
- (f) Every question shall be decided by a clear consensus or, lacking that, a simple majority vote of the members of the Executive Committee present at the meeting. When the number of votes in favour is equal to the number of votes opposed, the Chair shall cast the deciding vote.
- (g) One-half of the members of the Executive Committee, including at least one member from each of the two bargaining units, shall constitute a quorum for the transaction of business,
- (h) A Past President or any other ex-officio appointee shall not have voting privileges nor shall they count toward a quorum.

4.3 Conflict of Interest

Where a member of the Executive Committee and/or member of their immediate family has a direct or indirect individual pecuniary interest in any matter under consideration, the Executive Committee member shall absent themselves from both the discussion and any subsequent vote on the matter. Where a member is unsure whether or not a conflict of interest exists, they may request confidential external legal advice. This advice shall not be free from challenge.

4.4 Duties: General

The Executive Committee shall:

- (a) serve as the officers of the Campus Representative Council and shall ensure effective administration of the NSCCAU and efficient implementation of the directives of the Campus Representative Council;

- (b) ensure the administration of these Bylaws as well as the provisions of any agreements made between the Union and the Employer;
- (c) ensure support for the effective functioning of the various Committees and Sub-Committees;
- (d) following the guidance of the Campus Representative Council, take such actions and render such decisions as may be necessary to carry out the lawful decisions and resolutions of the Membership, including such directions as are implied by the adoption of budgets by the Membership at the Annual General Meeting;
- (e) at its first meeting in each Academic year, elect which of the Vice-Presidents shall be referred to as the First Vice President, shall assume the duties of the President in the event that the President resigns, is absent, or is otherwise unable to perform their duties, until such time as the President is able to resume their duties or is replaced in accordance with the provisions of Article 8 of these Bylaws;
- (f) establish such ad hoc Committees or Sub-Committees as it shall deem necessary for the provision of effective governance;
- (g) exercise supervision and management of all funds and physical property of the Union, and over any and all activities that are held upon premises in the College that the Union may occupy;
- (h) encourage each member of the Executive Committee to participate in any training approved by the Campus Representative to assist them in the professional performance of their duties;
- (i) establish the signing officers for the Union, which shall be the VP- Administration, President; and at least one other voting member of the Executive Committee.
- (j) Upon consultation with or advisement from the Campus Representative Council, appoint Members to represent the Union on various bodies that have either solicited or designated representation from the Union, and shall ensure that a list of such positions, the persons appointed to fill them, and the terms of each appointment is maintained and available to Members.

4.5 Duties: Financial Management

- (a) The Executive Committee shall consider proposed budgets brought before it by the VP-Administration pursuant to Article 7.5(a), and shall propose to Members, at the AGM, an Operating Budget. Subject to the provisions of Articles 4.4(g), and 4.5(c), the budgets approved at the Annual General Meeting represent the spending authority granted to the Executive Committee by the Members for the fiscal year that will commence on August 1.

- (b) Subject to the provisions of 4.5(c) the Executive may not negotiate contracts or make formal financial commitments outside the approved budget without consulting the Finance and Audit Committee. The documents relating to this consultation shall be posted to the NSCCAU website. If such documents conflict with such Privacy Legislation as may be in place, an appropriate summary will be posted.
- (c) Subject to the provisions of 4.5(a) the Executive Committee may, in order to carry out its responsibilities, exceed the total expenditures authorized in the approved annual Operating Budget by up to 15% without seeking the prior approval of the Members.
- (d) If at any point during the fiscal year, the Executive Committee deems it advisable to commit the Union to operating expenditures in excess of what is permitted under the provisions of Article 4.5(a), the Executive Committee shall seek approval, from the Members at a duly constituted General Membership Meeting, of a revised Operating Budget, or of a specific variance to the approved Operating Budget, or of extended spending authority in a specific amount for a specified time not beyond the next General Membership Meeting.
- (e) Following consultation with the Finance Committee, the Executive Committee shall invest any such funds of the Union as are not required for the day-to-day operational affairs of the Union in such 'arms-length' investments as it may deem appropriate.
- (f) The Executive Committee may, when authorized by the membership at a General Membership Meeting, borrow money on the credit of the Union, and charge, mortgage, hypothecate, or pledge all or any of the real or personal property of the Union, including book debts, rights, powers, and undertakings, to secure any securities or any money borrowed, or other debt, obligation, or liability of the Union.
- (g) In the event that a General Membership Meeting scheduled to consider budgets or a motion to grant additional spending authority fails to attain a quorum, is unable to reach a decision, or for any other reason cannot be held, the Executive Committee may pass an emergency Operating Budget for a period of up to three (3) months which may authorize additional spending of an amount up to twenty-five per cent (25%) of the last approved annual Operating Budget.
- (h) The members of the Executive Committee shall receive honoraria as contained in the operating budget as approved at the AGM.

VI. ARTICLE 5: DUTIES OF THE EXECUTIVE MEMBERS

5.1 Duties of The President

The President shall be the chief executive officer and general spokesperson for the Union and shall:

- (a) serve as Chair of all General Membership Meetings and meetings of the Executive Committee; however, at their discretion they may appoint a Chair for any meeting;
- (b) be responsible, in conjunction with the Executive Committee, for the effective administration of the Union;
- (c) be, *ex officio*, a member of all Committees, Sub-Committees and Councils of the Union;
- (d) be responsible for calling all General Membership Meetings and meetings of the Executive Committee;
- (e) chair meetings of the Campus Representatives' Council;
- (f) be responsible, in conjunction with the VP-Administration, for ensuring provision of the required notice, and for preparation of the agenda and any other required documents for all General Membership Meetings, Campus Representative Council Meetings and meetings of the Executive Committee;
- (g) report regularly to the membership regarding the actions of the Executive Committee;
- (h) in conjunction with the Vice President Organizational Structure and Inclusion, ensure representation by the Union on joint committees with the Employer unless explicit provision is made for other representation;
- (i) be responsible, in conjunction with the Nominating Committee, to see that Committee vacancies are filled where elections are not otherwise called for;
- (j) act as liaison between the Union and other unions and organizations internal to the College;
- (k) represent the Union to such external bodies as may be directed by the Campus Representative Council; and
- (l) perform such other duties as the Executive Committee, as advised by the Campus Representative Council, may, from time to time, determine.

5.2 Duties of The First Vice-President

The First Vice-President will assume the role of President if the President is unable to continue in the role for an extended period of time, shall preside at meetings of the Union, the Campus Representatives' Council, and the Executive Committee in the absence of the President or if the President must relinquish the chair.

5.3 Duties of The Vice-Presidents Faculty and Professional Support

- (a) The Vice-President - Faculty shall chair the Economic Welfare - Faculty Committee and the Faculty Grievance Committee.
- (b) The Vice-President - Professional Support shall chair the Economic Welfare - Professional Support Committee and the Professional Support Grievance Committee.
- (c) The Vice-Presidents Faculty and Professional Support shall monitor contractual obligations, solicit proposed items for future negotiations and serve as members of the negotiating committee.
- (d) The Vice Presidents Faculty and Professional Support shall work to ensure members are educated on the provisions in their contracts and on the negotiating process and history.
- (e) The Vice-Presidents Economic Welfare shall report activities of their offices at Campus Representative Council and General meetings of the Union.

5.4 Duties of The Vice-President Member Engagement and Public Relations

- (a) The Vice-President Member Engagement and Public Relations shall chair the Member Engagement and Public Relations Committee.
- (b) The Vice President Member Engagement and Public Relations shall, in consultation with committees, ensure the availability of NSCCAU branded items.
- (c) The Vice-President Member Engagement and Public Relations shall report activities of the office at Campus Representative Council and General meetings of the Union.

5.5 Duties of the Vice-President Administration

- (a) The Vice-President Administration shall ensure that staff maintain, archive, and distribute official copies of the agendas and minutes of all General Membership, Campus Representatives' Council, Executive and other Committee meetings; securely maintain all official records of the Union, including the Constitution and Bylaws, and ensure that appropriate revisions are recorded;
- (b) The Vice-President Administration shall ensure the maintenance of a current list of contact information for Members, the Executive Committee, the Campus Representatives' Council, Standing, Ad Hoc and Contractual Committee members;
- (c) The Vice-President-Administration shall be the chief financial officer of the Union and shall chair the Finance and Audit Committee and shall ensure that proper

books of account are kept in accordance with generally accepted accounting principles;

- (d) The Vice-President-Administration recommend to the Executive Committee, no later than its first regular meeting of the Executive Committee, the proposed budget for the following fiscal year detailing projected revenues and expenses for the Operating Budget;
- (e) The Vice-President-Administration shall, as part of a report on the finances of the Union to the Annual General Meeting, recommend the budget approved by the Executive Committee for the following fiscal year for the Operating Budget;
- (f) The Vice-President-Administration shall report to the Campus Representative Council, the Executive Committee and the General Membership at their meeting(s) on the finances of the Union, highlighting variances and expected variances from the approved Operating Budget;
- (g) The Vice-President-Administration shall ensure that the finances of the Union are audited by an independent auditor once per year and present audited financial statements at the next General Membership Meeting and any other reports as required by the NSCCAU incorporation.

5.6 Duties of Vice-President Organizational Structure and Inclusion

- (a) The Vice-President Organizational Structure and Inclusion shall chair the College Union Committee and the Nominating Committee.
- (b) The Vice-President Organizational Structure and Inclusion shall ensure that members at each campus and worksite have equal and ongoing opportunities to become involved in the activities of the union.
- (c) The Vice-President Organizational Structure and Inclusion shall promote diversity and inclusion initiatives withing the NSCCAU.

VII. ARTICLE 6: CAMPUS REPRESENTATIVES' COUNCIL

6.1 Purpose and Organization

- (a) There shall be a Campus Representatives' Council, the voting membership of which shall consist of all Representatives, and with the Executive Committee acting as officers.
- (b) The Campus Representatives' Council exists to:

- Invite, assess, recommend and implement such policies as are deemed necessary by the membership for the effective operation of the Union on behalf of its members.
 -
 - provide a forum for open discussion and exchange of ideas on matters of mutual concern;
 - provide advice and information to the Executive Committee;
 - foster open communication between and among the Union Committees and Members; and
 - plan and co-ordinate efforts to mobilize Members in support of such specific Union goals as may, from time to time, be determined by the Campus Representatives' Council in consultation with the Executive Committee.
- (c) The Campus Representatives' Council may recommend policy initiatives to the Membership. The Executive Committee shall submit such recommendations to the Membership and may include a recommendation of either concurrence or non-concurrence. The Executive Committee may refer to the Campus Representatives' Council for recommendation any matter of policy concerning the Union, political policy decisions, and matters involving the furtherance of the objects of the Union set out in its Constitution.
- (d) Meetings of the Campus Representatives' Council may be called by the President and shall be called within five (5) calendar days of the receipt of a written request by the Executive Committee or by Council Representatives from at least five (5) different Campuses or worksites.
- (e) Quorum for meetings of the Campus Representatives' Council shall be the lesser of twenty (20) Representatives or their designates, or one-half (1/2) of the total possible number of Representatives provided for by Article 6.2(a) of this Bylaw.

6.2 Eligibility

Members from each College campus are entitled to elect a Representative or Representatives from among their number as follows:

- (a) Each campus in existence as of March 1 shall be represented by Representatives determined as follows:
- Campuses with fewer than twenty-five (25) members shall be represented by one (1) Representative;
 - Campuses with twenty-six (26) to fifty (50) members may be represented by up to two (2) Representatives;

- Campuses with fifty (50) to one hundred and twenty-five (125) members may be represented by up to three (3) Representatives;
 - Campuses with more than one hundred and twenty-five (125) members may be represented by up to four (4) Representatives.
- (b) Alternative Representatives may be named in numbers equal to each campus Representative allocation.
- (c) Under exceptional circumstances, a General Membership meeting or Executive Committee Meeting may approve additional Representatives at an individual educational site reviewed on an annual basis.

6.3 Duties

Representatives shall:

- (a) act as representatives of the Union to Members at their respective Campuses;
- (b) within the Union, represent the Members of their respective Campuses;
- (c) serve as the liaison between the Members they represent and provide direction to the Executive Committee;
- (d) attend meetings of the Campus Representatives' Council and may, when unable to attend such a meeting, designate another Member from their Campus to attend the meeting;
- (e) where a Member or Members shall so request, transmit to either the Vice-President - Faculty or Vice-President- Professional Support the concerns of any Member or Members of their Campus that have the potential to result in a grievance;
- (f) make every effort to participate in such training as is organized or sanctioned by the Campus Representatives' Council; and
- (g) shall organize a minimum of three (3) meetings per year for Members at their respective campuses to disseminate information concerning the Union to the Members. The Representatives will provide to the VP Admin the list of attendees and the agenda for each of the three (3) campus meetings held at their site.

6.3 Election and Term

Campus Representatives shall be elected annually to serve one (1) year terms, from August 1 to July 31 of the following year. Election Officers, as established by the Nominating Committee, shall be responsible for conducting elections for Campus Representative(s) and Alternate Representatives.

a) Such elections shall be held in May, with at least two (2) weeks notice to campus members.

b) Notice shall be circulated by the Election Officer and the Nominating Committee. If at the close of nominations, the number of nominees is equal to or less than the number of eligible NSCC AU representatives at a Campus, then those nominees will be acclaimed as the Campus representative(s) and a call for nominations for additional NSCC AU representatives and/or NSCC AU alternate representative(s) shall take place.

c) If at the close of nominations, the number of nominees is greater than the number of eligible NSCC AU representative and alternate positions, a vote by secret ballot shall take place to determine which nominees will be the NSCC AU representative(s) and which nominees will be the NSCC AU alternate representative(s). The nominee(s) who receive the greatest number of votes shall be the NSCC AU Representative(s).

d) The NSCC AU representative and NSCC AU alternate representative positions shall be filled in sequence, starting with the nominee who received the greatest number of votes in descending vote count order, until all NSCC AU representative positions are filled, then continuing with the NSCC AU alternate representative position(s).

VIII. ARTICLE 7: COMMITTEES

7.1 All Standing and Ad Hoc Committees are Sub-Committees of the Campus Representative Council and decisions from these Committees are subject to review and approval of the Campus Representative Council.

7.2 The Standing Committees of the Union shall be the Finance and Audit Committee, the Nominating Committee, the Economic Welfare Committee - Faculty, Economic Welfare – Professional Support, the Public Relations Committee, Member Engagement Committee, Personnel Committee, Professional Development, Governance, Pension and Benefits, Grievance and the Discipline Committees.

7.3 Ad Hoc committees of the Union are established by the Executive Committee for a specific purpose and cease to exist on the completion of their task. NSCCAU ad hoc committees may include Negotiations, Hiring, Benevolent and other committees.

7.4 Other committees may be approved by the Campus Representative Council from time to time as required.

7.5 Duties of the Finance and Audit Committee

The Finance Committee shall work with the VP-Administration to:

- (a) prepare a proposed budget for approval at the spring Annual General Membership Meeting;
- (b) develop, revise and circulate guidelines for Union expenditures;
- (c) develop, revise and circulate guidelines for the purchase and disposition of capital equipment;
- (d) develop, revise and circulate criteria for approving special requests for funds and consider special requests for funds;
- (e) develop, revise and circulate criteria for approving grants programs from Union funds and consider applications for grants;
- (f) review the annual audit report and the management letter and make recommendations accordingly.

7.6 Duties of the Nominating Committee

The Nominating Committee shall:

- (a) Circulate Notice of Election(s) for available Executive Committee position(s) at least three (3) weeks prior to the Annual General Meeting.
- (b) If necessary, conduct the election(s) for the available Executive Committee position(s) by secret ballot at the AGM.
- (c) Circulate Notice of Elections for Representatives and Alternate Representatives for the Campus Representatives' Council.
- (d) Establish Election Officers at each Campus site to conduct elections for Representative(s) and Alternate Representative(s).
- (e) Administer the selection process for Committee membership.

The Chair of the Nominating Committee shall be the Vice-President Organizational Structure and Inclusion or their designate. The Chair cannot stand for election or appointment.

7.7 Duties of The Economic Welfare Committees

- (a) Plan and promote improvements in working conditions, under the heading Working Conditions in the Collective Agreement.

- (b) Solicit and prepare submissions for the asking package used in negotiations.
- (c) In conjunction with the PD Committee, develop and ensure the provision of training to members so as to cultivate the understanding of Faculty and Professional Support rights and responsibilities among the Membership.
- (d) Maintain a liaison with the appropriate Contractual Committees and report activities of these committees to the membership.

7.8 Duties of the Member Engagement and Public Relations Committees

- (a) Ensure an effective electronic communication system is maintained and kept current with industry standards where economically reasonable;
- (b) Research, develop and ensure the delivery of initiatives that increase/maintain members' strong identification with the NSCCAU with special emphasis on ensuring contacts with new members;
- (c) Ensure members are aware of the purpose, values and activities of the NSCCAU;
- (d) Support the activities of the Campus Representative Council at the campus level;
- (e) Promote and maintain the positive image of the Union with similar organizations, government, and the general public.
- (f) Communicate the Union's appreciation of the contribution of a retiring Member with a retirement gift.
- (g) Work with the campus representatives to select, procure and distribute all Union branded merchandise.
- (h) Support the work of the Professional Development Committee in the planning and delivery of the annual Union conference.

7.9 Duties of the Personnel Committee

- (a) Ensure that the Union is properly staffed including annual reviews of existing staff and propose to the Executive Committee, changes in duties if necessary.
- (b) Receive and address any complaints from or about staff. If the Personnel Committee is unable to resolve the complaint it will be referred to the Executive Committee and legal council may be engaged, if necessary.
- (c) The Committee Chair or designate shall report, in summary, the activities of the committee to the Executive Committee and the Campus Representative Council;

7.10 Duties of the Professional Development Committee

- (a) Plan and ensure the delivery of the annual Union conference originally know as FAPSC.
- (b) Assess the training required for the Representative Council and its committees and ensure the delivery of the that training.
- (c) The Committee Chair or designate shall report the activities of the committee to the Executive Committee and the Campus Representative Council;
- (d) Maintain a liaison with Contractual Committees involved in the professional development of members and report the activities of these committees to Union members.

7.11 Duties of the Governance Committee

- (a) The Governance Committee shall ensure that the NSCCAU Constitution and By-Laws are kept up-to-date and available to the members.
- (b) The Governance Committee shall solicit from members proposed amendments to the Union Constitution and By-Laws. Such proposals, if deemed to have merit, shall be brought to the next General Meeting for a vote. Union members shall be given any proposed amendments at least fourteen (14) calendar days before the General Meeting. Any proposed amendments which are received by the Governance Committee but deemed not to have merit shall be returned to the proposer with an explanation of the reason for rejection. The rejection may be appealed to the Campus Representative Council and, if successfully appealed, resubmitted in a subsequent year. See also Article 11.
- (c) The Governance Committee may receive from committees of the Union proposed amendments and may bring such amendments directly to the next General Meeting. Amendments originating with the Governance or other Union Committees shall be subject to the same timelines as those in 7.11 (b).
- (d) The Committee Chair or designate shall report the activities of the committee to the Executive Committee and the Campus Representative Council;

7.12 Duties of the Pension and Benefits Committee

- (a) The Pension and Benefits Committee shall work to ensure members have ready access to accurate and complete information on the benefits available to them as a consequence of their Union membership.

- (b) The Pension and Benefits committee shall solicit from members proposals for changes in benefits and work with other committees of the Union to have these proposed changes assessed and, if appropriate, included in negotiations with the employer.
- (c) The Committee shall work to ensure a positive working relationship with the employer as benefits administrator and with the Nova Scotia Pension Corporation as pension administrator.
- (d) The Pension and Benefits Committee shall work in conjunction with the PD Committee to develop and deliver information about benefits and pensions to Campus Representatives as well as special presentations at the annual Union conference.

7.13 Duties of the Discipline Committee

- (a) See Article 2.4 (c)

IX. ARTICLE 8: TERMS OF OFFICE/VACANCIES

- 8.1 Members of the Executive Committee shall be elected by secret ballot of the general membership during the AGM. Candidates may be acclaimed for Executive Committee Positions following the close of nominations in the event that only one candidate comes forward for a particular Executive Committee Position. A notice of Election shall be circulated no later than twenty-one days in advance of the election date. Nominations for Executive Committee Positions shall close no earlier than seven days in advance of the election date. The Nominating Committee shall be responsible for determining relevant dates and circulating notice. Provision for casting ballots will also be available at all campuses and in advance.
- 8.2 Should any Executive Committee position remain vacant following elections at the AGM, the Nominating Committee shall conduct a by-election at the next General Members Meeting of the Union.
- 8.3 If the President cannot fulfill their duties or complete a term of office, the First Vice-President shall assume the duties of the President in the interim. The Nominating Committee shall seek nominations for the position and conduct an election at the next General Membership Meeting and conduct an election at or within 6 weeks of that meeting. The term of office for this position shall be until the completion of the vacated term of office.
- 8.4 If an Executive Committee member, other than the President, cannot complete a term of office, the position shall be filled through a by-election administered by the Nominating Committee. The Nominating Committee shall seek nominations for the position and conduct an election at the next General Membership Meeting of the Union. The term of office for this position shall be until the completion of the vacated term of office. In the interim period before the next General Meeting, the Executive

Committee may appoint a member to fulfill the vacated Executive Committee position on an interim basis and/or reassign the duties and functions of that position if needed.

X. ARTICLE 9: DUES, FEES AND ASSESSMENTS

- 9.1 Every Member shall pay dues, fees and assessments to the Union.
- 9.2 The dues, fees and assessments levied in each fiscal year shall be established by the passage of an annual Operating Budget at each spring Annual General Membership Meeting as provided for by Article 3 of these Bylaws.
- 9.3 Unless otherwise specified by a collective agreement, dues will normally be deducted in equal amounts from each of the first twenty-six (26) pay periods in the Union's Fiscal Year (starting August 1st) by the College from the salary of each Member and forwarded to the Union.

XI. ARTICLE 10: CONTRACT RATIFICATION

- 10.1 Ratification of the terms of any Collective Agreement shall require a secret ballot vote of the membership to be conducted in such manner and at such times as determined by the Executive Committee, under the direction of the Campus Representative Council.

XII. ARTICLE 11: AMENDMENTS TO THESE BYLAWS

11.1 Notice for Amendments

Notice of motion to amend these Bylaws must be delivered with the notice of the General Membership Meeting at which the resolution is to be moved, at least fourteen (14) days in advance of that General Membership Meeting.

11.2 Executive Committee and Campus Representatives' Council Amendments

The Executive Committee and Campus Representatives' Council, after consultation with the Governance Committee, may propose amendments to these Bylaws by submitting the text of the proposed amendment to the chair of the Governance Committee, who shall ensure that the text of the proposed amendment is included in the notice for the next General Membership Meeting.

11.3 Members' Amendments

- (a) Any two Members may propose an amendment to these Bylaws by submitting the text of their proposed amendment, signed by both members, directly to the Chair of the Governance Committee.
- (b) Where the text of an amendment proposed by Members is received less than twenty-one (21) days prior to a scheduled General Membership Meeting or after Notice of a General Membership Meeting has been circulated, the chair NSCCAU Bylaws Page 23 of 23 of the Governance Committee shall ensure that the text of the proposed amendment is brought to the Governance Committee for consideration and included in the notice for a subsequent General Membership meeting.

11.4 Majority Required

To succeed, any resolution to amend these Bylaws must be supported by at least two-thirds (2/3) of the Members voting.

11.5 Effective Date

Any change in these Bylaws shall take effect upon approval by a duly constituted General Membership Meeting as outlined above.

XIII. ARTICLE 12: IMPLEMENTATION

- 12.1 These Bylaws take effect upon approval by a majority vote of those attending the founding meeting of the Union.

Approved on
Date: March 10, 2021



NSCCAU President