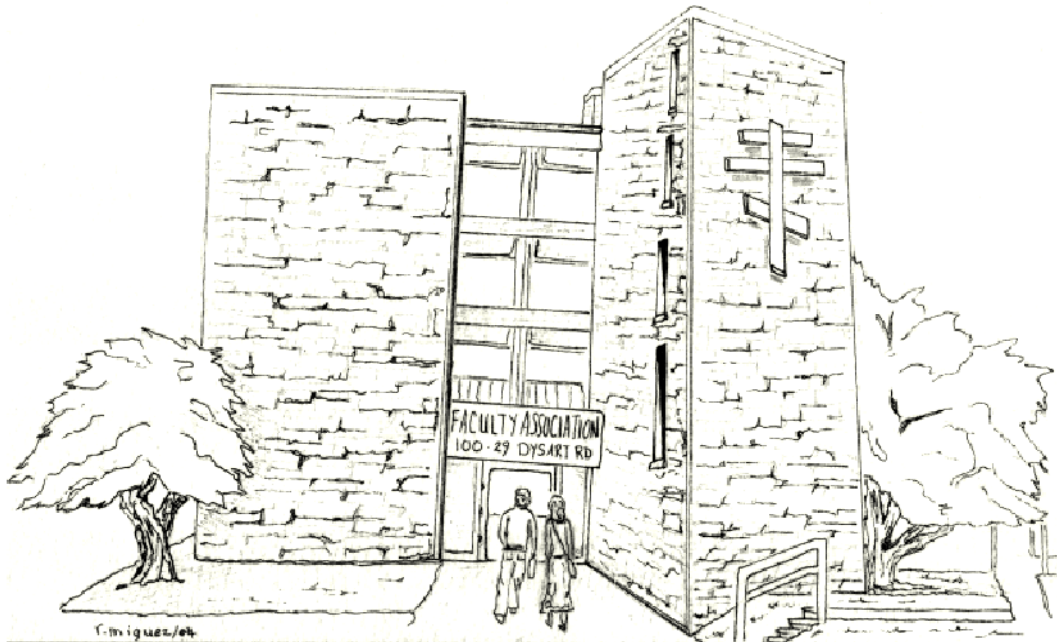


# University of Manitoba FACULTY ASSOCIATION

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## UMFA STANDING RULES

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## **A. RULES AND PROCEDURES GOVERNING MEETINGS OF THE FACULTY ASSOCIATION**

### 1. Preface

The following “Rules and Procedures Governing Meetings of the Association” are based on a number of fundamental principles, including the following:

- a) The right of the majority to decide.
- b) The right of a minority to be heard, it being agreed that this right requires not only special protection but also practical limitations.
- c) The right of absentees to be protected from significant deviation from agreed procedures and announced proceedings.
- d) The right of interested parties to be informed.

Many years of practice in democratic institutions have demonstrated the usefulness of such rules and procedures in maintaining these principles and providing for efficiency of debate and decision.

It should always be remembered, however, that the rules are a means, not an end; and the Chairman, with the support of the members, should not permit them to be used to create a nuisance or unnecessarily delay proceedings.

Substantive motions should be handled with considerable formality, but whenever possible the Chairman should try to deal with procedures by general agreement.

Appendix A is part of these Rules and Procedures.

### 2. Definition of “publish”

Unless otherwise limited by the context, “publish”, as used herein means:

- 2.1 Dispatch by mail or messenger in sufficient time to be received, in the normal course of events, not later than the time specified in the rule, by
  - a) all members of the relevant body, and

b) such other interested parties and news media as may be specified from time to time by the Board or Executive Council.

### 3. Meetings and Notices

#### 3.1 General meetings

Rules and procedures governing general meetings of the Association are prescribed by the Constitution, Sections 3.2, 3.3, 3.3.1, and 3.3.2 and are not subject to suspension.

#### 3.2 Meetings of the Board

3.2.1 Rules and procedures governing meetings of the Board are prescribed by the Constitution, Sections 4.5, 4.5.1, and 4.5.2, and are not subject to suspension.

3.2.2 Regular Meetings shall be held in accordance with schedules published by the Executive Council at the beginning of each term and the beginning of the summer session.

##### 3.2.3 Alternates

A Representative who is unable to attend a meeting may ask another constituent to act as his/her delegate for that meeting. The Executive Director must be notified of the name of the delegate before the meeting.

#### 3.3 Meetings of the Executive Council

3.3.1 Regular Meetings shall be held in accordance with schedules published by the Executive Council at the beginning of each term and the beginning of the summer session.

3.3.2 Special Meetings of the Executive Council may be called by the President on his/her own motion or on petition of five or more members of the Executive Council, provided that notice thereof, including the agenda, shall be given not less than 24 hours in advance of such meetings.

3.3.3 Minutes of all meetings of the Executive Council shall be distributed to the members thereof as soon as possible after each meeting.

3.3.4 The Executive Council shall report to the Board at each regular meeting thereof.

### 3.3.5 Notices of Meetings

The published schedule shall be considered as formal notice of regular meetings.

## 3.4 Constituency Meetings

Board Representatives shall normally call a meeting of their constituency at least once a term.

## 4. Agendas

### 4.1 General Meetings and Board Meetings

#### 4.1.1 Meetings of the Board of Representatives

The agenda of each meeting of the Board shall be determined by the Executive Council and published at least five days in advance of each meeting, together, normally with all relevant documents.

#### 4.1.2 Special General Meetings

The agenda of special general meetings shall be determined by the President and shall normally be discussed by the Board. The agenda shall normally be published with the notice of meeting together with relevant documents.

#### 4.1.3 Matters of Urgency

Matters of business arising after the publication of the agenda of a given meeting may not be brought before that meeting unless in the opinion of the Chairman they are of sufficient urgency and importance to require one of the following special procedures:

- a) If time permits, a special notice of the matter shall be published.
- b) If time does not permit a special notice, then, notwithstanding Rule 7, at any time before the meeting has reached the agenda item "Adoption of Minutes of the Previous Meeting(s)", the consent of at least two-thirds of the members present and voting.

### 4.2 Executive Council Meetings

#### 4.2.1 Regular Meetings

Copies of the agenda shall normally be published at least 24 hours before each regular meeting, together with all relevant documents.

#### 4.2.2 Special Meetings

Agendas for special meetings shall be part of the notice thereof.

### 5. Openness

#### 5.1 General Meetings

Rules and procedures governing openness of general meetings of the Association are prescribed by the Constitution, Sections 3.4.1 and 3.4.2 and are not subject to suspension.

#### 5.2 Board Meetings

Rules and procedures governing openness of meetings of the Board are prescribed in the Constitution, Section 4.5.4.1 and 4.5.4.2 and are not subject to suspension.

#### 5.3 Executive Council Meetings

The following rules shall apply:

5.3.1 Members of the Association shall have the right to attend Executive Council meetings and present their views.

5.3.2 Notwithstanding 5.3.1, on a two-thirds vote of Executive members present, the Executive Council may move into closed session to discuss specific items.

5.3.3 The Council has the right to permit and/or to invite non-members to attend any or all of its meetings and may delegate to its Chair such powers of permission and/or invitation.

### 6. Quorum

#### 6.1 General Meetings

Rules governing size of quorum for general meetings of the Association are prescribed in the Constitution, Section 3.5, and are not subject to suspension.

6.1.1 If a quorum is not present when twenty minutes have elapsed since the scheduled time of the meeting, the names of those present shall be recorded and the meeting of the Association stand adjourned until a time to be fixed by the Executive Council.

6.1.2 After a meeting of the Association has been properly called to order, the meeting shall be deemed to be properly constituted until such a time as a member of the Association other than the Chair calls attention to the loss of a quorum or until the meeting has adjourned.

## 6.2 Board Meetings

Rules governing size of quorum for meetings of the Board are prescribed in the Constitution, Section 4.5.3, and are not subject to suspension.

## 6.3 Executive Council

A quorum shall be a majority of the voting members thereof.

## 7. Order of Business of Board Meetings and General Meetings

The order of business at general meetings of the Association and at regular meetings of the Board shall normally be as follows and may be changed if authorized by the Executive Council in the publication of the agenda or by unanimous consent of those present at the time a change is proposed, provided that such change does not affect the rights of members who are not present.

### 7.1 Order of Business

- (1) Minutes
- (2) Business Arising from Minutes
- (3) Correspondence
- (4) Announcements
- (5) Questions
- (6) Report of the Executive Council/Board
- (7) Report of Other Committees
- (8) Additional Business Including Items of New Business
  - (a) Motions of which notice was given at a previous meeting and which were not dealt with under 7.1(2).
  - (b) Matters submitted to the Executive Council after the previous meeting but not in sufficient time to be included on the agenda.
  - (c) Notice of motions to be presented at a later meeting.

## 7.2 Consent Agenda

A consent agenda may be presented by the president at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the board.

NB - Section 10.1 provides that Standing Rules may be amended by the Board of Representatives.

## 8. Duration of Meetings and Debate at Board and General Meetings

8.1 After 2 1/2 hours have elapsed the meeting shall be adjourned unless at least two-thirds of the members present and voting decide otherwise.

### 8.2 Duration of Debate

No more than forty-five minutes of any one meeting shall be devoted to discussion of any one agenda item unless at least two-thirds of the members present and voting adopt a resolution to extend the debate.

## 9. Introduction of Business

Business may be put before the meeting by the Chair referring to an item on the agenda or calling upon a member for a report or motion.

9.1 A member who wishes to be recognized shall raise his/her hand or rise in his/her place, and, if necessary, call Mr./Madam Chair.

9.2 Except as set forth in 9.3, a member may not proceed to address the meeting until he/she has been recognized. (The naming of members is particularly important for the tape recording.)

9.3 In the following cases, members may speak without first being recognized by the Chair:

- a) Questions of Order, Privilege or Appeal
- b) Parliamentary Inquiries
- c) Objection to Consideration of a Motion
- d) Motion to Reconsider
- e) Request for Count of Votes

## 10. Reports of Committees

### 10.1 Procedures for Handling Report

- a) Unless otherwise specifically indicated in its terms of reference, each committee of the Board shall, in the first instance, submit its report to the Executive Council.
- b) All reports shall be submitted in writing, and, at the will of either the committee concerned or the Executive Council, it may be supported by the presence of one or more members of the Committee.
- c) Should the Executive Council not approve of some or all of the report, it shall seek informal approval of the reporting committee for making alterations, which if approved, shall be incorporated in the report.
- d) If the informally proposed changes are not agreeable to the committee, then the Executive Council shall have the right to refer the report formally to the reporting committee for reconsideration.
- e) This process of reconsideration may be repeated but at any time after one such reconsideration the reporting committee shall have the right to submit its report directly to the Board (at which time the Executive Council or members thereof have the right to propose amendments and/or recommitment).
- f) Committee reports and recommendations shall be submitted to the Board by the Chair of the reporting committee (or his/her deputy) and shall not require seconding.
- g) Oral Reports  
The reporting member of a committee may supplement a written report by an oral statement, provided that no substantive motions may be made at the meeting with respect to the oral portion. Procedural motions and notices of motions shall, however, be in order.

### 10.2 Form of Committee Reports to the Board

Normally reports shall be in the following form:

- a) Preamble may include such items as the number and nature of meetings held and the terms of reference of the committee.

Reports of Ad Hoc Committees shall indicate their terms of reference.



- b) Observations may include answers to questions, reports on procedures, statements about progress of business not yet ready for resolution, and where applicable, tests performed and analysis of data. Statistics and other supporting material, if any, may be provided in appendices.
- c) Recommendations - specific motions for action  
These may be accompanied by explanatory observations, but the motions should stand out prominently. It is most important that recommendations, if any, be stated as clearly, precisely and obviously as possible.
- d) Signature  
The reports must be signed by the Chair. In the case of ad hoc committees, the names of the other members should also appear at the end of the report.

#### 11. Reports from Committees Not Established by UMFA

- a) Reports from committees not established by UMFA shall be submitted to the Executive Council in the same way as are other reports.
- b) The Executive Council shall decide on an ad hoc basis how each report should be presented the Board.
- c) Whenever possible the Chair of the committee or his/her delegate shall present the report of his/her committee.

#### 12. Motions

12.1 Normally, all motions presented to the Board and general meeting concerning substantive matters shall be published with the agenda.

12.2 The Chair may order that amendments to such motions be submitted in writing.

##### 12.3 Seconding

12.3.1 Recommendations of committee and other motion published with the agenda need not necessarily be “seconded” unless there is a reasonable doubt that no more than one member supports them.

12.3.2 All other motions require seconding except the following:

- a) request for permission to withdraw a motion
- b) points of order, privilege or parliamentary inquiry
- c) objections to consideration

12.3.3 It is not necessary that a seconder be “recognized” either at the meeting or in the minutes.

#### 12.4 Order of Precedence of Motions

When any one of the following motions is immediately pending, those listed above it are in order, and those below are out of order:

- Fixture of time of the next meeting
- To adjourn or recess
- Question of Privilege
- Point of Order or Parliamentary Inquiry
- Appeal
- Suspend Rules
- Withdraw (or Review) a Motion
- Call for Count of Vote or Motion to Ballot
- Objection to Consideration
- Postpone to Certain Day
- Refer
- Amend
- Postpone indefinitely
- Main Motion (Reconsider and Rescind)

#### 13. Amendments

A motion may be amended by adding, deleting, or substituting specific words, phrases, or paragraphs, even to the extent of substituting an entirely different motion provided it relates to the subject matter of the original motion.

13.1 Motions may be amended without formal motion, provided that no member objects; otherwise a formal motion, duly seconded, is necessary.

##### 13.2 Amending an Amendment

Motions to amend an amendment are allowed, but may not themselves be amended.

##### 13.3 Successive Amendments

An amendment to a main motion must be disposed of before further discussion or voting is permitted on the main motion to which it relates. This also applies to amendments to amendments.

13.3.1 After amendments have been disposed of, the main motion may be further amended any number of times, so long as each successive amendment is different from those already considered.

#### 13.4 Relationship of an Amendment to a Main Motion

If, after an amendment to a main motion or to an amendment has been passed, the main motion or amendment to which it relates is defeated, then all related amendments are likewise taken to have been defeated.

#### 13.5 Motions which may not be amended

- adjourn
- amend an amendment
- appeal a ruling by the chair
- close nominations
- close debate
- objection to consideration
- reconsider
- suspend the rules
- ask leave to withdraw a motion
- postpone indefinitely

13.6 Any proposed amendment which would merely have the effect of negating the motion - i.e. if the same effect could be achieved by defeating the motion - is out of order.

13.7 An amendment may not introduce an independent question, but an amendment can be hostile to, or even defeat, the spirit of the original motion and still be germane.

#### 13.8 Amendment Proposing to Substitute Another Motion

When a motion is made to amend by substituting another motion, the procedure shall be as follows:

- a) The original motion is opened for debate and amendment.
- b) The proposed substitute motion is opened for debate and amendment.
- c) When both motions have been perfected they are read, the original motion first.
- d) The question is put whether the substitution should take place.
- e) If the motion to substitute is adopted, there can be no further amendments but further debate is permissible. The question on the substitute motion is put.

- f) If the motion to substitute is lost, debate continues on the original motion, as amended. There can be further amendments.

#### 14. Stating the Question

All motions must be stated clearly by the Chair or Secretary before debate thereon may commence.

#### 15. Motion to Divide

##### 15.1 Dividing the Question

A motion may be altered by dividing it into two or more specified parts. Such division is not in order unless each part, as divided, can stand by itself irrespective of the other part or parts.

If a motion to divide is adopted, each part of the main motion (or amendment) becomes a separate motion in itself.

##### 15.2 Consideration by paragraph or seriatim

A report or long motion consisting of a series of resolutions, paragraphs, articles or section may be considered by opening the different parts to debate and amendment separately; without a division of the question.

#### 16. Undebatable Motion

The following motions shall not be debated:

- adjourn
- consideration by paragraph
- limit, extend or close debate
- call for count of votes
- fix time of next meeting
- close nominations
- objection to consideration
- suspend the rules
- withdraw a motion

## 17. Adjournment

17.1 A motion to adjourn, once adopted, terminates a meeting. Such a motion may not interrupt a speaker or a vote, but does take precedence over other pending business. It may be reintroduced at any time, as long as other business has intervened.

### 17.2 Adjournment to a fixed time

This may be amended. Amendments to a motion are debatable.

### 17.3 Recess

A motion to recess may be amended, and the amendment may be debated. It does not terminate the meeting, and the business is resumed at the point where it was broken off before the recess.

## 18. Voting

### 18.1 Majority Votes

Except as stated in 18.2, a motion shall require the support of a majority of members present and voting.

### 18.2 Two-thirds Majority

Two-thirds support by those present and voting shall be required to pass the following motions:

- objection to consideration
- close debate
- suspend the rules
- limit debate
- extend length of time of debate
- rescind when proper notice has not been given
- close nominations

### 18.3 Unanimous Consent

On non-contentious issues, the Chair may dispense with taking a vote, provided no member object.

#### 18.4 Method of Voting

Voting shall normally be by show of hands, or by standing as requested by the Chair. However, in elections or on motions to censure individuals, committees or groups, a secret ballot shall be used.

#### 18.5 Other Methods of Voting

Motions to provide for other methods of voting require the consent of a majority of the members present and voting.

#### 18.6 Chair and Tie Vote

As a member, the Chair has a right to one vote on all motions, such vote to be counted at the same time as all other votes. A tie vote shall be regarded as defeating the motion. If the Chair does not vote at the time the question is called, he/she may cast one vote to break a tie.

### 19. Informal Consideration of Business

#### 19.1 Committee of the Whole

A motion to go into Committee of the Whole interrupts the business to which it is applied. Such a motion shall state clearly the business for consideration by the committee.

19.1.1 If the motion is passed, the Chair shall immediately call another member to the Chair and take his/her place as a member of the committee.

19.1.2 The only motions in order shall be the following:

- to amend
- to adopt
- to “rise and report” (as it cannot adjourn)
- to appeal a ruling from the Chair

19.1.3 At the end of deliberation by the Committee of the Whole, the Chair shall resume his seat and the Chair of the Committee of the Whole shall then report any conclusions, recommendations or summaries arrived at, for formal ratification by the meeting.

## 19.2 As if in Committee of the Whole

Similar to Committee of the Whole, except that the Chair shall not relinquish the Chair; at the end of the informal discussion he/she shall make certain that the conclusions are formally presented for disposition.

## 20. Records of Proceedings

### 20.1 Official Record

The official record of meetings shall be the Minutes taken by the secretary and approved at a subsequent meeting.

### 20.2 Minutes

The secretary shall record in the Minutes only the votes and proceedings of meetings, a record of attendance, regrets, and, in the case of Board meetings, non-attendance, together with such other matters as may be directed by the Chair.

20.2.1 When a substantive motion or amendment thereto is ruled out of order, such motion should not be recorded in the Minutes unless so directed.

#### 20.2.2 Publication

All minutes shall be circulated as soon as possible following the meetings.

## 21. Authority

Matters not dealt with in these rules shall be resolved in accordance with procedures set forth in the current editions of Robert's Rules of Order.. Matters not provided for in this authority shall be resolved by reference to the procedures of Parliament.

## 22. Amendment of these Rules and Procedures

Except those established in the Constitution, rules and procedures governing meetings of UMFA may be amended by a majority vote of those present and voting at a duly constituted meeting of the Board, provided that notice of the proposed amendment has been given and that a quorum is present at the time the vote is taken.

## 23. Suspension of Rules

23.1 "Suspension" shall mean the temporary setting aside of a rule for a specifically declared purpose at a specific meeting.

- 23.2 Rules intended to protect the rights of members not present may not be suspended, even with the unanimous consent of those present.
- 23.3 Other rules except those in the Constitution may be suspended with the support of at least two-thirds of the members present and voting.



## APPENDIX TO SECTION A - MOTIONS FOR SPECIFIC PURPOSES

The sections below list the most frequent motions according to their objects and describe the procedures followed in using them.

It should be noted that both a motion “To Table” and a motion for the “Previous Question” are not in order at meetings of UMFA.

### 1. To Prevent or Postpone Action

The following motions are designed to prevent or postpone action on a motion.

#### 1.1 To Object to Consideration

If passed, the question to which it applies may not be raised again until the next meeting. It requires no second, cannot be debated or amended, and requires a two-thirds vote. It may be moved at any time (even interrupting a speaker) before the motion objected to is formally before the house for debate; i.e., before it has been “stated”.

#### 1.2 To Withdraw a Motion

Before a motion is formally open to debate, it may be withdrawn at will by its original mover. After that time, it may be withdrawn only with the consent of the meeting. If a member objects to withdrawal, then a formal motion to withdraw must be moved, seconded, and voted upon without debate. If withdrawn, the motion may not be made again until another meeting.

#### 1.3 To Postpone to a Fixed Time

This interrupts consideration of the business to which it relates. It can be amended only by changing the time specified and is debatable only with respect to the propriety of the postponement. It requires a simple majority for passage.

#### 1.4 To Postpone Indefinitely

This motion interrupts consideration of business; may not be amended, and is debatable only with respect to the propriety of the postponement. It requires a simple majority for passage.

#### 1.5 To Commit or Recommit

If the motion is adopted, the subject under consideration is referred to committee or committees. When the committee named is the same as that which reported the original question to the meeting, the motion is to recommit. It may be debated and amended, and requires a simple majority.

2. Motions to Hasten or Expedite (all requiring 2/3 majority)

2.1 To Close Debate

If adopted, such a motion has the effect of causing an immediate vote on the question to which it applies. Unless otherwise specified, it applies to the principal motion and all related amendments. Such a motion may not be debated or amended. It requires a two-thirds majority for passage.

2.2 To Suspend a Rule

This motion applies to specific question under consideration, and the rules suspended are in force again as soon as the question under consideration is disposed of. The motion interrupts consideration of the business to which it applies. It cannot be debated or amended. It requires a two-thirds vote for passage.

2.3 Limit Debate

This motion has the effect of fixing a time at which debate on a subject shall be terminated. It is not debatable, but it can be amended as to time. The amendment may be debated. A motion to limit debate requires a two-thirds vote for passage.

3. To Change a Decision

3.1 To Reconsider a Question

A motion to reconsider a resolution may be made at the same or any subsequent meeting. This motion can be applied either to negative or positive action taken previously on a main motion or amendment. It must be moved and seconded by members who do not vote on the losing side in the first instance (i.e., who either voted affirmatively or abstained).

3.1.1 The mover may not interrupt a vote, but may interrupt another speaker. If made when it interrupts the discussion of other business, the motion to reconsider is held until the business interrupted is disposed of. It may be debated, but cannot be amended. It requires a simple majority.

3.1.2 If passed, it invalidates previous action on a question, that question becoming the next item of business. If rejected, a motion to reconsider cannot again be entertained.

3.2 To Rescind a Resolution

At any meeting after that at which a motion was adopted, a member may move to rescind it. If the motion to rescind is adopted, the previous action is cancelled. The motion to rescind is debatable and amendable. It requires a simple majority if notice has been given; if not, it requires support of either two-thirds of those present and voting, or a majority of the total membership, whichever is the greater number.

#### 4. Motions to Maintain Rules

##### 4.1 Point of Order

The Chair may interrupt any speaker on any business at any time to call a member to order, or to rule a motion out of order. Similarly, a member may interrupt a speaker or business by rising to the point of order which, when stated, is decided upon by the Chair immediately. There shall be no second, or debate, except that the Chair may, if he/she wishes, submit the question to the meeting and permit a brief debate thereon.

##### 4.2 Appeal from Decision of the Chair

Such an appeal must be made immediately after the disputed ruling. It must be seconded. It can be debated, but not amended. It requires a majority vote. If there is a tie-vote, the challenge shall be considered defeated.

##### Parliamentary Questions and Matters of Privilege

Any member may interrupt a speaker or any business in order to request information regarding proper procedure or with respect to facts under discussion. The Chair immediately rules as to whether the question or request is a proper interruption and acts accordingly. There is the usual right of appeal from his/her ruling.

## B. GENERAL RULES AND PROCEDURES FOR ELECTIONS

### 1. Nominations to Board

The Returning Officer shall mail a nomination form to all members in each constituency along with a list of members eligible for election giving at least 10 days' notice of vacancies to be filled.

All nominations for elections of Members to the Board of Representatives shall be in the following form:

*We wish to nominate \_\_\_\_\_ as representative for the Regular Constituency of \_\_\_\_\_ of the University of Manitoba Faculty Association.*

*Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(1<sup>st</sup> nominator)*

*Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(2<sup>nd</sup> nominator)*

*I am willing to stand as UMFA Board Representative.*

*Signed: \_\_\_\_\_ Date: \_\_\_\_\_*

### 2. Elections to Board

The Returning Officer shall mail the ballot to all members in each constituency allowing 10 calendar days for return to the Faculty Association office. The Returning Officer shall communicate the results to all members in each constituency.

Ballots for elections of Members to the Board of Representatives shall be in the following form:

*Please complete the ballot below and return to the Faculty Association Office (specify address) NOT LATER THAN \_\_\_\_\_ (date).*

*BALLOT*

*Professor \_\_\_\_\_*

*Professor \_\_\_\_\_*

### 3. Election to Officers

- 3.1 Elections for President and Vice President will normally commence within three weeks of the closing of the Nominations period described in section 7.1.1 of the Constitution and take place over a minimum of 48 hours.
- 3.2 If, at the end of the nominations period described in section 7.1.1. of the Constitution, the election is contested, the Board will soon thereafter strike an Elections Committee mandated to organize an electoral forum, and, if needed, to hear, investigate, and rule on election-related complaints. The committee will be composed of three members of the Board and in addition will include the Returning Officer as a non-voting resource person. The Board will also name as Chairperson one of the three voting members of the committee for the purposes of calling and facilitating meetings of the committee.
  - 3.2.1 If the election is uncontested, the Returning Officer will organize a forum for the candidates to dialogue with Regular Members of the Association.
- 3.3 Election related-complaints must be filed with the Returning Officer no later than 14 calendar days after the completion of an election, and will be kept confidential. The Election Committee will have 30 calendar days from the receipt of a complaint to complete its work. It will fulfill its mandate in accord with the norms of natural justice. The Committee's recommendations and the reasons for them shall be made known to complainants and respondents and reported to a closed session of the Board. Complainants and respondents will be provided the Committee's recommendations at least five business days before the closed session of the Board. Before such a meeting, complainants and respondents shall provide any appeals of the Committee's recommendations in writing, and respondents and complainants will be given an opportunity to speak in support of their appeal of the Committee's recommendations. The Board shall rule on the Committee's recommendations and any appeals. Decisions by the Board regarding appeals will be final and binding. The Board will also rule on whether or not the complaints, the Committee's recommendations, and the Board's ruling and/or the reasons for them will be released to Regular Members of the Association.
- 3.4 In keeping with sections 7.1.3 and 7.1.4 of the Constitution, election results will be communicated to candidates and Regular Members as soon as practicable following a nomination or election period, but deemed provisional subject to any complaints or appeals, and officially declared only at the Annual General Meeting.

- 3.5 Ballots for election of President and Vice-President of the Association shall be in the following form:

*For election of \_\_\_\_\_ (specify position) of the University of Manitoba Faculty Association.*

*DIRECTIONS: Please mark with an X the space after the name of the person whom you wish to vote for the office \_\_\_\_\_ of UMFA. Please return in the self-addressed envelope provided NOT LATER THAN \_\_\_\_\_ (date).*

*Professor \_\_\_\_\_*

*Professor \_\_\_\_\_*

- 3.6 In cases where there are more than two candidates directions for completing the ballot shall be as follows:

*DIRECTIONS: Please indicate your order of preference by assigning numbers from 1 to in the box opposite the candidate's names.*

*NOTE: Failure to rank candidates in order of choice results in failure to fully exercise your franchise.*

- 3.7 Determination of the winning candidate shall be by application of the formula outlined in the Appendix to this section of the Standing Rules.

<b>APPENDIX TO SECTION B - PROCEDURES FOR TRANSFERABLE BALLOT</b>
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1. Each voter lists all candidates in order of preference, from “most desirable” to “least desirable”.
2. If there are  $k$  ballots and  $n$  positions to fill, the quota is  $q = k/n$ . This remains fixed throughout.
3. At each stage, every ballot is assigned  $w$ ,  $0 < w < 1$ , and each eligible candidate a score as follows.
4. At first, every ballot has weight  $w = 1$ .
5. An eligible candidate’s score is calculated as the sum of the weights of those ballots on which he is first eligible choice.
6. If a candidate’s scores is greater than  $q$ , he is declared elected, and the weights of those ballots on which he was first eligible choice are multiplied by  $s-q/s$ , to give new weights. Then step 5 is repeated with the remaining eligible candidates.
7. If no candidate is elected in step 6, let  $T$  be the set of candidates with the lowest score.
  - (a) If  $T$  has only one member, that candidate is declared ineligible and is omitted from all ballots. Then step 5 is repeated with the remaining eligible candidates.
  - (b) If  $T$  has more than one member, compute a temporary score by repeating step 5, but only for those candidates in  $T$ . Let  $T'$  be the set of those members of  $T$  having lowest temporary score. If  $T' = T$ , replace  $T$  by  $T'$  and repeat step 7 (a). If  $T' \neq T$ , choose randomly an  $x \in T$ , replace  $T$  by  $(x)$ , and go to step 7 (a).

Example Suppose there were 3 positions, 11 ballots and 5 candidates A, B, C, D, E. In table 1, each column represents a ballot, below which are the various weights. Table 2 gives the scores.

**TABLE 1:**

5	A	A	B	B	B	C	D	E	C	C	C
4	D	D	C	C	C	B	C	C	B	B	B
3	C	C	D	D	D	D	E	D	E	E	E

2	B	B	E	E	E	E	B	B	D	D	A
1	E	E	A	A	A	A	A	A	A	A	D
$W_1$	1	1	1	1	1	1	1	1	1	1	1
$W_2$	1	1	1	1	1	1/12	1	1	1/12	1/12	1/12
$W_3$	1/12	1/12	1	1	1	1/12	1/12	1/12	1/12	1/12	1/12

TABLE 2:

Scores	A	B	C	D	E	Result
$S_1$	2	3	4	1	1	C elected
$S_2$	2	3-1/3	*	1	1	D & E tied
$S_{3^{(t)}}$	*	*	*	6-1/2	1-1/4	E out
$S_4$	2	3-1/3	*	2	*	A & D tied
$S_{5^{(t)}}$	2-1/12	*	*	5-1/4	*	A out
$S_6$	*	3-1/3	*	4	*	D elected
$S_7$	*	3-2/3	*	*	*	B elected

$q = 3-2/3$

\* means “ineligible”

<sup>(t)</sup> means “temporary”

Explanation On the first scoring, weights are  $w_1$ , scores are  $S_1$ . C is declared elected with a surplus of  $4-3 \frac{2}{3} = \frac{1}{3}$ , so weights become  $W_2$ . Then scores  $S_2$  are computed with C out. D and E are tied, so temporary scores  $S_3$  are computed (e.g. D’s temporary score is the sum of the weights of those ballots for which D is above E and E is eliminated.  $S_4$  then gives scores between A, B and D (weights are still  $W_2$ ). A and D are tied, and A is eliminated by temporary scores  $S_5$ . Then scores  $S_6$  elect D, again with a surplus of  $\frac{1}{3}$  vote, so weights become  $W_3$ . Finally  $S_7$  elects B.

Of course the last two scorings  $S_6$  and  $S_7$  are unnecessary, but are spelled out here to illustrate the algorithm.



## **C. COMMUNICATIONS BETWEEN THE ASSOCIATION AND OTHER ORGANIZATIONS AND THE MEDIA**

### 1. The University Administration, Board of Governors and Senate

The President shall normally be the spokesman of the Association and its committees in oral and written communications with the University except in the following circumstances:

- During confidential phases of negotiations for a Collective Agreement the Association Team, acting according to Rule G shall speak for the Association.
- As provided for in the Collective Agreement, the Executive Director shall communicate official notices to the University.
- Association Assessors and Representatives on University Committees shall speak for the Association as provided in Rule D.

### 2. The Media and Organizations External to the University

The President shall be the sole spokesperson for the Association and its committees in all communications with the media (including the University and student media). The President may delegate this authority only if he/she has previously approved any statement or correspondence. Any other office or committee making a statement must make it clear that the statement is personal and does not necessarily reflect the views of the Association or its committees.

## **D. RULES GOVERNING UMFA REPRESENTATIVES/ASSESSORS ON UNIVERSITY COMMITTEES**

1. The Association Assessors on Senate and the Board of Governors shall be appointed annually by the Executive Council of which they shall be non-voting members thereof unless the right to vote is given by the Board.
2. UMFA Representatives and other Assessors on University committees shall be appointed annually by the Board from the general membership as soon as possible after the Annual General Meeting.
3. UMFA Representatives/Assessors shall represent the official policy of UMFA. The President or Executive Council shall brief Representatives/Assessors from time to time whenever possible. The President or Executive Council may delegate the briefing of

representatives on joint committees arising from collective bargaining to the Collective Agreement Committee.

4. When a question arises on which UMFA has no determined policy the Representative/Assessor shall feel free to express his or her own views, but shall always make it clear that the views are not Association policy. As soon as possible the Representative/Assessor shall initiate discussions with the UMFA President to determine a policy on the issue raised.
5. If a Representative/Assessor finds that he/she cannot represent Association policy he/she shall resign.
6. A Representative/Assessor may be recalled on a motion approved by two-thirds majority of members of the Board present and voting by secret ballot at a duly constituted meeting, provided that notice of such motion is published with the agenda.
7. When a Representative/Assessor is unable to attend a meeting of the committee on which he/she serves he/she shall inform the President who shall appoint an alternate.

## **E. GENERAL RULES GOVERNING COMMITTEES**

1. Ex officio Members  
The President is a member ex officio of all UMFA committees and is advised of all meetings.
2. An ex officio member may, at his/her discretion, appoint a delegate to serve in his/her stead, provided that he/she shall submit to the Executive Director of UMFA and to the Chair of the committee, the name of his/her delegate and specify the term for which the delegate is to serve.
3. Election of Committee Chairs  
The Executive Council may appoint the Chair. If the Chair is not appointed the President shall ask a member of the committee to serve as Convener for the purpose of calling the first meeting to choose a Chair.
4. Terms of Office  
Unless otherwise stated in the committee's terms of reference, membership in all committees shall terminate on the date of the Annual General Meeting.
5. Openness of Committee Meetings  
Unless otherwise stated in the terms of reference of a given committee, the following rules shall apply:

- 5.1 Members of the Association shall have the right to attend committee meetings and present their views at such reasonable times, as, upon request, the committee may appoint.
  - 5.2 Notwithstanding 5.1, on a two-thirds vote of committee members present, the committee may move into closed session to discuss specific items.
  - 5.3 The committee has the right to permit and/or to invite non-members to attend any or all of its meetings and may delegate to its Chair such powers of permission and/or invitation.
6. Unless otherwise specified all committees are required to report to the Board at least once a year.

## **F. LIST OF STANDING COMMITTEES**

### Academic Freedom & Tenure Committee - Terms of Reference

- i) To monitor university policies regarding academic freedom and tenure and working conditions generally.
- ii) To advise Executive and Board on issues relating to tenure and promotion.
- iii) To submit to Executive and Board proposals for the protection and improvement of academic freedom and tenure.
- iv) To advise the Executive and Board on ways of protecting and improving working conditions.
- v) To monitor the use of teaching assessments and performance evaluations and to make appropriate proposals to the Executive and Board.
- vi) To monitor the development of university policies regarding research and to make appropriate proposals to the Executive and Board.
- vii) To maintain a liaison with the CAUT.

### Collective Agreement Committee - Terms of Reference

- i) To solicit and receive from members of UMFA, UMFA committees and Bargaining Units affiliated to UMFA proposals regarding the evolution of the Collective Agreement.
- ii) To recommend to the Board a set of priorities regarding the long-term objectives of UMFA bargaining.
- iii) To recommend to the Board regarding matters to be bargained in the next round of negotiations.
- iv) To advise the Board of Representatives on progress in collective bargaining and other matters related to collective bargaining.

- v) To prepare collective agreement language and other proposals for the purposes of collective bargaining.
- vi) Acting within such guidelines as may be established by the General Membership and the Board the Collective Agreement Committee shall direct the Team on the basis of consensus. In the absence of consensus, the Executive Council shall direct the Team within such guidelines as may be established by the General Membership and the Board of Representatives.

#### Collective Agreement Committee - Composition

- i) The CAC will be composed of the Executive Council, the Bargaining Team, and Members chosen for their expertise on various matters related to collective bargaining. Non-Executive and non-Bargaining Team members of the CAC will be appointed by the Board of Representatives upon recommendation of the Executive Council.

#### Constitution, Rules and Procedures Committee - Terms of Reference

- i) To consider and recommend, at the request of the Board or any committee thereof, on any matter concerning constitution, rules or procedures.

#### Equity and Diversity Committee - Terms of Reference

- i) To advise the Executive and Board on policies that protect and enhance the rights of academic staff groups at risk of being marginalized. Those groups include, but are not limited to:
  - Women academic staff
  - Racialized academic staff
  - Indigenous academic staff
  - Academic staff with disabilities
  - Lesbian, gay, bi-sexual, transgendered, queer and 2-spirited academic staff
- ii) To monitor the university's policies concerning the aforementioned groups and to advise the Executive and Board accordingly.
- iii) To identify issues and best practices concerning the aforementioned groups, provide support and promote equity and diversity at the University of Manitoba.

#### Nominations Committee - Terms of Reference

- i) To nominate candidates to the offices of President and Vice-President and to other such positions as may be named by the Board or the Executive Council.
- ii) To ensure that all constituencies have a representative on the Board of Representatives.

### Organizing and Communications Committee - Terms of Reference

*(These Terms of Reference replace those of the Communications Committee and the Membership Committee as of April 21, 2021.)*

- i) To facilitate Member education and involvement related to the Collective Agreement, collective bargaining, and improving everyday working conditions.
- ii) To facilitate Member education and involvement related to issues in post-secondary education provincially, nationally, and internationally.
- iii) To organize cross-campus events and campaigns that build member engagement and involvement in Association work, where such events and campaigns are not already under the auspices of other bodies or committees of the Association.
- iv) During collective bargaining, to organize, execute, and/or facilitate internal and external communications.
- v) To do the preceding at the direction of the Executive Council or Board of Representatives and in line with the Association's Constitution, Standing Rules, and applicable Association policy

### Reserve Fund Committee - Terms of Reference

*(Full terms of reference and Reserve Fund Committee membership are contained in the Reserve Fund Policy.)*

- i) To review and make recommendations to the Executive, Board and membership regarding the terms of reference of the Reserve Fund.
- ii) To oversee the investments of the reserve Fund, and report on the investments to Executive, Board and membership.
- iii) The Faculty Association Treasurer shall be the Chair of the Committee.

### Solidarity Committee/Flying Squad - Terms of Reference

- i) To monitor developments in the labour movement in Manitoba.
- ii) To facilitate the mobilization of workers in Manitoba during the life of their collective agreements.
- iii) To support workers in Manitoba as they engage in job actions and other forms of direct action.

### Staff Benefits Committee - Terms of Reference

- i) To monitor the administration of Staff Benefits and to advise the Executive and the Board accordingly.
- ii) To liaise with the University Staff Benefits committee.
- iii) To advise the Executive and the Board on improvements to the pension plans, insurance and other benefits.

## Labour Management Committee - Terms of Reference

- i) Purpose of Committee: As established in the Collective Agreement, the purpose of the Committee shall be to provide a means by which to facilitate and promote co-operation, understanding, confidence, and harmonious relations between labour and management.
- ii) UMFA Membership on Committee: As established in the collective agreement, UMFA will provide 3 representatives. The three people will be normally the UMFA President, UMFA's Executive Director, and a third representative selected by the Executive.
- iii) Meetings: As established in the Collective Agreement, the Committee shall meet as often as is mutually determined by the Parties. A representative of each Party shall be designated by each Party as Joint Chairperson of the Committee and the two (2) persons shall alternate in chairing the meetings of the Committee. UMFA's Chairperson Designate will normally be the UMFA President.
- iv) Mandate: As established in the collective agreement, The Committee shall be entitled to discuss any matter which is mutually agreed by the Parties to be of mutual benefit or concern but shall not have the power to add or modify the collective agreement.
- v) Consultation: The UMFA reps will only raise issues as directed by the Executive. The UMFA reps will not take or authorize any actions without first consulting the Executive.

## **G. STANDING RULES ON COLLECTIVE BARGAINING**

### 1. Board of Representatives

- 1.1 Acting on the advice of the Executive Council, the Board shall appoint the Negotiating Team and its Chair.
- 1.2 Acting on the advice of the Collective Agreement Committee and other Committees, the Board shall decide what matters shall be negotiated provided that the proposals are consonant with the policies of the Association as determined from time to time by General Meetings.

NOTE: As provided in Section 2 of the Constitution, only Regular and Affiliate members of the Board may propose motions or vote on matters relating to collective bargaining.

### 2. Collective Agreement Committee

See Collective Agreement Committee - Terms of Reference.

### 3. Bargaining Team

- 3.1 Whenever possible the Team shall include: at least one member of the Executive Council, and at least one member of the previous Team. The Team should include no more than 2 members of the Executive Council.
- 3.2 The Chair of the Team shall keep the Collective Agreement Committee and Board informed about negotiations.
- 3.3 The Chair of the Team may from time to time request the President to call a joint meeting of the Executive Council, the Team, and such other persons as may be appropriate.
- 3.4 Each January preceding the expiration of the Collective Agreement, the Board of Representatives will approve provision for the release time of Bargaining Team members.

### 4. General Meeting

- 4.1 With respect to collective bargaining decisions of a General Meeting shall take precedence over decisions by the Board, Executive or Team.
- 4.2 Any proposal to abrogate a collective agreement shall be taken to a General Meeting of regular members for decision.

NOTE: Affiliate units will take such a decision independently.

## **H. CAPITALIZATION POLICY**

- a) Computers and furnishings over \$10,000 are amortized over five years on a straight-line basis.
- b) Computers and furnishings under \$10,000 are expensed in the year of acquisition.

Approved April 1980  
Revised 1989  
Reserve Fund Committee approved February 1991  
Revised February 1999, May 1999  
Revised May 2002  
Revised May 2006  
Revised May 2007  
Revised May 2014  
Revised April 2015  
Revised October 2015  
September 2016  
February 2017  
December 2017  
February 2020  
April 2020 (addition of Capitalization Policy)  
April 2021 (delete Communications and Membership Committees; add Organizing and Communications Committee)  
August 2021 (revision of General Rules and Procedures for Elections, 3. Election to Officers)