

CONSTITUTION

and

BY-LAWS

of the

MOUNT ALLISON FACULTY ASSOCIATION

as at April 12, 2010

**MOUNT ALLISON FACULTY ASSOCIATION
CONSTITUTION**

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CONSTITUTION

Adopted May 3, 1982	Amended November 5, 1990
Amended November 23, 1982	Amended November 25, 1992
Amended March 21, 1985	Amended November 6, 2000
Amended November 19, 1985	Amended April 9, 2001
Amended February 18, 1987	Amended December 6, 2001
Amended March 31, 1987	Amended April 7, 2004
Amended March 15, 1989	Amended April 7, 2005
Amended March 29, 1990	

ARTICLE 1 - INTERPRETATION

In this Constitution or any By-Law hereunder:

- (a) "ASSOCIATION" means the Mount Allison Faculty Association.
- (b) "EMPLOYEE" means all academic staff of the Employer other than persons excluded by decisions or certification orders of the New Brunswick Industrial Relations Board or otherwise excluded by Law.
- (c) "EMPLOYER" means Mount Allison University.
- (d) "UNIT 1" means those members covered by the full-time collective agreement.
- (e) "UNIT 2" means those members covered by the part-time collective agreement.
- (f) "EXECUTIVE" means the Executive established under and in accordance with the provisions of Article 7 and 8 hereof.
- (g) "MEMBER" means a member in good standing pursuant to the provisions of Article 3(b).
- (h) "ASSOCIATE MEMBER" means Associate Member in good standing pursuant to the provisions of Article 3(c).
- (i) "HONORARY MEMBER" means an Honorary Member in good standing pursuant to Article 3(d).
- (j) "UNIVERSITY" means the academic community of Mount Allison.
- (k) A word imparting a masculine gender includes the feminine gender, and a word imparting a feminine gender includes the masculine gender.

(Amended December 6, 2001, April 7, 2004)

ARTICLE 2 - NAME

The Association will be known as:

"The Mount Allison Faculty Association". This may be abbreviated "MAFA".

ARTICLE 3 - MEMBERSHIP

- (a) Membership in the Association as a member shall be open to any employee.
- (b) To be and remain a member in good standing of the Association, a person must satisfy the following requirements:
 - i) must have indicated in writing a desire to become a member of the Association;
 - ii) must meet the requirements of Article 3(a); and
 - iii) must have agreed to comply with the provisions of any By-Laws adopted hereunder from time to time respecting the amount and payment of dues by members.
- (c) Membership in the Association as an associate member shall be open to any former Unit 2 member who has taught within the last two years at Mount Allison University.
- (d) Membership in the Association as an honorary member shall be open to any person who was at one time an employee but who has since left employment with the Employer.
- (e) To be and remain an honorary member in good standing of the Association, a person must satisfy the following requirements:
 - i) must have indicated in writing a desire to become an honorary member of the Association;
 - ii) must meet the requirements of Article 3(d)

(Amended December 6, 2001; April 7, 2004)

ARTICLE 4 - RIGHTS OF MEMBERS, ASSOCIATE MEMBERS AND HONORARY MEMBERS

- (a) Members shall have full rights and privileges as members with a right to one vote.
- (b) Associate and Honorary members' rights are limited to the same rights with respect to meetings of the Association as members have, except that they shall not have any right to vote.

(Amended April 7, 2004)

ARTICLE 5 - AFFILIATE MEMBERSHIP

- (a) The Association shall be a member of the Canadian Association of University Teachers and the Association shall pay the dues as set by the Canadian Association of University Teachers.
- (b) The Association shall be a member of the Federation of New Brunswick Faculty Associations and the Association shall pay the dues as set by that Federation.
- (c) The Association shall be a member of the CAUT Defence Fund and the Association shall pay dues and other considerations as required by that Fund.
- (d) The Association shall be a member of NUCAUT and the Association shall pay dues and other considerations as required by NUCAUT.

(Amended December 6, 2001)

ARTICLE 6 - OBJECTS

The objects of the Association shall be:

- (a) To stimulate and improve teaching, research and creative activity, and to encourage cooperative relations among members of the University.
- (b) To promote the professional interests and welfare of the University and its academic staff.
- (c) To protect freedom of expression, thought, teaching and research within the University.
- (d) To cooperate with other associations with similar interests, in particular with provincial, regional, national and international associations of university academic staff.
- (e) To act as a bargaining agent within the meaning of the Industrial Relations Act and in that

connection to regulate employment relations through collective bargaining between the Employer and all employees.

- (f) To seek the fullest representation of all employees in the academic operation of the University.
- (g) To deal with other matters considered to be congruent with the interests of the Association or its members.

(Amended December 6, 2001)

ARTICLE 7 - EXECUTIVE

- (a) There shall be an Executive of the Association consisting of the President, the Vice-President, the Treasurer, the Past-President, the Collective Bargaining Officer, the Grievance Officer, the Membership Officer, and the Unit 2 Officer who must be members, and all but the Past-President shall be elected and hold office in accordance with the provisions of the By-Laws adopted hereunder. There shall be a Professional Officer who may or may not be a member.
- (b) The Executive shall have the power and responsibility to oversee and manage the activities of the Association and to develop and implement policies in furtherance of the objects of the Association.
- (c) The Executive may establish such committees as it shall deem appropriate to assist it in carrying out its responsibilities, and may delegate to such committees such powers as it shall deem necessary for the implementation of its policies, and may appoint to such committees any person who normally will be a member, associate member or honorary member of the Association. Any Committee member who has direct involvement in, and thus a potential conflict of interest with regard to, an issue being adjudicated by that Committee should withdraw from discussion of, and abstain from voting on, that issue. ("Direct involvement" should be understood to include the involvement of one's spouse, spousal equivalent, child, or parent.)
- (d) Notwithstanding Article 7(c), all committees dealing with collective bargaining and with the administration of a collective agreement, including grievance handling, must be created by a by-law, which by-law shall be approved by the Association.
- (e) In the event of the retiring President being unable or unwilling to serve as the Past-President, the incoming Executive shall appoint a member in good standing with previous service on the Executive (preferably as President) to fill this office.
- (f) Any Executive member who has a direct involvement in, and thus a potential conflict of interest with regard to, an issue coming before the Executive should withdraw from discussion of, and abstain from voting on, that issue.

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- (g) Any Executive member holding an office, or chairing a committee, which must adjudicate an issue which involves that individual (or his/her spouse, spousal equivalent, child, or parent) should temporarily step down from that position, withdraw from discussion of, and abstain from voting on that issue.
 - (h) When a possible conflict of interest on the part of the Executive or Committee member is perceived by any member of the Association, said Association member shall bring the situation to the attention of the Executive. The Executive or Committee member may then be required, by majority vote of members of the Executive, to abide by provisions f) or g) above.
 - (i) When any of provisions f), g), or h) is in force, the quorum of the Executive or committee in question shall be reduced accordingly. The same practice shall be followed if the provision in the last two sentences of c) above is invoked.

(Amended March 15, 1989; March 29, 1990; February 18, 1987; December 6, 2001; April 7, 2004)

ARTICLE 8 - DUTIES OF THE EXECUTIVE AND PROFESSIONAL OFFICERS

- (a) The President shall:
 - iv) Act as Chair at all meetings of the Association and Executive.
 - v) Together with the Treasurer, sign financial documents as may be required from time to time in furtherance of the objects of the Association.
 - vi) Together with the Treasurer, sign applications, agreements and other documents as may be required from time to time in furtherance of the objects of the Association.
 - vii) Be an ex-officio member of any Association committee.
 - viii) Act in liaison with the Canadian Association of University Teachers, the Federation of New Brunswick Faculty Associations, and other associations, and government bodies in conjunction with the Professional Officer.
 - ix) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association, or pursuant to this Constitution or By-Laws hereunder.

(Amended March 29, 1990; April 7, 2004)

- (b) The Vice-President shall:
 - i) Act in liaison with the Students' Administrative Council, the Staff Association (CUPE 3433), CUPE 2338, Faculty Council, Senate, and other such bodies.
 - ii) Exercise the powers and perform the duties of the President, in the absence, or inability to act, of the President, or if the office of the President is vacant.

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- iii) Normally succeed the President.
 - iv) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association, or pursuant to this Constitution or By-Laws hereunder.
 - v) Act in conjunction with the University Vice-President (Academic & Research) on Employment Equity.
 - vi) Seek nominations for Association and joint Association/Employer Committees.
 - vii) Together with the Collective Bargaining Officer, normally represent the Association on the Joint Liaison Committee.

(Amended March 29, 1990; April 7, 2004)

(c) The Treasurer shall:

- i) Receive and account for all monies paid to the Association and issue receipts therefore where appropriate together with the Professional Officer.
- ii) Keep accurate records of all monies received and disbursed by the Association together with the Professional Officer.
- iii) Together with the President, sign all financial documents as may be required from time to time in furtherance of the objects of the Association.
- iv) Together with the President, sign applications, agreements and other documents as may be required from time to time in furtherance of the objects of the Association.
- v) Together with the Professional Officer, arrange for an annual external financial audit of the Association.
- vi) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association, or pursuant to this Constitution or By-Laws hereunder.

(Amended April 7, 2004)

(d) The Past-President shall:

- i) Provide advice and counsel to other members of the Executive, based on his/her experience.
- ii) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association, or pursuant to this Constitution or By-Laws hereunder.
- iii) Be Chair of the Nominating Committee.
- iv) Act as External Communications contact and initiate lobbying on Education and Labour issues.

(Amended April 7, 2004)

(e) The Collective Bargaining Officer shall:

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- i) Be responsible for negotiations.
 - ii) Chair the Collective Bargaining Committee.
 - iii) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association, or pursuant to this Constitution or By-Laws hereunder.
 - iv) Together with the Vice-President, normally represent the Association on the Joint Liaison Committee.

(Amended February 18, 1987; April 7, 2004)

(f) The Grievance Officer shall:

- i) Chair the Grievance Committee.
- ii) Be responsible for grievances and reporting actions under the grievance procedure to the Executive.
- iii) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association, or pursuant to this Constitution or By-Laws hereunder.

(g) The Membership Officer shall:

- i) Together with the Professional Officer, maintain an up-to-date record of Unit 1 membership and together with the President, be responsible for communication from the Executive to the general membership.
- ii) Be responsible for signing up and communicating with members and honorary members of the Association.
- iii) Together with the Professional Officer and Unit 2 Officer, publish monthly Association newsletters.
- iv) Be responsible for keeping the membership handbook up to date.
- v) Normally be Chair of the Communications Committee.
- vi) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association or pursuant to this constitution or By-Laws hereunder.

(Amended February 18, 1987; April 7, 2004)

(a) The Unit 2 Officer shall:

- i) Together with the Professional Officer, maintain an up-to-date record of Unit 2 membership and be responsible for communication from the Executive to the general membership.
- ii) Be responsible for signing up and communicating with associate members of the Association.
- iii) Together with the Professional Officer, maintain an up-to-date record of Unit 2 membership and together with the President, be responsible for communication

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- from the Executive to the general membership.
 - iv) Together with the Professional Officer and Membership Officer, publish monthly Association newsletters.
 - v) Be responsible for keeping the associate membership handbook up to date.
 - vi) Normally be a member of the Communications Committee.
 - vii) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive, the Association or pursuant to this constitution or By-Laws hereunder.

(Amended April 7, 2004)

(ii) The Professional Officer shall:

- i) Report to the Association President.
- ii) Provide research and administrative support as directed by the President for the Executive and other committees of the Association.
- iii) Liaise with Employer representatives and outside agencies and be the external communications contact for the Association.
- iv) Receive communications from the general membership and outside agencies to the Executive.
- v) Together with the Membership Officer and Unit 2 Officer, maintain an up-to-date record of membership and together with the President, be responsible for communication from the Executive to the general membership.
- vi) Be responsible for collective agreement administration.
- vii) Have custody of all books and records of the Association including those financial in nature.
- viii) Receive and account for all monies paid to the Association and, together with the Treasurer, prepare payment cheques and maintain the accounting records of the Association.
- ix) Together with the Treasurer, arrange for an annual external financial audit of the Association.
- x) Keep minutes of proceedings of all meetings of the Association and Executive.
- xi) Keep and maintain all provisions of the Constitution and the By-Laws hereunder.
- xii) Be responsible for travel arrangements for the Executive and/or member representatives of the Association.
- xiii) Coordinate internal and external meetings and events in conjunction with the Executive Officers.
- xiv) Be responsible for maintaining the Association web site.
- xv) Be responsible for notices of meetings of the Association as required by this Constitution or By-Laws adopted hereunder.
- xvi) Exercise such other powers and perform such other duties as may be conferred upon or assigned to him/her from time to time by the Executive to ensure effective administration of the MAFA office.

(Amended April 7, 2004)

ARTICLE 9 - VOTES UNDER INDUSTRIAL RELATIONS ACT

- (a) No Collective Agreement shall be executed on behalf of the Association unless the terms thereof have been ratified by the members of the Association in the manner hereinafter provided.
- (b) On a working day not more than five (5) working days before a ratification vote, there shall be a special meeting of employees with a minimum of two (2) working days notice at which the terms of the Collective Agreement shall be explained and discussed, but not amended or referred.
- (c) All ratification votes, all votes on binding conciliation or interest arbitration and all votes required by the Industrial Relations Act of New Brunswick shall be conducted on two (2) consecutive working days during business hours at one location on or near campus unless otherwise required by the said Act.
- (d) All ratification votes, all votes on binding conciliation or interest arbitration and all votes required by the Industrial Relations Act shall be effected by means of a secret ballot vote by members at that time, with no mail ballot permitted unless otherwise required by the said Act.
- (e) All ratification votes, all votes on binding conciliation or interest arbitration and all votes required by the Industrial Relations Act shall be determined by the majority of valid votes cast unless otherwise required by the said Act.

ARTICLE 10 - BY-LAWS - PROCEDURES

- (a) The Association may from time to time adopt, amend or repeal such By-laws as it deems necessary or conducive to the attainment of its objects as hereinafter provided.
- (b) Without limiting the generality of the foregoing paragraph, such By-laws may include those respecting:
 - i) the calling and conduct of meetings of the Association and the Executive;
 - ii) the procedure for election of Executive officers;
 - iii) the terms of Executive officers;
 - iv) procedures to be followed in relation to the adoption and amending of By-laws not provided for in this Constitution;
 - v) the prescribing of dues payable by members and honorary members;
 - vi) the auditing of the Association's financial records; and
 - vii) any other matter to be dealt with by By-laws pursuant to this Constitution.

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- (c) Proposed By-laws shall be approved by a majority at a duly constituted meeting of the Association and may only be acted upon after such approval.
 - (d) Only By-laws proposed by the Executive or in a request by twenty members in writing sent to the Executive shall be placed before a meeting of the Association for adoption pursuant to a notice of motion.
 - (e) Upon receipt of a request with a proposed By-law, the Executive shall ensure that such proposed By-law be placed before the next meeting of the Association for which proper notice can reasonably be given.

ARTICLE 11 - AMENDMENTS TO CONSTITUTION

- (a) Amendments to this Constitution may only be made at a duly constituted meeting of the Association by a two-thirds majority vote of the members present at that meeting, in the manner hereinafter provided.
- (b) Notice of motion to amend this Constitution shall be mailed to each member by the Professional Officer as directed by the Executive at least five (5) working days prior to the date of the meeting at which such motion is to be made.
- (c) Unless otherwise provided, an amendment to this Constitution shall take effect immediately upon its adoption.
- (d) Amendments to the Constitution may be initiated by the Executive or by twenty (20) members of the Association sending their proposed amendment in writing to the Executive.
- (e) Upon receipt of such a proposed amendment, the Executive shall ensure that such proposed amendment be placed before the next meeting of the Association for which proper notice can reasonably be given.

(Amended April 7, 2004)

GENERAL BY-LAWS

A. ASSOCIATION MEETINGS

1. All previous By-laws of the Association are repealed as of the date of the adoption of the present set of By-laws.
2. At least one meeting of the Association shall be held during the fall term and one during the second term of the University academic year.
3. One meeting during the second term shall be designated the Annual General Meeting and shall be held before April 30.
4. Meetings of the Association may be called by the Executive or as a result of a request in writing by twenty (20) members given to the Executive, in which case a meeting of the Association shall be called within ten (10) working days.
5. All members, associate members, honorary members, and observers with permission of the Chair of the meeting, may attend meetings of the Association; the Chair may ask the advice of members as to the attendance and participation in a meeting of any observers.
6. At least five (5) working days written notice of all meetings of the Association shall be given unless otherwise expressly provided in the Constitution or By-laws, unless the Executive deems a shorter period necessary in cases of Collective Bargaining.
7. In the absence of the President and Vice-President, the members present at a duly constituted meeting of the Association may elect one of their members to be Chair of the meeting.
8. The quorum at meetings of the Association shall be twenty-five (25) members. The quorum is to be determined at the beginning of the meeting.
9. If, at the time stipulated for the commencement of a meeting of the Association, a quorum shall not be present, the Chair may delay the commencement of the meeting for no longer than one-half ($\frac{1}{2}$) hour for the purpose of acquiring a quorum.
10. Voting at meetings of the Association shall be done orally or by show of hands, and a secret ballot shall be held only at the request of a member or when required by the Constitution or By-Laws.
11. The Chair of the meeting shall vote only in case of a tie vote.
12. Meetings shall be conducted according to Roberts' Rules of Order.

(Amended November 6, 2000; December 6, 2001; April 7, 2004)

B. MEETINGS OF THE EXECUTIVE

1. Meetings of the Executive may be called by the President or Acting President or at the request of two (2) members of the Executive. The President or Acting President shall then convene a meeting of the Executive within five (5) working days of receiving the request.
2. A quorum for an Executive meeting shall be fifty percent (50%) of the members of the Executive. The quorum shall be determined at the commencement of the meeting.
3. If at the time stipulated for the commencement of the Executive meeting, a quorum shall not be present, the Chair may delay the commencement of the meeting for no longer than one-half ($\frac{1}{2}$) hour for the purpose of acquiring a quorum.
4. In the absence of the President and Vice-President, the members of the Executive present may elect a Chair for the meeting.
5. The Chair of the meeting shall vote only in the case of a tie vote.
6. Unless a member of the Executive requests the holding of a secret ballot, voting shall be done orally or by show of hands.
7. All votes shall be carried by a majority vote of the members of the Executive present.

C. ELECTION OF THE EXECUTIVE

1. The officers and members of the Executive other than the Past-President shall be elected at the Annual General Meeting of this Association according to the following rules:
 - a) Only members of the Association are eligible for election to the Executive.
 - b) A Nominating Committee of three (3) members shall be appointed by the out-going Executive on or before February 15th each year with the power to select at least one willing candidate for each office.
 - c) The Nominating Committee shall place on the official slate of candidates the names of any members who are nominated in writing, more than ten (10) working days in advance of the Annual General Meeting, by five (5) other members, provided the nominees give their written consent to be candidates.
 - d) Five (5) working days prior to the Annual General Meeting, the names of all nominees as of ten (10) working days prior to that date shall be sent to all members.
 - e) Upon the presentation by the Nominating Committee of the official slate, elections for Executive positions will, if necessary, be held by secret ballot; to be elected, a

candidate must obtain a majority of the votes cast. If no candidate obtains an absolute majority on a vote, the candidate with the least number of votes shall be dropped from the ballot and voting continued until a candidate receives an absolute majority of the votes cast.

2. The Executive shall hold office for one (1) year beginning May 1st.
3. Members of the Executive shall be eligible for re-election in future years.
4. Notwithstanding paragraph 2, a member of the Executive shall continue to hold his position until duly replaced.
5. A member of the Executive may resign his/her position at any time by giving written notice thereof to the President. The Executive shall have the power to fill vacancies in its membership.
6. A member of the Executive shall be deemed to have resigned upon ceasing to meet the eligibility requirements for membership in the Association.
7. A member of the Executive may be removed from office for such cause, if any, as shall be determined by a majority of the members at a duly constituted meeting for which notice of meeting has been given.

(Amended December 6, 2001; April 7, 2004)

D. FISCAL YEAR AND FINANCES

1. The Fiscal year of the Association shall end on December 31st of each year.
2. A qualified auditor shall be appointed by the members at a Fall General Meeting of the Association.
3. The Treasurer shall place before the Annual General Meeting audited financial statements for the fiscal year ending on December 31st, which financial statements shall fairly reflect the financial position of the Association.

E. DUES

1. Each member shall pay annual dues in the amount of 1.1 per cent of actual salary (excluding stipends for administrative duties).
2. Dues shall be collected in such manner as may be determined from time to time by the Executive or as may be provided in the terms of the Collective Agreement then in effect.
3. By-laws pertaining to dues, or alterations thereto, shall come into effect immediately upon

approval unless otherwise provided.

4. The Association shall maintain a Reserve of \$200,000, which shall ensure adequate resources for expenses of arbitrations, strikes, lockouts, strike pay, or expenses connected with allegations of unfair labour practice. In the event that reserves of the Association drop below \$200,000, there shall be a temporary increase in annual dues of 0.3 per cent of actual salary (excluding stipends for administrative duties) in addition to dues specified in By-law E.1. The rate of dues shall revert to that in By-Law E1 when the Executive determines that two successive quarterly financial statements indicate the Reserves have been restored to at least \$200,000.

(Amended April 9, 2001; November 25, 1992; December 6, 2001; April 7, 2004, April 7, 2005, April 9, 2007, April 3, 2009, April 12, 2010)

F. MEMBERSHIP FORM

1. Pursuant to Article 3(b)(i), the following shall be the form for application for membership:

I hereby apply to become a member of the Mount Allison Faculty Association and agree to abide by its Constitution and By-laws.

G. BY-LAW - MAFA GRIEVANCE COMMITTEE

1. Upon the commencement of a Collective Agreement, there shall be a committee known as the MAFA Grievance Committee (hereinafter referred to as the Committee) which shall perform the functions and have the powers hereinafter provided.
2. The Committee shall consist of four (4) members appointed by the Executive, normally for a two-year term, and the Grievance Officer as Chair.

(Amended February 18, 1987; December 6, 2001)

4. The quorum for all meetings of the Committee shall be four (4) members.
5. All questions shall be decided by a majority of votes cast at a meeting of the Committee, with any question failing in the case of a tie vote.
6. All other matters of procedure of the Committee shall be determined by the Committee.
7. The Committee, with the approval of the Executive, may sub-delegate its functions and powers to a member of the Association, in particular its functions and powers pursuant to 8(c) and 8(d).

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8. The Committee shall have the following powers and functions:
 - a) To prepare, distribute, and maintain a manual of dates and procedures for the purpose of facilitating or avoiding grievances or arbitrations pursuant to any Collective Agreement then in force;
 - b) To determine procedures which shall be necessary for employees to follow if they wish the assistance of the Association with regard to grievances or arbitrations;
 - c) To appoint a member of the Committee to represent, when required, the Association at any stage of a grievance or arbitration procedure in cases of individual or group grievances involving employees;
 - d) To appoint a member of the Committee to represent employees at any stage of a grievance or arbitration procedure in cases of individual or group grievances when requested to do so by the employee or employees; this duty is subject to a positive recommendation by the Committee pursuant to sub-section (e) of this section.
 - e) To determine the extent to which the Association will support a grievance by an employee or group of employees, either by representation pursuant to sub-section (d) of this section or by financial support; the Committee in making its decision shall not act in a manner that is arbitrary, discriminatory, or in bad faith in the representation of the employee or group of employees; when such decision involves financial support, it shall be subject to approval by the Executive.
 9. If an employee or group of employees disagree with the decision of the Committee pursuant to section 8 e), such decision may be appealed to the Executive; such an appeal shall be initiated by a written request sent to the Vice-President of the Association; the Executive shall make its decision on the same criteria as set out in section 8 e) no more than five (5) working days after receipt of such request by the Vice-President.
 10. Any employee or group of employees seeking support of the Association, either through representation or financial support, must request such support of the Committee not less than five (5) working days before the expiration of any limitation periods for giving any notice or filing of documents in the grievance procedure; if an employee or group of employees fail to make such a request, the employee or group of employees alone shall be responsible to meet all procedural requirements for the grievance.
 11. Any employee or group of employees who proceeds with a grievance without the support of the Association pursuant to section 8 b) shall indemnify the Association for any expenses it may be liable to pay as a result thereof; further, any employee or group of employees will be required to provided the Association with reasonable security for the probable expenses resulting from such grievance.
 12. In the event that the Association gives financial support to an employee or group of

employees, the Association shall determine and provide counsel. The Executive shall be kept informed as to progress and the costs in the action. In the event that the Executive decides that it would be justified in doing so under section 8 e), it may withdraw any further financial support.

13. Any employee has the right, if desired, to appear personally before the Committee, or the Executive, to speak for support from the Association for his or her grievance.
14. All decisions by the Committee or the Executive with regard to support by the Association of a grievance by an employee or group of employees shall be binding on any employee subject only to the appeal procedures provided in this By-law.
15. The Chair of the Committee may give and receive notices for and on behalf of the Association in the case of a grievance by an employee or group of employees pursuant to any Collective Agreement.
16. Policy grievances initiated by the Association may be referred by the Executive to the Committee for recommendation and/or action.
17. If a situation comes to the attention of the Committee which in the opinion of the Committee involves a policy grievance, the Committee shall report the situation to the Executive.
18. Grievances initiated by the Employer may be referred by the Executive to the Committee for recommendation and/or action.
19. The term of any Committee shall terminate upon the signing of the next Collective Agreement following its appointment, but in no case shall the term exceed two years. Any member of the Committee may resign upon giving notice thereof to the Vice-President.

H. BY-LAW - MAFA COLLECTIVE BARGAINING COMMITTEE

1. There shall be a committee known as the MAFA Collective Bargaining Committee (hereinafter referred to as the Committee) which shall perform the functions and have the powers hereinafter provided.
2. The Committee shall consist of four (4) members appointed by the Executive, normally for a two-year term, the Collective Bargaining Officer as Chair, the Unit Two Officer and the President, ex-officio.
3. Any vacancies which occur on the Committee shall be filled by the Executive within a reasonable time.

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4. The Collective Bargaining Officer shall be Chair and shall have full right to vote at all meetings.
 5. The quorum for all meetings of the Committee shall be four (4) members.
 6. All questions shall be decided by a majority of votes cast at a meeting of the Committee, with any question failing in the case of a tie vote.
 7. All other matters of procedure of the Committee shall be determined by the Committee.
 8. The Committee may, with the approval of the Executive, sub-delegate certain of its functions and powers to a sub-committee composed of Association members.
 9. The Committee shall have the following powers and functions:
 - a) To prepare proposals for collective bargaining, and present these proposals to the members for approval at a general meeting.
 - b) To determine the general negotiating priorities of clauses in the proposals for collective bargaining.
 - c) To advise the Executive, the membership, and the Negotiating Team on matters relating to the negotiation and administration of collective agreements.

(Amended March 31, 1987; December 6, 2001; April 7, 2004)

I. BY-LAW - MAFA NEGOTIATING TEAM

1. There shall be a committee known as the MAFA Negotiating Team (hereinafter referred to as the Team) which shall perform the functions and have the powers hereinafter provided.
2. The Team shall consist of at least three (3) persons to a maximum of six (6) persons.
3. The Team shall be appointed by the Executive. The Executive may name a Chief Negotiator who shall be a member of the team.
4. Any vacancies which occur on the Team shall be filled by the Executive.
5. The Team may invite other persons to assist in negotiations.
6. The Team shall determine its own procedures.
7. The Team shall have the power and function to initiate and conduct negotiations with the Employer.

8. The Team shall present a negotiated agreement to the membership for ratification and shall present a recommendation for acceptance or rejection.
9. The term of the Team shall be determined from time to time by the Executive. Any member of the Team may resign upon informing the Chief Negotiator and giving written notice thereof to the President.

(Amended March 31, 1987; December 6, 2001; April 7, 2004)