

**SECTION I - FUNDAMENTAL MATTERS**

ARTICLE 1 – NAME

1.01 This organization shall be known as the Mount Royal Staff Association (hereinafter referred to as the “MRSA”).

ARTICLE 2 – HEADQUARTERS AND GENERAL PROVISIONS

2.01 The MRSA maintains an office at Mount Royal University in Calgary, Alberta.

2.02 The MRSA has an Executive-approved seal that shall be used as required by this Constitution.

ARTICLE 3 – DEFINITIONS

3.01 **Collective Agreement** shall mean the current Collective Agreement between the MRSA and the Board of Governors of Mount Royal University.

3.02 **Executive** shall mean the Executive of the MRSA.

3.03 A **Full-time employee** shall refer to an individual occupying a position at Mount Royal University position and who works on an established schedule of not less than 35 hours per week.

3.04 **Good standing** of members shall confer the following: voting in MRSA elections, serving on MRSA committees, serving on University committees on which MRSA representation is required, and accessing professional development funds.

3.05 **He** and **his** shall represent he/she and his/her.

3.06 **Members** shall mean all Mount Royal employees who pay dues to the MRSA.

3.07 The **number of days** indicated throughout the Constitution represents the number of working days, considered here to be Monday through Friday.

3.08 **Plurality** shall mean that the winner is the person or proposition with the most votes. The candidate or proposition with the greatest number of votes actually cast shall be declared the winner, regardless of the number of choices on the ballot and even in the absence of majority support for that candidate or proposition amongst the ballots actually cast.

3.09 **Quorum** the minimum number of voting members who must be present (in person or virtually), at properly called meetings to conduct business, including motions to vote.

3.10 **Staff** shall mean non-academic staff, full- and part-time as described in certificate 4-78 issued by the Public Service Relations Board, excluding the

Mount Royal Faculty Association and those employees considered exempt, contract or managerial.

3.11 The **University** shall mean Mount Royal University.

ARTICLE 4 – OBJECTIVES

The objectives of the MRSA shall be to represent, organize and promote the general well being of Staff and shall include, more specifically, the following objectives:

- 4.01 To regulate relations between employers and employees, to act as a bargaining agent, to bargain collectively with the employer terms and conditions of employment; and conclude collective agreements on behalf of its members.
- 4.02 To promote the general and employment welfare of its members.
- 4.03 To monitor and enforce terms and conditions of the Collective Agreement between MRSA members and Mount Royal University.
- 4.04 To unite the members of the MRSA for their mutual improvement socially, mentally and physically and for their protection and common and individual welfare.
- 4.05 To provide education, development and training opportunities for the members.
- 4.06 To organize all members in a democratic organization capable of acting on their behalf.
- 4.07 To ensure that all people shall be treated equally, with dignity and without discrimination, intimidation, restriction or coercion.
- 4.08 To donate assets or funds of the MRSA to benefit MRU Stakeholders.

**SECTION II – MEMBERSHIP, DUES AND LEVIES**

ARTICLE 5 – MEMBERSHIP

- 5.01 All staff employees of Mount Royal University shall be eligible to become members of the MRSA immediately upon commencing employment and payment of dues. If the individual otherwise qualifies for membership, MRSA shall accept that person as a member of the MRSA upon receiving notification of the persons employment and payment of dues.
- 5.02 All members of the MRSA shall be bound by and abide with the provisions of this Constitution.

- 5.03 Members remain in good standing as long as they are employed within the jurisdiction covered by the MRSA and provided they do not lose their good standing by virtue of other relevant sections of this Constitution.
- 5.04 Members in good standing shall be entitled to the right to representation with the employer in accordance with the Collective Agreement.

#### ARTICLE 6 – DUES

- 6.01 The MRSA shall set monthly dues to be deducted by the University from the pay of each member.
- 6.02 Membership dues are recommended by the MRSA Executive and approved by vote by the membership.
- 6.03 When the MRSA Executive deem necessary, membership dues shall be changed. A meeting will be set to discuss the change in dues. Ten (10) days prior notice must be given to all members regarding a meeting to change the dues. A vote will be held and dues shall be changed if the increase is accepted by plurality.

#### ARTICLE 7 – SPECIFIED LEVY

- 7.01 A levy on members can be imposed only for a specific purpose and may not exceed a term in excess of twelve (12) calendar months. A levy does not refer to, nor include, regular monthly MRSA dues.
- 7.02 The MRSA Executive will make a recommendation to the membership when a specified levy is required. A meeting will be set to discuss the specified levy. Ten (10) days prior notice must be given to all members regarding the meeting. A vote will be held and the specified levy will take effect if accepted by plurality.

### **SECTION III – GOVERNANCE- ELECTED OFFICIALS**

#### ARTICLE 8 – OFFICERS

- 8.01 The MRSA shall have the following officers: President, two (2) Vice-Presidents, Treasurer/Secretary and Past President.
- 8.02 The term of office for the President, Vice-Presidents, Treasurer/Secretary shall be two (2) years commencing July 1<sup>st</sup> and ending June 30<sup>th</sup>.
- 8.03 All Officers shall be elected by a plurality of unspoiled ballots cast by those eligible to vote who actually cast ballots. Information regarding elections and voting is found in the Elections and Voting Policy of the MRSA.

- 8.04 Candidates for the positions of President must have served a minimum of one (1) year on the Executive. Candidates for the positions of Vice-President(s) and Treasurer are recommended to have served a minimum of one (1) year as a representative on the Executive or have relevant experience.
- 8.05 All Officers must be full-time employees or full-time continuing term employees and commit to a twelve (12) month serving capacity, regardless of their employment hours designation.

#### ARTICLE 9 – PRESIDENT

- 9.01 The President is the senior executive position of the MRSA.
- 9.02 It shall be the duty of the President to:
- a. assist with the administration and implementation of the Collective Agreement, including the handling of grievances. This may include representation of members at grievance meetings and arbitrations;
  - b. supervise the affairs and business operations of the MRSA;
  - c. engage legal counsel as may be necessary from time to time to pursue the objectives of the Association;
  - d. preside at meetings of the Executive of the MRSA;
  - e. provide input into the financial operations of the MRSA and countersign all cheques as required;
  - f. provide MRSA representation on University committees or delegate this duty when necessary and appropriate;
  - g. liaise with a senior member of the Human Resources department, the University President, and other University administrators on a regular basis;
  - h. sit as ex-officio member of all committees of the MRSA;
  - i. establish committees as deemed necessary for MRSA operations;
  - j. liaise externally with appropriate organizations;
  - k. liaise internally with appropriate organizations such as faculty and student associations;
  - l. prepare for and attend Board of Governors meetings; and
  - m. act as chief spokesperson for the MRSA on policy matters and major issues.

- 9.03 The President shall have the authority to:
- a. sign all official documents on behalf of the MRSA;
  - b. call and convene special meetings of the Executive Committee;
  - c. designate staff or Executives, in writing, to sign documents on behalf of the President;
  - d. authenticate the use of the Association Seal in conjunction with the Treasurer/Secretary.
- 9.04 The President shall devote time to the MRSA Office as set by the Collective Agreement.

#### ARTICLE 10 – VICE-PRESIDENTS

- 10.01 The Vice-Presidents shall assist the President in the execution of the President's duties and may act on behalf of the President when so authorized, and shall perform the duties and responsibilities assigned by the President.
- 10.02 The Vice-President shall devote time to the MRSA Office as set by the Collective Agreement.
- 10.03 It shall also be the duty of the Vice-President to:
- a. perform the duties of the President until the President's current term is completed when selected by the Executive in the case of resignation or the inability of the President to continue his/her term;
  - b. chair and serve on MRSA committees when necessary and represent the MRSA on University committees when necessary;
  - c. be one of the signatories to countersign cheques in the absence of the President or Treasurer/Secretary; and
  - d. be the Communications Officer for the MRSA.

#### ARTICLE 11 – TREASURER/SECRETARY

- 11.01 It shall be the duty of the Treasurer/Secretary to:
- a. have custody of all MRSA books, minutes, records and financial and accounting documents;
  - b. have custody of the Seal of the Association;
  - c. maintain proper and correct financial accounts of the MRSA;

- d. in consultation with other members of the Executive, set up and maintain proper accounting controls;
- e. serve as a member of the Audit and Finance Committee; and
- f. perform all duties as specified in the MRSA Treasurer/Secretary job description.

11.02 The Treasurer/Secretary shall have the authority to:

- a. sign financial documents on behalf of the MRSA;
- b. authenticate the use of the MRSA Seal in conjunction with the President;
- c. designate, in writing, signing authority to an alternate;
- d. release books, records, financial and accounting documents, in a timely manner, to the auditor as selected by the Executive; and
- e. ensure adherence to all MRSA financial policies.

11.03 The Treasurer/Secretary shall devote time to the MRSA Office as set by the Collective Agreement.

#### ARTICLE 12 – PAST PRESIDENT

12.01 The Past President(s) may perform the following duties:

- a. as the immediate Past President, sit on the Executive as an ex-officio member for the first term of the incoming President; and
- b. advise and assist the incoming President.

#### ARTICLE 13 – BOARD OF GOVERNORS REPRESENTATIVE

13.01 The Board of Governors Representative shall be elected according to the MRSA Elections and Voting Policy and according to any current provincial government legislation that may be in effect.

13.02 The Board of Governors Representative shall perform the following duties:

- a. prepare and attend all MRU Board of Governors meetings;
- b. participate in the MRU Board of Governors' decision-making process;
- c. represent and voice the perspective of the Staff at the MRU Board of Governors meetings;
- d. contribute as a member to the MRU Board of Governors as applicable;

- e. consult with the MRSA President regarding information the MRSA President will present to the MRU Board of Governors; and
- f. communicate with the MRSA Executive and membership after each meeting as required.

#### ARTICLE 14 – THE EXECUTIVE

- 14.01 The MRSA shall have an Executive consisting of its officers and a minimum of eight (8) Directors at Large elected or appointed from the membership.
- 14.02 The Executive of the MRSA is responsible for the overall operations and governance of the MRSA.
- 14.03 The Executives shall fulfill the objectives of the MRSA.
- 14.04 Elected or appointed Directors at Large must be members in good standing.
- 14.05 The term of office for Directors at Large will be two (2) years, commencing July 1<sup>st</sup> and ending June 30<sup>th</sup>.
- 14.06 The Directors at Large shall perform those duties assigned by the Executive.
- 14.07 When a member of the Executive has a pecuniary interest and/or other conflict of interest in a matter before the Executive or any committee of the MRSA of which he is a member, the member shall, if present at the meeting:
  - a. disclose the general nature of the pecuniary interest and/or other conflict of interest prior to any discussion on the matter and be required to excuse himself from the room until the matter is closed;
  - b. not participate in any discussions at the meeting about the matter; and
  - c. abstain from voting on any question relating to the matter.
- 14.08 An Executive member shall automatically cease to hold his Executive position upon the occurrence of any of the following events:
  - a. if he is suspended, expelled or otherwise ceases to be a member in good standing of the MRSA, except if his suspension or expulsion is successfully appealed and he is restored to his Executive position for the balance of his original term;
  - b. if by notice in writing to the MRSA he resigns from his Executive position;
  - c. if he is promoted or transferred outside of the bargaining unit and is no longer a member of the MRSA; or
  - d. if he is found guilty of an indictable offence.

- 14.09 Executive members may be immediately removed from their position by a seventy-five percent (75%) vote of the Executive upon the occurrence of any one of the following events:
- a. if the Executive member is unable or will likely be unable to perform his duties for a period of six months or longer due to illness or absence ; or
  - b. if the Executive determines that the member is interfering with the ability of the MRSA or the Executive to carry out its legal or contractual obligations;
  - c. if the Executive determines that the member is acting in a manner that tends to bring the MRSA in disrepute or interfering with the orderly conduct of MRSA business and affairs; and
  - d. if the Executive determines that the member had a previously undisclosed pecuniary interest or other conflict of interest in a contract or other business dealing with the MRSA.

#### ARTICLE 15 – EXECUTIVE MEETINGS

- 15.01 Procedures laid down in *Roberts Rules of Order* shall be used as a guideline to conduct all proceedings of the MRSA.
- 15.02 The Executive shall hold regular meetings throughout the year. No meeting of the Executive shall be held without a quorum of four (4) members of the Executive.
- 15.03 Voting on motions in Executive meetings shall require a quorum of seven (7) members of the Executive.
- 15.04 All members of the Executive have one (1) vote each except the Board of Governors Representative and the Past President who have no voting rights. In the event of a tie, the President shall cast the deciding vote.
- 15.05 In the event that any Executive member engages in disorderly conduct during a meeting, the President or Vice-President may expel him from the meeting and the remaining members shall constitute a quorum, provided at least six individuals remain in the meeting. The decision of the President or Vice-President shall be final and not subject to any appeal.
- 15.06 Should any Executive member fail to be present for three (3) consecutive meetings without having good and sufficient cause for his absence, his office may be declared vacant by vote of the Executive and the position shall be filled by the method described in the Elections and Voting Policy. If ten (10) days after notification of the vacancy no member comes forward to stand for election, the Executive may appoint a replacement who shall serve for the remainder of the term.



## **SECTION IV – GOVERNANCE - MEMBERSHIP**

### ARTICLE 16 – MEMBERSHIP MEETINGS

- 16.01 The MRSA shall hold meetings of the membership when the Executive deem them necessary.
- 16.02 The MRSA shall hold an Annual General Meeting following the annual external audit of MRSA financial records. There shall be no more than fifteen (15) months between AGMs. A quorum for the Annual General Meeting shall consist of not less than fifty (50) members not including Executive members.
- a. Any General Meetings (GM) or Special Meetings where motions are made require a quorum of not less than fifty (50) members not including Executive members.

### ARTICLE 17 – COMMITTEES

- 17.01 The MRSA may have the following standing committees and other ad hoc committees as deemed necessary by the Executive:

**Standing Committees:**

- a. Audit and Finance Committee
- b. Develop, Train and Learn Committee (DTL)
- c. Education, Development and Training Committee (EDT)
- d. Labour Relations Committee
- e. Negotiating Committee
- f. Policies and Procedures Committee

### ARTICLE 18 – ELECTIONS AND VOTING

- 18.01 General elections will be held annually and there shall be no more than fifteen (15) months between elections.
- 18.02 The Executive shall be elected by plurality. Information regarding elections and voting is found in the Elections and Voting Policy of the MRSA.
- 18.03 Elections or voting will be held for general elections, ratification votes, changes to the MRSA Constitution, by-elections and/or special resolutions.
- 18.04 The Elections and Voting Policy shall not violate any article of the MRSA Constitution. In the event of inconsistency, the Constitution shall prevail.

ARTICLE 19 – CODE OF CONDUCT - MRSA MEMBERS

- 19.01 Every member of the MRSA shall conduct his daily work activities in a respectful and professional manner. Each member will do his best to represent the MRSA to the highest possible standards.
- 19.02 A member of the MRSA is guilty of an offence against the Constitution when he:
- a. violates any provision of this Constitution;
  - b. obtains membership through fraudulent means or by misrepresentation;
  - c. advocates or attempts to bring about the withdrawal from the MRSA of any members or groups of members;
  - d. publishes or circulates, either verbally or otherwise, among the membership false reports or misrepresentation concerning any member of the MRSA in respect to any matter connected with the affairs of the MRSA;
  - e. works with any organization competing with the MRSA in a manner which is detrimental to the MRSA;
  - f. fraudulently receives or misappropriates any property or funds of the MRSA;
  - g. uses, without proper authority, the name of the MRSA;
  - h. without receiving proper authority to do so, furnishes a complete or partial list of the membership of the MRSA to any person or persons other than those whose official positions entitle them to have such a list;
  - i. interferes with any officer or any representative of the MRSA in the discharge of his duties; or
  - j. publishes or circulates, verbally or otherwise, reports designed or calculated to injure or weaken the MRSA.
- 19.03 Every member of the Association shall be entitled to a fair and impartial hearing.
- 19.04 In all cases, the onus of establishing the guilt of the accused shall be on the accuser.

ARTICLE 20 – RIGHT OF APPEAL

- 20.01 A member or group of members, whose rights under this Constitution have been denied or substantially prejudiced, may appeal to the MRSA Executive.
- 20.02 The MRSA Executive shall investigate the facts surrounding the matter appealed and, after investigation and discussion with the parties involved, may order such corrective action as the MRSA Executive deem appropriate. The MRSA Executive shall advise the parties of their ruling within twenty (20) days of receipt of the appeal.
- 20.03 If a member of the MRSA Executive is named in the appeal and was involved in the original decision or action, he shall remove himself from the investigation and decision making.

ARTICLE 21 – PROCESS FOR DETERMINING VIOLATIONS OF THE CONSTITUTION

- 21.01 If it is alleged that a member or officer of the MRSA has committed an offence against the Constitution, specific charges must be taken to the President of the MRSA, or, if the charges are against the President, to a Vice-President who shall take the charges forward to the Executive.
- 21.02 The President or Vice-President shall convene and chair a special hearing consisting of five (5) of the longest serving available members of the Executive including the President or a Vice-President to hear the charges within ten (10) working days of allegations being brought forward.
- 21.03 Announcement of the charges and the date of the special hearing shall be sent by registered mail to the member at least ten (10) working days before the hearing is to be held.
- 21.04 At the hearing, evidence of the charges shall be presented to the member and the member shall have opportunity to refute the charges.
- 21.05 After the hearing, the guilt or innocence of the member thus charged shall be determined by a vote of the members of the committee; the vote must be a majority in favour of guilt or innocence. In the event of illness or incapacity of one of the serving Executive, the hearing shall continue with the outcome being decided by a majority vote of those remaining.
- 21.06 In the event of a tie, the Chair will cast the deciding vote.
- 21.07 If the member is found guilty, he may appeal in writing to the Executive within seven (7) working days. The appeal must be delivered to the MRSA Office no later than 3:00 pm on the seventh working day. If an appeal is filed, a second hearing shall be set consisting of five (5) Executive members or the longest standing chairs of other MRSA Committees who did not participate in the initial hearing and the member shall be informed of the date and time of the appeal hearing. This hearing shall be chaired by the longest standing

- Executive member of the Association who did not participate in the first hearing.
- 21.08 Additional evidence may be introduced at the appeal hearing by the accuser, the accused and the Executive. If the Executive upholds the previous decision, no further action shall be taken by the member; if the Executive overturns the previous decision, the new decision shall stand. Decisions by the Executive will be determined by a majority vote.
- 21.09 The Executive determines the appropriate punishment/penalty for the offence. The Executive may consult with legal counsel on any aspect of the matter.
- 21.10 Punishment may include any of the following: reprimand, suspension of privileges, suspension, removal from office or expulsion from the MRSA.
- 21.11 The deliberations of this committee are confidential. When a decision is rendered, the appropriate parties will be promptly notified.

## **SECTION V - MISCELLANEOUS**

### **ARTICLE 22 – AMENDMENTS TO THE CONSTITUTION**

- 22.01 The Constitution may be added to, repealed or amended at any time provided that notice of the proposed amendments is given to the membership. A Special General Meeting shall be called with at least ten (10) days prior notice to vote and provided that such a notice contains the proposed amendment or amendments. Quorum shall consist of no less than fifty (50) voting members, not including Executive members. In order to pass, at least 75% of the ballots cast must be in support of the amendments.
- 22.02 A presentation of the proposed Constitution amendments to the members must be made ten (10) days prior to the vote on the proposed amendments.

### **ARTICLE 23 – AFFILIATION, MERGER, AMALGAMATION AND TRANSFER OF JURISDICTION**

- 23.01 The MRSA may affiliate, merge, amalgamate or transfer its jurisdiction to another organization for the fulfillment of its objectives upon such terms as may be acceptable to its members.
- 23.02 Notice of motion for a resolution to affiliate, merge, amalgamate or transfer its jurisdiction to another organization must be given to all members of the MRSA at least ninety (90) days prior to the intended vote on the resolution.
- 23.03 In order for the Motion to pass at least 50% of the membership must vote on the resolution and two-thirds of votes cast must support the resolution.

ARTICLE 24- GENERAL

- 24.01 Voting must take place according to the MRSA Elections and Voting Policy.
- 24.02 The operational documents of the MRSA shall not violate any article of the MRSA Constitution. In the event of inconsistency, the Constitution shall prevail.