

ARTICLE 1 – NAME

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

ARTICLE 2 – DEFINITIONS

- 2.01 **Collective Agreement** shall mean the current Collective Agreement between the MRSA and the Board of Governors of Mount Royal University.
- 2.02 **Executive** shall mean the Board of Directors of the MRSA.
- 2.03 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.
- 2.04 **Good standing shall refer** to members of the MRSA who pay dues and are employed by the MRU within MRSA bargaining unit and have not been suspended or expelled from membership pursuant to Article 20 of this constitution. Good standing shall confer the following privileges: voting in MRSA elections, holding office, serving on MRSA committees, serving on University committees on which MRSA representation is required, and other benefits the MRSA provides.
- 2.05 Gender neutral pronouns of they/their/them shall be used throughout this document and shall also represent he/she and his/her.
- 2.07 The **number of days** indicated throughout the Constitution represents the number of working days, considered here to be Monday through Friday, excluding holidays, unless otherwise expressly indicated.
- 2.08 **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.
- 2.09 **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.
- 2.11 The **University** shall mean Mount Royal University (also referred to as “MRU”).

ARTICLE 3 – OBJECTS

The aims of the MRSA shall be to represent, organize and promote the economic and general well being of members of the bargaining unit and shall include, more specifically, the following objects:

- 3.01 To secure fair terms and conditions of employment for members, through negotiations and collective bargaining of written contracts (“collective agreements”).
- 3.02 To regulate relations between the employer, Mount Royal University (Board of Governors)(“MRU”) and the MRSA’s members, through the enforcement of the Collective Agreement(s) between the MRSA and the MRU; and the ongoing representation of, and advocacy for, the MRSA’s members.
- 3.03 To promote the employment-related and general welfare of its members.
- 3.04 To unite the members of the MRSA for their mutual social, mental and physical improvement and for the protection of their common and individual welfare.
- 3.05 To provide education, development and training opportunities for the members.
- 3.06 To encourage the participation of all members in a democratic organization.
- 3.07 To ensure that members are treated equally, with dignity, and respect, and without discrimination.
- 3.08 To donate assets or funds of the MRSA to benefit MRSA members and stakeholders where appropriate.

ARTICLE 4 – MEMBERSHIP

- 4.01 All employees of Mount Royal University who work in a general support capacity are eligible to become members of the MRSA immediately upon commencement of employment.
- 4.02 All members of the MRSA shall be bound by and abide with the provisions of this Constitution.
- 4.03 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.

MRSA CONSTITUTION April 2023

ARTICLE 5 – DUES

- 5.01 The MRSA shall set dues to be deducted by the MRU from the pay of each member.
- 5.02 Membership dues are recommended by the MRSA Executive and approved by vote by the membership.
- 5.03 Where a dues change is recommended by the MRSA Executive a meeting of the membership will be set to discuss the change in dues. Ten (10) days prior notice of the meeting must be given to all members via email address last provided by MRU, or the last provided personal email address of the member. A vote will be held following the meeting and conducted in accordance with MRSA Policy. Dues shall be revised if the change is accepted by the majority of members participating in the vote.

ARTICLE 6 – SPECIAL LEVY

- 6.01 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.
- 6.02 Special levies are recommended by the MRSA Executive and approved by vote of the membership.
- 6.03 The MRSA Executive will make a recommendation to the membership when a specified levy is required. A meeting of the membership will be set to discuss the specified levy. Ten (10) days prior notice of the meeting must be given to all members via email address last provided by MRU, or the last provided personal email address of the member. A vote will be held following the meeting and conducted in accordance with MRSA Policy. The special levy will be implemented if accepted by the majority of members participating in the vote.

ARTICLE 7 - FINANCES

- 7.01 The financial records of the MRSA shall be audited at least once each year by a duly qualified accountant.
- 7.02 A complete and proper audited statement of the financial standing of the MRSA for the previous year shall be submitted from the auditor to the Annual General Meeting.
- 7.03 The financial records of MRSA may be inspected by an MRSA member at any time upon providing reasonable notice to an Officer of the MRSA.

MRSA CONSTITUTION April 2023

- 7.04 The MRSA Executive has the general power to authorize the MRSA to spend, borrow and invest money, subject only to any restrictions or prohibitions on spending, borrowing or investing in the MRSA's policies.

ARTICLE 8 – OFFICERS

- 8.01 The MRSA shall have the following Officers: President, one(1) or two (2) Vice-President(s), and Treasurer.
- 8.02 The term of office for the President, Vice-Presidents, and Treasurer shall be two (2) years commencing July 1 of the first year and ending June 30 of the second year.
- 8.03 All Officers shall be elected by a plurality of unspoiled ballots cast by members who participate in the vote. The process regarding the election of Officers is found in the MRSA policies.
- 8.04 Candidates for the positions of office President must have served a minimum of one (1) year on the Executive prior to running for the office of President. 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 other have relevant experience.

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. provide direction for the negotiation, administration and implementation of the Collective Agreement, including the handling of grievances. This may include representation of members and delegation of these duties;
 - b. supervise the affairs and business operations of the MRSA;
 - c. provide direction to engage legal counsel as necessary from time to time to pursue the objectives of the MRSA;
 - 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;

MRSA CONSTITUTION April 2023

- 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; and
- c. designate staff or Executives, in writing, to sign documents on behalf of the President.

9.04 The President shall devote time to the MRSA Office as per the Collective Agreement.

ARTICLE 10 – VICE-PRESIDENT(S)

10.01 The Vice-President(s) shall assist the President in the execution of the President's duties and may act on behalf of the President when so authorized, and perform the duties and responsibilities assigned by the President.

10.02 It shall also be the duty of the Vice-President(s) to:

- a. in the case of resignation or the inability of the President to continue their term, to perform the duties of the President until the President's current term is completed when approved by the Executive;
- b. chair and serve on MRSA committees when necessary and represent the MRSA on University committees when necessary; and
- c. be one of the signatories to countersign cheques in the absence of the President or Treasurer.

- 10.03 The Vice-President(s) shall devote time to the MRSA Office as per the Collective Agreement.

ARTICLE 11 – TREASURER

- 11.01 It shall be the duty of the Treasurer to:
- a. have custody of all current MRSA books, minutes, records and financial and accounting documents, and to ensure that records are maintained in accordance with MRSA Policy;
 - b. ensure the recording of proper and accurate minutes of the Executive meetings and any membership meetings duly called in accordance with Article 17 including the result of all motions or decisions taken;
 - c. maintain proper and correct financial accounts of the MRSA;
 - d. set up and maintain proper accounting controls;
 - e. serve as the Chair of the Audit and Finance Committee; and
 - f. perform all duties as specified in the MRSA Treasurer Role Description.
- 11.02 The Treasurer shall have the authority to:
- a. sign financial documents on behalf of the MRSA;
 - b. designate, in writing, signing authority to an alternate;
 - c. release books, records, financial and accounting documents, in a timely manner, to the auditor as selected by the Executive; and
 - d. ensure adherence to all MRSA financial policies.
- 11.03 The Treasurer shall devote time to the MRSA Office as per the Collective Agreement.

ARTICLE 12 – THE EXECUTIVE

- 12.01 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.
- 12.02 The Executive of the MRSA is responsible for the overall operations and governance of the MRSA.
- 12.03 The Executives shall make their best efforts to fulfill the objectives of the MRSA.

MRSA CONSTITUTION April 2023

- 12.04 Elected or appointed Directors at Large must be members in Good Standing.
- 12.05 The term of office for Directors at Large will be two (2) years, commencing July 1 of the first year and ending June 30 of the second year
- 12.06 The Directors at Large shall perform those duties assigned by the Executive.
- 12.07 An Executive member shall automatically cease to hold their Executive position if:
- a. they are suspended, expelled or otherwise ceases to be a member in Good Standing of the MRSA, except if their suspension or expulsion is successfully appealed and they are restored to their Executive position for the balance of their original term;
 - b. they provide notice in writing to the MRSA to resign from their Executive position;
 - c. they are transferred out of or resign from employment in the bargaining unit and they are no longer a member of the MRSA; or
 - d. they are found guilty of a serious crime.
- 12.08 Executive members may be immediately removed from their position if at least seventy-five percent (75%) of the other members of the Executive vote in favour of such a motion, if:
- a. the Executive member is unable or will likely be unable to perform their duties for a period of six months or longer due to illness or absence ;
 - b. 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. the Executive determines that the member is acting in a manner that tends to bring the MRSA into disrepute or is interfering with the orderly conduct of MRSA business and affairs; or
 - d. the Executive reasonably determines that the member has a previously undisclosed conflict of interest with the MRSA in relation to business or contractual dealings.

ARTICLE 13 – BOARD OF GOVERNORS REPRESENTATIVE

- 13.01 The MRSA's Representative on the MRU's Board of Governors shall be nominated by the Executive Board (in order of paramountcy) according to:

MRSA CONSTITUTION April 2023

- a. any current provincial government legislation that is in effect,
- b. the Collective Agreement, and
- c. the MRSA's policies.

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 MRSA's membership 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 – PAST PRESIDENT

14.01 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 15 – CONFLICTS OF INTEREST

15.01 When a member of the Executive has a conflict of interest, including but not limited to any financial interest, in a matter before the Executive or any committee of the MRSA of which they are a member, the member shall:

- a. disclose the general nature of the conflict of interest prior to any discussion on the matter and be required to excuse themselves 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.

MRSA CONSTITUTION April 2023

ARTICLE 16 – EXECUTIVE MEETINGS

- 16.01 Procedures laid down in *Robert's Rules of Order* shall be used as a guideline to conduct all proceedings of the MRSA.
- 16.02 The Executive shall hold regular meetings throughout the year. No meeting of the Executive shall be held without a quorum of five (5) members of the Executive.
- 16.03 Voting on motions in Executive meetings shall require a quorum of five (5) members of the Executive, and shall pass with a simple majority (50% +1).
- 16.04 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.
- 16.05 In the event that any Executive member engages in disorderly conduct during a meeting, the President or Vice-President may expel them from the meeting and the remaining members shall constitute a quorum, provided at least five (5) individuals remain in the meeting. The decision of the President or VicePresident shall be final.
- 16.06 Should any Executive member fail to be present for three (3) consecutive meetings without having good and sufficient cause for their absence, their office may be declared vacant by vote of the Executive and the position shall be filled by the method described in the MRSA policies.

ARTICLE 17 – MEMBERSHIP MEETINGS

- 17.01 The MRSA shall hold meetings of the membership when the Executive deems necessary. *Robert's Rules of Order* shall be used as a general guideline for membership meeting procedures.
- 17.02 The MRSA shall hold an Annual General Meeting (AGM) following the annual external audit of the MRSA's financial records. There shall be no more than fifteen (15) months between AGMs. A quorum for the AGM shall consist of not less than fifty (50) members not including Executive members.
- 17.03 Any Membership Meetings where motions are made require a quorum of not less than fifty (50) members not including Executive members.

ARTICLE 18 – COMMITTEES

- 18.01 The MRSA shall have the following standing committees, in accordance with MRSA Terms of Reference:

Standing Committees:

MRSA CONSTITUTION April 2023

- a. Audit and Finance Committee
- b. Governance Committee
- c. Labour Relations Committee
- d. Bargaining Committee

18.02 The MRSA may have other standing and ad hoc committees as deemed necessary by the President and Collective Agreement.

ARTICLE 19 – ELECTIONS AND VOTING

- 19.01 General elections will be held annually and there shall be no more than fifteen (15) months between elections.
- 19.02 The Executive shall be elected by plurality. Elections shall be held in accordance with the MRSA policies.
- 19.03 All matters requiring the support of the membership to advance, including but not limited to ratification votes and special resolutions, require a membership vote held in accordance with the MRSA policies.

ARTICLE 20 – CODE OF CONDUCT - MRSA MEMBERS

- 20.01 Each member will do their best to represent the MRSA to the highest possible standards, and in doing so to conduct themselves in a respectful and professional manner.
- 20.02 A member of the MRSA is guilty of an offence against the Constitution when they are proven to:
- a. violate any provision of this Constitution;
 - b. obtain membership through fraudulent means or by misrepresentation;
 - c. advocate or attempt to bring about the withdrawal from the MRSA of any members or groups of members;
 - d. publish or circulate, among the membership any false reports or misrepresentations concerning the MRSA, or any member of the MRSA, whether by written or oral statement, in respect to any matter connected with the affairs of the MRSA;
 - e. fraudulently receive or misappropriate any property or funds of the MRSA;

- f. use, without proper authority, the name of the MRSA;
 - g. furnishes a complete or partial list of the membership of the MRSA to any person or persons without receiving proper authority to do so, or to individuals other than those whose official positions entitle them to have such a list; or
 - h. interfere with any officer or any representative of the MRSA in the discharge of their duties.
- 20.03 Members of the MRSA shall be entitled to a fair and impartial hearing as provided for by this Constitution.
- 20.04 In all cases, the onus of establishing evidence of wrongdoing of the respondent member shall be on the complainant member.

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 allegations must be made in writing and provided to the President of the MRSA, or, if the allegations are against the President, to a Vice-President. The President or Vice-President who shall take the allegations forward to the Executive within ten (10) working days of receiving the allegations. The Executive, by way of the President or Vice-President as applicable, shall confirm receipt of the allegations by written confirmation to the complainant member. The date on which written allegations are confirmed to have been received by the Executive is the date on which the allegations are deemed to have been brought forward. If, in the opinion of the Executive, the allegations are overly vague, the Executive may direct that the complainant member provide further details in writing within ten (10) working days. Should the complainant member fail to comply with this directive, the Executive may dismiss the matter by majority vote.
- 21.02 The President or Vice-President shall convene and chair a hearing consisting of five (5) of the longest serving available members of the Executive including the President or a Vice-President to hear the allegations. The date of the hearing shall be set down within thirty (30) working days of allegations being brought forward. The first day of the hearing must be convened no earlier than three (3) months and no later than four (4) months of the date the allegations were brought forward. These timelines may be amended with the mutual consent of the complainant member and the respondent member; and whose consent shall not be unreasonably withheld. Neither the complainant member nor the respondent member are eligible for appointment to the hearing panel.
- 21.03 Notice of the hearing shall be served personally on the respondent member or sent by double registered mail to the member within twenty (20) working days from the day that the date of the hearing is set down. The Notice of the hearing

shall include the particulars of the allegations and the provision(s) of the Constitution alleged to be violated, as well as the location, the date, and time of the hearing. Any documentary evidence that is anticipated to be relied upon by the complainant member at the hearing and the names of any witnesses that are anticipated to appear at the hearing in support of the complainant member are to be shared with the respondent member (and/or their counsel or representative) not less than one (1) month before the date that the hearing is to commence. Any documentary evidence that is anticipated to be relied upon by the respondent member at the hearing and the names of any witnesses that are anticipated to appear at the hearing in support of the respondent member are to be shared with the complainant member not less than two (2) weeks before the date that the hearing is to commence. These timelines may be amended by the mutual agreement of the complainant member and the respondent member, whose consent shall not be unreasonably withheld.

- 21.04 At the hearing, evidence of the allegations shall be presented to the member and the member shall have opportunity to respond to the allegations .
- 21.05 At the close of the hearing, the determination of whether the allegations against the respondent member are founded shall be made by the decision of the majority of the hearing panel. 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. In the event of a tie, the Chair will make the final ruling. The deliberations of the hearing panel are confidential.
- 21.06 The hearing panel must provide its decision by way of brief written reasons to the Executive as well as both the complainant member and the respondent member within thirty (30) days of the final day of the hearing. At the same time, the hearing panel must provide its recommendations to the Executive for the sanction of the respondent member, if any, within the written decision.
- 21.07 The decision of the hearing panel with respect to whether the allegations are founded is final and binding, subject only to an application for a review by the Alberta Labour Relations Board to determine whether s.26 (or its successor provision) of the Labour Relations Code RSA 2000 c.L-1 has been complied with.
- 21.08 If the hearing panel decides that the allegations are founded, then within twenty (20) days of the receipt of the written decision and recommendations on sanction of the hearing panel, the Executive will meet to deliberate on and render its written decision with respect to the appropriate sanction of the respondent member. The deliberations of the Executive are confidential. The Executive will personally serve or send its written decision to the respondent member by double registered mail to the member within ten (10) days following the date it convenes to determine the sanction. The complainant member is entitled to receive a copy of the Executive's decision on the sanction

of the respondent member so long as the complainant member provides a signed undertaking to keep the Executive's decision confidential.

- 21.09 Sanctions against members for violations of the Constitution may include any of the following: reprimand, suspension of privileges, suspension or expulsion from membership, removal from office and exclusions from all other rights or benefits of the MRSA. Exclusion of access to the rights and entitlements conferred by the Collective Agreement and the right to fair representation in relation to MRU shall not form a part of any sanction..
- 21.10 The decision of the Executive with respect to the sanctioning of a member found guilty of a violation(s) of the Constitution is final and binding, subject only to an application for a review by the Alberta Labour Relations Board to determine whether s.26 (or its successor provision) of the Labour Relations Code RSA 2000 c.L-1 has been complied with. The Executive may consult with legal counsel on any aspect of the matter.

ARTICLE 22 – RIGHT OF APPEAL

- 22.01 Except as related to Article 21, a member or group of members whose rights under this Constitution have been denied or substantially prejudiced may appeal to the MRSA Executive.
- 22.02 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 deems appropriate. The MRSA Executive shall advise the parties of their ruling within ninety (90) days of receipt of the appeal.
- 22.03 If a member of the MRSA Executive is named in the appeal and was involved in the original decision or action related to the issue of concern within the appeal, they shall recuse themselves from the investigation and decision making.

ARTICLE 23 – AMENDMENTS TO THE CONSTITUTION

- 23.01 The Constitution may be added to, repealed or amended at any time provided that the notice directed by Article 22.02 of the proposed amendments is given to the membership.
- 23.02 Written Notice of a Membership Meeting, for the purpose of voting on proposed amendments to the Constitution shall be provided to the membership with no less than thirty (30) calendar days prior to such a meeting. Such notice must contain the proposed amendment(s) and a brief rationale for the proposal(s).
- 23.03 Presentation of the proposed amendments to the Constitution will be provided at the Membership Meeting by the Executive. A reasonable time period will be allowed for discussion on the motion(s) to make the amendments. Voting on

the amendment(s) shall be in accordance with the MRSA policies except as provided for in this Article. Quorum shall consist of no less than fifty (50) members in good standing, not including members of the Executive. In order to pass, motions regarding Constitutional amendments require at least 75% of the participating members to vote in favour of the motion. The results of all votes conducted at such a meeting shall be formally recorded in the meeting's minutes and maintained by the Executive in accordance with this Constitution and legal requirements as applicable.

ARTICLE 24 – AFFILIATION, MERGER, AMALGAMATION, TRANSFER OF JURISDICTION AND DISSOLUTION

- 24.01 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.
- 24.02 Written Notice of a Membership Meeting, for the purpose of voting on a resolution(s) to affiliate, merge, amalgamate or transfer its jurisdiction to another organization shall be provided to the membership no less than sixty (60) calendar days prior to such a meeting. Such notice must contain the proposed resolution(s) and a brief rationale for the proposal(s).
- 24.03 Presentation of the proposed resolution(s) will be provided at the Membership Meeting by the Executive. A reasonable time period will be allowed for discussion on the resolution(s). Voting on the resolution(s) shall be in accordance with the MRSA policies except as provided for in this Article. Quorum shall consist of no less than fifty (50) members in good standing, not including members of the Executive. In order to pass, such resolution(s) require the majority of the members present to vote in favour of the motion. The results of all votes conducted at such a meeting shall be formally recorded in the meeting's minutes and maintained by the Executive in accordance with this Constitution and legal requirements as applicable.
- 24.04 In the event of the MRSA's anticipated wind up or dissolution as a result of legislative, regulatory, ministerial policy directives or other circumstances, a meeting of the membership shall be called in accordance with this Article to determine the distribution of MRSA assets and final dissolution of the MRSA.

ARTICLE 25- GENERAL

- 25.01 The operational documents, policies and practices of the MRSA shall not violate any article of the MRSA Constitution. In the event of inconsistency, the Constitution shall prevail.

MRSA CONSTITUTION April 2023

- 25.02 This Constitution shall be governed by the laws of the Province of Alberta, Canada. If any provision of this Constitution is determined by the Alberta Labour Relations Board or the Courts of Alberta to be unlawful or unenforceable, that provision or part thereof shall be deemed severed from this Constitution without affecting the validity of the remaining provisions of the Constitution.
- 25.03 The MRSA maintains an office at Mount Royal University in Calgary, Alberta.