

# **Association of Dawson Professionals Constitution**

Adopted by a General Assembly of the ADP, 5 September 2013

## **Article I Name**

- 1.1 The name of this body is the Association of Dawson Professionals (ADP), hereafter referred to as the 'Association'.

## **Article II Head office**

- 2.1 The head office of the Association is located at 3040 Sherbrooke Street West, Westmount, Quebec, H3Z 1A4.

## **Article III Aims**

- 3.1 To promote and maintain the rights, interests and welfare of professionals at Dawson College in all matters regarding their common interests;
- 3.2 To ensure and encourage the active participation of professionals at all levels of College governance;
- 3.3 To ensure the just application of the Collective Agreement governing professionals, to promote understanding of its contents and to participate in its negotiation;
- 3.4 To promote effective communication and collaboration within the Association and with other groups within the College;
- 3.5 To model respect and ethical behaviour within the Dawson community.

## **Article IV Membership and representation**

- 4.1 All employees of Dawson College who perform duties defined in the classification plan, as established in the collective agreement for professionals, shall be eligible to become members of the Association. Each member shall complete a membership card.
- 4.2 The Association shall represent its members, including:
  - a) Professionals who are employed full or part time;
  - b) Professionals who are on leave with or without pay;
  - c) Professionals who have been suspended, transferred or dismissed and for whom action or grievance procedures are possible.

## **Article V Affiliation and disaffiliation**

- 5.1 The Association is affiliated with the Centrale des syndicats du Québec (CSQ) and the Fédération du personnel professionnel des collèges (FPPC).

- 5.2 The Association may decide to affiliate with any and all organizations, groups or associations whose aims are consistent with those of the Association, provided the following conditions are met:
- a) A notice of motion to hold a referendum on the subject of affiliation shall be given at least thirty (30) days in advance of the general assembly where the matter will be addressed.
  - b) For an affiliation decision to be valid, it shall have the support of a majority (50%+1) of the members as expressed in a referendum. See article 11.8 on the procedure for conducting referenda.
- 5.3 The Association may decide to disaffiliate from any and all organizations provided the following conditions are met:
- a) A notice of motion to hold a referendum on the subject of disaffiliation shall be given at least thirty (30) days in advance of the general assembly where the matter will be addressed. The notice of motion shall also be sent to the CSQ and the FPPC, at least thirty (30) days prior to the General Assembly meeting at which the proposal is to be made.
  - b) For a disaffiliation decision to be valid, it shall have the support of a majority (50% +1) of the members as expressed in a referendum. See article 11.8 on the procedure for conducting referenda.
  - c) The CSQ shall have the right to delegate observers to oversee the referendum procedure.
- 5.4 The Association shall send the CSQ a copy of the notice of meeting and the proposed agenda of any and all general assemblies, the copies to be sent prior to the meetings, within the prescribed time as set out in article 11.3.
- 5.5 The Association shall agree to allow a maximum of two authorized representatives of the CSQ to attend any and all general assemblies and to express their views at such meetings; the CSQ shall make a request to this effect prior to the meeting in question.

#### **Article VI Dues**

- 6.1 All professionals at Dawson College shall pay union dues as established by the CSQ, the FPPC and the Association.
- 6.2 The Association shall set the amount of the dues to be paid to it. The Executive Council shall recommend to a general assembly that a referendum be held to approve any change in the established amount of the dues. Any change must be ratified by a two-thirds (2/3) majority of the votes cast in a referendum.
- 6.3 The Association shall mandate the CSQ to act as the collection agent for all union dues.

## **Article VII Fiscal year**

7.1 The fiscal year shall begin on June 1 and end on May 31 of the following year.

## **Article VIII The Executive**

8.1 The Executive of the Association shall consist of the Executive Leadership and the Executive Council.

8.2 The Executive Leadership shall be comprised of the President, Vice-President, Treasurer, Secretary, and is authorized by the membership to oversee and manage the day-to-day operations of the Association. The Executive Council, comprised of all professionals who have been elected or acclaimed, or who serve on a voluntary basis on permanent committees, shall serve in an advisory capacity to the Executive Leadership. In exceptional circumstances where the positions of President and Vice-President are vacant, the members of the Executive Council shall jointly assume the roles and responsibilities of the President until at least one of the two positions is filled.

As per Article 10.3a, to be eligible for election to a position on the Executive, a candidate shall have completed the equivalent of at least one year of service as a professional at Dawson College.

8.3 Members of the Executive Leadership may only hold one position within the Executive Leadership at a given time. However, any member of the Executive Leadership may also hold a position on the Executive Council; and vice versa.

8.4 The responsibilities of the Executive shall be:

- a) to promote and maintain the rights, interests and welfare of the professionals of Dawson College in all matters respecting their common interests, including drafting the local agreement;
- b) to act as the only representative and voice of the professionals in college matters pursuant to its mandate, such representation including the authority to:
  - i) participate in the formulation and implementation of college-wide organizational and academic policies;
  - ii) forward, in the name of the Association, recommendations to governments, constituencies, bodies or individuals;
- c) to promote the involvement of professionals in the College community;
- d) to promote and maintain communication between professionals and the College administration.

8.5 The Executive Leadership of the Association shall be composed of the following members:

- a) The President of the Association, who shall:
  - i) be the primary spokesperson of the Association;
  - ii) be responsible for the overall operations of the Association;
  - iii) ensure that all aspects of the Executive's business are efficiently executed;
  - iv) be responsible for calling and chairing meetings of the Executive and the General Assembly;

- v) be responsible for hiring and overseeing employees working on behalf of the Association;
- vi) serve as an *ex officio* member of the ADP Professional Development Committee;

The position of president can be filled by two individuals who will share the responsibilities of the position.

- b) The Vice-President of the Association, who shall:
  - i) represent and advance the goals of the Association at meetings of the central union;
  - ii) liaise with other unions of Professionals;
  - iii) assist the President in overseeing the overall operations of the Executive;
  - iv) assist the President in hiring and overseeing employees working on behalf of the Association;
  - v) replace the President when necessary due to absence, resignation or permanent incapacity;
- c) The Secretary of the Association, who shall:
  - i) act as returning officer for all elections and all electronic balloting;

and the following tasks unless delegated by the Executive Leadership to an employee working on behalf of the Association:

  - ii) be responsible for the accurate order of the Association files;
  - iii) be responsible for taking the minutes of all Executive meetings and General Assemblies of the Association;
  - iv) be responsible for the publication of all agenda, minutes, notices and the material relevant to the business conducted by and at meetings of the Executive and the General Assembly of the Association;
  - v) be responsible for keeping members of the Executive up to date on all relevant material, documentation and events;
- d) The Treasurer of the Association, who shall:
  - vi) be responsible, in consultation with the Executive Leadership, for the administration of union funds and all Association bank accounts and expenditures;
  - vii) present financial reports to the Executive and to the General Assembly.

8.6 The Executive Council shall consist of all members of the Executive Leadership and the following voting members:

- a) Three (3) representatives on the Senate, elected by the Association membership, who shall:
  - i) liaise between the Association and the Senate;
  - ii) be responsible for the coordination of professional participation in any and all aspects and levels of the Senate, as applicable;
- b) One (1) representative on the Board of Governors, elected by the Association membership, who shall:
  - i) liaise between the Association and the Board of Governors;

- ii) be responsible for the coordination of professional participation in any and all aspects and levels of the Board of Governors, as applicable;
  - c) Three (3) representatives and one (1) alternate representative on the Labour Relations Committee, elected by the Association membership, who shall:
    - i) represent the Association in negotiation of local agreements with the College and in the settlement of grievances;
  - d) Two (2) representatives on the College Professional Development parity committee, elected by the Association membership, who shall:
    - i) oversee professional development activities of professionals;
    - ii) approve the disbursement of professional development funds;
  - e) Two (2) representatives on the ADP Professional Development Support Committee who shall:
    - i) approve the disbursement of the ADP Professional Development Fund in accordance with the Professional Development Policy and Procedures;
  - f) One (1) representative on the College Budget Consultation committee;
  - g) One (1) representative on the College Committee to Stem Violence, Discrimination, Harassment and the Abuse of Power;
  - h) One (1) representative on the College Health and Safety Committee;
  - i) Three (3) representatives on the Donations Committee who shall:
    - i) recommend requests for Association donations to the Executive Leadership.
  - j) One (1) member-at-large, without portfolio.
- 8.7 The Executive Leadership, with the advice of the Executive Council, may establish *ad hoc* committees, as needed or requested. Members of an *ad hoc* committee may be invited to the Executive Council meetings as non-voting participants.
- 8.8 Meetings of the Executive Council of the Association shall be held at least twice during each of the fall and winter terms. A majority of the members shall constitute a quorum.

#### **Article IX Elections**

- 9.1 The following officers and representatives are elected by majority vote: President, Vice-President, Treasurer, Secretary, three representatives on the Senate, one representative on the Board of Governors, three representatives and one alternate representative on the Labour Relations Committee, and two representatives on the Professional Development parity committee.
- 9.2 Officers and representatives shall be elected to three-year terms, which shall begin from the date of election and are renewable.
- 9.3 Procedure for Elections:

The Association's Secretary shall act as Returning Officer. Polling shall be done by electronic means, using secure software. All members shall be eligible to vote.

- a) To be eligible for election to a position on the Executive Council, a candidate shall have completed the equivalent of at least one year of service as a professional at Dawson College.
- b) A call for nominations shall be sent electronically to all members. The period of nomination shall be at least five (5) working days before the election date. A candidate shall be nominated by at least one person and shall accept the nomination. The nomination, together with the nominee's acceptance, shall be sent to the Returning Officer.
- c) If only one candidate is nominated, he or she shall be considered acclaimed. If there are two or more candidates, the candidates shall be invited to prepare a short statement about their qualifications for the position, which shall be sent electronically to all members.
- d) Access to the electronic poll shall be sent to all members and members shall be given a period of five (5) working days in which to vote.
- e) The Returning Officer, in the presence of another member of the Executive Leadership, shall tally the votes. A person shall be elected by a simple majority (50% + 1) of the votes cast. The membership of the Association shall be notified electronically of the elected officer(s).

#### **Article X Removal of members of the Executive Council**

10.1 The procedure for removing any elected or appointed member of the Association Executive Council shall be the following:

- a) The Executive Council may remove one of its members from their position by a vote of two-thirds (2/3) majority;
- b) By petition to the Executive Council, any member of the Association may request the removal of a member from their position in the Executive Council.

10.2 The grounds for removal are:

- a) Contravention and abuse of the Constitution and/or adopted procedures by a member of the Executive Council in the course of duty for the Association;
- b) Failure to fulfill the duties and responsibilities as conferred by this constitution and/or adopted procedures;
- c) Abuse of the position of office and/or the privileges thereby conferred.

#### **Article XI General assemblies and referenda**

11.1 All members of the Association shall be entitled to participate in general assemblies and shall be voting members.

- 11.2 A minimum of one general assembly shall be held during each of the fall and winter terms.
- 11.3 Notice of meeting and a tentative agenda shall be sent to all members at least five (5) working days before the meeting.
- 11.4 Quorum for a general assembly shall be one third (1/3) of the membership. If the assembly does not secure a quorum, the Executive Leadership may convene a second general assembly with the same agenda and with a minimum three (3) working days' notice, at which those present shall constitute a quorum.
- 11.5 In case of an emergency, a general assembly may be called by the President, or acting President, and two other members of the Executive Leadership, with a minimum of twenty four (24) hours' notice. The first order of business at such a meeting shall be the confirmation by two thirds (2/3) of those present that the issue in question required an emergency meeting. If confirmation is denied, the meeting shall be adjourned immediately. The normal requirement regarding quorum shall apply to emergency meetings.
- 11.6 The affairs of the Association shall be conducted by the Executive Committee under the direction of the General Assembly. In particular, the duties of the General Assembly are as follows:
- a) to elect the President, Vice-President, Treasurer, representatives on the Senate, the representative on the Board of Governors, members of the Labour Relations Committee, and members on the Professional Development parity committee;
  - b) to ratify negotiations pertaining to any working contract, local agreements, etc.;
  - c) to form *ad-hoc* committees that advance the aims and operations of the Association;
  - d) to receive a financial report;
  - e) to receive the reports of committees, as needed;
  - f) to provide feedback and advice to the above-mentioned committees;
  - g) to adopt amendments to the constitution, as required;
  - h) to authorize referenda on affiliation or disaffiliation with a central union, or on any other matter it considers appropriate;
  - i) to conduct such other business as the Chair may consider appropriate.
- 11.7 Only members who are actually present at an assembly shall be entitled to vote. Votes shall be decided by a simple majority (50% + 1) of the votes cast. The Chair will not cast a vote except in the case where a deciding vote is needed to break a tie.
- 11.8 The General Assembly shall authorize referenda on matters where a broader consultation of the membership is required or desired.

- a) The General Assembly shall determine the wording of the proposal and the nature of the information that will be submitted to the membership.
  - b) A referendum shall be conducted by electronic polling, prior to which members shall have had at least ten (10) working days to inform themselves about the proposal.
  - c) Access to a secure electronic poll shall be sent to all members of the Association who shall be given five (5) working days in which to vote.
  - d) Except where this constitution expressly provides otherwise, a referendum shall be decided by a simple majority (50% + 1) of the votes cast
- 11.9 Under extra-ordinary circumstances (e.g. labour unrest or negotiations with the College), a General Assembly may, by a majority vote, grant the Executive Committee or any other designated group of members the mandate to make policy decisions without referring such decisions to a vote of the membership.
- 11.10 Procedural disputes shall be decided by the Chair's interpretation of the Association's Constitution or of Robert's *Rules of Order*.

#### **Article XII Ratification and amendment of the Constitution**

- 12.1 The Constitution or any proposed amendments to it shall be forwarded to the membership at least ten (10) working days in advance of the general assembly where the matter will be addressed.
- 12.2 Open discussion by the membership at a general assembly shall be held prior to a ratification vote.
- 12.3 Subsequent to the ratification vote of this constitution, amendments to the constitution shall be adopted by a two-thirds (2/3) majority of the votes cast in a referendum. See article 11.8 on the procedure for conducting referenda.