

**CONSTITUTION OF THE NOVA SCOTIA  
COLLEGE OF ART AND DESIGN FACULTY UNION**  
(As amended on March 1, 2018)

*Article 1: Name*

- 1.01 This organization shall be known as the Nova Scotia College of Art and Design Faculty Union, with the acronym of FUNSCAD, hereinafter referred to as the union.

*Article 2: Purpose*

- 2.01 The purpose of the union shall be to:
- i) regulate relations between employers and employees, to bargain collectively on behalf of employees, to apply for certification where necessary and to act as a bargaining agent under applicable legislation;
  - ii) promote and support equity, non-discrimination, and democracy within the Association; and the broader University community such that every member of this community is treated with dignity and respect;
  - iii) promote collegial governance;
  - iv) support other unions, participate in the labour movement, and act in solidarity with other groups of workers;
  - v) promote the joint interests of the union and its affiliated organizations, including the Canadian Association of University Teachers, and the Association of Nova Scotia University Teachers.

*Article 3: Membership*

- 3.01 Those eligible for membership in the union shall be persons employed by the Nova Scotia College of Art and Design as Teaching Faculty, Librarians, or Technical and Educational Resource Personnel.
- 3.02 Persons may be accepted into membership by the union upon completion of an application for membership on a form prescribed in Appendix A and payment of not less than \$2.00 which shall be credited as a portion of their dues established pursuant to Article 4.

*Article 4: Dues*

- 4.01 Members shall pay such dues as are established from time to time at general meetings.
- 4.02 A member in arrears in payment of the dues for more than three months shall be automatically suspended and the Treasurer shall give notice to the suspended member. A member suspended for failure to pay dues shall be automatically reinstated to good standing upon payment of arrears. A suspended member is denied all rights to vote on the business of the union during the period of suspension.
- 4.03 In the case of a merger of Nova Scotia College of Art and Design with another University and the Union also merges with a similar union at that university, any residual funds will be passed on to the new union for use in union business.

- 4.04 Should Nova Scotia College of Art and Design close and the union be decertified, any residual funds shall be given to another organization that shares FUNSCAD's purposes and values, such as the CAUT. Residual monies may not be distributed to members, nor used for any other purposes than the stated purposes of the union.

*Article 5: Executive Committee*

- 5.01 There shall be an Executive Committee consisting of the President, Past President, a Vice-President for each Bargaining Unit (elected by the members of that bargaining unit), Secretary, Treasurer, the chairperson of each standing committee, and the Association of University Teachers (ANSUT) liaison.
- 5.02 The Executive Committee shall:
- i) act as the executive body of the union between general meetings and shall be responsible for the operation and management of the union.
  - ii) determine the mandate for subcommittees of the Executive and ad hoc committees;
  - iii) appoint members to subcommittees of the Executive, ad hoc committees, standing committees, and joint committees with the employer, and the committees of affiliate organizations;
  - iv) develop general collective bargaining policy and ensure that the membership is consulted and informed at all stages of the collective bargaining process;
  - v) appoint the Grievance Officer;
  - vi) appoint the Chief Negotiators for each bargaining unit;
  - vii) decide if a grievance may be filed, approve settlements to grievances, withdraw grievances, and decide if a grievance will proceed to arbitration;
  - viii) decide whether a negotiated settlement should be forwarded to the membership for ratification.
- 5.03 A quorum of the executive committee is six (6) persons.
- 5.04 The Executive of the Union shall elect one of the Vice-Presidents as First Vice-President.
- 5.05 The CAUT Council representative shall be the President and the alternate representative shall be the Vice-President, Unit I. An alternate for the ANSUT liaison shall be selected by the President when necessary.
- 5.06 The Executive Committee will elect a member of the Committee to be the CAUT Defense Fund Trustee.
- 5.07 If a member of the executive committee is unable to attend meetings or fulfill his/her duties, the executive committee may call a by-election to fill the position.

*Article 6: Duties of Officers and Directors*

- 6.01 The officers of the union shall be the President, Vice-President(s), Secretary and Treasurer.
- 6.02 The President shall:
- 1) Supervise the general management of the affairs of the union;

- 2) Preside at meetings of the union;
  - 3) Preside at the meetings of the Executive Committee
  - 4) Perform duties incidental to his/her office. In addition, the President shall have the power to take all necessary steps of an emergency nature for the benefit of the union when specifically authorized by the Executive Committee.
- 6.03 Duties of the Vice-President(s):
- 1) The Vice-President(s) shall fulfill any duties assigned by either the President or the Executive Committee.
  - 2) The First Vice-President shall fulfill the duties of the President in the absence of the President or the inability or refusal of the President to act.
- 6.04 The Secretary shall:
- 1) Issue notices for meetings of the Executive Committee and of general meetings;
  - 2) Have charge of the minute books of the union;
  - 3) Process the official correspondence of the union.
- 6.05 The Treasurer shall:
- 1) Be responsible for the care and custody of the funds of the union, according to usual practice; and
  - 2) At each general meeting of the union present an account of the union's finances;
  - 3) Act as a signing officer of the union for financial instruments together with either the President or First Vice-President.

#### *Article 7: Meetings*

- 7.01 A general meeting may be called at any time by the President.
- 7.02 The President must call a general meeting upon receipt of a written request to that effect, signed by at least two members of the Executive Committee, stating the reasons for which the meeting is desired. Should the President fail to do so, the First Vice-President shall have the duty to call such a meeting.
- 7.03 The President shall call a general meeting upon petition of 10% of the members. Should the President fail to do so, the First Vice-President shall have the duty to call such a meeting.
- 7.04 There shall be a general meeting which shall be the Annual Meeting held in the month of October each year.
- 7.05 The meetings shall be conducted according to the parliamentary procedure as stated in Robert's Rules of Order, in any matters, including voting procedures, wherein they are not superseded by this Constitution, special rules of order, and such other policies as may be approved by the membership.
- 7.06 Twenty members or 50% of the membership, whichever is the less, shall form a quorum of a Faculty Union meeting.

#### *Article 8: Voting*

- 8.01 The Chair of a meeting of the Executive Committee shall not vote except in the case of a tie vote, and then he/she shall cast the deciding vote.
- 8.02 The Chair of a meeting of the union shall not vote except in the case of a tie vote, and then he/she shall cast the deciding vote.
- 8.03 Voting will be by secret ballot if so requested by the majority of members present at any union meeting.

*Article 9: Annual Meeting*

- 9.01 The officers of the union and the chairs of standing committees, shall be elected at the annual meeting held in even number years. The newly elected members of the Executive Committee shall assume office on January 1, following the election.

*Article 10: Standing Committees*

- 10.01 The union shall have the following standing committees: Finance Committee, Grievance Committee, Public Relations Committee, Lounge Committee, RPT Committee and a Negotiating Advisory Committee for each Bargaining Unit in the Union.
- 10.02 The members of standing committees shall be appointed by the executive committee in such numbers as the executive committee determines to be appropriate from time to time. The appointments shall be presented for review at the next following general meeting. The Executive shall endeavor to ensure that all bargaining units, are represented on the Finance, Public Relations and Grievance Committees.
- 10.03 The Finance Committee shall:
- a) make recommendations for the proper administration of the finances of the union, and
  - b) ensure that a proper and complete record of the financial affairs of the union is accurately maintained
  - c) report on its activities at each general meeting.
- 10.04 The Grievance Committee shall:
- a) make recommendations for the proper administration of the collective agreement, employment policies, and benefit plans applicable to the members of the union
  - b) assist members in resolving differences with the administration of the college arising out of the administration of the collective agreement, employment policies and benefit plans applicable to the members of the union.
  - c) make recommendations to the executive committee regarding support or assistance to be provided by the union to a member seeking to resolve differences with the administration of the college
  - d) report on its activities at each general meeting.

- 10.05 The Negotiating Advisory Committees shall:
- a) research and collect information pertaining to terms and conditions of employment relevant to the members of each bargaining unit.
  - b) assist their respective Chief Negotiators in consultations with members in preparation for bargaining.
- 10.06 The Public Relations Committee shall:
- a) advise the executive committee on methods of communicating the activities of the union to the members, students of the college and the general public
  - b) report on its activities at each general meeting.
- 10.07 The Lounge Committee shall:
- a) oversee the operation of the Lounge, and
  - b) report on its activities at each general meeting.
- The chairperson of the Lounge Committee will act as the Lounge Coordinator.
- 10.08 The Part-Time Faculty Committee shall:
- a) advise the executive committee on all matters relating to Regular Part-Time Appointments and Individual Course Appointments, and
  - b) report on its activities at each general meeting.
- 10.09 Ad hoc committees may be found and members selected to serve on them at any general meeting or executive committee meeting.
- 10.10 A Negotiating Team for each bargaining unit shall be formed on an ad hoc basis in advance of bargaining. The Chief Negotiator for each Bargaining Unit shall be appointed by the Executive.
- 10.11 The Chief Negotiators shall each form a team to be presented to the Executive for approval. The teams will be presented to the membership at a general meeting for ratification. An RPT member will be included on the Unit 1 negotiating team.
- 10.12 The Negotiating Teams shall:
- a) consult with the Negotiating Advisory Committee Chairs (as applicable) regarding research and consultations in preparation for bargaining;
  - b) Advise the executive and the membership on the formulation of bargaining policy;
  - c) Report on its activities at general meetings;
  - d) Bargain with the Employer's Negotiator on behalf of the respective bargaining units;
  - e) Present any recommendation to accept or reject a deal, move to conciliation, strike, or other action to the executive for consideration and further action.

#### *Article 11: Amendments*

- 11.01 This constitution may be amended by a resolution passed by a 2/3 majority at a general meeting. Fourteen (14) days Notice of Motion is required to amend this Constitution.

**BYLAWS OF THE  
FACULTY UNION OF THE NOVA SCOTIA COLLEGE OF ART AND DESIGN  
(as mandated under s. 11 of the FUNSCAD Constitution)**

**Article B1: Elections and Recall**

B1.01 An ad hoc Nominations and Elections Committee will be formed in advance of the Annual General Meeting, consisting of the Past-President (Chair), President, and two Vice-Presidents to prepare a slate of candidates for election. The Committee will strive to ensure that all bargaining units, Regular Part-Time faculty, and the various teaching areas and library are represented. Further nominations can be accepted at the meeting.

B1.02 Voting for positions with more than one candidate will be held by secret ballot.

B1.03 The Officers of the Union, Chairs of Standing Committees, and the Lounge Coordinator shall be elected at the Annual General Meeting of even numbered years. Terms shall be for two-years, commencing on January 1<sup>st</sup> following the election

B1.04 The ANSUT Council liaison shall be nominated by the Executive Committee and the nomination shall require ratification by the membership at a General Meeting.

B1.05 The CAUT Defense Fund Trustee will be nominated by the Executive, in accordance with the Defense Fund By-Laws.

B1.06 Recall of Executive Members

Any member of the Executive may be removed from office before the expiration of their term by a resolution adopted by, at least, two thirds of those voting at a special meeting of the membership called for the purpose of removing said officer.

**Article B2: Committee Membership**

B2.01 Members of Committees are chosen by the Executive Committee, after receiving recommendations from the Chair of each respective Committee. This includes membership for ad hoc committees that may be struck by the Executive Committee.

B2.02 In the case of Negotiating Teams for Units I and II, members are chosen by the Executive Committee after receiving recommendations from the Chief Negotiators of each Negotiating Team Committee.

B2.03 Negotiating Advisory Committees have a mandate to assist the Negotiating Team Committee with research and consultations with members. Chairs of the Advisory Committees shall be elected by members of their bargaining units. The RPT Committee Chair will be a member of the Unit 1 Bargaining Advisory Committee.

B 2.04 The Executive Committee shall endeavour to ensure that both Bargaining Units and Regular Part-Time Members are represented on the Finance and Public Relations Committees.

B2.05 The Grievance Committee shall consist of the Grievance Officer, President, and one or more of the Vice Presidents Unit 1 and 2, and the RPT member of Executive, as applicable to the grievance under consideration.

#### Article 3: Amendments

B3.0 Fourteen (14) days Notice of Motion before a General Meeting is required to amend these Bylaws.

Appendix A:

**NOVA SCOTIA COLLEGE OF ART AND DESIGN FACULTY UNION**  
**MEMBERSHIP APPLICATION**

I hereby make application for membership in the Nova Scotia College of Art and Design Faculty Union (hereinafter the union). I accept the union to be my sole representative for all purposes of collective bargaining. I agree to be bound by the constitution of the union.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESSED: \_\_\_\_\_

PLEASE NOTE: THERE IS A \$2.00 APPLICATION FEE